



REPORT FROM: PLANNING, ECONOMIC DEVELOPMENT AND
REGULATORY SERVICES MANAGER

TO: NELSON COMMITTEE

DATE: 6th July 2020

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

PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning applications.

REPORT TO NELSON AREA COMMITTEE ON 6th JULY 2020

Application Ref: 20/0263/HHO

Proposal: Full: Insert dormer to front roof slope.

At: 92 Beaufort Street, Nelson

On Behalf of: Mr Muneeb Sarwar

Date Registered: 22 April, 2020

Expiry Date: 17 June, 2020

Case Officer: Alex Cameron

Site Description and Proposal

The site is a mid-terrace dwelling located in the settlement of Nelson. It adjoins and is surrounded by similar dwellings to all sides. The house has natural stone elevations, a slate roof, white uPVC windows and a walled yard to the rear.

The proposed development involves the installation of a front roof dormer with a modern flat roof box design. The front and sides would be clad with grey slates and a uPVC window is also proposed.

Relevant Planning History

No relevant planning history.

Consultee Response

LCC Highways – The Highway Development Control Section does not have any objections regarding the proposal at the above location. We are of the opinion that the proposed development should have a negligible impact on highway safety and highway capacity in the immediate vicinity of the site.

Nelson Town Council

Public Response

A site notice has been posted and no public comments have been received.

Officer Comments

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

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

- CS Policy ENV2 (Achieving Quality in Design) identifies the need to protect and enhance the character of the Borough and quality of life for its residents by encouraging high standards of

quality and design in new development. It states that the siting and design of development should be in scale, context and harmony with the wider locality.

Other policies and guidance's are also relevant:

- The Design Principles Supplementary Planning Document (SPD) applies to domestic developments and sets out the aspects required for good design;
- Saved Replacement Local Plan Policy 31 (Parking) sets out appropriate parking standards for developments.

National Planning Policy Framework

- Paragraph 130 states that 'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.'

The principle policy relating to this proposal is Policy ENV2 of the Pendle Local Plan requiring good design. The adopted Design Principles SPD provides further clarity on what is an acceptable design in relation to neighbouring properties and the street scene. Saved Policy 31 is relevant given the proposed addition of bedrooms.

2. Design and Visual Amenity

In general terms, the Design Principles SPD states that the style, design and scale of domestic developments should respect the existing character of the location. Roof dormers should be exercised in a way that ensures their design is in keeping with the dwelling and their volume does not dominate the roofslope. Such developments should only be approved if they are existing features of other similar properties in the locality.

The materials used for cladding should match the main roof coverings and slates are proposed here which is acceptable. Amended plans have been received showing a smaller rear dormer though there are no front dormers visible from the application site and it is clear that they are not traditional or intrinsic features of terraced dwellings in the wider area. The front dormers bulk and scale would be out of keeping with this modest terraced dwelling and it would be seen as an incongruous addition, being immediately visible from public vantage points along Beaufort Street.

The proposal to erect a front dormer here would ultimately be of detriment to visual amenity and it would fail to improve the character and quality of the area. On that basis, the scheme would not be acceptable on design grounds and it does not comply with Policy ENV2, the guidance of the Design Principles SPD and Paragraph 130 of the Framework.

3. Residential Amenity

The proposal would have no overbearing impacts on the immediate neighbours. Bedroom windows are proposed to the front yet the dwelling has existing main habitable room windows to the front and the distances involved are characteristic of other dwellings in the area. The proposal would therefore have no unacceptable impacts on domestic privacy and would be acceptable in relation to residential amenity.

4. Highways

Saved Policy 31 requires all development proposals to be served with adequate parking. The proposal would add two bedrooms to the site increasing parking demand. The site has no off-

street parking and no suitable land to provide parking though domestic parking in the area is almost exclusively provided by on-street provisions.

A relaxation in parking requirements is therefore acceptable in this instance as the scheme would not contribute to on-street parking to an adverse level. LCC Highways have raised no objections and I concur with their findings. The proposal would have no unacceptable impacts on the road network.

