



REPORT FROM: PLANNING, ECONOMIC DEVELOPMENT AND
REGULATORY SERVICES MANAGER

TO: NELSON, BRIERFIELD AND REEDLEY COMMITTEE

DATE: 1ST AUGUST 2022

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PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning applications.

REPORT TO NELSON, BRIERFIELD AND REEDLEY COMMITTEE ON 1ST AUGUST 2022

Application Ref: 22/0094/HHO

Proposal: Full: Erection of two storey rear and side extension, erection of porch to front of dwelling and erection of raised decked area to rear.

At: 75 Town House Road, Nelson

On behalf of: Mr Amir Javed

Date Registered: 14/02/2022

Expiry Date: 11/04/2022

Case Officer: Laura Barnes

This application has been brought before committee at the request of a Councillor.

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 proposal is for the erection of a front entrance porch, two storey side and rear extension and an area of raised decking to the rear garden.

Relevant Planning History

None relevant.

Consultee Response

LCC Highways

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

Condition

The parking areas must be constructed of a bound porous material and created before first occupation up until the life time of the dwelling existing in its proposed state. Reason: To ensure that satisfactory parking is provided before the dwelling hereby permitted becomes operative.

Public Response

Nearest neighbours have been notified by letter, without response

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 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 two storey side extension is set back from the front elevation and is to measure the same height as the existing ridge height. The two storey element is to have a pyramid hipped roof which would tie in with the existing rear and side roof slopes of the original dwelling. The single storey element of the extension is to have a flat parapet roof, the single storey part of the proposed extension would wrap around the proposed two storey element, to the side and rear. Although only single storey in height, the flat roof extension is to project out by 5m from the original rear wall of the dwelling. Beyond this, there is an area of raised decking which extends a further 2m beyond the single storey extension. A flat roof would usually be discouraged in accordance with the Design Principles SPD, indeed the applicant has been given the opportunity to change this to a pitched roof but has declined. However, given that the proposed expanse of flat roof is to the rear of the property and is not highly visible from public vantage points, it is acceptable in this particular case.

The proposed materials are render with a red facing brick plinth, to match the existing dwelling. The roof is to have concrete roof tiles and the windows are to be UPVC. These materials are appropriate in this location.

The porch to the front of the dwelling is to have a pitched roof and be constructed of matching materials to the rest of the proposed development, with a plinth base wall.

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

Residential Amenity

The Design Principles SPD advises that two storey rear extensions will be acceptable only if they do not breach the 45 degree rule. It is also recommended that any first floor extension is set in by 1m from the boundary where the properties are attached (such as semi-detached dwellings) and the neighbouring dwelling does not already have an extension. In this case, the neighbouring dwelling does have a single storey extension to the rear on the shared boundary, it is a conservatory with obscure glazing to the side which faces the application site. However, the applicant has chosen to observe more than the 1m off-set from the boundary at the first floor level.

The Design Principles SPD advises single storey rear extensions located on, or immediately adjacent to, the party boundary with a neighbouring property will normally be acceptable if it does not project more than 4m from the rear elevation of the existing dwellinghouse. The proposed development includes a wrap-around single storey flat roof extension which wraps around from the shared boundary with No. 73 to the side elevation of the two storey extension. The single storey projection is to be 5m out from the existing rear boundary and have a height of 3.4m. However, given that there is an existing extension to No. 73, the proposed development would not result in a breach of the 45 degree angle from the rear of the conservatory windows. Further, it should be noted that a two storey rear extension could project out by 3m from the existing rear elevation under Permitted Development. As such, the proposed development accords with Policy ENV2 and the Design Principles SPD in this regard.

Although there is a proposed raised terrace to the rear of the proposed extension, measuring 2m in projection out from the rear wall and spanning the width of the property, given the change in levels to both the application site and the neighbouring property, it would be possible to include a privacy screen to the side of the terrace, to ensure that there would be no unacceptable neighbouring amenity impact. This could be secured by planning condition.

To the opposite side, the neighbouring property (No. 77) has a rear porch, which is glazed to the rear entrance to the property. Given this this is not a habitable room, it would not afford the same protection as the conservatory to No. 73. As such, although the proposed two storey extension would breach the 45 degree angle, this would not result in an unacceptable impact upon habitable rooms at No. 73.

In terms of proposed openings, to the rear there are to be four new windows at the first floor serving the bedrooms and a set of bi-fold doors with two additional windows to the ground floor, serving the kitchen. Although these would be closer to properties to the rear, there would still be sufficient separation distance for this to maintain an acceptable level of privacy to the neighbouring property to the rear. To the side which is closest to No 73 there are no proposed windows. To the opposite side, there is to be one single ground floor window which faces No 77. There are two first floor side elevation windows to No. 77 which are both obscure glazed. As such there would be no unacceptable impact arising from the proposed side elevation window.

To the front, the proposed development includes a porch. Although this is to project out by 1.4m it is to the porch is to be positioned in broadly the same place as the existing porch. It would not result in an unacceptable impact upon neighbouring amenity to either neighbouring dwelling.

