

**MINUTES OF A MEETING OF NELSON COMMITTEE  
HELD AT NELSON TOWN HALL  
ON 9<sup>TH</sup> MAY 2016**

*PRESENT –*

**Councillors**

*G. Adam  
N. Ahmed  
M. Ammer  
E. Ansar  
W. Blackburn  
T. Cooney  
J. Henderson  
M. Iqbal  
A. Mahmood  
B. Parker  
M. Sakib  
K. Shore  
D. Whalley  
S. Wicks  
N. Younis*

**Co-optees**

*N. Emery*

**Police Representative**

*Officers in attendance:*

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



**1. APPOINTMENT OF CHAIRMAN**

**RESOLVED**

That Councillor M. Ammer be appointed Chairman of this Committee for the municipal year 2016/17.

*Councillor M. Ammer – Chairman (in the Chair)*

**2. APPOINTMENT OF VICE-CHAIRMAN**

**RESOLVED**

That Councillor M. Sakib be appointed Vice-Chairman of this committee for the municipal year 2016/17.

**3. APPOINTMENT OF CO-OPTEES**

That N. Emery of Nelson Town Centre Partnership and N, Hayat of Nelson Town Council be co-opted to the Committee for the municipal year 2016/17.

**4. DECLARATION OF INTERESTS**

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

The following person declared a disclosable pecuniary interest in the items indicated –

Councillor M. Ammer     13/16/0062P Full: Erection of warehouse at     Minute No. 9  
Lonsdale Works, Lonsdale Street, Nelson

**5. PUBLIC QUESTION TIME**

Mr M Aslam of Cobden Street, Nelson complained about parking problems on Rakeshouse Road/ Charles Street and that there was a spare piece of land adjacent to 132 Charles Street which he asked if it could be turned into an area for parking to increase parking spaces in the area.

The Chairman explained that this issue would be referred to the Neighbourhood Service Manager.

**6. MINUTES**

**RESOLVED**

That the Minutes of this Committee at the meeting held on 30<sup>th</sup> March, 2016 be approved as a correct record and signed by the Chairman.

**7. PROGRESS REPORT**

A progress report on action arising from the meeting of this Committee held 30<sup>th</sup> March, 2016 was submitted for information.

**8. POLICE ISSUES AND COMMUNITY SAFETY ISSUES**

There was no representative from the Police present. The Committee asked that the police confirm if they will be attending future meetings.

**9. 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:-

**13/11/0309C1 Full: Erection of two storey extension (386.sq.m) to side at Ghosia Jamiah, Mosque, Clayton Street, Nelson**

**RESOLVED**

That the Planning, Building Control and Licensing Services Manager be delegated authority to **grant consent** after the expiry of the consultation period subject to the following conditions and reasons:-

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

**Reason:** In order to comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (As Amended)

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 2201-P25, 2001-P24, 1001-P21, 2001- P22 & 2001- P23.

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

3. Within three months of the date of decision a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be implemented within the timescale set out in the approved plan and information will be made available within 3 months of the use commencing and audited and up-dated at intervals not greater than eighteen months to ensure that the approved Plan is carried out.

**Reason:** To reduce dependence on car-borne travel.

**REASON**

***Section 38 of the Planning and Compulsory Purchase Act 2004 requires that applications determined in accordance with the development plan unless considerations indicate otherwise. The proposed development is acceptable in terms of design and accords with policy. 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.***

**13/16/0050P Full: Two storey extension to side and alterations to existing single storey extension to rear at 13 Queensgate, Nelson for Ms. S Mehmood**

**RESOLVED**

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

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:  
LU007-PO6A, LU007-PO1, LU007-PO2, LU007-PO3, LU007-PO4.
3. All materials to be used in the elevations and roof of the proposed development shall be as stated on application form and approved drawings and shall not be varied without the prior written permission 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.

