

Report Title	PLANNING APPLICATIONS
Meeting	NELSON, BRIERFIELD & REEDLEY COMMITTEE
Meeting Date	03RD AUGUST 2026
Report Author	NEIL WATSON
Directorate	PLACE
Lead Executive Member(s)	COUNCILLOR L. WHIPP
Wards Affected	BRADLEY, WHITEFIELD & WALVERDEN, BRIERFIELD EAST & CLOVER HILL AND BRIERFIELD WEST & REEDLEY
Public. Part Exempt, or Fully Exempt	PUBLIC
Appendices (if any)	NONE

PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning applications

REPORT TO NELSON BRIERFIELD AND REEDLEY COMMITTEE ON 03RD AUGUST 2026

Application Ref: 26/0274/HHO

Proposal: Full: Erection of a first-floor rear extension.

At 42 Lowthwaite Drive, Nelson, Lancashire

On behalf of: Mr Zahid Aslam

Date Registered: 30.04.2026

Expiry Date: 25.06.2026

Case Officer: Athira Pushpagaran

This application was deferred from the last committee meeting to invite an amended scheme from the applicant. An amended scheme was submitted following this, which set the first floor extension back from the party boundary and chamfered the corner to not breach the 45 degree angle for the adjoining property's windows.

Site Description and Proposal

The application site is a semidetached dwelling situated in a residential neighbourhood within the defined settlement boundary of Nelson. Dwellings in this neighbourhood have full width flat roof dormers to the front and back, including the application site and its attached neighbour. The application site already has a 6m deep (5.65m wide, 2.85m high) single-storey flat-roof extension to the rear adjoining the party boundary with no. 40. The site is at the corner of Lowthwaite Drive and Uldale Close, with the main access from Lowthwaite Drive.

The proposed development is the erection of a first-floor rear extension above the existing rear extension. It would be as deep as the existing single storey extension and would be 4.295m wide adjoining the part boundary with a 1.35m wide balcony facing the interior of the application site.

Relevant Planning History

21/0605/HHO Full: Retention of store to side of dwelling. Approved with Conditions. 2021

21/0021/LHE Permitted Development Notification (Proposed Larger Home Extension): Erection of single storey extension to rear (6m Length, 2.8m flat roof height). Prior approval not required. 2021

13/09/0080P Full: erection of first floor extension over existing garage with front and rear dormers and erection of boundary fence. Approved with Conditions. 2009

Consultee Response

Highways

No objection. However, we do have concerns regarding the impact the construction phase could have on the adjacent highway, therefore if the Local Planning Authority is minded approving this

application, we request that a condition for a Construction Management Plan is attached to the decision notice.

Parish/Town Council

No response

PBC Environmental health

Requests an informative on hours of work during construction.

Public Response

The nearest neighbours have been notified by letter, with two responses received raising objections as summarised below:

- the drains beneath the extension proposed have already collapsed and have caused some neighbours undue stress. The existing footings are likely damaged and not suitable to support a further extension on top.
- Loss of light, outlook and amenity to the rear windows and gardens of adjoining neighbour.
- Would exacerbate the already existing drainage issues from previous construction unduly affecting drainage pipes passing through the site.

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 SP02 (Spatial Strategy) sets out the spatial development principles for developments in Pendle. Proposals to develop outside of a defined settlement boundary will only be permitted for exceptions to Policy DM09 that are identified in the NPPF, an adopted development plan document, or a made neighbourhood plan, or that are in accordance with Policy SP04 part 5 when the Council is unable to demonstrate a five year housing land supply.

Policy SP13 (Transport and connectivity) Proposals for new development should have regard to the potential impacts they may cause to the highways network, particularly in terms of safety and the potential to restrict free flowing traffic, causing congestion.

Policy DM01 (Climate change resilience) requires developers to create accessible development which consider pedestrian, cycling and public transport movement. Proposals should minimise the use of natural resources and help mitigate the effects of climate change.

Policy DM13 (Environmental Protection) seeks to ensure development does not result in any adverse impacts relating to air quality, lighting, noise and vibration and soil and water from the development and from the construction phase.

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 DM24 (Residential extensions and alterations) sets down the requirements for proposals for residential extensions or alterations.

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 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 proposal is for a flat roofed first floor extension to the rear, with a 1m projecting balcony from its side forming a canopy below it on the ground floor level.

The proposed extension would have red brick walls, flat rubber roof, anthracite UPVC windows and anthracite Aluminium doors to match the existing building. The balcony would have glass balustrades.

While the proposed first-floor extension would be visible from public vantage points on Uldale Close, on balance, it would not have an unacceptable impact on the character of the dwelling and the street scene considering its context of top-heavy dwellings with flat roof dormers and flat roof extensions.

Overall, the proposed development would be acceptable in terms of design in accordance with policies DM16 and DM24 of the Adopted Pendle Local Plan Fourth Edition (2021-2040) and the Adopted Pendle Design principles SPD.

Residential Amenity

The Design principles SPD states that two storey rear extensions will be acceptable only if they do not breach the 45-degree guidance. In addition, where the properties are attached and the neighbouring property has no extension adjacent to the boundary, any first-floor element of an extension should be set in from the party boundary by a minimum of 1m.