Highways

The proposed development would result in an increase in the number of bedrooms to four and a study, which could be used as a bedroom. Therefore, the parking requirement would be three spaces off-street. At present there is space for at least two vehicles to park on the driveway and the proposed development would widen the existing driveway in front of the property. The Highways Authority have requested a condition to ensure that the parking area is laid out in a bound porous material.

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 would accord with Local Planning Policy and would be compliant with the guidance set out in the Framework. The development therefore complies with the development plan. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

RECOMMENDATION: Approve

Subject to the following conditions:

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

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

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

- Location Plan Ref: U129-P01
- Existing & Proposed Floor Plans U129-P02
- Proposed Elevation Plan U129-P04
- Existing & Proposed Site Plan U129-P05

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

3. All the external materials shall be as stated on the approved plans and application form. There shall be no variation without the prior consent of the Local Planning Authority.

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

4. Prior to first occupation of the raised terrace area to the rear, details of the privacy screen to be erected at the side closest to No. 73, shall be submitted to and approved in writing by the Local Planning Authority and shall thereafter be retained in accordance with the approved details.

Reason: To ensure an adequate level of privacy to adjacent residential properties.

Application Ref: 22/0094/HHO

Proposal: Full: Erection of two storey rear and side extension, erection of porch to front of dwelling and erection of raised decked area to rear.

At: 75 Town House Road, Nelson

On behalf of: Mr Amir Javed

REPORT TO NELSON TOWN COUNCIL COMMITTEE ON 1ST AUGUST 2022

Application Ref: 22/0121/HHO

Proposal: Full: Insertion of dormer to front and rear roof slope.

At: 394 Leeds Road, Nelson.

On behalf of: Mr Zia Rafiq

Date Registered: 23rd February 2022

Expiry Date: 27th June 2022

Case Officer: Yvonne Smallwood

This application has been brought before Committee as it has been called in by a councillor

Site Description and Proposal

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 constructed using natural slate cladding, roof tiles to match existing, with white UPVC windows.

Relevant Planning History

None relevant.

Consultee Response

LCC Highways

An investigation of the 5 year accident record shows 5 collisions have occurred within the vicinity of the proposal.

The Highway Development Control Section is concerned about the cumulative effect of the increasing numbers of terraced homes being extended to increase bedroom space without providing additional parking facilities. However, in this case, the proposal is on a row of terraces which comes with no existing parking provision, therefore is reliant on street parking. It is on a bus route and is close to local amenities.

There is no objection to this proposal as the proposed development should have a negligible impact on highway capacity in the immediate vicinity of the site.

Cadent Gas

Nelson Town Council

Public Response

Nearest neighbours notified by letter without response.

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 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.

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 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 terraced row with fewer than 25% of dwellings having dormers. The proposed dormer materials would be hanging tiles with UPVC windows.

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

Residential Amenity

The proposed dormer is to have one window to the front elevation. There are no windows to the side elevations. The proposed front dormer is not directly opposite other properties on Leeds Road, as there is a sub-station opposite the application site. The proposed rear dormer would face the side elevation of Alexander Street. The windows would not result in any additional adverse impacts to the neighbours on Leeds Road or Alexander Street than existing. Therefore, the

proposed dormer windows are 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 four bedroom property. 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

By virtue of its position to the front elevation of the dwelling, the proposed front 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: 22/0121/HHO

Proposal: Full: Insertion of dormer to front and rear roof slope.

At: 394 Leeds Road, Nelson.

On behalf of: Mr Zia Rafiq

REPORT TO NELSON, BRIERFIELD AND REEDLEY COMMITTEE 1ST AUGUST 2022

Application Ref: 22/0126/FUL

Proposal: Full: Alterations to shop front and installation of an extraction flue.

At: 60 Manchester Road, Nelson

On behalf of: Your Girl Can Bake

Date Registered: 24th April 2022

Expiry Date: 8th July 2022

Case Officer: Yvonne Smallwood

This application has been brought before Committee as it has been called in by a councillor.

Site Description and Proposal

The application site is a mid-terrace dessert cafe located within Nelson town centre and within Whitefield Conservation Area.

The proposal seeks to alter the shop front by painting the clad pilasters with powder coated aluminium baby pink. The aluminium door and window frame would also be powder coated pink. An aluminium surround is proposed with a composite signboard with the intention of placing a backlit shop sign to the shop front (Application Number 22/0273/ADV Advertising Consent which is Pending Consideration).

A partition stud wall would be built to enlarge the existing store and kitchen area.

There is a 0.5m galvanised mild steel extractor flue proposed to the rear elevation.

In order for the use of the premises to become a Dessert Café, a change of use is proposed from Class A1 (Retail) to Class A3 (Restaurants and Cafés).

Relevant Planning History

19/0717/FUL - Full: Insert aluminium shop front and shutters and replace first floor timber windows – Approved with Conditions, 6th December 2019.

22/0273/ADV - Advertisement Consent: Installation of 1no. Illuminated fascia sign, on the front elevation – Pending Consideration, July 2022.

Consultee Response

LCC Highways – No objection.

