

Nelson, Brierfield and Reedley Committee Update Report: 4th March 2024

23/0491/HHO 29 Romney Street, Nelson

Following the publication of the Committee report, the applicant has not submitted amended plans to address the impact of the proposal on the residential amenity to neighbouring properties. Therefore, the recommendation remains for refusal.

23/0809/FUL - Rockwood, Halifax Road, Nelson

Public Responses

The following additional matters have been raised:

- Impact of odours from adjacent farming activities on the users and staff of the venue.
- Object to the withdrawal of LCC Highway's objection, the development would result in loss of life or serious traffic problems and accidents.
- Damage to roads from construction traffic.
- Damage to the public footpath adjacent to the site from the construction of the retaining wall.
- Object to removal of trees.
- Guests would travel to the venue by car rather than bus, bike or on foot.
- The operational hours of such a venue which could be classed as equivalent to a 'club' setting are likely to be a source of high noise levels in a semi-rural area. Baseline background noise level measurements are assumed, invalid and unreliable and provide inaccurate indices against which other internal and external noise measurements are made. Unfeasible measures of containing noise levels internally and externally are apparent. Inaccurate sound maps are in evidence. 'Guestimates' predominate. A new noise impact assessment will be necessary
- The golf report is inadequate, not independent and should not be accepted.

Consultee Responses

PBC Environmental Health – Following a full review of the updated noise assessment, no objection to the proposed development subject to the implementation of its recommendations.

LCC Highways – Further to our original comments dated 20th December 2023 and subsequent comments dated 2nd February 2024, the additional information has been reviewed and the following comments are made. The information reviewed includes SCP Transport Technical Note dated 16th February 2024, SCP Travel Plan dated February 2024, A & T Architecture Design Ltd 'Proposed site plan' 2456-PL-001 Rev A dated 05.02.2024, Turner Lowe Associates 'Proposed Access and arrangements and highway works' drawing 230601/01/B dated February 2024 and Supplementary Information note 3.

No objection, the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site, subject to

conditions for: construction traffic management, construction traffic access, visibility splays, off site highways works (including formation of access, removal of trees, traffic calming scheme and relocation of 30mph limit, bus stops and introduction of a clearway traffic regulation order), landscaping scheme (including 24 replacement trees), electric vehical charging, car parking and manoeuvring, turning and adherence to the travel plan.

Officer Comments

Following a full review of the noise assessment Environmental Health have advised that they are satisfied that the mitigations proposed in the report would effectively ensure that the development would not result in unacceptable noise impacts. Those mitigations can be ensured by condition.

Therefore, the third reason for refusal in the Committee report has been satisfactorily addressed.

Concerns have been raised regarding the impact of odour from manure spreading and silage on the users of the venue and that this may restrict the use of the adjacent farmland. There are a number of dwellings in equal or closer proximity to adjacent farmland, the proposed venue would not have any greater vulnerability to impacts from odours than the existing dwellings.

Following the submission of additional and revised information LCC Highway's objection has been withdrawn. The proposed development is now acceptable in terms of highway safety.

Whilst LCC Highways have advised that the proposed measures and the Travel Plan and provision of new bus stops closer to the site are acceptable, the position remains that the site is not adequately accessible for this proposed use which would result in up to 500 guests for events that are likely to predominantly run into the evening. With there being no existing accommodation at or near to the site guests are likely to be widely dispersed and have no alternative to private motor vehicles to return home or to accommodation, this would not be likely to be addressed by the suggested shuttle minibus service. The applicant has referenced appeal decision for wedding venues allowed in locations that were not accessible, however, those appear to be materially different circumstances in rural locations in which the benefit to the rural economy was taken into account in accordance with the National Planning Policy Framework, as detailed in the report, that is not the case for this application.

The recommendation remains to **Refuse** for the following revised reasons:

1. The development site is located beyond the settlement boundary and is poorly located to support sustainable travel modes, it is an unsustainable location for the proposed use which would result in excessive reliance on private motor vehicles contrary to policies SDP2, WRK4, and ENV4 of the Local Plan Part 1: Core Strategy.
2. The proposed development would result in unacceptable landscape and visual impacts to the detriment of the landscape character and visual amenity of the area,

the development is therefore contrary to policies ENV1 and ENV2 of the Local Plan Part 1: Core Strategy and the guidance of the Development in the Open Countryside SPG.

24/0036/HHO 281 Barkerhouse Road, Nelson

Following the publication of the Committee report, additional comments have been received from members of public. However, it is to be noted that these comments were not from additional interested parties but from neighbours who have already commented on the scheme earlier, and had an opportunity to look at the updated design drawings submitted after the expiry of neighbourhood consultation. These comments can be summarised as follows:

- Proposed front balcony overlooking neighbours
- Impact on streetscape
- Potential terracing effect
- Additional parking potentially impacting pedestrian safety
- Extension not set back by 2m on the first floor
- Materials and design are out of keeping with original dwelling and its surroundings
- Rear dormers overlooking neighbour's gardens
- Unsympathetic design
- Loss of private views

These issues have either been raised and addressed in the original report or are not matters of planning consideration. Therefore, this does not change the overall recommendation, which is to approve the application, subject to conditions.