

**MINUTES OF A MEETING OF NELSON COMMITTEE
HELD AT NELSON TOWN HALL
ON 1st OCTOBER, 2018**

PRESENT –

Councillor M. Sakib (Chairman – in the Chair)

Councillors

*G. Adam
Nadeem Ahmed
M. Ammer
W. Blackburn
J. Henderson
A. Mahmood
N. McGowan
D. Whalley
N. Younis*

Co-optees

Nick Emery (Nelson Town Team)

Officers in attendance:

<i>Julie Whittaker</i>	<i>Housing, Health and Economic Development Services Manager (Area Co-ordinator)</i>
<i>Alex Cameron</i>	<i>Planning Officer</i>
<i>Jane Watson</i>	<i>Head of Democratic Services</i>

(Apologies for absence were received from Councillors E. Ansar, T. A. Cooney, M. Iqbal and K. E. Shore).



The following people attended the meeting and spoke on the following item:

<i>Peter Dewhurst</i>	<i>18/0403/FUL Full: Erection of 4 semi-detached dwelling</i>	<i>Minute No. 48(a)</i>
<i>Sarah Willoughby</i>	<i>houses on the site of 6-16 Beech Street, Nelson</i>	
<i>Shazad Sawar</i>		



43.

DECLARATIONS OF INTERESTS

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

44.

PUBLIC QUESTION TIME

There were no questions from members of the public.

45. MINUTES

RESOLVED

That the Minutes of the meeting held on 3rd September, 2018 be approved as a correct record and signed by the Chairman.

46. PROGRESS REPORT

A progress report on action arising from the meeting of this Committee held on 1st October, 2018 was submitted for information.

47. POLICE AND COMMUNITY SAFETY ISSUES

In the absence of the Police no issues were raised.

48. PLANNING APPLICATIONS

(a) Applications to be determined

18/0403/FUL Full: Erection of 4 semi-detached dwelling houses on the site of 6-16 Beech Street, Nelson for Bradley Big Local Community Land Trust

The Planning, Building Control and Licensing Services Manger circulated an update at the meeting regarding a change in wording to conditions 3 and 8. The recommendation had also been changed to “delegate grant consent subject to agreement to the pre-commencement conditions.”

RESOLVED

That delegated authority be granted to the Planning, Building Control and Licensing Services Manager to **grant** planning permission subject to agreement to the pre-commencement conditions and 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: 2045 01 RevE.

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

3. Prior to any above ground development occurring, samples of all the external materials to be used in the construction of the roofs, walls, boundary/retaining walls and paving, together with samples of the colour and finish of windows and doors of the development hereby approved, shall be 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 materials and details.

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

4. A scheme for the disposal of foul and surface water shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the erection of the external walls of the development. The scheme shall provide for separate systems for foul and surface waters and be constructed and completed in accordance with the approved plans before the dwelling is occupied.

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

5. No development shall take place, including any works of clearance, until a construction code-of-practice method statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. It shall provide for:

- i) The parking of vehicles of site operatives and visitors
- ii) The loading and unloading of plant and materials
- iii) The storage of plant and materials used in constructing the development
- iv) The erection and maintenance of security hoarding
- v) Wheel washing facilities
- vi) Measures to control the emission of dust and dirt during construction
- vii) Details of working hours

The construction code-of-practice should be compiled in a coherent and integrated document and must be accessible to the site manager(s), all contractors and sub-contractors working on site. As a single point of reference for site environment management, the CCP should incorporate all agreed method statement. All works agreed as part of the plan shall be implemented during an agreed timescale.

Reason: To protect existing road users.

6. Before the accesses are used for vehicular purposes, that part of the accesses extending from the highway boundary for a minimum distance of 5m into the site shall be appropriately surfaced in bound porous material.

Reason: To prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to other road users.

7. The car parking spaces shall be laid out in accordance with the approved plan, before first occupation of any dwelling hereby permitted. Thereafter, they shall be permanently retained for parking of vehicles associated with the development.

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

8. Prior to any above ground development occurring, a detailed landscaping scheme must be 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) all proposals for new planting and turfing indicating the location, arrangement, species, sizes, specifications, numbers and planting densities;

- (b) all proposed boundary treatments with supporting elevations and construction details;
- (c) all proposed hard landscape elements and pavings, including layout, materials and colours.

