

**MINUTES OF A MEETING OF NELSON COMMITTEE
HELD AT NELSON TOWN HALL
ON 6TH NOVEMBER 2017**

PRESENT –

Councillor M. Ammer (Chairman - in the Chair)

<i>Councillors</i>	<i>Co-optees</i>	<i>Police Representative</i>
<i>N. Ahmed W. Blackburn T. Cooney J. Henderson M. Iqbal A. Mahmood B. Parker M. Sakib K. Shore S. Wicks N. Younis</i>	<i>Town Councillor N. Hayat</i>	<i>Inspector Winter</i>

Officers in attendance:

<i>Julie Whittaker</i>	<i>Housing, Health and Economic Development Services Manager and 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>

Apologies were received from The Worship the Mayor (Councillor D. Whalley) and Councillor G. Adam.



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

<i>Andrew Booth</i>	<i>17/0534/REM Reserved Matters: Major: Erection of 39 dwellinghouses (Appearance, Landscaping, Layout and Scale) at Land at Bath/ Bracewell Street, Nelson.</i>	<i>Minute No. 77(a)</i>
<i>Paula Fitzgerald Imran Ashraf</i>	<i>17/0559/FUL Full: Change of use from Offices (B1) to school (D1), erection of two enclosed staircases to side and windows and door on rear elevation and 2m high fence to all boundaries (Resubmission) at The Innovation Centre, Brunswick Street, Nelson.</i>	<i>Minutes No. 77(a)</i>



72. DECLARATION OF INTERESTS

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

The following people declared a disclosable pecuniary interest in the item indicated –

Councillor M Sakib	17/0307/HHO Full: Erection of two storey extension to rear with part single storey (Resubmission) at 106 Regent Street, Nelson.	Minute No. 77(a)
Councillor M. Ammer	17/0463/FUL Full: Change of use from open space to car park (for 18 cars and 5 LGV's0 with access off Branch Street, Nelson.	Minute No. 77(a)

73. PUBLIC QUESTION TIME

There were no questions raised from members of the public.

74. MINUTES

RESOLVED

That the Minutes of this Committee at the meeting held on 2nd October, 2017 be approved as a correct record.

75. PROGRESS REPORT

A progress report on action arising from the meeting of this Committee held 2nd October, 2017 was submitted for information.

76. POLICE AND COMMUNITY SAFETY ISSUES

Inspector Winter reported on the serious issue regarding fireworks and the incidents that had occurred during the run up to 5th November, 2017 and a major incident on 5th November which involved a group of 25/30 youths setting fire to litter and dog bins, vehicles and a police vehicle in the Brierfield area. A meeting was to take place with The Leader of the Council, Brierfield Councillors and the Police regarding the misuse of fireworks and the incidents that had taken place in Brierfield. Members raised concerns regarding police resources being taken from Nelson to tackle the problems in Brierfield. Councillor Iqbal stated that one of the points of the meeting was to request that more resources be brought into the Borough to help tackle the problems in Brierfield. Councillor Blackburn requested that the Fireworks Working Group be informed of the outcome of the meeting.

Inspector Winter reported on a number of other operations and charges that had taken place throughout September and October which included 5 wildlife warrants being served, an immigration operation targeting shops with illegal workers and over stayers, a spate of Town Centre burglaries in which an individual had been charged with seven offences, a taxi operation which resulted in two taxi drivers being caught plying for hire and a large drugs operation seizing over £4000 worth of cannabis plants.

Councillor Ahmed made reference to a number of youths in fast vehicles speeding on Carr Road/ Manchester Road, Nelson and requested the speed indicator be reinstalled on Carr Road to try tackle the problem before someone is injured.

Inspector Winter said that this was the responsibility of Lancashire County Council and would need to be referred to their Speed Awareness Meeting.

77. 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:-

(Councillor M. Sakib declared a pecuniary interest in the following item and withdrew from the meeting)

17/0307/HHO Full: Erection of two storey extension to rear with part single storey (resubmission) at 106 Regent Street, Nelson for Mr T J Carter

Before the vote was taken the Planning, Building Control and Licensing Services Manager advised that should the application be approved this was a significant departure from policy. The matter would be referred to the Legal Services Manager and subject to his agreement the decision would stand referred to the Development Management Committee.

RECOMMENDATION

That planning permission be **approved**.

