

Report Title	PLANNING APPLICATIONS
Meeting	NELSON, BRIERFIELD & REEDLEY COMMITTEE
Meeting Date	07TH SEPTEMBER 2026
Report Author	NEIL WATSON
Directorate	PLACE
Lead Executive Member(s)	COUNCILLOR L. WHIPP
Wards Affected	BRADLEY, WHITEFIELD & WALVERDEN, MARSDEN & SOUTHFIELD AND BRIERFIELD EAST & CLOVER HILL
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 07TH SEPTEMBER 2026

Application Ref: 26/0119/FUL

Proposal: Full (Major): Demolition of existing buildings and the erection of 30 self-contained apartments (Use Class C3) with associated landscaping, parking and altered vehicular access.

At: St Georges Social Centre, Vaughan Street, Nelson

On behalf of: McCaul Build Ltd

Date Registered: 20/02/2026

Expiry Date: 29/06/2026

Case Officer: Alex Cameron

This application is brought before Committee as it is a major development.

Site Description and Proposal

The application site is a vacant church building located within the settlement of Nelson, there are dwellings to the south and north east and Walverden Park to the north west.

The proposed development is the demolition of the existing building and erection of an apartment building with 30 self-contained apartments intended for over 55s accommodation.

Relevant Planning History

None.

Consultee Response

LCC Highways – No objection. The formation of the amended vehicle access from St George's Road to the development site would need to be carried out under a legal agreement (Section 278) with Lancashire County Council as the highway authority. Works should include, but not be exclusive to:

- the construction of the amended dropped crossing to the highway authority's specification;
- reinstatement of any redundant section of dropped crossing to footway with full height kerbs;
- a street lighting assessment. In addition, reinstatement to the highway authority's specification of any damage caused to the surrounding public highway network will be required.

These works will be carried out under the same legal agreement. If planning approval is granted the developer is advised to contact Lancashire County Council as soon as possible to start the Section 278 process and should not wait until condition discharge stage. Due to the high volume of agreement submissions currently being received by the county council this process can take at least six months to complete. No works should be undertaken within, or which affect, the highway network maintained at public expense without the necessary agreement first being in place in order to prevent legal action from being taken against the developer.

Car & cycle parking

The Application Form submitted states that there are currently 25 car parking spaces on site, which would be reduced to 9 post-development.

Car parking should be provided at a ratio of one space per three bedrooms in accordance with the borough council's Parking Standards for sheltered accommodation. The highway authority has assessed the parking requirements based on one space per three apartments, which equates to 10 spaces. The Transport Statement submitted also refers to 10 car parking spaces (p10).

Seven standard car parking spaces plus two mobility spaces are proposed, together with a 'drop off' space. To maximise the on-site parking the highway authority recommends that the drop off space is instead a standard car parking space and that the two mobility spaces are re-located adjacent to the other bays so that all parking runs across the front of the site. This would increase the on-site parking provision to 10 spaces. The area where the mobility spaces were proposed could then become a drop off point and should be marked with hatches to prevent parking. The planters proposed in the area at the front of the site would have to be removed.

Whilst the site scores at the low end of having a medium level of sustainability (a score of 22) there are some local facilities within acceptable walking distance which means that future residents would not be entirely dependent on the use of a motor vehicle.

The highway authority is also mindful of the site's previous use and that it could be brought back into use under the same Use Class without planning permission being required and where traffic generation and parking demands have not been assessed.

Cycle parking is proposed at the front of the building in the form of Sheffield Stands. The highway authority considers that this would only be suitable for visitors as it is not covered and there is very little direct surveillance from the apartments. Any residents with cycles would be more likely to keep them within their apartments or within the first floor buggy store if there was room, as this is covered and more secure. The highway authority recommends that one motorcycle parking space is also proposed.

The Design & Access Statement refers to two electric vehicle charging points being provided (p37). The charging points shall be fitted in line with the Dept for Transport's guidance regarding Electric Vehicle Charging in Residential and Non-residential Buildings, which states that charge points must have a minimum power rating output of 7kW and be fitted with a universal socket that can charge all types of electric vehicles. No details have been submitted but these can be controlled by condition.

Demolition & construction phase

As the site is in a predominantly residential area where there is an existing high demand for on-street parking a Construction Method Statement, including a site plan, would need to be submitted. This is to demonstrate that the demolition and construction works would not have a detrimental impact on the surrounding highway network nor its users. This can be controlled by condition. The site is proposed to be excavated and the ground levels reduced including along the boundary with the unnamed side street parallel with the gable end of 2 Vaughan Street and 5 Park Drive. This is shown on the extract below from the 1:200 Side Street Elevation on the Proposed Site - Elevations & Sections Plan (Drawing 24030 - TRI - G25 - XX - DE - A – 023 P01).

The retaining wall and structure submitted on the Boundary Details Plan - Typical Retaining Wall Section - (Drawing 24030 - TRI - G72 - XX - DD - A – 026 P01) must have been designed to highway standards with sufficient highway loading. The wall and structure will need to be built in accordance with the details submitted on the above drawing. They must also be constructed in a timely manner to prevent subsidence of the adjacent highway. All works immediately adjacent to

the highway network must be constructed to properly tie-in and must be to the highway authority's specification. These works will be carried out under the Section 278 agreement. The applicant and any future site owners will own the retaining wall/structure and will be responsible for its maintenance.

Subject to the satisfactory receipt of an amended parking layout plan as outlined in this response Lancashire County Council acting as the highway authority does not raise an objection on highway grounds. However, the following conditions and information note relating to section 278 works should be applied to any formal planning approval granted: access and off-site highway works, construction method statement, electric vehicle charging and parking

PBC Environmental Health – Please attach a construction management condition and contaminated land informative.

Lead Local Flood Authority – No objection subject to conditions for surface water drainage strategy, construction surface water management, drainage operation and maintenance, drainage verification.

Lancashire Fire and Rescue – Comments related to building regulations.

Public Response

Site and press notices posted and nearest neighbours notified by letter. Responses received objecting on the following grounds:

- Loss of a historic building
- Loss of a community building
- Noise impacts
- Increase in traffic
- Insufficient on-site parking and increase in on-street parking
- Highway safety impacts
- Impacts on access for emergency vehicles
- Community cohesion and anti-social behaviour issues

Response received in support on the following grounds

- The building has been an eyesore for a number of years and the development will benefit Nelson and the local community.

Officer Comments

Policy

Pendle Local Plan Fourth Edition

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) States that within settlement boundaries there is a presumption in favour of sustainable development. Developments will be supported where they are of a nature

and scale that is proportionate to the role and function of the settlement. Nelson is defined as a Main Town which will provide the focus for growth and new development.

Policy SP03 (Distribution of development) Sets out that housing development will be distributed in accordance with the role of each settlement

Policy SP04 (Housing requirement and delivery) Establishes the Councils housing requirement of 148 dwellings per annum and that it will be delivered in accordance with policies SP02 and SP03.