PBC Environmental Health –With regards to this development we have a few concerns, mainly noise and odour from the extraction system, and do they have appropriate storage (on their own property, not the back street), we have big problem with vermin in the area, and much of this is to do with inappropriate storage of bins. Please see our recommendations below:

H32

Odour Extraction

Fumes, vapours and odours shall be extracted and discharged from the premises in accordance with a scheme (which shall incorporate grease and carbon filters and discharge above roof ridge level) to be submitted to and approved in writing by the Local Planning Authority before prior to the development commencing. The approved scheme shall be fully implemented before the permitted use is first commenced and shall be maintained in efficient working order thereafter

Note

Regard shall be had of the following: DEFRA Guidance on the control of Odours and Noise from Kitchen Extraction Systems.

Reason: To ensure that odours outside the premises are minimised in the interests of the amenity of occupiers of nearby properties

H34

Sound Insulation

A scheme for the sound insulation of odour control equipment referred to in condition [A] set out below shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and thereafter implemented in full accordance with the approval scheme prior to the permitted use being commenced. The approved sound insulation works shall thereafter be maintained in efficient working order.

Note

Regard shall be had of the following: DEFRA Guidance on the control of Odours and Noise from Kitchen Extraction Systems.

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

PCN06

No machinery near party wall

No machinery shall be installed in any room which shares a party wall with adjacent occupied premises.

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

Architectural Liaison ALU

Lancashire Constabulary

Nelson Town Council

Public Response

Neighbours notified and press and site notices posted – No response

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.

Saved Policy 31 relates to Parking Standards.

Principle of the Development

The site is in a highly accessible location within Nelson a town centre and as such the proposed use is compliant with policies 25 and WRK4.

Visual Amenity and Heritage Impact

The proposed flue would be located to the rear of the building largely hidden from view from anywhere but the back lane by the adjacent buildings and as such would not result in an unacceptable impact upon visual amenity or the significance of the Conservation Area. This element of the proposal is acceptable in accordance with policies ENV1 and ENV2.

The Design Principles SPD requires that the colours of a shop front should form an attractive colour scheme and one which is in-keeping with the building above. Heritage paint colours are available, which would be suitable for traditional shopfronts within a Conservation Area. The proposal to paint the clad pilasters and the aluminium door and window frames with powder coated aluminium baby pink would result in an unacceptable impact upon the significance of the Conservation Area and would not accord with Design Principles SPD, ENV2 and Pendle Conservation Area Design and Development Guidance.

Amenity

Subject to conditions 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 7am to 1am.

The property is located in Nelson Town Centre and the change of use from use Class A1 (Retail) to Class A3 (Restaurants and Cafes) would not result in any unacceptable impacts.

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

Highways

Highways LCC have raised no objection to this application. The site is located in a highly accessible town centre location with short stay parking available nearby, taking that into account the proposed dessert cafe is acceptable in terms of car parking and highway safety.

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

Summary

The change of use from its existing use of retail to become a dessert café is acceptable. The insertion of a flue to the rear extension is acceptable, provided that the conditions are met in relation to noise and odour mitigation. However the proposed colour of powder coated aluminium baby pink would be a non-heritage colour and would therefore be out of keeping within Whitefield Conservation Area.

Other Issues

It is noted that the existing roller shutter doors installed to the shop front are contrary to those agreed on application 19/0717/FUL, as they are solid and do not include the pin hole section to allow partial visibility. It is recommended that these are removed and the correct shutters are installed to avoid enforcement action.

Recommendation: Refuse

The proposal to paint the clad pilasters and the aluminium door and window frames with powder coated aluminium baby pink would not preserve or enhance the Conservation Area and would therefore result in an unacceptable impact on Whitefield Conservation Area, contrary to the Pendle Design Principles SPD, ENV2 and the Conservation Area Design and Development Guidance.

Application Ref: 22/0126/FUL

Proposal: Full: Alterations to shop front and installation of an extraction flue.

At: 60 Manchester Road, Nelson

On behalf of: Your Girl Can Bake

REPORT TO NELSON, BRIERFIELD AND REEDLEY COMMITTEE ON 1ST AUGUST 2022

Application Ref: 22/0268/OUT

Proposal: Outline: Erection of 4 dwellings (Access only) (Reg 4).

At: Land to the South East of Bamford Street, Nelson

On behalf of: Pendle Borough Council

Date Registered: 27/05/2022

Expiry Date: 22/07/2022

Case Officer: Laura Barnes

This application has been brought before the Committee as Pendle Borough Council is the land owner.

Site Description and Proposal

The application site relates to a plot of land which has previously had planning permission for up to 5 dwelling, in Outline. It is located within the settlement boundary of Nelson and is surrounded by residential accommodation.

The proposed development seeks outline permission for the erection of 4 dwellings, access is the only matter which is determinative at this stage. A site layout plan indicates that access is to be taken roughly to the south west of the rectangular piece of land, directly opposite Nos. 24 and 26 Bamford Street.

