



**REPORT FROM: PLANNING, ECONOMIC DEVELOPMENT AND
REGULATORY SERVICES MANAGER**

TO: NELSON COMMITTEE

DATE: 5th October 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 COMMITTEE 5th OCTOBER, 2020

Application Ref: 20/0322/FUL

Proposal: Full: Major: Erection of three storey office building (Use class B1a) (3,924sq.m.), 267 space multi-storey car park. Communications mast (45m high) and 2.4m boundary security fence.

At: Land Used for Fairground, Carr Road, Nelson

On behalf of: Lancashire Constabulary

Date Registered: 10 June 2020

Expiry Date: 3 September 2020

Case Officer: Kathryn Hughes

Site Description and Proposal

The site is the site where the Fairground usually is sites each year and where on the mobile testing stations for Covid-19 is based. It is located within the settlement boundary for Nelson and is not designated for any particular use.

This proposal seeks to erect a three storey office building along with a 267 space multi-storey car park, 45m high mast, associated landscaping, vehicular access and fencing.

A Contamination Report, Noise Assessment, Air Quality Assessment, External Lighting, Zero Carbon Feasibility Report, Transport Assessment, Travel Plan, Ecological Impact Assessment, Arboricultural Assessment, Flood Risk Assessment, Drainage Strategy and Design and Access Statement have been submitted in support of this application

Relevant Planning History

None.

Consultee Response

LCC Highways – This proposal brings together existing local police divisions currently located at Nelson Police Station, Colne Police Station, and Accrington Police Station and build a new proposed Briefing Base on Carr Road, Nelson. Nelson and Colne will close completely while Accrington Station will remain operational.

Pendle Briefing Base will accommodate approximately 177 employees, 107 operational staff and 70 administrative support staff in total across a range of shifts.

There are no buildings on site and currently the site is an area of hardstanding which is used for by a travelling fairground. There is an existing all-purpose gated site access on Carr Road.

The proposed site will be used for police operations and therefore will accommodate emergency response vehicles (it will not contain a custody suite).

There are 267 car parking spaces proposed in a new multi-storey car park on site.

It is proposed that the site will become occupied in 2022.

Pre-application advice

The scope of the Transport Assessment was agreed during pre-application discussions with Lancashire County Council.

Transport Assessment - Pick Everard Transport Assessment Scope MC/MPC/M-LH/KBD/191056/1-20/R002- Issue number 01 dated 6th May 2020.

Sustainable Transport

Bus service 66 uses the nearest bus stops on Milton Street within 100m of the site. The existing bus stops infrastructure requires upgrading to Lancashire County Councils quality bus stop standard.

Bus services 891, 910, 919 and 920 are school bus services and are not considered suitable for the staff to travel to site.

Service 66 connects the site to Nelson Bus Station where connections to mainline services and train services can be made.

The service does not allow those working late shift or Sunday shifts to travel by bus. There would be an option to enhance this Lancashire County Council subsidised service 66 to include an additional vehicle to run a late and weekend service. A contribution via a 106 agreement would be required amounting to £120,000 a year for 5 years.

Nelson Interchange is approx. 800m from the site. There is a significant gradient between the site and the Interchange which may deter some staff to walk the distance however cyclists could easily travel between the sites and this would be a reasonable alternative to the private car.

The Interchange provides mainline bus and train services regularly to nearby large centres.

The enhancement of the cycle network would support the sustainability of this site and encourage staff to travel by sustainable modes other than the private car. There is an opportunity to enhance the cycle links on Carr Road to directly benefit staff cycling to work.

Travel Planning

A travel survey has been undertaken of the staff who are to be relocated from Accrington, Colne and Nelson as part of this proposal. Out of the 177 staff members surveyed, 40% responded and the results indicate their current travel modes as follows, 84% were car trips (lone driver, as driver with passenger and as passenger) logged in all the shift patterns, 4% of trips were walking to work and 3% of trips were using the bus. There were no train, cycling, car share or park and ride users in this scenario.

The survey collected details of the intended modes of travel to the proposed site and it is observed that the expected car trips to the proposed site remain very similar to the existing number of car trips. There would be 3% expected cycle trips and 3% expected motorcycle trips. Again, no car share, park and ride or train trips are expected from staff once they relocate to the new site, but the potential for an increase in cycling and motorcycle use is encouraging.

An interim Travel Plan is submitted (reference MC/MPC/M-LH/KBD/191056/1-20/R003 – Issue Number 02) and is considered acceptable. A condition is required to ensure that the details and timetable contained within the ITP are adhered to throughout the lifetime of the development.

Traffic Impact

The data collected by the consultant between Mon 16th and Sunday 22nd March is deemed acceptable in this case because it has been validated against existing data and adjusted due to

slightly lower traffic levels. The closure of the schools and homeworking due to the Covid-19 pandemic was not implemented until the following week Monday 23rd March.

The trip generation (based upon existing staff travel modes), growth, distribution (based upon existing staff postcode data), committed development are agreed.

There were 7 junctions included in the assessment as follows:-

Junction A - Junction 13 M65 / Barrowford Road / Scotland Road Signal Roundabout,

Junction B - Barrowford Road / Parrock Road Roundabout,

Junction C - Barrowford Road / Carr Road Priority T-Junction,

Junction D - Park Avenue / Carr Road Priority Crossroad,

Junction E - Every Street / Carr Road Signal Junction,

Junction F - Manchester Road / Broadway / Stanley Street Signal Junction,

Junction G - Proposed development access / Carr Road Priority T-Junction.

All the junctions, except J13 M65, will operate within operational capacity in the future year 2025 including the background growth, development and committed development traffic.

Junction 13 M65

The consultant makes the following statement about junction 13:-

The junction is operating overcapacity in the existing year on all arms at the western side of the junction with the signal facilities. This seems to impact on Scotland Road SE at the eastern side of the roundabout. However, with the addition of the proposed development trips even in the future year of 2025, and with both cycle times tested, the change in RFC is considered to be negligible to no discernible effect on performance at this junction.

The queue surveys reveal that during the PM peak period, stationary queues were observed to reach up to 240m back from the roundabout give way line on the M65 northbound off-slip, with slow moving traffic further behind this queue backing up onto the M65 carriageway.

