



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

TO: NELSON COMMITTEE

DATE: 30th November 2020

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PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning applications.

REPORT TO NELSON AREA COMMITTEE 30TH NOVEMBER 2020

Application Ref: 20/0572/FUL

Proposal: Full: Change of use from dwelling (Use Class C3) to retail (use Class A1) (Re-Submission).

At: 174 Railway Street, Nelson

On Behalf of: Mrs Asia Parveen

Date Registered: 02.09.2020

Expiry Date: 04.12.2020

Case Officer: Charlotte Pinch

Site Description and Proposal

This application is to be decided at committee as it was called in by a Councillor.

The application site is a two storey, end-of-terrace property located within the east of the settlement boundary of Nelson. The property is sited on Railway Street in a mixed residential/commercial area with residential properties adjoining and to the rear and commercial properties across the road. The property has been used previously as a retail premises until that use ceased.

The proposal seeks to change the use of the building from a dwellinghouse (Use Class C3) to retail use (Use Class A1). This is a re-submission of a previously refused application 19/0446/FUL. This re-submission now shows two ground floor rooms to be used for A1 purposes, as a retail area at the front and workshop behind, the previous application only proposed one room.

No external alterations to the building have been applied for.

Planning History

13/11/0125P - Full: Change of use on ground floor from offices (A2 use class) to private tuition rooms (D1 use class) – Approved with Conditions – May 2011.

17/0778/FUL – Change of use from Retail (Use Class A1 with residential (to a dwellinghouse (use Class C3) – Approved with Conditions February, 2018.

19/0446/FUL - Full: Change of use of part of ground floor from residential (Use Class C3) to retail (Use Class A1) – Refused – 2019.

Consultee Responses

LCC Highways

Having considered the information submitted, the above proposal raises no highway concerns. Therefore the Highway Development Support Section would raise no objection to the proposal on highway safety grounds.

Lancashire Constabulary

No objection.

Publicity

One letter of comment was received from a neighbouring occupier, raising no objections to the proposal.

Officer Comments

The main considerations for this application are the principle of retail in this location and potential impacts on amenity.

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

- Policy WRK4 requirements for retail in town and shopping centres and restrictions outside of this.
- Policy SDP2 identifies the settlement hierarchy in terms of the location of new development. Nelson is identified as a Key Service Centre, being one of the areas in which future growth will be focussed.
- Policy ENV5 seeks to prevent pollution and potential noise issues for residential areas.

Other policies and guidance's are also relevant:

- Saved Replacement Local Plan Policy 31 that sets out the parking standards for developments.

1. Principle of Retail

The site is located within the settlement boundary and is outside Nelson Town Centre where services, facilities and public transport provision are readily available.

All applications or allocations should identify sites that are suitable, available and viable by following a sequential approach in order of priority:

1. Town and local shopping centres;
2. Edge of centre locations and
3. Out of centre sites which are well serviced by a choice of transport and have a higher likelihood of forming links with a nearby centre.

Retails proposals on edge of centre or out of centre sites will generally be resisted.

The provision of small scale retail uses that enable people to meet their daily needs for convenience shopping within walking distance of their homes and places of work will be encouraged particularly where they relate to the re-opening of village or corner shops.

Whilst this site was previously a retail shop it is now a dwellinghouse and there are other shop premises both occupied and vacant within close proximity to this site which, if necessary, could serve the needs of local people. However, these premises have clearly closed for a reason and these existing premises can easily be re-used as commercial properties in the future.

The close proximity to Nelson town centre and existing retail premises in this location means that there is no requirement for this property to resume its use as a retail premise at this time. There are vacant properties within Nelson Town Centre which can serve any identified need as well as the four vacant shops nearby and three premises which are occupied as well as others on Railway Street. If this property was allowed to be used as retail then this would undermine the vitality and viability of Nelson Town Centre and therefore is contrary to Policy 25 of the Replacement Pendle Local Plan.

In light of this the proposed use as retail would not accord with policy and would seek to undermine the vitality and viability of Nelson Town Centre.

2. Impact on Amenity

The proposed development would be unlikely to raise adverse issues for existing neighbours in terms of comings and goings and deliveries due to the small scale nature of the property and the adjacent commercial properties.

The scheme therefore is acceptable in this respect.

3. Highway Safety

The site is located in a mixed use area with high demand for on-street parking. With this in mind the scheme is suitable in relation to the local effects on highway safety. This is no provision for off-street parking in this location.

4. Summary

The proposal seeks to change the use of the building from residential to mixed residential and retail use. This proposal is not acceptable in policy terms and fails to accord with saved Policy 25 of the Replacement Pendle Local Plan and Policy WRK4 of the Pendle Local Plan Part 1: Core Strategy (2011 – 2030).