17/0361/HHO Full: Erection of a part single, part two storey rear extension at 42 Thursby Road, Nelson for Mr Raza Mohammad

Before the vote was taken the Planning, Building Control and Licensing Services Manager advised that should the application be approved this was a significant departure from policy. The matter would be referred to the Legal Services Manager and subject to his agreement the decision would stand referred to the Development Management Committee.

RECOMMENDATION

That planning permission be **approved**.

17/0365/HHO Full: Erection of two storey extension to rear at 6 Sycamore Avenue, Nelson for Mr Wahid Riaz

RESOLVED

That planning permission be **deferred** for a site visit.

(Councillor M. Ammer declared a pecuniary interest in the following item and withdrew from the meeting)

Councillor J. Henderson (Vice – Chairman in the Chair)

17/0463/FUL Full: Change of use from open space to car park (for 18 cars and 5 LGV's) with access off Branch Street (retrospective) at Land at Branch Street, Nelson for Mr M Arif

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; Location Plan, RAD/1261/17/2.

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

3. The use of the development hereby approved shall not be commenced unless and until plans and particulars showing a scheme of surface water drainage have been submitted to and approved in writing by the Local Planning authority. The approved details shall be installed in their entirety prior to the first use of the car park hereby approved and shall thereafter be retained.

Reason: In order that Local Planning Authority may be satisfied with the details of the proposal and to avoid flooding.

4. There shall be no external lighting of the development hereby permitted unless with the 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.

5. The use of the development hereby permitted shall not be commenced unless and until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be submitted at a scale of 1:200 and shall include the following:
 - a. the exact location and species of all existing trees and other planting to be retained;
 - b. all proposals for new planting and turfing indicating the location, arrangement, species, sizes, specifications, numbers and planting densities;
 - c. an outline specification for ground preparation;
 - d. all proposed boundary treatments with supporting elevations and constructions details;
 - e. the proposed arrangements and specification for initial establishment maintenance and long-term maintenance of all planted and/ or turfed areas.

The approved scheme shall be implemented in its approved form within the first planting season following the commencement of the use of the development. Any tree or other planting that is lost, felled, removed, uprooted, dead, dying or diseased, or is substantially damaged within a period of five years thereafter shall be replaced with a specimen of similar species and size, during the first available planting season following the date of loss or damage.

Reason: To ensure that the development is adequately landscaped so as to integrate with its surroundings.

Councillor M. Ammer (Chairman - in the Chair)

17/0534/REM Reserved Matters: Major: Erection of 39 dwellinghouses (Appearance, Landscaping, Layout and Scale) at Land at Bath/ Bracewell Street, Nelson for Calico Homes Ltd/ Hobstone Homes Ltd

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

RESOLVED

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

1. This notice constitutes an approval of matters reserved under Condition 1 of the planning permission 13/15/0404P and does not by itself constitute a planning permission.

Reason: The application relates to matters reserved by planning permission.

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

- Location plan (Drawing No: 100)
- Landscape Layout (Drawing No:101)
- Site Clearance Plan (Drawing No:104)
- Proposed Site Plan (Drawing No:105)
- Presentation Site Plan (Drawing No:106)
- Section Plot 36 to 61 Bracewell Street (Drawing No:111)
- Boundary Details (Drawing No:112)
- 2B4P House, 65m² (Drawing No:115)
- 2B4P House Elevations (Drawing No:116)
- 3B5P House Plans, 78m² (Drawing No:120)
- 3B5P House Elevations(Drawing No:121)
- Highway Setting Out – Sheet 1 (Drawing No: PRI-AJP-XX-00-DR-C-1500)
- Highway Setting Out – Sheet 2 (Drawing No: PRI-AJP-XX-00-DR-C-1501)
- Manhole Schedules (Drawing No: PRI-AJP-XX-00-DR-C-1010)
- Drainage Layout (Drawing No: PRI-AJP-XX-00-DR-C-1000)
- Site Location Plan (Drawing No: PRI-AJP-XX-00-DR-C-1200)
- Drainage Catchment Areas (Drawing No: PRI-AJP-XX-00-DR-C-1230)
- External Works Layout (Drawing No: PRI-AJP-XX-00-DR-C-1180)

- Standard Masonry Retaining Wall Details (Drawing No: PRI-AJP-XX-00-DR-C-1420)
- Highway Longsections (Drawing No: PRI-AJP-XX-00-DR-C-1510)
- Highway Details (Drawing No: PRI-AJP-XX-00-DR-C-1530).