In response we would make the following comments:-

Although the increase in traffic is small, the cumulative impact of the traffic is significant and mitigation is considered necessary. We would seek to secure works within the S278 agreement to run validation reports on the MOVA at J13 upon occupation of the site and any works required as a result of the assessments to maximise the operation of the junctions, such as detection or software, shall then be implemented within an agreed timetable submitted with the reports.

Collisions

There is a cluster of collisions at the Barrowford Road, Carr Road junction. There are elements of this junction which could be improved to enhance the driver visibility when emerging from Carr Road onto Barrowford Road and pedestrian/cycle movements. The existing central splitter island promotes a left turn onto Barrowford Road due to its obtuse angle to Barrowford Road. We would seek to realign the island to provide it at 90 degrees to Barrowford Road which will better align drivers when turning right onto Barrowford Road.

The right turn emerge onto Barrowford Road will increase due to this development. The tightening of the kerb on the north side of the junction will reduce entry speeds from Barrowford Road and allow the pedestrian and cycle movements at the junction to be brought closer to the mouth of the junction where they will have enhanced visibility and be more directly on the desire line.

Pedestrian and cycle infrastructure

An assessment has been undertaken, by the consultant, of the suitability of the existing uncontrolled pedestrian/cycle crossing that serves the desire line of where the existing shared pedestrian/cycle path crosses Carr Road immediately to the west of the proposed site.

The assessment concludes that, given the current record of no accidents having occurred at this crossing in the last five years for which data is available, the expected pedestrian, cyclist and motor traffic flows can be safely accommodated by an uncontrolled crossing and are insufficient to justify the installation of a controlled crossing.

The review of the current and expected peak time pedestrian, cycle and traffic flows confirmed that the number of users of the crossing will not be high at these times and that peak traffic flows will offer ample opportunity for pedestrians and cyclists to cross the road in comfortable time. It is therefore considered that, whilst a controlled crossing such as a parallel crossing, could potentially be accommodated at this crossing site, this is not justified.

It is concluded that the crossing should remain an uncontrolled crossing but that further enhancements to the layout of the crossing may be beneficial to offer greater accessibility and prominence e.g. the installation of tactile paving and a coloured road surface on the carriageway for the length and width of the crossing point.

We do not dispute this conclusion that the consultant makes and in addition to the measures detailed above at the Carr Road/Barrowford Road junction we are satisfied that the pedestrian and cycle links will support sustainable travel to the development.

Access Arrangement (plan ref: xxxx)

The existing site access will be closed and replaced with an all-purpose site access and an emergency access on Carr Road.

A new site access with a 7.5m wide carriageway is proposed with visibility splays of X2.4m and Y 70m shown on the submitted drawing. The visibility splays X2.4m and Y 43m are acceptable based upon the 30mph speed limit and 85%ile speeds recorded at 30.1mph.

The splays lie within the adopted highway and there is a parking restriction along Carr Road which prohibits parking 24 hours a day.

A full summary of the vehicle speed data recorded on Carr Road and Barrowford Road is requested.

Parking

A 6-level multi-storey car park (MSCP) is proposed to be constructed on the site and will have a total of 247 parking spaces. Of these spaces, 36 of them will be on the top level of the MSCP and these will be gated off from regular use and only used when required in exceptional circumstances when the flexible room space in the building is in use for an exceptional circumstance that requires additional staff to be brought to the Base.

The remaining 211 spaces in the MSCP together with 19 spaces located between the proposed briefing base and the MSCP will accommodate the following parking vehicles:

Operational cars – 61 spaces

Operational vans – 14 spaces

Emergency operational cars – 6 spaces

Standard staff cars – 144 spaces (Includes 30 Electric staff car parking spaces)

Cars for disabled staff – 5 spaces

The expected maximum number of staff on the site at any one time is 124 at shift change/handover on the basis that the shift change between the early and late shift will be the worst case due to all regular daytime members of staff also being on site at this time.

The provision of staff car parking is robust at 144 spaces. I note that the site is designed to potentially accommodate more staff in the future so we would welcome the robust design to ensure that all the car parking is contained within the site and that it does not overspill onto the surrounding highways or the nearby public car park.

A separate surface level parking area will be provided to the front of the building adjacent to Carr Road. This will accommodate the following parking vehicles:

Standard visitor cars – 5 spaces

Cars for disabled visitors – 4 spaces

Drop-off area – 2 spaces

Cycle and motorcycle parking

The development proposal makes provision for 27 secure, covered cycle parking spaces and 11 parking spaces for motorcycles. The provision of cycle and motorcycle parking is considered acceptable.

Staff shower and changing rooms are provided at the ground floor of the proposed development.

Servicing

Please provide a vehicle tracking drawing from the internal area to demonstrate how the largest vehicle will enter, turn and exit onto Carr Road in forward gear. I anticipate that this would be an 11m refuse wagon however larger operational vehicles may require access? Please confirm.

M65 motorway embankment

At pre-application stage we confirmed that the set of steps on the M65 embankment, at the north east corner of the site, provide access from the motorway to a communications box which is for the emergency roadside phones.

Although this section of motorway is managed by Lancashire County Council, this equipment in particular is owned by Highways England. It is not possible to relocate the steps or cabinet due to the cabinets being sited a certain distance from each other along the motorway.

In previous years there has been land spillage on the motorway embankment to the land north of the proposed development site. This was attributed to poor drainage and drainage improvements were implemented following the land slip on that section.

We have supplied drainage plans to show the French drains at the bottom of the motorway embankment and we would require at least a 3m no building zone from the drains and access for maintenance.

We would seek a pre-commencement planning condition to dig 3 slip trenches along the eastern boundary of the site on the footprint of the proposed building to identify any land drainage that may be in this area which was laid as part of the M65 construction. A representative from Lancashire County Council must be on site to inspect any findings and to discuss the resolution of any findings.

This is essential to ensure the integrity of the M65 embankment is not compromised by any damage caused to drainage assets during the excavation of any ground.

Additional information is requested to confirm that the PV panels and any other associated lighting or equipment located on the roof of the building will not dazzle the drivers on the M65 northbound carriageway.

