

Report Title	PLANNING APPLICATIONS
Meeting	NELSON, BRIERFIELD & REEDLEY COMMITTEE
Meeting Date	5TH OCTOBER 2026
Report Author	NEIL WATSON
Directorate	PLACE
Lead Executive Member(s)	COUNCILLOR L. WHIPP
Wards Affected	BRIERFIELD EAST & CLOVER HILL, BRADLEY, WHITEFIELD & WALVERDEN AND BRIERFIELD WEST & REEDLEY
Public. Part Exempt, or Fully Exempt	PUBLIC
Appendices (if any)	NONE

PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning applications.

REPORT TO NELSON BRIERFIELD AND REEDLEY COMMITTEE ON 05TH OCTOBER 2026

Application Ref: 26/0105/CND

Proposal: Approval of Details Reserved by Condition: Discharge Condition 3 (Surface Water Drainage Strategy), Condition 4 (Surface and Foul Water Drainage Scheme), Condition 5 (Construction Surface Water Management Plan), Condition 6 (Site- Specific Operation and Maintenance Manual), Condition 7 (Site-Specific Verification Report), Condition 10 (Existing and Proposed Levels and Retaining Structures) Condition 16 (Construction Management Plan), Condition 17 (Highway Works), Condition 18 (Site Access and Off-Site Highway Works) Condition 19 (Retaining Wall Alteration), Condition 20 (Phasing Plan and Timetable of Works) and Biodiversity Net Gain Condition (Biodiversity Gain Plan) of Planning Permission 25/0149/FUL.

At: Land to the South of Halifax Road, Nelson

On behalf of: Pendle Borough Council

Date Registered: 16/02/2026

Expiry Date: 17/09/2026

Case Officer: Alex Cameron

This application has been brought before Committee as it is an application made by the Council.

Site Description and Proposal

This application is made under article 21 of the Town and Country Planning (General Development Procedure) Order 2015 to seek confirmation of compliance with Approval of Details Reserved by Condition 3 (Surface Water Drainage Strategy), Condition 4 (Surface and Foul Water Drainage Scheme), Condition 5 (Construction Surface Water Management Plan), Condition 6 (Site- Specific Operation and Maintenance Manual), Condition 7 (Site-Specific Verification Report), Condition 10 (Existing and Proposed Levels and Retaining Structures) Condition 16 (Construction Management Plan), Condition 17 (Highway Works), Condition 18 (Site Access and Off-Site Highway Works) Condition 19 (Retaining Wall Alteration), Condition 20 (Phasing Plan and Timetable of Works) and Biodiversity Net Gain Condition (Biodiversity Gain Plan) of Planning Permission 25/0149/FUL

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

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

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

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

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

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

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

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

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

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

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

Condition 4: Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable;

- (v) Evidence of how the existing public sewers crossing the site have been accurately located and the required easement clearances met, and;
- (vi) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

Condition 5: No development shall commence until a Construction Surface Water Management Plan, detailing how surface water and stormwater will be managed on the site during construction, including demolition and site clearance operations, has been submitted to and approved in writing by the Local Planning Authority. The details of the plan to be submitted for approval shall include method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include for each phase, as a minimum:

- a) Measures taken to ensure surface water flows are retained on-site during the construction phase(s), including temporary drainage systems, and, if surface water flows are to be discharged, they are done so at a restricted rate that must not exceed the equivalent greenfield runoff rate from the site.
- b) Measures taken to prevent siltation and pollutants from the site entering any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance.

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

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

Condition 6: The commencement of use of the development shall not be permitted until a site-specific Operation and Maintenance Manual for the lifetime of the development, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority. The details of the manual to be submitted for approval shall include, as a minimum

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

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

Condition 7: The commencement of use of the development shall not be permitted until a site-specific verification report, pertaining to the surface water sustainable drainage system, and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority. The verification report must, as a minimum, demonstrate that the surface water sustainable drainage system has been constructed in accordance with the approved drawing(s) (or detail any minor variations) and is fit for purpose. The report shall contain information and evidence, including photographs, of details and locations (including national grid references) of critical drainage infrastructure (including inlets, outlets, and control structures) and full as-built drawings. The scheme shall thereafter be maintained in perpetuity.

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

Condition 10: Prior to the commencement of any works to alter the levels of the details of the existing and proposed levels and any retaining structures shall have been submitted to and approved in writing by the Local Planning Authority, the development shall thereafter be carried out in strict accordance with the approved details.

