



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

**TO: NELSON COMMITTEE**

**DATE: 4<sup>th</sup> January 2021**

**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 4<sup>TH</sup> JANUARY 2021

**Application Ref:** 20/0645/HHO

**Proposal:** Full: Erection of a single storey rear extension and dormer to the front roofslope.

**At:** 165 Chapel House Road, Nelson.

**On behalf of:** Mr Amer Ahmed

**Date Registered:** 01.10.2020

**Expiry Date:** 08.01.2021

**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 terraced dwellinghouse, located within a residential area of Nelson.

The proposal is for the erection of flat roof front dormer and single storey rear extension. This development would result in one additional bedroom at second floor level and an extended kitchen and W/C at ground floor level.

The proposed dormer would be clad in small format Marley tiles and a UPVC window, the single storey rear extension would be constructed of artificial stone elevations and Marley concrete roof tiles.

### Relevant Planning History

None relevant.

### Consultee Response

#### LCC Highways

The proposal is to increase the existing 2 bedroom house to a proposed 3; therefore no increase in parking requirements.

Having viewed the information submitted, together with observations on site on 14 October, 2020, there is no objections in principle regarding the proposal.

The proposal should have a negligible impact on highway safety and highway capacity in the immediate vicinity of the site.

### 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 front 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 front elevation by 0.7m at the furthest point and set down from the ridge line by 0.5m, reducing to 0.2m due to the slope in the roof. As a result, the scale of the proposed dormer is disproportionate to the size of the roof slope and its flat roof would visually conflict with the sloping ridge line. This would be an unacceptable additions which would 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.

Chapel House 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 Chapel House Road and Percy 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.

The proposed single storey rear extension would be of a suitable size and siting, in relation to the existing dwellinghouse and the plot. It would result in the extension of an existing single storey rear extension. However, the use of Marley concrete roof tiles, instead of the existing natural slate, would not be acceptable.

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 Chapel House Road. It would be sited at second floor level, above first floor habitable room windows of facing properties to the North West. It would maintain an existing separation distance of approximately 14m with properties on the opposite side of Chapel House Road.

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 front 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.

The proposed single storey rear extension would result in an extension to an existing single storey rear extension. Windows of a similar scale and siting are proposed in the same side elevation, therefore not resulting in greater visibility 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 one additional bedroom to the dwellinghouse, creating a three 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.

**Application Ref:** 20/0645/HHO

**Proposal:** Full: Erection of a single storey rear extension and dormer to the front  
roofslope.

**At:** 165 Chapel House Road, Nelson.

**On behalf of:** Mr Amer Ahmed

## REPORT TO NELSON COMMITTEE 4<sup>TH</sup> JANUARY 2021

**Application Ref:** 20/0679/HHO

**Proposal:** Full: Demolition of existing single storey garage and erection of two storey side extension and two storey rear extension, including a basement level beneath.

**At:** 26 Lancaster Gate, Nelson

**On behalf of:** Mr S Shah

**Date Registered:** 09/10/2020

**Expiry Date:** 04/12/2020

**Case Officer:** Laura Barnes

### Site Description and Proposal

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

The application seeks planning permission for the demolition of an existing single storey garage to the side of the dwelling and the erection of a two storey side extension. It also seeks permission for a two storey rear extension, the ground floor of which being a basement level due to the nature of the ground levels on the site. The extension is to be pebble dashed render with a slate roof, with a flat roof to the rear extension.

### Relevant Planning History

None relevant

### Consultee Response

LCC Highways

I have viewed the plans and the highway related documents submitted, I have the following comments to make:

The proposal sees an increase in the number of bedrooms from 3 to 4, which requires the widening of the driveway in order to provide the 3 off-street parking spaces required for this proposal.

There is no objection to the proposal with the following conditions.

1. Prior to the first use of the development hereby permitted, the driveway shall be widened to provide 3 off-street parking spaces and shall be paved in a porous bound material with a vehicle crossing constructed on Lancaster Gate.

#### Informative note

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.

## **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.

Paragraph 127(f) of the Framework states that proposed development should provide a high standard of amenity for existing and future users.

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 two storey side extensions should have a pitched roof and should not project forwards of the existing dwelling, unless it is appropriate to the building's design.