## **REASON**

***Section 38 of the Planning and Compulsory Purchase Act 2004 required that application be determined in accordance with the development plan unless material considerations indicate otherwise. The proposal would not be detrimental to visual amenity or the residential amenity of adjacent properties. The development therefore complies with the development. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.***

**13/16/0056P Full: Erection of three storey side extension and amend roof to insert dormer to rear elevation at 384 Railway Street, Nelson for Mr. A Ahmed.**

## **RESOVLED**

That planning permission be **granted**.

*(The Chairman declared a disclosable pecuniary interest in the following item and withdrew from the meeting)*

*Councillor M. Sakib - Vice Chairman (in the Chair)*

**13/16/0062P Full: Erection of Warehouse at land Adjacent to Lonsdale Works, Lonsdale Street, Nelson for Medina Poultry.**

## **RESOLVED**

That the Planning, Building Control and Licensing Services Manager be delegated authority to **grant consent** subject to the receipt of amended plans.

*Councillor M. Ammer – Chairman (in the Chair)*

**13/16/0068P Variation of Condition: Major: Vary condition 3 of the Planning Permission 13/15/0408P (hours of operations) at War Pension Directorate, Scholefield Mill, Brunswick Street, Nelson for Sweet Dreams.**

## **RESOVLED**

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

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:  
15.128 03, 15.125 02 & 15.128 04.

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

3. The use hereby approved shall not be operated outside the hours on 6am and 10pm Monday to Friday and 8am to 6pm Saturday, Sundays and Bank/ Holiday/ Public Holidays.

**Reason:** To protect the general amenities of adjacent neighbours.

4. The existing car parking provision within the yard of the site, as shown on drawing number 15.128 04, shall remain open and available for use at all times for the parking of vehicles associated with the use approved.

**Reason:** In the interest of highway safety.

5. There shall be no additional external lighting of the development hereby permitted unless with prior written consent of the Local Planning Authority as to the type, size, location, intensity and direction of the lighting. Any lighting provided shall at all times be so provided in strict accordance with the approved details.

**Reason:** In order to prevent light pollution to protect the amenity of the environment.

6. The premises shall be used for the manufacture, storage and associated activities relating to the production of furniture only and for no other purpose including any other purpose in Class B2 of the Schedule of the Town & Country Planning (Use Classes) Order 1987, or in any provision equivalent to the Class in any statutory instrument revoking and re-enacting that Order with or without modification.

**Reason:** Other B2 uses would require specific assessment, particularly with regard to impact on residential amenity and highway safety.

7. The use hereby approved shall not commence unless and until an assessment establishing levels of existing background noise at the perimeter of the site has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the use shall at all times operate in manner that does not result in noise levels greater than 5dB below the aforementioned agreed background noise level, when measured at any point along the boundary of the site, as identified on approved drawings no. 15.128.03.

**Reason:** in the interest of residential amenity.

8. Deliveries and dispatches from the site shall be managed in accordance with the Transport Statement dated 19<sup>th</sup> October 2015.

**Reason:** In the interest of highway safety.

### **REASON**

***Section 38 of the planning and Compulsory Purchase Act 2004 requires that applications determined in accordance with the development plan unless material considerations indicate otherwise. The proposed development is acceptable in terms of use, amenity and highway safety, therefore complying with policies ENV5, ENV7, WRK2 of the Pendle Local Plan Core strategy and saved policy 31 of the Replacement Pendle Local Plan. There is appositive presumption in favour of approving the development and there are no material reasons to object to the application.***

**13/16/0089P Full: Erection of a dormer to front at 7-9 Fountain Street, Nelson for Mr G Shahzad**

### **RESOLVED**

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

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 be 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:  
Proposed Extensions and Alterations.

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

3. All materials to be used in the proposed development shall be as stated on the application form and approved drawings and shall not be varied without the prior written permission 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.

