

3. APPOINTMENT OF CO-OPTEES

RESOVLED

That N. Emery of Nelson Town Centre Partnership and a member of Nelson Town Council be co-opted to the Committee for the municipal year 2019/20.

4. DECLARATIONS OF INTERESTS

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

5. PUBLIC QUESTION TIME

A local resident complained about anti-social behaviour which is going on until the early hours of the morning, near his property.

Sargent Winters informed the resident he would contact him and would look into the matter.

6. MINUTES

RESOLVED

That the Minutes of the meeting held 1st April 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 on 1st April, 2019 was submitted for information.

8. POLICE AND COMMUNITY SAFETY PARTNERSHIP

Inspector Winter gave an update to members regarding a number of issues.

Progression had taken place since the Neighbourhood Community Review and now all teams were fully functional and it had been noted that the teams were taking a greater response and accountability to their areas.

A number of arrests had taken place regarding vehicle theft and one male had been recalled to prison. Another male had been arrested regarding theft from businesses in the area.

A joint initiative had taken place with Trading Standards where £20k of counterfeit cigarettes had been seized.

Members of the Committee thanked Inspector Winter and Officers for all the hard work they were doing in the Nelson area.

9. PLANNING APPLICATIONS

(a) Applications to be determined

19/0175/HHO Full: Erection of a two-storey extension to the side and a part single – storey extension, part two storey extension to the rear at 237 Barkerhouse Road, Nelson for Mr Muzzafar Ali

RESOLVED

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

Planning to add conditions regarding the Officers and Highways responses.

19/0254/OUT Outline: Erection of 2 detached dwellings (Access Only) (Reg 4.) at land to the South West of 50 Wickworth Street, Nelson for Pendle Borough Council.

RESOLVED

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

1. An application for approval of the reserved matters (namely the appearance, landscaping and scale of the site) shall be submitted in writing to the Local Planning Authority before the expiration of three years from the date of this permission and the development hereby permitted must be begun two years from the date of approval of the last of the reserved matters to be approved.

Reason: This condition is required to be imposed by the provisions of Article 3 (1) of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Details of the layout, appearance, landscaping and scale (hereinafter called the 'reserved matters') shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: In order to comply with the requirements of Section 92 of the Town & Country Planning Act 1990.

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

A1904-LIB-XX-XX-XXAL-90-002 & A1904-LIB-XX-XX-XXAL-90-001.

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

4. Prior to the commencement of development the applicant shall have submitted to and have agreed in writing by the Local Planning Authority a method statement which sets out in detail the method, standards and timing for the investigation and subsequent

remediation of any contamination which may be present on site. The method statement shall detail how:-

a) an investigation and assessment to identify the types, nature and extent of land contamination affecting the application site together with the risks to receptors and potential for migration within and beyond the site will be carried out by an appropriately qualified geotechnical professional (in accordance with a methodology for investigations and assessments which shall comply with BS 10175:2001) will be carried out and the method of reporting this to the Local Planning Authority; and

b) A comprehensive remediation scheme which shall include an implementation timetable, details of future monitoring and a verification methodology (which shall include a sampling and analysis programme to confirm the adequacy of land decontamination) will be submitted to and approved in writing by the Local Planning Authority.

All agreed remediation measures shall thereafter be carried out in accordance with the approved implementation timetable under the supervision of a geotechnical professional and shall be completed in full accordance with the agreed measures and timings, unless otherwise agreed in writing by the Local Planning Authority.

In addition, prior to commencing construction of any building, the developer shall first submit to and obtain written approval from the Local Planning Authority a report to confirm that all the agreed remediation measures have been carried out fully in accordance with the agreed details, providing results of the verification programme of post-remediation sampling and monitoring and including future monitoring proposals for the site.

Reason: In order to protect the health of the occupants of the new development and/or in order to prevent contamination of the controlled waters.

5. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

6. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

The development shall be completed in accordance with the approved details.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.

7. Prior to the commencement of development all the mitigation measures proposed in the

Data and Recommendations dated March 2019 by Appletons in relation to persecuted species shall be implemented in strict accordance with chapter 6 of the report.

Reason: To ensure that the any potential habitats are identified and if necessary protective measures are implemented.

8. No part of the development shall be commenced unless and until a Construction Code-of-Practice method statement has been submitted to and approved in writing by the Local Planning Authority. The code shall include details of the measures envisaged during construction to manage and mitigate the main environmental effects of the relevant phase of the development. The submitted details shall include within its scope but not be limited to:

- a) A programme of works including hours of operation and measures for the control of traffic to and from the site including routing of any HGV's, and within the site, during construction.
- b) The areas and methods of loading and unloading of plant and materials.
- c) The areas for the storage of plant and materials.
- h) Location and details of site compounds
- k) Parking area(s) for construction traffic and personnel

The Construction Code-of-Practice should be compiled in a coherent and integrated document and should 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 statements, such as the Site Waste Management Plan and Demolition Method Statement. All works agreed as part of the plan shall be implemented during an agreed timescale and where appropriate maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that adequate measures are in place to protect the environment during the construction phase(s).

9. Prior to first occupation each dwelling shall have an electric vehicle charging point.

Reason: To ensure that the development provides for sustainable modes of travel.

10. Before a dwelling unit is occupied waste containers shall be provided on each plot.

Reason: To ensure adequate provision for the storage and disposal of waste.

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, subject to compliance with planning conditions. 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, Economic Development and Regulatory Service Manager reported that there were no new or outstanding appeals.

9(b). REQUEST TO UTILISE PENDLE LAND FOR TELECOMMUNICATIONS INFRASTRUCTURE

The Planning, Economic Development and Regulatory Service Manager submitted a report which informed the Committee of the request to use land for telecommunications infrastructure and asked that they make recommendations to the Policy and Resources Committee.

RECOMMENDATION

It be recommended that the Policy and Resources Committee agree that the sites can in principle be used for a monopole installation subject to the final development not having any implication for the utilisation of the land.

REASON

In order that Pendle utilise its land portfolio whilst encouraging appropriate provision of telecommunication infrastructure.

10. ENFORCEMENT/UNAUTHORISED USES

Enforcement Action

The Head of Legal Services submitted, for information, a report on outstanding enforcement cases in Nelson.

11. CAPITAL PROGRAMME 2019/20

The Housing, Health and Engineering Services Manager reported that the balance of the Committee's 2019/20 capital programme was £51,500.

A full report would be submitted to the next meeting.

12. COMMUNITY INVESTMENT FUND

It was reported that the following Community Investment Fund bids submitted by Councillor Shore had been agreed:-

£500	Dementia Friendly Outdoor Gardening
£1000	School Children's visit to Museums in Manchester
£540	Let's Get Reading!

Allocations made to date were also submitted for information.

13. TRAFFIC LIAISON MEETING

Minutes of the Traffic Liaison Meeting held on 28th February, 2019 were submitted for information.

14. ENVIRONMENTAL CRIME

The Environmental Services Manager submitted for information a report on environmental crime action form 1st January 2019 to 31st March 2019 in the Nelson area.

Councillor A. Mahmood requested a litter bin be placed outside the shop on Rupert Street, Nelson.

15. ITEMS FOR DISCUSSION

(a) Environmental team – B&Q Car park

Councillor Ansar complained about the Environmental Team fining people for littering on private car parks such as B&Q, Home Bargains and Asda. She informed the committee that they had not received the Managers permission to operate on the car parks and she had received a number of complaints from residents. The Team should be concentrating more on litter on the streets and getting litter bins emptied as some are so full people can't but litter in them.

Chairman _____