Relevant Planning History

13/15/0541P: Outline Erection of 5 detached dwellings (Access only) (Reg 4)
Approved with conditions

19/0017/OUT: Outline: Erection of 5 detached dwellings (Access only) (Reg 4).
Approved with conditions

20/0339/CND: Approval of Details Reserved by Condition: Partial discharge of Conditions 4 (Drainage) and 5 (Access and off-site highway works) of Outline Permission 19/0017/OUT.
Conditions partially discharged

Consultee Response

LCC Highways

The site has previously had outline planning permissions (Access only) for the erection of five dwellings (refs 19/0017/OUT & 15/0541P). Therefore, the principle of development has been established. Having considered the information now submitted, the Highways Development Control Section does not have any objections regarding the proposed development (including the reduction in the number of dwellings) at the above location, subject to the following comments being noted, and conditions and notes being applied to any formal planning approval granted.

If outline planning permission is granted a Reserved Matters application will need to be submitted covering details of appearance, landscaping, layout and scale. As part of any reserved matters planning application the applicant/developer is advised to consider the following provisional comments.

1. Pendle Borough Council's 'Car and Cycle Parking Standards' recommend the following individual parking provision:

- One-bedroom properties to have one parking space.
- Two to three bedroom properties to have two parking spaces.
- Four and above bedroom properties to have three parking spaces.

2. To count as one parking space a single garage should have minimum internal dimensions of 6 x 3m. Where garages are below this recommended size they should not be counted as a car parking space.

3. The minimum dimensions for a single off-road parking bay are 2.4m wide by 5.6m long, although the recommendations below should also be considered as part of the off-road parking design.

4. All drives fronting garages to be 6m long to allow room to open and close the doors, this can be reduced to 5.5m where roller shutter style doors are provided.

5. Private drives should be a minimum of 3.2m wide where they are used for shared vehicular and pedestrian access to the property.

6. Where the parking bays are adjacent to walls and fences, it is recommended that the drives have a minimum clear width of 2.6m, to provide additional room to open vehicle doors.

7. At least one secure cycle space should be provided for single bedroom residential properties and two where more than two bedrooms are to be provided. A standard size garage (6 x 3m) is considered capable of accommodating two cycles. Where no garage is provided alternative covered, lockable provision should be made within the property's curtilage.

8. Electric vehicle charging points should be provided at each property.

9. All drives and hardstanding areas should be surfaced in a bound porous material. Surface water from these areas of hardstanding/drives should drain wholly within the site and shall not be allowed to discharge onto the adjacent adopted public highway network.

As this has been submitted as a self-build development all conditions should be applied to all plots to ensure that the dwellings can be constructed independently of the remaining site.

Site access

The formation of the new vehicle accesses from Tweed Street and Marsden Hall Road South to the development site would need to be carried out under a legal agreement (Section 171) with Lancashire County Council as the highway authority. If any highway gullies or street lighting columns need re-locating due to the construction of the dropped vehicle crossings this would be at the applicant's expense.

Public Right of Way

A section of Byway Open to All Traffic 77 (ref 13-6-BOAT 77) passes immediately adjacent to the south-west boundary of the development site.

This Public Right of Way must not be obstructed during the proposed development. It is the landowner's responsibility to ensure that the necessary procedures are followed for the legal diversion of the Public Right of Way if this should be necessary. The granting of planning permission does not constitute the diversion of a Definitive Right of Way. If it is necessary for this Public Right of Way to be temporarily diverted or temporarily closed, it is the landowner's responsibility to ensure that this is done following the appropriate legal procedures. A temporary closure will only be granted where it is the intention to re-open the right of way upon expiration of the closure on the route recorded on the Definitive Map of Public Rights of Way.

The development must not commence until the necessary procedures are in place, either allowing the development to take place without affecting the right of way as recorded on the Definitive Map of Public Rights of Way and subsequent diversion orders and side roads orders. Or, if it is necessary to divert the above listed Public Right of Way, then the necessary Orders must be confirmed prior to construction to avoid enforcement action should the above Public Right of Way become affected.

General

Due to the site's location within a residential estate, and close to Great Marsden St John's CoE Primary School on Trent Road, deliveries by HGVs during the construction phase(s) should be restricted to ensure there is no conflict with traffic, both vehicular and pedestrian, at peak times.

In addition, as there is only one point of vehicle access to/from Barkerhouse Road for properties on Bamford Street, Tweed Street, Trent Road and Marsden Hall Road South, the developer(s) should provide a construction method statement to demonstrate that construction of the site will not have a detrimental impact on the surrounding highway network and its users.

The following conditions and notes should be applied to any formal planning approval granted.

Conditions

1. Prior to commencement of each individual four plots a construction method statement should be 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) Wheel washing facilities/road sweeping facilities
- v) Details of working hours
- vi) Routing of delivery vehicles to/from site
- vii) Timing of deliveries
- viii) Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties.

Reason: In the interest of highway safety.

2. Deliveries by HGVs to the approved development during the construction phase shall only be accepted between the hours of 9.00am and 2.30pm, to avoid peak traffic on the surrounding highway network. Reason: In the interest of highway safety.

3. Prior to first occupation of each individual four plots the vehicular access shall be constructed to an appropriate standard and the driveway/hardstanding areas paved in bound porous material.

Reason: In the interest of highway safety to ensure adequate vehicular access to the plot and to prevent loose surface material from being carried on to the public highway.