### **REASON**

***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 proposal would not be detrimental to visual amenity or the residential amenity of adjacent properties. 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.***

**13/16/0099P Full: erection of single storey extension to side and rear, roof terrace and dormers to front and rear (Re-Submission) at 159 Hobson Road, Nelson for Mr W Ali.**

**RESOLVED**

That planning permission be **deferred** to allow for discussions with the applicant to take place.

**10. ENFORCEMENT MATTERS**

The Democratic and Legal Manager submitted for information a report which gave an up-to-date position on enforcement matters.

**11. TRAFFIC LIAISON MEETING**

The Neighbourhood Services Manager submitted, for information, the minutes of a meeting held on Thursday 14<sup>th</sup> April, 2016.

**12. CAPITAL PROGRAMME**

The Neighbourhood Services Manager reported that the current balance for the Committee's Capital Programme for 2016/17 was £52,851 (which included £1,351 carry over from 2015/16)

Councillor Iqbal had received a request for £900 from the Pendle Dementia Action Alliance, who were holding an Awareness day at the ACE Centre, Nelson. He explained that Nelson Town Council had already agreed to allocate funding £600.

**RESOLVED**

That £900 be allocated to the Pendle Dementia Action Alliance from the Committees 2016/17 Capital Programme.

**REASON**

***To ensure the most effective allocation of the Committee's capital resources.***

**13. CONDITION OF THE SITE AND HEIGHT OF A WALL AT FOREST HOUSE, COBDEN STEET, NELSON**

The Planning, Building Control and Licensing Services Manager submitted a report which informed the Committee of the legal status of the site and requested members to consider if enforcement action was appropriate.

**RESOLVED**

1. That a section 215 Notice be served requiring the eastern section, coloured blue, of the area shown on the plan appended to the report, to be tided and the building materials, container and other construction items be removed from it.

2. That a decision regarding the height of the wall be deferred for more evidence to be considered.

### **REASON**

1. *In order to bring the land back to a condition that does not affect the amenity of the area.*
2. *In order to collect more evidence regarding the original height of the wall*

### **14. ENVIRONMENTAL CRIME**

The Environmental Services Manager submitted, for information, a report regarding Environmental Crime action from 1<sup>st</sup> January to 31<sup>st</sup> March 2016 in the Nelson area.

### **15. GARAGE SITE**

Following a resolution from the Transfer of Services and Facilities to Town and Parish Councils Committee the Neighbourhood Services Manager submitted for comments a list of all garages sites within the boundary of the this committee detailing the current rental income and recommending the future management of each site.

### **RESOLVED**

1. That the garage site adjacent to 12 Lee Road, Nelson be included on the list of sites.
2. That the tenants of the following garage sites be invited to purchase the sites:-
  - (a) Back Bamford Street
  - (b) Barkerhouse Road
  - (c) Clayton Street
  - (d) Lee Road

### **REASON**

*To give the tenants the opportunity to purchase the garage sites.*

### **16. PARKS, RECREATION AND GREEN SPACES UPDATE**

The Neighbourhood Services Manager submitted, for information, a report regarding the current Parks, Recreation and Green Space work, up and coming plans and development for Nelson.

### **17. ITEMS FOR DISCUSSION**

#### **(a) Former Trafalgar House, Railway Street, Nelson**

Councillor Shore explained that the site was a disgrace with broken cars, car parts, glass and litter everywhere.

She asked if anything could be done to get the site tidied.



The Planning, Building Control and Licensing Manager explained that enforcement action had already been taken with an enforcement notice served requiring the cessation of use for unroadworthy cars and that a section 215 Notice has also been served requiring the site to be tidied.

**(b) Removal of Telephone box on Percy Street, Nelson.**

Councillor Iqbal asked the telephone box be removed due to youths congregating in it and causing anti-social behaviour.

**RESOLVED**

That a letter be sent to British Telecom asking that the telephone box be removed.

**REASON**

*To stop anti-social behaviour in the area.*

Chairman: \_\_\_\_\_