

**MINUTES OF A MEETING OF NELSON COMMITTEE
HELD AT NELSON TOWN HALL
ON 4th JANUARY 2016**

PRESENT –

Councillor A. Mahmood (Chairman – in the Chair)

<i>Councillors</i>	<i>Co-optees</i>	<i>Police Representative</i>
<i>A. Aziz N. Ahmed E. Ansar W. Blackburn T. Cooney J. Henderson M. Iqbal B. Parker M. Sakib K. Shore D. Whalley S. Wicks</i>	<i>N. Hayat</i>	

(Apologies were received from Councillors M. Ammer and N. Younis, and Inspector P. Goodall)

Officers in attendance:

<i>Julie Whittaker</i>	<i>Housing, Health & Economic Development Services Manager (Area Co-ordinator)</i>
<i>Neil Watson</i>	<i>Planning, Building Control and Licensing Services Manager</i>
<i>Sarah Waterworth</i>	<i>Committee Administrator</i>



The following persons attended the meeting and spoke on the item indicated:-

<i>Jenna Rigby</i>	<i>13/15/0466P Demolition of garage and erection of two storey extension to rear and creation of parking space to front at 51 Lowthwaite Drive, Nelson.</i>	<i>Minute No. 93(a)</i>
<i>Mr. M. Johnston Ahsan Ul-Hah Saima Ul-Haq Saima Tariq David Lonsdale Tariq Awes</i>	<i>13/15/0519P Sub-division of existing retails (A1) unit at ground floor to create retail unit and hot food take away (A5) with alterations to shop front, installation of flue and creation of 2 flats at first floor level at 115 Manchester Road, Nelson.</i>	<i>Minute No. 93(a)</i>
<i>Sahiz Khaild</i>	<i>Proposed introduction of Resident – Only Parking Scheme: 117-129 Every Street, Nelson</i>	<i>Minute No. 96</i>



88. DECLARATION OF INTERESTS

Members were reminded of the requirements of the Member Code of Conduct concerning the Declaration of Interests.

89. PUBLIC QUESTION TIME

1. A resident from 105 Leeds Road, Nelson complained about to the state of the grassed area on Leeds Road. She explained that the councils Cleansing Department had cleared the area several times but it was still covered in litter. Reference was made to a number of large bins that were used by a nearby takeaway and taxi office, that were overflowing with litter. She also explained that the street light wasn't working at the bottom of Beach Street, Nelson.

The Chairman explained that with regard the grassed area on Leeds Road it would be referred to the Councils Environmental Services Manager for investigation and the street light would be referred to Lancashire County Councils Highways Department.

2. Mr Aslam referred to the recent floods that had taken place across Pendle in particular on Reedyford Road, Nelson and asked if any procedures were being put in as the residents were worried their properties would flood again.

Councillor Iqbal, Leader of the Council, explained that a scheme had been set up by the Council, for those affected by the floods across Pendle, to claim compensation. Details of which were on the councils web site floodsupport@pendle.gov.uk

3. Mr Aslam asked if more dog wardens could patrol Walton Lane, Cemetery due to the increased amount of dog fouling that was taking place.

Councillor Iqbal informed Mr Aslam the due to the financial cuts faced by the Council this would not be possible.

4. Mr Aslam made reference to the height of the curb outside 46 Every Street, Nelson. He explained that water congregated on the road, making it unpassable for vehicles when there was heavy rainfall, as there was a six inch drop from the curb to the road surface.

5. Mr Aslam complained about the number of speeding cars on Bankhouse Road and asked that speed bumps be placed near the Cash and Carry.

The Chairman explained that both matters would be referred to Lancashire County's Highways Department.

6. Mr Khalid complained about car going to fast over the speed bumps near to the school on Every Street and asked that a 20mph zone be implemented.

Councillor Iqbal explained that the school had met with Lancashire County Councils, Highways Department after a speed monitoring survey had taken place and the school were looking to put a traffic scheme in place.