Policy SP09 (Water Management) Development should be delivered in an environmentally sensitive way (Policy DM02(a)), which: (a) Limits flood risk through careful location, design and surface water management. (b) Does not increase flood risk elsewhere. (c) Seeks to locate or relocate critical infrastructure and highly vulnerable uses in areas that are not at significant risk of flooding. (d) Improves the flood resistance and resilience of premises in areas at significant risk of flooding. (e) Protects, maintains and secures flood management infrastructure.

Policy SP13 (Transport and Connectivity) States that 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. Where an adverse impact is identified, applicants should prepare a Traffic Impact Assessment and ensure that adequate cost-effective mitigation measures can be put in place. Where there is an unacceptable impact on highway safety, or the residual cumulative impacts of the development are severe and cannot be adequately mitigated, planning permission is likely to be refused. New developments should, wherever possible, exploit opportunities for walking and cycling by connecting to existing pedestrian and cycle routes. Where appropriate new links should be provided to help increase connectivity and close gaps in the network.

Policy DM02a (Flood Risk) The policy seeks to manage and reduce the risk of flooding. It also seeks to ensure that new development is not vulnerable to the impacts of climate change.

Policy DM02b (Surface Water and Foul Water Management) Requires that where appropriate, applications should be supported by a strategy for foul and surface water management. Any discharge should employ the most sustainable drainage option in accordance with the drainage hierarchy, which should be demonstrated by the applicant.

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 and Quality of Housing) states that residential development should make a positive contribution to the built and natural environment and sets criteria to ensure that, it states that homes should be designed to make efficient use of land and gives guideline minimum densities to achieve that.

Policy DM22 (Housing Mix) states that all residential developments should provide a range of house types and sizes to help meet the housing needs of the local community and sets guidelines for housing mix.

Policy DM23 (Affordable housing) sets a target of 0% affordable housing for developments within Nelson and Brierfield.

Policy DM28 (Specialist Housing) States that the Council will support older persons housing where is is situated within a settlement boundary in a location that is well connected to local services,

community and support facilities and shops be walking, cycling and public transport enabling residents to live independently as part of the community.

Policy DM31 (Open space, sport and recreation) states that the additional pressures arising from new development and/or any identified deficiencies in open space provision should normally be mitigated through the on site provision of open space.

Policy DM32 (Walking and cycling) states that development proposals will be required to maintain and where possible improve the existing pedestrian and cycling environment.

Policy DM35 (Cultural and community facilities) states that proposals to change the use of community facilities will be supported where:

- a) Replacement facilities of a similar scale and function are provided.
- b) It is evidenced that there is no need or demand for the facility to remain in that use.
- c) The existing use is no longer viable and cannot be reasonably made viable.

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)

A new Framework was published and came into effect in August this introduces national decision-making policies and requires that applications are determined in accordance with those policies if the policies of the Development Plan are materially inconsistent with them. Policies of specific relevance to this development include:

HC6 (Retention of key community facilities and public service infrastructure) This states that development proposals should not result in the loss of key community facilities unless:

- a. It can be demonstrated that there is no reasonable prospect of the use being retained, or because it is no longer viable or feasible to operate; or
- b. the loss resulting from the proposed development would be replaced by equivalent or better provision, in a location with comparable or improved accessibility to the community it serve; or
- c. The decision-maker is satisfied that there is sufficient alternative provision of the type of use concerned in the local area, such that its loss will not diminish access to key community facilities.

The relevant decision-making policies of the Framework are not inconsistent with the relevant policies of the Pendle Local Plan Fourth Edition.

Principle of the Development

The existing building represents a community facility for the purposes of Policy DM35, this allows for the change of use or replacement with a non-community use where:

- (a) Replacement facilities of a similar scale and function are provided; (b) It is evidenced that there is no need or demand for the facility to remain in that use; or (c) The existing use is no longer viable and cannot be reasonably made viable.

The building was previously in use as a church, details have been provided that the use became surplus to requirements and use ceased in 2023 and details of marketing have been presented

demonstrating that it would not be viable for the building to remain in community use. As such the loss of the community facility is acceptable.

The development is located in a sustainable location within the settlement of Nelson and whilst it would not represent a mix of accommodation size, it would provide for a type of accommodation for over 55s that there is a deficit of in Pendle. The principle of the development is therefore acceptable in accordance with

Design and Visual Amenity

The existing building is not a heritage asset or of specific architectural interest and therefore its loss would not result in unacceptable heritage or visual amenity impacts. The proposed building would be of good quality contemporary design, the surrounding buildings have a variety of different materials including stone, artificial stone and render. The proposed building predominantly in buff brick would be acceptable in this context. The building would be set down, cut into the site, which would make it lower than the existing building on the site and similar in overall height to the adjacent terrace fronting Park Drive. Taking this into account the scale of the building would not result in unacceptable visual amenity impacts and would create an attractive frontage to the Park. The development would not result in any unacceptable design and visual amenity impacts.

Residential Amenity

No.5 Park Drive has a first floor side window facing the site, this is a landing window and would not be unacceptably impacted in relation to privacy, loss of light or overbearing impacts. That property also has two rear facing habitable room windows. The proposed building would breach a line of 45 degrees taken from the centre of those windows. A daylight and sunlight assessment has been submitted which acceptably demonstrates that this would not result in an unacceptable impact on daylight and sunlight to the rooms served by those windows.

Taking orientation, relative heights position of habitable windows and presence of existing outriggers, the proposed development would also not result in unacceptable overbearing impacts upon or loss of light to the windows of adjacent properties on Vaughan Street.

The proposed windows in the second floor south west side elevation have potential to impact upon the privacy of the first floor windows of No.2 Vaughan Street and the office windows in the first floor south west side elevation on the first floor windows of 5 Park Drive. Therefore, an obscure glazing condition is required for those windows. Other windows would either be an acceptable distance taking into account existing window separation distances, be at an acute angle or be at ground floor level across a highway and therefore would not result in unacceptable impacts.

The proposed development would not result in any unacceptable loss of privacy, overbearing or other impacts upon any adjacent residential property.

Open space

Taking into account the nature of the development the primary demand for open space would be likely to be for public amenity space and outdoor recreation, the locality of the site is well served for public amenity and outdoor recreation being located immediately adjacent to existing provision at Walverden Park as such it is not necessary that open space provision is made on site or a contribution made to off-site provision.

Drainage and Flood Risk

The site is not identified by the Environment Agency as being above low risk of flooding from rivers and sea or surface water and flood risk assessment and drainage strategy have been submitted demonstrating that the site can be acceptably drained without raising the risk of off-site flooding. The development is therefore acceptable in terms of drainage and flood risk.

Highways

The proposed development would not result in unacceptable highway safety and capacity impacts. Taking into account the development is proposed as over 55s accommodation the parking standards in the Local Plan Fourth Edition for sheltered accommodation require 10 spaces plus ambulance parking provision, rather than 30 spaces for open market one bed apartments. 9 spaces are proposed plus one drop-off space. LCC Highways have recommended changes to the car parking layout to accommodate 10 spaces with adequate ambulance and disability parking provision and the changes have been agreed with the applicant, amended plans showing those changes are to be submitted but can be conditioned if they are not prior to Committee. This would provide an acceptable level of off-street parking and therefore would not result in an unacceptable increase in demand for on-street parking in the vicinity. A condition is necessary to ensure that the development is occupied and remains as over 55s accommodation.

