

# REPORT FROM: ASSISTANT DIRECTOR PLANNING, BUILDING CONTROL AND REGULATORY SERVICES

TO: NELSON, BRIERFIELD AND REEDLEY COMMITTEE

DATE: 8<sup>TH</sup> JULY 2024

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# PLANNING APPLICATIONS

# **PURPOSE OF REPORT**

To determine the attached planning applications.

# REPORT TO NELSON, BRIERFIELD AND REEDLEY COMMITTEE ON 8<sup>TH</sup> JULY 2024

Application Ref:	23/0833/FUL
Proposal:	Full: Demolition of existing Mosque and the erection of a replacement Mosque building (Use Class F1(f)) including the formation of 12 no. parking spaces and 10 no. cycle spaces with associated landscaping.
At:	Jamia Masjid Usman Ghani Mosque Stanley Street Brierfield
On behalf of:	MASJID USMAN GHANI
Date Registered:	14/12/2023
Expiry Date:	08/02/2024
Case Officer:	Alex Cameron

This application was deferred from June's Committee meeting.

# Site Description and Proposal

The application site located to the rear of the health centre in the central area of Brierfield. The site is located in a mixed use area which has a variety of property types surrounding it including terraced houses.

The proposal is to demolish the existing mosque building and erect a larger mosque building with dome and minaret. Amended plans have been received significantly reducing the scale of the proposed building from that originally proposed.

# **Relevant Planning History**

16/0550/FUL - Full: Demolish existing extension to side, erection of a two storey extension to side, two storey extension to rear and provision of 2 No. classrooms for religious studies. Approved

20/0429/FUL - Full: Erection of a religious building (Use Class D1) (Floor Area 900 sq.m.); formation of 12 parking spaces (7 Accessed from Stanley Street and 5 in underground car park with access from Arthur Street) and associated landscaping. Refused

# **Consultee Response**

LCC Highways – Request amendment to the design to address pedestrian and vehicle access matters on Arthur Street and Hartington Street and further survey work on Tunstill Square car park to demonstrate its capacity.

Coal Authority - The Coal Authority's Planning & Development Team considers that the content and conclusions of the Coal Mining Risk Assessment report to be sufficient for the purposes of the planning system in demonstrating that the application site is, or can be made, safe and stable for the proposed development. The Coal Authority therefore do not object to the proposed development. However, further more detailed considerations of ground conditions and foundation design may be required as part of any subsequent building regulation application.

PBC Environmental Health – Requests condition to control amplified call to prayer.

United Utilities – No objection subject to drainage conditions.

Brierfield Town Council – No response

# Public Response

Press and site notices posted and nearest neighbours notified. Responses received in objection and support:

Summary of response in objection:

- Exacerbation of current parking issues in the vicinity
- The proposed building will block natural light to adjacent houses.

Summary of responses in support:

- Benefits for the local community
- The building will improve the appearance of the area
- The land is currently empty and of no use to anyone

# Officer Comments

## Policy

## Local Plan Part 1:Core Strategy

Policy SDP1 takes a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

Policy ENV1 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 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 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.

# Visual Amenity

The amended design of the building and reduction of its scale and redesign, repositioning and reduction in the height of the minaret. The amended design would significantly reduce the potential

wider visual impact of the building, the visual impact of the amended building would be more localised to the surrounding streets and would not have an unacceptable impact on the wider townscape. Although the design would contrast with its surroundings it is of high quality and its use of stone would reflect the character of the area. The development is acceptable in terms of design and visual amenity.

## **Residential Amenity**

The amended building is of a significantly reduced height to that of the original proposal, the majority of the building would be no taller than the surrounding dwellings. Due to the sloping levels the western end of the site would be taller than the dwellings. Taking into account the prevailing character of the area with tightly separated terraced housing surrounding, there would be an adequate separation distance between the building and dwellings on Stanley Street and Kay Street and to ensure that the building would not result in an unacceptable overbearing impact and whilst the properties on Hartington Street would be closer to the building, taking both this and that the building is due north of them, it would not result in unacceptable impact.