90. MINUTES

RESOLVED

That the Minutes of this Committee at the meeting held on 30th November, 2015 be approved as a correct record and signed by the Chairman.

91. PROGRESS REPORT

A progress report on action arising from the meeting of this Committee held on 30th November, 2015 was submitted for information.

92. POLICE ISSUES AND COMMUNITY SAFETY ISSUES

There were no police present.

93. PLANNING APPLICATIONS

(a) Applications to be determined

The Planning, Building Control and Licensing Services Manager submitted a report on planning applications to be determined as follows:-

13/15/0466P Full: Demolition of garage and erection of two storey extension to rear and creation of parking space to front at 51 Lowthwaite Drive, Nelson for Mrs S Ansar.

RESOLVED

That planning permission be **granted** with the following conditions and reasons:-

PLANNING TO ADD STANDARD CONDITIONS

13/15/0519P Full: sub-division of existing retail (A1) unit at ground floor to create retail unit and hot-food takeaway (A5) with alterations to shop front, installation of flue and creation of 2 flats as first floor level at 115 Manchester Road, Nelson for Mr. M. Arif

RESOLVED

That planning permission be **refused** for the following reasons:-

1. The development would have an adverse impact on the amenities of adjacent residents by way of overlooking and privacy loss from upper floor windows and disturbance from comings and goings associated with the A5 use. The proposed site layout would also give rise to impacts upon occupants of the proposed flats, by way of noise, fumes and odours from the ground floor use and extraction flue. The

proposal would therefore fail to accord with Policies 8, 13 and 20 of the Adopted Replacement Pendle Local Plan.

2. The increased traffic movements generated by the proposed development would lead to an increase of on-street parking along Manchester Road which would restrict the free flow of traffic in the vicinity of the site. There would also be an increase in vehicles manoeuvring around the site which would be detrimental to highway safety due to its location on a main road in close proximity to several junctions. The development is thereby contrary to paragraph 32 of the National Planning Policy Framework.

13/15/0523P Full: Change of use of first floor to create dessert parlour (Class A3) with associated kitchen/ preparation area and customer seating at 292 – 296 Leeds Road, Nelson for Mr. N. Iqbal

The Planning, Building Control and Licensing Services Manager circulated an update at the meeting.

RESOLVED

That planning permission be **granted** subject to the following conditions and reasons:-

PLANNING TO ADD STANDARD CONDITIONS

13/15/0541P Outline: Erection of 5 detached dwellings (access only) at land at Bamford Street, Nelson

The Planning, Building Control and Licensing Services Manager circulated an update at the meeting.

RESOLVED

That planning permission be **granted** subject to the following conditions and reasons:-

1. An application for approval of the reserved matters (namely the appearance, layout, scale and landscaping of the site) shall be submitted in writing to the Local Planning Authority before the expiration of three years from the date of this permission and the development hereby permitted must be begun two years from the date of this date of approval of the last of the reserved matters to be approved.

Reason: This condition is required to be imposed by the provision of Article 3 (1) of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Details of the appearance, landscaping, layout and scale (hereinafter call the 'reserved matters) shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

Reason: In order to comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

3. The development hereby permitted shall be carried out in accordance with the following approved plans: A15-05/01, A15-05/02.

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

4. Foul and surface water shall be drained on separate systems. The development shall not commence unless and until a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) has been submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

The development shall thereafter only be completed, maintained and managed in accordance with the approved details.

Reason: To control surface water flow disposal and prevent flooding.

REASONS

Section 38 of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise. The proposed access and principle of the development is acceptable in accordance with the emerging Core Strategy and Replacement Pendle Local Plan. The development therefore complies with the development plan. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

(b) Planning Appeals

The Planning, Building Control and Licensing Services Manager reported that there were no new appeals.

Notification of the following appeal decisions – 1

13/14/0321P Appeal against refusal of planning permission for the erection of a 225KW wind turbine (30.5m to hub, 47m to tip), underground concrete foundation, control cabinet and cabling at part of fields Nos. 1449 and 393, Back Lane Southfield, Burnley BB10 3RG – Appeal Dismissed.