The proposed first floor extension at its deepest would project 6m from the existing rear elevation of the dwelling. It would be set back from the party boundary by 1.375m and would have a chamfered corner towards the party boundary. It would not breach the 45-degree guide for the nearest habitable room windows of no.40, on both the ground and first floors (dormer). It would

accord with the Design principles SPD and wouldn't result in any unacceptable overbearing impact on the living conditions of occupants of no.40

The proposed extension would not have any windows to the rear or to the side facing no.40. It would introduce a blank gable towards a first-floor window on the side elevation of no. 2 Uldale close. Similarly, the proposed balcony would directly face this first-floor window of no.2 at close range. However, there wouldn't be any unacceptable overbearing impact or loss of privacy to occupants of no.2 as this is a landing window. The balcony, due to the angle of viewing, would not result in any unacceptable overlooking into the front windows of no. 2.

The balcony would have views to the rear and side gardens of no 44 across Uldale close however there would be separation of at least 17m away and the view would be across a public highway and therefore wouldn't have any greater unacceptable impact on their privacy.

Overall, the proposed development would not result in an unacceptable overbearing impact on the living conditions and privacy of the occupants of neighbouring properties and would be acceptable.

Therefore, the proposed development would be acceptable in terms of residential amenity in accordance with policy DM16 and DM24 of the Adopted Pendle Local Plan Fourth Edition (2021-2040), and the Adopted Pendle Design principles SPD.

Highways

LCC Highways raises no objection however recommends the addition of a condition for a Construction Management Plan and an Informative on S171 works for the existing access, and construction management in case of approval. As the proposal is for a minor householder development it would not be reasonable to attach a condition for a construction management plan, however the recommended informatives can be added to the decision in case of approval.

The development raises no issues of highway safety and would be acceptable in accordance with policies SP13 and DM37 of the of the Adopted Pendle Local Plan Fourth Edition (2021-2040).

Other matters

Concerns were raised by a member of the public regarding an existing drainage issue that would likely be exacerbated by the proposed development. This is civil a matter to be resolved with the utility provider and between the properties and is outside the remit of the planning 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 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:

26031-01-A Existing & Proposed Plans (indexed 23.07.26)

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.

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.

There must be no storage of materials in the public highway at any time. There must be no standing or waiting of machinery or vehicles in the public highway at any time. There must be no machinery operating over the highway at any time, this includes reference to loading/unloading operations – all of which must be managed within the confines of the site. All references to public highway include footway, carriageway and verge.

From reviewing Streetview it seems that the existing widened driveway does not correspond to the existing vehicle drop kerbs. Therefore, it is requested that the applicant contacts the Local Highway Authority to arrange the alteration of the access to the public highway. Under the Highways Act 1980 Section 171 Lancashire County Council as Highway Authority must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works. The applicant can request an online quotation at <http://www.lancashire.gov.uk/roads-parking-andtravel/roads/vehicle-crossings.aspx>

Application Ref: 26/0274/HHO

Proposal: Full: Erection of a first-floor rear extension.

At 42 Lowthwaite Drive, Nelson, Lancashire

On behalf of: Mr Zahid Aslam

REPORT TO NELSON BRIERFIELD AND REEDLEY COMMITTEE ON 03RD AUGUST 2026

Application Ref: 26/0288/FUL

Proposal: Full: Raising the roof of the existing building and the erection of a single storey extension with a mezzanine floor.

At Unit 1, The Motor House Yard, Crabtree Street, Brierfield

On behalf of: Mr Imran

Date Registered: 06.05.2026

Expiry Date: 01.07.2026

Case Officer: Athira Pushpagaran

This application has been called in by a Cllr.

Site Description and Proposal

The application site is a car body workshop situated within the defined settlement boundary of Brierfield, adjoining the defined district centre boundary of Brierfield. The main access is from Crabtree Street. Crabtree Street is a short residential street from Burnley Road to Walter Street. The entrance to Pendle primary Academy on Walter Street is at the junction with Crabtree Street.

The proposed development is the raising the roof of the existing building and the erection of a single storey extension with a mezzanine floor.

Relevant Planning History

No relevant planning history

Consultee Response

Highways

Initial comments:

Development

The proposed development is for raising the roof of the existing car body workshop building and the erection of a single storey extension with a mezzanine floor. The development would raise the height of the building from 4.3m to 5.4m. A small mezzanine floor office/staff welfare area is proposed with the workshop area being the full height of the building.

Site operation

The site has historically been used for sales and storage of vehicles with the external yard heavily parked with around 30 vehicles. There are no details of this in the submission. Two full-time staff are currently employed with a proposed increase to four full-time staff. Opening hours proposed are 9am – 6pm Mondays to Sundays and Bank Holidays.

Servicing

Lancashire County Council PO Box 100, County Hall, Preston, PR1 0LD 2 The site will generate commercial vehicles trips for deliveries of parts, removal of waste, etc, associated with the motor

trade. The proposed extension reduces the existing yard area and removes the turning areas for large vehicles. This is likely to result in large vehicles turning within the highway, Crabtree Street, which will be detrimental to highway safety.

Car parking

The application form states that there are five existing car parking spaces which will be retained. However, site observations show that at least 10 vehicles can be accommodated on site, allowing all vehicles to enter and leave independently and without blocking access to the building or site. Section 7 of the Planning Statement says that the development 'maintains adequate on-site parking and manoeuvring space'. An Existing Site Plan has not been submitted to show existing on-site parking/ manoeuvring provision and any external vehicle storage area. A plan should be submitted to demonstrate how much of the above provision will be lost to the development.

The Planning Statement also says that ' Lancashire County Council Highways would typically consider such a proposal low impact.' It is unclear where the agent obtained this assessment as no contact has been made with the highway authority, including no pre application advice, therefore the authority refutes this statement.

