

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

TO: NELSON, BRIERFIELD AND REEDLEY COMMITTEE

DATE: 4TH NOVEMBER 2024

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PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning applications.

REPORT TO NELSON, BRIERFIELD AND REEDLEY COMMITTEE ON 4TH NOVEMBER 2024

Application Ref: 24/0569/ADV

Proposal: Advertisement Consent: Display of illuminated box sign on gable wall elevation.

At 1 Chapel Street, Nelson, Lancashire

On behalf of: Al-Murad Tiles

Date Registered: 22.08.2024

Expiry Date: 17.10.2024

Case Officer: Athira Pushpagaran

This application has been called to Committee by the Chair.

Site Description and Proposal

The application site is a two-storey building occupied by a tile business within the settlement boundary and the Nelson town centre boundary. The building is situated near the mini roundabout between Broadway, Sagar Street and Holme Street visible from all three streets as well as Chapel Street from where the main access is from.

This proposal seeks retrospective consent for an internally illuminated box sign measuring 5070x2265x135mm, flexed faced on aluminium frame.

Relevant Planning History

No relevant planning history.

Consultee Response

Highways

The site was visited on 28 August 2024.

Having reviewed the documents submitted, together with site observations, Lancashire County Council acting as the local highway authority does not raise an objection regarding the above retrospective development and are of the opinion that the development will not have a significant impact on highway safety or amenity in the immediate vicinity of the site. The following condition should be applied to any formal planning approval.

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 public highway network;
- 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.

Parish/Town Council

No response

PBC Environmental health

No response

Environment Agency

We have no objection to the development as proposed, but we do wish to make the following comments: -

Environmental permit - advice to applicant

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Flood risk standing advice - advice to LPA

The proposed development falls within Flood Zone 2, which is land defined in the planning practice guidance as being at risk of flooding. We have produced a series of standard comments for local planning authorities and planning applicants to refer to on 'lower risk' development proposals. These comments replace direct case-by-case consultation with us.

This proposal falls within this category. These standard comments are known as Flood Risk Standing Advice (FRSA). They can be viewed at <https://www.gov.uk/guidance/flood-risk-assessment-for-planning-applications#when-to-follow-standing-advice>. We recommend that you view our standing advice in full before making a decision on this application. We do not need to be consulted.

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.

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 advertisements and sets out the criteria for external advertisements.

Officer Comments

Design & Visual Amenity

The sign is proposed on a two-storey blank gable wall facing Sagar Street. The signage is diamond shaped 5070mm in length and 2265mm in height with 135mm projection from the wall. It would be an internally illuminated with white lettering on Dark green background and yellow trim. The sign would not dominate the elevation, and the lettering used in the sign is in proportion to the size of the sign.

The signage would not adversely affect the amenity of the area and is located in a commercial area.

The materials and design are appropriate in this location and the illuminance level can be controlled via a condition.

The signage therefore does not adversely impact on amenity and therefore accords with policy ENV2 of the Pendle Local Plan: Part 1 and the Design Principles SPD.

Highways

The proposed development would not impact upon highway safety and is therefore acceptable. Lancashire County Council Highways do not have any objection to the proposed development and have recommended that illuminance is controlled by condition.

Environment Agency

Raises no objection to the proposed development and requests that their advice on environmental permits be noted.

Other matters

It is noted that there is a war memorial garden adjoining the application site to the front. However, any concerns regarding potential insensitivity to the memorial are not considerations in this application, as the assessment is limited to amenity and highway safety.

There is an existing advertisement banner next to the advertisement for which this application seeks consent. This existing banner does not form part of this application.

Reason for Decision

The proposed advertisement is acceptable in terms of amenity and highway safety.

RECOMMENDATION: Approve

Subject to the following conditions:

1. Notwithstanding the provision of Part 3 (Regulation 14) of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007 this consent shall expire five years from the date of this consent.

Reason: Condition imposed by the Regulations.

2. The advertisements hereby permitted shall be displayed in accordance with the following approved plans:

- 716/1 Location and Site Plan (received on 22.08.24)
- 716/2A Proposed Side Elevations (received on 22.08.24)

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

3. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the land entitled to grant permission.

