

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

TO: NELSON, BRIERFIELD & REEDLEY COMMITTEE

DATE: 04TH AUGUST 2025

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PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning applications

REPORT TO NELSON, BRIERFIELD AND REEDLEY COMMITTEE ON 04 AUGUST 2025

Application Ref: 25/0149/FUL

Proposal: Full (Major): Town & Country Planning General Regulations 1992 -Regulation 3 -Change of use of land to cemetery; including car parking, maintenance area and landscaping.

At: Land To The South Of Halifax Road, Nelson

On behalf of: Pendle Borough Council

Date Registered: 05/03/2025

Expiry Date: 04/06/2025

Case Officer: Alex Cameron

This application was deferred for further consultation.

Site Description and Proposal

The application site is an area of open land within the settlement boundary surrounded by residential properties on Halifax Road to the north, Kings Causeway to the south, Edge End Avenue to the west and allotments to the east. Public Right of Way 1306232 runs across the site from north to west and 13303016 / 13303017 from north to south.

The proposed development is the change of use of the land to a cemetery with associated development including a car park, drainage and maintenance area.

Relevant Planning History

13/98/0027P - Residential development with access off Marsden Heights Close and/or Halifax Road (regulation 4 outline application). Approved.

13/01/0369P - Reserved Matters details of access, one dwelling, and landscaping following outline permission for residential development ref. 13/98/0027P (Reg 4). Withdrawn.

18/0501/FUL - Outline: Major: Residential development of 36 dwellings (Access only). Refused

Consultee Response

LCC Highways - No objection regarding the proposed development and are of the opinion that the impact of the proposed development traffic can be adequately mitigated on the surrounding highway network with the off-site highway works. The following conditions are requested: Construction management, construction traffic access, off-site highway works, retaining wall details, phasing, timing of ceremonies, access gates.

Environment Agency - no objection to the proposed development, but we do wish to make the following comments:- The site is located in the area underlain by the Dandy Rock Sandstone of the Pennine Lower Coal Measures Formation designated as a Secondary A aquifer. The geological map indicates that till is overlying solid geology at surface, this provides some protection to the underlying aquifer. Superficial geology is designated as Secondary undifferentiated aquifer. The groundwater assessment produced as part of this application indicates that in areas where risk is considered high, mitigation measures are proposed to minimise this risk to water environment. It is

recommended that if planning permission is granted for this development, it is operated in accordance with recommendations highlighted within the Groundwater Risk Assessment submitted as part of this application.

Please note that it is expected that this development will require an environmental permit.

Coal Authority - The application site does fall within the defined Development High Risk Area; however, I can confirm that the nature of development is exempt from the Coal Authority's Guidance for Local Planning Authorities.

Our records indicate the presence of one recorded mine entry (shaft) within, or within close proximity of the planning boundary. However, and in this regard, the Coal Authority welcomes the proposed layout, which appears to have been designed around the mine entry and its respective zone of influence. An untreated mine entry and its resultant zone of influence pose a significant risk not only to surface stability but also public safety. The applicant should be made aware of this by way of an informative note on any permission given and the Coal Authority.

LCC Archaeology - The Heritage Statement indicates the proposal will have minimal impact on designated heritage assets. The geophysical survey does record a number of areas where signals from the survey equipment indicate that there are deposits or remains below the surface which are probably the result of human activity, although that activity is uncertain and the interpretation of the results in the report suggest a number of possibilities, from the remains of former buildings which have been demolished, to capped mineshafts (although as mentioned the evidence of any shafts or other pit head installations or the site appears to be missing from map evidence), or to unknown and so far unexplained activities. We would advise therefore that at an early stage, and ideally prior to determination of the application, the site should be subject of an archaeological evaluation.

Lead Local Flood Authority – No objection subject to conditions for final surface water drainage strategy, construction surface water management, surface water management and maintenance, surface water drainage verification report. Notes regarding ordinary watercourse consent, sewer connection and permeable paving.

Public Response

Press and site notices has been posted and nearest neighbours notified – Responses have been received objecting to the development on the following grounds:

- Highway safety and capacity impacts from increased traffic on surrounding roads
- Concerns about proposed parking restrictions of Halifax Road
- The site is poorly located for access by sustainable transport
- Insufficient car parking
- Concerns regarding visibility and gradient of the proposed access and lack of detail of the works required to form it
- Lack of detail of proposed site levels
- Impact on access to the allotment site
- Impact on the visual amenity of the area
- Impact on the views from surrounding dwellings
- Impact on the public rights of way through the site
- Lack of detail regarding maintenance
- Loss of light to adjacent dwellings from tree planting and fencing
- The site is too close to residential properties

- Loss of privacy to adjacent properties
- There should be additional landscaping to the boundary with Edge End Avenue
- Noise and disturbance
- Odour impact
- Risk to children and wildlife from the drainage pond
- Anti-social behaviour
- Environmental and wildlife impacts
- Loss of trees
- Loss of recreational green space
- Loss of allotment land
- Lack of bat survey
- Risk of contamination of groundwater and watercourses
- Risk of flooding from the site and lack of drainage details
- Existing surface water runoff issue from the site
- Land stability risk from coal mine works within the site
- Impact on archaeology on the site
- Impact of lighting at night
- Impact of construction traffic and noise
- Lack of sequential assessment
- The number of plots is incorrect
- Unsettling atmosphere for children from a cemetery in the area impacting on their wellbeing
- The use would cause distress to residents nearby
- Reduction in property values
- Impact on local businesses
- Concern regarding the viability of the cemetery and cost to the Council
- Concerns relating to the level of public consultation
- The gradient of the access road would exceed acceptable gradients for wheelchair users and poses a risk to pedestrians and could constitute discrimination under the Equality Act.
- Scale and cost and environmental impact of works involved in formation of the access road.
- There should be further publicity and time for consideration of additional and amended details submitted.
- Viability of the land for use as a cemetery.

Responses received in support:

- People who want their remains to be buried, need to have somewhere local they can be buried. As the local burial sites are almost full, this site provides a suitable location.

Officer Comments

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 SDP2 sets out the roles each settlement category will play in future growth. Nelson (including Brierfield) is defined as a one of the Key Service Centres which will provide the focus for future growth in the borough and accommodate the majority of new development.

Policy ENV1 of the Replacement Pendle Local Plan 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 of the Pendle Local Plan Part 1 identifies the need to protect and enhance the heritage and character of the Borough and quality of life for its residents by encouraging high standards of quality and design in new development. It states that siting and design should be in scale and harmony with its surroundings.

Policy ENV7 does not allow development where it would be at risk of flooding and appropriate flood alleviation measures will be provided and/or would increase the risk of flooding elsewhere.

Replacement Pendle Local Plan

Policy 12 (Maintaining Settlement Character) states that the development of land which contributes to the openness, character and local amenity of a settlement will not be permitted, unless the development proposal is for the enhancement or improvement of existing on site facilities. The validity of this policy is addressed below.

Policy 31 of the Replacement Pendle Local Plan sets out the maximum parking standards for development.

National Planning Policy Framework

The Framework requires local planning authorities to identify a supply of deliverable housing sites to provide five years' worth of their housing requirements.

Principle of the Developmnet

The application site is within the settlement boundary of Brierfield in a sustainable location in terms of access for funeral services and visitors.

The land is designated as a Site of Settlement Character (Policy 12 of the RPLP). Policy 12 is not carried forward to the Local Plan Part 1: Core Strategy and is not proposed to be designated in the Local Plan Fourth Edition.

The intention of Policy 12 was to protect open spaces that were of value to the openness, character and local amenity of settlements but did not have the appropriate features to be designated as Open Space.

Cemeteries are a use that would be compatible with a formal Open Space designation and therefore, notwithstanding that the policy is now out of date, the use of the site as a cemetery would not conflict with Policy 12 in principle.

The impacts of the development of the land upon the character and visual amenity of the area are considered in the Landscape Impact and Visual Amenity section below.

Landscape Impact and Visual Amenity

The site is almost entirely screened in localised views from surrounding roads, in distant views where visible, such as from Barkerhouse Road, views are filtered through trees and against the dwellings above and below. The proposed use of the land as a cemetery would have little landscape impact as any structures would be low and the site would predominantly maintain a green open appearance.

The development would be publicly visible from the public rights of way running through the site, which would result in minor harm to visual amenity from development where there currently is none. However, this is a site within the settlement boundary and a use with benefits for public amenity and would result in overall benefit to the users of those public rights of way with improvements to surfacing.

The proposed development would not result in unacceptable harm to the landscape character or visual amenity of the area.

Concerns have been raised regarding the visual impact on views from surrounding dwellings. Private views from dwellings are not a material consideration and, notwithstanding that, the development would not have unacceptable visual impacts.

The proposed works to form the access road would not result in unacceptable visual or residential amenity impacts in principle and it is appreciated for the full details of those works to be conditioned.

The proposed development would not result in an unacceptable impact upon the landscape character or visual amenity of the area in accordance with policies ENV1 and ENV2.

Residential Amenity

There is the potential for the use of the site to result in a reduction in the level of privacy to the rear gardens and windows of properties on Halifax Road and Edge End Avenue backing onto the site. There are currently public rights of way and/or informal desire lines running to the rear of those properties, so they do not currently have absolute privacy from the existing use of the land by walkers etc. The potential for reduction in privacy would come from visitors and services at grave plots within close proximity to the boundaries which would potentially result in more intensive and prolonged views into the rear gardens and windows. A condition ensuring that no burial plots are located within 8m of the boundaries of Nos. 160-194 Halifax Road, Edge End Avenue and Brier Crescent unless acceptable boundary treatments to mitigate the potential loss of privacy are erected and maintained would ensure that an acceptable level of privacy is maintained.

The side and rear windows and garden of 194 Halifax Road are likely to be visible from the access road, however, this would be at an adequate distance from the footway to maintain an acceptable level of privacy and passing cars would not result in unacceptable impacts.

Other properties on Halifax Road have longer detached gardens separated by a back lane and are a sufficient distance from the site to ensure that it would not result in unacceptable loss of privacy, properties on Kings Causeway would also not be unacceptably impacted due to distance and topography.

Works on site can be controlled by condition, works for form burial plots would be small scale and dispersed across the site, they would not result in unacceptable impacts.

Burial services would also be dispersed across the site and be likely to be at daytime, they would not result in unacceptable residential amenity impacts subject to the above condition.

The proposed pedestrian access routes to the site would run past windows and gardens of properties. Taking into account that these are existing established pedestrian accesses to the site and back lanes this would not result in an unacceptable impact upon the residential amenity of the properties adjacent to the pedestrian access routes.

The main access would be set off the side of No. 194 Halifax Road an sufficient distance to ensure that its use by pedestrians and vehicles would not result in unacceptable impacts.

There would be potential for headlights of entering and existing the site to shine into windows, however, taking into account that the site is likely to be predominantly active in daylight hours that it is a busy road with street lighting and that the gradient of the access is likely to mitigate the impact to the houses opposite, this would not result in unacceptable impacts.