Reason: In the interest of visual and residential amenity.

Condition 16: No development shall take place, including any works of demolition or site clearance, until a Construction Management Plan (CMP) or Construction Method Statement (CMS) has been submitted to, and approved in writing by the local planning authority. The approved plan / statement shall provide:

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

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

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

Condition 17: The development hereby permitted shall not commence unless and until all of the highway works to facilitate construction traffic access to the development site have been constructed in accordance with a scheme which shall be submitted to and approved by the Local Planning Authority.

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

Condition 18: Prior to commencement a scheme for the site access and off-site highway works should be submitted to and approved by the LPA. The works shall include the list a-d and shall be constructed prior to first use of the development hereby permitted:

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

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

Condition 19: Prior to the commencement of the development detailed design of the retaining wall alteration on Halifax Road to facilitate the site access shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details.

Reason: In the interest of highway safety.

Condition 20: Prior to the commencement of the development a phasing plan and timetable of works shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details.

Reason: To ensure adequate turning facilities are provided.

Biodiversity Net Gain Condition: 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

Relevant Planning History

25/0149//FUL - Full (Major): Town & Country Planning General Regulations 1992 -Regulation 3 - Change of use of land to cemetery; including car parking, maintenance area and landscaping.
Approved

Public Response

Responses received raising the following concerns:

- Risk of groundwater contamination from retaining walls and construction compound location
- Unacceptable access gradient
- Inadequate access details
- Inadequate site logistics plan
- Lack of swept path, construction management and drainage to access
- Lack of retaining wall design / structural calculations
- Condition 7 should not be discharged before Environment Agency permit is granted
- Issues with groundwater risk assessment submitted with the planning application

Consultee Response

Lead Local Flood Authority – Recommends the discharge of conditions 3, 5 and 6. Cannot recommend the discharge of condition 7, the applicant has failed to provide sufficient evidence as outlined in the wording of the condition, for the avoidance of doubt, this is a verification condition which is expected to verify the as built drainage system and any variations, and as such the Lead Local Flood Authority would be unable to recommend its discharge at this time.

United Utilities – No objection to condition 3 and 4 being discharged.

Lancashire Wildlife Trust - In respect of the Biodiversity Net Gain Conditions for Application 25/0149/FUL as approved on the 19th of August 2025, a biodiversity gain plan has been submitted to the planning authority and is accompanied by a Habitat Management and Monitoring Plan and a Statutory Biodiversity Metric. Despite there being outstanding issues with the Preliminary Ecological Assessment and the Biodiversity Net Gain Opportunities Assessment, it would appear that condition 7 of the Grant of Planning Permission for the current application can be discharged.

LCC Highways – Condition 3 - The proposal includes relaying a drain/culvert beneath footpath FP1306230. The temporary closure of this footpath will be required, and the applicant should ensure the necessary order is in place prior to commencement of any works. It is noted that the Lead Local Flood Authority are satisfied with the discharge of this condition.

Condition 10 - The proposed levels are not included and in respect of the site access road, the maximum gradient for the first 10m must be 1:40-1:20 and then a smooth transition to a maximum of 1:10 thereafter.

Condition 16 - Details are required to show the location of wheel washing, operative car parking, materials storage and loading/turning areas, protection of public footpaths including any temporary closure orders requested/progressing with LCC/PBC and timescales. We would request that this condition is not discharged until the full details are submitted.

Condition 17 - No works can commence within the highway until the S278 agreement is signed with Lancashire County Council. We would request that this condition is not discharged until the full details are submitted.

Condition 18 - The gradient of the site access for at least the first 10m must be 1:40-1:20 and then a smooth transition to a maximum of 1:10 thereafter into the site. This was agreed pre-decision. The gradient should be clearly shown on the drawings to confirm this.

- a) The traffic regulation order (double yellow lines parking restriction) needs to be shown on the drawing.
- b) The 4 bus stops (2 x Walverden Road near 247/Brier Crescent junction 250012580 & 250015574) and (2 x Halifax Road near 148 2500IMG2689 & 2500478) needs to be improved to LCC specification with raised bus border kerbing and shelters so the proposed is not considered to be acceptable.
- c) The footpaths should be 2m wide rather than 1.2m as stated. FP FP1306231 is limited by the boundaries to both sides therefore the maximum width should be used.
- d) The cycle link is 3m wide rather than 3.5m as stated. Bollards are required at both ends of the link to prevent unauthorised vehicular access.

