

Report Title	PLANNING APPLICATIONS
Meeting	DEVELOPMENT MANAGEMENT COMMITTEE
Meeting Date	14TH APRIL 2026
Report Author	NEIL WATSON
Directorate	PLACE
Lead Executive Member(s)	COUNCILLOR L. WHIPP
Wards Affected	MARSDEN & SOUTHFIELD
Public. Part Exempt, or Fully Exempt	NONE
Appendices (if any)	NONE

REPORT TO DEVELOPEMNT MANAGEMENT COMMITTEE ON 14TH APRIL 2026

Application Ref: 26/0002/HHO

Proposal: Full: Erection of a two-storey rear extension and an outbuilding.

At 85 Walton Lane, Nelson

On behalf of: Mr Muhammad Saleem Azam

Date Registered: 06.01.2026

Expiry Date: 03.03.2026

Case Officer: Luke Jones

The application was called in to Nelson Area Committee by the chair of committee. Members voted to approve the application, contrary to the recommendation.

The proposal is contrary to Policies DM16 and DM24 of the Pendle Local Plan Fourth Edition. There are clearly adverse effects on the amenity of the neighbouring properties. Accordingly, approval of this application would represent a significant departure from policy, and it must therefore be determined by the Development Management Committee in accordance with the Council's constitution.

Site Description and Proposal

The application site is a semi-detached two-storey dwelling situated within the defined settlement boundary of Nelson. The original dwelling has pebbledash render walls, a pitched roof of concrete tiles and white UPVC doors and windows.

The proposed development is the erection of a two-storey rear extension with a flat roof and an outbuilding to the rear.

Note that an opportunity was provided to submit amended plans.

Relevant Planning History

None.

Consultee Response

Highways

The National Planning Policy Framework (NPPF) states that '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' (Paragraph 116).

Having reviewed the documents submitted, Lancashire County Council acting as the local highway authority does not raise an objection regarding the proposed development and concludes that there are no highway grounds to support an objection as set out by NPPF.

The proposed development for the two storey extension would increase the number of bedrooms from three to four. Recommendations in the borough council's Parking Standards are that three adequately sized car parking spaces should be provided for a semi-detached dwelling with four bedrooms. No alterations are proposed to the existing driveway which can accommodate four vehicles. Therefore the highway authority considers that an adequate level of off-road parking for the type and scale of development proposed can be provided.

Parish/Town Council

No response.

Environmental Services (Health)

We are concerned about nuisance being caused during the construction phase, specifically link to working unsociable hours, and would therefore request that the informative below is 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 neighbouring properties have been notified by letter with one response received raising objections to the following:

- Outbuilding windows would cause loss of privacy to adjoining property

Relevant Planning Policy

Pendle Local Plan Fourth Edition (2021-2040)

Policy SP01 (Presumption in Favour of Sustainable Development) echoes the presumption set out in National Policy and promotes the three strands of sustainable development: economic, social and environmental. Applications which accord with policies contained within the Local Plan will be approved without delay, unless material considerations indicate otherwise.

Policy DM16 (Design & Place Making) seeks high quality design in all new developments. Proposals should promote local character and distinctiveness and demonstrate a good standard of amenity for existing and future occupants.

Policy DM21 (Design & Quality of Housing) requires residential development to make a positive contribution to the built and natural environment. It sets out that new homes should make efficient use of land.

Policy DM24 (Residential extensions and alterations) states that in defined settlement boundaries residential extensions and alterations will be supported where the amenity of neighbours is retained, and design and materials respect the character of original dwellings.

Policy DM37 (Parking) standards are set out in Appendix 5 of the plan, adequate parking provision is required to serve all new 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 and protecting residential amenity.

Officer Comments

The proposed development is in a residential neighbourhood situated within the defined 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 that extensions should be subordinate in scale and form to the original dwelling and should not appear out of place within the street scene. Two-storey extensions should normally incorporate a pitched roof. Careful attention

should also be paid to the design and location of any outbuilding. An outbuilding which is of poor appearance may detract from the appearance of the garden.

The proposed two-storey rear extension would project circa 4m from the rear elevation and extend the full width of the existing dwelling (circa 7.78m). The extension would be constructed with a flat roof reaching approximately 5.25m in height, aligning with the eaves of the main dwelling. External materials would include render-finished walls with UPVC doors and windows.

Whilst the extension would be located to the rear and would not be prominently visible from the public realm, the use of a flat roof at two-storey level is contrary to the guidance within the SPD. The flat roof form, combined with the full-length span and alignment with the existing eaves height, would result in a bulky and dominant addition that would fail to appear subordinate to the host dwelling. The proposal would materially alter the proportions and character of the original dwelling and would therefore represent poor design.

The detached outbuilding would measure circa 50 square metres (10m by 5m) with a pitched tiled roof reaching a height of approximately 3.6m. The materials would comprise render-finished walls with white UPVC doors and windows. Whilst modest in height, the footprint of the outbuilding is substantial and would introduce a significant additional expanse of built form within the rear garden.