Recommendations in the borough council's Parking Standards for vehicle repair and servicing (Sui Generis) are that car parking should be provided at a ratio of one space per 50m² gross floor area. For the existing floor area of 122 m² this equates to two spaces (122/50). The existing five spaces would therefore meet parking standards requirements.

The proposed development would increase the floor area by 383m² which equates to eight additional spaces (383/50). Taking into account current provision and that required there would be an overall shortfall of five spaces. This shortfall increases to six as the first bay adjacent to the proposed building is immediately adjacent to one of the vehicle access doors and a vehicle parked in this bay effectively blocks access and exit from this door.

The loss in overall parking and the increase in employees also raises concerns regarding demand for on-site parking. The highway authority acknowledges that some employees may walk to work as the site is within an established residential area or use public transport as the nearest bus stop is 150m away on Burnley Road. However, only one commercial bus service (M5 Barnoldswick – Burnley) operates seven days a week with bus times which correspond with the site's opening hours.

The highway authority is aware of other sites within the district and wider county where operations associated with vehicle repairs and servicing generate more traffic than local parking standards suggest due to the nature of the business and cumulative impact of cars being kept on site for multiple days, with the result that vehicles commonly overspill onto the surrounding highway network. Often cars are kept on site for sales and storage, this has historically occurred at the site.

Crabtree Street is subject to a 20mph speed limit with physical carriageway traffic calming features and has footways on both sides. There are no parking restrictions to prevent on street parking. There are residential properties on the upper section, and it also provides one of the main pedestrian routes to and from Pendle Primary Academy on Walter Street. Vehicle and pedestrian movements are therefore higher than those on the street adjacent to the appeal site, with an increased likelihood of conflict between vehicles and vulnerable users caused by any overspill parking from the development site.

Observations of vehicles currently parking on Crabtree Street, park with the majority of the vehicle body across the footway, to maximise the carriageway width. This is detrimental to pedestrian movements and overspill car parking from the site would cause further detriment to highway users.

Conclusion

To conclude, Lancashire County Council acting as the highway authority objects to the application as submitted on highway safety grounds. It considers that the development would be contrary to Paragraph 116 of the NPPF in that it would have an unacceptable impact on highway safety due to under-provision of on-site parking of 5-6 spaces (likely to be more should sales and storage occur) and lack of / loss of turning/loading area for deliveries which will likely result in overspill parking and turning on Crabtree Street.

Further comments (08.06.26):

Following the highway authority's response the applicant submitted amended plans and additional information on 3 June, namely:

- Existing Site Plan – Drawing AB0490-09
- Proposed Ground Floor Plan – Drawing AB0490-02
- Location and Site Plan – Drawing AB0490-05
- Intended Use Statement

Revised comments:

The amended Existing Site Plan (Drawing 09) now shows the open yard area at the front of the building, most of which will be lost to the development. The Location and Site Plan (Drawing 05) shows the proposed site layout following development, including four external car parking spaces. The Proposed Ground Floor Plan (Drawing 02) now includes six internal parking spaces for customer vehicles awaiting preparation and following completion of works. Ten on-site car parking spaces can be provided together with internal manoeuvring space which should allow all vehicles, including those servicing the site, to enter and leave in forward gear

The Intended Use Statement categorically states several times that no sales will take place from the site. Therefore, all advertisements for G9 Motors will need to be removed from site and location information updated, eg on social media, motor vehicle sales websites etc.

Based on the amended information submitted on 3 June the highway authority withdraws its previous objection. However, the site's operation should be controlled by condition to ensure that its use is strictly limited to car body work and respraying only, as outlined in the Intended Use Statement, and to contain all parking and manoeuvring requirements internally. Therefore, the following conditions should be applied to any formal planning approval granted.

Conditions

1. No vehicles associated with the site's operation shall be parked or stored on the surrounding highway network or car parks and shall only be parked or stored in accordance with the amended drawings and Intended Use Statement submitted to the Local Planning Authority on 3 June 2026. Reason: In the interest of highway safety, capacity and residential amenity.

2. No servicing, general vehicle repairs, nor any sales of motor vehicles, parts or accessories shall be carried out on site. Reason: In the interest of highway safety, capacity and residential amenity.

Environment Agency

No objection. We have reviewed the FRA in so far as it relates to our remit, and we are generally satisfied that the development would be safe without exacerbating flood risk elsewhere if the proposed flood risk mitigation measures are implemented. The proposed development must proceed in strict accordance with this FRA and the mitigation measures identified as it will form

part of any subsequent planning approval. Any proposed changes to the approved FRA and / or the mitigation measures identified will require the submission of a revised FRA.

As a result of the FRA the applicant, as owners of the existing property, will be aware of the potential flood risk and frequency. The applicant should be satisfied that the impact of any flooding will not adversely affect their proposals. The source of any fluvial flooding shown on Flood Map for Planning (FMfP) is likely to arise from above ground flow from an upstream surcharging culvert. The culvert is located to the south of the site, below ground and running parallel with the rear of the existing units. The culvert is a designated statutory main river and is third party owned and maintained (Pendle Council).

PBC Environmental health

After considering the above-mentioned application Environmental Health Services has identified significant potential for adverse impact(s) and the need for suitable controls to be included and achieved.

GENERAL

The Noise Statement refers to the premises being in an industrial area/commercial area. This is not correct, as the area is a mixture of residential and industrial/commercial.