RECOMMENDATION: Refuse

For the following reason:

1. The site falls outside of Nelson Town Centre therefore the use of the premises as mixed residential and retail would undermine the vitality and viability of Nelson Town Centre and fails to accord with policies WRK4 and SDP5 of the Pendle Local Plan Part 1: Core Strategy and saved Replacement Pendle Local Plan Policy 25.

Application Ref: 20/0572/FUL

Proposal: Full: Change of use from dwelling (Use Class C3) to retail (use Class A1) (Re-Submission).

At: 174 Railway Street, Nelson

On Behalf of: Mrs Asia Parveen

REPORT TO NELSON AREA COMMITTEE 30TH NOVEMBER 2020

Application Ref: 20/0594/HHO
Proposal: Full: Erection of a single storey rear extension.
At: 19 Selby Street, Nelson
On behalf of: Mrs Hajran Bibi
Date Registered: 08.09.2020
Expiry Date: 03.11.2020
Case Officer: Laura Barnes

Site Description and Proposal

The application site is a two storey mid-terraced dwelling, sited amongst dwellings of a similar scale and design. The property is located within the defined settlement boundary of Nelson.

The proposal is for a single storey extension to the rear of the dwelling, to replace the existing smaller lean-to extension. The extension is to accommodate a ground floor shower room.

Relevant Planning History

None relevant.

Consultee Response

LCC Highways – No objection

Public Response

Nearest neighbours notified, no response 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) 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) 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 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 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.

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

Design

The Design Principles SPD advises that single storey rear extensions should be constructed in materials and style to match the existing dwellinghouse. Pitched roof elements are preferred and forward projections would only be supported if they are appropriate to the dwellings design.

The single storey rear extension is to be constructed to the rear of an existing single storey extension, bringing the total projection to 4.8m. The extension would have a dual pitched roof constructed of natural blue slate to match the existing dwelling.

The proposed extension is to have a single rear door, into the yard area. It is also to have two small kitchen windows which face towards the yard. The materials are natural coursed stone with a slate roof and white UPVC windows.

The design and materials of this development are acceptable in this location and as such comply with Policies ENV1, ENV2 and the Design Principles SPD.

Residential Amenity

Section 5.7 of the Design Principles SPD states that single-storey rear extensions located immediately adjacent to the party boundary are normally only acceptable where they would not create any unacceptable overbearing impacts.

The existing kitchen extension has been built directly on the shared boundary with 17 Selby Street, the neighbouring house immediately to the north. Number 19 has a lounge window to the rear. The proposed extension at 4.1m in height all the way along the shared boundary would create an unacceptable overbearing effect upon the neighbouring dwelling.

If the Permitted Development fall-back position is taken into account, it is noted that the existing single storey extension has existed since pre-1948. As such, in accordance with the definition of 'original dwelling' the single storey extension could be included as the original rear wall. However, this being the case it would create a stepped rear wall. The technical guidance to the GPDO (Class A (f), Part 1, Schedule 2) sets out that where an existing wall has a stepped form, it can only be extended by up to 3m from each step. The proposed extension is wider than the existing single storey extension and projects more than 3m from part of the stepped rear wall. In this case the Permitted Development fall-back would only allow a 3m extension, which is less than what is proposed in this application.

The extension therefore results a significantly overbearing impact on the neighbouring dwelling at No. 17 Selby Street and fails to comply with Policy ENV2 and the guidance of the Design Principles SPD.

Highways

The proposed development would not result in a reduction in parking provision on plot, nor would it increase the parking requirements for the property. Therefore, no objections are raised in relation to Policy 31.

RECOMMENDATION: Refuse

For the following reason:

1. The proposed rear extension, by virtue of its 4.8m projection, would result in an unacceptable impact in terms of its overbearing impact on No. 17 Selby Street to the north contrary to Policy ENV2 of the Pendle Local Plan Part1: Core Strategy (2011 -2030) and the Design Principles Supplementary Planning Document.

Application Ref: 20/0594/HHO

Proposal: Full: Erection of a single storey rear extension.

At: 19 Selby Street, Nelson

On behalf of: Mrs Hajran Bibi

REPORT TO NELSON AREA COMMITTEE 30TH NOVEMBER 2020

Application Ref: 20/0660/FUL

Proposal: Full: Partial Change of Use of shop (Use Class A1) to hot food takeaway (Use Class A5)

At: 119-121 Leeds Road, Nelson

On behalf of: Mr M Hussain

Date Registered: 1/10/2020

Expiry Date: 26/11/2020

Case Officer: Laura Barnes

This application has been called for determination by planning committee due to the number of representations received in relation to consultation.