An obscure glazing condition can ensure that the windows of the development do not result in unacceptable loss of privacy to dwellings on Kay Street and Hartington Street, taking into account hight and angle of view the development would not result in unacceptable loss of privacy to other surrounding dwellings.

The mosque would require use in early morning and late night however Environmental Health have not raised concerns in relation to this provided that external amplified noise is controlled.

## Highways

Amended plans and a car parking survey have been submitted to address the concern relating to car parking and access. LCC Highway's comments on these matters are awaited. It is recommended that the approval of the application, and any conditions necessary is delegated to the Assistant Director Planning, Building Control and Regulatory Services subject to the withdrawal of LCC Highway's objection.

# Reason for Decision

Section 38 of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise. The proposed development is acceptable in all relevant regards. 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: Delegate Grant Consent**

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:

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

3 Prior to the commencement of above ground works involved in the erection of the external walls of the development samples of the external materials and finishes of the walls, roofs, dome, minaret, windows and doors shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: In order to control the external appearance of the development in the interest of visual amenity.

4. The development shall not commence unless and until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme 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 of all planted and/or turfed areas.

The approved scheme shall be implemented in its entirety within the first planting season following the commencement of the operation 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.

5. All windows in the north and south side elevations of the building shall at all times be obscure glazed to a minimum obscurity level of Pilkington level 4 or equivalent up to a minimum of 1.7m in height above the floor level of the area they serve. The windows shall at all times be hung in such as what as to prevent the effect of the obscure glazing from being negated by opening.

Reason: In order to preserve the privacy of adjacent dwellings.

6. There shall be no external amplified noise unless details of the level and timing of the noise have been submitted to an approved in writing by the local planning authority. Any amplified noise shall be in strict accordance with those approved details.

Reason: In order to control external amplified noise the interest of residential amenity.

7. Prior to the installation of any external lighting details including type, size, location, intensity, direction and timing of illumination of the proposed external lighting shall have been submitted to and approved in writing by the Local Planning Authority. The external lighting shall thereafter at all times be maintained and operated in strict accordance with the approved details.

Reason: In order to reduce the impact of external lighting in the interest of residential amenity.

8. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes 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 in accordance with BRE365; (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);

(iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;

(iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and

(v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

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

9. Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

(i) Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
(ii) Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

- 10. No development shall take place until a construction method statement has been 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:
  - Hours of operation
  - Hours of construction deliveries
  - Construction site noise and vibration

- Control of dust
- Control of burning onsite

Reason: In the interest of residential amenity.

Note: 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.

#### Application Ref: 23/0833/FUL

**Proposal:** Full: Demolition of existing Mosque and the erection of a replacement Mosque building (Use Class F1(f)) including the formation of 12 no. parking spaces and 10 no. cycle spaces with associated landscaping.

- At: Jamia Masjid Usman Ghani Mosque Stanley Street Brierfield
- On behalf of: MASJID USMAN GHANI

# REPORT FOR NELSON, BRIERFIELD AND REEDLEY COMMITTEE ON 8<sup>TH</sup> JULY 2024

Application Ref: 24/0231/HHO

**Proposal:** Full: Demolition of existing garage, erection of porch to front, erection of a single storey side and rear extensions and insertion of dormer windows to front and rear roof slopes.

At: 56 Causey Foot, Nelson.

On behalf of: Mr Javed Iqbal.

**Date Registered:** 08/04/2024.

**Expiry Date:** 03/06/2024.

Case Officer: Joanne Naylor

#### Site Description and Proposal

The application site is a detached bungalow with an attached garage to the side, it has front and rear gardens and is located in a predominately residential area. It has a 1960s/70s: prominent chimney stack to the front elevation, with red brick walls and concrete roof tiles. there are similar properties opposite Causey Foot and to the rear of the site there are semi-detached properties on Queensgate.

The proposal seeks to demolish the existing side garage and erect a single storey side extension with a flat roof, erect a rear extension with a pitched roof to form a wrap around, erect a porch to the front and insert a flat roofed front dormer and a pitched roof rear dormer.