The Noise Statement lacks detail and technical information on how odour and noise control is to be achieved on site as well as methods to be adopted.

Based on the information provided we require a full noise assessment and an odour management plan.

Noise

Noise Assessment

No development shall be commenced unless or until details of a noise assessment of the proposed development to BS 4142 carried out by a suitably qualified person (Institute of Acoustics) has been submitted to and first approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in complete and full accordance with the specifications, recommendations and noise attenuation measures contained within the approved assessment/report.

Reason: In order to safeguard the olfactory experiences of neighbouring residents.

Sound Insulation of odour equipment

A scheme for the sound insulation of odour control equipment shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in full accordance with the approval scheme prior to the permitted use being commenced. The approved sound insulation works shall thereafter be maintained in efficient working order.

Reason: To protect the amenities of occupiers of adjoining and nearby properties .

Odour

Paint Spraying

Prior to approval details of a ventilated booth and extraction system shall be submitted to and approved in writing by the Local Planning Authority and no paint spraying activities shall take place upon the application site except within the approved booth with the approved extraction system working properly.

Reason: To protect the amenities of adjoining properties.

Odour Extraction

Fumes, vapours and odours shall be extracted and discharged from the premises in accordance with a scheme (which shall incorporate grease and carbon filters and discharge via a stack) to be submitted to and approved in writing by the Local Planning Authority before the use is commenced. The approved scheme shall be fully implemented before the permitted use is first commenced and shall be maintained in efficient working order thereafter.

Reason: In order to control the operation on site in the interests of the amenity of residents in the area.

The height of the discharge stack shall be calculated in accordance with Technical Guidance Note D: Guidelines on Discharge Stack Heights for Polluting Emissions

Further details are required on the stack, filtration and extraction system to be used.

Air Pollution

The Noise Statement refers to DEFRA Process Guidance Note PG6/34b- Respraying of Road Vehicles. This document sets out control limits and monitoring of emissions from the stacks concerning Volatile Organic Compounds (VOC's) as set out in an Environmental Permit. Should the business meet the thresholds of VOC usage on an annual basis then an application for an Environmental Permits shall be required and submitted to the Council.

Parish/Town Council

No response

Architectural Liaison Unit

No response

PBC Engineering

No response

Public Response

The nearest neighbours have been notified by letter with one objection received raising concerns as summarised below:

- Impact on highway safety, parking, traffic generation- exacerbate existing pressure on parking
- Impact on residential amenity
- The real use of the site and other sites operated by the applicant differs from what is stated by the applicant as the existing use of the site.

- The applicant currently operates from premises on Clegg Street, Brierfield. Residents in that area have experienced ongoing problems arising from the business, including substantial numbers of customer and staff vehicles being parked on surrounding streets and in alleyways, together with frequent deliveries of damaged vehicles by large transporter trucks. These activities have resulted in congestion, obstruction and nuisance to local residents. There is therefore significant concern that approval of this application will simply relocate these existing problems from Clegg Street to Crabtree Street and the surrounding residential streets.
- The level of on-site parking provision is inadequate and is likely to result in overspill parking on Crabtree Street, Union Street and surrounding roads

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 SP02 (Spatial Strategy) sets out the spatial development principles for developments in Pendle. Proposals to develop outside of a defined settlement boundary will only be permitted for exceptions to Policy DM09 that are identified in the NPPF, an adopted development plan document, or a made neighbourhood plan, or that are in accordance with Policy SP04 part 5 when the Council is unable to demonstrate a five year housing land supply.

Policy SP08 (Towards Net Zero Carbon) encourages applicants to incorporate renewable and low carbon energy generation into development.

Policy SP09 (Water Management) considers water quality, supply infrastructure, wastewater, efficiency and flood risk. It requires that proposed development does not increase the risk of flooding elsewhere.

Policy SP13 (Transport and connectivity) Proposals for new development should have regard to the potential impacts they may cause to the highways network, particularly in terms of safety and the potential to restrict free flowing traffic, causing congestion.

Policy DM02(a) (Flood Risk) echoes the sequential test set out in national policy. The use of SUDs should be prioritised and the use of impermeable surfaces should be avoided wherever possible.

Policy DM02(b) (Surface Water & Foul Water Management) requires applications to be accompanied by a strategy for foul and surface water management and to follow the sustainable drainage hierarchy.

Policy DM04 (Biodiversity Net Gain) sets out that development is required to provide a measurable 10% enhancement above the baseline conditions. If this cannot be provided on site, it should be provided by way of an off-site contribution or biodiversity credits.

Policy DM13 (Environmental Protection) seeks to ensure development does not result in any adverse impacts relating to air quality, lighting, noise and vibration and soil and water from the development and from the construction phase.

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 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.

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 within the defined settlement boundary of Brierfield. The site has no available recent planning history. The lawful use of the site as stated by the applicant is as a car body workshop, which would fall under use class B2. The assessment of this application is carried out on the basis of this. On site visit, advertisement signs for a car dealership 'G9 motors' was noted on site which is registered at this address. There also appears to be a vehicle recovery and storage business registered at this address. There is currently no planning permission for those uses on this site.

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 existing building is flat roofed and has rendered walls, and two roller shutters on the front elevation. The proposal is to raise the roof height from 4.3m to 5.4m and erecting a flat roof extension of 5.4m height to its front. The extension would span the width of the site and project circa 23m to the front of the existing building. It would be setback from the highway by circa 15m.