Notes

1. This consent requires the construction, improvement or alteration of an access/accesses to the public highway. Under the Highways Act 1980 Section 171 Lancashire County Council as the Highway Authority must specify the works to be carried out. Only a contractor approved by the Highway Authority can carry out these works. Therefore, before any works can start, the applicant must contact the Highway Authority on highways@lancashire.gov.uk to ascertain the details of such an agreement and the information to be provided.

2. The grant of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping-up or diversion of a right of way should be the subject of an Order under the appropriate Act. The proposed development may affect the setting of BOAT 77. The applicant should be advised to contact Lancashire County Council's Public Rights of Way section by email on PROW@lancashire.gov.uk, quoting the location, district and planning application number, to discuss their proposal before any development works begin.

3. This consent does not give approval to a connection being made to Lancashire County Council's highway drainage system.

Lead Local Flood Authority

Standing Advice should be applied

United Utilities

United Utilities wish to make the following comments regarding the proposal detailed above.

DRAINAGE

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) advise that surface water from new developments should be investigated and delivered in the following order of priority:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

We recommend the applicant considers their drainage plans in accordance with the drainage hierarchy outlined above.

Environmental Health

Recommended a Construction Method Statement

Informative suggested in relation to contaminated land, control of dust and burning on site

Public Response

Nearest neighbours have been notified, a site and press notice have been displayed, two letters of objection has been received, raising the following issues:

- Loss of light, overlooking and neighbouring amenity
- Issues concerning parking / private parking to the rear of Barkerhouse Road
- Noise disturbance
- Loss of greenspace and landscaping
- Loss of biodiversity
- Poor layout and density of building
- Construction vehicles blocking road / turning area during construction

Officer Comments

Policy

Local Plan Part 1: Core Strategy

Policy SDP1 (Presumption in Favour of Sustainable Development) sets out the presumption in favour of sustainable development which runs through the plan.

Policy SDP2 (Spatial Development Principles) states that new development within settlement boundaries unless it is an exception outlined in the Framework or elsewhere in the LPP1.

Policy LIV1 (Housing Provision and Delivery) sets out the Council requirement to deliver new housing.

Policy ENV1 (Protecting and Enhancing Our Natural and Historic Environments) states that the historic environment and heritage assets of the borough (including Listed Buildings, Conservation Areas, Scheduled Monuments, non-designated assets and archaeological remains), including and their settings, will be conserved and where appropriate should be enhanced.

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

The following saved Replacement Pendle Local Plan policies also apply:

Policy 31 'Parking' which is a saved Policy within the Replacement Pendle Local Plan requires that new developments provide parking in line with the levels set out in Appendix 1 of the RPLP.

Principle of the Development

Policy LIV 1 deals with housing provision and delivery. Although it exists to encourage significant and early delivery of the housing requirement, proposals for new housing development will also be supported where they are current non-allocated sites, however they must be within or very close to a Settlement Boundary, have a sustainable location and make a positive contribution to the five year supply of housing land. The application site is located within the settlement boundary in a sustainable location.

Furthermore, the application site would contribute an additional five properties to the five year supply of housing land within the borough.

As a result, the principle of new housing development on this site is acceptable.

Design

At this stage, outline permission is sought, although the applicant has submitted a plot layout dividing the site into four areas, no indication of the style of dwellings is provided, neither is it required at this stage. The application seeks to establish the principle of housing development in this location.

Impact on Amenity

It is clear from the indicative layout that the proposed development would be capable of providing an acceptable level of amenity to residents of both the proposed dwelling and surrounding properties in accordance with ENV2 and the guidance set out in the Framework. Each of the proposed plots is 30-35m in length and at least 11m in width. They could be arranged so that they would be perpendicular to the properties on Barkerhouse Road. There is sufficient space within the site to provide a separation distance of 21m from the front windows of properties on Bamford Street. The properties on Trent Road are positioned so that they are perpendicular to the application site, as such they have a side elevation which would look in the direction of the application site. Therefore, the separation distance of a flank wall and principle elevation could be 12m, as directed in the Design Principles SPD.

Although issues of overbearing effect and loss of light have been raised, the properties could be spaced sufficiently to avoid any unacceptable impact upon neighbouring amenity.

Highways and Access

The additional traffic generated by four proposed dwellings would be extremely minor, considering the site is surrounded on three sides by existing public highway.

LCC Highways raise no objections on highway safety grounds.

Although no parking layout has been provided, the plot is large enough to accommodate provision for the dwellings, suitable parking and turning within the site. Therefore, the proposed access is acceptable.

Other Matters

Members of the public have raised concerns about the loss of green space. The proposed site is not a designated area of open space within the Local Plan: Part 1 Core Strategy proposals map. Issues relating to car parking / construction vehicles causing issues would be a temporary effect during the construction process and is not a reason to refuse planning permission. The construction phase of development can be carefully controlled by planning condition.

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 access and principle of the proposed development accord with the policies of the Replacement Pendle Local Plan and National Planning Policy Framework. The development therefore complies with the development plan. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

RECOMMENDATION: Approve

Subject to the following conditions:

1. An application for approval of the reserved matters (namely the appearance, layout, scale and landscaping of the site) shall be submitted in writing to the Local Planning Authority before the expiration of three years from the date of this permission and the development hereby permitted must be begun two years from the date of approval of the last of the reserved matters to be approved.