Site Description and Proposal

The application site relates to a D.I.Y shop on Leeds Road, within the settlement boundary of Nelson. It is also located within the Bradley Area Action Plan and is a block which is identified as AAP3 - Property Improvements, discussed later in this report.

The intention is to retain No. 119 as a shop (Use Class A1) but to change No. 121 into the hot food takeaway (Use Class A5).

Relevant Planning History

None relevant

Consultee Response

Lancashire Constabulary – Designing Out Crime Officer

No objection, with crime prevention advocated

LCC Highways

No objection

Environmental Health

The Council's Environmental Health Team have reviewed the proposals and have the following comments:

We would be concerned about the potential effect of noise and odour from the takeaway, specifically the extraction system we would there for recommend the conditions below be added.

H27

Noise & Vibration from Industrial plant, Extract Ventilation & Ducting

A scheme for the enclosure of any noise emitting plant and machinery with sound-proofing material, including details of any sound-insulating enclosure, mounting to reduce vibration and transmission of structural borne sound, and ventilation or extract system, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The approved scheme shall be completed prior to the first occupation of the building and shall thereafter be retained. Before any cooking equipment is used on the premises other than as provided in the approved scheme, a further scheme evidencing the same matters shall be

submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be completed before the premises is first used.

Reason: To protect the amenities of occupiers of adjoining and nearby properties.

Odours - provision of extraction and filtration, etc.

H07

Details of Extraction Equipment

Prior to the commencement of development a scheme for the extraction, treatment and dispersal of particles, fumes and odours has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the use commencing and thereafter retained. No cooking carried out on the site save during such times as the approved extraction and treatment equipment is operational and effective to the level of the approved scheme.

Reason: To ensure that any particles, fumes or odours generated by the premises are minimised in the interests of the amenity of occupiers of nearby properties

Public Response

Three letters of representation have been received from members of the public, following notifications being posted to the nearest neighbours.

They raise the following objections:

- Concern about environmental health issues such as: infestation of rats, littering, noise and antisocial behaviour, odour
- Proliferation of existing takeaways within the town centre
- Parking and highway safety including conflict with the bus stop and MOT testing centre nearby
- Health impacts

Officer Comments

Policy

Pendle Local Plan Part 1: Core Strategy (LPP1)

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

Policy ENV5 (Pollution and Unstable Land) seeks to minimise air, water, noise, odour and light pollution.

Policy WRK4 (Retailing and Town Centres) states that main town centre uses should follow the following sequential approach:

- 1: Town and local shopping centres
- 2: Edge of centre locations
- 3: Out-of-centre sites which are well serviced by a choice of means of transport and have a higher likelihood of forming links with a nearby centre

Proposals for hot-food takeaways in close proximity to establishments that are primarily attended by children and young people will be resisted.

Replacement Pendle Local Plan (RPLP)

Policy 25 states that new retail and service development should be located within a defined town centre as the first order of priority. The supporting text states that where existing commercial uses exist outside of a town centre they can be replaced by some other commercial use of the same scale.

Policy 31 (Parking) requires that new developments provide parking in line with the levels set out in Appendix 1 of the RPLP.

Bradley Area Action Plan

The application site is identified within the Bradley Area Action Plan ad AAP3, Block improvements. The plan states that support will be given to buildings which seek external improvements.

Principle of the Development

The site is located outside of a town centre, Policy 25 of the RPLP allows existing commercial uses outside of tow centres to be replaced by other commercial uses of the same scale.

The proposed use of the building would not be of a greater scale of impact than the existing use. Taking this into account, the proposed hot food takeaway is acceptable in accordance with Policy 25.

The site is located approximately 220m from Nelson St. Phillip's Primary School, this would not be within unacceptably close proximity. The application is in accordance with policy WRK4.

Visual Amenity

The proposed flue would be located to the side of the building. Whilst it would be visible from Queen Street it would not be unacceptably prominent and would be acceptable in terms of visual amenity.

The proposed development is acceptable in terms of visual amenity in accordance with policy ENV2.

Amenity

The upper floor of the adjoining property appears to be in use as flat, the proposed flue would be located farthest away from neighbouring dwellings to the end of the terrace block, towards Queen Street. It is common to have extraction flues to the rear within proximity of adjoining dwellings in terraced rows such as this and subject to condition to control the noise and odour mitigation the proposed flue is acceptable in terms of residential amenity.