Reason: Condition imposed by the Regulations.

4. No advertisement shall be sited or displayed so as to:
 - a) Endanger persons using the highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - b) Obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
 - c) Hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle

Reason: Condition imposed by the Regulations.

5. Any advertisement displayed, and any site used for the display of advertisement, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: Condition imposed by the Regulations.

6. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public

Reason: Condition imposed by the Regulations.

7. Where an advertisement is required under these regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity

Reason: Condition imposed by the Regulations.

8. 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 public highway network;
 - 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.

Application Ref: 24/0569/ADV

Proposal: Advertisement Consent: Display of illuminated box sign on gable wall elevation.

At 1 Chapel Street, Nelson, Lancashire

On behalf of: Al-Murad Tiles

REPORT TO NELSON, BRIERFIELD AND REEDLEY COMMITTEE ON 4TH NOVEMBER 2024

Application Ref: 24/0579/HHO

Proposal: Full: Erection of a front dormer.

At: 340 Leeds Road, Nelson, Lancashire, BB9 8ES

On behalf of: Mrs Sidrah Daar

Date Registered: 17.09.2024

Expiry Date: 11.11.2024

Case Officer: Negin Sadeghi

This application has been called to Committee by the Chair.

Site Description and Proposal

The application site is a mid-terrace, two-storey dwelling featuring cream-colored stone walls, a slate roof, and black UPVC doors and windows on the front facade. It is situated among similarly sized and designed properties within Nelson's defined settlement boundary, with the front of the property facing Leeds Road.

The house is positioned at a higher elevation than the street and does not have off-street parking, with no available parking on the front road. There is an existing dormer on the rear elevation that is currently used as a bedroom.

The proposal involves the erection of a front dormer to facilitate a loft conversion intended for use as a bedroom. The proposed dormer would feature a slate-pitched roof on the second floor, with a UPVC window facing the front road.

Relevant Planning History

- **20/0001/HHO (DC: 02.01.2020) APPRET:** Full: Erection of dormer to front extension.
- **20/0469/HHO (DC: 24.07.2020) APPRET:** Full: Erection of a single storey rear extension.
- **20/0477/HHO (DC: 27.07.2020) APPCON:** Full: Erection of a single storey rear extension.
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Consultee Response

- Highway LCC:
Having reviewed the documents submitted, Lancashire County Council acting as the local highway authority does not raise an objection regarding the proposed development
- Parish/Town Council: no comments.

Public Response

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

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

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:

In Pendle, the following general guidelines will apply:

- Raising the ridge height to create sufficient internal space e.g. for a loft conversion will generally be unacceptable unless it would not have an adverse impact on the character and appearance of the building and the street scene.
- A dormer should be set below the ridge line of the original roof by at least 0.2m. 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.

- Two smaller dormers may be better than one large one.
- Dormers should not extend around the corner of a hipped roof or cover more than one third of the roof area to the street frontage.
- Dormers should be faced in materials which match the existing roof coverings.
- Flat roof dormers will not be acceptable on front elevations or any elevation clearly visible from a public vantage point.
- Proposals to alter a hipped roof and replace it with a straight ridge roof will not normally be acceptable.

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. Dormers should not be so large as to dominate the roof slope resulting in a property which appears unbalanced. In general, dormers on the front of a roof slope would not be acceptable unless they are a feature of other similar houses in the or the dormer would otherwise be appropriate in visual design terms.

The proposal is for the erection of a front dormer with a window on the roof slope, featuring a pitched roof. The dormer would have slate-tiled walls, a slate roof, and a UPVC window. It would be positioned 0.1 meters below the roof ridge and set back 0.5 meters from both the eastern and western walls, as well as 0.8 meters from the front facade wall. The proposed materials would match those of the existing structure, and the colour of the materials can be regulated through conditions.

The proposed front dormer would dominate the entire front roof slope of the dwelling, adversely affecting the character and appearance of the original property. Dormer windows are not a common feature in this area, with fewer than 25% of properties having them. As a result, the proposed front dormer would be out of character with the simple, unaltered roofscape, appearing incongruous and inconsistent with its surroundings. There is a dormer on the row of shops opposite and two on buildings several blocks down from the site. These however are isolated and are not common features the replication of which would justify allowing development of poor design.