The side elevation of the existing building is visible from Burnley Road through the gap in built form along Burnley Road due to a large parking area. The existing building however is small and not prominent in this view. The proposed building would be more prominently visible; however, it would be well setback from the highway therefore the visual impact would not be unacceptable, especially considering its existing surroundings.

The proposed extension would form the new front elevation and would have two roller shutters, two windows and a door. While the front elevation would be closer to the highway and the building larger than the existing one, the visual impact of the proposal would not be unacceptably greater than that from the existing building. A condition for samples of the exact finish of the materials used would be required in case of approval.

Overall, the proposed development would be acceptable in terms of design in accordance with policies DM16 of the Adopted Pendle Local Plan Fourth Edition (2021-2040) and the Adopted Pendle Design principles SPD.

Residential Amenity

The existing building is adjoining the boundary with no.1 Birtwistle Close. No. 1 is set much higher than the application site with the existing building coming up to just below the top of the boundary fencing along Birtwistle court. The proposed development would not result in any overbearing impacts, unacceptable loss of light or privacy to the occupants of no.1. The site does not directly adjoin any other residential property.

Environment health has raised concerns regarding noise and odour from the use of the extension. While the use is existing, the proposed extensions would expand the floor area of the business. The extension would accommodate a spray booth with an extraction and filtration system, and the mezzanine floor would accommodate the office. Environment health had requested a noise impact assessment, and the subsequently submitted report does not sufficiently demonstrate that there would be no greater unacceptable noise impact from the proposal. Environment health has requested a condition for an updated noise impact assessment, details of the extraction system and sound insulation. These will be added to any approval.

Subject to the above conditions, the proposed development would be acceptable in terms of residential amenity in accordance with policy DM16 and DM24 of the Adopted Pendle Local Plan Fourth Edition (2021-2040), and the Adopted Pendle Design principles SPD.

Highways

The proposed development would result in the loss of yard space and retain 4 external parking spaces. In addition to that 6 spaces are provided internally for customer vehicles awaiting preparation and following completion of works. The parking provision is acceptable for the increased floorspace for use as a body shop. A separate assessment would be required were it to be used for car sales or any other use within the use class. Therefore, it would be necessary to control the use of the proposed development for the existing car body workshop as stated in the applicant's statement. LCC Highways have recommended conditions to this effect which would be added to any approval. Subject to the above conditions, the proposed development would be acceptable in terms of highway safety and impact in accordance with policies SP13 and DM37 of the of the Adopted Pendle Local Plan Fourth Edition (2021-2040).

Flood Risk

The site is situated in flood zone 3. A flood risk assessment has been submitted with the application which proposes mitigation measures. The Environment Agency has assessed this and is satisfied that the development would be safe without exacerbating flood risk elsewhere if the proposed flood risk mitigation measures are implemented. Subject to a condition to ensure compliance with the mitigation measures, the proposed development would be acceptable in terms of its impact on flood risk.

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:

4. 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.

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

AB0490-05 EXISTING SITE PLAN (indexed 03.06.26)
AB0490-02 PROPOSED GROUND FLOOR PLAN (indexed 03.06.26)
AB0490-07 PROPOSED FRONT & REAR ELEVATION (indexed 03.06.26)
AB0490-03 PROPOSED FIRST FLOOR PLAN (indexed 13.05.26)
AB0490-04 PROPOSED ROOF PLAN (indexed 13.05.26)
AB0490-08 PROPOSED SIDE ELEVATIONS (indexed 13.05.26)
Intended Use Statement (indexed 03.06.26)

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

6. Notwithstanding any indication on the approved plans and application form, prior to any external works commencing, samples of all the external materials and finishes to be used on the elevations and roof shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter times be carried out in strict accordance with the approved materials.

Reason: To ensure a satisfactory form of development in the interest of visual amenity of the area.

7. No vehicles associated with the site's operation shall at any time be parked or stored on the surrounding highway network or car parks and shall only be parked or stored in accordance with the approved drawing AB0490-02 PROPOSED GROUND FLOOR PLAN and Intended Use Statement.

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

8. The development hereby approved shall not be brought into operational use unless and until the internal parking, servicing and manoeuvring areas shown on approved drawing AB0490-02 PROPOSED GROUND FLOOR PLAN have been provided and made available for use. Thereafter, the development shall be used strictly in accordance with the approved Intended Use Statement, and no servicing, general vehicle repairs, sale of motor vehicles, sale of motor vehicle parts or accessories, shall be carried out on site without the prior consent of the Local Planning Authority.

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

9. No development shall commence unless and until a noise impact assessment of the proposed development to BS 4142 carried out by a suitably qualified person (Institute of Acoustics) has been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in complete and full accordance with the specifications, recommendations and noise attenuation measures contained within the approved assessment/report.

Reason: In order to safeguard the olfactory experiences of neighbouring residents.

10. The development hereby approved shall not be brought into operational use unless and until a scheme for the sound insulation of odour control equipment is submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be implemented in full in accordance with the approved details prior to the first use of the development and shall thereafter be maintained in efficient working order.

Reason: To protect the amenities of occupiers of adjoining and nearby properties.

11. The development hereby approved shall not be brought into operational use unless and until details of a ventilated booth and extraction system has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be implemented in full in accordance with the approved details prior to the first use of the development and shall thereafter be maintained in efficient working order.

No paint spraying activities shall take place within the application site except within the approved booth with the approved extraction system working properly.