93. 180 – 182 EVERY STREET, NELSON

It was reported that a planning application (13/15/0415P) was considered at the meeting of this committee in November 2015 to vary the condition to allow the tiles that had been used

to remain on the roof instead of the slate that was applied for and required under the conditions and reasons. Prior to taking the decision the committee were advised that approving the application would result in a referral to Development Management Committee as the decision to approve the application would be a significant departure from the Councils policy. The decision taken by the Committee was that, notwithstanding the refusal and the harm the development would have, that enforcement action should not be taken. Following the meeting, the Democratic and Legal Manager confirmed that the decision to refuse permission followed immediately by a decision not to take enforcement action was in his view no different to an approval. His view was therefore that the decision was a significant departure from policy and should be referred to Development Management.

The Planning, Building Control and Licensing Services Manager submitted a report which asked members to consider whether it was expedient to take enforcement action in respect of the materials used on the extension.

RESOLVED

That the matter be deferred.

94. GENERAL FUND REVENUE BUDGET 2016/17

The Financial Services Manager submitted a report for the Committee to examine and consider its base budget for 2016/17 (which reflected the cost of continuing existing services), identify any options for budget reductions, and pass on any comments to the Executive.

RESOLVED

That the report be noted

REASON

To continue with the implementation of the Councils Financial Strategy and to inform the development of the Councils budget for 2016/17.

95. CAPITAL PROGRAMME 2015/16

The Neighbourhood Services Manager reported that the balance for the 2015/16 Capital Programme was £3,405

A full report would be submitted to the next meeting of this committee.

A new bid had been submitted for Improvements to rear 8-26 St Marys Street, Nelson - £10,000

RESOLVED

- (1) That £10,000 for Improvement to rear of 8-26 St Marys Street, Nelson be noted
- (2) That £1000 be allocated from the 2015/16 Capital Programme towards a street light on Back Every Street, Nelson

REASON

To enable the capital programme to be allocated efficiently and effectively.

96. PROPOSED INTRODUCTION OF A RESIDENTS – ONLY PARKING SCHEME: 117-129 EVERY STREET

The Neighbourhood Services Manager submitted a report regarding the outcome of the survey which was undertaken for the possible introduction of a residents-only parking scheme.

Reference was also made to the poor condition of the pavements along the same stretch of Every Street.

RESOLVED

- (1) That Residents – Only Parking Scheme be implemented at 117 – 129 Every Street
- (2) That Lancashire County Council's Highway Department be requested to repair the pavement at the same time.

REASON

To enable the residents to park safely near to their properties.

97. ENVIRONMENTAL BLIGHT

The Neighbourhood Services Manager submitted for information a report on any new environmental blight sites and provided updates on existing sites.

98. VACANT HOMES

The Housing, Health and Economic Development Services Manager submitted a report on vacant homes in Nelson.

RESOLVED

That the report be noted.

99. SCRUTINY WORK PROGRAMME 2016/17

The Scrutiny Management Team was seeking suggestions for topics for scrutiny for the municipal year 2016/17.

The Committee was invited to submit suggestions for topics which it would like to see the Scrutiny Team have an impact on next year. The new programme would be the focus of work planning workshop in March and suggestions were therefore invited by the end of February.

100.

ITEMS FOR DISCUSSION

(a) Condition of 47 Gordon Road, Nelson

Councillor N. Ahmed made reference to the poor condition of the property, which had rats living in it and an old a vehicle abandoned in the back yard. He explained that he had received complaints about the property and asked that it be investigated.

RESOLVED

That the Housing, Health and Economic Development Office be requested to submit a report to the next meeting regarding the condition of the property and what action could be taken.

REASON

To ensure the property is brought back up to a suitable standard.

(b) Condition of footpath along Every Street, Nelson

This item had been discussed under Minute No. 96

Chairman _____