Mitigation of traffic impacts – Section 278 works and/or Section 106 contributions

1. The enhancement of the pedestrian and cycle links on Carr Road, between the site and Barrowford Road is considered necessary to support the sustainable travel modes of staff and to support the existing pedestrian and cycle movements across Carr Road along the Victoria Park corridor.
2. The enhancement of the nearest bus stops on Milton Street to quality bus stop standard.
3. Realignment of splitter island at junction Barrowford Road and Carr Road to support right turning traffic and tightening of radii on the north side of the junction and enhancement of pedestrian and cycle crossing point.
4. The validation of MOVA at J13 upon occupation with any works required as a result of the assessments to maximise the operation of the junctions, such as detection or software, shall then be implemented within an agreed timetable submitted with the reports.

Conclusion

To conclude there is no objection to the proposal subject to the following information being submitted and appropriate conditions being attached.

Outstanding information

1. Swept path for refuse vehicle or largest vehicle requiring access to the site.
2. Speed data summary for Carr Road and Barowford Road.
3. PV Panels and roof equipment details for drivers NB on M65.

Conditions required relating to construction method statement, land drainage location, site access and off-site highway works, MOVA reports, car, cycle and motorcycle parking and electric vehicle charging point and Interim Travel Plan.

Lead Local Flood Authority – I note from section 4.7 of the applicant's FRA that the intention was for surface water management to be discussed further in section 5 of the report. However no such information appears to have been provided in that section of the FRA suggesting that the report may be incomplete. Please can you bring this to the attention of the applicant and ask for further information to be provided in that regard.

Although a separate plan showing the general layout of the drainage network has been provided (drawing no. LAN028-PEVXX-ZZ-DR-C-0500), that plan doesn't appear to cover the full extent of the site and it also doesn't appear to include any assessment into the hierarchy of drainage options or the existing/proposed peak surface water runoff rates, volumes and on-site storage requirements. There are also no catchment plans showing the extent of the contributing areas and no supporting flow calculations demonstrating the suitability of the drainage proposals. This is particularly concerning as the invert level of the surface water outfall structure looks like it could well be submerged by high water levels in the receiving watercourse and this could potentially impact the efficiency of the drainage network. This will need to be considered by the applicant and fully accounted for within their proposed surface water drainage design.

I also note that the applicant's preferred surface water outfall structure lies beyond the red edge boundary of the site and it is unclear whether there is sufficient right of access for construction, inspection and future maintenance of the asset. I would recommend for this to be checked with the

applicant and, if possible, for the red edge boundary to be extended to also include the proposed outfall location.

Finally, I note from the FRA that there are areas of higher surface water flood risk at the base of the motorway embankment along the eastern boundary of the site and also in the land to the north west of the site. It is not clear how these risks will be managed to prevent runoff entering the site and potentially overwhelming the drainage network. Please can you ask the applicant to provide some further clarification in that regard?

In the absence of the above information, the LLFA is unable to fully assess or comment on the suitability of the development proposals.

Environment Agency – The site is located close to a Main River, Pendle Water. It is located in Flood Zones 1 and 2, and its boundaries (including the entrance) abut Flood Zone 3 according to the Environment Agency’s Flood Map for Planning.

The FRA (MC/EST/191056/17-2/R002, Pick Everard, 11/05/2020) states that the proposed development for a police station will not be operational in a flood event. This has been confirmed verbally with the applicant. As such, the development is “less vulnerable” according to Table 2 of the PPG.

Some elements of response in a flood event have been assessed in the FRA, including that there is a flood risk at the site entrance in a 100-year plus 30% climate change allowance event. The product 4 information provided in the appendix also shows there is a flood risk on Carr Road in a 10-year flood event, and a greater extent in a 50-year event. This means that dry access will not be available in fluvial flood events of this magnitude. The access and egress from the site in a flood event has not been adequately assessed.

Reference is made to the need for a Flood Management Plan and consideration of access and egress at the design stage. We consider it is necessary to consider the response to a flood at this stage of the planning application due to the nature of the development and the site’s risk of flooding. The assessment of the adequacy of a flood evacuation plan and response is not within the remit of the EA, however, we must highlight to the LPA that the FRA states that the police station will not be operational in a flood event and there will be no dry access in a design event.

In the absence of an acceptable flood risk assessment (FRA) we object to this application and recommend that planning permission is refused.

Reasons

- The submitted FRA does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 30 to 32 of the Flood Risk and Coastal Change section of the Planning Practice Guidance (PPG). The FRA does not therefore adequately assess the flood risks posed by the development. In particular, the FRA fails to:
 - consider how people will be kept safe from the identified flood hazards including safe access and egress routes in a design flood event.
 - adequately consider the requirement for flood emergency planning including flood warning and evacuation of people for a range of flooding events, up to and including the extreme event.

Overcoming our objection To overcome our objection, the applicant should submit a revised FRA which addresses the points highlighted above.

Architectural Liaison Unit

PBC Environmental Health – contamination – standard condition and gas proof membrane required. Noise – it is unlikely that the development will cause a noise nuisance due to the park

and motorway acting as a barrier for residents. External lighting no issues arising. Air quality – assessment should be undertaken.

PBC Environmental Officer (Trees) –The arboricultural report is good and meets the requirements of BS 5837:2012.

The report recommends:

‘The retention of the Category A and B trees across the site should be considered as a priority as these specimens are likely to make a substantial contribution to the continued landscape character of the site.’

However, Hard and Soft Landscape proposal plan (LAN028-PEV-XX-XX-DR-L-0202) shows the loss of G2 and G5 which are both category B trees. While I understand the reasoning for the loss of these trees we should look at mitigation. The landscape proposals do not include any planting of trees anywhere within the site. I note from the plan that there appears to be adequate space on the banking up to the motorway to accommodate some trees. While appreciate that this maybe outside the red edge of the project compensatory planting should be considered in this area. Failing that maybe some additional planting within the park.

I do have some concerns with regards to the trees within the park. Can we condition that no work is to be carried out to those trees without our consent or do I need to TPO them? The reason, I ask this is that these trees are good specimens of a significant age. I would not be happy if the trees were ‘sided’ back to the boundary of the site and ruining them.

Landscape – I think the landscape plan could do with a bit more work on it. To the Carr Road elevation of the building is a series of small planters and then four larger planters. I would much prefer that these were removed and larger beds were installed that could accommodate some trees. These do not need to be trees that go particularly large such as Paperbark Maple or Himalayan Birch, just something that would break up the lines of what is quite a stark industrial building. I do feel that two trees could also be accommodated in the proposed shrub beds opposite Lomeshaye Road without interfering with sightlines of the junction. Again this will help break up the lines of the building.