We would request that this condition is not discharged until the plans are amended.

Condition 19 - The retaining walls calculations are provided by Scott White and Hookins who are structural, civil and engineering consultants and considered suitably qualified to undertake the design. The retaining wall is owned by the landowner, and they will be responsible for the future maintenance. There is no objection to the discharge of this condition.

Officer Comments

Condition 3 (Surface Water Drainage Strategy) – The submitted surface water drainage strategy is acceptable, this condition was requested by the Lead Local Flood Authority and they have recommended that it can be discharged.

Condition 4 (Surface and Foul Water Drainage Scheme) – The submitted details of foul and surface water drainage are acceptable, this condition was requested by United Utilities and they have recommended that it can be discharged.

Condition 5 (Construction Surface Water Management Plan) - The submitted construction surface water management plan is acceptable, this condition was requested by the Lead Local Flood Authority and they have recommended that it can be discharged.

Condition 6 (Site- Specific Operation and Maintenance Manual) – The submitted details for management and maintenance of drainage are acceptable, this condition was requested by the Lead Local Flood Authority and they have recommended that it can be discharged.

Condition 7 (Site-Specific Verification Report) – The condition requires that evidence is submitted to demonstrate that drainage has been correctly installed following the completion of those works and before commencement of the use. The condition was requested by the Lead Local Flood Authority. The condition cannot be discharged at this stage as the works to install drainage have not been completed.

Condition 10 (Existing and Proposed Levels and Retaining Structures) – The submitted details of proposed levels and retaining structures are acceptable. Concerns have been raised in relation to the level of detail in relation to structural calculations, however, other than in certain specific situations such as structures that impact upon the public highway (considered in condition 19) and retrospective developments, structural details of retaining structures are not generally required within planning applications and that was not a reason for attaching the condition. The Council's engineering section has been consulted and they are satisfied that the proposed retaining structures would be structurally acceptable.

The reasons for attaching this condition was to ensure that the levels of the site and retaining structures do not result in unacceptable residential amenity impacts, in relation to privacy and overbearing impacts, or visual impacts. The proposed levels and retaining walls would not result in unacceptable loss of privacy or overbearing impacts. The parts of the retaining walls adjacent to Halifax Road would acceptably reflect the appearance of the existing walls and whilst the proposed retaining wall would be up to 3m in height, this would be within the site and would have limited visibility beyond the site.

Concerns have been raised regarding the link to the path to the allotments. It should be noted that this is a private pedestrian access to the allotment site, and not a public right of way. Access to this would be acceptably maintained and improved by the proposed works which would include stairs from the footway of the access to replace the existing narrow, uneven steps.

The discharge of the condition is acceptable.

Condition 16 (Construction Management Plan) – LCC Highways have requested additional details, details have been submitted and LCC's response is awaited.

Condition 17 (Highway Works) – Acceptable details of the off-site highway works to for the access, which will form the construction access once complete, have been submitted. Temporary access will be required to complete that access but can be achieved via permitted development rights. LCC Highways have requested that this condition is not discharged until the Section 278 of the Highways Act agreement has been signed, however, that is a separate process and planning guidance is clear that controls under other regulatory regimes cannot be duplicated or be required to be completed by a planning condition. Therefore, the discharge of the condition is acceptable.

Condition 18 (Site Access and Off-Site Highway Works) - LCC Highways have requested additional details of bus stop improvements and access gradients, details have been submitted and LCC's response is awaited.

Condition 19 (Retaining Wall Alteration) – This condition relates to the retaining wall adjacent to the Highway on Halifax Road, it was requested by LCC Highways. The submitted details are acceptable and LCC Highways have no objection to the discharge of the condition.

Condition 20 (Phasing Plan and Timetable of Works) – Details have been submitted together with details for condition 16, LCC Highway's response to the additional details is awaited.

Biodiversity Net Gain Condition – The submitted details demonstrate that the post development on-site biodiversity mitigation would result in uplifts of 49.37% in watercourse biodiversity units and 10.6% in area habitat units and no impact on linear habitats. This would provide an acceptable 10% uplift and the Council's ecology consultants have advised that the submitted details are acceptable to discharge the condition.

