

Report Title	PLANNING APPLICATIONS
Meeting	DEVELOPMENT MANAGEMENT COMMITTEE
Meeting Date	18TH NOVEMBER 2025
Report Author	NEIL WATSON
Directorate	PLACE
Lead Executive Member(s)	COUNCILLOR L. WHIPP
Wards Affected	WHITEFIELD & WALVERDEN, BRIERFIELD EAST & CLOVER HILL AND BARROWFORD & PENDLESIDE
Public. Part Exempt, or Fully Exempt	PUBLIC
Appendices (if any)	NONE

REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE ON 18TH NOVEMBER 2025

Application Ref: 25/0458/FUL

Proposal: Full: Part retention of function room (Use Class F2 b) at first floor, conversion of ground floor from a Pub (Sui Generis) to 1 no. flat (Use Class C3) and a Restaurant (Use Class E(b)), alterations to frontage, insertion of shutters and the installation of an extraction flue to the side.

At: 129 Manchester Road, Nelson, Lancashire, BB9 7AG

On behalf of: Mr Taj Ahmed

Date Registered: 7/11/2025

Expiry Date: 9/5/2025

Case Officer: Neil Watson

Site Description and Proposal

The application site sits in a prominent corner location within a conservation area. It is a stone built 3 storey building that was formerly used as a members club.

The proposal is to use it for a mixed use including as a function room, a flat and a restaurant. External changes are also proposed to the main elevations including the installation of shutters.

Amended plans have been received which now show the retention of the majority of the existing frontage. A new door is proposed to be inserted on the Manchester Road frontage and two blocked up openings re-opened on Lomeshaye Road.

Relevant Planning History

No relevant planning history.

Consultee Response

LCC Highways; Having reviewed the documents submitted, Lancashire County Council acting as the local highway authority does not raise an objection in principle regarding the proposed development, taking into consideration other uses of the building which could be undertaken without the need for change of use planning permission. The highway authority concludes that there are no highway grounds to support an objection as set out by NPPF. However, the following comments should be noted and conditions

and informative note applied to any formal planning approval granted. External step not to be on the highway.

There is a car park an acceptable walking distance away and the applicant should the location and use of that.

Details need to be provided about deliveries.

The internal doors not wide enough for bins.

Environmental Health: No response to the consultation.

Public Response

25 letters of objection have been received commenting on the following points:

- There is inadequate parking for the premises and area.
- Why were more residents not written to?
- There are double yellow lines outside
- Traffic light congestion
- Increase noise/smell/litter and vermin
- Where will trade waste bins go?
- The Council has failed to protect the high street to maintain a mixed use of non-food establishments and allowed Manchester Rd to become a dirty litter strewn retail area where both businesses and customers take no pride in the area. Residents in the area (affected by the proposed restaurant) categorically DO NOT want this business on their door step
- Smell from cooking
- Obesity for another food establishment
- We have a peaceful life and it will be detrimental to ourselves and our children
- Already 10 food outlets within 200m

Relevant Planning Policy

Development Plan

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 The

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

National Planning Policy Framework

116. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.

139. 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.

141. The quality and character of places can suffer when advertisements are poorly sited and designed.

207. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

215. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 72 places a statutory duty to have regard to preserving or enhancing conservation areas in making planning decisions

Officer Comments

The application site lies in the St Marys Conservation Area outside of the town centre for Nelson. The proposal seeks to change the use of a former members club into a mixture of uses. The property was previously in a use class of its own (suis generis) and hence all parts of the development require planning permission. The former use of the building, and its lawful use, do however need to be considered in the planning balance.

The proposed use is for a restaurant with a function room. The former use was a town centre use and the proposed uses are also town centre uses. There is no requirement for a sequential test as the proposed and existing uses are town centre ones. There is therefore no in principle objection to the application.

Design and Impact on the Heritage Asset

The site sits on a prominent corner location. It has a traditional proportions and the conservation area included the site in it as it makes a positive contribution to the conservation area.

The proposal has now been amended to retain the existing frontage on both Manchester and Lomeshaye Roads with some existing openings re-opened. This would not have an impact on the conservation area and the design, being predominantly as exists, is acceptable and does not impact on the significance of the conservation area.

Residential Amenity

The existing use has a function room at first floor level. The proposal is to retain this but adding toilets and a kitchen. The potential for noise disturbance will not alter from the existing use to the new use but there is potential for the kitchen to cause a disturbance to the residential units located to the rear due to the proximity of a proposed extraction unit.