The proposed development is therefore acceptable in terms of residential amenity in accordance with policies ENV2 and LIV5.

Trees

It is proposed to remove thirteen Category B trees, fourteen Category C trees, part of a Category C group of trees and one Category U tree. The removal of these trees is necessary to enable the proposed development and it is proposed that they are replaced within the site. The proposed replacement planting scheme is acceptable and, taking into account the social benefits of the development, the removal of the existing trees is acceptable.

Ecology and Biodiversity

An ecology survey of the site has been submitted with the application. The site was found to comprise modified grassland, tree lines, scrub habitats running water and a small patch of woodland. The site was found to have value for or potential value for bats, birds, amphibians, reptiles and terrestrial mammals, although no notable species were identified. A Goat Willow tree on the western side of the site was identified to have potential as a bat roost, it is appropriate for that to be required by condition as it will be possible to provide mitigation if a roost is found to be present.

The report concludes that, subject to recommended mitigations the ecology of the site would be enhanced by the development.

It is proposed for the 10% biodiversity net gain (BNG) requirement to be met with on-site interventions which would result in an uplift in biodiversity of 33% in area habitat and 50% in watercourse habitat. This would exceed the 10% requirement and is in accordance with the BNG hierarchy.

A Section 106 agreement would generally be required by the Council for a contribution to cover the Council's costs of monitoring for 30 years. The Council cannot make a Section 106 agreement with itself and this is not necessary as the Council is the applicant and therefore will cover its own costs of monitoring.

Drainage and Flooding

The site is not identified by the Environment Agency as being at risk of flooding from either rivers or surface water.

The Applicant has submitted a flood risk assessment for the site. This concludes that the site is not at unacceptable risk of flooding and that with appropriate drainage the development would not increase the risk of off-site flooding. With conditions to requiring the submission and agreement of details of details of the drainage system and ensure its long term maintenance the proposed development is acceptable in terms of drainage and flood risk.

Concerns have been raised regarding water accumulating on the land and surface water runoff onto lower land, including properties and land along Hallifax Road.

The purpose of the assessment of flood risk in the planning process to ensure that a development does not either have an unacceptable risk from flooding or increase flood risk elsewhere. Developments are not required to resolve exiting off-site surface water drainage issues, just not to increase them.

The surface water drainage from this land is currently unmanaged, the proposed development would include a managed drainage scheme that would capture surface water and divert it to an attenuation pond which would then discharge that water to a watercourse at a rate which is not greater than the current greenfield runoff rate.

This management of surface water would be a betterment to the current unmanaged situation and would be likely to resolve the issues raised in relation to current surface water runoff from the site, even though that is not a requirement.

With an acceptable detailed drainage scheme, which can be controlled by condition, the development would not increase the risk of off-site flooding and would offer a betterment to the current unmanaged surface water drainage.

Contamination

Concerns have been raised regarding contamination of ground water from the use. A groundwater risk assessment has been carried out and assessed by the Environment Agency. The assessment includes mitigation measures which include restriction of burials in areas of shallow bedrock, a 30m buffer to the stream running through the site.

Concerns have been raised that other drains running though the site have not been addressed, the agent has been requested to provide clarification on this, however, it is a matter that falls under two control regimes both planning and Environment Agency permitting and can be controlled by condition.

Land Stability

The site is located within a high-risk area for former coal mining works. The Coal Authority have responded raising no objection due to this being an exempt form of development.

The potential for mine works to be encounters by groundworkers is identified in the groundwater risk assessment and recommendations for mitigation measures made. With a condition to require those mitigations are followed the development is acceptable in relation to the risk from former coal mine works.

Archaeology

The geological survey of the site identified anomalies which had the potential to be archaeological in nature, including a square shaped anomaly which has the potential to be the foundations of a building.

An archaeological investigation of the site has been undertaken, including trenches in the identified areas and this has found no evidence of archaeological deposits within the site and concludes that the anomalies are likely to be geological.

A public response claims to identify evidence of archaeological finds on the surface of the site. The debris identified do not constitute archaeological artifacts and such debris could be found on any field across the country.

Highways

An application was submitted in 2018 for the erection of 36 dwellings on the adjacent allotment site using the same access point as is proposed here, whilst that application was refused the reasons for refusal did not include the proposed access and therefore it was accepted by the Council to be acceptable in principle for 36 dwellings.

A Transport Statement (TS) has been submitted, it is projected that the site would accommodate up to 150 burials per year after Nelson cemetery reaches capacity, the TS acceptably demonstrates that this would not result in unacceptable highway safety or capacity impacts.

The access would require engineering operations to create an acceptable gradient and visibility splays at the entrance to Halifax Road where the land slopes steeply up. Details of feasible and acceptable site access gradients have been provided for clarification in relation to LCC Highways comments, those plans did not require additional publicity and the full details of the works to form the access are suitable to be The details of site access gradients were provided for clarification in relation to LCC Highways comments, the full details of the works to form the access are suitable to be conditioned, the submitted access gradient plans do require additional publicity. Controlled by condition.

Adequate car parking provision would be provided within the site car park and additional parking in bays along the access road which would give easier access to visitors with reduced mobility.

Concerns have been raised regarding the suitability of the pedestrian access to the site and along the proposed access road. This would not be the only pedestrian access to the site, there would be other pedestrian accesses available from Halifax Road and Edge End Avenue, which is anticipated to be the main pedestrian access, with lesser gradients. The pedestrian access to the site would be acceptable subject to improvements to the connecting footpaths, for which a condition is recommended.

Taking that and the need to provide burial facilities into account, the accessibility of the site is acceptable.

Other matters

Concerns have been raised regarding the financial and technical viability of the use of this site as a cemetery and effect on house prices these are not a matter that is material to the determination of this planning application.

Concerns have also been raised regarding residents being uncomfortable with living near to a cemetery and this conflicting with cultural beliefs or being harmful to mental health and wellbeing. Whilst individuals may potentially feel uncomfortable with living close to a cemetery there is a

social need for the provision of cemeteries and for cemeteries to be located in sustainably accessible locations and therefore, inevitably, cemeteries are likely to be located near to where people live. In this case there is no specific material reason that would make this site incompatible with use as a cemetery on material planning grounds.

Concerns have been raised regarding the loss of allotments, however, this development site is entirely on separate land and would not impact upon the adjacent allotment site.

Summary

The proposed development is acceptable subject to clarification over the access gradients and confirmation of necessary highways conditions, it is expected that this will be received prior to the committee meeting, if not it is recommended that the approval of the application and any necessary conditions be delegated to the Assistant Director Planning, Licencing and Regulatory Services.

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: Approve

Subject to the following conditions:

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: C1026-P01-L-PL-001-002, C1026-P01-L-PL-21 Rev 6, C1026-P01-L-PL-22 Rev 06, C1026-P01-L-PL-23 Rev 03, C1026-P01-L-PL-24 Rev 06, C1026-P01-L-PL-25 Rev 02, C1026-P01-L-PL-26, C1026-P01-L-PL-35, C1026-P01-L-PL-31 Rev 05, C1026-P01-L-PL-32 Rev 4, C1026-P01-L-PL-37 Rev 5, CCL11452/TPP Rev 1, C1026-P01-L-PL 50 Rev 03, 204248-SWH-EX-XX-DR-C-5750 P02.

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

3. No development shall commence in any phase until a detailed, final surface water sustainable drainage strategy for the site has been submitted to, and approved in writing by, the Local Planning Authority.

The detailed surface water sustainable drainage strategy shall be based upon the site-specific flood risk assessment (26th February 2025 / 204248-SWH-ZZ-01-DR-RP-0001 / Scott White and Hookins) and indicative surface water sustainable drainage strategy (26th February 2025 / 204248-SWH-ZZ-01-DR-RP-0001 / Scott White and Hookins) submitted and sustainable drainage principles and requirements set out in the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems. No surface water shall be allowed to discharge to the public foul sewer(s), directly or indirectly.

The details of the drainage strategy to be submitted for approval shall include, as a minimum;

a) Sustainable drainage calculations for peak flow control and volume control for the:

- i. 100% (1 in 1-year) annual exceedance probability event;
 - ii. 3.3% (1 in 30-year) annual exceedance probability event + 40% climate change allowance, with an allowance for urban creep;
 - iii. 1% (1 in 100-year) annual exceedance probability event + 50% climate change allowance, with an allowance for urban creep
- Calculations must be provided for the whole site, including all existing and proposed surface water drainage systems.

b) Final sustainable drainage plans appropriately labelled to include, as a minimum:

- i. Site plan showing all permeable and impermeable areas that contribute to the drainage network either directly or indirectly, including surface water flows from outside the curtilage as necessary;
- ii. Sustainable drainage system layout showing all pipe and structure references, dimensions and design levels; to include all existing and proposed surface water drainage systems up to and including the final outfall;
- iii. Details of all sustainable drainage components, including landscape drawings showing topography and slope gradient as appropriate;
- iv. Drainage plan showing flood water exceedance routes in accordance with Defra Technical Standards for Sustainable Drainage Systems;
- v. Finished Floor Levels (FFL) in AOD with adjacent ground levels for all sides of each building and connecting cover levels to confirm minimum 150 mm+ difference for FFL;
- vi. Details of proposals to collect and mitigate surface water runoff from the development boundary;
- vii. Measures taken to manage the quality of the surface water runoff to prevent pollution, protect groundwater and surface waters, and deliver suitably clean water to sustainable drainage components;

c) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltration rates and groundwater levels in accordance with BRE 365.

d) Evidence of an assessment of the existing on-site watercourse to be used, to confirm that these systems are in sufficient condition and have sufficient capacity to accept surface water runoff generated from the development.

e) Evidence that a free-flowing outfall can be achieved. If this is not possible, evidence of a surcharged outfall applied to the sustainable drainage calculations will be required. The sustainable drainage strategy shall be implemented in accordance with the approved details.

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site.

4. No development shall commence until a Construction Surface Water Management Plan, detailing how surface water and stormwater will be managed on the site during construction, including demolition and site clearance operations, has been submitted to and approved in writing by the Local Planning Authority. The details of the plan to be submitted for approval shall include method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include for each phase, as a minimum:

a) Measures taken to ensure surface water flows are retained on-site during the construction phase(s), including temporary drainage systems, and, if surface water flows are to be discharged,

they are done so at a restricted rate that must not exceed the equivalent greenfield runoff rate from the site.

b) Measures taken to prevent siltation and pollutants from the site entering any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance.

The plan shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction.

Reasons To ensure the development is served by satisfactory arrangements for the disposal of surface water during each construction phase(s) so it does not pose an undue surface water flood risk on-site or elsewhere during any construction phase.

5. The commencement of use of the development shall not be permitted until a site-specific Operation and Maintenance Manual for the lifetime of the development, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority. The details of the manual to be submitted for approval shall include, as a minimum

- a) A timetable for its implementation;
- b) Details of the maintenance, operational and access requirement for all SuDS components and connecting drainage structures, including all watercourses and their ownership;
- c) Pro-forma to allow the recording of each inspection and maintenance activity, as well as allowing any faults to be recorded and actions taken to rectify issues;
- d) The arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme in perpetuity;
- e) Details of financial management including arrangements for the replacement of major components at the end of the manufacturer's recommended design life;
- f) Details of whom to contact if pollution is seen in the system or if it is not working correctly; and
- g) Means of access for maintenance and easements. Thereafter the drainage system shall be retained, managed, and maintained in accordance with the approved details.