Additionally, it would disrupt the continuity of the terrace's roofline, negatively impacting the overall street scene. This alteration would detract from the visual appeal of the house, undermining the uniformity and harmony of both the roofline and the wider street environment, ultimately representing poor design.

Overall, the proposed dormer would cause unacceptable harm to the character and visual amenity of the area and would be poor design. The proposed front dormer would be contrary to Policy ENV2 of the Local Plan Part 1: Core Strategy, Paragraph 139 of the Framework, and the Design Principles SPD.

Residential Amenity

The proposed front dormer would feature windows on the front elevations, with no windows on the side elevation. The proposed dormer would be no closer to the dwellings on the opposite side of Leeds Road than the existing front elevation windows, as such it would not cause any greater neighbouring amenity issue. 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 proposed development would increase the number of bedrooms in the dwelling by one, typically necessitating additional parking spaces. However, the Highways Authority has raised no objections concerning highway safety. An additional rear dormer has already been added to the house, which has also increased the number of bedrooms. This proposal is expected to overload the plot, making the application unacceptable in terms of its impact on highway conditions

Summary

The proposed front dormer window would be introduced in an area where such developments are neither traditional nor common. The addition of the front dormer would significantly diminish the design quality of the area and negatively impact its character and appearance, contrary to Policy ENV2 of the Local Plan Part 1 and the SPD: Design Principles.

RECOMMENDATION: Refuse

The following reasons are provided:

The proposed dormer would be incongruous with the character with the design of the building and the buildings in its surroundings and would represent poor design. This would result in unacceptable harm to the character and visual amenity of the area. The proposal would be contrary to Policy ENV2 of the Local Plan Part 1: Core Strategy, Paragraph 139 of the National Planning Policy Framework, Replacement Pendle Local Plan, and the Council's adopted Design Principles Supplementary Planning Document.

Application Ref: 24/0579/HHO

Proposal: Full: Erection of a front dormer.

At: 340 Leeds Road, Nelson, Lancashire, BB9 8ES

On behalf of: Mrs Sidrah Daar

REPORT TO NELSON, BRIERFIELD AND REEDLEY COMMITTEE ON 4TH NOVEMBER 2024

Application Ref: 24/0614/HHO

Proposal: Full: Erection of dormer windows to front and rear roof slopes and ground floor bay window change.

At: 83 Chapel Street, Nelson, Lancashire, BB9 9XT

On behalf of: Mr Azeem

Date Registered: 09.09.2024

Expiry Date: 04.11.2024

Case Officer: Negin Sadeghi

This application has been called to Committee by the Chair.

Site Description and Proposal

The application site is an end-terrace dwelling featuring stone walls, a slate roof, and UPVC windows, situated among similarly sized and designed properties within Nelson's defined settlement boundary. The house features a two-storey rear extension with a pitched roof. Due to the slope of the street, the property is positioned at a higher elevation and does not have off-street parking. The proposal involves the installation of dormer windows on both the front and rear roof slopes, converting the existing loft—currently used for storage—into a proposed loft floor with two additional bedrooms and ground floor bay window change. The front of the property faces Chapel Street, with a small public green park located across the road, while the rear overlooks a green space along the railway path.

Relevant Planning History

No relevant planning history.

Consultee Response

- Highway LCC:

Having reviewed the documents submitted, Lancashire County Council acting as the local highway authority does not raise an objection regarding the proposed development and are of the opinion that the proposed development would not have a significant impact on highway safety or capacity in the immediate vicinity of the site. The proposal would increase the number of bedrooms from three to five. There is no existing off-road parking provision nor is any proposed. Nevertheless, the site is within acceptable walking distances of public transport which may lessen the reliance on the use of private vehicles.

- Parish/Town Council: no comments.

- Network Rail: no objections.

Public Response

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

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

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:

In Pendle, the following general guidelines will apply:

- Raising the ridge height to create sufficient internal space e.g. for a loft conversion will generally be unacceptable unless it would not have an adverse impact on the character and appearance of the building and the street scene.
- A dormer should be set below the ridge line of the original roof by at least 0.2m. 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.

