

**MINUTES OF A MEETING OF THE
DEVELOPMENT MANAGEMENT COMMITTEE
HELD AT NELSON TOWN HALL
ON 30TH AUGUST, 2017**

PRESENT –

Councillor K. Hartley - (Chairman – in the Chair)

Councillors

*L. M. Crossley
M. Goulthorp
M. Iqbal – substitute for W. Blackburn
J. Starkie
G. Waugh
D. Lord – substitute for D. Whipp
N. Younis*

Officers in attendance

<i>Neil Watson</i>	<i>Planning, Building Control and Licensing Services Manager</i>
<i>Vince Green</i>	<i>Financial Services Manager</i>
<i>Barbara Kay</i>	<i>Solicitor</i>
<i>Lynne Rowland</i>	<i>Committee Administrator</i>

(Apologies for absence were received from Councillors W. Blackburn and D. Whipp.)



The following people attended the meeting and spoke on the items indicated –

<i>Iain Lord</i>	<i>17/0233/FUL Full: Formation of BMX</i>	<i>Minute No. 37(a)</i>
<i>Robert Oliver</i>	<i>Track, car parking areas and road</i>	
<i>Mick Waddington</i>	<i>widening (Reg.3) at Swinden Playing</i>	
	<i>Fields, Cravendale Avenue, Nelson</i>	
<i>Mel Aston</i>	<i>17/0269/REM Reserved Matters: Erection</i>	<i>Minute No. 37(c)</i>
<i>Robin Willoughby</i>	<i>of an agricultural workers dwelling</i>	
	<i>(appearance, landscaping, layout and</i>	
	<i>scale) at High Mount Farm, Foxen Dole</i>	
	<i>Lane, Higham</i>	

35. DECLARATION OF INTERESTS

Members were reminded of the legal requirements concerning the declaration of interests.

36. MINUTES

RESOLVED

That the Minutes of the meeting held on 24th July, 2017 be approved as a correct record and signed by the Chairman.

37.

**PLANNING APPLICATIONS
REFERRED FROM AREA COMMITTEES**

- (a) **17/0233/FUL Full: Formation of BMX Track, car parking areas and road widening (Reg. 3.) at Swinden Playing Fields, Cravendale Avenue, Nelson for Pendle Borough Council**

(A site visit was carried out prior to the meeting.)

This application had been brought before this Committee for determination as the application straddled the Area Committee boundaries of Nelson and Barrowford. The application had been to both Nelson Committee and Barrowford and Western Parishes Committee for comment.

RESOLVED

- (1) That planning permission be **granted** 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: Location Plan (Drawing Number – E0500/D), BMX Pump Track – Fencing, Car Parking and Signage (Drawing Number – E0500/D 1).

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

3. All materials to be used for the BMX pump track and car parking area developments shall be as stated on the approved drawings and shall not be varied without the prior written permission of the Local Planning Authority prior commencement of any works on the site.

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

4. The car parking areas shall be surfaced in accordance with a scheme to be approved by the Local Planning Authority and the car parking spaces and manoeuvring areas laid out in accordance with the approved plan, before the use of the development hereby approved is first brought into use.

Reason: To allow for the effective use of the parking areas.

5. Prior to the commencement of any development a detailed method statement for the removing, or the long-term management/control of, Japanese Knotweed and Himalayan Balsam on the site shall be submitted that is inclusive of a scheduled scheme of works, to and approved in writing by the Local Planning Authority.

Reason: To prevent the spread of Japanese Knotweed and Himalayan Balsam which are invasive plant species.

- (2) That consideration be given to making the 30 space car park adjacent to the BMX pump track available for users of Bullholme, when not in use for organised sessions/events.

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 development is acceptable in terms of design and materials and would not unduly adversely impact on amenity. 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) **17/0242/FUL Full: Erection of single storey rear extension, formation of gable roof and front and rear dormers and subdivision to two flats at 72 Maurice Street, Nelson for Mr Mirza Hussain**

(A site visit was carried out prior to the meeting.)

At a meeting of Nelson Committee on 7th August, 2017 the decision to approve this application was referred as a recommendation to this Committee as the decision represented a significant departure from policy.

RESOLVED

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

1. The installation of roof dormers would be unacceptable in this location as no dormers are currently found on the row of terraces and the design of the dormers would have a domineering appearance on the roofline given their extent over almost the entirety of both the front and rear roof slopes. The rear dormer would present unacceptable levels of privacy loss for the properties at the rear of the application site, 68 and 70 Victoria Street and as such the development fails to comply with Policy ENV2 of the Pendle Borough Council Local Plan Part 1: Core Strategy (2011–2030) and the Design Principles Supplementary Planning Document.
2. The altering of the form of the roof and the installation of roof dormers would be of detriment to the character of the property, the surrounding area and the Whitefield Conservation Area. The altering of the roof form from a pitched roof to a gable roof would be at odds to the existing clean lines of this particular terraced row with the addition of dormers to the end-of-row property contributing to this further. The design of the dormers would also be of detriment to the Victorian façade of the property therefore the development fails to comply with Policy ENV1 of the Pendle Borough Council Local Plan Part 1: Core Strategy (2011–2030) and the Conservation Area Design and Development Guidance.
3. The subdivision of the property into two flats and the creation of four bedrooms would require the provision of three off-street parking spaces. Given the nature of the property, the requirement for additional off-street parking cannot be provisioned and as such the development fails to comply with Policy 31 of the Saved Replacement Local Plan.

- (c) **17/0269/REM Reserved Matters: Erection of an agricultural workers dwelling (appearance, landscaping, layout and scale) at High Mount Farm, Foxen Dole Lane, Higham for Mr G Edwards**

(A site visit was carried out prior to the meeting.)

At a meeting of Barrowford and Western Parishes Committee on 10th August, 2017 the decision to approve this application was referred as a recommendation to this Committee as the decision represented a significant departure from policy.

RESOLVED

That the Planning, Building Control and Licensing Services Manager, in consultation with the Chairman of the Committee, be delegated authority to **grant consent**, subject to receipt of satisfactory financial justification.

REASON

To ensure that the dwelling fulfils the agricultural need of the holding and is sustainable.

CHAIRMAN _____