Other matters

Concerns have been raised regarding groundwater contamination risk, the groundwater risk assessment for the cemetery use is not specifically relevant to the conditions subject to this application. The condition relating to that does not require discharge and the details of groundwater risk mitigation are subject to a separate permitting regime with the Environment Agency. Concerns of groundwater contamination risk have also been raised in relation to the construction compound and piling for the retaining walls. The Council's engineering section has confirmed cantilever raft foundations approximately 1m deep are proposed, rather than piled foundations.

Contamination risk from the construction compound are controlled under normal construction site management and that would be the case of any building site, any impacts in relation to the risks from the cemetery use would be a matter for the Environment Agency permitting process.

Conclusion

It is recommended that the approval of discharge of conditions 3, 4, 5, 6, 10, 16, 17, 18, 19, 20 and the Biodiversity Net Gain condition, and refusal of discharge of condition 7 is delegated to the Assistant Director Planning Building Control and Regulatory Services subject to acceptable details for conditions 10, 16, 18 and 20

RECOMMENDATION: Delegate Split Decision Approve Discharge of Conditions 3, 4, 5, 6, 10, 16, 17, 18, 19, 20 and Biodiversity Net Gain Condition, Refuse Discharge of Condition 7

Application Ref: 26/0105/CND

Proposal: Approval of Details Reserved by Condition: Discharge Condition 3 (Surface Water Drainage Strategy), Condition 4 (Surface and Foul Water Drainage Scheme), Condition 5 (Construction Surface Water Management Plan), Condition 6 (Site- Specific Operation and Maintenance Manual), Condition 7 (Site-Specific Verification Report), Condition 10 (Existing and Proposed Levels and Retaining Structures) Condition 16 (Construction Management Plan), Condition 17 (Highway Works), Condition 18 (Site Access and Off-Site Highway Works) Condition 19 (Retaining Wall Alteration), Condition 20 (Phasing Plan and Timetable of Works) and Biodiversity Net Gain Condition (Biodiversity Gain Plan) of Planning Permission 25/0149/FUL.

At: Land To The South Of Halifax Road, Nelson

On behalf of: Pendle Borough Council

REPORT TO NELSON BRIERFIELD AND REEDLEY COMMITTEE ON 05TH OCTOBER 2026

Application Ref: 26/0472/HHO
Proposal: Full: Erection of a single storey side and rear extension.
At: 8 Regent Place, Nelson
On behalf of: Mr Peter Nawab
Date Registered: 16.07.2026
Expiry Date: 10.09.2026
Case Officer: Luke Jones

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

Site Description and Proposal

The application site is an end-terrace two-storey dwelling situated within the defined settlement boundary of Nelson. The original dwelling has a combination of red brick and rendered walls, a pitched roof of slate tiles, and UPVC doors and windows.

The proposed development is the erection of a single storey side and rear extension.

Relevant Planning History

None.

Consultee Response

Highways

The Highway Development Control Section of Lancashire County Council has no objections to the planning application in principle; this is however subject to the request below. 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).

After reviewing the submitted proposals the application includes internal alterations together with the creation of a room identified as a bedroom on the proposed floor plans. However, the application documents do not specify the existing or proposed number of bedrooms within the dwelling.

The submitted site layout appears to demonstrate the provision of two off-street parking spaces. However, no dimensions have been provided in relation to the parking area, and it is not possible to fully assess the suitability of the parking provision or determine whether any additional parking space could be accommodated within the site should this be required.

Should the proposal result in a three or more-bedroom dwelling, the applicant will need to demonstrate that sufficient off-street parking can be provided in accordance with the relevant parking standards. A revised parking layout should be submitted showing the required number of parking spaces together with dimensions and sufficient clearance for vehicle parking, all within the property ownership.

The Local Highway Authority therefore requests clarification of the existing and proposed number of bedrooms and, if the proposal would result in an increased parking requirement.

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 neighbouring properties have been notified by letter with one response received raising no objections.

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

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) sets out the expectations of design which are relevant to the nature of the development and its location.

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

Officer Comments

The proposed development is in a residential neighbourhood situated within the defined settlement boundary of Nelson. There are no underlying policies which would prevent the development in principle. The principal material considerations for the application are as follows:

Design and Materials

The Design Principles SPD advises that extensions should be subordinate in scale and form to the original dwelling and should not appear out of place within the street scene. The extension should also not result in a cramped appearance around the dwelling.