Reason: This condition is required to be imposed by the provisions of Article 3 (1) of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Details of the appearance, landscaping, layout and scale (hereinafter called the 'reserved matters') shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: In order to comply with the requirements of Section 92 of the Town & Country Planning Act 1990.

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

- Location Plan A15-05/01
- Plot Layout NE/BAM
- S104 Off-Site Easement Plan within Nelson Town Council Ownership 2017-085-08 Rev A
- S104 Off-Site Easement Plan 2017-085-07 Rev B
- S104 On-Site Easement Plan 2017-085-06 Rev A
- Surface Water / Foul Drainage Layout 2017-085-01 Rev O

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

4. A scheme for the disposal of foul and surface water shall be submitted to and approved in writing by the Local Planning Authority within one month of the commencement of development. The scheme shall provide for separate systems for foul and surface waters and be constructed and completed in accordance with the approved plans before each dwelling is occupied.

Reason: To control foul and surface water flow disposal and prevent flooding.

5. Prior to commencement of each individual four plots a construction method statement should be 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) Wheel washing facilities/road sweeping facilities
- v) Details of working hours
- vi) Routing of delivery vehicles to/from site
- vii) Timing of deliveries
- viii) Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties.

Reason: In the interest of highway safety.

6. Deliveries by HGVs to the approved development during the construction phase shall only be accepted between the hours of 9.00am and 2.30pm, to avoid peak traffic on the surrounding highway network.

Reason: In the interest of highway safety.

7. Prior to first occupation of each individual four plots the vehicular access shall be constructed to an appropriate standard and the driveway/hardstanding areas paved in bound porous material.

Reason: In the interest of highway safety to ensure adequate vehicular access to the plot and to prevent loose surface material from being carried on to the public highway.

8. 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. the exact location and species of all existing trees and other planting to be retained;
- b. all proposals for new planting and turfing indicating the location, arrangement, species, sizes, specifications, numbers and planting densities;
- c. an outline specification for ground preparation;
- d. all proposed boundary treatments with supporting elevations and construction details;
- e. all proposed hard landscape elements and pavings, including layout, materials and colours;
- f. 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.

9. A scheme for the disposal of foul and surface water shall be submitted to and approved in writing by the Local Planning Authority within two weeks of the commencement of development. The scheme shall provide for separate systems for foul and surface waters and be constructed and completed in accordance with the approved plans before the first dwelling is occupied.

Reason: To control foul and surface water flow disposal and prevent flooding.

Informatives

1. This consent requires the construction, improvement or alteration of an access/accesses to the public highway. Under the Highways Act 1980 Section 171 Lancashire County Council as the Highway Authority must specify the works to be carried out. Only a contractor approved by the Highway Authority can carry out these works. Therefore, before any works can start, the applicant must contact the Highway Authority on highways@lancashire.gov.uk to ascertain the details of such an agreement and the information to be provided.

2. The grant of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping-up or diversion of a right of way should be the subject of an Order under the appropriate Act. The proposed development may affect the setting of BOAT 77. The applicant should be advised to contact Lancashire County Council's Public Rights of Way section by email on PROW@lancashire.gov.uk, quoting the location, district and planning application number, to discuss their proposal before any development works begin.

3. This consent does not give approval to a connection being made to Lancashire County Council's highway drainage system.

Application Ref: 22/0268/OUT

Proposal: Outline: Erection of 4 dwellings (Access only) (Reg 4).

At: Land to the South East of Bamford Street, Nelson

On behalf of: Pendle Borough Council

REPORT TO NELSON, BRIERFIEDL & REEDLEY COMMITTEE ON 1ST AUGUST 2022

Application Ref: 22/0273/ADV

Proposal: Advertisement Consent: Installation of 1no. illuminated fascia sign, on the front elevation.

At: 60 Manchester Road, Nelson

On behalf of: Mrs Ikraa Riaz

Date Registered: 25/04/2022

Expiry Date: 20/06/2022

Case Officer: Laura Barnes

Site Description and Proposal

The application site is a two storey commercial premises situated in a mid-terrace location within the town centre boundary, which is within the settlement boundary for Nelson. It is within the Whitefield conservation Area.

The application seeks permission for a new advert to be installed to the fascia, which is to be illuminated.

Relevant Planning History

19/0717/FUL: Full: Insert aluminium shop front and shutters and replace first floor timber windows. Approved with conditions

22/0126/FUL: Full: Alterations to shop front and installation of an extraction flue. Pending consideration

Consultee Response

LCC Highways

Having considered the information submitted, the Highway Development Control Section does not have any objections regarding the proposed development at the above location, subject to the following condition being applied to any formal planning approval granted, given the site's prominent location on the highway network.

Condition

Any illuminated advertisement shall be designed so that:

- No part of the source of the illumination shall at any time be directly visible to users of the adjacent adopted highway;
- Static illumination is provided, and the sign shall not feature intermittent or flashing lights;
- The level of illuminance shall not exceed the maximum level found within the Institution of Lighting Engineers (ILE) document PLG 5 Brightness of Illuminated Advertisements or its equivalent in any replacement guide;
- Moving features are not provided.