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

3. The development hereby permitted shall not be commenced unless and until details and samples of the types and colour of all facing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter at all times be carried out in strict accordance with the approved details.

Reason: In order that the Local Planning Authority can assess the materials in the interest of the visual amenity of the area.

4. The approved landscaping scheme as shown on drawing number 101 shall be implemented in its entirety approved form within the first planting season following the substantial completion of the development. Any tree or other planting that is lost, felled, removed, uprooted, dead, dying or diseased, or is substantially damaged within a period of five years thereafter shall be replaced with a specimen of similar species and size, during the first available planting season following the date of loss or damage.

Reason: To ensure the site is suitably landscaped

5. No development shall commence on site until a Construction Plan has been submitted to and approved in writing by the Local Planning Authority. All construction activities shall then be carried out on site in strict accordance to the approved plan.

Reason: In the interests of residential amenity.

6. No inhabitation of the houses hereby approved shall take place until a fence 2.1m in height had been provided and maintained along the north-west perimeter of the site, to the rear of Plots 34-39.

Reason: In the interests of residential amenity.

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 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.

17/0559/FUL Full: Change of use from offices (B1) to school (D1), erection of two enclosed staircases to sides and windows and door on rear elevation and 2m high fence to all boundaries (re-submission) at

the Innovation Centre, Brunswick Street, Nelson for Fountain of Knowledge

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

RESOLVED

Committee were of the view that there was no reasonable prospect of the building being used for employment purposes and thus 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 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 planes:

LU065-P01, L065-P02B & LU065-P03

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

3. The number of children attending the nursery facility must not exceed 72.

Reason: In order to ensure that adequate drop-off facilities and parking are provided within the site to cater for the number of children proposed.

4. The use hereby approved shall not be brought into use until an Interim Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The provisions of the Interim Travel Plan shall be implemented and operated in accordance with the timetable contained therein unless otherwise agreed in writing.

The Interim Travel Plan when development would need to include the following as a minimum:

- Commitment and timescale for the appointment of a Travel Plan Coordinator (suggest at least 3 month prior to first occupation).
- A commitment and timescale to undertake travel surveys (recommended within 3 months of occupation).
- A commitment and timescale for the development of a Full Travel Plan (recommend within 3 months of 1st travel survey).
- Details of cycling, pedestrian and public transport links to and within the site.
- Details of the provision of cycle parking for any properties where suitable storage is not available.
- List of any proposed measures to be introduced particularly any to be implemented prior to the development of the Full Travel Plan.
- Details of arrangements for monitoring and review of the Travel Plan for a period of at least 5 years.

The Full Travel Plan when developed would need to include the following as a minimum:

- Contact details of a named Travel Plan Co-ordinator.
- Results from travel survey.
- Details of cycling, pedestrian and/or public transport links to and through the site.
- Details of the provision of cycle parking for any properties where suitable storage is not available.
- Objectives.
- SMART Targets for non-car modes of travel, taking into account the baseline data from the survey.
- Action plan measures to be introduced, and appropriate funding.
- Details or arrangements for monitoring and review of the Travel Plan for a period of at least 5 years.

Reason: To reduce reliance on private motor vehicles and ensure that the development sustainable transport options.

REASON

The proposal has been considered acceptable in terms of impact on protected employment lane, highway safety and amenity.

(c) Planning Appeals

The Planning, Building Control and Licensing Services Manager reported that there were no new or outstanding appeals and no decisions to report.

78. ENFORCEMENT / UNAUTHORISED USES

The Head of Legal Services submitted, for information, a report regarding enforcement action.

79. CAPITAL PROGRAMME 2017/18

The Neighbourhood Services Manager submitted a report regarding the committees 2017/18 capital programme.

RESOLVED

That the following be allocation for the 2017/18 capital programme:-

- (a) £550 – Pothole repairs – Burlington Street, Nelson
- (b) £2,188 – Back Street Works – Westmoreland Street, Nelson
- (c) £5,000 – Nelson Food Festival 2018
- (d) £2,000 – Walverden Park Footpath Improvements
- (e) £593 – Contribution towards Hodge House Fitness Facility Access

REASON

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

80. PROPOSED INTRODUCTON OF A RESIDENTS-ONLY PARKING SCHEME: ALBERT STREET, NELSON

The Neighbourhood Services Manager submitted a reported regarding the outcome of a survey undertaken in September 2017 regarding a residents-only parking scheme on Albert Street, Nelson.