When considered cumulatively, the two-storey extension and detached outbuilding would result in an approximate 80% increase in volume compared to the existing dwelling and associated outbuilding. Such a substantial increase would fail to remain proportionate and would give rise to an excessive level of built development within the plot. The proposal would therefore conflict with the requirement for subordinate and well-designed extensions set out within Policy DM16 and Policy DM24 of the Pendle Local Plan Fourth Edition (2021-2040) and the adopted Design Principles SPD.

Residential Amenity

The Design Principles SPD advises that the first-floor element of a two-storey rear extension located immediately adjacent to the boundary of an adjoining property must be set in from the party boundary by a minimum of 1m. They also must comply with the 45-degree rule. Windows should normally be restricted to rear elevations, to avoid overlooking of neighbouring gardens and dwellings.

The proposed two-storey rear extension would be directly on the boundary of the adjoining property No.83, with no 1m set-in at first floor level, failing to comply with the guidance within the SPD. Due to its proximity to the nearest ground floor habitable room window of No.83, the substantial two-storey wall directly along the boundary would

breach the 45-degree rule and would result in a detrimental impact on amenity, causing an increased sense of enclosure and harmful loss of outlook.

The extension would be located circa 6m from the gable elevation of the directly adjacent property No.87. Whilst No.87 contains a ground floor window on the side elevation; this directly faces the existing side elevation of the host dwelling and therefore the relationship would not be materially different than the existing arrangement. The proposal would therefore not give rise to unacceptable overbearing or overshadowing impacts in respect of No.87.

In terms of privacy, the proposed first-floor rear windows would serve habitable rooms and would be positioned approximately 17.5m from the rear elevations of the bungalow properties along Pinfold Place, falling short of the 21m separation distance recommended within the Design Principles SPD. The windows would also be approximately 13m from the rear garden boundaries. However, given the single-storey nature of the neighbouring properties and the slightly elevated position of the application site resulting in downward views, the relationship would not give rise to a materially harmful loss of privacy.

The proposed outbuilding would be positioned in close proximity to the rear boundary of the application site, approximately 6.5m from the rear elevations of the properties along Pinfold Place. By reason of its overall height (circa 3.6m), scale and projection across a significant extent of the rear boundary, the outbuilding would introduce a dominant and visually intrusive structure within close range of neighbouring properties. This would give rise to an unacceptable overbearing impact and an increased sense of enclosure to the occupiers of the properties along Pinfold Place.

In terms of privacy, the proposed outbuilding includes windows on the front and rear elevations. On the rear elevation the windows are to be obscurely glazed to ensure privacy is maintained towards properties along Pinfold Place. This would be covered by a condition on any permission granted. On the front elevation, the windows would face towards the rear elevation of the main dwelling and would also provide views over the existing boundary fencing to the rear elevations of adjoining properties No.83 and No.87. Whilst this would not result in directly facing windows, the proximity to the rear elevations of the neighbouring properties would result in views as close as 9.5m to habitable room windows. This would therefore cause unacceptable overlooking and loss of privacy to both properties at No.83 and No.87.

Overall, the two-storey rear extension would result in unacceptable overbearing, overshadowing and overlooking impacts, contrary to Policies DM16 and DM24 of the Adopted Pendle Local Plan Fourth Edition (2021–2040) and the adopted Design Principles SPD.

Highways

The proposed development would increase the number of bedrooms at the property from three to four. This would increase the maximum parking requirements from two to three spaces. A Parking Layout Plan has been submitted which shows the driveway can accommodate four adequately sized parking spaces and therefore would accord with Policy DM37 of the Pendle Local Plan Fourth Edition (2021-2040). LCC Highways raises no objection.

RECOMMENDATION: Refuse

1. By reason of its scale and full-width flat roof form of the two-storey rear extension, and cumulative bulk with the detached outbuilding, the proposal would fail to appear subordinate to the host dwelling and would result in a visually dominant and disproportionate form of development, causing demonstrable harm to the character and appearance of the host dwelling and wider area. It is therefore contrary to Policies DM16 and DM24 of the Pendle Local Plan Fourth Edition (2021–2040) and the adopted Design Principles SPD.
2. By reason of its siting, height, and proximity to the boundary with No. 83, the two-storey rear extension would be overbearing and result in an unacceptable loss of outlook to the neighbouring property. Furthermore, the detached outbuilding, by virtue of its scale, height and proximity to neighbouring properties along Pinfold Place, would introduce a dominant and oppressive form of development, resulting in an unacceptable overbearing impact. In addition, the front-facing windows within the outbuilding would result in unacceptable overlooking and loss of privacy to No.83 and No.87. The proposal is therefore contrary to Policies DM16 and DM24 of the Pendle Local Plan Fourth Edition (2021–2040) and the adopted Design Principles SPD.

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