Reason: In the interest of highway safety to avoid glare, dazzle or distraction to

passing highway users.

Public Response

Nearest neighbours notified, a site and press notice displayed, without response. Consultation period for site notice to expire on 29/07/2022

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 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.

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 202 of the Framework sets out that where development proposals would lead to less than substantial harm to the significance of a designated heritage asset, this harm must be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Design & Heritage

The proposed advert is to be displayed in a Conservation Area. The Council recognises the essential commercial function of advertisements, however, they can have a significant effect on the character or appearance of an individual building or an area and can detract from these if not considered carefully. Advertisements should not adversely affect the architectural character of buildings and areas within Pendle. They should be designed to enhance the appearance of street scenes. The Council's Design Principles SPD contains guidance on the design of shop front advertisements. It states that advertisements should be of a high standard of design which relates architecturally with the building upon which they are fixed, should be sympathetic to the surrounding locality and street scene and be finished / coloured carefully without detriment to the overall street scene. The colours of the shop front (including fascia background, woodwork, frames, door, stallriser, etc.) should form an attractive colour scheme and one which is in keeping with the rest of the building above. A single overall dark colour often works well, as does all white. Schemes with two colours usually work best when one of the colours is neutral such as white or cream. Heritage paint colours are available and suitable for traditional shopfronts, the colours can emphasise detail and contribute to the overall vibrancy of the street scene.

The application seeks planning permission for a pink acrylic signboard with darker pink lettering projecting out 50mm from the board and external illumination. The choice of colouring for the

signage is not sensitive to the location in which it is positioned. The signage would be above the shopfront on a public highway and whilst it is acknowledged that the intention of signage is to attract customers, the colour choice in this particular case is not sympathetic. The applicant has been provided with the opportunity to submit signage in a more muted, heritage appropriate colour but they do not want to change from their corporate image.

It is often the case that signage can be adapted for heritage contexts, for example in Conservation Areas where large chain stores operate. They can still retain their corporate image without totally dominating the frontage of the building. There are many examples of this in high streets across the country where they are located in locations with historic significance. The signage which this is replacing is a white sign board with green and black lettering, it is very effective and much more sympathetic to the context in which it is positioned.

The proposed advertisement would be garish and jar with the existing surrounding street scene. It would result in a shop front advertisement which does not consider the context within which it is located and would lead to harm to the character and appearance of the Conservation Area. The advertisement represents poor design, contrary to paragraph 134 of the Framework in this regard. It is also contrary to paragraph 202 of the Framework, Policies ENV1 & ENV2 of the Local Plan: Part 1 Core Strategy, the Design Principles SPD and the Conservation Area Design & Development Guidance, which requires any harm to heritage assets to be outweighed by public benefit.

Amenity

The proposed signage is to be erected in a Town Centre Location upon a major route through the settlement. There are no residential properties directly opposite which would be affected by illumination of the signage. In any event, illuminance can be controlled by condition.

As such, the signage accords with Policy ENV2 of the Local Plan: Part 1 Core Strategy in this regard.

Highways

The proposed development would not result in an unacceptable impact upon highway safety, the level of illuminance can be controlled by planning condition.

RECOMMENDATION: Refuse

For the following reason:

1. The advertisement is out of character with the visual amenity of the area and represents poor design, in conflict with paragraph 134 of the National Planning Policy Framework and Policy ENV2 of the Local Plan: Part 1 Core Strategy. It would result in an unacceptable adverse impact upon the character and appearance of the Conservation Area, contrary to paragraph 202 of the Framework, Policy ENV1 of the Local Plan: Part 1 Core Strategy, The Design Principles SPD and the Conservation Area Design and Development Guidance SPD.

Application Ref: 22/0273/ADV

Proposal: Advertisement Consent: Installation of 1 no. illuminated fascia sign, on the front elevation.

At: 60 Manchester Road, Nelson

On behalf of: Mrs Ikraa Riaz

REPORT TO NELSON, BRIERFIELD AND REEDLEY COMMITTEE 1ST AUGUST 2022

Application Ref: 22/0323/HHO

Proposal: Full: Erection of a porch to the front elevation (part-retrospective).

At: 5 Chatburn Park Drive, Brierfield

On behalf of: Mr Aamir Khan

Date Registered: 23 May 2013

Expiry Date: 15th July 2022

Case Officer: Yvonne Smallwood

This application has been brought before Committee as it has been called in by a councillor.

Site Description and Proposal

The application site is a semi-detached bungalow within the settlement boundary of Brierfield.

The proposed development is for the erection of a porch with a pitched roof to the front elevation of the bungalow. The porch would measure 1.5m in length, 2.8m in width and would be 2.4m to ridge height and 3m to ridge height. There is 4.3m between the porch and the highway.

Relevant Planning History

None

Consultee Response

Brierfield Town Council

Public Response

Nearest neighbour's notified by letter with two responses:

- This porch is already more than half built. Should this be retrospective planning?
- We feel it necessary to comment this is out of character with the rest of the bungalows and also why does it have to be so high and so wide ? In our opinion it doesn't look right, unless he is proposing to extend it (i.e. conservatory)

Relevant Planning Policy

Policy

Policy ENV1 of the Pendle Local Plan Part 1: Core Strategy requires that developments are in keeping with the townscape setting.

