

Report Title	PLANNING APPLICATIONS
Meeting	DEVELOPMENT MANAGEMENT COMMITTEE
Meeting Date	20TH OCTOBER 2026
Report Author	NEIL WATSON
Directorate	PLACE
Lead Executive Member(s)	COUNCILLOR L. WHIPP
Wards Affected	BRADLEY, BRIERFIELD WEST & REEDLEY AND EARBY & COATES
Public. Part Exempt, or Fully Exempt	PUBLIC
Appendices (if any)	NONE

REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE 20TH 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

The application was called in to Nelson, Brierfield and Reedley Area Committee by a Councillor. Members voted to approve the application, contrary to the recommendation.

The proposed extension would breach the 45 degree guidance in relation to a habitable room window in an adjoining property and result in an unacceptable overbearing impact upon that habitable room, which would represent a significant departure from policies DM16 and DM24 of the Pendle Local Plan Fourth Edition and the Design Principles SPD. The application must therefore be determined by the Council's Development Management Committee in accordance with the constitution.

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 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) 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 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 DEVELOPMENT MANAGEMENT COMMITTEE 20TH 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 has been referred from Nelson, Brierfield & Reedley because Members were minded to approve the application, contrary to policy. The proposed extension would breach the 45 degree guidance in relation to a habitable room window in an adjoining property and result in an unacceptable overbearing impact upon that habitable room, which would represent a significant departure from policies DM16 and DM24 of the Pendle Local Plan Fourth Edition and the Design Principles SPD.

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 DEVELOPMENT MANAGEMENT COMMITTEE 20TH 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

The application was called in to Nelson, Brierfield and Reedley Area Committee by a Councillor. Members voted to approve the application, contrary to the recommendation.

The proposed extension would breach the 45 degree guidance in relation to a habitable room window in an adjoining property and result in an unacceptable overbearing impact upon that habitable room, which would represent a significant departure from policies DM16 and DM24 of the Pendle Local Plan Fourth Edition and the Design Principles SPD.

The application must therefore be determined by the Council's Development Management Committee in accordance with the constitution.

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 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) 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

REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE 20TH OCTOBER 2026

Application Ref: 26/0547/CND

Proposal: Approval of Details Reserved by Condition: Discharge Condition 13 (Landscaping Scheme), Condition 14 (External Lighting Scheme) and Condition 15 (Heat pump details) of Planning Permission 25/0813/FUL.

At: Land To The North Of The Stables Old Stone Trough Lane
Kelbrook

On behalf of: Mrs L Lancaster

Date Registered: 18/08/2026

Expiry Date: 13/10/2026

Case Officer: Alex Cameron

This application has been referred to Development Management as the decision of West Craven Committee to refuse the discharge of conditions without defensible reasons would result in a significant risk of costs against the Council at appeal.

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 Condition 13 (Landscaping Scheme), Condition 14 (External Lighting Scheme) and Condition 15 (Heat pump details) of Planning Permission 25/0813/FUL.

13. The dwelling hereby permitted shall not be occupied until a detailed landscaping scheme, including the boundary treatment along the north east boundary has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be submitted at a scale of 1:200 and shall include the following:

- a. the exact location and species of all existing trees and other planting to be retained;
- b. all proposals for new planting and turfing indicating the location, arrangement, species, sizes, specifications, numbers and planting densities;
- c. an outline specification for ground preparation;
- d. all proposed boundary treatments with supporting elevations and construction details;
- e. all proposed hard landscape elements and pavings, including layout, materials and colours;
- f. the proposed arrangements and specifications for initial establishment maintenance and long-term maintenance of all planted and/or turfed areas.

The approved scheme shall be implemented in its entirety approved form 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 in the interest of residential amenity.

14. No external lighting shall be installed on the application site, until a detailed External Lighting Scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the location, type, height, angle of illuminations, intensity and spread of all external lighting and its mode of operation. The external lighting shall be installed and operated in full accordance with the approved details and shall not be varied without the prior written approval of the Local Planning Authority.

Reason: To protect the rural character of the area.

15. Prior to its installation details of any proposed heat pump, including its location and noise level specification shall be submitted to and approved in writing by the Local Planning Authority. The heat pump shall be installed and maintained in strict accordance with the approved details.