The landscape plan is quite stark in its detail. We are given ‘S1 – Proposed Low Level Shrubs, S2 – Proposed Medium Level Shrubs etc.’. While this is okay for a starter I would like our usual landscaping condition placing on the decision. I would also like a maintenance plan conditioned.

Biodiversity – Again the ecology survey is sufficient. In its recommendations the ecologist recommend that the a species rich grassland is created and maintained (paragraphs 4.5, 4.10, 4.12 of the report). I take this to be the areas marked as S4 on the plan mentioned above. The ecologists recommend the used of ‘Emorsgate Seed EM2’. This would at least increase the biodiversity of the site. Could we please have suitable condition attached.

Bats – Over the years, I have led many bat nights in Victoria Park which have been very successful in terms of number of people attending and the number of bats that we see during the evening. There are several species of bats that use the site as a feeding ground and are likely to roost within the park. These include two species of Pipistrelle, Noctule and Daubenton’s Bat. My concern with the scheme is that there appears to be a lot of lighting on the site. I am concerned that this could overspill into the park and have an impact on the feeding areas of bats. As a result, I would prefer it if we could have bat friendly light systems conditioned as part of the scheme.

Having a quick look at the drainage plan it looks like the headwall that is going into the park is to be installed into one of the paths rather than the river banking. Secondly, I would like details of

how they plan to get the pipe work through the site without damaging the red brick wall (that should be repaired and retained) and without impacts to the trees in the park.

I am supportive of this project and think it would be good for Pendle and Nelson in particular. However, I am aware that is two quite industrial looking buildings in what is a leafy residential/parkland area and has the potential to have a large impact on the amenity value of the area. That being said, I do think that with the right landscaping scheme to the Carr Road elevation of the site and the building, the impacts can be lessened and contribute to the sense of place.

Nelson Town Council

Public Response

Site and press notices posted and nearest neighbours notified by letter. One response received raising the following concerns:

- It appears that our ground will face the multi-storey car park. I can not see any proposed protection to ensure that any cricket balls hit over the boundary wall will not cause damage to persons/property on the other side? We therefore strongly represent planning conditions are imposed to ensure that the applicant, owner and occupant bear full responsibility for the safety of all persons accessing its land at all time, particularly with regard to cricket balls;
- The applicant, owner and occupant erect and maintain a net across the entire boundary wall at a suitable height to protect the development at their expense;
- We would like to see an artists impression of the elevation that we would see from the cricket ground as our outlook will change significantly and we would like to see what this would look like and what planting will be used to soften the impact.

Policy

The development plan for the area is the adopted replacement Pendle Local Plan ("the Local Plan") and the adopted Core Strategy ("Local Plan Part 1"). National planning policy is contained in a single document - the National Planning Policy Framework ("the Framework"). Guidance on its implementation is contained in the online National Planning Practice Guidance.

The Local Plan

The Local Plan Part 1: Core Strategy has several relevant policies:

ENV1 requires development to make a positive contribution to the protection, enhancement, conservation and interpretation of our natural and historic environments. The policy requires the significance of any heritage asset must not be harmed or lost without clear justification.

ENV2 requires a high standard of design to enhance our heritage and natural assets and sense of place.

ENV5 deals with pollution and unstable land and seeks to address the risks arising from contamination, unstable land and hazardous substances.

ENV7 seeks to ensure that proposals have suitable drainage and would not lead to an increased risk of flooding on or off the site.

WRK1 seeks to strengthen and diversify the local economy and supports proposal which facilitate expansion or support investment particularly in the M65 corridor.

WRK6 encourages the provision of well-designed workplaces and that meet the policies of ENV5 and ENV7. New build schemes should maximise the potential of the site and incorporate high quality design features and layouts that contribute to a sense of place. For sites on the edge of an urban area, the use of open space to help with the transition will be encouraged.

The following saved Replacement Pendle Local Plan policies are also relevant here:

Policy 4D which protects biodiversity on sites. The policy states that where there will be loss or damage to biodiversity then appropriate and adequate mitigation will be required.

Policy 31 sets the maximum amount of parking required for specific use classes.

The Framework is the single composite national policy on planning matters in England. It replaced all previous national planning policy documents.

The Framework sets out that the purpose of planning is to contribute to achieving sustainable development. This comprises of three dimensions: social, environmental and economic. The Framework continues to place Local Plans at the heart of decision making.

Section 2 sets out policies regarding town centres. It states that authorities should apply a sequential test to planning applications for main town centre uses which in turn should be required to be located in town centres before other locations.

Good design is seen as an important element in the built environment. Paragraph 64 states that planning permission should be refused for development of poor design.

Officer Comments

1. Principle of Development

The site is located outside the Town Centre boundary for Nelson on land that is not designated for any particular use.

The site area is 1ha 45sq.m. and there are no sites available within the Town Centre which could accommodate this amount of development and be suitable for the operational needs of the service.

Therefore the principle of this development here is accepted.

2. Design and Materials

There would be two large buildings on the site together with a 45m high mast, associated surface level parking, landscaping and two 2.4m high fences.

The three storey office building would be sited fronting on to Carr Road opposite Victoria Park (South) with the Park sited to the side (West) elevations, Nelson Cricket Club to the rear (North) and the M65 to the eastern side.

The six storey multi-storey car park would be sited behind the office building to the north of the site and the 45m high mast to the north east edge of the site closest to the M65.

The office building is of a modern, utilitarian design and would measure a maximum of 31.460m x 51.290m x 13.6m overall height.

Elevations for the office building are proposed to be finished in the following materials - Locally sourced pale Sandstone Blocks to the Carr Road elevation, Clear PPC aluminium curtain walling system to the Carr Road and park side elevations, Anodised Louvre/Solar Shading and facing brickworks to side and rear elevations and featured recessed brick will provide some detail.

The roof will be single ply roofing system with aluminium parapet capping and membrane.

Doors and windows will be PPV aluminium doors glazed and non-glazed with electric PCC roller shutters to the external stores at the rear of the building.

The multi storey car park would measure 32.570m x 57.595m x m overall height would have perforated metal panels attached to all sides.

The mast is a typical lattice type tower and at 45m will be visible from public vantage points, however, the site is not within any designated landscape that would be adversely affected by this and the location of the mast to the rear eastern corner adjacent to the M65 motorway bridge would limit its impact on the landscape to some degree.

