

**MINUTES OF A MEETING OF NELSON COMMITTEE
HELD AT NELSON TOWN HALL
ON 5TH DECEMBER 2016**

PRESENT –

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

Councillors

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

Co-optees

N. Emery – Nelson Town Centre Partnership

(Apologies were received from Councillor M. Ammer and Town Councillor N. Hayat)

Officers in attendance:

<i>Neil Watson</i>	<i>Planning, Building Control and Licensing Service Manager</i>
<i>Julie Whittaker</i>	<i>Housing, Health and Economic Regeneration Manager and Area Co-ordinator</i>
<i>Sarah Waterworth</i>	<i>Committee Administrator</i>



96. DECLARATION OF INTERESTS

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

97. PUBLIC QUESTION TIME

- (1) County Councillor A. Ali asked for an update on the old church site, Vernon Road, Nelson.

The Planning, Building Control and Licensing Services Manager informed Members that an update would be circulated via email.

- (2) Mr M. Aslam asked when the former Taxi Rank, Sagar Street, Nelson had been declared surplus to requirements.

Councillor M. Iqbal explained that at a meeting of this committee in October 2016 it resolved that the Planning, Building Control and Licensing Services Manager be authorised to

advertise the revocation of the rank, and if no representation is made from the Public, Police or Highway Authority that the rank be revoked in order for a lease of the land to be negotiated to an interested party for an alternative use. The consultation period for this is due to expire and a report would be submitted to a future meeting of this committee.

98. MINUTES

RESOLVED

That the Minutes of this Committee at the meeting held on 7th November, 2016 be approved as a correct record and signed by the Chairman.

99. PROGRESS REPORT

A progress report on action arising from the meeting of this Committee held 7th November, 2016 was submitted for information.

100. 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:-

16/0556/HHO Full: Erection of dormers to front and rear at 36 Farrer Street, Nelson for Mr M Khan.

The Planning, Building Control and Licensing Services Manager submitted an update to the meeting.

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: 100, 101, 200A, 201A.

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

3. All materials to be used in the elevations and roof of the proposed development shall be as stated on the application form and approved drawings and shall 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 is acceptable in terms of design, amenity and highway safety. 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.

16/0598/HHO Full: Erection of dormer windows to front and rear roof slopes and block up 3 windows in side elevation at 168A Brunswick Street, Nelson for Mr M Ali.

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: 1:1250 location plan, 1:500 block plan, DWG 3, DWG 1.

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

3. The materials to be used in the development hereby approved shall at all times 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. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

16/0601/REM Reserved Matters: Major: Erection of commercial units (B1(c), B2 and B8 use) with access off Westfield (Access, appearance, landscaping, layout and scale) at Site of Former Reedyford Mill, Westfield, Nelson for Pendle Projects Ltd.

RESOLVED

That the Planning, Building Control and Licensing Services Manager be granted delegated authority to **grant** planning permission with the following conditions and reasons, subject to the re-sighting of the storage bins

1. This notice constitutes an approval of matters reserved under Condition 3 of Planning Permission No. 13/15/0068P and does not by itself constitute a planning permission.

Reason: The application relates to matters reserved by Planning Permission no 13/15/0068P.

2. The development hereby permitted shall be carried out in accordance with the following approved plans; 174/03, 174/04, 174/05, 16057-C-52.

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

3. Within two weeks of the commencement of development samples of the external materials to be used in the construction of the roof and walls samples of the colour and finish of windows and doors of the development hereby approved shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved materials.

Reason: To ensure a satisfactory form of development in the interest of visual amenity of the area.

4. The use of the industrial units hereby approved shall not commence unless and until the parking spaces, access and manoeuvring areas shown on the approved plans have been laid out, hard surfaces, drained and made available for use. The parking spaces, access and manoeuvring areas shall thereafter at all times be maintained free from obstruction available for access, parking and manoeuvring purposes.

Reason: To ensure the provision of adequate parking and turning facilities in the interest of highway safety.

5. Within two weeks on the commencement of the development a scheme for crime prevention measures shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of the following:

- a) A minimum of 6.8mm laminated glazing to all external panels in windows and doors should be.
- b) Wiring to be installed within the units to allow the individual business to install an intruder alarm.
- c) External security lighting to be installed on the North and South elevations.