The applicant has proposed that they are seeking operating hours of 2pm – 11pm weekdays; and 1pm to midnight Saturdays, Sunday and Bank Holidays. The property is located in a predominantly residential area and these hours would result in the potential for late night noise and disturbance to the detriment of residential amenity. Taking into account that the existing use has no limitation on hours of opening, but that this could be potentially more impactful in terms of late night use, hours of 8am to 10pm would ensure an adequate level of protection to residents from late night disturbance.

The proposed development is therefore acceptable in terms of residential amenity in accordance with policies ENV2 and ENV5.

Design

The application seeks planning permission to block up the existing door between Nos. 119 and 121, so that No. 119 could be retained as a shop (Use Class A1). However, No 121 is to be changed to a hot food takeaway which involves a change to the front window, to insert a central timber door. The application does not proposed any changes to signage.

Highways

The proposed use would not be likely to result in a significant increase in vehicular traffic over the existing retail use. The Highways Authority have not objected to the proposed development.

The proposed development is therefore acceptable in highway terms in accordance with policy ENV4.

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, amenity and highway safety. The development is therefore compliant 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

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: Location Plan U91-P01; Proposed Elevation and Floor Plans U91-P03

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

3. Noise & Vibration from Industrial plant, Extract Ventilation & Ducting
A scheme for the enclosure of any noise emitting plant and machinery with sound-proofing material, including details of any sound-insulating enclosure, mounting to reduce vibration and transmission of structural borne sound, and ventilation or extract system, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The approved scheme shall be completed prior to the first occupation of the building and shall thereafter be retained. Before any cooking equipment is used on the premises other than as provided in the approved scheme, a further scheme evidencing the same matters shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be completed before the premises is first used.

Reason: To protect the amenities of occupiers of adjoining and nearby properties.

4. Prior to the commencement of development a scheme for the extraction, treatment and dispersal of particles, fumes and odours has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the use commencing and thereafter retained. No cooking carried out on the site save during such

times as the approved extraction and treatment equipment is operational and effective to the level of the approved scheme.

Reason: To ensure that any particles, fumes or odours generated by the premises are minimised in the interests of the amenity of occupiers of nearby properties

5. The hot food takeaway hereby approved shall not be open to customers outside of the hours of 8am to 10pm.

Reason: To ensure that night-time and early morning noise and disturbance does not unacceptably impact upon the residential amenity of the occupiers of adjacent dwellings.

Application Ref: 20/0660/FUL

Proposal: Full: Partial Change of Use of shop (Use Class A1) to hot food takeaway (Use Class A5)

At: 119-121 Leeds Road, Nelson

On behalf of: Mr M Hussain

REPORT TO NELSON AREA COMMITTEE 30TH NOVEMBER 2020

Application Ref: 20/0666/HHO
Proposal: Full: Erection of two storey side and rear extension with first floor roof lift.
At: 29 Causey Foot, Nelson
On behalf of: Mr K. Shahzad
Date Registered: 05/10/2020
Expiry Date: 30/11/2020
Case Officer: Laura Barnes

The application has been called for determination by the Nelson Area Committee by a Councillor.

Site Description and Proposal

The application site is a detached dormer bungalow dwelling, sited amongst dwellings of a similar scale and design in an area where the ground levels drop away dramatically from north to south. The property is located within the defined settlement boundary of Nelson.

The proposal is for a two storey side and rear extension along with a roof lift to create a full first floor, adding additional accommodation to the dwelling. To the ground floor, the proposed extension comprises a study, a guest bedroom, a shower room and a utility room, in addition to the dining room, lounge and kitchen. To the first floor the extension comprises increasing the number of bedrooms from two to five, one with ensuite and walk-in-wardrobe.

Relevant Planning History

None relevant.

Consultee Response

LCC Highways

The application seeks to increase the number of bedrooms from 3 to 5/6 bedrooms.

The application results in loss of the existing garage and driveway and proposes a replacement driveway for 3 vehicles, side by side. A secure, covered cycle store should be provided at the dwelling to replace the provision for storing cycles within the garage.

The off-street parking is considered necessary to accommodate the vehicles at the proposed dwelling.

The existing vehicle crossing on Causey Foot will need extending for the full width of the driveway. The driveway should be paved in a bound porous material and the surface water should be collected and drained. It should not discharge onto the public highway.

There is no objection to the proposal subject to the following conditions:-

1. The driveway shall be constructed in a porous bound material in accordance with approved plans and the vehicle crossing shall be widened for the full width of the driveway.
2. The surface water from the driveway should be collected within the site and drained to a suitable internal outfall.
3. A secure, covered cycle store shall be provided at the dwelling.