The existing red brick wall to the western boundary will be retained and repaired and additional 2.4m security fence erected to the perimeter of the site with a sterile zone between a further inner 2.4m security fence.

Tarmac will be laid to all vehicle accessible ground and security approved lighting provided.

Whilst the buildings are large and somewhat stark, any development here would stand out due to its location on the urban edge and abundance of greenery adjacent and opposite, however, the site is adjacent to the motorway and is underused at present and subject to an acceptable palette of materials and improved landscaping scheme it would not be unacceptable here.

Whilst it would not be possible to screen the 45m high mast effectively the adjacent motorway bridge and backdrop of development up Carr Road towards the Town Centre would reduce its impact when travelling from the A6068 Barrowford Road toward Nelson Town Centre to an acceptable degree. Views from Nelson Town Centre towards the A6068 would be limited due to the topography and motorway bridge.

Longer term views would blend the site with the adjacent town centre development with foliage from Victoria Park screening it from distant viewpoints.

These proposals are acceptable and accord with policy ENV2.

3. Highways

The existing site access will be closed and replaced with an all-purpose site access and an emergency access on Carr Road.

A new site access with a 7.5m wide carriageway is proposed with visibility splays of X2.4m and Y 70m shown on the submitted drawing. The visibility splays X2.4m and Y 43m are acceptable based upon the 30mph speed limit and 85%ile speeds recorded at 30.1mph.

The splays lie within the adopted highway and there is a parking restriction along Carr Road which prohibits parking 24 hours a day.

Sustainability

Bus service 66 serves the nearest bus stops on Milton Street which is within 100m of the site. The existing bus stops infrastructure requires upgrading to Lancashire County Councils quality bus stop standard.

The existing service is limited as it does not operate in the evenings or Sundays. This could be improved by a contribution to provide an additional vehicle to run a late and weekend service. A contribution would be required amounting to £120,000 a year for a five year period and this would be achieved by a S.106 Agreement.

The enhancement of the cycle network would support the sustainability of this site and encourage staff to travel by sustainable modes other than the private car and there is also an opportunity to enhance the cycle links on Carr Road to directly benefit staff who cycle to work.

An interim Travel Plan has been submitted and is acceptable. A condition can be attached to ensure the details and timetable are adhered to for the lifetime of the development.

Traffic Impact

The trip generation (based upon existing staff travel modes), growth, distribution (based upon existing staff postcode data), committed development are agreed by LCC Highways.

All the junctions, except J13 M65, will operate within operational capacity in the future year 2025 including the background growth, development and committed development traffic.

With regards to Junction 13 M65 the consultant has stated that this is operating at overcapacity which seems to impact on Scotland Road SE at the eastern side of the roundabout. However, with the addition of the proposed development trips even in the future year of 2025, and with both cycle times tested, the increase is considered to be negligible with no discernible effect on performance.

LCC Highways have responded to say that although the increase is small, the cumulative impact of the traffic is significant and mitigation may be necessary. Therefore they request validation reports on the MOVA at J13 upon occupation of the site and any works required as a result of the assessments to then be implemented within an agreed timetable. This can be controlled as part of any S.106 Agreement.

It is proposed that the crossing at the junction of Barrowford Road/Carr Road should remain an uncontrolled crossing but further enhancements to the layout would be beneficial due to a number of collisions here and would offer greater accessibility and prominence by the installation of tactile paving and a coloured road surface on the carriageway for the length and width of the crossing point.

LCC Highways agree with these measures and are satisfied that the pedestrian and cycle links will support sustainable travel to the development. These can be controlled by condition.

Parking

The 6-level multi-storey car park will provide a total of 247 parking spaces.

The surface car park between the two buildings will be laid out with 19 car parking spaces including 5 spaces for disabled drivers.

A separate surface level parking area will be provided to the front of the building adjacent to Carr Road which will accommodate a further 11 spaces for visitors, drop-off and deliveries including 5 disabled spaces. Facilities will be provided for 27 secured cycles spaces and 11 motorcycles.

The expected maximum number of staff on the site at any one time is 124 at shift change/handover on the basis that the shift change between the early and late shift will be the worst case due to all regular daytime members of staff also being on site at this time.

The provision of staff car parking is robust at 144 spaces although the site is designed to potentially accommodate more staff in the future.

This is acceptable and accords with policy 31.

M65 motorway embankment

In previous years there has been land spillage on the motorway embankment to the land north of the proposed development site. This was attributed to poor drainage and drainage improvements were implemented following the land slip on that section.

It is therefore essential to ensure the integrity of the M65 embankment is not compromised by any damage caused to drainage assets during the excavation of any ground. This can be controlled by an appropriate condition.

Section 278 works and/or Section 106 contributions

1. The enhancement of the pedestrian and cycle links on Carr Road, between the site and Barrowford Road is considered necessary to support the sustainable travel modes of staff and to support the existing pedestrian and cycle movements across Carr Road along the Victoria Park corridor. These works can be carried out as part of the off-site highways works.
2. The enhancement of the nearest bus stops on Milton Street to quality bus stop standard. These works can be carried out as part of the off-site highway works.
3. Realignment of splitter island at junction Barrowford Road and Carr Road to support right turning traffic and tightening of radii on the north side of the junction and enhancement of pedestrian and cycle crossing point. These works can be carried out as part of the off-site highways works.
4. The validation of MOVA at J13 upon occupation with any works required as a result of the assessments to maximise the operation of the junctions, such as detection or software, shall then be implemented within an agreed timetable submitted with the reports. These would need to be carried out as part of a S.106 Agreement.

Outstanding information

1. Swept path for refuse vehicle or largest vehicle requiring access to the site.
2. Speed data summary for Carr Road and Barrowford Road.
3. PV Panels and roof equipment details for drivers NB on M65.

The agent has been requested to provide the above information and agree the off-site highway works and s.106 contributions. Subject to these being acceptable the scheme would not result in any undue impact on the highway network or compromise highway safety.

4. Drainage and Flood Risk

The site lies close to a Main River, Pendle Water. It is located in Flood Zones 1 and 2, and its boundaries (including the entrance) abut Flood Zone 3.