- d) External shutters, to be certified to a minimum security standard of LPS 1175 SR2.

The approved scheme shall be fully implemented prior to the commencement of the use of the industrial units hereby approved and maintained at all times thereafter.

Reason: To reduce the risk of burglary, criminal damage and anti-social behaviour.

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 proposed development is compliant with policy and the access, appearance, landscaping, layout and scale of the development are acceptable. 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.

16/0659/FUL Full: Extension of existing playing area with associated equipment and boundary fencing (Reg 3) at Land at Hodge House Community Centre, Regent Street, Nelson for Pendle Borough Council.

RESOLVED

That planning permission be **granted** 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 and Country Planning Act 1990 (as amended)

2. The development hereby permitted shall be carried out in accordance with the following approved plans: E0485 D1, D2

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

3. There shall be no external lighting for the development hereby approved, unless in accordance with a scheme which had first been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the amenities of nearby residents.

REASON

Section 38 of the Planning and Compulsory Purchase Act 2004 required that applications be determined in accordance with the development plan unless material considerations indicate otherwise. The proposed development complied with Policies ENV1, ENV2 AND SUP2 of the local Plan Part 1, being appropriate in terms of

scale, design and amenity. 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 submitted, for information, a report giving the up-to-date position on appeals.

101. CAPITAL PROGRAMME

The Neighbourhood Services Manager submitted a report regarding the committee's capital programme for 2016/17.

The following late bid was submitted to the meeting:-

Arthur Street Community Garden - £1,100

RESOLVED

- (1) That the schemes listed in appendix 1 of the report which have already had funding agreed be noted.
- (2) That the resolution from the meeting of this committee on 6th July, 2016 be amended to not include "subject to residents' agreements and contributions.
- (3) £1,100 for Arthur Street Community Garden be allocated from the 2016/17 capital programme

REASON

- (1)&(3) To enable the capital programme to be allocated efficiently and effectively.***
- (2) The residents have given permission for the works but no contributions were sought.***

102. GOITSIDE CAR PARK

The Strategic Director submitted a report which asked members to recommend that the Executive declare Goitside Car Park and adjoining land surplus to requirements.

RECOMMENDATION

That the Executive be requested to declare the land edged red on the plan at appendix A of the report, surplus to requirements.

REASON

The site has been underused for a number of years, the car park has limited use whilst the adjoining Tesco store has been closed since 2010. A supermarket chain has undertaken a search of sites in the area and had identified the whole site as suitable for one of their stores.

103. WHITEFIELD CONSERVATION AREA

The Planning, Building Control and Licensing Services Manager submitted a report which asked members to discuss whether it is appropriate to de-designate Whitefield as a conservation area.

RESOLVED

- (1) That the report be noted.
- (2) That the Planning, Building Control and Licensing Services Manager and Whitefield Ward Councillors meet to discuss the way forward with regards planning applications for dormers windows in the area.

REASON

- (1) *The Conservation Area is worthy of its designation and there would be no legitimacy to de-designating it under current law.*
- (2) *To draw up a template to be used for future planning applications for dormer windows.*

104. ENVIRONMENTAL CRIME UPDATE

The Environmental Services Manager submitted, for information a report regarding Environmental Crime action from 1st July to 30th September, 2016 in the Nelson Area.

105. TELEPHONE BOX REMOVAL CONSULTATION

At the meeting of this committee on 7th November, 2016 the Planning, Building Control and Licensing Services Manager submitted a list of pf17 public call boxes to be removed. Reference was made to the one on Percy Street, Nelson and it attracting anti-social behaviour.

The Community Protection and Localities Officer reported that further to discussions with the Police and BT with regards to call box on Percy Street, BT has agreed to consult on the removal of the call box.

106. OUTSTANDING ITEMS

- (a) Condition of Back West Street, Nelson

The Housing, Health and Economic Regeneration Manager reported that to resurface the area would cost £4000.

RESOLVED

That a report be submitted to the next meeting

Nelson Committee (05.12.2016)

(b) Old Church, Vernon Street, Nelson

Chairman: _____