Reason: In the interest of visual and residential amenity.

Relevant Planning History

25/0813/FUL - Full: Erection of 1 no. dwelling with associated vehicular access, infrastructure, siting of a temporary caravan, and the provision of 3 no. parking spaces. Approved

- The heat pump should be located on the opposite side of the dwelling, the location between garage and dwelling would amplify noise from the heat pump.
- The planting, fencing and lighting schemes will dramatically change the area from
- Open countryside resulting in a substantial change to the amenity value of the area.
- Request that the planting scheme and proposed fencing more accurately reflect the local characteristics of the open countryside outside of the settlement area, i.e. far less trees, open fencing or dry stone walling.
- Impact of lighting on bats.
- The cumulative effect of the details should be assessed against Policy KS DEV1 of the Kelbrook and Sough Neighbourhood plan.
- The landscaping scheme is excessive in quantity and density for the rural setting.
- Planting has already been undertaken on the site.

- Spear thistle weeds are growing on the land and spreading to neighbouring land and the landscaping scheme should include effective weed control.
- The proposed 2.4m fence would create a stark and disproportionate visual feature and introduce a substantially more urban/suburban form of enclosure into an otherwise rural landscape.
- It should be considered whether the planting could result in high hedge impacts.
- The introduction of new external lighting would therefore represent a material change to the existing character of the site.
- The lighting would potentially impact upon residential amenity.
- The self-build status should not override policy requirements.

Consultee Response

PBC Environment Officer - Following a review of the application, the submitted plans, and the Landscape and Management Plan relating to the discharge of Condition 13 (Landscaping Scheme), it is noted that a good range of native trees and flowering fruit trees are proposed across the site, together with a substantial area allocated to be turfed or seeded with Grass. The proposed tree planting provides a suitable variety of native and fruit-bearing species, which will contribute to biodiversity, visual amenity, and the overall landscape character of the site. The Landscape and Management Plan also sets out appropriate measures for the establishment and ongoing maintenance of the grassed areas, including turfing and maintenance both before and following planting. Overall, the proposed landscaping scheme is considered acceptable and appropriate to the site.

PBC Environmental Health – No objection following clarification over number and direction of light fittings.

Officer Comments

Condition 13 (Landscaping Scheme) – The submitted landscaping scheme is acceptable, it would include a good range of native species planting.

The original plans proposed and a 2.4m fence along the north east boundary, this has now been reduced to 2m, taking into account that it is the boundary with a residential property rather than open countryside, this proposed fence is acceptable.

The other proposed boundary treatments are acceptable and the proposed landscaping scheme does not include coniferous boundary planting that would result in unacceptable likelihood of high hedge impacts.

Condition 14 (External Lighting Scheme) – The submitted lighting scheme is acceptable, the proposed lighting would involve small 5 watt wall lights to either side of front and rear doors and a 19 watt security light to the south side. The proposed modest lighting scheme would not result in unacceptable impacts upon the amenity of the area.

Concerns have been raised regarding impacts on bats, however, the ecological assessment submitted with the planning application did not specify any risk of harm to bats from external lighting and this was not included in the reason for the condition.

Condition 15 (Heat pump details) – The submitted heat pump details are acceptable, the specification and siting away from the boundary between the dwelling and garage would not result in any unacceptable noise impacts or visual amenity impacts.

RECOMMENDATION: Discharge Conditions 13, 14 and 15

Condition 13 (Landscaping Scheme) – The submitted landscaping scheme is acceptable, the condition is discharged subject to implementation.

Condition 14 (External Lighting Scheme) – The submitted lighting scheme is acceptable, the condition is discharged subject to implementation.

Condition 15 (Heat pump details) – The submitted heat pump details are acceptable, the condition is discharged subject to implementation.

Application Ref: 26/0547/CND

Proposal: Approval of Details Reserved by Condition: Discharge Condition 13 (Landscaping Scheme), Condition 14 (External Lighting Scheme) and Condition 15 (Heat pump details) of Planning Permission 25/0813/FUL.

At: Land To The North Of The Stables Old Stone Trough Lane
Kelbrook

On behalf of: Mrs L Lancaster