Ecology

An ecological survey of the site has been submitted, this concludes that the buildings have low potential suitability for roosting bats, however, recommends that a further bat emergence survey is undertaken prior to demolition. The buildings also have potential for nesting birds and pre-demolition checks are required if the building is to be demolished in the nesting season. The recommendations of the ecology survey can be ensured by condition.

Biodiversity Net Gain

This application did not meet any of the exemptions for biodiversity net gain requirements at the time of submission and therefore must make provision for a 10% net gain in post-development biodiversity.

A biodiversity metric and report has been submitted with the application, the site contains a small area of habitat comprising scrub / small trees and an ornamental hedge. The proposed landscaping of the development would result in an on-site net gain in biodiversity of over 10% and therefore would meet the requirement for biodiversity net gain. As the provision is on-site contribution will necessary towards the Council's monitoring costs over 30 years, this can be ensured by condition.

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: Location Plan, 24030-TRI-G1-XX-DP-A-001 Rev. P02, 24030-TRI-G1-01-DP-A-002 Rev. P02, 24030-TRI-G1-02-DP-A-003 Rev. P02, 24030-TRI-G1-04-DP-A-005 Rev. P02, 24030-TRI-G22-01-DP-A-010 Rev. P02, 24030-TRI-G22-02-DP-A-011 Rev. P02, 24030-TRI-G22-

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

3. Prior to the commencement of above ground works involved in the erection of the external walls of the development samples of external materials walls, windows and doors of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the approved materials.

Reason: To ensure that the materials are appropriate to the locality and in the interest of visual amenity

4. The dwellings hereby permitted shall not be occupied by any person except a person ages 55 years or over, or their spouse/partner or a resident carer. Prior to first occupation of the development a scheme for restricting occupation in accordance with this condition shall be submitted to and approved in writing by the Local Planning Authority and shall thereafter at all times be accorded with.

Reason: To ensure that the development does not result in an unacceptable increase in demand for on-street car parking to the detriment of highway safety.

5. No development shall commence in any phase until a detailed and final Surface Water Sustainable Drainage Strategy for the site has been submitted to, and approved in writing by, the Local Planning Authority.

The strategy shall be based on the site-specific Flood Risk Assessment and indicative Surface Water Sustainable Drainage Strategy and shall demonstrate compliance with the principles and requirements of the National Planning Policy Framework, Planning Practice Guidance, and the latest published version of the National Standards for Sustainable Drainage Systems (or any successor Standards in force at the time of submission). It shall also demonstrate how sustainable drainage system features have been designed to deliver multifunctional benefits in relation to water quality, amenity, and biodiversity. Surface water and foul water drainage shall be drained on separate systems. No surface water runoff from the development shall be discharged to a foul sewer(s), either directly or indirectly. The strategy shall confirm and evidence the final allowable peak discharge rates and runoff volumes, following completion of all detailed design work and site investigations to confirm and refine early design assumptions. The submitted strategy shall include, as a minimum:

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

- i. The 100% (1 in 1-year) annual exceedance probability event, including a 10% urban creep uplift factor
- ii. The 3.3% (1 in 30-year) annual exceedance probability event, including a 40% climate change allowance and a 10% urban creep uplift factor
- iii. The 1% (1 in 100-year) annual exceedance probability event, including a 50% climate change allowance and a 10% urban creep uplift factor

Calculations must cover the entire development area, including all existing and proposed surface water drainage systems up to and including the final discharge location(s).

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

- i. Site plans showing all permeable and impermeable areas contributing to the surface water drainage network, either directly or indirectly, including the entire development area and any off-site flows where relevant.
- ii. Drainage layout plans showing all pipe and structure references, dimensions, and design levels, including all existing and proposed surface water drainage systems up to and including the final discharge location.
- iii. Details of all sustainable drainage features, including landscape drawings showing topography and slope gradients.
- iv. Site plans showing modelled flood water depths, volumes and exceedance flow routes and flow velocities for rainfall events exceeding the 1% (1 in 100-year) annual exceedance probability event, or due to a blockage. The strategy shall demonstrate that flood risk is not increased on-site or elsewhere, informed by a blockage assessment for all flow controls.
- v. Finished Floor Levels (FFL) in AOD with adjacent ground levels for all sides of each building and connecting cover levels. The strategy shall confirm that FFLs have been set to provide a minimum 150mm freeboard above adjacent ground levels.
- vi. Final details of proposals to manage surface water runoff to and from the development boundary, including measures to manage surface water runoff from adjacent land that could flow onto the site during storm events, and to ensure runoff leaving the site does not occur in an uncontrolled manner.
- vii. Measures to manage the quality of the surface water runoff to prevent pollution and, protect groundwater and surface water bodies. The strategy shall include a robust water quality risk assessment, proportionate to the pollution hazard and sensitivity of receiving waters, and shall inform the design of an appropriate SuDS management train.
- viii. Measures to manage the first 5mm of rainfall to prevent runoff from the site for the majority of small (frequent) rainfall events and for the initial depth of rainfall for larger events.

c) Evidence of an assessment of the site conditions. This should include geotechnical investigations and seasonal monitoring, to confirm test locations, infiltration rates and groundwater levels, carried out in accordance with Digest 365 Soakaway Design (Building Research Establishment).

d) Evidence of an assessment of the receiving sewer to confirm its condition and capacity to accept surface water runoff from the development at the proposed discharge rate and runoff volume.

e) Evidence that a free-flowing outfall can be achieved. Where this is not possible, the strategy shall demonstrate that the drainage system has been assessed for performance under surcharged outfall conditions and will continue to function without increasing flood risk.

The sustainable drainage strategy shall be fully implemented in accordance with the approved details.

Reason To ensure satisfactory sustainable drainage facilities are provided.

6. No development shall commence in any phase until a Construction Surface Water Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall detail how surface water and stormwater will be managed on site during all construction activities, including demolition, site clearance, earthworks, and temporary drainage installation, to prevent uncontrolled runoff and pollution.

The submitted details shall include, as a minimum:

- a) A timetable for implementation of any surface water management proposals;

- b) A method statement of the surface water management proposals for each construction phase, including temporary drainage arrangements and contingency measures for extreme weather events;
- c) Evidence of how surface water flows will be discharged, demonstrating that discharge rates will be restricted to no greater than the equivalent greenfield runoff rate.
- d) Measures to prevent siltation and pollutants from entering any receiving groundwater and/or surface water bodies, including watercourses, with reference to published guidance.
- e) A site plan of the proposed surface water management proposals and pollution prevention measures, including locations of temporary drainage features, bunds, silt fences, settlement tanks, and spill response equipment;

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

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water during all construction phases, so that it does not pose an undue surface water flood risk on-site or elsewhere, and to prevent pollution of receiving waters.