The proposed side extension would be set back from the front elevation of the dwelling because this style of semi has a projecting gable to the front. It is to have a hipped roof which assists in preventing a terracing effect between the dwellings. The application form which accompanies the application states that the walls are to be pebble dashed, to match the existing dwelling, with a slate roof also to match. However, the rear extension is to have a flat roof.

The Design Principles SPD provides guidance on two storey rear extensions, it states that these should normally have a pitched roof. The proposed development is not considered to represent

good design and conflicts with Policy ENV2 and the Design Principles SPD in relation to the rear element of the scheme.

## **Residential Amenity**

The proposed development is to the East face of the building, and would sit between the existing dwelling and neighbouring dwelling (No. 24 Lancaster Gate) as such it would not create a shadowing effect upon neighbouring dwellings. Given its scale it is not considered that the proposed extension would have an overbearing impact. It is noted that there is an existing first floor window to the side elevation of the neighbouring dwelling at No. 24. This is thought to serve the stairwell. As such, it is not considered to be a habitable room, in terms of the definition set out in the Design Principles SPD.

To the rear, the single storey extension is to be on the shared boundary with No. 28 Lancaster Gate. The Design Principles SPD states that where a property is attached (i.e a semi-detached dwelling) and the neighbour does not already have an extension, any first floor element should be set in from the party boundary. The proposed development would result in a detrimental impact upon neighbouring dwelling, given its height and proximity to the boundary.

Therefore, the proposed development does not accord with the Design Principles SPD or Policy ENV2 of the Core Strategy.

## **Highways**

The property has existing off-street parking however, the proposed development includes using the space currently occupied by the garage as living accommodation, resulting in the loss of one space. The proposal increases the number of bedrooms from three to four, increasing the number of car parking spaces required from two to three. LCC highways have commented on the application stating that three spaces could be required, however the kerb would need to be dropped and the drive widened to facilitate this. The Highways Authority have recommended a condition to secure the parking arrangements. Subject to the condition being applied to any grant of planning permission, the proposals accord with Policy 31 in this regard.

## **Reason for Decision**

### **RECOMMENDATION: Refuse**

The proposals by virtue of their height and position upon the shared boundary with No. 28 Lancaster Gate would cause an unacceptable impact upon neighbouring amenity. 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:** 20/0679/HHO

**Proposal:** Full: Demolition of existing single storey garage and erection of two storey side extension and two storey rear extension, including a basement level beneath.

**At:** 26 Lancaster Gate, Nelson

**On behalf of:** Mr S Shah



## REPORT TO NELSON COMMITTEE 4<sup>TH</sup> JANUARY 2021

**Application Ref:** 20/0681HHO

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

**At:** 55 Camden Street, Nelson

**On behalf of:** Mr Afzal

**Date Registered:** 09/10/2020

**Expiry Date:** 04/12/2020

**Case Officer:** Laura Barnes

### Site Description and Proposal

The application site is a 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 the erection of a single storey extension to be constructed of block and render with a dual pitched slate roof.

### 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. The proposed extension is to be constructed of block & render, with a slate pitched roof.

Upon undertaking a site visit, it is noted that the existing single storey shed to the rear of the dwelling has been demolished but the single storey kitchen extension remains.

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 57 Camden Street, the neighbouring house immediately to the east. Number 57 has a lounge window to the rear. The proposed extension at 3.8m in height all the way along the shared boundary would create an unacceptable overbearing effect upon the neighbouring dwelling. Moreover, at present the single storey shed is not present, compounding the overbearing impact of the proposed extension.

The proposed extension is to have a single window to the side overlooking the yard. As such it would not create any greater overlooking issues than existing.

Overall, the proposed development is contrary in terms of residential amenity in accordance with Policy ENV2 and 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**

Due to its scale and proximity to the shared boundary, the proposed extension would have an unacceptable overbearing impact upon the neighbouring dwelling in conflict with Local Plan: Part 1 Core Strategy Policy ENV2, the Design Principles SPD and the National Planning Policy Framework.

**Application Ref:** 20/0681HHO

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

**At:** 55 Camden Street, Nelson

**On behalf of:** Mr Afzal

## REPORT TO NELSON COMMITTEE 4<sup>TH</sup> JANUARY 2021

**Application Ref:** 20/0740/HHO  
**Proposal:** Full: Erection of a single storey rear extension.  
**At:** 35 Percy Street, Nelson  
**On behalf of:** Mrs Kunval Ali  
**Date Registered:** 02/11/2020  
**Expiry Date:** 28/12/2020  
**Case Officer:** Laura Barnes

### Site Description and Proposal

The application site is a 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 the erection of a single storey extension to be constructed of stone, to match the existing dwelling, with roof tiles on a dual pitched roof.