Reason: To ensure that surface water flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property, and ecological systems, and to ensure that the sustainable drainage system is subsequently maintained.

6. The commencement of use of the development shall not be permitted until a site-specific verification report, pertaining to the surface water sustainable drainage system, and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority. The verification report must, as a minimum, demonstrate that the surface water sustainable drainage system has been constructed in accordance with the approved drawing(s) (or detail any minor variations) and is fit for purpose. The report shall contain information and evidence, including photographs, of details and locations (including national grid references) of critical drainage infrastructure (including inlets, outlets, and control structures) and full as-built drawings. The scheme shall thereafter be maintained in perpetuity.

Reason To ensure that surface water flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property, and ecological systems.

7. The development shall be carried out and operated in strict accordance with the recommendations of the Tier 3 Groundwater Risk Assessment.

Reason: In order to mitigate the risk of pollution of the water environment and mitigate risks of land instability.

8. Notwithstanding any indication on the approved plans, there shall be no burial plots formed within 8 metres of the boundaries of Nos. 160-194 Halifax Road, Edge End Avenue and Brier Crescent unless and until a scheme to mitigate the potential loss of privacy to those properties from visitors to those plots has been submitted to and approved in writing by the Local Planning Authority and the scheme has been implemented, the mitigation shall thereafter at all times be maintained in accordance with the approved details.

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

9. Prior to the commencement of any works to alter the levels of the details of the existing and proposed levels and any retaining structures shall have been submitted to and approved in writing by the Local Planning Authority, the development shall thereafter be carried out in strict accordance with the approved details.

Reason: In the interest of visual and residential amenity.

10. The development shall be carried out in strict accordance with the recommendations of the Preliminary Ecological Appraisal, prior to the commencement of the development an ecological enhancement plan, including timescale for implementation, shall have been submitted to and approved in writing by the Local Planning Authority and shall be implemented in accordance with the approved timescale and maintained thereafter.

Reason: To ensure that ecology is preserved or enhanced by the development.

11. No works affecting the tree within TL3 identified in the Preliminary Ecological Appraisal as having bat roosting potential shall be carried out unless and until further surveys and, if necessary, a mitigation plan have been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to protect the habitat of protected species.

12. No ground clearance, demolition, changes of level or development or development related work shall commence until protective fencing, in full accordance with BS 5837 : 2012 has been erected around each tree/tree group or hedge to be preserved on the site or on immediately adjoining land, in accordance with drawing No. CCL11452/TPP Rev 1 and no work shall be carried out on the site until the written approval of the Local Planning Authority has been issued confirming that the protective fencing is erected in accordance with the Tree Protection Plan. Within the areas so fenced, the existing ground level shall be neither raised nor lowered. Roots with a diameter of more than 25 millimetres shall be left unsevered. There shall be no construction work, development or development-related activity of any description, including the deposit of spoil or the storage of materials within the fenced areas. The protective fencing shall thereafter be maintained during the period of construction. All works involving excavation of soil, including foundations and the laying of services, within the recommended distance calculated under the BS 5837 (2012) of the trees to be retained on the site, shall be dug by hand and in accordance with a scheme of works which has been submitted to and approved by the Local Planning Authority, prior to the commencement of works.

Reason: To prevent trees or hedgerows on site from being damaged during building works.

13. The submitted landscaping scheme (Drawing Nos. C1026-P01-L-PL-21 Rev 6, C1026-P01-L-PL-22 Rev 06, C1026-P01-L-PL-23 Rev 03, C1026-P01-L-PL-24 Rev 06, C1026-P01-L-PL-25 Rev 02, C1026-P01-L-PL-26, C1026-P01-L-PL-35) shall be implemented in its entirety within the first

planting season following the commencement of the use 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 and that felled trees are adequately replaced.

14. Prior to the installation of any external lighting, details of the external lighting shall have been submitted to and approved in writing by the Local Planning Authority. The details shall include the positioning, direction and luminance and hours of illumination of the external lighting. The external lighting shall be installed, operated and maintained only in strict accordance with the approved details.

Reason: In the interest of residential amenity and to preserve the habitat of protected species.

15. No development shall take place, including any works of demolition or site clearance, until a Construction Management Plan (CMP) or Construction Method Statement (CMS) has been submitted to, and approved in writing by the local planning authority. The approved plan / statement shall provide:

- 24 Hour emergency contact number;
- Details of the parking of vehicles of site operatives and visitors;
- Details of loading and unloading of plant and materials;
- Arrangements for turning of vehicles within the site;
- Swept path analysis showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available and maintained, including any necessary temporary traffic management measures;
- Measures to protect vulnerable road users (pedestrians and cyclists);
- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- Wheel washing facilities;
- Measures to deal with dirt, debris, mud or loose material deposited on the highway as a result of construction;
- Measures to control the emission of dust and dirt during construction;
- Details of a scheme for recycling/disposing of waste resulting from demolition and construction works;
- Construction vehicle routing;
- Delivery, demolition and construction working hours.

The approved Construction Management Plan or Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason: In the interest of highway safety and residential amenity.

16. The development hereby permitted shall not commence unless and until all of the highway works to facilitate construction traffic access to the development site have been constructed in accordance with a scheme which shall be submitted to and approved by the Local Planning Authority.

Reason: To enable all construction traffic to enter and leave the development site in a safe manner without causing a hazard to other road users.

17. Prior to commencement a scheme for the site access and off-site highway works should be submitted to and approved by the LPA. The works shall include the list a-d and shall be constructed prior to first use of the development hereby permitted:

- a) New site access with dropped kerbs tactile paving and relocation of street lighting column and pursual of a traffic regulation order on Halifax Road to protect the visibility splays (X2.4m Y46m east side and 47m west side).
- b) Upgrade 4 bus stops on Halifax Road and Walverden Road.
- c) Public footpaths FP1306231, FP1303014a, FP1306232 improvements to provide a bound surface.
- d) New cycle link 3.5m wide from Edge End Avenue and pursue traffic regulation order to prevent cars parking in the turning head of Edge End Avenue to access the site on foot.

Reason: To provide adequate provision for highway users on the network for highway safety.

18. Prior to the commencement of the development detailed design of the retaining wall alteration on Halifax Road to facilitate the site access shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details.

Reason: In the interest of highway safety.

19. Prior to the commencement of the development a phasing plan and timetable of works shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details.

Reason: To ensure adequate turning facilities are provided.

20. Prior to first use of the development hereby permitted the car parking, detail of electric vehicle charging and secure, covered cycle parking shall have been submitted to and approved in writing by the Local Planning Authority. The provision shall be laid out and provided in accordance with the approved details prior to the first use of the development and maintained thereafter.

Reason: To provide adequate car and cycle parking provision.

21. Ceremonies shall take place only commence between 10am and 3.30pm and be concluded by 4.30pm, multiple ceremonies shall not occur at the same time.

Reason: To avoid peak periods on the surrounding highway network for highway safety reasons and in the interest of residential amenity.

22. Any gates to the vehicular access shall be open at all times that the site is open to visitors.

Reason: For highway safety to avoid vehicles dwelling unnecessarily in the highway.

Biodiversity Net Gain Condition:

1. The development may not be begun unless—

- (i) a biodiversity gain plan has been submitted to the planning authority and
- (ii) the planning authority has approved the plan

Phase plan

(b) the first and each subsequent phase of development may not be begun unless—

- (i) a biodiversity gain plan for that phase has been submitted to the planning authority and
- (ii) the planning authority has approved that plan

Reason: In order to fulfil the obligations for Biodiversity Net Gain, in accordance with the Environment Act 2021, Schedule 14

Notes:

Coal Authority records indicate the presence of a mine entry (shaft) within or in close proximity of the site. An untreated mine entry and its resultant zone of influence pose a significant risk to surface stability and public safety and should be taken account of in the development and operation of the site.

Ordinary Watercourse Consent - Under Section 23 of the Land Drainage Act 1991, as amended by the Flood and Water Management Act 2010, there is a legal requirement to obtain consent from Lancashire County Council, as Lead Local Flood Authority, prior to undertaking certain works on ordinary watercourses. This includes permanent and/or temporary works and may also include repairs to certain existing structures and maintenance works. Consent is required irrespective of whether the watercourse is open or culverted (piped or otherwise enclosed) and notwithstanding of any planning permission. • In line with Lancashire County Council's Ordinary Watercourse Regulation Policy OWC2, applicants should avoid crossing, diverting and/or culverting an ordinary watercourse. • Written consent must be obtained before starting works on site. There is no legal means for Lancashire County Council to issue retrospective consent. • Consent applications take up to 2 months to process from the date on which the application is valid and payment of the correct fee has been received in full. • Consent applications may be refused if there is insufficient evidence to demonstrate compliance with Lancashire County Council's Ordinary Watercourse Policies OWC1, OWC2, OWC3, OWC4 and OWC5. • It is an offence to carry out works under Section 23 of the Land Drainage Act 1991 (as amended) without the appropriate consent. Unconsented works may be subject to enforcement action under Section 24 of the Land Drainage Act 1991 (as amended). • If the works include adoption of a new asset, such as a road or sewer, then applications for adoption may be refused by the adopting body without the appropriate consent for works to the ordinary watercourse. • Sites may be inspected before, during and after the issuing of consent. Once planning permission has been obtained it does not mean that Ordinary Watercourse Consent will be given. It is strongly advised that you obtain any required consent before or concurrently as you apply for planning permission to avoid delays. Lancashire County Council's ordinary watercourse regulation policies, guidance, application validation checklist and pro-forma can be found at: <https://www.lancashire.gov.uk/flooding/ordinary-watercourse-regulation/>

Connection to Public Sewer - The applicant will require an agreement with the appropriate Water and Sewerage Undertaker to connect to the public sewerage system, alongside any Section 104 agreements for the adoption of the proposed surface water sustainable drainage system.

Permeable Paving - Where permeable paving is included in the hydrological calculations of a development proposal the Local Planning Authority is advised to consider the removal of permitted development rights for permeable paving. Should the Local Planning Authority not remove.

The grant of planning permission will require the applicant to enter into an appropriate legal agreement (Section 278), with Lancashire County Council as Highway Authority prior to the start of any development. The applicant should be advised to contact the county council for further information by telephoning the Development Support Section on 0300 123 6780 or email developer@lancashire.gov.uk, in the first instance to ascertain the details of such an agreement and the information to be provided, quoting the location, district and relevant planning application reference number.

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

Application Ref: 25/0149/FUL

Proposal: Full (Major): Town & Country Planning General Regulations 1992 -Regulation 3 -Change of use of land to cemetery; including car parking, maintenance area and landscaping.