The proposed development includes a single storey wrap around rear/side extension, projecting approximately 6m in depth from the rear elevation, across the full width of the dwelling and past the side elevation by circa 1.65m. The side element of the extension would be set back from the principal elevation by circa 4.1m. The roof would be pitched with an eaves height of circa 2.5m and ridge height of circa 3.55m. The external materials would include off white rendered walls, concrete tiled roof, and white UPVC doors and windows.

Whilst the overall footprint of the extension is substantial in relation to the host dwelling, given the size of the plot and its single storey form, the extension would retain sufficient area to avoid a cramped appearance and would retain the character and appearance of the host dwelling and wider street scene. The materials of the proposed development would also be appropriate, closely matching the materials of the host dwelling.

In overall terms the development would be acceptable in terms of design.

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 rear 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 SPD also advises that windows should normally be restricted on rear extensions, to avoid overlooking of neighbouring gardens and dwellings.

The adjoining property, No.6, contains a ground-floor rear-facing kitchen window serving a habitable room. The proposed extension would project approximately 6m beyond the rear elevation of the existing dwelling and would be located adjacent to the shared boundary with No.6. When assessed from the rear kitchen window, the proposal breaches the 45-degree guideline. As such, the extension would have an unacceptable overbearing impact to the occupiers of No.6, contrary to the guidance contained within the SPD.

To the opposite side, the extension would be positioned approximately 1m from the boundary shared with No. 10. Following the submission of amended plans, the proposal would not breach the 45-degree guideline when measured from the nearest rear habitable room window at No.10. Accordingly, the development would not give rise to any unacceptable overbearing or overshadowing impacts.

No. 10 also contains a glazed side door serving the kitchen which faces towards the proposed extension. Although the extension would be situated approximately 2.5m from this opening, existing boundary fencing provides a degree of screening between the properties. Furthermore, the side door already has an established relationship with the gable wall of the host dwelling. Taking these factors into account, the proposal would not result in an unacceptably greater overbearing or overshadowing impact than currently exists.

In terms of privacy, the extension would contain windows within the rear elevation together with a side-facing window directed towards No. 10. The rear-facing windows would be approximately 9m

from the rear site boundary and, given their ground-floor position, would not result in any unacceptable overlooking of neighbouring properties to the rear.

The side-facing window would be located approximately 2.5m from the gable elevation of No.10, which includes the glazed side kitchen door. Whilst this arrangement would give rise to the potential for overlooking, it is noted that a side extension with an increased width could be erected under permitted development rights, within which a window or door could reasonably be installed in a similar position and relationship to No.10. Therefore, the relationship created by the proposed side-facing window would not be materially different to that which could arise under permitted development and is therefore acceptable.

The applicant has raised a potential fallback of Larger Home Extension (LHE) permitted development rights in relation to the impact on No.6, however, without a valid LHE notification having been submitted and determined that cannot be considered as a fallback position. Whilst there has been no objection to this application, it cannot be assumed that there would not be an objection to a LHE and it is not appropriate to delay the determination of this application for another application process to be undertaken.

Overall, the proposal would breach the 45-degree guideline when assessed from the rear habitable room window at No.6 and would therefore result in an unacceptable overbearing impact on the occupants of No.6. This would be contrary to Policies DM16 and DM24 of the Adopted Pendle Local Plan Fourth Edition (2021-2040) and Adopted Pendle Design Principles SPD.

Highways

LCC Highways have made comments on the proposal requesting for further information as to the existing and proposed number of bedrooms at the property.

Further clarification has been received to suggest that the development would increase the number of bedrooms at the property from two to three. This would increase the maximum parking requirement from one space to two spaces. A Proposed Site Plan has been submitted which clearly shows that two sufficiently sized off-street parking spaces can be accommodated at the front of the dwelling in line with the parking requirements.

As such, the proposal is acceptable in highway terms.

RECOMMENDATION: Refuse

1. By reason of its scale, siting, and proximity to the shared boundary with No.6 Regent Street, the proposed extension would result in an unacceptable overbearing impact to a ground floor window serving a habitable space. The development would therefore cause harm to the residential amenity of the adjoining occupiers at No.6, contrary to Policy DM16 and Policy DM24 of the adopted Pendle Local Plan Fourth Edition (2021-2040) and the adopted Design Principles SPD.