Reason: To protect the amenities of adjoining properties.

12. Fumes, vapours and odours shall be extracted and discharged from the premises in accordance with a scheme (which shall incorporate grease and carbon filters and discharge via a stack) to be submitted to and approved in writing by the Local Planning Authority before the use is commenced. The height of the discharge stack shall be calculated in accordance with Technical Guidance Note D: Guidelines on Discharge Stack Heights for Polluting Emissions

The approved scheme shall be fully implemented before the first use of the development and shall be maintained in efficient working order thereafter.

Reason: In order to control the operation on site in the interests of the amenity of residents in the area.

13. The development hereby approved shall be carried out in strict accordance with the accordance with the submitted Flood Risk Assessment prepared by QAM Architecture and the mitigation measures detailed in section 7.

These mitigation measures should be fully implemented prior to occupation and should be retained and maintained thereafter throughout the lifetime of the development.

Reason: To prevent flooding.

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.

The Noise Statement refers to DEFRA Process Guidance Note PG6/34b- Respraying of Road Vehicles. This document sets out control limits and monitoring of emissions from the stacks concerning Volatile Organic Compounds (VOC's) as set out in an Environmental Permit. Should the business meet the thresholds of VOC usage on an annual basis then an application for an Environmental Permits shall be required and submitted to the Council.

Environmental permit – Flood risk activities - advice to applicant The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any of the following activities: • erecting any temporary or permanent structure in, over or under a main river, such as a culvert, outfall, weir, dam, pipe crossing, erosion protection, scaffolding or bridge • altering, repairing or maintaining any temporary or permanent structure in, over or under a main river, where the work could affect the flow of water in the river or affect any drainage work • building or altering any permanent or temporary structure designed to contain or divert flood waters from a main river • dredging, raising or removing any material from a main river, including when you are intending to improve flow in the river or use the materials removed • diverting or impounding the flow of water or changing the level of water in a main river • quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert • any activity within 8 metres of the bank of a main river, or 16 metres if it is a tidal main river • any activity within 8 metres of any flood defence structure or culvert on a main river, or 16 metres on a tidal river • any activity within 16 metres of a sea defence structure • activities carried out on the floodplain of a main river, more than 8 metres from the river bank, culvert or flood defence structure (or 16 metres if it is a tidal main river), if you do not have planning permission (you do not need permission to build agricultural hay stacks, straw stacks or manure clamps in these places) For further guidance please visit Flood risk activities: environmental permits - GOV.UK or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment.agency.gov.uk. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Application Ref: 26/0288/FUL

Proposal: Full: Raising the roof of the existing building and the erection of a single storey extension with a mezzanine floor.

At Unit 1, The Motor House Yard, Crabtree Street, Brierfield

On behalf of: Mr Imran

REPORT TO NELSON BRIERFIELD AND REEDLEY COMMITTEE ON 03RD AUGUST 2026

Application Ref: 26/0369/HHO

Proposal: Full: Erection of dormer window to front roof slope, removal of existing rear dormer window and erection of a replacement dormer window to rear roof slope.

At: 193 Leeds Road, Nelson

On behalf of: Mr Tahir Khawaja

Date Registered: 05.06.2026

Expiry Date: 31.07.2026

Case Officer: Luke Jones

This application has been brought before Committee due to a Councillor call in.

Site Description and Proposal

The application site relates to a mid-terrace two-storey dwelling situated within the defined settlement boundary of Nelson. The main access is from Leeds Road. The original dwelling has stone walls, a pitched roof of slate tiles and UPVC doors and windows.

The proposed development is the demolition of existing rear dormer window and erection of a flat roof dormer to the front and rear roof slopes.

Relevant Planning History

13/98/0326P – INSERT DORMER TO REAR AND ATTACH PORCH TO FRONT. Approved with Conditions.

Consultee Response

Highways

The Highway Development Control Section of Lancashire County Council has no objections to the planning application. 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).

My detailed examination of this application concludes there are no highway grounds to support an objection, as set out by the NPPF.

Lancashire County Council does not raise an objection regarding the proposed development and are of the opinion that the proposed development will not have a significant impact on highway safety. The site does not currently provide any off-street parking however the Local Highway Authority is of the opinion that this would not have a detrimental impact on the local highway network.

The applicant may need relevant road space to undertake the work; please can the applicant be advised on below.

The grant of planning permission may require the developer to obtain the appropriate permits to work on, or immediately adjacent to, the adopted highway network. The applicant should be advised to contact Lancashire County Council's Highways Regulation Team, who would need a minimum of 12 weeks' notice to arrange the necessary permits. They can be contacted on lhsstreetworks@lancashire.gov.uk or on 01772 533433.

Parish/Town Council

No response.

Environmental Services (Health)

With regards to this development we have no comment.

Public Response

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

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

The proposal is for a flat roof front dormer and a flat roof rear dormer on the roof slopes. Both dormers would be set back from the respective front and back elevations by less than 1m and less than 0.5m from either side. The dormers would dominate the entire roof slope of the dwelling and would have a harmful effect upon the character and appearance of the original dwelling. To the front elevation, this also has a wider effect on the street scene in a terrace which has a simple and largely uninterrupted roof line especially since dormers are not a characteristic feature of the locality. The proposed dormers would have anthracite grey cladding with rubber membrane flat roofing and UPVC windows. Whilst to the rear a dormer would not have 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 on visual amenity.