At: Land To The South Of Halifax Road, Nelson

On behalf of: Pendle Borough Council

REPORT TO NELSON BRIERFIELD AND REEDLEY COMMITTEE ON 4th OF AUGUST 2025

Application Ref: 25/0177/HHO

Proposal: Full: Erection of a single storey rear extension.

At 41 Beaufort Street, Nelson, Lancashire, BB9 0BQ

On behalf of: Mrs Nafeeza Begum

Date Registered: 17.04.2025

Expiry Date: 11.06.2025

Case Officer: Negin Sadeghi

This application has been called in by a Councillor.

[Site Description and Proposal](#)

The application site is a two-storey mid-terraced dwelling located within the settlement boundary of Nelson. The property features stone brick external walls, uPVC fenestration, and a dual-pitched roof. The dwelling is accessed directly from Beaufort Street to the front, which is characterised by a uniform terrace of similar houses with shallow front yards. The house doesn't have any off-street parking.

The application seeks planning permission for the erection of a single-storey rear extension projecting an additional 2.6m beyond the existing kitchen extension. The extension is intended to provide a wet room to serve the needs of a disabled occupant.

Relevant Planning History

No relevant planning history.

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.

The application proposes to convert a section of the rear yard area to provide washroom facilities. An area of yard space will be retained as part of the proposal. This should still be adequate to allow for the storage of refuse bins, whilst maintaining pedestrian access. As a result, the retained yard area should avoid refuse migrating and ultimately being left on the publicly maintained back street. Consequently, the development is unlikely to adversely affect the highway network or its users.

Parish/Town Council: No answer received.

Environment Services (Health)

We are concerned about noise nuisance during the construction phase, especially linked to working outside of reasonable hours, and would therefore like the hours of operation to be controlled and would suggest use of the condition below: Hour of Work – Operations No machinery shall be operated nor any process carried out at the site outside the periods between the hours of 08:00 and 18:00 on weekdays and 09:00 and 13:00 on Saturdays and there shall be no machinery operated or process carried out at all on Sundays, Bank or Public Holidays. Reason: To protect the amenities of occupiers of adjoining and nearby properties.

Public Response

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

Relevant Planning Policy

Pendle Local Plan Part 1: Core Strategy (2011–2030):

- Policy SDP1 promotes sustainable development in line with national guidance.
- Policy ENV1 requires development to minimise harm to the natural environment and be of a high design standard.
- Policy ENV2 encourages high-quality design that respects the character and setting of the area.

Replacement Pendle Local Plan (Saved Policies):

- Policy 31 sets out parking standards for new development.

National Planning Policy Framework (NPPF):

- Emphasises the economic, social, and environmental roles of sustainable development.

Design Principles Supplementary Planning Document (SPD):

- Provides guidance on appropriate design for householder developments.

Officer Comments

Permitted Development Consideration

While permitted development rights allow certain rear extensions, the height of the proposed development (4.2m to 4.6m) exceeds the 4m threshold, and as such, it would not fall within the scope of Class A of the GPDO. It therefore requires full planning permission.

Design and Materials

The proposed extension would adopt a dual-pitched roof in keeping with the existing outrigger and use materials that are generally sympathetic to the host dwelling, including render, grey tiles, and white uPVC. It would not be visible from the public realm and would not result in harm to the character or appearance of the dwelling or the wider area. The proposal is therefore acceptable in design terms.

Residential Amenity

The host dwelling retains its original rear outrigger extending approximately 3.5m. The proposed development would add a further 2.6m projection, resulting in a total depth of approximately 6.1m from the original rear wall. Although the individual addition is modest, when combined with the outrigger it would substantially increase the rearward projection in a terraced context.

To the Northwest (No. 39), the proposal would not materially alter the relationship, as No. 39 already contains a rear extension to the yard boundary.

However, to the Southeast (No. 43), the proposed extension would run along the shared boundary. No. 43 retains its original outrigger (3.5m length) and has a ground-floor window serving the lounge that faces into the rear yard. The proposed extension would significantly breach the 45-degree rule as measured from this window and would result in an unacceptable overbearing impact and overshadowing. This would materially harm the amenity of the neighbouring occupiers.

The Design Principles SPD advises that in terraced settings, single-storey rear extensions projecting beyond 4m should be carefully assessed and justified—especially where neighbouring amenity is affected. In this case, the additional 2.6m projection would result in significant overshadowing and enclosure of the rear yard at No. 43.

Highway Safety

The proposal would not result in any change to existing parking arrangements. Lancashire County Council Highways has raised no objection. Bin storage and rear access would be retained. The scheme is acceptable in highway terms.

Conclusion

The proposed development would result in an unacceptable overbearing impact and overshadowing to the neighbouring property at No. 43 Beaufort Street. The proposal fails to comply with Policy ENV2 of the Pendle Local Plan Part 1: Core Strategy, the Design Principles SPD, and paragraph 135 of the NPPF, which require high standards of design and protection of residential amenity. While the personal circumstances of the applicant have been noted, they do not outweigh the material planning harm identified.

Recommendation: Refuse

Reason for Refusal:

1. The proposed rear extension, by reason of its scale, siting, and proximity to the shared boundary with No. 43 Beaufort Street, would result in an unacceptable overbearing impact and overshadowing to a principal ground floor window serving a habitable space. The development would therefore cause harm to the residential amenity of the adjoining occupiers, contrary to Policy ENV2 of the Pendle Local Plan Part 1: Core Strategy (2011–2030), the Design Principles SPD, and Section 12 of the National Planning Policy Framework.

Application Ref: 25/0177/HHO

Proposal: Full: Erection of a single storey rear extension.

At 41 Beaufort Street, Nelson, Lancashire, BB9 0BQ

On behalf of: Mrs Nafeeza Begum

REPORT TO NELSON, BRIERFIELD AND REEDLEY COMMITTEE ON 04TH AUGUST 2025

Application Ref: 25/0228/HHO

Proposal: Full: Erection of a two-storey front extension and first floor extension.

At Edge End Hall Cottage, Edge End Lane, Nelson, Lancashire BB9 0PR

On behalf of: Mr Sabah Bapir & Mrs Shahida Ahmed

Date Registered: 04.04.2025

Expiry Date: 26.05.2025

Deferred from previous committee-3June for submission of ammended plans

Site Description and Proposal

Edge End Hall Cottage is a single-storey, L-shaped stone cottage located on a narrow, winding lane within the Edge End Conservation Area. The property features natural stone walls, a pitched roof with natural stone slates, and white uPVC fenestration. It sits to the south of Edge End Lane and faces the Grade II listed Edgend House, separated by a public right of way and a high stone boundary wall. The application site is shared with a historic building; both structures occupy the same site and share a yard. The area is designated for its special architectural and historic interest, noted for its industrial heritage and vernacular building style.

The proposal seeks full planning permission for the erection of a two-storey front extension and a first-floor extension, changing the property from a two-bedroom, single-storey dwelling to a five-bedroom house. The extension would alter the footprint from an L-shaped layout to a more rectangular form and would include four additional bedrooms, new bathrooms, and a larger ground floor lounge. The proposal also includes significant changes to both the front and rear elevations, with multiple new window and door openings proposed. The site can accommodate at least four vehicles.

Relevant Planning History

13/05/0444P, DC: APPCON: Full: Extend garage to side to form two bedroom and ensuite

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 and are of the opinion that the proposed development is unlikely to have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site. The proposed development would increase the number of bedrooms from two to four and would not encroach on nor would reduce the existing on-site car parking provision. Three parking spaces can be accommodated on the existing drive, which is an adequate level of off-road parking for the type and scale of development proposed.

Parish/Town Council: No answer received.

PATHS (PBC Public Right): No answer received.

Environmental Services (Health)

We are concerned about potential nuisance during the construction phase, specifically working unreasonable hours, please can the informative below be placed on the development. To ensure that construction work is carried out at reasonable times. All construction work will be carried out within the hours of 8am – 6pm Monday – Friday, 9am – 1pm Saturday and no working Sundays and Bank holidays. Failure to work within these hours will result in a service of a notice under the Control of Pollution Act 1974, and potentially prosecution thereafter.

Reason: For the amenity of the neighbouring residents

Public Response

The nearest neighbours have been notified by letter, and a site & press notice has been displayed. No answer has been received.

Relevant Planning Policy

Pendle Local Plan Part 1: Core Strategy (2011–2030)

- Policy SDP1: Sustainable Development Principles
- Policy ENV1: Protection and Enhancement of the Natural and Built Environment
- Policy ENV2: High-Quality Design
- Policy 31: Parking Standards

National Planning Policy Framework (NPPF)

- Emphasizes the economic, social, and environmental roles of sustainable development.

Design Principles Supplementary Planning Document (SPD)

- Provides guidance on appropriate design for householder developments.

Officer Comments

The original proposal was considered unacceptable due to two key concerns:

1. **Heritage Impact:** The scale and design of the proposed extensions were considered overly dominant and incongruous, causing harm to the character and appearance of the Edge End Conservation Area and the setting of the listed Edge End House. This harm was considered less than substantial but was not outweighed by public benefits.
2. **Impact on Trees:** The original submission lacked sufficient information to assess the long-term impact on mature trees that contribute significantly to the conservation area's character.

Revised Proposal

In response to concerns, the applicant submitted revised plans including:

- A reduction in ridge height from 8.0m to 6.8m
- Inclusion of heritage-style elements: chimney stack, cast-iron rainwater goods, and heritage rooflights
- Improved use of materials and detailing

These revisions represent a significant improvement. Although the new roof heights remain taller than the existing structure, the visual prominence has been reduced.

Impact on the Conservation Area and Listed Building

The revised design is more sympathetic to its historic setting. The reduction in scale and incorporation of traditional design features lessen visual harm. The development would no longer undermine the character and appearance of the Edge End Conservation Area to an unacceptable degree.

Similarly, the reduced scale and improved detailing diminish the impact on the setting of Edge End House (Grade II). Any residual harm to the heritage assets is less than substantial and lies at the

lower end of the scale. It is considered that this harm is now acceptable and meets the policy requirements of Paragraphs 200 and 202 of the NPPF.

Residential Amenity

One new first-floor side-facing window would overlook Edge End House. To safeguard neighbouring amenity, a condition requiring this window to be fitted with obscure glazing is recommended. Subject to this, the proposal would not result in unacceptable overlooking or loss of privacy.

Trees and Landscaping

The applicant has submitted an arboricultural report (by Iain Tavendale) addressing concerns raised. Key conclusions:

- All affected trees are located off-site and are protected either by TPO or conservation area status.
- Minor pruning of overhanging branches would be legally permissible under common law. Any significant works would require owner and LPA consent.
- Seasonal impacts (leaf fall, debris) can be mitigated through standard design solutions.
- The proposal is unlikely to place pressure on tree removal or undermine long-term tree health.

The Council's Tree Officer has reviewed the assessment and raised no objection.

Highways

There is sufficient off-street parking for the scale of development proposed. No adverse highway impacts are anticipated. The development complies with **Policy 31** of the Pendle Local Plan.