- Two smaller dormers may be better than one large one.
- Dormers should not extend around the corner of a hipped roof or cover more than one third of the roof area to the street frontage.
- Dormers should be faced in materials which match the existing roof coverings.
- Flat roof dormers will not be acceptable on front elevations or any elevation clearly visible from a public vantage point.
- Proposals to alter a hipped roof and replace it with a straight ridge roof will not normally be acceptable.

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 properties. Dormers should not be so large as to dominate the roof slope resulting in a property which appears unbalanced. 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 or the dormer would otherwise be appropriate in visual design terms.

The proposal includes the installation of dormer windows on both the front and rear roof slopes. The dormer on the front would have a pitched roof, while the one at the rear would feature a flat roof. Both dormers would be clad in grey on the front and sides, and fitted with UPVC-framed, double-glazed windows with 100mm restrictors. They would be positioned 0.3m below the roof ridge and set 0.3m from the eastern and western walls. Additionally, 10mm white stone chippings would be hot bonded to an elastomeric roofing felt system on a 19mm WBP plywood deck. The proposed materials match the existing materials, while the proposed flat dormer roof is a mismatch.

The house has a two-storey rear extension with a pitched roof. The proposed rear dormer would appear overly large and would disproportionately dominate the rear roof. When reviewing the application, the Council must take into account the fallback position. The rear dormer is of a scale and size that would be permitted under the provisions of Schedule 2, Part 1, Class B of the Town & Country Planning (General Permitted Development) Order 2015. With appropriate materials the development would be permitted development. As such there are no objections to the rear dormer.

The front dormer would appear in a row of terraced properties none of which have dormers. Although there are a range of dwelling types in the area there are no dormers in the immediate vicinity. The proposed dormer at the front is of poor design and would have unacceptable impact on the street scene.

The proposal is also to install a bay window. The bay window would be at odds with the uniform and well-designed frontages of the existing properties in the row. The bay window would be an alien feature and represents poor design.

Overall, the proposed dormers would cause unacceptable harm to the character and visual amenity of the area and would be poor design. The proposed front dormer would be contrary to Policy ENV2 of the Local Plan Part 1: Core Strategy, Paragraph 139 of the Framework, and the Design Principles SPD.

Residential Amenity

The proposed dormers would have windows on both the front and rear elevations, with none on the sides. The front dormer would be positioned far from the properties on the opposite side of Chapel Street, separated by a public green space. At the rear, the dormer would face a green area along the railway. The development would not have an unacceptable impact on residential amenity.

Highways

The proposed development would increase the number of bedrooms in the dwelling from three to five, which would require additional parking spaces. There is on street parking available which if used would not compromise highway safety.

RECOMMENDATION: Refuse

The following reasons are provided:

The proposed front dormer and bay window would result in development incongruous and out of character with the design of the building and that of the surrounding area thus resulting in poor design. This would cause unacceptable harm to the area's character and visual amenity. As a result, the proposal would conflict with Policy ENV2 of the Local Plan Part 1: Core Strategy, Paragraph 139 of the National Planning Policy Framework, and the Council's adopted Design Principles Supplementary Planning Document.

Application Ref: 24/0614/HHO

Proposal: Full: Erection of dormer windows to front and rear roof slopes and ground floor bay window change.

At: 83 Chapel Street, Nelson, Lancashire, BB9 9XT

On behalf of: Mr Azeem

REPORT TO NELSON, BRIERFIELD AND REEDLEY COMMITTEE ON 4TH NOVEMBER 2024

Application Ref: 24/0622/FUL

Proposal: Full: Erection of dormers to front & rear roof slopes & insertion of 3 no. windows to side elevation.

At 125 Bradshaw Street, Nelson, Lancashire

On behalf of: Mr Mubashir Ali

Date Registered: 11.09.2024

Expiry Date: 06.11.2024

Case Officer: Athira Pushpagaran

This application has been called to Committee by the Chair.