Overall, in terms of design, this development would be contrary to policies DM16 and DM24 of the adopted Pendle Local Plan Fourth Edition (2021-2040), and the adopted Design Principles SPD.

Residential Amenity

The proposed front and rear dormer windows would not materially alter existing overlooking relationships, as they would not exceed the established elevations of the host dwelling and therefore would not give rise to an unacceptable loss of privacy or overlooking to neighbouring properties.

The proposed development would therefore be acceptable in terms of residential amenity in accordance with DM16 and DM24 of the adopted Pendle Local Plan Fourth Edition (2021-2040) and adopted Pendle Design Principles SPD.

Highways

The development would increase the number of bedrooms at the property from four to five. This would not impact on maximum parking requirements and hence would not have any greater impact on highway safety or capacity than currently already exists. LCC Highways raises no objection to the proposed development.

As such, the proposal is acceptable in highway terms.

RECOMMENDATION: Refuse

1. By virtue of its position to the front elevation of the dwelling, the proposed front 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 DM16 and Policy DM24 of the Pendle Local Plan Fourth Edition (2021-2040) and the adopted Design Principles SPD.

Application Ref: 26/0369/HHO

Proposal: Full: Erection of dormer window to front roof slope, removal of existing rear dormer window and erection of a replacement dormer window to rear roof slope.

At: 193 Leeds Road, Nelson

On behalf of: Mr Tahir Khawaja

REPORT TO NELSON, BRIERFIELD AND REEDLEY AREA COMMITTEE ON 03RD AUGUST 2026

Application Ref: 26/0377/HHO

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

At: 7 Hawarden Street, Nelson

On behalf of: Mr Matin Arshad

Date Registered: 19.06.2026

Expiry Date: 14.08.2026

Case Officer: Luke Jones

This application has been brought before Committee due to a Councillor call in.

Site Description and Proposal

The application site relates to a mid-terrace two-storey dwelling situated within the defined settlement boundary of Nelson. The main access is from Hawarden Street. The original dwelling has stone walls, a pitched roof of slate tiles and UPVC doors and windows.

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

Relevant Planning History

None.

Consultee Response

Highways

The Highway Development Control Section of Lancashire County Council has no objections to the planning application. 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).

My detailed examination of this application concludes there are no highway grounds to support an objection, as set out by the NPPF.

After reviewing the application and all the supporting documents. The applicant demonstrates the increase from a two-bedroom property to a four-bedroom property. There is currently no off-street parking at the property.

However, the Local Highway Authority is of the opinion that this would not have a detrimental impact on the local highway network. The Property is located within a sustainable location with good access to public transport and local amenities.

Parish/Town Council

No response.

Environmental Services (Health)

To minimise the impact on local residents, the following standard hours for noisy works should be adhered to:

- Monday to Friday: 08:00 – 18:00
- Saturday: 08:00 – 13:00
- Sundays and Bank Holidays: No noisy works permitted.

Public Response

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

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

The proposal is for a flat roof front dormer and a flat roof rear dormer on the roof slopes. Both dormers would be set back from the respective front and back elevations by less than 1m and less than 0.5m from either side. The dormers would dominate the entire roof slope of the dwelling and would have a harmful effect upon the character and appearance of the original dwelling. To the front elevation, this also has a wider effect on the street scene in a terrace which has a simple and largely uninterrupted roof line especially since dormers are not a characteristic feature of the locality. The proposed dormers would have grey cladding with rubber roofing and UPVC windows. Whilst to the rear a dormer would not have 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 on visual amenity.

The proposal also includes the erection of a single storey rear extension to an existing single storey rear outrigger. This will replace an external store attached to the rear outrigger. The extension would take up the same footprint as the existing attached store with an increased roof height to 3.3m. The external materials would include rendered walls, flat rubber roofing, and a white UPVC door. Taking into account its position to the rear, the design and materials are acceptable.

Overall, in terms of design, this development would be contrary to policies DM16 and DM24 of the adopted Pendle Local Plan Fourth Edition (2021-2040), and the adopted Design Principles SPD.

Residential Amenity

The Design Principles SPD advises that single storey rear extensions located immediately adjacent to the party boundary with a neighbouring property will normally be acceptable if they do not project more than 4m from the rear elevation of the existing dwelling. A single storey extension of greater depth will normally only be permitted if it does not breach the 45-degree rule where this would not cause detriment to the character of an area.

The proposed extension would extend 3.1m from the existing rear outrigger, resulting in a total depth of 6.28m from the rear elevation of the main dwelling, contrary to the SPD guidance by 2.28m. Whilst the extension would result in a breach of the 45-degree guideline when assessed from the nearest ground-floor rear habitable room window at No.9, it is important to consider the specific context of the site.

When taking into account the permitted development fall-back position, it is noted that the existing single storey outrigger has existed since pre-1948. Accordingly, this structure forms part of the 'original dwelling' for the purposes of the definition set out in the GPDO (General Permitted Development Order), meaning a degree of further extension could be undertaken without the need for planning permission. The proposed extension would be 0.74m lower in height than the existing rear outrigger and extend 3.1m beyond the existing rear projection, marginally exceeding the 3m depth that would fall under permitted development. However, considering the extension could be built up to 4m in height with a pitched roof, the proposed extension would not have a materially greater overbearing and overshadowing impact on the occupants of No.9 than could already occur under permitted development, and is therefore acceptable in terms of residential amenity.

No.9 also contains an existing single storey rear outrigger with side facing windows towards the application site. Whilst some loss of outlook would occur, this relationship is typical within terraced properties and, given the application site is at a lower land level, the extension would not result in an unacceptable level of overbearing or overshadowing.