Conclusion

The applicant has submitted a revised scheme that addresses the original reasons for refusal. The reduced scale, improved design, and additional arboricultural information are sufficient to mitigate previous concerns relating to heritage and trees.

The proposal is now considered acceptable in terms of its design, heritage impact, residential amenity, and highway safety. It complies with both local and national planning policies.

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

RECOMMENDATION: Approve

subject to the following conditions:

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

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended.

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

LU259TP202B (08 Jul 2025)

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

3. Notwithstanding the submitted details, prior to the commencement of development above ground floor slab level, samples or full details of all external materials, including walling, roofing, windows, doors, rainwater goods, and any stonework detailing, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the approved materials.

Reason: To ensure the use of appropriate and sympathetic materials in the interests of preserving the character and appearance of the Edge End Conservation Area and the setting of the listed building, in accordance with Policies ENV1 and ENV2 of the Pendle Local Plan Part 1: Core Strategy (2011–2030).

4. The first-floor side-facing window on the north-east elevation (facing Edge End Hall) shall be fitted with obscured glass (minimum Level 4) and shall be non-opening unless the parts of the window that can be opened are more than 1.7m above the floor level of the room in which the window is installed. The window shall be retained as such at all times thereafter.

Reason: To safeguard the privacy of neighbouring residents, in accordance with Policy ENV2 of the Pendle Local Plan Part 1: Core Strategy (2011–2030).

5. The development hereby approved shall be carried out in full accordance with the recommendations and mitigation measures contained within the Arboricultural Impact Assessment prepared by Iain Tavendale, received [insert date]. No trees within or adjacent to the site shall be felled, topped, lopped, uprooted or otherwise damaged without prior written consent from the Local Planning Authority.

Reason: To ensure the retention and protection of existing trees that contribute to the visual amenity and character of the area, in accordance with Policy ENV1 of the Pendle Local Plan Part 1: Core Strategy (2011–2030).

6. No development shall commence unless and until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The CMP shall include the following details:

- Hours of working (including deliveries);
- Site access and traffic management, including routing of construction vehicles;
- Contractor parking and site compound arrangements;
- Dust, noise and vibration control measures;
- Wheel-washing facilities and measures to prevent mud and debris on the highway;
- Storage of materials and waste on site.

The development shall thereafter be carried out in full accordance with the approved CMP.

Reason: To safeguard the residential amenity of nearby occupiers, ensure pedestrian and highway safety, and protect the character of the Conservation Area during the construction period, in accordance with Policies ENV1, ENV2, and 31 of the Pendle Local Plan Part 1: Core Strategy (2011–2030).

7. The development shall be carried out in full accordance with the recommendations and measures contained within the submitted Arboricultural Assessment (dated 14 Jul 2025). All tree protection measures shall be installed prior to the commencement of any development (including site clearance or groundworks) and retained for the duration of construction activities.

No excavation, tipping, storage of materials, or other construction activity shall take place within the Root Protection Areas (RPAs) of the trees identified in the report. No trees shall be pruned, lopped, topped, felled or uprooted without the prior written approval of the Local Planning Authority.

Reason: To safeguard existing mature trees which contribute positively to the character and appearance of the Edge End Conservation Area, and to ensure compliance with BS5837:2012 “Trees in Relation to Design, Demolition and Construction”, in accordance with Policies ENV1 and ENV2 of the Pendle Local Plan Part 1: Core Strategy (2011–2030).

8. No development shall commence unless and until details of a surface water drainage scheme, including sustainable drainage measures (SuDS), have been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include details of the surface water run-off rates, on-site attenuation, and a maintenance and management plan. The approved scheme shall be implemented in full prior to first occupation of the development and retained and maintained thereafter.

Reason: To ensure that the development can be adequately drained without increasing flood risk, in accordance with Policy ENV1 of the Pendle Local Plan Part 1: Core Strategy (2011–2030) and the National Planning Policy Framework.

9. Prior to the first occupation of the development hereby approved, the car parking areas shown on the approved plans shall be laid out, surfaced in a bound material, and made available for use. These areas shall thereafter be retained solely for the parking of vehicles associated with the dwelling and kept free from obstruction at all times.

Reason: To ensure adequate off-street parking provision is retained in the interests of highway safety and residential amenity, in accordance with Policy 31 of the Pendle Local Plan Part 1: Core Strategy (2011–2030).

Application Ref: 25/0228/HHO

Proposal: Full: Erection of a two-storey front extension and first floor extension.

At Edge End Hall Cottage, Edge End Lane, Nelson, Lancashire BB9 0PR

On behalf of: Mr Sabah Bapir & Mrs Shahida Ahmed

**REPORT TO NELSON, BRIERFIELD AND REEDLEY COMMITTEE ON 04TH
AUGUST 2025**

Application Ref: 25/0293/FUL

Proposal: Full: Retention of a racing pigeon loft and replacement of former loft.

At 8 Albert Street, Nelson, Lancashire, BB9 7EY

On behalf of: Mr Mohammad Asif

Date Registered: 30.04.2025

Expiry Date: 24.06.2025

Case Officer: Negin Sadeghi

This application has been called in by a Councillor.

Site Description and Proposal

The application site relates to a one- two-storey commercial property at No. 8 Albert Street, situated within a block of properties fronting both Albert Street and Stanley Street in Nelson town centre. The building is part of a mixed-use block that accommodates a kitchen unit manufacturing business, a furniture store, a carpet warehouse, and a hot food takeaway. Historically, the premises have also been used as a nightclub.

The site is located within the designated Whitefield Conservation Area, which is an area of special architectural and historic interest. It also lies within the defined Settlement Boundary, and in close proximity to the commercial and service centre around Manchester Road.

The application seeks retrospective planning permission for the retention of a replacement racing pigeon loft, situated on the flat roof of the single-storey rear projection. The new structure replaces an earlier loft which was dismantled in 2024 to allow for roof repairs. The application also includes a new access door from the second-floor staff room onto the roof (formed from a previous window opening) and the installation of a post-and-rail safety barrier, which is set back from the roof edge.

Relevant Planning History

PLE/25/0108, EN: Closed; Enforcement Enquiry

Consultee Response

Highway

Having reviewed the documents submitted, Lancashire County Council acting as the local highway authority does not raise an objection regarding the above retrospective development.

Parish: No answer received.

PBCENG: No answer received.

Environmental services- Health: No answer received.

Public Response

The nearest neighbors have been notified by letter and the site notice is published, and no responses have been received.

Policy Context

Pendle Local Plan Part 1: Core Strategy (2011–2030)

- ENV1 – Protecting and Enhancing Our Natural and Historic Environments
- ENV2 – Achieving Quality in Design and Conservation
- ENV5 – Pollution and Unstable Land
-

National Planning Policy Framework (2023)

- Paragraph 135 – Achieving well-designed places
- Paragraph 180 – Impact on natural and local environment
- Paragraph 206 – Preservation and enhancement of Conservation Areas

Officer Comments

Design, Visual Amenity and Conservation Area Impact

The pigeon loft is situated on the flat roof of the single-storey rear section of the building. It replaces a smaller, lighter loft which existed from approximately 2013 until 2024. The original structure was accessed from within the building and had a cage door leading onto the roof.

The new loft is a more substantial structure, both in scale and massing. It is constructed from aluminium and glazed panels with internal wooden shelves and recesses and has an approximate increase of 20–25% in length, 30–60% in height (over two levels), and approximately double the overall depth compared to the original structure. These proportions have been assessed through Google imagery and 3D views, as no precise comparative dimensions were submitted.

The proposed loft is visible from parts of Albert Street and the adjacent southeastern backstreet, but views from the northwest and northeast are screened by adjacent two-storey buildings. While the structure is relatively lightweight in material (mesh and aluminium framing), its increased height, volume, and prominence result in a more intrusive appearance than the original.

The door formed from the staffroom window creates a more accessible roof area, and historic imagery shows outdoor furniture placed on the roof from 2018 onwards. The presence of the new loft and rooftop activity introduces an incongruous element to the commercial block. This is poor design and adversely affects the character and appearance of the conservation area.

The proposal, therefore, fails to preserve or enhance the character and appearance of the Whitefield Conservation Area, contrary to Policy ENV1 and paragraph 206 of the NPPF.

Whilst the impacts on the designated heritage asset result in a less than significant level of harm there are no public benefits to the scheme which would outweigh that harm.

Residential Amenity

Although the site is predominantly commercial, the increased rooftop access and potential for prolonged activity (e.g. pigeon tending, use of seating) result in a degree of overlooking and loss of privacy to properties across the narrow street to the rear and side.

The elevated position offers oblique views toward first-floor window of properties across backstreet (64-66 which has a residential rooms window opening on the first floor to the rear street). This arrangement could lead to a perceived sense of overlooking and loss of privacy, particularly if rooftop use becomes more frequent due to the new access.

The cumulative impact of the larger loft and increased access raises concerns regarding amenity harm, contrary to Policy ENV2 and paragraph 180 of the NPPF.

Highways and Access

Lancashire County Council has raised no objection to the development from a highways perspective. The structure does not impact parking provision or highway safety.

Conclusion

The retrospective pigeon loft is materially larger than the original structure it replaced, and its design, scale, and elevated siting result in a visually intrusive and incongruous addition to the building, harming the character and appearance of the Whitefield Conservation Area. In addition, the formation of the new door and increased rooftop access but there are no privacy issues arising from accessing the roof which can be accessed already.

The proposal is contrary to Policies ENV1 and ENV2 of the *Pendle Local Plan Part 1: Core Strategy (2011–2030)* and to the guidance in the *National Planning Policy Framework (2023)*.

Recommendation: Refuse

1. The pigeon loft structure, in conjunction with the new access door and roof activity (e.g., placement of chairs and staff use), introduces an intrusive and elevated platform in close proximity to neighbouring properties. This allows for increased overlooking of adjacent residential windows and rear yards on both Albert Street and the southeast backstreet. The resulting loss of privacy is considered to cause an unacceptable level of harm to the amenity of neighbouring occupiers. This is contrary to Policy ENV2 of the Pendle Local Plan Part 1: Core Strategy (2011-2030), which seeks to ensure that development does not have an unacceptable impact on the amenity of neighbouring properties, and paragraph 135 of the National Planning Policy Framework (NPPF).
2. The replacement pigeon loft is materially larger and more prominent than the original loft structure. Its increased height, bulk, and use of modern materials (aluminium and glass, compared to the former lighter timber design) introduce a visually intrusive feature on a conspicuous roofscape. The structure is visible from Albert Street and surrounding viewpoints, within the Whitefield Conservation Area, a designated heritage asset. The cumulative visual impact of the loft and associated roof activity fails to preserve or enhance the character and appearance of the Conservation Area, thereby resulting in less than substantial harm to its significance. This harm is not justified or outweighed by any public benefit, contrary to Policies ENV1 and ENV2 of the Pendle Local Plan Part 1, and paragraphs 202 and 206 of the NPPF.

Application Ref: 25/0293/FUL

Proposal: Full: Retention of a racing pigeon loft and replacement of former loft.