The approved scheme 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 appropriate landscape design and in the interests of the visual amenities of the area.

9. Notwithstanding the provisions of Article 3 and parts 1 and 2 of the second Schedule of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development as specified in Classes A, B, C, D, E and G of Part 1 and Classes A, B & C of Part 2 of Schedule 2 of that Order shall be carried out without express planning permission first being obtained from the Local Planning Authority.

Reason: To enable the Local Planning Authority to control any future development on the site in order to safeguard the character of the area.

INFORMATIVE

1. No development of the approved scheme as submitted shall commence until such time as the existing highway has been stopped up under the appropriate legal process (Section 247 of the Town and Country Planning Act) in consultation with the local planning authority and highway authority.
2. The grant of planning permission will require the applicant to enter into an appropriate legal agreement (Section 278), with Lancashire County Council as Highway Authority prior to the start of any development. For the avoidance of doubt works shall include, but not be exclusive to, the construction of the vehicle crossing points to an appropriate standard, re-location of highway gullies, tactile paved dropped pedestrian crossings, re-instatement of footway kerbing and surfacing, together with a street lighting assessment. The applicant should be advised to contact the county council for further information by telephoning the Development Support Section (Area East) on 0300 123 6780 or email developeras@lancashire.gov.uk , in the first instance to ascertain the details of such an agreement and the information to be provided, quoting the relevant planning application reference number.

REASON FOR DECISION

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 housing development would accord with Local Planning Policy and would be compliant with the guidance set out in the Framework. 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 or outstanding appeals.

49. ENFORCEMENT/UNAUTHORISED USES

Enforcement Action

The Head of Legal Services submitted, for information, a report on outstanding enforcement cases in Nelson. It was reported that the Notice regarding 4 Ball Street, Nelson had been withdrawn.

50. CAPITAL PROGRAMME 2018/19

The Neighbourhood Services Manager submitted a report on the Committee's Capital Programme for 2018/19.

RESOLVED

- (1) That it be noted that only the schemes listed in Appendix 1 had agreed funding.
- (2) That paragraph 8 in the report, which referred to a bid for free swimming, be noted.

REASON

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

**51. PROPOSED INTRODUCTION OF A RESIDENTS-ONLY PARKING SCHEME:
ALBERT STREET, EVERY STREET AND MOSLEY STREET, NELSON**

On 6th August, 2018 Committee approved the introduction of the above residents-only parking scheme.

The Traffic Liaison Meeting on 9th August, 2018 noted the application and agreed that it met the eligibility criteria and should be approved. As with previous applications Pendle Council would be responsible for the funding of signs and lines in the area. County Council officers had advised that the cost would be £2,000. As this was revenue the funding could not be met through the Committee's Capital Programme and it was therefore requested that alternative funding be made available so that an order for work to the County Council could be raised.

RECOMMENDATION

- (1) That Nelson Town Council be asked to consider contributing funding towards the signage and road markings needed for the introduction of a residents-only parking scheme on Albert Street, Every Street and Mosley Street, Nelson.
- (2) That should the funding from Nelson Town Council not be forthcoming the Policy and Resources Committee be recommended to identify funding for the cost of signage and road markings needed for the introduction of a residents-only parking scheme on Albert Street, Every Street and Mosley Street, Nelson.

REASON

To enable the scheme to be implemented.

52. ENVIRONMENTAL BLIGHT

The Neighbourhood Services Manager submitted a report which provided an update on an environmental blight site in the area.

53. ITEMS FOR DISCUSSION

(a) Ginnel at the rear of Regent Place, Nelson

It was reported that the ginnel at the rear of Regent Place in Nelson along with other similar ginnels elsewhere in the Bradley Ward were in a poor condition and appeared not to be regularly maintained. Concerns over the lack of grass cutting in the Walverden Ward were also raised. It was reported that both these areas were owned/maintained by Together Housing.

RESOLVED

That, on behalf of this Committee, a letter be sent to Together Housing raising the concerns referred to above.

REASON

To address the concerns of the Committee.

Chairman _____