Informative

This consent requires the construction, improvement or alteration of an access to the

public highway. Under the Highways Act 1980 Section 184 the County Council as Highway Authority must specify the works to be carried out. Only the Highway Authority can carry out these works and therefore before any access works can start you must contact Lancashire County Council using the website link <http://new.lancashire.gov.uk/roads-parking-and-travel/roads/vehicle-crossings.aspx> to obtain a quotation and request the works.

Environmental Health

Contaminated Land Informative

If during any stage of the development any miscellaneous substances, made ground or potentially contaminated ground that has not been previously identified and planned for in a report is uncovered, work in the area must stop immediately and the Environmental Health Department at the Borough of Pendle should be made aware. No work should continue until a contingency plan has been developed, and agreed with the local planning authority.

Public Response

Nearest neighbours have been notified and no representations have been 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) 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) 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 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 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.

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

Design

The Design Principles SPD advises that in large grounds [two storey rear extensions] may be considered on an individual basis taking into account the size and layout of the rear garden and location of adjoining properties. Extensions should ensure that the character and original scale of the property and surrounding area is not significantly altered.

The proposed extension seeks to lift the ridge of the existing dwelling by half a metre. However, the pitch of the roof is to alter from 93 degrees to 130 degrees, meaning it is extremely shallow. The dwellings on Causey Foot are very uniform in terms of their ridge line, despite some having dormers to the front or rear they all retain the same height. To introduce a roof lift would upset the regular rhythm within the street scene. Further, given that each of the dwellings on Causey Foot are defined by their steep roofs and bungalow (albeit some dormer bungalows) appearance, creating a full first floor would dominate the plot leading to it standing out from the rest and leaving little of the original character of the dwelling.

The materials chosen are not sympathetic to the area, with a full white render to each elevation and plain tiles to the roof. Again, the dwellings on Causey Foot have a distinctive character, being all red brick with occasional details in contrasting materials such as barge boards or timber cladding beneath ground floor windows. The proposed materials would contrast with the surrounding dwellings, creating further difference between it and the existing character.

The fenestration of the windows and doors are over dominating, particularly to the front elevation where a glazed double height window feature is proposed around the entrance. To the rear, although the originally proposed balcony has been removed, the sliding doors remain at the first floor level causing not only a danger to future occupants but a poor design.

By virtue of its over dominant appearance and poor choice of materials, the proposed development would lose much of the original character of the dwelling and create discordance within the street scene, contrary to Policies ENV1, ENV2 and the Design Principles SPD.

Residential Amenity

In terms of residential amenity, the Design Principles SPD sets out objectives for future development including that proposed development does not unduly affect neighbouring amenity.

The Design Principles SPD states that windows on proposed extension should normally be limited to rear facing in order to avoid overlooking neighbouring dwellings and gardens. In this case, there is a ground floor proposed window, serving the dining room, to the side elevation which would face towards No. 27 Causey Foot. To the rear of No. 27 there is an existing conservatory which has windows facing towards the application site. The boundary treatment between the dwellings is not a sufficient privacy screen, being made up of post and a plastic mesh material, which has a similar appearance to chicken wire. This would allow direct overlooking between the dwellings. A 1.8m high close boarded fence erected on the boundary between the dwellings would prevent a loss of privacy. This could be secured by an appropriately worded planning condition. Should the fence be erected, the proposed development would accord with Policy ENV2 and the Design Principles SPD.

Following proactive discussions with the case officer, the proposed balcony element has been removed from the rear of the dwelling, which would have caused an unacceptable loss of privacy to neighbouring dwellings.

Due to the loss of privacy which would be caused by the side elevation dining room window, the proposed development conflicts with Policy ENV2, NPPF and the Design Principles SPD.

Highways

The proposed development includes three off-street parking spaces to the front of the dwelling, which is on accordance with the Council's parking standards for a 4+ bedroom dwelling. The Highways Authority have reviewed the proposed development and have raised no objection. They have recommended that cycle storage is provided on site, however it is not necessary to condition this. As such, the proposal accords with Policy 31 of the Replacement Local Plan.

RECOMMENDATION: Refuse

1. By virtue of its dominating scale and design the proposed development would lose the original character of the existing dwelling and through the choice of materials create discordance within the street scene. This is contrary to Policy ENV2 of the Part 1 Local Plan: Core Strategy, the Design Principles SPD and the National Planning Policy Framework.

Application Ref: 20/0666/HHO

Proposal: Full: Erection of two storey side and rear extension with first floor roof lift.

At: 29 Causey Foot, Nelson

On behalf of: Mr K. Shahzad

LIST OF BACKGROUND PAPERS

Planning Applications

NW/MP

Date: 16th November 2020