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

- a) A timetable for its implementation
- b) Site-specific details of the operation, maintenance, and access requirements for all sustainable drainage system features and connecting drainage structures. This shall include any automated monitoring of motorised equipment (such as pumps and proprietary drainage features for flow control or water quality improvement), their functionality, and transmission of failure warnings to the responsible maintenance body
- c) The arrangements for adoption by any public body or statutory undertaker, or identification of named parties responsible for the management and maintenance of each surface water drainage system feature throughout the lifetime of the development
- d) Details of financial management, including arrangements for the replacement of major components at the end of the manufacturer's recommended design life
- e) Instructions on necessary steps to be taken in the event of a pollution incident, including matters that should be reported to the adopting authorities or the Environment Agency
- f) Details of land ownership and access rights for all parts of the surface water drainage system, including watercourses, sustainable drainage system features, and associated easements required for inspection and maintenance.

Thereafter, the drainage system shall be retained, managed, and maintained in accordance with the approved details.

Reason: To ensure that surface water flood risks to future users of the land and neighbouring land are minimised, together with risks to controlled waters, property, and ecological systems, and to ensure that the sustainable drainage system provided as part of the development have appropriate maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development.

8. The commencement of use of the development shall not be permitted until a site-specific Verification Report, pertaining to the surface water sustainable drainage system and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority. The verification report shall include, as a minimum:

- a) Evidence that the surface water sustainable drainage system has been constructed in accordance with the approved drawing(s) and specifications, or details any minor variations, with evidence demonstrating that the system remains fit for purpose and compliant with the approved surface water drainage strategy
- b) Photographic and written evidence confirming the location and details of all critical drainage infrastructure. Locations shall be referenced using national grid coordinates
- c) As-built drawings of the constructed drainage system, including all SuDS features, pipework, control structures, and discharge points, with levels and dimensions clearly annotated.

Thereafter, the drainage system shall be retained, managed, and maintained in accordance with the approved details.

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

9. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site highway works has been submitted to, and approved by, the Local Planning Authority. Works shall include but not be exclusive to the construction of the amended dropped crossing on St George's Road to the highway authority's specification; reinstatement of any redundant section of dropped crossing to footway with full height kerbs; a street lighting assessment; reinstatement to the highway authority's specification of any damage caused to the surrounding public highway network. All works shall have been completed prior to first occupation of the development.

Reason: In order to satisfy the Local Planning Authority that the final details of the highway scheme/works are acceptable before work commences on site and in the interest of highway safety.

10. No development shall take place, including any works of demolition or clearance, until a Construction Method Statement including site plan has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. It shall provide for:

- The parking of vehicles of site operatives and visitors
- The loading and unloading of plant and materials
- The storage of plant and materials used in constructing the development
- The erection and maintenance of security hoarding
- Wheel washing facilities and means of mechanical road sweeping
- Measures to control noise and vibration during construction
- Measures to control the emission of dust and dirt during construction
- A scheme for recycling/disposing of waste resulting from demolition, clearance and construction works
- Details of working hours
- Routing of delivery vehicles to/from site
- Timing of deliveries
- Measures to ensure that construction and delivery vehicles do not impede access to neighbouring properties.
- Restriction of burning on-site

Reason: In the interest of highway safety.

11. Prior to first occupation of the approved development two electric vehicle charging points shall be provided in accordance with a scheme to be approved by the Local Planning Authority. Charge points must have a minimum power rating output of 7kW and be fitted with a universal socket that can charge all types of electric vehicle currently available.

Reason: To ensure that the development supports sustainable forms of transport.

12. The development hereby approved shall not be occupied unless and until details are parking and manoeuvring have been submitted to and approved in writing by the Local Planning Authority and the parking and manoeuvring areas have been constructed, laid out and surfaced in bound porous materials (unless otherwise approved) and marked in accordance with the approved details. The parking and manoeuvring area shall thereafter always remain available for the parking of vehicles in accordance with the approved details and shall be kept free from obstructions in perpetuity.

Reason: In the interest of highway safety to ensure that satisfactory levels of parking and manoeuvring are provided within the site.

13. The submitted landscaping scheme (Drawing Nos. 7612.01 Rev. A), or an alternative landscaping scheme that has been submitted to and approved in writing by the Local Planning Authority, shall be implemented in its entirety within the first planting season following the substantial completion of the development. Any tree or other planting that is lost, felled, removed, uprooted, dead, dying or diseased, or is substantially damaged within a period of five years thereafter shall be replaced with a specimen of similar species and size, during the first available planting season following the date of loss or damage.

Reason: To ensure that the development is adequately landscaped so as to integrate with its surroundings and that felled trees are adequately replaced.

14. The landscaped areas of the site shall at all times be managed and maintained in accordance with the submitted Landscape Management Plan (Ref: NC/7612/LMP/revA) or an alternative Landscape Management Plan that has been submitted to and approved in writing by the Local Planning Authority. Details of the arrangements for a management company for the management and maintenance of the landscaped areas of the site (excluding domestic gardens) shall be submitted to and approved in writing by the Local Planning Authority within six months of the substantial completion of the development.

Reason: To ensure that the landscaped areas of the site are acceptably management and maintained in the interest of visual amenity.

15. The development shall be carried out in accordance with the recommendations of the submitted ecological impact assessment, prior to the commencement of the development, including any works of demolition, a pre-demolition bat survey and scheme of ecological mitigation and enhancement, including timing of implementation, shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented and maintained in strict accordance with the approved details.

Reason: To ensure the preservation or enhancement of protected species habitats.

16. The windows in the second floor south west side elevation and the office windows in the first floor side elevation shall at all times be obscure glazed with glazing to a minimum obscurity level of Pilkington Level 4 (or equivalent), the windows shall at all times be hung in such a way as to prevent the effect of the obscure glazing from being negated by opening.

Reason: To ensure an acceptable level of privacy to adjacent dwellings.

17. No part of the development shall commence unless and until a Planning Obligation pursuant to section 106 of the Town & Country Planning Act, 1990 (or any subsequent provision equivalent to that section) has been made with the Local Planning Authority, unless otherwise approved in writing by the Local Planning Authority. Unless otherwise approved in writing by the Local Planning authority the obligation shall provide for 10% Biodiversity Net Gain and monitoring for a 30 year period.

Reason: To secure provide for the costs of monitoring BNG provision.

Biodiversity Net Gain Condition:

1. The development may not be begun unless—

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

Phase plan

- (b) the first and each subsequent phase of development may not be begun unless—
 - (i) a biodiversity gain plan for that phase has been submitted to the planning authority and
 - (ii) the planning authority has approved that plan

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

Notes

LLFA Informative 01 – Connection to Public Sewer The applicant may require an agreement with the appropriate Water and Sewerage Undertaker to connect to the public sewerage system. This may include a Section 104 Agreement for the adoption of the proposed surface water sustainable drainage system.

LLFA Informative 02 – Permeable Paving Where permeable paving is included in the hydrological calculations of a development proposal, the Local Planning Authority is advised to consider the removal of permitted development rights for permeable paving. If permitted development rights are not removed for permeable paving on privately owned land, the Lead Local Flood Authority may consider the need to designate such areas under Schedule 1 of the Flood and Water Management Act 2010. The District Council, as a flood risk management authority, also has these designation powers.