Site Description and Proposal

The application site is a two storey end terraced residential dwelling with three bedrooms. The site is within the development boundary of Nelson and is not allocated for any specific use in the Pendle Local Plan. The site is situated at the corner where Bradshaw Street meets Camden street. The main access is from Bradshaw Street. The existing dwelling has stone exterior walls, pitched slate tiled roof and UPVC windows.

There is an existing permission for a change of use from dwelling house (Use Class C3) to Community Centre on the ground floor (Use Class F2(b)) and Self-Contained Flat above (Use Class C3) along with extensions to front and rear and a disabled ramp to the front.

The proposed development is the erection of dormers to front & rear roof slopes & insertion of 3 no. windows to side elevation.

Relevant Planning History

21/0762/FUL Full: Change of Use from dwelling house (Use Class C3) to Community Centre (Ground Floor) (Use Class F2(b)) and Self-Contained Flat above (Use Class C3), erection of single storey extensions to front & rear elevations and disabled access ramp to front elevation. Approved with Conditions

Consultee Response

Highways

Having reviewed the documents submitted, Lancashire County Council acting as the local highway authority does not raise an objection regarding the proposed development. However, the following comments should be noted. Site planning history 21/0762/FUL - Change of Use from dwelling house (Use Class C3) to Community Centre (Ground Floor) (Use Class F2(b)) and Self-Contained Flat above (Use Class C3), erection of single storey extensions to front & rear elevations and disabled access ramp to front elevation. Approved. Proposal The proposal is for the erection of dormers to the front and rear roof slopes which would increase the number of bedrooms from three to four. Three windows are also proposed to be inserted to the side elevation. There are concerns regarding the increase in bedrooms where there is no associated offroad parking, although these

concerns are not to such a degree to support an objection. Whilst there is no parking, the site is within acceptable walking distance of public transport on Hibson Road which may reduce the reliance on the use of private vehicles.

Parish/Town Council

No response

PBC Environmental health

No objection

PBC Engineering

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.

Para 139 of the framework states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.

The Design Principles Supplementary Planning Document (SPD) 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. Dormers should not be so large as to dominate the roof slope resulting in a property which appears unbalanced. 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).

The proposal aims to insert a full width flat roof dormer each to the front and rear elevations. The dormers would have grey hanging slate tiles to the exterior of both dormers and grey EPDM rubber membrane to the roof. The application site is an end terrace dwelling situated at a street corner, and therefore its rear elevation is also highly visible on the street scene. However, to the rear a dormer may be inserted under Permitted Development in some circumstances. There are flat roof dormers to the front and rear of 28 Camden Street across the street from the application site. There are at least two other front dormers within that terrace however this is not a feature of 25% of the properties in the neighbourhood. Therefore, the proposed flat roof dormer to the front would represent poor design and would cause harm to the character and appearance of the original dwelling and have a wider impact upon visual amenity of the area. The proposed dormers would therefore be unacceptable in accordance with Policy ENV2 and the Design Principles SPD.

The proposal also seeks to insert three new UPVC windows to the elevation on to Camden Street. Of these two would be on the first floor and one on the ground floor.

The proposed development. These new windows would respect the proportions of existing windows of other properties on this elevation of the terrace and therefore would not have any detrimental impact on the character of the dwelling and its surroundings.

Overall, the proposed development would not be acceptable in terms of design and would be contrary to policies ENV1 and ENV2 of the Adopted Pendle Local Plan Part 1: Core Strategy, the Adopted Pendle Design principles SPD and para 139 of the NPPF.

Residential Amenity

The proposed new windows would be facing Camden Street. The windows would face the side elevation of a shop at no.123 Bradshaw Street. It has a shop window on the ground floor and a blank wall on the first floor. The proposed windows would not result in any issues of residential amenity and would be acceptable.

The proposal would introduce two new dormer windows, one each to the front and to the rear of the terrace. The front dormer would face the side elevation of the shop and would not result in any residential amenity issues. The rear dormer would face the blank gable side elevation of 127 Bradshaw Street and would not result in any privacy impacts.