Application Ref: 26/0472/HHO

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

At: 8 Regent Place, Nelson

On behalf of: Mr Peter Nawab

REPORT TO NELSON BRIERFIELD AND REEDLEY COMMITTEE ON 05TH OCTOBER 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

REPORT TO NELSON BRIERFIELD AND REEDLEY COMMITTEE ON 05TH OCTOBER 2026

Application Ref: 26/0499/HHO
Proposal: Full: Erection of dormer windows to front and rear roof slopes.
At: 28 Beaufort Street, Nelson
On behalf of: Mr Tahir Hussain
Date Registered: 31.07.2026
Expiry Date: 25.09.2026
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 Beaufort 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

Having reviewed the documents submitted, Lancashire County Council acting as the local highway authority makes the following comments.

The proposed development would increase the number of bedrooms from three to five, 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 local amenities and facilities including public transport on Hibson Road and Manchester Road, which may reduce the reliance on the use of private vehicles.

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 grey cladding with rubber felt 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 three to five. 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. It is also noted that the site is within acceptable walking distance of local amenities and facilities including public transport on Hibson Road and Manchester Road, which may reduce the reliance on the use of private vehicles.

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: 26/0499/HHO

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

At: 28 Beaufort Street, Nelson

On behalf of: Mr Tahir Hussain

REPORT TO NELSON BRIERFIELD AND REEDLEY COMMITTEE ON 05TH OCTOBER 2026

Application Ref: 26/0520/HHO
Proposal: Full: Erection of dormer windows to front and rear roof slopes.
At: 19 Beaufort Street, Nelson
On behalf of: Mr Mohammed Ismail
Date Registered: 10.08.2026
Expiry Date: 05.10.2026
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 Beaufort Street. The original dwelling has stone walls, a pitched roof of slate tiles and UPVC doors and windows.

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

Relevant Planning History

None.

Consultee Response

Highways

The Highway Development Control Section of Lancashire County Council has no objections to the planning application. The National Planning Policy Framework (NPPF) states that "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios." (Paragraph 116).

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

It is acknowledged that the proposal may result in an increase in demand for on-street parking due to the creation of additional bedroom accommodation. However, no alterations are proposed to the existing access arrangements or the public highway, and there are no highway safety concerns arising from the development.

Informative notes

- The grant of planning permission will 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 one response received raising the following objection to the proposal:

- Loss of privacy of neighbouring property

Relevant Planning Policy

Pendle Local Plan Fourth Edition (2021-2040)

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

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

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

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

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

National Planning Policy Framework

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) sets out the expectations of design which are relevant to the nature of the development and its location.

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

Officer Comments

The proposed development is in a residential area situated within the defined settlement boundary of Nelson. There are no underlying policies which would prevent the development in principle. The principal material considerations for the application are as follows:

Design and Materials

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

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

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

Concerns have been raised as to the loss of privacy to the directly adjacent property to the rear, No. 18 Ripon Street. However, the proposed rear dormer window would not materially alter existing overlooking relationships, as it would not exceed the established elevations of the host dwelling at first-floor level and therefore would not give rise to unacceptable loss of privacy or overlooking.

Similarly to the front elevation, the front dormer would not materially alter existing overlooking relationships and therefore would not give rise to unacceptable loss of privacy or overlooking to neighbouring properties.

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

Highways

The development would increase the number of bedrooms at the property from two to four. This would increase the maximum parking requirement from one space 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. It is also noted that the site is within acceptable walking distance of local amenities and facilities including public transport on Hibson Road and Manchester Road, which may reduce the reliance on the use of private vehicles.

LCC Highways raises no objection, subject to an informative note being placed on any approval. 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: 26/0520/HHO

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

At: 19 Beaufort Street, Nelson

On behalf of: Mr Mohammed Ismail

REPORT TO NELSON BRIERFIELD AND REEDLEY COMMITTEE ON 05TH OCTOBER 2026

Application Ref: 26/0522/HHO

Proposal: Full: Erection of a single storey rear extension and single storey outbuilding connected by a veranda.

At: 11 Wharfedale Avenue, Reedley

On behalf of: Mr Umar Zaman

Date Registered: 10.08.2026

Expiry Date: 05.10.2026

Case Officer: Luke Jones

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

Site Description and Proposal

The application site is a semi-detached two storey dwelling situated within the defined settlement boundary of Reedley. The existing dwelling has white rendered walls, a pitched roof of slate tiles, and UPVC doors and windows.