5. Summary

The proposal involves the installation of a front roof dormer. The development would have no detrimental impacts on residential amenity or the road network. However, front dormers are not existing or regular features of the terraced houses in the locality. The proposal is unacceptable in terms of design and impacts on visual amenity thereby to accord with Policy ENV2, the guidance of the Design Principles SPD and Paragraph 130.

RECOMMENDATION: Refuse

For the following reason:

1. The proposal to erect a front dormer on this dwelling would be detrimental to visual amenity and the proposal would fail to improve the character and quality of the area thus failing to comply with Policy ENV2 of the Pendle Borough Council Local Plan Part 1: Core Strategy (2011-2030), the guidance of the Design Principles Supplementary Planning Document and Paragraph 130 of the National Planning Policy Framework.

REPORT TO NELSON COMMITTEE ON 6TH JULY 2020

Application Ref: 20/0271/PNT

Proposal: Prior Notification: Telecommunications installation: Erection of MBNL 20.00m Slimline Lattice Tower on reinforced concrete base and associated works.

At: Hodge House Playing Field, Regent Street, Nelson.

On behalf of: EE Ltd & Hutchison 3G UK Ltd.

Date Registered: 27.04.2020

Expiry Date: 10.07.2020

Case Officer: Charlotte Pinch

Site Description and Proposal

The application is to be decided at committee as it was called in by Councillor Sakib.

The application site is an area of open land within the settlement boundary of Nelson, associated with Hodge House Playing Fields and Community Centre. The proposal is within an area of designated open space, playing fields, however it's siting adjacent to the existing building would not compromise access or use of the playing fields.

This is a prior notification application under Schedule 2, Part 16 of the General Permitted Development Order 2015 for the installation of telecommunications equipment comprising a 20m high slimline lattice tower, on a reinforced concrete base, with associated ground works.

Relevant Planning History

None.

Consultee Response

LCC Highways

Having considered the information submitted for the installation of telecommunications equipment at the above location, the Highway Development Support Section does not raise an objection on highway safety grounds. It should be noted that the following comments are made following a desk top survey using digital mapping. A site visit has not been possible due to current restrictions on travel imposed by central government.

The proposed location for the equipment is not within or immediately adjacent to the adopted highway network, nor does the access from Regent Street form part of the adopted highway network.

Arqiva

No observations

NATS

No safeguarding objection to the proposal.

Public Response

No response.

Officer Comments

Policy

Pendle Local Plan Part 1: Core Strategy

Policy ENV1 (Protecting and Enhancing Our Natural and Historic Environments) seeks to ensure a particularly high design standard that preserves or enhances the character and appearance of the area and its setting. It states that the impact of new developments on the natural environment, including biodiversity, should be kept to a minimum.

Policy ENV2 (Achieving Quality in Design and Conservation) states that all new development should viably seek to deliver the highest possible standards of design, in form and sustainability, and be designed to meet future demands whilst enhancing and conserving our heritage assets.

Replacement Pendle Local Plan

Policy 38 (Telecommunications) of the Replacement Pendle Local Plan states that proposals for new telecommunications development should, in the first instance, seek to share an existing mast or site. All proposals should minimise the impact on the natural and built environment, designated areas, listed buildings, educational establishments and residential amenity. Design should be sympathetic in respect of height, materials and colours.

Applicants are also required to submit a statement which certifies that ICNIRP guidelines will be met.

Policy 38 is supported by the Adopted SPD: Guidelines for the Control of Telecommunications Equipment. In relation to development in urban area this states:

"Telecommunications apparatus may be refused consent where they adversely affect the character and appearance of a listed building or its setting, or would be detrimental to amenity within conservation areas and other special areas. There should be no needless duplication. Development should be adequately distanced from residential properties. In any urban area, masts and antennae should be integrated into the townscape by utilising existing structures and buildings."

Guidance on telecommunications development is also contained within the National Planning Policy Framework paragraphs 112-116.