To conclude, the development would not result in any overbearing impacts, unacceptable loss of light or privacy to any adjacent property. Therefore, the proposed development would be acceptable in terms of residential amenity in accordance with ENV1 and ENV2 of the Adopted Pendle Local Plan Part 1: Core Strategy and the Adopted Pendle Design principles SPD.

Highways

The development raises no issues of highway safety.

RECOMMENDATION: Refuse

For the following reason(s):

The proposed front dormer by virtue of its position upon a prominent roof slope 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 area. It represents poor design, contrary to paragraph 139 of the Framework and is in conflict with paragraph 208 of the Framework because the harm is not outweighed by any public benefit. The proposal is also contrary to Policies ENV1 & ENV2 of the Local Plan: Part 1 Core Strategy and the Design Principles SPD.

Application Ref: 24/0622/FUL

Proposal: Full: Erection of dormers to front & rear roof slopes & insertion of 3 no. windows to side elevation.

At 125 Bradshaw Street, Nelson, Lancashire

On behalf of: Mr Mubashir Ali

REPORT TO NELSON, BRIERFIELD AND REEDLEY COMMITTEE ON 4TH NOVEMBER 2024

Application Ref: 24/0644/HHO

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

At: 50 Walton Lane, Nelson, Lancashire, BB9 8HT

On behalf of: Mr Sikandar

Date Registered: 19.09.2024

Expiry Date: 14.11.2024

Case Officer: Negin Sadeghi

This application has been called to Committee by the Chair.

Site Description and Proposal

The application site is a mid-terrace dwelling with stone walls, a slate roof, and UPVC windows, located among similarly sized properties within Nelson's settlement boundary near Nelson Cemetery. There is no off-street parking available. The proposal involves the erection of dormers on both the front and rear roof slopes, with a pitched roof dormer at the front and a flat roof dormer at the rear. The existing loft, currently used for storage, would be converted into a second floor with one additional bedroom. The current layout of the house includes three bedrooms and a bathroom on the first floor, which would be modified to two bedrooms and a bathroom, with two new bedrooms added to the second floor (loft).

The proposed front dormer would feature dark grey Marley concrete tiles for the roof and walls, with UPVC-framed double-glazed windows incorporating 100mm restrictors. The front dormer would have grey tiles on the front and sides, while the rear dormer would be clad in grey.

Relevant Planning History

- 18/0878/LHE (DC: 15.01.2019): PNR. Permitted Development Notification (Larger Home Extension): Erection of a single storey extension to rear (Length 3.4m, Eaves Height 2.5m, Overall, Height 2.7m).

Consultee Response

- Highway LCC:
Having reviewed the documents submitted, Lancashire County Council acting as the local highway authority does not raise an objection regarding the proposed development. Site planning history 18/0878/LHE - Permitted Development Notification (Larger Home Extension): Erection of a single storey extension to rear (Length 3.4m, Eaves Height 2.5m, Overall, Height 2.7m). Prior Approval Not Required (Accept). Proposal The proposal is for

the erection of dormers to the front and rear roof slopes which would increase the number of bedrooms from three to four. Car parking There is no associated off-road parking, nor can any be provided. There is also a high demand for the existing on-road parking, which is limited. Whilst this raises concerns, as the increased demand for on-road parking can be difficult to absorb without causing loss of amenity for existing residents, these are not to such an extent to raise an objection.

- Parish/Town Council: no comments.

Public Response

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

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

Officer Comments

Design and Materials:

In Pendle, the following general guidelines will apply:

- Raising the ridge height to create sufficient internal space e.g. for a loft conversion will generally be unacceptable unless it would not have an adverse impact on the character and appearance of the building and the street scene.
- A dormer should be set below the ridge line of the original roof by at least 0.2m. 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.
- Two smaller dormers may be better than one large one.
- Dormers should not extend around the corner of a hipped roof or cover more than one third of the roof area to the street frontage.
- Dormers should be faced in materials which match the existing roof coverings.
- Flat roof dormers will not be acceptable on front elevations or any elevation clearly visible from a public vantage point.
- Proposals to alter a hipped roof and replace it with a straight ridge roof will not normally be acceptable.

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 properties. Dormers should not be so large as to dominate the roof slope resulting in a property which appears unbalanced. 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 or the dormer would otherwise be appropriate in visual design terms.