At 8 Albert Street, Nelson, Lancashire, BB9 7EY

On behalf of: Mr Mohammad Asif

REPORT TO NELSON, BRIERFIELD AND READLEY COMMITTEE ON 04 AUGUST 2025

Application Ref: 25/0331/HHO
Proposal: Full: Erection of a single storey rear extension.
At: 1 Clifton Road, Reedley
On behalf of: Mr Mohammed Asghar
Date Registered: 15/05/2025
Expiry Date: 10/07/2025
Case Officer: Alex Cameron

This application has been brought before Committee due to the number of objections received.

Site Description and Proposal

The application site is a semi-detached house surrounded by similar properties.

The proposed development was originally for a single storey extension projecting 6.4m to the rear, this has been amended to a single storey extension projecting 4m to the rear. The proposed extension would have a flat GRP roof 2.81m in height and be finished in buff brick to match the existing house with white uPVC windows and door.

Relevant Planning History

None.

Consultee Response

LCC Highways – No objection subject to a condition requiring three car parking spaces.

PBC Environmental Health – Recommend a note regarding construction working hours.

Public Response

Neighbours notified – Responses received objecting on the following grounds:

- Loss of light
- Loss of view
- Loss of privacy
- Proximity to the boundary
- Potential removal of the boundary fence
- The amended plans do not resolve the concerns

- Change from a dining room to a bedroom is not the best solution
- A conservatory would have been acceptable but a large brick building is not appropriate
- Construction access and potential for access to neighbouring properties to be blocked by construction access
- Noise and disruption from construction

Officer Comments

Policy

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

Replacement Pendle Local Plan

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

Design Principles Supplementary Planning Document 2009.

Design

Taking into account the location of the extension to the rear out of prominent public view the flat roofed design and materials of the proposed extension are acceptable. The proposed development is therefore acceptable in terms of design and visual amenity in accordance with Policy ENV2.

Impact on Amenity

The proposed extension would project 4m from the rear elevation, the guidance of the SPD is that extensions of up to 4m projection on the boundary with a neighbouring property are generally acceptable.

The adjoining property has an existing conservatory to the rear which also provides the main source of natural light to a dining room area at the rear of the house. Concerns have been raised regarding the impact of the extension on the conservatory and dining room, particular in relating to the impact of the projection and height of the extension.

The proposed extension is a typical height for a single storey extension and there are no exacerbating factors that would mean that the 4m guideline should not be applied here. The proposed extension and relationship to the adjoining property is fully in accordance with the guidance of the Design Principles SPD, it would not result in an overbearing impact or unacceptable loss of light to that property and is acceptable.

Windows would face to the south side and rear, taking into account the distance from the boundaries, boundary treatments and that the relationships would be typical of such single storey extensions which could be erected under permitted development rights in other circumstances the proposed windows would not result in any unacceptable loss of privacy.

The proposed extension is in accordance with Policy ENV2 and the guidance of the Design Principles SPD.

Highways and Access

The proposed extension would not impact upon the provision of or requirement for off-street car parking. Whilst the plans show an additional downstairs bedroom, any room can be used as a bedroom without the need for planning permission and only upper floor rooms are generally counted towards parking provision requirements for two or more storey dwellings. Therefore, it is not necessary to require that three car parking spaces are provided.

Other matters

This is a small domestic extension and therefore it would not be proportionate to impose condition to control construction traffic and noise.

If the development requires the removal of a boundary fence this is a civil / Party Wall Act matter and is not material to the determination of this application.

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 terms of design, residential amenity and highway safety. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

RECOMMENDATION: Approve

Subject to the following conditions:

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: A24-07 04A, A24-07 05A, A24-07 06A.

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

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

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

Note: All construction work shall be carried out only within the hours of 8am – 6pm Monday – Friday, 9am – 1pm Saturday and no working Sundays and Bank holidays. Failure to work within these hours may result in a service of a notice under the Control of Pollution Act 1974, and potentially prosecution thereafter.

Application Ref: 25/0331/HHO

Proposal: Full: Erection of a single storey rear extension.
At: 1 Clifton Road, Reedley
On behalf of: Mr Mohammed Asghar

REPORT TO NELSON BRIERFIELD AND REEDLEY COMMITTEE ON 04TH OF AUGUST 2025

Application Ref: 25/0342/HHO

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

At: 41 Larch Street, Nelson, Lancashire, BB9 9RH

On behalf of: Mr Amin

Date Registered: 5/20/2025

Expiry Date: 7/15/2025

Case Officer: Neil Watson

Site Description and Proposal

Planning permission is sought to add dormer windows to the front and rear facing roof planes of the property.

Relevant Planning History

The property has not been the subject of any recent relevant planning history.

Consultee Comments

LCC Highways:- No objections

Nelson Town Council:- No observations received.

Public Response

Surrounding residents were individually notified and no responses have been received.

Relevant Planning History

Pendle Local Plan Part 1: Core Strategy

Policy SDP1 (Presumption in Favour of Sustainable Development) – Seeks a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

Policy ENV1 (Protecting and Enhancing Our Natural and Historic Environments) - Seeks to ensure a particularly high design standard that preserves or enhances the character and appearance of the area and its setting. States that the impact of new developments on the natural environment, including biodiversity, should be kept to a minimum.

Policy ENV2 (Achieving Quality in Design and Conservation) - Identifies the need to protect and enhance the heritage and character of the Borough and quality of life for its residents by encouraging high standards of quality and design in new development. States that siting and design should be in scale and harmony with its surroundings.

National Planning Policy Framework (December 2024)

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 Sections of the Framework that are specifically relevant to this development are:-

Section 12 (Achieving Well Designed Places) – This seeks to ensure the creation of high quality, beautiful and sustainable buildings and places considering this aim as fundamental to what the planning and development process should achieve. It also advises that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Section 15 (Conserving and Enhancing the Natural Environment) – This seeks to ensure that planning policies and decisions contribute to, and enhance, the natural and local environment and sets out the ways in which it expects this to be achieved.

Supplementary Planning Guidance

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

Officer Comments

Principle

The proposal is acceptable in principle. It involves the extension of an established dwelling that is sustainably located within the identified settlement boundary of Nelson.

Design

Policies ENV1 and ENV2 of the Core Strategy, Sections 12 and 15 of the NPPF, Policies 3 and 6 of the Bradley Area Action Plan and the Council's Supplementary Planning Document 'Design Principles' collectively require development to make a positive contribution to the quality of the existing environment or, at the very least, maintain that quality by means of high standards of design. This proposal fails to meet the requirements of these policies/this guidance for the following reasons.

The terrace, in which this property is located, is completely free of dormer windows as are the terraces to the immediate northeast and southeast.

The development of the front dormer would lead to a poorly designed development in a prominent location to the front of the house to the detriment of the street scene contrary to the adopted design guide.

Impact on Neighbours

Development needs to be designed and positioned so that it does not adversely affect the privacy, daylighting or amenity space of neighbouring properties. In pure neighbour amenity terms the proposal will satisfy this criterion for the following reasons.

- a) Light:- The dormers will not adversely affect the level of light currently received by the surrounding properties.
- b) Privacy:- The proposal will not lead to unacceptable overlooking of neighbouring properties either. The front dormer will face a building on the opposite side at a distance of less than 11 metres. However, as there are already windows there this will not add to the existing situation.

Highway Safety

The proposal will not give rise to any undue highway safety concerns, a view supported by County Highways. Whilst it will increase the number of bedrooms within the property from two to four there is unrestricted parking available for use by residents to the rear on the privately maintained back street. The property is also sustainably located within walking distance of local facilities and a bus route.

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 proposal fails to fully accord with the plan for the reason outlined below and could not reasonably be rendered acceptable through the imposition of planning conditions. The development does not therefore comply with the development plan and accordingly refusal is recommended.

Recommendation: Refuse

For the following reason:

The proposed front dormer window, because of its size, design, position and prominence, would unduly detract from the character and appearance of the host dwelling, from the appearance of the terrace as a whole and from the character of the surrounding area in general. The proposal is therefore contrary to the requirements of Policies ENV1 and ENV2 of the Pendle Local Plan Part 1: Core Strategy, Sections 12 and 15 of the National Planning Policy Framework and the provisions of the Design Principles Supplementary Planning Document.

Application Ref: 25/0342/HHO

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

At: 41 Larch Street, Nelson, Lancashire, BB9 9RH

On behalf of: Mr Amin

REPORT TO NELSON BRIERFIELD AND REEDLEY COMMITTEE ON 4th AUGUST 2025

Application Ref: 25/0346/HHO

Proposal: Full: Erection of dormer windows to front and rear roof slopes and the erection of a single storey rear extension.

At 35 Fountain Street, Nelson, Lancashire

On behalf of: Mr Mohammad Shabbir

Date Registered: 22.05.2025

Expiry Date: 17.07.2025

Case Officer: Athira Pushpagaran

This application has been called in to committee by the Chair.

Site Description and Proposal

The application site is a mid-terrace dwelling situated within a row of terraces in a residential neighbourhood within the defined settlement boundary of Nelson. The main access is from Fountain Street.

The proposed development is the erection of dormers to the front and rear roof slopes and the erection of a single storey rear extension.

Relevant Planning History

No relevant planning history.

Consultee Response

Highways

No objection

Parish/Town Council

No response

PBC Environmental health

Request an informative on hours of construction.

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. 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 seeks to erect dormers to the front and rear roof slopes of the property. The front dormer would be pitch-roofed and the rear one flat-roofed. There are currently two other properties in the terraced row with pitched roof dormers to the front however front dormers are not a feature of this frontage. The dormers would cover the entire roof slope and would not be setback from the front and sides contrary to SPD guidance. 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. The proposed dormers are to be clad with grey tiles with UPVC windows and UP elastomeric roofing. Whilst to the rear a dormer may be inserted under Permitted Development rights in some circumstances, one of the conditions within the Permitted Development Order is that the materials are similar in appearance to the existing roof materials. The materials for both the dormers differ from the original slate roof of the dwelling. However, to the rear elevation there would not be an unacceptable impact upon the visual amenity of the area. The front dormer would cause harm to the character and appearance of the original dwelling and have a wider impact upon visual amenity.

The proposal also includes a single storey rear extension. The dwelling currently has a single storey outrigger to the rear identical to the ones for both its adjoining neighbours. The existing outrigger has a lean-to roof and projects circa 2.8m from the rear elevation of the dwelling. The proposed extension would project 4m from the rear elevation. The rear extension would not be visible from public vantage points and would not result in any unacceptable 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 and the Adopted Pendle Design principles SPD.

Residential Amenity

The proposed rear extension extends 4m from the rear elevation of the main building and respects the 4m guidance. It would not result in any overbearing impact on neighbours. The extension would have a window and a door to the side in roughly the same location of the door and window of the existing outrigger. No unacceptable privacy impacts would arise out of these openings.