Provided the extraction unit operates effectively and is maintained there would not likely be noise or smell issues emanating from it. A condition requiring full details of how it operates would be required.

A restaurant is proposed at the ground floor. Restaurants are not places that generate noise and with appropriate opening times there would not be unacceptable impacts on neighbours by people entering and leaving. The impacts of this could be adequately controlled by conditions.

No details of the potential noise impact on the flat have been provided. Again however a condition requiring adequate noise insulation would be an effective way of ensuring the occupants were not disturbed by noise from the function room or restaurant.

Highway Safety

The site does not have any car parking. It has restricted parking to the frontage as it is located on a signalised junction. Any customer parking there would lead to a significant danger to highway users. Nelson suffers from high levels of unlawful parking in the evening and were this to extend to this site that would be unacceptable.

Users of the facility will normally be there for some time. Provided a condition prevented any off site sales customers would be likely to park any vehicle they would use in a lawful parking area not directly on the junction. Vehicles dropping people off may act unlawfully but due to the proximity of the site on the signalised junction it is likely that vehicles would drop customers off away from the signalised area. The building also has a lawful use as a members club/pub which would involve customers using vehicles in a similar way to the overall use proposed. In overall terms the proposed use is not therefore likely to lead to a worse position than re-using the facility for its lawful use.

RECOMMENDATION: Approve

Conditions to follow

Application Ref: 25/0458/FUL

Proposal: Full: Part retention of function room (Use Class F2 b) at first floor, conversion of ground floor from a Pub (Sui Generis) to 1 no. flat (Use Class C3) and a Restaurant (Use Class E(b)), alterations to frontage, insertion of shutters and the installation of an extraction flue to the side.

At: 129 Manchester Road, Nelson, Lancashire, BB9 7AG

On behalf of: Mr Taj Ahmed

REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE ON 18TH NOVEMBER 2025

Application Ref: 25/0480/HHO

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

At: 35 Taylor Street, Brierfield, Lancashire, BB9 5RY

On behalf of: Mrs Mussarat Bano

Date Registered: 7/17/2025

Expiry Date: 9/11/2025

Case Officer: Neil Watson

Site Description and Proposal

The application site is a mid terraced property. It has a small extension to the rear. The house to the east nos 37 has a similar small extension which mirrors those of the dwellings either side. The site is circa 50cm higher than nos 33 and 50cm lower than nos 37. Number 33 has a blank wall facing the application site.

The application proposes to erect a pitched roof extension 5.29m long.

The application was deferred from the September meeting for amended plans. None have been submitted. They were requested on 3rd September.

Relevant Planning History

No relevant planning history.

Consultee Response

LCC Highways; No objection.

EH: Concern about construction noise

Public Response

No comments received.

Relevant Planning Policy

Pendle Local Plan Part 1: Core Strategy Policy SDP1 takes a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. Policy ENV1 seeks to ensure a particularly high design standard that preserves or enhances the character and appearance of the area and its setting. It states that the impact of new developments on the natural environment, including biodiversity, should be kept to a minimum. Policy ENV2 identifies the need to protect and enhance the heritage and character of the Borough and quality of life for its residents by encouraging high standards of quality and design in new development. It states that siting and design should be in scale and harmony with its surroundings. Saved Policy 31 of the Replacement Pendle Local Plan sets out the maximum parking standards for development. National Planning Policy Framework The Framework states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that there are three dimensions to sustainable development: economic, social and environmental. The policies in the Framework, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system. The Design Principles Supplementary Planning Document (SPD) applies to extensions and sets out the aspects required for good design.

Officer Comments

The application seeks to erect a single storey pitched roof extension to the rear of the dwelling. The issues revolve around the impact the development would have on design and the impact the development would have on the living conditions of the neighbours.

In terms of design the location is situated to the rear of a row of terraced properties. There is an array of different designs of extensions existing. The design of the proposed extension would fit acceptably in with the existing designs in terms of scale, design and visual impact.

The presence of the extension at number 33 means that there would be no direct impact on the windows of that property that are contained in the main wall. There is a window in the extension that would be affected by the rear portion of the new extension. That would be at less than 4m which is within the guidelines in the Council's adopted SPD. That relationship would be acceptable.