#### **Relevant Planning History**

23/0467/HHO: Full: Conversion of garage to habitable room with pitched roof above it. Erection of a front porch and single storey rear extension. Installation of dormers to front and rear roofslopes. Refused (3<sup>rd</sup> October 2023).

23/0036/AP/REFUSE: Full: Conversion of garage to habitable room with pitched roof above it. Erection of a front porch and single storey rear extension. Appeal Dismissed (1<sup>st</sup> May 2024).

#### Consultee Response

#### LCC Highways

LCC Highways does not raise an objection to the proposal, three off-road parking spaces are achievable with one existing parking space and two proposed parking spaces proposed, subject to conditions for bound porous material to the driveway/hardstanding and that the area of new hardstanding be constructed so that surface water from the public highway cannot discharge into the site and vice versa. And a condition for secure covered storage for two cycles to be provided within the curtilage to replace the loss of storage in the existing garage.

No comment.

# Public Response

The nearest neighbours have been notified by letter, no responses received.

# **Relevant Planning Policy**

## Pendle Local Plan Part 1: Core Strategy

Policy SDP1 takes a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

Policy ENV2 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.

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 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 139 of the Framework states that poor design should be refused where it fails to reflect local design policies.

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

# Officer Comments

## **Design and Materials**

The Design Principles SPD advises two storey side extensions (and provision of first floors over existing single storey side extensions) should be designed to avoid having an overbearing effect or causing loss of light or privacy for neighbours.

The proposal would demolish the existing garage and erect a flat roofed extension, it would be flush to the front elevation of the dwellinghouse and extend a further 3.5m from the rear elevation, the Design Principles SPD states that a single storey rear extension will normally be acceptable if it does not project more than 4m. The proposed extension would have windows to the front and rear elevations, and to the side elevations.

The proposed single storey rear extension would extend the length of the dwellinghouse and form a wrap-around with the proposed side extension. The proposed rear extension would have a pitched roof and extend 3.5m from the rear elevation. The existing steps to the north-west of the site would be removed and proposed steps constructed to the north-east of the site to access the proposed rear extension serving the kitchen/dining area.

The proposed dormers would be to front and rear roof slopes. In this area, circa 25% of the properties have front dormers on this road. The properties are of a modern design of the 1950-1970s, and the proposed dormers would not be out of keeping in street scene. In terms of design, a pitched roof is preferred, however there are a number of properties which have front dormers with flat roofs, therefore the proposed front dormer would be acceptable visually and would not appear out of keeping in the street scene. The proposed rear dormer would have a flat roof, extend the width of the existing dwelling house and would extend to the existing rear elevation, the fallback position would be that under permitted development a similar sized rear dormer could be achieved, therefore the proposed rear dormer would be acceptable.

The proposal seeks to erect a front porch with a pitched roof, under permitted development a porch of 3sq.m footprint, 3m in height and set back 2m from the highway, the proposed porch would be larger than that which could be achieved through permitted development and have a footprint of 4sq.m and a height of 3.4m. On this road, there are other properties which have porches to the front, it would be set away from the highway by circa 2.5m. The proposed porch would not be out of keeping with the street scene or the dwellinghouse.

The proposed materials would be facing brick, concrete tiles, upvc windows and doors which would match the existing materials. It would have bitmac to the new hardstanding.

The proposed development would be acceptable in design and materials and would conform with Policy ENV2 and the Design Principles SPD.

#### **Residential Amenity**

The Design Principles SPD advise that proposals should protect neighbours' enjoyment of home, to not overshadow or have an overbearing effect on neighbouring properties, and that windows should not overlook adjacent property.

To the front elevation there would be new window openings to the proposed side extension, opposite the site there are dwelling houses with habitable rooms to the front elevation which are at a higher land level than the application site, the distance between the habitable room windows facing each other is circa 21m distance which is acceptable for the Design Principles SPD. The proposed front dormer would be set back circa 1.2m from the front elevation of the dwellinghouse, the proposed dormer window would be at a similar level to the ground floor windows of the property opposite, there would be a distance of circa 22m between windows facing each other.