LCC Highways Informative - The grant of planning permission will require the applicant to enter into an appropriate legal agreement (Section 278), with Lancashire County Council as the Highway Authority prior to the start of any development. For the avoidance of doubt works shall include, but not be exclusive to, the construction of the amended dropped crossing on St George's Road to the highway authority's specification; reinstatement of any redundant section of dropped crossing to footway with full height kerbs; a street lighting assessment; reinstatement to the highway authority's specification of any damage caused to the surrounding public highway network. The applicant should contact the county council for further information by telephoning the Development Control Section (Area East) on 0300 123 6780 or by email on developeras@lancashire.gov.uk , in the first instance to ascertain the details of such an agreement and the information to be provided, quoting the relevant planning application reference number.

Contaminated Land Informative - If during any stage of the development any miscellaneous substances, made ground or potentially contaminated ground that has not been previously identified and planned for in a report is uncovered, work in the area must stop immediately and the Environmental Health Department at the Borough of Pendle should be made aware. No work should continue until a contingency plan has been developed, and agreed with the local planning authority.

Application Ref: 26/0119/FUL

Proposal: Full (Major): Demolition of existing buildings and the erection of 30 self-contained apartments (Use Class C3) with associated landscaping, parking and altered vehicular access.

At: St Georges Social Centre, Vaughan Street, Nelson

On behalf of: McCaul Build Ltd

REPORT TO NELSON BRIERFIELD AND REEDLEY COMMITTEE ON 07TH SEPTEMBER 2026

Application Ref: 26/0300/FUL

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

At 97 Manchester Road, Nelson, Lancashire, BB9 7HB

On behalf of: Mr Mohammed Haroon Yousaf

Date Registered: 13.07.2026

Expiry Date: 07.09.2026

Case Officer: Athira Pushpagaran

This application is sent to the Committee as it received more than 3+ objections.

Site Description and Proposal

The application site is a commercial property situated within the defined settlement boundary of Nelson. It is situated at the corner of Kiln Street and Manchester Road. It falls just outside the defined town centre boundary of Nelson with properties across Kiln Street and Manchester Road both falling within the defined town centre. It is also situated within the Whitefield Conservation Area.

The existing building has a small rear extension that extends up to the rear boundary. The proposed development is the demolition of that and the erection of a single storey rear extension. The proposed extension would span the width of the site and cover the whole rear yard.

The original proposal description was '*Full: Change of use from hairdressers (Use Class E) to a hot food takeaway with diner (Sui Generis), erection of a single storey rear extension and the installation of an extraction flue to the rear.*' This was amended to what it is now during the course of the application. As it was a significant change the application was revalidated and reconsulted on.

Relevant Planning History

13/14/0445P Full: Installation of shop front and roller shutters. Approved with Conditions. 2014

13/99/0402P Incorporate shop into dwelling. Approved with Conditions. 1999

13/92/0484P Change of use from shop to office and replacement shop front at. Approved with Conditions. 1992

Consultee Response

Highways

The highway authority does not have an objection to the amended bin store but requests that the following condition is applied to any formal planning approval granted to ensure that all bins are stored internally except on the appropriate collection day.

Parish/Town Council

No response

PBC Environmental health

No objections.

PBC Engineering

No response

Public Response

The nearest neighbours have been notified by letter; a site & press notice have been displayed.

Two sets of consultations were carried out, first for the scheme as originally submitted and later for the amended scheme. Six objections were received during the consultation of the original scheme, and no comments were received during reconsultation with the amended proposal description. The issues raised in the objections are summarised below.

Initial consultation: 6 objections

- The fan would be venting into the space between the houses of Clement View and of Manchester Road. Twelve households share this space and would affect residential amenity.
- Harmful impact on scarce parking and traffic, and access for emergency vehicles
- Would impact health of the public in the area as there is a large number of takeaways already in the immediate neighbourhood.
- No site notices visible
- No space for commercial bins
- Construction would result in obstruction and access on Kiln Street
- Allegedly used as front for illegal activities

Consultation after change in description: No comments 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 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 SP11 (Historic Environment) requires designated and non-designated heritage assets to be conserved and enhanced in a manner appropriate to their significance.

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 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 DM18 (Heritage Assets) states that the Council will support proposals which conserve and enhance Pendle's historic environment. Where a proposal would result in harm or loss of significance to a heritage asset, this must be balanced against any public benefit associated with the scheme.

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.

Policy S3 (Presumption in favour of sustainable development) states that decisions on development proposals should apply a presumption in favour of sustainable development.

Policy S4 (Principle of development within settlements) states that development proposals within settlements should be approved unless their adverse effects would substantially outweigh their benefits, having regard to the national decision-making policies contained within the Framework.

Policy HE6 (Proposals affecting designated heritage assets) requires substantial weight to be given to the conservation of designated heritage assets. Any harm to a designated heritage asset will be a matter of considerable importance and weight, which should be dealt with in accordance with paragraphs 4 to 6 of this policy.

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

The Conservation Area Design and Development Guidance SPD sets out that new development should use good quality and predominantly natural building materials, be well detailed, and respect local architectural detailing and styles. It provides specific guidance on development relating to agricultural building and their sensitive adaptation to other uses.

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 existing rear extension extends till the rear boundary and adjoins the party boundary with no.99. The proposed development is the demolition of this existing rear extension and the erection of a larger single storey extension. It would have a flat roof and would be finished in render to match the existing building. It would have a louvered door to the side to access the bin store from Kiln Street.

The rear yard currently has a stone wall around it. The proposal would retain this, and the additional height would be built up with render finish. Similar treatment is visible for the rear extension of 2 Clement View across the back street. There are also industrial units to the rear on Kiln Street. Considering the existing character of the building and its context the proposed development would not result in any unacceptable impact on it. It would also not be prominent within the Conservation Area and would have a neutral impact on the significance of the Conservation Area.

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), the Adopted Pendle Design principles SPD and the Conservation Area Design and Development Guidance SPD. The development would have a neutral impact on the significance of the conservation area and thus would not require an assessment as per policy HE6 of the NPPF.

Residential Amenity

The proposed rear extension would be a flat roof extension at the same height as the highest point of the existing lean-to extension adjoining the party boundary with no.99. No. 99 is commercial property. The proposed extension would not have any windows facing any residential properties. As such the development would not result in any overbearing impacts, unacceptable loss of light or privacy to any adjacent residential property.

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

Highways

LCC Highways has no objections to the proposed development and has recommended a condition to ensure bins are not stored on the Highway. However, this would result in duplication of controls by other legislation. Therefore, it would not pass all the tests for planning conditions.

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).

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:

LU355 P03C Proposed plans

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

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

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

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.

All refuse bins shall be kept within the confines of the site, except on the appropriate collection day.

Application Ref: 26/0300/FUL

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

At 97 Manchester Road, Nelson, Lancashire, BB9 7HB

On behalf of: Mr Mohammed Haroon Yousaf

REPORT TO NELSON BRIERFIELD AND REEDLEY COMMITTEE ON 07TH SEPTEMBER 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 COMMITTEE ON 07TH SEPTEMBER 2026

Application Ref: 26/0435/HHO

Proposal: Full: Demolition of existing boundary fence and erection of boundary walls/fences.