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 more than 21m away from the buildings across Fountain street and would be no closer to them than the existing windows of the dwelling, as such they would not cause any unacceptable privacy issue. Similarly, the dormer to the rear is to have two windows – a bedroom window and a bathroom window, facing the properties on Dalton Street. These windows would not be any closer to those properties than the existing first floor windows of the property and therefore would not have any greater impact on the privacy of its occupants. The proposed development in this case would not result in any unacceptable impact on the residential amenity of neighbours.

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

Due to the following reason(s):

1. 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: 25/0346/HHO

Proposal: Full: Erection of dormer windows to front and rear roof slopes and the erection of a single storey rear extension.

At 35 Fountain Street, Nelson, Lancashire

On behalf of: Mr Mohammad Shabbir

REPORT TO NELSON BRIERFIELD AND REEDLEY COMMITTEE ON 4th AUGUST 2025

Application Ref: 25/0378/HHO

Proposal: Full: Erection of a two-storey side and rear extension, part single storey rear extension, a front porch and retention of existing wall to the front of the house.

At 129 Marsden Hall Road North, Nelson, Lancashire

On behalf of: Mr Muneeb Ul Hassan

Date Registered: 09.06.2025

Expiry Date: 04.08.2025

Case Officer: Athira Pushpagaran

This application has been sent to the committee due to it receiving 3 objections contrary to officer recommendation.

Site Description and Proposal

The application site is an end-terraced dwelling within the settlement boundary of Nelson at a staggered junction between Marsden Hall Road North, Hollins Road and Merclesden Avenue. The main pedestrian access is from Marsden Hall Road North. The application site is situated within a short, isolated line of terrace houses surrounded by open spaces in a visually prominent position within the neighbourhood. It is clearly visible on approach from Marsden Hall Road North, Hollins

Road and Merclesden Avenue. The existing dwelling has pebble dash finish on walls, UPVC windows and a pitched tiled roof.

The proposed development is the erection of a two-storey side and rear extension, part single storey rear extension, a front porch and retention of existing wall to the front of the house. A near identical scheme was approved under 24/0704/HHO. The only difference of the current scheme is the addition of an ensuite window on the first floor of the front elevation, the resizing of a front window and part of the front elevation pushed forward slightly to be in line with the position of the front wall of the existing dwelling. Ground works have already commenced at the time of the site visit.

Relevant Planning History

24/0704/HHO Full: Erection of a two-storey side and rear extension, part single storey rear extension and a front porch. Approved with Conditions. 2024

24/0278/HHO Full: Erection of two-storey side and rear extension, 2 no. single storey rear extensions, a side porch and boundary treatment works. Refused. 2024

24/0117/HHO Full: Erection of a two-storey side extension, single storey rear extension & boundary treatment works. Refused. 2024

23/0852/HHO Full: Erection of a two-storey side and rear extension, single storey rear extension and boundary treatment works. Refused. 2024

Consultee Response

Highways

No objection subjects to recommended conditions added to any approval.

Parish/Town Council

No response

Public Response

The nearest neighbours have been notified by letter, with 4 responses received. 3 out of these were objections and 1 in support. The points raised by these are summarised below:

Objections:

- Poor design
- Increased traffic
- Hedges removed- resulting in loss of sparrow roosts
- Traffic safety issues
- Already started works
- Loss of private views
- Works currently undertaken in unsafe manner

Support:

- will make the place look much better
- previous parking concerns have been sorted
- possible racially motivated objections

- extension needed for the needs of the family
- setting a good example
- plans are really considerate of neighbours
- construction work means jobs for local people

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. The principle of the development has been established by the previous approval for a near identical scheme. Only the additional changes proposed in the current scheme would be assessed in the following sections as the assessment carried out in the previous approval remains applicable in this case too. The principal material considerations for the application are as follows:

Design and Materials

The only changes proposed in terms of design are the position of part of the front wall, the new first floor window and the resizing of a front window. The proposed new first floor window and the resized smaller window would not have any negative impact on the overall design and would be

acceptable. Part of the front elevation wall would be brought forward to matchy the position of the original dwelling. This would restore the front elevation of the dwelling to how it is for the existing dwelling, slightly set forward from the rest of the terrace row. This would not result in any unacceptable impact on the character of the dwelling and its surroundings.

Overall, the proposed development would be acceptable in terms of design in accordance with policies ENV1 and ENV2 of the Adopted Pendle Local Plan Part 1: Core Strategy and the Adopted Pendle Design principles SPD.

Residential Amenity

The proposed new window to the front serves an ensuite and faces the road and sufficiently distanced from neighbouring properties would not result in any privacy issues. The proposed development overall 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.

LCC requests a condition regarding controlling any HGV construction traffic movements during construction phase. However, given that the proposed development is of a small-scale development it would not be reasonable to impose such a condition in this particular case.

LCC requests a condition regarding the provision of electric vehicle charging points and covered cycle storage for at least two cycles prior to first occupation. However, given that the proposed development is of a small-scale development it would not be reasonable to impose this condition.

LCC requests a condition that prior to occupation dropped kerbs must be installed at the carriageway edge and a vehicle crossover constructed across the footway and grass verge fronting the site onto Marsden Hall Road North. However, since this would be carried out under Section 171 agreement with Lancashire County Council it would not be reasonable to impose this condition.

Other matters

No weight is given to objections from neighbours on the grounds of loss of private view as this is not a planning consideration. There has been concerns raised regarding the construction works already started on site however the site benefits from an extant planning permission. The manner in which building works are undertaken is a matter governed by the Health and Safety Executive and Building Control and not a planning matter.

Reason for Decision

Section 38 of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise. The proposed development would accord with Local Planning Policy and would be compliant with the guidance set out in the Framework, subject to compliance with planning conditions. The development therefore complies with the development plan. There is a positive

presumption in favour of approving the development and there are no material reasons to object to the application.

RECOMMENDATION: Approve

Subject to the following conditions:

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

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

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

- U206 - P01 Site Plans
- U206 - P03A Proposed Plans

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

3. All the external materials to be used in the elevations and roof of the development hereby permitted shall be as stated on the application form and approved plans and there shall be no variation without the prior consent of the Local Planning Authority.

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

4. The approved development should not be brought into use unless and until the parking area shown on the approved plans has been constructed, laid out and surfaced in bound porous materials. The parking area shall thereafter always be kept free from obstructions and remain available for the parking of domestic vehicles associated with the dwelling.

Reason: In order to ensure satisfactory levels of off-road parking are achieved within the site.

Informatives

All construction work shall be carried out only within the hours of 8am – 6pm Monday – Friday, 9am – 1pm Saturday and no working Sundays and Bank holidays. Failure to work within these hours may result in a service of a notice under the Control of Pollution Act 1974, and potentially prosecution thereafter.

This consent requires the construction of a new dropped vehicle crossing to the publicly maintained highway on Marsden Hall Road North. Only a contractor approved by Lancashire County Council can undertake the approved works under Section 171 of the Highways Act 1980. Before any work begins at the site, please contact lhsvehiclecrossing@lancashire.gov.uk for the list of approved contractors and to start the Section 171 process.

The alterations to the existing highway as part of the works to construct the dropped vehicle crossing may require changes to the existing street lighting and strengthening of any footway utility boxes, which will be at the applicant's expense.

Application Ref: 25/0378/HHO

Proposal: Full: Erection of a two-storey side and rear extension, part single storey rear extension, a front porch and retention of existing wall to the front of the house.

At 129 Marsden Hall Road North, Nelson, Lancashire

On behalf of: Mr Muneeb Ul Hassan

REPORT TO NELSON BRIERFIELD AND REEDLEY COMMITTEE ON 04TH OF AUGUST 2025

Application Ref: 25/0435/PIP

Proposal: Permission in Principle: Erection of 6 no. dwellings.

At: Land To The South Of Rockwood Manor, Halifax Road, Nelson

On behalf of: Amor Asset Management Ltd

Date Registered: 01/07/2025

Expiry Date: 05/08/2025

Case Officer: Alex Cameron

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

Site Description and Proposal

The application site is land to the southeast of Rockwood. The land is within the open countryside approximately 170m from the settlement boundary and is designated as Open Space. To the west is Nelson Golf Club, to the south is an access to the golf club and open land with recent planning permission for a detached dwelling and to the east is Halifax Road.

This is an application for Permission in Principle for up to six dwellings on the site.

Relevant Planning History

23/0809/FUL - Full (Major): Erection of building and associated infrastructure, including parking, landscaping and a new vehicular access to create a wedding venue. Refused and Appeal Dismissed

Consultee Response

LCC Highways – The principle of development is acceptable at this location. Comments for the technical details stage including that the red edge of the development shown on the submitted Location Plan encroaches over a section of Footpath FP1303023, as shown in the following map extract. The red edge also appears to extend over a section of third party land to the west.

Coal Authority - Any application for approval of technical details consent needs to be supported by a Coal Mining Risk Assessment.

United Utilities – Recommend a drainage condition for the technical details stage.

PBC Environmental Health – Recommend construction method statement and contaminated land conditions.

Public Response

Nearest neighbours notified. Two responses received objecting on the following grounds:

- The site is in the open countryside and should not be developed
- The land is not safe to build on due to coal mining risk
- Flood risk
- Previous application for a wedding venue on the site was refused

Officer Comments

This type of application can only be determined on matters of the principle of the development with its scope limited to location, land use and the amount of development. Conditions and/or planning obligations cannot be imposed at this stage. If approved a Technical Details application would be required before the development taking place, that would include details such as plans and technical reports. Conditions and planning obligations can only be imposed at that stage.

Principle of Housing

The site is located in the open countryside 200m from settlement boundary of Nelson 200m from 934 school bus service stops and 750m from the 69 bus service stops. The site was determined not to be a sustainable location for the previous application on the site for a wedding venue, however, that assessment was specific to that proposed use which was materially different in scale and travel patterns to a development of six dwellings.

Taking into account the proximity of the settlement and public transport this site is a sustainable location for a housing development of this scale. This is further emphasised by the approved residential developments for a single dwelling to the south and up to six dwellings to the north which were determined by the Council to be sustainable locations for minor residential developments.

Open Space and Recreation

The land is designated as open space, included within the same designation as the Nelson Golf Club. This has previously been accepted by the Council and Planning Inspectorate in relation to this and the adjacent sites. As there is a surplus of this type of open space in the area and as the land does not form part of the golf club it is not in active use. The loss of this open space would not result in material planning harm in terms of open space provision and therefore the loss of the open space is acceptable.

There is the potential for golf balls to cross into the site resulting in the risk of harm to property and residents of the site. This is a matter that would be fully assessed at the technical details stage.

Visual amenity

In principle a dwelling could be accommodated on this site without unacceptable visual amenity impacts.

Whilst the application for a wedding venue on this site was refused and dismissed on appeal in part on the basis of visual and landscape impacts, that was a materially different development in terms of visual impact with a large prominent building and extensive areas of car parking covering the majority of the site. A residential development could in principle be accommodated with significantly lesser visual and landscape impacts. This is a matter that would be assessed fully at the technical details stage.

Residential amenity

In principle six dwellings could be accommodated on the land without unacceptable residential amenity impacts. This is a matter that would be assessed fully at the technical details stage.

