Development Management Committee Update Report 20th October 2026

26/0480/HHO 384 Leeds Road, Nelson

Amended plans have been received changing the height of the proposed extension. The originally submitted scheme proposed a 6m deep extension following the roofline of the existing pitched-roof outrigger. The amended plans show this element reduced to 4m and a flat roof extension beyond it. The pitched roof element would be almost identical to the existing outrigger it replaces, and the flat roof element would be as high as the highest point of the lean-to extension it replaces (circa 2.85m). At the rear boundary, height difference between the existing and proposed extensions would be circa 56cm, compared to a 1.8m in the original scheme. The proposed extension as amended wouldn't be materially larger than its replacement and wouldn't have an unacceptable overbearing impact on the living conditions of the occupants of no. 382. The proposed openings would be the same as the original scheme and wouldn't result in any unacceptable privacy impacts.

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

This alters the recommendation to approval.

RECOMMENDATION: Approve

Subject to the following conditions:

1. The proposed development hereby permitted shall be begun before the expiration of three years from the date of this permission.

   Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

   26049 - 01- A Existing/Proposed Elevations

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

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

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

Informatives

All construction work shall be carried out only within the hours of 8am – 6pm Monday – Friday, 9am – 1pm Saturday and no working Sundays and Bank holidays. Failure to work within these hours may result in a service of a notice under the Control of Pollution Act 1974, and potentially prosecution thereafter.

26/0472/HHO 8 Regent Place, Nelson

The applicant submitted a prior approval notification for a Larger Home Extension on the 18th September 2026. This was determined on the 13th of October 2026 with no objections from neighbouring properties and therefore automatically prior approval is not required. Permission therefore exists through that process to erect a 6m extension, albeit slightly different in layout than the extension proposed. This is given weight in the assessment of this application as it provides a fall-back position.

When assessing the residential amenity impact on No. 6 Regent Place, the overbearing impact of the proposal on the ground floor rear-facing kitchen window would not be materially different to what would occur under the LHE proposal. Therefore, given the fall-back position of permitted development from the LHE submission, the proposal would not result in an unacceptable overbearing or overshadowing impact and would be acceptable in residential amenity terms, in accordance with Policies DM16 and DM24 of the Pendle Local Plan Fourth Edition (2021-2040) and the adopted Design Principles SPD.

The recommendation is altered to approval.

RECOMMENDATION: Approve

Subject to the following conditions:

1. The proposed development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

2366-02 (REV) ; 2366-03 (REV); 2366-04A; 2366-05 (REV); 2366-06 (REV); 2366-07 (REV)

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

3. All the external materials to be used in the elevations and roof of the development hereby permitted shall be as stated on the application form and

approved plans and there shall be no variation without the prior consent of the Local Planning Authority.

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

Informative Notes

1. 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

26/0522/HHO 11 Wharfedale Avenue, Reedley

Amended plans have been received which removes part of the existing veranda adjacent to the shared boundary with No. 9 Wharfedale Avenue. The veranda connected to the rear extension would be set in approximately 3.2m from the shared side boundary and when measured from the nearest ground floor rear habitable room window serving a living room/family room at No. 9 the 45-degree line would not be in breach. The proposed development would therefore not result in any unacceptable overbearing or overshadowing impacts to the occupiers of No. 9.

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

The proposal remains in conflict with Policy DM8 of the NPPF as it is concluded based on the available evidence that the unauthorised development was carried out intentionally. Substantial weight is given against the grant of retrospective planning permission where development is carried out intentionally.

Whilst the proposal would be acceptable in all other respects, with the applicant having subsequently resolved the other planning issues identified, the development would remain contrary to Policy DM8. Substantial weight must be given to this conflict and weighed against the other material planning considerations. As there are no substantial considerations in favour of approval, the planning balance leads to a conclusion that the development should not be allowed pursuant to the national planning policy in DM8 of the National Planning Policy Framework.

The recommendation remains as refusal.

RECOMMENDATION: Refuse

1. The development was undertaken intentionally without planning permission. In the absence of other material considerations that would outweigh policy DM8 of the National Planning Policy Framework the application should be refused for being retrospective and intentional.

25/0357/CND Land to the north of The Stables, Old Stone Trough Lane, Kelbrook

This application has been withdrawn at the request of the applicant.