At 129 Marsden Hall Road North, Nelson, Lancashire

On behalf of: Mr Muneeb Ul Hassan

Date Registered: 20.07.2026

Expiry Date: 14.09.2026

Case Officer: Athira Pushpagaran

This application is sent to the Area Committee as it received 3+ objections contrary to officer recommendation.

Site Description and Proposal

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

The proposed development is the demolition of existing boundary fence and erection of boundary walls/fences. Construction work was underway at the time of site visit.

Relevant Planning History

25/0378/HHO Full: Erection of a two-storey side and rear extension, part single storey rear extension, a front porch and retention of existing wall to the front of the house. Approved with Conditions. 2025

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

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

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

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

Consultee Response

Highways

Having reviewed the documents submitted, Lancashire County Council acting as the local highway authority does not raise an objection regarding the proposed development and are of the opinion that the proposed development is unlikely to have a significant impact on highway safety or amenity in the immediate vicinity of the site. However, this is subject to the boundary treatments being erected strictly in accordance with details submitted on Drawing U206-P102B dated 6.8.26 (New Boundary Treatment plan).

The highway authority also notes that a gate is proposed to be inserted into the rear boundary fence. The access road leading to Eastcroft and the adjacent garage colony is privately maintained and does not form part of the highway network maintained at public expense. Therefore, the applicant should seek legal advice as to whether they have a legal right of access from this access road to the rear of their property.

Parish/Town Council

No response

Public Response

The nearest neighbours have been notified by letter, with 4 objections received raising the issues summarised below:

- Construction well underway before permission is obtained. A large gap is left at the back as if they are planning on putting parking there.
- The proposed wall incongruous with the surrounding environment
- It will block more view to the adjoining streets

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 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.

Policy S3 (Presumption in favour of sustainable development) states that decisions on development proposals should apply a presumption in favour of sustainable development.

Policy S4 (Principle of development within settlements) states that development proposals within settlements should be approved unless their adverse effects would substantially outweigh their benefits, having regard to the national decision-making policies contained within the Framework.

Policy DP3 (Key principles for well-designed places)

3. Development proposals should be refused if, without clear justification, they conflict with paragraph 1 of this policy or relevant aspects of the principles in paragraph 2, or with any explicit design standards set out in the development plan (including those in locally specific policies, guides, codes or masterplans). Substantial weight should be given to compliance with relevant development plan policies when assessing the design quality of proposals.

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 site previously had 1m high timber picket fence to the front and part of the side boundary and 2m high close boarded timber fence for the rest of the boundary. The current proposal seeks permission to erect a 1m high rendered boundary wall section at the corner of Hollins and Marsden Hall Road North and a 1m anthracite composite panel above a 1m rendered wall for the sides and rear. The design would leave sections of the front and side boundaries adjoining the front lawn open.

The neighbourhood has mostly picket fences and close boarded fences along their boundaries. While the proposed boundary treatment wouldn't be characteristic of the street scene here, it wouldn't have an unacceptable impact, especially since the boundary treatments to the front is minimal.

A condition would be necessary for samples to ensure the colours and finishes are visually appropriate to the building and the area. Subject to such a condition the proposed development would be acceptable.

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 proposed boundary treatments would not result in any overbearing impacts, unacceptable loss of light or privacy to any adjacent property.

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

Highways

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).

The highway authority however notes that a gate is proposed to be inserted into the rear boundary fence. The access road leading to Eastcroft and the adjacent garage colony is privately maintained and does not form part of the highway network maintained at public expense. Therefore, the applicant should seek legal advice as to whether they have a legal right of access from this access road to the rear of their property. This can be added as an informative in case of approval.

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:

U206P102B (rev B dated 06.08.26) Existing and proposed plans
U206- 101 Site plans

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

3. 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 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 and character and appearance of the Area.

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.

Application Ref: 26/0435/HHO

Proposal: Full: Demolition of existing boundary fence and erection of boundary walls/fences.

At 129 Marsden Hall Road North, Nelson, Lancashire

On behalf of: Mr Muneeb Ul Hassan

REPORT TO NELSON BRIERFIELD AND REEDLEY COMMITTEE ON 07TH SEPTEMBER 2026

Application Ref: 26/0460/VAR

Proposal: Variation of Condition: Vary Condition 2 (Plans) of Planning Permission 25/0859/HHO.

At 22 Hunslet Street, Nelson, Lancashire

On behalf of: Mr Abbas Bhari

Date Registered: 13.07.2026

Expiry Date: 07.09.2026

Case Officer: Athira Pushpagaran

This application has been called in by the Chair.

Site Description and Proposal

The application site is a mid-terrace dwelling situated within the defined settlement boundary of Nelson. The main access is from Hunslet street. The row of terrace directly faces an open area of allotments, which allows longer range views of the front elevation than typical row of terraces.

The proposed variation is to vary the materials for the front dormer from hung slate to composite cladding.

Relevant Planning History

25/0859/HHO Full: Erection of dormer windows to front and rear roof slopes and the erection of a single storey rear extension. Approved with Conditions. 2026

Consultee Response

Highways

No objection

Parish/Town Council

No response

Public Response

The nearest neighbours have been notified by letter, a site & press notice have been displayed, with no objection received raising the following concerns:

- Impact on privacy and living conditions

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 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.

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.

Policy S3 (Presumption in favour of sustainable development) states that decisions on development proposals should apply a presumption in favour of sustainable development.

Policy S4 (Principle of development within settlements) states that development proposals within settlements should be approved unless their adverse effects would substantially outweigh their benefits, having regard to the national decision-making policies contained within the Framework.

Policy DP3 (Key principles for well-designed places) Development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets. This should not preclude innovation or change where appropriate, especially where an increased scale or density of development is justified in accordance with policies L2 and L3.

2. To create well-designed places, development proposals should also reflect relevant aspects of the following principles, as appropriate to the nature of the development and its location

e. Built Form: use the pattern of buildings to define the arrangement of streets, squares and other spaces, promote compact forms of development to optimise the site's potential, distinguish between public and private areas, create focal points and, where appropriate, enhance views into and out of the scheme;

g. Identity: create visually attractive, distinctive and characterful development to establish or maintain a strong sense of place and pride, including through the use of a coherent palette of materials, design features and planting.

3. Development proposals should be refused if, without clear justification, they conflict with paragraph 1 of this policy or relevant aspects of the principles in paragraph 2, or with any explicit design standards set out in the development plan (including those in locally specific policies, guides, codes or masterplans). Substantial weight should be given to compliance with relevant development plan policies when assessing the design quality of proposals.

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 original permission approved wall hung tiles for the front dormer. The proposed variation is to clad the front dormer in anthracite composite cladding.

Due to the location of the site the front dormers would be highly prominent from public vantage points and close- and short-range views. The approved tiles would match that of the existing roof and would help blend the dormer into the roof scape. The proposed cladding however would be an alien element and would cause harm to the character and appearance of the original dwelling and have a wider impact upon visual amenity, especially due to its prominent location in front of an open area.

Therefore, the proposed variation would not be acceptable in terms of design and would be contrary to policies DM16 and DM24 of the Adopted Pendle Local Plan Fourth Edition (2021-2040) and the Adopted Pendle Design principles SPD.