RESOLVED

- (1) That a residents-only parking scheme be introduced on Albert Street, Nelson.
- (2) That the scheme be expanded to cover Every Street and Mosley Street and that a further survey be conducted to include Every Street and Mosley Street.
- (3) That it be noted that the request for one-way traffic on Albert Street, Nelson had been passed to Lancashire County Councils (Highways).

REASON

- (1) *That the survey results provide overwhelming evidence to support the introduction of a scheme on Albert Street, Nelson.*
- (2) *To take into account the knock-on effect of residents-only parking being introduced to Albert Street, Nelson.*
- (3) *For further consideration to be given to the movement of traffic on Albert Street.*

80. REQUEST FOR RESDIENTS-ONLY PARKING SCHEME: EVERY STREET

The Neighbourhood Services Manager reported receipt of a petition signed by 8 residents requesting residents-only parking at 117 to 136 Every Street.

This item was discussed under Minute 79.

81. ENVIRONMENTAL CRIME UPDATE

The Environmental Crime Services Manager submitted, for information, a report regarding environmental crime action for 1st July to 30th September 2017 in the Nelson Area.

82. RERPRESENTATIVE ON OUTSIDE BODIES

William Walton Cottage and the Mancknols Walton Cottage Homes Charities

Members were asked to appoint a new trustee for the above charities.

RESOLVED

That Town Councillor Nigel Pearson be appointed representative of the William Walton Cottage and the Mancknols Walton Cottage Homes Charities.

83. ITEMS FOR DISCUSSION

(Councillor M. Iqbal declared a personal interest in this item which was not a disclosable pecuniary

interest as defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012)

(a) Condition of back Manchester Road, Maurice Street and Victoria Street, Nelson

Councillor Ahmed complained about the poor condition of the back streets from No. 211 to 259 Manchester Road including gable end at 259 Manchester Road and No. 28 to 44 back Maurice Street, Nelson. He asked that a report be submitted to the next meeting regarding a scheme to improve the condition of the back streets and costings to carry out the work. He also asked that if there were any comments from Lancashire County Council (Highways) regarding the scheme, then they be included in the report.

RESOLVED

- (1) That a report be submitted to the next meeting regarding a scheme to improve the condition of the back streets and costings to carry out the work.
- (2) That if there were any comments from LCC (Highways) regarding the scheme, they be included in the report.

REASON

- (1) ***To improve the condition of the back streets in at area.***
- (2) ***To take into account comments from LCC (Highways).***

(b) Former Public Convenience Building, Scotland Road, Nelson

Councillor Henderson complained about the state of the building as guttering was hanging off, piles of litter had formed in the door ways and that it was generally becoming an eye sore in the town centre. She asked that the owner be contacted to tidy up the building.

The Housing, Health and Economic Development Services Manager reported that she had contacted Liberata Property Services about the building and they informed her that the building had been sold in August 2017 and they were not aware of who the new owners were. The Housing, Health and Economic Development Services Manager said that she would look into it again and report back to a future meeting.

(c) Roller shutters on shop on corner of Halifax Road/ Waidshouse Road, Nelson

Councillor Ansar requested that this item was placed on the agenda but she was not present at the meeting so no discussion took place.

84.

NELSON TOWN TEAM

Minutes of the meeting held on 28th February, 2017 were submitted for information.

Reference was made to the Nelson Food Festival that took place on 16th September, 2017 and the figures/ footfall for the event as it was felt by members that it wasn't as popular as last year and the number of stalls had diminished.

RESOLVED

That the organisers be invited to the next meeting to give a short presentation regarding Nelson Food Festival.

REASON

To inform members of how the food festival was received.

85. NELSON TOWN CENTRE WALKABOUT

The Housing, Health and Economic Development Services Manager submitted a report regarding progress made on issues identified on the Town Centre Walkabout undertaken on 4th September, 2017.

RESOLVED

- (1) That the report be noted.
- (2) That the Chairman be request to agree the date of the next Town Centre Walkabout with the Housing, Health and Economic Development Services Manager.

REASON

- (1) ***To inform members of the current position and relevant actions/progress following Nelson Town Centre Walkabout.***
- (2) ***To give councillors the opportunity to discuss town centre maintenance issues and improvements.***

86. OUTSTANDING ITEMS

- (1) Condition of rear of 55-79 Victoria Street, Back Macleod Street and Back Milton Street, Nelson

Nelson Committee (06.11.2017)

Chairman: _____