

Nelson, Brierfield and Reedley Committee – Update Report 5th June 2023

23/0263/FUL: Land to the south east of Bamford Street, Nelson

Following the publication of the committee report, the Council has received amended plans which have changed the heights of the fencing / boundary treatments along the front and rear of the proposed dwelling. The amended plans also indicate a different car parking arrangement which has a total of three car parking spaces.

Firstly, in terms of the number of car parking spaces, Policy 31 of the Replacement Pendle Local Plan and Appendix 2 of the Core Strategy require 3 car parking spaces for properties which have 3+ bedrooms. As such, the level of car parking is sufficient. The proposed development accords with policy in this regard.

Turning next to the fencing on the amended plans. The applicant has reduced the height of the fencing to 1m along the rear boundary of the proposed dwelling (with Bamford Street), so that the fencing along the edge of the pavement is no greater than 1m in height. Similarly, along the boundary with Tweed Street the height of the fencing has been reduced to 1m, in the interests of highway safety. The proposal is now acceptable in this regard.

As such, the recommendation can be amended to approval, subject to conditions.

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 A006_L(00)001 Rev A, Proposed Site Plan A006_L(00)002 Rev B, Proposed Floor Plans A006_L(00)003 Rev A, Proposed Front & Rear Elevation Plans A 006_L(00)004 Rev B, Proposed South Elevation Plan A 006_L(00)005 Rev C, Proposed North Elevation Plans A006_L(00)006 Rev C, Proposed Section Plan A006_L(00)007 Rev B, Proposed Fence Site Plans A006_L(00)008 Rev B, Proposed Fence Elevation Plan A006_L(00)009 Rev B.

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

3. All materials to be used for the proposed development hereby approved shall be as stated on the application form and approved drawings and they shall not be varied without the prior written permission of the Local Planning Authority.

Reason: Those materials are appropriate for the development and site.

4. Prior to commencement of works on site, a foul and surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority and has been fully installed and completed in accordance with the approved details.

The drainage scheme must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations); and
- (iii) A timetable for its implementation.
- (iv) Details of how foul and surface water will be disposed of.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

5. Prior to commencement of development 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. The development hereby permitted shall not be occupied 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.

- 7. A boundary treatment of close boarded fencing measuring a minimum of 1.8m in height along each of the side boundaries shall be erected prior to occupation of the development hereby approved and remain in place at all times, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of neighbouring amenity.

- 8. Notwithstanding any indication on the plans hereby approved, at no time shall there be a fence measuring greater than 1m in height along the highway with Bamford Street or Tweed Street. The fencing to the front and rear boundaries shall measure no greater than 1m in height measured from the back of the pavement in respect of the existing levels on Bamford Street and Tweed Street. The fencing along the side boundaries shall measure no greater than 1m in height for a distance of 2m taken from the back of the pavement into the site. All other fencing to the side elevations shall not exceed 1.8m in height. There shall be no change to the heights of the fencing unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of highway safety and wider visual amenity.

Informative

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

23/0286/HHO: 19 Hawarden Street, Nelson

Following the publication of the committee report, the Council has received amended plans which has changed the design of the proposed single storey rear extension.

The proposed single storey rear extension would have a pitched roof of concrete roof tiles. The proposed pitch roof would have an eaves height of 3.6m where the proposed extension meets the rear elevation of the dwellinghouse, this is a reduction in the height of the proposal by 0.3m and an eaves height of 3.75m where it would meet the rear boundary which is a reduction in height by 0.25m. In addition, the proposed pitch roof would reduce overshadowing to the adjacent properties. The proposed design for a pitched roof would be an improvement in design and visual appearance.

However, the amended plan does not change the recommendation to refuse, which relates to the front dormer.

RECOMMENDATION: Refuse

1. The proposed front dormer would be incongruous and out of keeping with its surroundings, this would result in unacceptable harm to the character and visual amenity of the area and would result in poor design. The proposal would be contrary to Policy ENV2 of the the Local Plan Part 1: Core Strategy, Paragraph 134 of the Framework, and the Design Principles Supplementary Planning Document.