Residential Amenity

The proposed variation only relates to the materials on the approved dormer and would not result in any overbearing impacts, unacceptable loss of light or privacy to any adjacent property.

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

Highways

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).

RECOMMENDATION: Refuse

Due to the following reason:

The proposed variation would result in a design that is incongruous to the character and appearance of the existing dwelling and its surroundings and would have an unacceptable visual impact. It would conflict with Policy DM16 and DM24 of the Adopted Pendle Local Plan Fourth Edition (2021-2040), Policy DP3 of the National Planning Policy Framework and the Adopted Pendle Design principles SPD.

Application Ref: 26/0460/VAR

Proposal: Variation of Condition: Vary Condition 2 (Plans) of Planning Permission 25/0859/HHO.

At 22 Hunslet Street, Nelson, Lancashire

On behalf of: Mr Abbas Bhari

REPORT TO NELSON BRIERFIELD AND REEDLEY COMMITTEE ON 07TH SEPTEMBER 2026

Application Ref: 26/0474/HHO

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

At: 16 Berkeley Street, Nelson

On behalf of: Mr Muhammad Anwar Begum

Date Registered: 20.07.2026

Expiry Date: 14.09.2026

Case Officer: Luke Jones

This application has been called in by the Chair.

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 Berkeley 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 proposed development would increase the number of bedrooms from two to four, which is a significant increase in the potential number of occupants.

There is no associated off-road parking, nor can any be provided. The property is located within a row of terraced housing where there is an existing high demand for the limited on-road parking. Whilst this raises concerns, as the increased demand for on-road parking can be difficult to absorb without causing loss of amenity for existing residents, these are not to such an extent to raise an objection as outlined by the NPPF. The highway authority also notes that the site is within acceptable walking distance of public transport on Brunswick Street and Railway Street, which may reduce the reliance on the use of private vehicles.

Following the rear kitchen extension sufficient space for refuse bins is likely to be retained which will allow all bins to be stored within the back yard.

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 slate 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 measuring 5.15m by 2.8m, incorporating a flat roof with a height of 2.85m. The external materials would include silicone rendered walls, flat rubber roofing, and UPVC doors and windows. 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 circa 5.15m from the rear elevation of the original dwelling, contrary to the SPD guidance by 1.15m. When measured from the nearest ground floor habitable room window of No.18, the 45-degree line would be in breach. It is noted that No.18 is at a higher elevation than the application site and has an existing detached outbuilding in the corner of the rear yard, directly adjacent to the application property. However, given that the extension would project above the outbuilding, introducing a tall structure across the full boundary to No.18 would result in an increased sense of enclosure and unacceptable overbearing impact.

To the other side, No.14 is at a lower elevation than the application dwelling and includes a rear door opening and rear window serving a kitchen diner (habitable room). When measured from the window the 45-degree line would be in breach. Whilst the extension would be set in from the shared side boundary by circa 1.2m, this would not mitigate the overbearing impact arising from the development. Given the neighbour is at a lower elevation than the application site, the

perceived height of the extension would be greater, resulting in an increased sense of enclosure and an unacceptable overbearing impact to the occupiers of No.14.

In terms of privacy, there is one window and two door openings proposed on the side elevation facing No.14. 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.14. 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 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.

Overall, due to depth of single storey rear extension, the development would result in an increased sense of enclosure and an unacceptable overbearing impact to the adjoining neighbouring properties of No.14 and No.18, contrary to Policy DM16 and Policy DM24 of the adopted Pendle Local Plan Fourth Edition (2021-2040) and the adopted 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 adopted Pendle Local Plan Fourth Edition (2021-2040) and the adopted Design Principles SPD.
2. The proposed extension, by virtue of its depth, siting, and relationship with the adjoining properties at No.14 and No.18 Berkeley Street, would have a materially harmful overbearing impact on residential amenity of the occupants of No.14 and No.18, in conflict with Policy DM16 and Policy DM24 of the adopted Pendle Local Plan Fourth Edition (2021-2040) and the adopted Design Principles SPD.

Application Ref: 26/0474/HHO

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

At: 16 Berkeley Street, Nelson

On behalf of: Mr Muhammad Anwar Begum

REPORT TO NELSON BRIERFIELD AND REEDLEY COMMITTEE ON 07TH SEPTEMBER 2026

Application Ref: 26/0476/HHO

Proposal: Full: Erection of a single storey rear extension and external alterations to lift roof and insert windows.

At 36 Priory Chase, Nelson, Lancashire

On behalf of: Mr Anjam Qayum

Date Registered: 20.07.2026

Expiry Date: 14.09.2026

Case Officer: Athira Pushpagaran

This application is sent to the Area Committee as it is made by an officer of the Council.

Site Description and Proposal

The application site is a semidetached dwelling situated in a residential neighbourhood within the defined settlement boundary of Nelson. The main access is from Priory Chase. Due to the slope in the terrain the application site is situated a step below the attached no.34, with its floor, cill and roof levels all stepped down from that of the attached dwelling.

The proposed development is the erection of a single storey rear extension and external alterations to lift roof and insert windows.

Relevant Planning History

13/03/0158P Amended house types for plots 46, 49, 65, 66, 67. Approved with Conditions. 2003

13/02/0679P Erect 37 detached houses and 35 semi-detached and mews houses (reserved matters). Approved with Conditions. 2002

13/01/0569P Residential development (Outline) (Reg 4) (Renewal). Approved with Conditions. 2001

13/98/0002P Residential development (outline) (Reg 4). Approved with Conditions. 1998.

Consultee Response

Highways

No objection

Parish/Town Council

No response

Public Response

The nearest neighbours have been notified by letter, with no response.

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 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.

Policy S3 (Presumption in favour of sustainable development) states that decisions on development proposals should apply a presumption in favour of sustainable development.

Policy S4 (Principle of development within settlements) states that development proposals within settlements should be approved unless their adverse effects would substantially outweigh their benefits, having regard to the national decision-making policies contained within the Framework.

Policy DP3 (Key principles for well-designed places) Development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration

of heritage assets. This should not preclude innovation or change where appropriate, especially where an increased scale or density of development is justified in accordance with policies L2 and L3.

2. To create well-designed places, development proposals should also reflect relevant aspects of the following principles, as appropriate to the nature of the development and its location

e. Built Form: use the pattern of buildings to define the arrangement of streets, squares and other spaces, promote compact forms of development to optimise the site's potential, distinguish between public and private areas, create focal points and, where appropriate, enhance views into and out of the scheme;

g. Identity: create visually attractive, distinctive and characterful development to establish or maintain a strong sense of place and pride, including through the use of a coherent palette of materials, design features and planting.

3. Development proposals should be refused if, without clear justification, they conflict with paragraph 1 of this policy or relevant aspects of the principles in paragraph 2, or with any explicit design standards set out in the development plan (including those in locally specific policies, guides, codes or masterplans). Substantial weight should be given to compliance with relevant development plan policies when assessing the design quality of proposals.