The proposal includes the erection of dormers on both the front and rear roof slopes. The proposed front dormer would feature dark grey Marley concrete tiles for the roof and walls, with UPVC-framed double-glazed windows incorporating 100mm restrictors. The front dormer would have grey tiles on the front and sides, while the rear dormer would be clad in dark grey tiles. The front dormers would have pitched roof, while the rear dormer would be flat roofed, set 0.4 m below the ridge of the roof and 0.3 m from the eastern and western walls. The proposed materials match the existing materials.

The house has a two-storey rear extension with a pitched roof. The proposed rear dormer would appear overly large and would disproportionately dominate the rear roof. When reviewing the application, the Council must take into account the fallback position. The rear dormer is of a scale and size that would be permitted under the provisions of Schedule 2, Part 1, Class B of the Town & Country Planning (General Permitted Development) Order 2015. With appropriate materials the development would be permitted development. As such there are no objections to the rear dormer.

The front dormer would appear in a row of terraced properties none of which have dormers. The proposed dormer at the front is of poor design and would have unacceptable impact on the street scene.

Overall, the proposed dormer would cause unacceptable harm to the character of the property and the character and visual amenity of the area and would be poor design. The proposed front dormer would be contrary to Policy ENV2 of the Local Plan Part 1: Core Strategy, Paragraph 139 of the Framework, and the Design Principles SPD.

Residential Amenity

The proposed dormer would be no closer to the dwellings on the opposite side of the back street than the existing rear elevation windows, as such they would not cause any greater neighbouring amenity issue. Similarly, the dormer to the front is to have windows facing towards the front street which face the green field at the other side of the street. 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 proposed development would increase the number of bedrooms in the dwelling from three to four, which would typically require additional parking spaces. The Highways Authority has raised no objections regarding highway safety. Additionally, given the street's location near Nelson Cemetery, there are no significant concerns about the availability of parking spaces. The application is acceptable in terms of highway impacts.

RECOMMENDATION: Refuse

The following reasons are provided:

The proposed front dormer would result in development incongruous and out of character with the design of the building and that of the surrounding area thus resulting in poor design. This would cause unacceptable harm to the area's character and visual amenity. As a result, the proposal would conflict with Policy ENV2 of the Local Plan Part 1: Core Strategy, Paragraph 139 of the National Planning Policy Framework, and the Council's adopted Design Principles Supplementary Planning Document.

Application Ref: 24/0644/HHO

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

At: 50 Walton Lane, Nelson, Lancashire, BB9 8HT

On behalf of: Mr Sikandar

REPORT TO NELSON, BRIERFIELD AND REEDLEY COMMITTEE ON 4TH NOVEMBER 2024

Application Ref: 24/0651/HHO

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

At: 70 Chapel House Road, Nelson, Lancashire, BB9 9DJ

On behalf of: Mr Asif

Date Registered: 23.09.2024

Expiry Date: 15.11.2024

Case Officer: Negin Sadeghi

This application has been called to Committee by the Chair.

Site Description and Proposal

The application site is a mid-terrace dwelling with stone walls, a slate roof, and UPVC windows, situated among similarly sized and designed properties within Nelson's defined settlement boundary. Due to the slope of the street, the property is positioned at a higher elevation than the eastern neighbour (No. 68) and at a lower level than the western neighbour (No. 72). Furthermore, there is no off-street parking available. The proposal includes the erection of flat-roofed dormers on both the front and rear roof slopes, converting the existing loft—currently used for storage—into a first floor that will feature one additional bedroom and an ensuite. The front of the property faces Chapel Street.

Relevant Planning History

- 13/12/0008P (DC: 10.01.2012): APPCON. Full: Demolition of existing kitchen and outbuilding and erection of a single storey rear extension (Re-Submission).
- 13/11/0561P (DC: 10.11.2011): REF. Full: Demolition of existing kitchen and outbuilding and erection of a domestic single storey rear extension.