Drainage and Flood Risk

The site is not identified as being above low risk of flooding and the provision of adequate drainage is a technical matter for the technical details stage.

Impact of Trees

There are trees within and adjacent to the site, the impact on trees would be a matter for the technical details stage.

Highways

It has been established by the previous application on this site that in principle acceptable access can be provided to this site. This is a matter that would be assessed fully at the technical details stage.

It has been highlighted that the application site partially encroaches on the public right of way to the south of the site which is on third party land.

It could be ensured at the technical details stage that the development does not obstruct the public right of way. A Permission in Principle application does not include a declaration of land ownership and therefore it is not necessary for the ownership of the land to be addressed.

Land Stability

Part of the site is within the coal mining high risk referral area. This is a matter to be assessed at the technical details stage, however, the details submitted with the previous application on this site established that the risk from coal mining can be mitigated in principle.

Planning Balance

The Council is in a position of housing undersupply and therefore the tilted balance applies to the consideration of this application, the benefits of the development and level of undersupply must be balanced against the adverse impacts of the development and the application approved unless the adverse impacts significantly and demonstrably outweigh the benefits.

The development would provide economic and social benefits from contribution to the economy from the construction of housing, the provision of new housing and would contribute towards addressing the 2.2 year deficit in the borough's 5 year housing supply, it would also provide an affordable dwelling. Taking into account the scale of the development at six dwellings the level of contribution would be minor

The proposed development potentially has minor harms in terms of the visual impact, however, the potential minor harm is significantly outweighed by the benefits of the development.

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. Taking into account all material considerations the proposed development is acceptable in principle. The development therefore complies with the development plan. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

RECOMMENDATION: Approve

INFORMATIVE

As part of a technical details application the following information should be provided:

- Plans, including location plan, existing and proposed site plan, access visibility splay plan, elevation and floor plans and existing and proposed levels and/or sections.
- Golf Ball Strike Assessment
- Foul and Surface Water Drainage Scheme
- Construction Management Plan
- Tree Survey

- Ecology Survey
- Contamination Assessment
- Coal Mining Risk Assessment
- Biodiversity Net Gain Metric and draft Biodiversity Gain Plan

Application Ref: 25/0435/PIP

Proposal: Permission in Principle: Erection of 6 no. dwellings.

At: Land To The South Of Rockwood Manor, Halifax Road, Nelson

On behalf of: Amor Asset Management Ltd

REPORT TO NELSON BRIERFIELD AND REEDLEY COMMITTEE ON 4th AUGUST 2025

Application Ref: 25/0440/CEA

Proposal: Certificate of Lawful Use (S.192 Proposed Development): Change of use from a dwelling (Use Class C3) to a Residential Institution (Use Class C2).

At 16 Hillside View, Brierfield, Lancashire

On behalf of: Baytamor Ltd

Date Registered: 02.07.2025

Expiry Date: 27.08.2025

Case Officer: Athira Pushpagaran

This application has been called in 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 Brierfield. The main access is from Hillside View.

This proposal seeks to gain a Certificate of Lawfulness (Section 192 – Proposed Development) for a change of use of existing dwelling (Use Class C3) to a Residential Institution (Use Class C2).

Relevant Planning History

25/0340/CEA Certificate of Lawful Use (S.192 Proposed Development): Change of use from a dwelling (Use Class C3) to a Residential Institution (Use Class C2).

21/0865/CND Approval of Detail Reserved by Condition: Discharge of Conditions 3 (Materials), 4 (Boundary details) and 6 (Bin storage) of Planning Permission 21/0401/FUL. Discharged. 2021

21/0401/FUL Full: Sub-divide dwelling house into two dwellings. Approved with Condition. 2021

Consultee Response

None necessary

Public Response

A number of comments were received from members of the public despite no notice being served as it is not necessary for applications of this type. These comments, raising objections to the proposal, are summarised below:

- Increased Traffic and Noise
- Disruption to the Neighbourhood from staff, deliveries, visits
- Concerns about Crime
- Impact on Property Values
- Lack of Local Amenities
- concerns about the behaviour of the children in the home
- Loss of Housing stock
- Breach of covenants of deed against operation of businesses
- No need for the facility as previously approved similar facility is still vacant

- putting one car on next doors drive is not a solution for the parking issue
- not enough room and garden for the proposed use, the dwelling is completely unsuitable for the proposed use
- no dropped kerb therefore 2 parking places as proposed would not be possible
- CHA would not support children's homes in this area.
- Unreliable and inconsistent information submitted by the applicant
- Need for review of the organisation's existing track record with Ofsted, particularly around safeguarding, staff turnover, and outcomes for children.
- the reality during handovers can involve significantly more adults than what is stated
- need to be investigated why more than a quarter of all children's homes in England are located in the Northwest, with Pendle already hosting approx. 13 of them.
- The staff to children ratio is inadequate
- The applicant has created numerous changes to his property over the last few years which have directly impacted on the local neighbours
- There is existing parking issues on the street with emergency vehicles already finding it difficult accessing properties

Officer Comments

Assessment

The consideration in determining this Lawful Development Certificate is whether the use proposed would constitute a material change of use requiring planning permission.

The existing residential property is lawful to be used as a house under Class C3. The proposed use would technically fall within Use Class C2 (residential institutions) as the only full-time residents would be children, and they cannot look after themselves as a single household. However, case law has established that in such circumstances where a C3 and a C2 use are indistinguishable from each other, it would not result in a material change of use.

A previous certificate of lawfulness was refused at this site for an identical scheme as the proposed use would result in car parking and activity over and above that which would be experienced by using the premises as a C3 dwelling and as such would result in a material change of use from Use Class C3. This remains the case for this application since the current scheme is identical in every regard to the refused one. Therefore, it would constitute a material change of use and therefore this certificate cannot be issued.

RECOMMENDATION: Refuse lawful development certificate

On the balance of probabilities, the proposed use would result in car parking and activity over and above that which would be experienced by using the premises as a C3 dwelling and as such would result in a material change of use from Use Class C3.

Application Ref: 25/0440/CEA

Proposal: Certificate of Lawful Use (S.192 Proposed Development): Change of use from a dwelling (Use Class C3) to a Residential Institution (Use Class C2).

At 16 Hillside View, Brierfield, Lancashire

On behalf of: Baytamor Ltd

REPORT TO NELSON BRIERFIELD AND REEDLEY COMMITTEE ON 4th AUGUST 2025

Application Ref: 25/0482/HHO

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

At: 16 Charles Street, Nelson

On behalf of: Mr Sardar Asghar

Date Registered: 22/7/25

Expiry Date: 16/9/25

Case Officer: Neil Watson

Site Description and Proposal

Planning permission is sought to add dormer windows to the front and rear facing roof planes of the property. The dwelling lies in a traditional terraced street without other dormers.

Relevant Planning History

The property has not been the subject of any recent relevant planning history.

Consultee Comments

LCC Highways:- The proposed development would increase the number of bedrooms from two to four, which is a significant increase in the potential number of occupants. There is no associated off-road parking, nor can any be provided. The property is located within a row of terraced housing where there is 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 as outlined by the NPPF. The highway authority also notes that the site is within acceptable walking distance of local amenities and facilities including public transport on Scotland Road, which may reduce the reliance on the use of private vehicles.

Nelson Town Council:- No observations received.

Public Response

Surrounding residents were individually notified and no responses have been received.

Planning Policy

Pendle Local Plan Part 1: Core Strategy

Policy SDP1 (Presumption in Favour of Sustainable Development) – Seeks a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

Policy ENV1 (Protecting and Enhancing Our Natural and Historic Environments) - Seeks to ensure a particularly high design standard that preserves or enhances the character and appearance of the area and its setting. States that the impact of new developments on the natural environment, including biodiversity, should be kept to a minimum.

Policy ENV2 (Achieving Quality in Design and Conservation) - Identifies the need to protect and enhance the heritage and character of the Borough and quality of life for its residents by encouraging high standards of quality and design in new development. States that siting and design should be in scale and harmony with its surroundings.

National Planning Policy Framework (December 2024)

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 Sections of the Framework that are specifically relevant to this development are:-

Section 12 (Achieving Well Designed Places) – This seeks to ensure the creation of high quality, beautiful and sustainable buildings and places considering this aim as fundamental to what the planning and development process should achieve. It also advises that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Section 15 (Conserving and Enhancing the Natural Environment) – This seeks to ensure that planning policies and decisions contribute to, and enhance, the natural and local environment and sets out the ways in which it expects this to be achieved.

Supplementary Planning Guidance

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

Officer Comments

Principle

The proposal is acceptable in principle. It involves the extension of an established dwelling that is sustainably located within the identified settlement boundary of Nelson.

Design

Policies ENV1 and ENV2 of the Core Strategy, Sections 12 and 15 of the NPPF, Policies 3 and 6 of the Bradley Area Action Plan and the Council's Supplementary Planning Document 'Design Principles' collectively require development to make a positive contribution to the quality of the existing environment or, at the very least, maintain that quality by means of high standards of design. This proposal fails to meet the requirements of these policies/this guidance for the following reasons.

The terrace, in which this property is located, is completely free of dormer windows as are the terraces to the immediate northeast and southeast.

The development of the front dormer would lead to a poorly designed development in a prominent location to the front of the house to the detriment of the street scene contrary to the adopted design guide.

Impact on Neighbours

Development needs to be designed and positioned so that it does not adversely affect the privacy, daylighting or amenity space of neighbouring properties. In pure neighbour amenity terms the proposal will satisfy this criterion for the following reasons.

There are windows in the front and rear elevation of the existing dwelling. The dormer windows will not add to the direct impacts on neighbours.

Highway Safety

The proposal will not give rise to any undue highway safety concerns, a view supported by County Highways. Whilst it will increase the number of bedrooms within the property to four there is unrestricted parking available for use by residents to the rear on the privately maintained back street. The property is also sustainably located within walking distance of local facilities and a bus route.

Delegation

The publicity period for the application does not expire until after the Committee date. It is therefore recommended that the application is delegated to the Assistant Director for Planning, Building Control & Regulatory Services to refuse after the expiry of the consultation period.

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 proposal fails to fully accord with the plan for the reason outlined below and could not reasonably be rendered acceptable through the imposition of planning conditions. The development does not therefore comply with the development plan and accordingly refusal is recommended.

Recommendation: Delegated Refusal Refuse

For the following reason:

The proposed front dormer window, because of its size, design, position and prominence, would unduly detract from the character and appearance of the host dwelling, from the appearance of the terrace as a whole and from the character of the surrounding area in general. The proposal is therefore contrary to the requirements of Policies ENV1 and ENV2 of the Pendle Local Plan Part 1: Core Strategy, Sections 12 and 15 of the National Planning Policy Framework and the provisions of the Design Principles Supplementary Planning Document.

Application Ref: 25/0482/HHO

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

At: 16 Charles Street, Nelson

On behalf of: Mr Sardar Asghar

LIST OF BACKGROUND PAPERS

Planning Applications

NW/MP

Date: 03rd July 2025