Further information on the general layout of the drainage network has been provided to include an assessment into the hierarchy of drainage options or the existing/proposed peak surface water runoff rates, volumes and on-site storage requirements. There are also no catchment plans showing the extent of the contributing areas and no supporting flow calculations demonstrating the suitability of the drainage proposals. The invert level of the surface water outfall structure looks like it could be submerged by high water levels in the receiving watercourse and this could potentially impact the efficiency of the drainage network. The agent has been requested to fully account for this in the proposed surface water drainage design.

The preferred surface water outfall structure lies beyond the red edge boundary of the site and it is unclear whether there is sufficient right of access for construction, inspection and future maintenance of the asset.

There are areas of higher surface water flood risk at the base of the motorway embankment along the eastern boundary of the site and also in the land to the north west of the site. It is not clear how these risks will be managed to prevent runoff entering the site and potentially overwhelming the drainage network. The agent has been requested to provide further clarity on this.

The FRA (MC/EST/191056/17-2/R002, Pick Everard, 11/05/2020) states that the proposed development for a police station will not be operational in a flood event. This has been confirmed verbally with the applicant. As such, the development is "less vulnerable" according to Table 2 of the PPG.

Comments on the further information submitted are awaited from LLFA and there is a standing objection from the Environment Agency which still needs to be addressed.

ENV7 requires a suitable drainage system to be installed and this can be controlled by an appropriate condition, however, in this case the LLFA comments on this are still outstanding.

In terms of the Flood Risk this has been assessed and flood evacuation plan has been requested in order to ensure that when the site floods that personal within the building can make a safe exit from the site.

On this basis it is recommended that the decision is delegated to officers to allow for further information to be submitted and agreed prior to issuing the permission with appropriate conditions attached relating to these technical matters.

5. Contamination, Air Quality, Noise Pollution and External Lighting

A Contamination report has been submitted and further investigations are required and this can be controlled by condition.

Due to the sites location it is unlikely that the development will cause a noise nuisance due to the park and motorway acting as a barrier for residents.

The proposed external lighting scheme raises no undue concerns.

Air quality an assessment undertaken and PBC environmental Health have been requested to confirm that this is acceptable.

Subject to the above and appropriate conditions the scheme would not raise any contamination or unstable land issues and would accord with policy ENV5.

6. Trees and Landscaping

The submitted arboricultural report is acceptable and meets the requirements of BS 5837:2012.

The report recommends that Category A and B trees are retained across the site, however, the submitted landscape plan shows the removal of G2 and G5 which are both Category B trees. Whilst the reasoning for the loss of these trees is understood some mitigation should be provided within the site. The landscape proposals as they stand do not provide any mitigation for the loss of the trees and the agent has been requested to review this.

The proposed landscaping plan needs to be improved and the agent has been requested to provide some larger beds along the frontage which can accommodate some trees or larger planting to provide some relief along the frontage in order to break up the lines of the large commercial building. Two trees could be accommodated in the proposed to Carr Road without interfering with sightlines of the junction which will assist in breaking up the mass of the building.

The agent has also been requested to look at the side (west) and rear (North) elevations of the proposed Multi-Storey Car Park as these elevations will be visible from the public footpath and park and Cricket Club to the rear and the metal perforated sheets would be quite stark in these views.

The landscape plan is quite stark in its detail and a full landscaping scheme and maintenance plan would need to be conditioned as part of any approval.

These amendments and conditions will ensure that the scheme accords with WRK6 and is of a high quality design with appropriate screening/landscaping.

7. Ecology

The submitted ecology survey is sufficient. In its recommendations the ecologist recommend that the species rich grassland is created and maintained. This would increase the biodiversity of the site and can be controlled by a suitable condition.

There are several species of bats that use the site as a feeding ground and are likely to roost within the park. These include two species of Pipistrelle, Noctule and Daubenton's Bat. The scheme would have a significant amount of lighting on the site which could overspill into the park and impact on the feeding areas of bats.

No evidence of bats roosting on the site has been found but due to them foraging in the area it would be appropriate in this location to ensure that the proposed lighting scheme is designed to be suitable for bats and this can be controlled by condition.

This accord with saved policy 4D.

8. Other Issues

The Cricket Club sited to the rear (North) has raised a potential issue with balls entering the site and potentially damaging buildings and vehicles. They have suggest that netting is erected and maintained by the occupier to in order to prevent this. This issue has been raised with the agents in order for an acceptable solution to be agreed.

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 design and materials, impact on amenity, impact on highway network, drainage, ecology, trees and landscaping, contamination, noise, external lighting and air quality therefore complying with policies of the Pendle Local Plan Core Strategy. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

RECOMMENDATION: Delegate Grant Consent to the Planning, Economic Development and Regulatory Services Manager subject to no objection from LLFA and EA, additional details required by LCC Highways and amended landscaping scheme.

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 works hereby approved shall not be carried out except in complete accordance with the details shown on the submitted plans:

LAN028-PEV-B1-ZZ-DR-A-9006 Site Plan, LAN028-PEV-B1-ZZ-DR-A-9007 Site Section, LAN028-PEV-B1-ZZ-DR-A-90011 Ground Floor Plan, LAN028-PEV-B1-ZZ-DR-A-9012 First Floor Plan, LAN028-PEV-B1-ZZ-DR-A-9013 Second Floor Plan, LAN028-PEV-B1-ZZ-DR-A-9014 Roof Plan, LAN028-PEV-B1-ZZ-DR-A-9500 North and West Elevations, LAN028-PEV-B1-ZZ-DR-A-9501 South and East Elevations, LAN028-PEV-B1-ZZ-DR-E-0800 Indicative External Lighting, LAN028-PEV-B1-ZZ-DR-A-9503 MSCP North and West, LAN028-PEV-B1-ZZ-DR-A-9504 MSCP South and East, LAN028-PEV-B1-ZZ-DR-C-C-0900 Proposed Visibility Splays, LAN028-PEV-B1-ZZ-DR-C-0500 Proposed Drainage, LAN028-PEV-B1-ZZ-DR-C-0600 Proposed External Levels Plan, LAN028-PEV-B1-ZZ-DR-C-0700 Proposed Pavement Layout, LAN028-PEV-B1-ZZ-DR-C-0720 Proposed Fencing, LAN028-PEV-B1-ZZ-DR-A-9005 Location Plan, 2020.05.04 Lan028-PEV-XX-XX-DR-L-0202 Hard and soft landscaping, 42939-SRL-RP-YA-001-P2 Noise Assessment, R002EST02-191056-17.30 FRA, RT-MME-151043-01 REV A, Transport Assessment, Interim Travel Plan, Design and Access Statement.