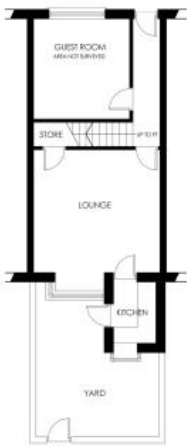
The extension would lie adjacent to the rear of number 37. There is a circa 0.5m lower floor height with the application site and number 37. The extension would however extend 5.29m from the rear wall. The Council's design SPD advises that extension of up to 4m would normally be acceptable where they impact on existing windows as this extension does. The length of the extension and its relationship with the window in the main wall of number 37 would result in an overbearing and unacceptable relationship with that property. That would be contrary to the guidelines in the adopted SPD.

Notwithstanding the height difference there are no mitigating factors which would make that relationship acceptable.

RECOMMENDATION: Refuse

- 1 The proposed rear extension, measuring 5.29m m in length, would have an overbearing impact on the occupants of 37 Taylor Street detrimentally affecting the living conditions of its occupants. As such, the development does not comply with Policy ENV1 of the Pendle Local Plan Part 1: Core Strategy and the adopted Design Principles Supplementary Planning Documents.





EXISTING GF PLAN - 1:100 of A3



PROPOSED GF PLAN [OPTION A] - 1:100 of A3



ILLUSTRATION OF PROPOSAL [OPTION A] - NTS FOR INDICATIVE PURPOSES ONLY

ANW
ARCHITECT

ANW Architects Ltd | 222 Colne Rd | Burnley | BB10 1DY | WWW.ANW-ARCHITECTS.CO.UK



EXISTING REAR ELEVATION [1:50 of A1 or 1:100 of A3]

EXISTING SIDE ELEVATION [No.37] [1:50 of A1 or 1:100 of A3]

EXISTING SIDE ELEVATION [No.33] [1:50 of A1 or 1:100 of A3]



PROPOSED REAR ELEVATION [1:50 of A1 or 1:100 of A3]

PROPOSED SIDE ELEVATION [No.37] [1:50 of A1 or 1:100 of A3]

PROPOSED SIDE ELEVATION [No.33] [1:50 of A1 or 1:100 of A3]

ANW

Application Ref: 25/0480/HHO

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

At: 35 Taylor Street, Brierfield, Lancashire, BB9 5RY

On behalf of: Mrs Mussarat Bano

REPORT TO DEVELOPEMNT MANAGEMENT COMMITTEE ON 18 NOVEMBER 2025

Application Ref: 25/0602/PIP
Proposal: Permission in Principle: Erection of 4 no. dwellings.
At: 34 Pasture Lane, Barrowford
On behalf of: Mr And Mrs Crockett
Date Registered: 18/09/2025
Expiry Date: 24/10/2025
Case Officer: Alex Cameron

This application has been referred to Development Management Committee as Barrowford and Western Parishes Committee resolved to refuse the application due to its location outside the settlement boundary, impact on the open countryside, and its visual and heritage impact, these reasons would result in a significant risk of an adverse costs award against the Council on appeal.

Site Description and Proposal

The application site relates to land to the north west of an existing dwelling at 34 Pasture Lane, the existing site is in equine use with a riding arena and stable on the land. The application site is adjacent to a Public Right of Way which runs north west in the direction of Pasture House, a Grade 2 listed building 480m from the site. The application site is beyond but adjacent to the settlement boundary of Barrowford which is 40m to the south.

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

Relevant Planning History

23/0680/FUL - Full: Demolition of an existing stable, erection of 1 no. self-build eco-home with an attached garage and a new access lane. Approved

Consultee Response

LCC Highways – The existing access arrangement is not considered suitable to accommodate the proposed development traffic. The unnamed single vehicle width lane which carries public footpath FP1302007 will need to be widened to 5.5m along the full frontage with a separate footway to one side of 2m wide Visibility splays of 2.4m by 25m to both sides of the proposed access are acceptable, as previously approved. The indicative proposed single access to serve the 4 dwellings within internal turning heads

is considered suitable, rather than 4 separate access points. The proposed new estate road will need to be widened to 5.5m wide to allow refuse and other larger vehicles to access. As stated on the previous application, the site is not well supported for sustainable travel. The access arrangements can be improved to mitigate the impact of the development traffic, with the widening of the unnamed lane and the provision of a footway to mitigate the impact upon pedestrians.

Subject to the access improvements there is no objection to the proposal. The detailed design of the infrastructure is subject to approval at stage 2 technical details stage, where we will comment further, should this application be approved.

Lancashire Fire and Rescue – Comments related to building regulations.

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

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

PBC Countryside Access - Public footpath FP1202006 runs along the southern side of the field where the proposed development is due to take place. Please note that this application has brought to light that the digital representation of the footpath available on Lancashire County Council's website appears to be incorrect. I have notified the County Council of this issue for the necessary update to be made. The proposed development passes close to the public footpath and therefore please include a note on any planning permission granted on this site.