Consultee Response

- **Highway LCC:**

Having reviewed the documents submitted, Lancashire County Council acting as the local highway authority does not raise an objection regarding the proposed development. Proposal The proposal is for the erection of dormers to the front and rear roof slopes which will increase the number of bedrooms from three to five. There is no associated off-road parking, nor can any be provided. There is also a high demand for the existing on-road parking, which is limited. Whilst this raises concerns, as the increased demand for on-road parking can be difficult to

absorb without causing loss of amenity for existing residents, these are not to such an extent to raise an objection.

- **Parish/Town Council:** No response.

Public Response

The nearest neighbours have been notified by letter, and one objection was received:

- **Current overshadowing:** Properties on Chapel House Road already block light to homes on Charleton Street.
- **Further light restriction:** A full dormer extension will reduce light even more to backrooms and backyards.
- **Loss of privacy:** The dormer will allow neighbours to see directly into bedrooms and bathrooms, increasing the invasion of privacy.
- **Noise concerns:** Close proximity may lead to hearing noises such as toilets flushing and other household sounds.
- **Narrow backstreet:** The confined space of the backstreet exacerbates the problem, making houses darker and more depressing, especially during winter.

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.

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 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:

In Pendle, the following general guidelines will apply:

- A dormer should be set below the ridge line of the original roof by at least 0.2m. 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.
- Two smaller dormers may be better than one large one.
- Dormers should not extend around the corner of a hipped roof or cover more than one third of the roof area to the street frontage.
- Dormers should be faced in materials which match the existing roof coverings.
- Flat roof dormers will not be acceptable on front elevations or any elevation clearly visible from a public vantage point.
- Proposals to alter a hipped roof and replace it with a straight ridge roof will not normally be acceptable.

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 properties. Dormers should not be so large as to dominate the roof slope resulting in a property which appears unbalanced. 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 or the dormer would otherwise be appropriate in visual design terms.

The proposal includes the installation of dormer windows on both the front and rear roof slopes. Both dormers would feature flat roofs, positioned 0.4 meters below the ridge of the roof and 0.4 meters from the eastern and western walls. The proposed dormers would feature walls made of dark grey concrete tiles, UPVC-framed double-glazed windows, and 10mm white spar chippings bonded to a built-up elastomeric roofing felt system on a 19mm WBP plywood deck. The proposed materials match the existing materials, while the proposed flat dormer roof is a mismatch.

The house has a one-storey rear extension with a pitched roof. The proposed rear dormer would appear overly large and would disproportionately dominate the rear roof. When reviewing the application, the Council must take into account the fallback position. The rear dormer is of a scale and size that would be permitted under the provisions of Schedule 2, Part 1, Class B of the Town & Country Planning (General Permitted Development) Order 2015. With appropriate materials the development would be permitted development. As such there are no objections to the rear dormer.

The front dormer would appear in a row of terraced properties none of which have dormers. The proposed dormer at the front is of poor design and would have unacceptable impact on the street scene.

Overall, the proposed dormer would cause unacceptable harm to the character and visual amenity of the area and would be poor design. The proposed front dormer would be contrary to Policy ENV2 of the Local Plan Part 1: Core Strategy, Paragraph 139 of the Framework, and the Design Principles SPD.

Residential Amenity

The proposed dormers would be no closer to the dwellings on either the front or back streets than the existing front and rear elevation windows. They would not cause any impact on loss of light. Therefore, they would not create any additional impact on neighbouring amenity. In this regard, the proposed development would be acceptable in terms of residential amenity and in compliance with Policies ENV1 and ENV2, as well as the Design Principles SPD.

Highways

There are no highway objections to the application.

RECOMMENDATION: Refuse

The following reasons are provided:

The proposed front dormer would result in development incongruous and out of character with the design of the building and that of the surrounding area thus resulting in poor design. This would cause unacceptable harm to the area's character and visual amenity. As a result, the proposal would conflict with Policy ENV2 of the Local Plan Part 1: Core Strategy, Paragraph 139 of the National Planning Policy Framework, and the Council's adopted Design Principles Supplementary Planning Document.

Application Ref: 24/0651/HHO

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

At: 70 Chapel House Road, Nelson, Lancashire, BB9 9DJ

On behalf of: Mr Asif