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

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 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.

Officer Comments

The main issues with this application are Compliance with Policy and Design.

Policy

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

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

Design

Front extensions and porches can be particularly prominent in the street scene and should be carefully designed to retain the character of residential areas. Generally there will be a presumption against extensions at the front of a property due to the need to protect the character of existing street scenes. The most common of front extension is a porch which tends to be relatively small and in scale with the house.

The Design Principles SPD ("the SPD") guidelines state that front porches are normally acceptable if they do not extend forward more than 1.25m. They should be no more than 3m in height above ground level and the ground area should cover up to 3m². Front porches should be set back from the highway by at least 2m.

The porch is larger than that advocated in the SPD but that is a guide. The porch is in a prominent location to the front of the property. It would be constructed of materials that do not match the existing building. It would be disproportionately large for the front of the property and would appear as a disjointed and alien feature both on the building and in the street scene.

The development would represent poor design.

Amenity

The 45 degree guidance would not be broken in relation to neighbouring properties and the porch is set back an appropriate distance from the highway, however there are windows proposed to both side elevations which would only be acceptable with obscure glazing.

Summary

The proposed porch extension would adversely affect the character of the street scene by introducing an overly large and intrusive extension into the area.

RECOMMENDATION: Refuse

For the following reasons:

1. The proposed development would by virtue of its size and design on the front elevation of the bungalow adversely affect the character of the bungalow and of the wider street scene and would

be poor design thus failing to accord with policy ENV2 of the adopted Pendle Part 1 Local Plan, paragraph 134 of the National Planning Policy Framework and the adopted Pendle Design Principles Supplementary Planning Document.

Enforcement

The development has not fully been completed but is nearing completion. Should the application be refused then the Council must consider whether it is expedient to take enforcement action to require it to be removed.

The development represents poor design and has an adverse impact on the street scene. It harms the character of the area. Unless there are mitigating circumstances that would merit not taking action it would be appropriate to serve an enforcement notice to require it to be removed.

The removal of the porch would interfere with the rights of the owner to enjoy his home and his possessions under the Human Rights Act 1994. That is not an unfettered right though and enforcement action can be taken where it is necessary in accordance with the law.

The development that has taken place is unlawful and that lessens the right of the person involved to be able to retain it. The removal of the porch would not result in the owner not being able to enjoy the rest of the house. Poor design, if allowed across the whole country, would result in a poor environment for all people to enjoy and live in. Whilst the development itself would have only a local impact the repercussions for allowing poor design across the country would be great.

Serving an enforcement notice would therefore be a proportionate and lawful way of dealing with this unlawful development.

Application Ref: 22/0323/HHO

Proposal: Full: Erection of a porch to the front elevation (part-retrospective).

At: 5 Chatburn Park Drive, Brierfield

On behalf of: Mr Aamir Khan

REPORT TO NELSON, BRIERFIELD AND REEDLEY COMMITTEE 1ST AUGUST 2022

Application Ref: 22/0420/HHO

Proposal: Full: Erection of dormer to the front & rear roof slopes.

At: 43 Newport Street

On behalf of: Mr Muhammed Rizwan

Date Registered: 24th June 2022

Expiry Date: 19th August 2022

Case Officer: Yvonne Smallwood

This application has been brought before Committee as it has been called in by a councillor.

Site Description and Proposal

The application site is a two storey terraced dwellinghouse, located within the settlement boundary of Nelson.

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

The proposed dormers would be constructed using hanging tiles, EDPM membrane roof with white UPVC windows.

Relevant Planning History

None relevant.

Consultee Response

LCC Highways

The property is situated on a row of terraced properties which does not have any off-road parking. We are of the opinion that the proposed development should have a negligible impact on highway capacity in the immediate vicinity of the site. There is no objection to this proposal.

Nelson Town Council

Public Response

Nearest neighbours notified by letter without response.

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

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 terraced row with no other dwellings having dormers. The proposed dormer materials would be hanging tiles with EPDM membrane roof and UPVC windows.

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

Residential Amenity

The proposed dormer is to have one window to the front elevation. There are no windows to the side elevations. The proposed front dormer is opposite other properties on Newport Street. The windows, however, would not result in any additional adverse impacts to the neighbours opposite than existing.

There are two windows proposed to the rear dormer. The rear of the application site is opposite the rear of the properties on Midland Street. The proposed windows to the rear dormer would not result in any additional adverse impacts to the neighbours to the rear than existing.

Therefore, the proposed dormer windows are 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 four bedroom property. 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. Highways LCC have raised no objection to this proposal.

RECOMMENDATION: Refuse

By virtue of its position to the front elevation of the dwelling, the proposed front 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: 22/0420/HHO

Proposal: Full: Erection of dormer to the front & rear roof slopes.

At: 43 Newport Street

On behalf of: Mr Muhammed Rizwan

LIST OF BACKGROUND PAPERS

Planning Applications

NW/MP

Date: 1st July 2022