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 proposed development includes the raising of the height of the roof of the dwelling to match the adjoining no. 34, by circa 30cm. This would line up the ridge and eaves of the application site with that of no.34. as no other elements of the front elevation would be changed it would register as a misalignment between the window cills, lintels and porch roofs of the two properties. However, the neighbourhood has a mixture of different types of semidetached units, with varied front elevations and roof lines. Considering this context and that the dwelling is situated within a cul-de-sac there would be no unacceptable impact on the character and appearance of the dwelling and the street scene. This element of the proposed development therefore would be acceptable.

The proposed roof lights to the rear roof slope wouldn't result in any impact on the character of the dwelling and the street scene.

The proposed development also includes an elevation to the rear. It would project 4.5m from the rear elevation and circa 3m to the side of the existing side elevation of the dwelling. There is existing close boarded fence around the rear garden, part of which that is visible from the road will be replaced by the extension. It would be as wide as the whole site. As such part of it that projects to the side would be visible from the front. Its side elevation would also be visible from the turning head from the side. It would have a lean-to roof to the rear elevation. The materials would be artificial stone to the walls and white UPVC openings to match the existing building. Considering its

location within a cul-de-sac, adjoining dwellings of varied, on balance the proposed extension would not result in any unacceptable visual impact.

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 proposed rear extension would extend 4.5m and would adjoin no. 34's rear extension that extends 4m. The roof lift by 30cm would not impact any neighbouring property. The proposal also includes three roof lights to the rear roof slope. It would not directly face any windows of the property to the rear. It would face the raised rear garden of no.38. However, this garden is situated at an angle from the rear elevation of the application site and no.38 has tall fencing around the rear garden. As such there would be no unacceptable privacy impacts. The proposed extension would also have windows to the rear which open to the rear garden. This would have no privacy impacts on any neighbours.

The proposed development in this case would not result in any overbearing impacts, unacceptable loss of light or privacy to any adjacent property.

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

Highways

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).

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:

LU363 - P101A Proposed plans

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

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

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

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.

Application Ref: 26/0476/HHO

Proposal: Full: Erection of a single storey rear extension and external alterations to lift roof and insert windows.

At 36 Priory Chase, Nelson, Lancashire

On behalf of: Mr Anjam Qayum

REPORT TO NELSON BRIERFIELD AND REEDLEY COMMITTEE ON 07TH SEPTEMBER 2026

Application Ref: 26/0480/HHO

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

At 384 Leeds Road, Nelson, Lancashire

On behalf of: Mrs Anita Mahmood

Date Registered: 20.07.2026

Expiry Date: 14.09.2026

Case Officer: Athira Pushpagaran

This application was called in by the Chair.

Site Description and Proposal

The application site is amid terrace property situated within the defined settlement boundary of Nelson. It is part of a residential terraced row along Leeds Road. The main access is from Leeds Road. All the properties in the row have single storey rear outriggers with a sloping roof. The outriggers of every two dwellings are attached to each other forming a full pitched roof. The application site has a further lean-to extension beyond the original outrigger, as is the case for most other neighbours including no.386.

The proposed development is the demolition of the existing outrigger and extension, and the erection of a single-storey rear extension.

Relevant Planning History

No relevant planning history.

Consultee Response

Highways

No objection

Parish/Town Council

No response

Public Response

The nearest neighbours have been notified by letter, with one objection received raising the following concerns:

- Th work had already commenced before the application notification and caused the neighbourhood disruption to communal back streets, blocking access and impacting bin collections.

- The skip placed on the back street also places children at risk due to building waste, oil and glass all over.

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 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.

Policy S3 (Presumption in favour of sustainable development) states that decisions on development proposals should apply a presumption in favour of sustainable development.

Policy S4 (Principle of development within settlements) states that development proposals within settlements should be approved unless their adverse effects would substantially outweigh their benefits, having regard to the national decision-making policies contained within the Framework.

Policy DP3 (Key principles for well-designed places)

3. Development proposals should be refused if, without clear justification, they conflict with paragraph 1 of this policy or relevant aspects of the principles in paragraph 2, or with any explicit design standards set out in the development plan (including those in locally specific policies,

guides, codes or masterplans). Substantial weight should be given to compliance with relevant development plan policies when assessing the design quality of proposals.

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 proposed development would remove the existing mono-pitched outrigger and the lean-to extension beyond that and replace them with a mono-pitched continuous extension. The existing lean-to extension reached till the rear boundary and the proposed extension would also be till the rear boundary. The proposed extension would match the roof slope and height of the existing outrigger and would be circa 20cm wider. It would remove the fragmented appearance of the existing elements and would help improve the visual character of the rear elevation of the property.

The extension would have cream colour render on the walls, slated roof and white UPVC windows to match existing. The existing outrigger was rendered and there are other rendered outriggers and extensions in the area. The proposed materials wouldn't be incongruous to the character of the dwelling and the area.

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 existing dwelling has a 4m deep outrigger and a 2m deep lean-to extension beyond that. This is the case for adjoining no. 386 too. The proposed extension would extend the full 6m depth of the rear yard. It would breach the 45-degree angle for the rear window of no. 386, however, considering both the application site and no.386 has existing extensions up to their rear boundaries, the proposed extension would not have any unacceptable impact on the living conditions of the occupants of no.386.

The proposed extension would also breach the 45-degree angle from the rear window of no. 382. At the farthest point, the difference in height between the existing and proposed extensions would be circa 1.8m. While there already existed an extension in the same position, the difference in height would mean that the overbearing impact on the occupants of no. 382 would be greater than that resulted from the existing lean-to extension. As such the proposed development would not be acceptable in terms of residential amenity.

The extension would have two windows and one door that opens to its rear yard and face the rear yard of no. 382. There is a solid boundary wall along the party boundary and there already existed a window and door on this elevation of the existing outrigger that faced no. 382. The proposed new window would have a cill level of 1.7m and would not have any unacceptably greater impact on the privacy of the occupants of no. 382.

Therefore, the proposed development would not be acceptable in terms of residential amenity and would be contrary to policies DM16 and DM24 of the Adopted Pendle Local Plan Fourth Edition (2021-2040), and the Adopted Pendle Design principles SPD.

Highways

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

For larger developments a construction method statement is generally conditioned to ensure that no construction materials and equipment are stored, loaded and unloaded at an appropriate location within the site. However, such a condition cannot be added to a householder development of this scale as it would not pass the 5 tests for planning conditions. Permits from the Highway authority are usually required for skips to be placed on highways. Obstructions to highways or waste collection vehicles are dealt with under separate legislation and cannot be duplicated through planning.

RECOMMENDATION: Refuse

Due to the following reason:

1. The proposed development would result in an unacceptable overbearing impact on the occupants of no.382 and would have a harmful impact on their residential amenity and hence would be contrary to policies DM16 and DM24 of the Adopted Pendle Local Plan Fourth Edition (2021-2040), the Adopted Pendle Design principles SPD and policy DP3 of the National Planning Policy Framework

Application Ref: 26/0480/HHO

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

At 384 Leeds Road, Nelson, Lancashire

On behalf of: Mrs Anita Mahmood

LIST OF BACKGROUND PAPERS

Planning Applications

NW/MP

Date: 06th August 2026