Barrowford Parish Council - The Permission in Principle relates to land which lies outside the Settlement Boundary, but which was granted permission for a single large eco-house set within large gardens (23/0680/FUL).

The Parish Council objected to that application through its impact on the openness of the countryside, and as it was a development outside the Settlement Boundary which could lead to urban sprawl. The Barrowford & Western Parishes Area Committee refused the application but it was approved by the Development Management Committee in December 2023.

The Parish Council's main concern was that this field and the field above it contributed to the setting and visual amenity of the Grade II listed Pasture House Farm, as well as 34 Pasture Lane (Pasture Cottage) which, although not listed, is recorded as an 18th century weaver's cottage by Lancashire County Council. The current Planning in Principle application for four dwellings clearly justifies our concern about urban sprawl outside the Settlement Boundary. Furthermore, the illustrative drawings show car turning circles that could be construed as access to yet more housing if this application is approved. Pendle Borough Council made a judgement call in relation to the approved application in 2023. A similar judgement clearly does not apply to this application in light of the increase in the additional number of properties outside the Settlement Boundary and the ensuing increase in impact on the setting and visual amenity of Pasture House

Farm, on the open countryside and on Public Rights of Way overlooking the proposed site. In this connection it should be noted that an application (22/0763/FUL) for 3 houses in the field above the proposed site was refused on appeal through impact on the setting and amenity of Pasture Farm House and on the Settlement Boundary. A Permission in Principle decision should also consider relevant development issues. The proposed access via the existing farm track to Pasture House Farm (known locally as Robinson Lane) is a Public Right of Way and is not adequate for the access needed for four additional houses. The lane originally served Pasture House Farm and a worker's cottage but in recent years three additional dwellings have been created from barn conversions, and a small polytunnel manufacturing business. Robinsons Lane is approximately 4m wide and would need extensive works including passing place widening and improved entrance splay over land possibly not owned by the applicant, as well as requiring potential serious loss of trees and hedgerow. Finally, the lack of a completed Pendle Local Plan for a decade now has left pieces of land important to the setting and character of noteworthy buildings and open countryside without adequate protection. The Parish Council believes that Pendle Council made the wrong decision regarding the 2023 approval. If the current application is approved this could form a precedent for potential additional development within the open countryside in this area and do further harm to the setting and amenity of Pasture House Farm.

Public Response

Nearest neighbours notified. No response.

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

In this case, although the application site is outside the settlement boundary within the Open Countryside it is close to the settlement boundary. As such, this case relies on Policy LIV1 of the Core Strategy which states that until such a time that the Part 2 Site Allocations document is adopted, sites close to the settlement boundary which are sustainable and make a positive contribution to the housing supply will be supported. In this case, although there is a neighbourhood plan in Barrowford and the application site is within the neighbourhood area, the neighbourhood plan does not make any site allocations and the Local Planning Fourth Edition is not at the point of adoption. As such, Policy LIV1 still applies here. The proposed development is just 40m from the settlement boundary of Barrowford, 320m from Booths supermarket, 780m from St. Thomas' C of E Primary school and 500m from many of the shops in the local shopping

frontage in Barrowford this is a sustainable location for a development of four dwellings. Furthermore, planning permission has previously been granted for one dwelling on this land, it is therefore established to be an acceptable location for housing development in principle.

Visual amenity

This application deals with the principle of development only matters of design, visual impact and landscaping would be considered at the technical details stage. However, with appropriate design and landscaping four dwellings could be accommodated on this site without unacceptable impacts.

Heritage Impact

As above this would be assessed at the technical details stage, however, due to the distance and landform between the site and the Listed Building Pasture House to the north west, the development would not in principle be likely to result in harm to the setting of the Listed Building.

Residential amenity

In principle four 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 at 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 raised by LCC Highways that widening of the access from Pasture Lane may be required to provide adequate access. This is a matter for the technical details stage.

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 four dwellings the level of contribution would be minor

The proposed development potentially has minor harms in terms of development where there currently is none, 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.
- Foul and Surface Water Drainage Scheme
- Construction Management Plan
- Tree Survey
- Ecology Survey
- Biodiversity Net Gain Metric and draft Biodiversity Gain Plan

Application Ref: 25/0602/PIP

Proposal: Permission in Principle: Erection of 4 no. dwellings.

At: 34 Pasture Lane, Barrowford

On behalf of: Mr And Mrs Crockett