The proposed development is the erection of a single storey rear extension and single storey L-shaped outbuilding to the rear, connected by a veranda roof.

It is noted that this is a retrospective application.

Relevant Planning History

16/0758/HHO – Full: Erection of a first floor extension to the side and alteration to convert the existing garage to a habitable room. Approved with Conditions.

17/0594/LHE – Permitted Development Notification (Larger Home Extension): Erection of a single storey rear extension (Length 3.3m, Height 3.1m and Eaves 2.4m) and a single storey front porch. Prior Approval Not Required Accept.

18/0799/LHE - Permitted Development Notification (Larger Home Extension): Erection of single storey extension to rear. Application Returned.

Consultee Response

Highways

With regard to your consultation email dated 10th August 2026, we have the following comments to make based on all the information provided by the applicant to date.

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.

The proposed development comprises a single storey rear extension and single storey outbuilding connected by a veranda within the curtilage of the existing dwelling. The proposal does not include the creation or alteration of a vehicular access and is not considered likely to result in a material impact on highway safety or the operation of the local highway network.

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 neighbouring properties have been notified by letter with no response 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

Policy DM8 (Unauthorised development and enforcement) states that in cases of unauthorised development where consideration is being given to an application for retrospective planning permission, if it is concluded based on evidence that the unauthorised development was intentional, that fact should be given substantial weight in considering whether to grant planning permission.

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) sets out the expectations of design which are relevant to the nature of the development and its location.

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

Officer Comments

The proposed development is in a residential neighbourhood situated within the defined settlement boundary of Reedley. There are no underlying policies which would prevent the development in principle. The principal material considerations for the application are as follows:

Retrospective application

Policy DM8 of the NPPF states that considerable weight should be given as to whether to grant planning permission for a retrospective application if it is concluded based on evidence that the unauthorised development was intentional.

In this case, a previous application for a Larger Home Extension (18/0799/LHE) was submitted by the applicant but was returned as invalid. This demonstrates that the applicant was aware that planning permission would be required before the development could lawfully proceed. Despite this, the development was subsequently undertaken prior to the submission and determination of a valid planning application.

Therefore, based on the available evidence, the unauthorised development was carried out intentionally. In accordance with Policy DM8, substantial weight is attached to this matter in the determination of the application.

Design and Materials

The Design Principles SPD advises that extensions should generally be designed to appear subordinate in scale to the original dwelling. The overall scale of the development should not look out of place in the street scene. Also, extensions should leave adequate garden areas for sitting out, refuse bins, etc.

The proposal includes the erection of a single storey rear extension measuring approximately 3.2m in depth from the rear elevation of the main dwelling with a length of approximately 6.1m. The extension would have a flat roof with a height of approximately 2.7m with a protruding roof lantern. The external materials would include white rendered walls and black UPVC doors and windows.

The proposal also includes the erection of an L-shaped outbuilding in the north-east corner of the rear garden, built across the side and rear boundaries. The outbuilding would have a flat roof with a height of approximately 2.5m.

In addition, a veranda structure is proposed across part of the rear garden, connecting the extension to the outbuilding. The veranda would comprise a flat roof supported by pillars and would cover a significant portion of the rear garden.

The overall scale of the development is substantial in relation to the host dwelling and would result in a large percentage of built form covering the rear garden which is uncommon in a residential area. The proposal would incorporate contemporary design features, including the veranda structure, that do not closely reflect the character of the host dwelling or wider street scene.

However, all elements of the proposal would be located to the rear of the property and would be largely screened from public vantage points within the street scene. Whilst the development would

be visible from neighbouring properties, it would not be significantly visible within the wider public realm and would therefore not detract from the character or appearance of the surrounding area.

On balance, although the proposal does not directly reflect the design of the host dwelling and introduces a significant amount of built form within the rear garden, its limited visibility from public viewpoints ensures that it would not result in unacceptable harm to the character and appearance of the host dwelling or the wider street scene. The proposal is therefore acceptable in design terms.

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. The SPD also advises that windows should normally be restricted on rear extensions, to avoid overlooking of neighbouring gardens and dwellings.

The proposed single-storey rear extension would be set in from the boundary shared with No. 9 Wharfedale Avenue and would project approximately 3.2m beyond the rear elevation of the dwelling. Having regard to its limited projection, the extension would not result in any unacceptable overbearing or overshadowing impacts to the occupiers of No. 9.