The proposed development would incorporate additional accommodation into the dwelling in the form of a kitchen extension and shower room.

### Relevant Planning History

None relevant

### Consultee Response

LCC Highways

### 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. The proposed extension is to be constructed of stone with a tile roof. There is an existing single storey extension with a lean to / shed to the rear.

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 37 Percy Street, the neighbouring house immediately to the east. Number 37 has a lounge window to the rear. The proposed extension at 4.8m in height all the way along the shared boundary would create an unacceptable overbearing effect upon the neighbouring dwelling.

The proposed extension is to have two windows to the side overlooking the yard, it is recommended that the smaller window serving the shower room is obscure glazed to preserve privacy. This could be secured by planning condition. As such it would not create any greater overlooking issues than existing.

Overall, the proposed development is contrary in terms of residential amenity in accordance with Policy ENV2 and 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**

Due to its scale and proximity to the shared boundary, the proposed extension would have an unacceptable overbearing impact upon the neighbouring dwelling in conflict with Local Plan: Part 1 Core Strategy Policy ENV2, the Design Principles SPD and the National Planning Policy Framework.

**Application Ref:** 20/0740/HHO

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

**At:** 35 Percy Street, Nelson

**On behalf of:** Mrs Kunval Ali

## REPORT TO NELSON COMMITTEE 4<sup>TH</sup> JANUARY 2021

**Application Ref:** 20/0765/HHO  
**Proposal:** Full: Erection of dormer to front roof slope  
**At:** 28 Newport Street, Nelson  
**On behalf of:** Mr Nawaz  
**Date Registered:** 12/11/2020  
**Expiry Date:** 07/01/2021  
**Case Officer:** Laura Barnes

### Site Description and Proposal

The application site relates to an end-terrace 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 flat roof dormer to the front roof slope, to create an additional bedroom in the roof space. There is an existing flat roof dormer to the rear.

### 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.

## Bradley Area Action Plan

Pendle Council has prepared the Bradley AAP because a large part of this inner urban ward close to Nelson town centre was identified as a priority area for regeneration and investment under the Government's Housing Market Renewal (HMR) programme. Its role is to support the regeneration of the area.

## **Design**

The Design Principles SPD advises care should be exercised to ensure that their design is in keeping with the dwelling and that they do not overlook neighbouring property. Dormers should not be so large as to dominate the roof slope resulting in a property which appears unbalanced.

The proposal is for a flat roof extension which dominates the entire front roof slope of the dwelling which has a harmful effect upon the character and appearance of the original dwelling. This also has a wider effect on the street scene in a terrace which has a simple and uninterrupted ridge line. The proposed dormer is to be clad with a Marley vertical tile in grey with a rubber roof membrane.

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

## **Residential Amenity**

The proposed dormer is to have one small window to the front elevation. There are no windows to the side elevation. The proposed dormer is at right angles to the dwellings directly opposite on Cumberland Street, as such it is not anticipated that the dormer windows would create any overlooking issue with neighbouring properties.

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

## **Highways**

The proposed development would increase the number of bedrooms to the dwelling which would increase the number of parking spaces required. However, the Highways Authority have not raised any objection in relation to highway safety concerns. It is unlikely that a reason for refusal on highway grounds would be sustained. As such, no objection is raised in relation to Policy 31 of the Replacement Pendle Local Plan.



## **RECOMMENDATION: Refuse**

By virtue of its position to the front elevation of the dwelling, the proposed dormer would have an unacceptable impact upon the design of the original dwelling and in turn cause harm to the wider character and appearance of the street scene, in conflict with Policy ENV2 of the Local Plan: Part 1 Core Strategy and the Design Principles SPD.

**Application Ref:** 20/0765/HHO

**Proposal:** Full: Erection of dormer to front roof slope

**At:** 28 Newport Street, Nelson

**On behalf of:** Mr Nawaz

## **LIST OF BACKGROUND PAPERS**

Planning Applications

**NW/MP**

**Date: 16th November 2020**