Reason: For the avoidance of doubt.

3. No part of the development hereby approved shall take place until a Planning Obligation pursuant to section 106 of the Town and Country Planning Act, 1990 (or any subsequent provision equivalent to that section) has been made with the Local Planning Authority. The said obligation shall provide for a contribution towards improvements to the bus service and monitoring and improvements to the MOVA system at Junction 13.

Reason: In order to ensure the site is served by a range of sustainable transport and to ensure the free flow of traffic at Junction 13 of the M65.

4. No development shall take place, including any works of demolition, until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. It shall provide for:
 - i) The parking of vehicles of site operatives and visitors
 - ii) The loading and unloading of plant and materials
 - iii) The storage of plant and materials used in constructing the development
 - iv) The erection and maintenance of security hoarding
 - v) Wheel washing facilities
 - vi) Measures to control the emission of dust and dirt during construction
 - vii) A scheme for recycling/disposing of waste resulting from demolition and construction works
 - viii) Details of working hours
 - ix) Routing of delivery vehicles to/from site

4. No development shall commence unless and until three slit trenches have been dug and subsequently inspected to locate any potential land drainage along the eastern boundary which has been provided for the M65 motorway embankment. Any drainage should be recorded and protected during the construction phase.

Reason: To prevent any potential land stability and drainage issues for the adjacent M65.

5. Full engineering details of the site access and off-site highway works shall be submitted to and approved in writing by the Local Planning Authority and these shall be implemented in full prior to the first occupation of the site. The off-site highway works shall include upgrade of the nearest bus stops on Milton Street, upgrade of pedestrian/cycle crossing point on Carr Road for access to Victoria Park, widening of footway to upgrade to shared footway/cycleway on Carr Road between Barrowford Road and the site and realignment of island and north side kerb at Barrowford Road/Carr Road junction.

Reason: In the interests of Highway safety.

7. The car, cycle, motorcycle and electric vehicle parking provision shall be provided in accordance with the approved plans before first occupation of the site.

Reason: To ensure the site is served by a range of sustainable transport modes and to provide for future sustainability of the site.

8. The timetable and details contained within the Interim Travel Plan submitted with this application shall be adhered to for as long as the site is occupied.

Reason: To ensure the site is served by a range of sustainable transport modes and to provide for future sustainability of the site.

9. Prior to any work commencing on site full details of palette of all external materials including stone, roof materials, cladding/glazing systems and rainwater goods shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: In order to ensure that the details are acceptable and appropriate for the setting.

10. The proposed development should not be brought into use unless and until the parking areas shown on the approved plans has been constructed, laid out and surfaced in bound

porous materials. The parking areas shall thereafter always remain available for parking of vehicles associated with the residential development.

Reason: In order to ensure satisfactory levels of off-street parking are achieved within the site to prevent parking on the highway to the detriment of highway safety.

11. The cycle storage facilities to be provided in accordance with a scheme to be approved by the Local Planning Authority and the cycle storage facilities to be provided in accordance with the approved plan, before the use of the premises hereby permitted becomes operative.

Reason: To ensure that the development provides sustainable transport options.

12. For the avoidance of doubt foul and surface water shall be drained on separate systems. All works shall be carried out in strict accordance with the submitted Flood Risk Assessment.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

13. No development shall commence until final details of the design and implementation of an appropriate surface water drainage scheme have been submitted to and approved in writing by the local planning authority. Those details shall include:

- a) A final surface water drainage layout plan; appropriately labelled to include all pipe/structure references, dimensions, design levels, finished floor levels and external ground levels (in AOD);
- b) A full set of flow calculations for the surface water drainage network. The calculations must show the full network design criteria, pipeline schedules and simulation outputs for the 1 in 1 year, 1 in 30 year and 1 in 100 year return period, plus an appropriate allowance for climate change and urban creep. The calculations must also demonstrate that surface water runoff will not exceed a maximum rate of 5l/s.
- c) A final site plan showing all on-site surface water catchment areas, i.e. areas that will contribute to the proposed surface water drainage network;
- d) Confirmation of how surface water will be managed within any non-drained areas of the site, i.e. grassed areas and public open space.
- e) A final site plan showing all overland flow routes and flood water exceedance routes, both on and off site;
- f) Details of any measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses; and
- g) Details of an appropriate management and maintenance plan for the surface water drainage network over the lifetime of the development.

The scheme shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

Reason: To ensure that the proposed development can be adequately drained; that there is no flood risk on or off the site resulting from the proposed development; that water quality is not detrimentally impacted by the development proposal and that appropriate maintenance mechanisms are put in place for the lifetime of the development.

14. Unless approved in writing by the Local Planning Authority no ground clearance, demolition, changes of level or development or development-related work shall commence until protective fencing, in full accordance with BS 5837 : 2012 has been erected around each tree/tree group or hedge to be preserved on the site or on immediately adjoining land, and no work shall be carried out on the site until the written approval of the Local Planning Authority has been issued confirming that the protective fencing is erected in accordance with this condition. Within the areas so fenced, the existing ground level shall be neither raised nor lowered. Roots with a diameter of more than 25 millimetres shall be left unsevered. There shall be no construction work, development or development-related activity of any description, including the deposit of spoil or the storage of materials within the fenced areas. The protective fencing shall thereafter be maintained during the period of construction.

All works involving excavation of soil, including foundations and the laying of services, within the recommended distance calculated under the BS 5837 (2012) of the trees to be retained on the site, shall be dug by hand and in accordance with a scheme of works which has been submitted to and approved by the Local Planning Authority, prior to the commencement of works.

Reason: To prevent trees or hedgerows on site from being damaged during building works.

15. The development hereby permitted shall not be commenced until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be submitted at a scale of 1:200 and shall include the following:

- a. all existing trees to be retained;
- b. all proposals for new planting and turfing indicating the location, arrangement, species, sizes, specifications, numbers and planting densities;
- c. planting scheme for the adjacent land to the north to assist screening views of Block C and to ensure an appropriate setting;
- d. an outline specification for ground preparation;
- e. all proposed boundary treatments with supporting elevations and construction details;
- f. all proposed hard landscape elements and pavings, including layout, materials and colours;
- g. the proposed arrangements and specifications for initial establishment maintenance and long-term maintenance of all planted and/or turfed areas.