Paragraph 116 states that "Local planning authorities must determine applications on planning grounds only. They should not seek to prevent competition between different operators, question the need for an electronic communications system, or set health safeguards different from the International Commission guidelines for public exposure."

Permitted Development

Schedule 2, Part 16, Class A (a) of the General Permitted Development Order 2015 (as amended) allows the installation, alteration or replacement of any electronic communications apparatus by electronic communications code operators.

Development including a mast is subject to a prior approval process for the determination of the local planning authority as to whether the prior approval of the authority will be required as to the siting and appearance of the development.

Compliance with Part 16, Class A of the GPDO

Development not permitted: ground-based apparatus

A.1— (1) Development consisting of the installation, alteration or replacement of electronic communications apparatus (other than on a building) is not permitted by Class A(a) if—

(a) in the case of the installation of electronic communications apparatus (other than a mast), the apparatus, excluding any antenna, would exceed a height of 15 metres above ground level;

(b) in the case of the alteration or replacement of electronic communications apparatus (other than a mast) that is already installed, the apparatus, excluding any antenna, would when altered or replaced exceed the height of the existing apparatus or a height of 15 metres above ground level, whichever is the greater;

(c) in the case of the installation of a mast, the mast, excluding any antenna, would exceed a height of—

(i) 25 metres above ground level on unprotected land; or

(ii) 20 metres above ground level on article 2(3) land or land which is on a highway;

The height of the proposed mast is 20, the associated equipment up to 3m and fencing of 2.1m. The proposed development therefore falls within the thresholds of Part 16 Class A.

Siting

The notification has been accompanied by a statement which demonstrates that alternative sites have been considered and the need for the structure in this location, which is satisfactory.

An ICNIRP certificate declaring compliance with guidelines for public exposure has been submitted with the application and therefore the siting of the proposed installation is acceptable in terms of public health.

Although the proposed mast would be visible from the highway and nearby dwellings it would not result in an overbearing impact upon or unacceptable loss of light to any adjacent buildings.

The existing area is of sufficient size to accommodate the siting of the proposed mast and equipment cabinets without causing unacceptable obstruction to pedestrians.

Therefore, the proposed development is acceptable in principle in accordance with policy 38 and paragraphs 112-116 of the Framework.

Visual Appearance

The proposed mast would be adjacent to existing development of the sports building and two storey dwellings, as well as vertical structures and features such as telegraph poles and set against a line of trees. Taking this into account, the mast and associated equipment compound would not result in an unacceptable impact upon the character or visual amenity of the area. The

development is therefore in accordance with Policies ENV1, ENV2 and 38.

Residential Amenity

The proposed mast would be a sufficient distance, approx. 40m, from nearby dwellings to ensure that it would not have an overbearing impact upon them or otherwise harm the amenity of residents. It is therefore acceptable in terms of residential amenity in accordance with Policies ENV2 and 38.

Highway Safety

The site is accessible from Regent Street and the proposed development is not within or immediately adjacent to the adopted highway network. Therefore, the proposed development is acceptable in terms of highway safety.

Reason For Decision

The siting and appearance of the proposed development is acceptable in accordance with the Pendle Local Plan Part 1: Core Strategy, the saved policies of the Replacement Pendle Local Plan and the National Planning Policy Framework.

RECOMMENDATION: Approve

Subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans: 305 EQUIPMENT SCHEDULE & SUPPORT STRUCTURE DETAILS, 304 MAX CONFIGURATION ANTENNA SCHEDULE & LINE CONFIGURATION, 265 MAX CONFIGURATION ELEVATION, 215 MAX CONFIGURATION SITE PLAN, 150 EXISTING ELEVATION A, 100 EXISTING SITE PLAN, 005 CHERRY PICKER & CRANE LOCATION, 003 ACCESS PLAN and 002 SITE LOCATION PLAN

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

LIST OF BACKGROUND PAPERS

Planning Applications

NW/MP

Date: 23rd June 2020