The proposed veranda would project a further 1.4m from the rear extension, resulting in a total projection of approximately 4.6m from the rear elevation of the main dwelling. The veranda would be set in from the side boundary by approximately 0.95m and reach a height of approximately 2.57m.

Whilst the veranda would comprise an open-sided structure, it would give rise to a relationship with the nearest ground floor rear habitable room window serving a living room/family room at No. 9 that would be comparable to that created by an extension. The structure would extend beyond the 4m guideline set out within the SPD and would breach the 45-degree line when measured from the affected habitable room window. As a result, the veranda would appear unduly dominant when viewed from this window, resulting in an unacceptable overbearing impact on the occupiers of No. 9.

A boundary wall is also proposed along the shared boundary with No. 9. This wall would measure approximately 2.3m in height. Given the existing boundary fencing of a similar height, the wall would not have an unacceptable impact on the amenity of the occupiers of No. 9.

To the opposite side, the application site shares boundaries with the side boundary of No. 13 Wharfedale Avenue and the rear boundary of No. 5 Garsdale Avenue. Due to the limited projection of the extension along the side boundary shared with No. 13 and with no habitable rooms being unacceptably impacted by overbearing or overshadowing, no unacceptable amenity impacts would arise to the occupiers of No. 13.

With regard to No. 5 Garsdale Avenue, the proposed outbuilding would measure approximately 2.25m in height and extend along the shared rear boundary. Whilst this would introduce a significant extent of built form along the boundary, its limited height would ensure that it would not have any unacceptable or overshadowing impacts.

The outbuilding would also extend along the boundary shared with No. 7 Garsdale Avenue. Given its modest height of approximately 2.25m, the development would not result in any unacceptable overbearing or overshadowing impact to the occupiers of No. 7.

In terms of privacy, the rear extension includes a side-facing window within the elevation facing the boundary shared with No. 9. The window would be set approximately 3.2m from the side boundary. Whilst there is a side-facing habitable room window at No. 9, the presence of the existing tall boundary treatment would substantially restrict direct views between the two windows.

As such, this window would not result in any unacceptable overlooking or loss of privacy to the occupiers of No. 9.

The proposed outbuilding would include windows within its front elevation facing towards the rear elevation of the host dwelling. The glazed sliding doors would be located close to the boundary shared with No. 9 and would afford some views towards the nearest first-floor rear habitable room window serving that property at a distance of approximately 9.5m. However, when considering the fallback position of permitted development, the outbuilding could reasonably be constructed under permitted development rights, provided it remained detached from the main dwelling. In such circumstances, windows and doors could be incorporated within a similar elevation and would create a similar relationship with the neighbouring property. The proposal would therefore not give rise to a materially greater level of overlooking or loss of privacy than could otherwise occur under the permitted development fallback position.

Overall, the proposed veranda would breach the 45-degree guideline when assessed from the nearest ground floor rear habitable room window at No. 9 and would therefore result in an unacceptable overbearing impact on the occupants of No. 9. This would be contrary to Policies DM16 and DM24 of the Adopted Pendle Local Plan Fourth Edition (2021-2040) and Adopted Pendle Design Principles SPD.

Highways

The development would not impact on parking requirements hence there are no highway implications arising from the proposal. LCC Highways raises no objection.

RECOMMENDATION: Refuse

1. By reason of its projection, siting, and proximity to the shared boundary with No. 9 Wharfedale Avenue, the proposed veranda causes an unacceptable overbearing impact to a ground floor window serving a habitable room. The development therefore causes harm to the residential amenity of the adjoining occupiers at No. 9, contrary to Policy DM16 and Policy DM24 of the adopted Pendle Local Plan Fourth Edition (2021-2040) and the adopted Design Principles SPD. Furthermore, taking into account the intentionally unauthorised nature of the development, substantial weight weighs against the grant of planning permission in accordance with Policy DM8 of the National Planning Policy Framework.

Application Ref: 26/0522/HHO

Proposal: Full: Erection of a single storey rear extension and single storey outbuilding connected by a veranda.

At: 11 Wharfedale Avenue, Reedley

On behalf of: Mr Umar Zaman

LIST OF BACKGROUND PAPERS

Planning Applications

NW/MP

Date: 08th September 2026