The approved scheme shall be implemented in its entirety approved form within the first planting season following the substantial completion of the development. Any tree or other planting that is lost, felled, removed, uprooted, dead, dying or diseased, or is substantially damaged within a period of five years thereafter shall be replaced with a specimen of similar species and size, during the first available planting season following the date of loss or damage.

Reason: To ensure that the development is adequately landscaped so as to integrate with its surroundings.

16. Notwithstanding the submitted plans, prior any installation of external lighting, details including type, size, location, intensity and direction shall have been 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 that the lighting of the site minimises glare and considers impacts on bats and unnecessary light pollution for the location.

17. All the mitigation measures set out in Section 4 of the Ecological Impact Assessment by Grassroots dated February 2020 shall be implemented in full prior to the first occupation of the site.

Reason: To ensure no net loss of biodiversity as a result of the development.

Informative notes

The grant of planning permission will require the applicant to enter into a Section 278 Agreement, with the County Council as Highway Authority. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant should be advised to contact Lancashire County Council, Highway Development Control email – developeras@lancashire.gov.uk in the first instance to ascertain the details of such an agreement and the information to be provided.

REPORT TO NELSON COMMITTEE ON 5th OCTOBER 2020

Application Ref: 20/0376/HHO
Proposal: Full: Erection of dormers to front and rear roofslopes.
At: 166 Leeds Road, Nelson.
On behalf of: Hafiz Faiz Ahmed
Date Registered: 30.06.2020
Expiry Date: 09.10.2020
Case Officer: Charlotte Pinch

Site Description and Proposal

This application has been brought to Committee at the request of Councillor Sakib.

The application site is a two storey terraced dwellinghouse, located within a residential area of Nelson.

The proposal is for the erection of flat roof front and rear dormer. This development would result in two additional bedrooms and a bathroom at second floor level.

The proposed dormers would be clad in vertical tile hanging to the front and cheeks, with white UPVC windows.

Relevant Planning History

None relevant.

Consultee Response

LCC Highways

Having considered the information submitted, the Highway Development Support Section does not have any objections in principle regarding the proposed development at the above location, subject to the following comments being noted, and condition being applied to any formal planning approval granted.

Leeds Road is categorised as a main distributor road, is a bus route and is subject to No Waiting At Any Time waiting restrictions outside the development site. Therefore we recommend that deliveries are only accepted outside peak traffic flow hours and that no deliveries are made from Leeds Road.

Public Response

None received.

Officer Comments

Policy

Pendle Local Plan Part 1: Core Strategy

Policy SDP1 (Presumption in Favour of Sustainable Development) takes a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

Policy ENV1 (Protecting and Enhancing Our Natural and Historic Environments) of the Pendle Local Plan Part 1 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) of the Pendle Local Plan Part 1 identifies the need to protect and enhance the heritage and 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 siting and design should be in scale and harmony with its surroundings.

Replacement Pendle Local Plan

Saved Policy 31 of the Replacement Pendle Local Plan sets out the maximum parking standards for development.

National Planning Policy Framework

The Framework states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that there are three dimensions to sustainable development: economic, social and environmental. The policies in paragraphs 18 to 219 of the Framework, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system.

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

Design

The Design Principles SPD states that dormers should be set below the ridge line of the original roof by at least 0.2m, set in from the side elevation by 0.5m and from the rear elevation by 1m. Dormers should be faced in materials which match the existing roof coverings.

The proposed dormer would be set in from the side elevations by 0.6m on each side, set back from the rear elevation by 0.5m and set down from the ridge line by 0.5m. Whilst the dormer would not be set back from the rear elevation by the guide of 1m, overall the proposed rear dormer would not result in a significantly disproportionate addition to the roof and would not be overly prominent in the street scene.

In regards to front dormers, the Design Principles SPD states that dormers on a front roof slope will not be acceptable unless they are a feature of other similar houses in the locality or the dormer would otherwise be appropriate in visual design terms.

Leeds Road comprises of narrow, uniform, terraced properties, none of which have front dormers. Therefore, front dormers are not a feature of similar houses in the locality. The proposed front dormer would be readily visible from a number of public vantage points on Leeds Road and Plantation Street. Therefore it would result in a development which is detrimental to the character of the street scene and would not comply with the guidance in the Design Principles SPD.

As a result, the proposed development is not acceptable in relation to design or visual amenity and as such does not comply with Policies ENV1, ENV2, the Design Principles SPD and Paragraph 130 of the NPPF.

Residential Amenity

The proposed front dormer would face directly north west onto Leeds Road. The proposed rear dormer would face directly south east, onto the side and rear of properties on Chapel Street. However, these closest properties are not directly to the rear of the application site and are set at a 45 degree angle, with the corner of No.56 Chapel Street being the closest. Nevertheless, a separation distance of 12m is retained between the proposed dormer and corner of No.56. Taking into account the off-set and angled relationship of the properties, without direct view, this separation distance is acceptable.

The Design SPD states that regard must be given to existing street patterns and the existing interface distance between properties characteristic in the area. Given these are rows of compact terraced properties and the proposed rear dormer would not decrease the separation distance between them as existing, it would comply with the street patterns of the area and not have a detrimental impact on residential amenity over and above the existing situation.

Therefore, the proposed development is acceptable in terms of residential amenity in accordance with Policy ENV2 and the Design Principles SPD.

Highways

The proposed dormers would add two additional bedrooms to the dwellinghouse, creating a five bedroom property.

However, on balance, given the terraced nature of the property, there being no space on plot to accommodate parking and all dwellings only having on street parking, requiring full on plot parking provision in accordance with Policy 31 would not be appropriate. This would not be a substantive reason to warrant refusal of the application.

RECOMMENDATION: Refuse

The visual impacts of the front dormer when related to the existing street scene are unacceptable. The front dormer is inappropriate within a street scene in which there are no other examples of dormer extensions and it would be detrimental to the character of the area. As such the development fails to comply with Policy ENV2 of the adopted Pendle Local Plan Part 1: Core Strategy and National Planning Policy Framework Paragraph 130.

LIST OF BACKGROUND PAPERS

Planning Applications

NW/MP

Date: 24th September 2020