The proposed porch would have a window to the front, as it is a ground floor window across a public highway, the window would not result in an unacceptable loss of privacy.

To the rear elevation there would be windows to the ground floor and windows to the proposed rear dormer. The proposed single storey rear extension would bring the development 3.5m closer to the dwelling houses to the rear of the site on Queensway. The neighbours to the rear are at a lower land level and have a separation distance of 19m which is typical in this area, however the

proposed rear extension would result in a distance of 15.5m between habitable room windows facing each other, the Design Principles SPD requires that a distance of 21m between habitable room windows facing each other to be maintained. Although there is an existing relationship of 19m between habitable room windows, the proposed rear extension brings the windows closer by 3.5m and due to proposed windows higher elevation it would result in overlooking and loss of privacy to the neighbours to the rear. In this case the proposed height of the rear extension would be 4.9m in height and therefore there is no fallback position. The proposed windows would result in loss of privacy to the properties to the rear on Queensway.

The proposed rear dormer would extend to the existing rear elevation of the dwellinghouse, the proposed rear dormer would retain the existing separation distance of 19m between the application site and the properties opposite, and the proposed rear dormer would view towards and above the roof slope of the properties opposite. The proposed dormer would extend to the existing rear elevation of the dwelling house, No. 54 has a garage to the side elevation and no window to the first floor of the gable, therefore the proposed rear dormer would not result in a loss of outlook to No. 54.

The proposal would have two windows to the side elevation facing towards No. 58 Causey Foot which has no ground floor windows to the side elevation, No. 58 has a bedroom window to the first floor and the application site has an existing window to the first floor of the side elevation, here there is an existing relationship between the habitable room windows facing each other which is already established.

The proposed porch would have a window facing towards the front garden of No. 58, as the front garden can be viewed from the highway, the proposed porch window would have no greater impact than being viewed from the highway.

The proposed steps would be located to the north west side and access the dining/kitchen. The adjacent dwelling house at No. 54 Causey Way has a garage to the side elevation and a blank gable wall, the use of the proposed steps would not result in a loss of privacy or overlooking due to the blank gable and garage.

The proposed single storey rear extension would have three windows facing towards the rear elevation of dwelling houses on Queensway which has habitable room windows. The application site is at a higher land level than the properties on Queensway, the windows to the proposed rear extension would result in the loss of privacy to the occupants of properties to the rear elevation on Queensway. To the rear the development would have an unacceptable impact on residential amenity of neighbouring properties and would conform with Policy ENV2 and the Design Principles SPD.

The proposed windows to the single storey rear extension would result in loss of privacy to the occupants of properties on Queensway, Nelson, this is due to the application site at a higher land level and the insufficient distance between habitable room windows facing each other, resulting in a harmful impact on the occupants residential amenity on Queensway. The proposed development would not conform with Policy ENV2 of the Pendle Local Plan Part 1: Core Strategy, and the Design Principles Supplementary Planning Document.

## Highways

LCC Highways does not raise an objection to the proposal, three off-road parking spaces are achievable with one existing parking space and two proposed parking spaces, subject to conditions for bound porous material to the driveway/hardstanding and that the area of new hardstanding be constructed so that surface water from the public highway cannot discharge into the site and vice versa. And a condition for secure covered storage for two cycles to be provided within the curtilage to replace the loss of storage in the existing garage. Therefore, the proposal would conform with Policy 31 of the Replacement Pendle Local Plan.

# **RECOMMENDATION: Refuse**

The windows to the proposed rear extension would result in loss of privacy to the neighbours opposite, resulting in a harmful impact on the residential amenity of the occupants at Queensway, Nelson. The proposed development would be contrary to Policy ENV2 Pendle Local Plan Part 1 Core Strategy and the Design Principles Supplementary Planning Document.

#### Application Ref: 24/0231/HHO

**Proposal:** Full: Demolition of existing garage, erection of porch to front, erection of a single storey side and rear extensions and insertion of dormer windows to front and rear roof slopes.

At: 56 Causey Foot, Nelson.

On behalf of: Mr Javed Iqbal.