To the opposite side, the extension would be set in approximately 2.12m from the boundary with No.5, where an existing single storey outrigger is present along the boundary. The outrigger of No.5 has no rear or side facing windows and therefore the proposed extension would not result in any unacceptable overbearing or overshadowing impacts to the occupiers of No.5.

In terms of privacy, there is one door opening proposed on the side elevation facing No.5. These openings would not directly face any habitable room windows of the neighbouring property and would not result in any substantial views towards the rear windows of No.5 due to the existing rear outrigger. Whilst some views into the rear garden would be possible, given the separation distance from the boundary, this would not result in an unacceptable level of overlooking or loss of privacy.

The proposed development would therefore be acceptable in terms of residential amenity in accordance with DM16 and DM24 of the adopted Pendle Local Plan Fourth Edition (2021-2040) and adopted Pendle Design Principles SPD.

Highways

The development would increase the number of bedrooms at the property from two to four. This would increase the maximum parking requirement from two spaces to three spaces. The site does not benefit from any off-street parking, and none can be provided.

Whilst the proposal may increase pressure on on-street parking, this would not be to such an extent as to result in severe residual cumulative impacts on the highway network.

LCC Highways raises no objection to the proposed development. As such, the proposal is acceptable in highway terms.

RECOMMENDATION: Refuse

1. By virtue of its position to the front elevation of the dwelling, the proposed front 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 DM16 and Policy DM24 of the Pendle Local Plan Fourth Edition (2021-2040) and the adopted Design Principles SPD.

Application Ref: 26/0377/HHO

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

At: 7 Hawarden Street, Nelson

On behalf of: Mr Matin Arshad

REPORT TO NELSON, BRIERFIELD AND REEDLEY AREA COMMITTEE ON 03RD AUGUST 2026

Application Ref: 26/0422/HHO

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

At: 26 Rook Street, Nelson

On behalf of: Mr Raja Afzal

Date Registered: 26.06.2026

Expiry Date: 21.08.2026

Case Officer: Luke Jones

This application has been brought before Committee due to a Councillor call in.

Site Description and Proposal

The application site relates to a mid-terrace two-storey dwelling situated within the defined settlement boundary of Nelson. The main access is from Rook Street. The original dwelling has stone walls, a pitched roof of slate tiles and UPVC doors and windows.

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

Relevant Planning History

13/95/0273P – EXTEND KITCHEN TO REAR. Approved with Conditions.

Consultee Response

Highways

The Highway Development Control Section of Lancashire County Council has no objections to the planning application. 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).

My detailed examination of this application concludes there are no highway grounds to support an objection, as set out by the NPPF.

Having reviewed the documents submitted, the above proposal raises no highway concerns. An adequate level of off-road parking for the existing dwelling will be retained. The site is located within a sustainable location with good access to public transport and local amenities.

Parish/Town Council

No response.

Environmental Services (Health)

To minimise the impact on local residents, the following standard hours for noisy works should be adhered to:

- Monday to Friday: 08:00 – 18:00
- Saturday: 08:00 – 13:00
- Sundays and Bank Holidays: No noisy works permitted.

Public Response

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

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 area 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 care should be exercised with the insertions of dormers, to ensure that their design is in keeping with the dwelling and that they do not overlook neighbouring

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

The proposal is for a flat roof front dormer and a flat roof rear dormer on the roof slopes. Both dormers would be set back from the respective front and back elevations by less than 1m and less than 0.5m from either side. The dormers would dominate the entire roof slope of the dwelling and would have a harmful effect upon the character and appearance of the original dwelling. To the front elevation, this also has a wider effect on the street scene in a terrace which has a simple and largely uninterrupted roof line especially since dormers are not a characteristic feature of the locality. The proposed dormers would have grey cladding with rubber felt flat roofing and UPVC windows. Whilst to the rear a dormer would not have 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 on visual amenity.

Overall, in terms of design, this development would be contrary to policies DM16 and DM24 of the adopted Pendle Local Plan Fourth Edition (2021-2040), and the adopted Design Principles SPD.

Residential Amenity

The proposed front and rear dormer windows would not materially alter existing overlooking relationships, as they would not exceed the established elevations of the host dwelling and therefore would not give rise to an unacceptable loss of privacy or overlooking to neighbouring properties.

The proposed development would therefore be acceptable in terms of residential amenity in accordance with DM16 and DM24 of the adopted Pendle Local Plan Fourth Edition (2021-2040) and adopted Pendle Design Principles SPD.

Highways

The development would increase the number of bedrooms at the property from two to four. This would increase the maximum parking requirement from two spaces to three spaces. The site does not benefit from any off-street parking, and none can be provided.

Whilst the proposal may increase pressure on on-street parking, this would not be to such an extent as to result in severe residual cumulative impacts on the highway network.

LCC Highways raises no objection to the proposed development. As such, the proposal is acceptable in highway terms.

RECOMMENDATION: Refuse

1. By virtue of its position to the front elevation of the dwelling, the proposed front 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 DM16 and Policy DM24 of the Pendle Local Plan Fourth Edition (2021-2040) and the adopted Design Principles SPD.

Application Ref: 26/0422/HHO

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

At: 26 Rook Street, Nelson

On behalf of: Mr Raja Afzal

LIST OF BACKGROUND PAPERS

Planning Applications

NW/MP

Date: 08th June 2026