# REPORT TO NELSON, BRIERFIELD AND REEDLEY COMMITTEE ON $8^{\rm TH}$ JULY 2024

Application Ref:	24/0357/HHO
Proposal:	Full: Erection of dormers to front and rear roof slopes.
At	4 Fountain Street, Nelson, Lancashire
On behalf of:	Mr Shahzad Saleem
Date Registered:	29.05.2024
Expiry Date:	24.07.2024
Case Officer:	Athira Pushpagaran

This application has been called to committee by the chair.

# Site Description and Proposal

The application site is a mid-terrace dwelling situated in a residential neighbourhood within the defined settlement boundary of Nelson. The main access is from Fountain Street. The existing dwelling has a slate tiled pitched roof, stone walls and UPVC doors and windows. Except a dwelling within the terrace across the road from the application site which has flat roof rear and front dormers there is no context of other dormers visually related to the site.

The proposed development is the erection of a pitched roof dormer to the front roof slope and a flat roof dormer to the rear roof slope.

# **Relevant Planning History**

No relevant planning history.

## **Consultee Response**

Highways

No objection

Parish/Town Council

No response

## Public Response

The nearest neighbours have been notified by letter with no response.

# Relevant Planning Policy

Pendle Local Plan Part 1: Core Strategy

Policy SDP1 takes a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

Policy ENV1 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 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 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.

<u>The Design Principles Supplementary Planning Document (SPD)</u> applies to extensions and sets out the aspects required for good design and protecting residential amenity.

## Officer Comments

The proposed development is in a residential area situated within the settlement boundary of Nelson. There are no underlying policies which would prevent the development in principle. The principal material considerations for the application are as follows:

#### **Design and Materials**

The Design Principles SPD advises care should be exercised with the insertions of dormers, to ensure that their design is in keeping with the dwelling and that they do not overlook neighbouring property. In general, dormers on the front of a roof slope will not be acceptable unless they are a feature of other similar houses in the locality (e.g. where at least 25% of properties have front dormers in a terrace block or street frontage) or the dormer would otherwise be appropriate in visual design terms. The front wall of a dormer should normally be set back at least 1m from the front elevation and 0.5m from either side, to prevent it having an overbearing effect on the street scene and adjoining properties.

The proposal is for a pitched roof dormer to the front and a flat roof dormer to the rear. Both the dormers would be set back from the respective front and back elevations by only circa 0.3m and from either side by circa 0.25m. The dormers would dominate the entire roof slope of the dwelling and would have a harmful effect upon the character and appearance of the original dwelling. To the front elevation, this also has a wider effect on the street scene in a terrace which has a simple and uninterrupted roof line especially since dormers are not a characteristic feature of the locality. The proposed dormers are to be clad with slate tiles with UPVC windows to match the exiting dwelling. It is acknowledged that a rear dormer of similar dimensions may be inserted under Permitted Development in some circumstances subject to conditions. As such there would be no unacceptable impact on the visual amenity of the area due to the rear dormer. However, the front

dormer would cause harm to the character and appearance of the original dwelling and have a wider impact upon visual amenity.

Overall, due to the dominance of the dormer to the front roof slope this development is unacceptable in this location and as such conflict with Policy ENV2 and the Design Principles SPD.

#### **Residential Amenity**

The proposed dormer is to have a window to the front elevation. There would be no windows to the side elevation. The proposed dormer would be no closer to the dwellings on the opposite side of Fountain Street than the existing front elevation windows, as such they would not cause any greater neighbouring amenity issue. Similarly, the dormer to the rear is to have windows facing towards the backstreet however these are no closer than the existing windows to the rear of the dwelling.

In this case, the proposed development would be acceptable in terms of residential amenity in accordance with ENV1 and ENV2 and the Design Principles SPD

#### Highways

The development raises no issues of highway safety.

# **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 adopted Local Plan: Part 1 Core Strategy and the adopted Design Principles SPD.

Application Ref: 24/0357/HHO

**Proposal:** Full: Erection of dormers to front and rear roof slopes.

At 4 Fountain Street, Nelson, Lancashire

On behalf of: Mr Shahzad Saleem