

**MINUTES OF A MEETING OF NELSON COMMITTEE
HELD AT NELSON TOWN HALL
ON 2ND DECEMBER, 2019**

PRESENT –

Councillor M. Sakib (Chairman – in the Chair)

Councillors

*N. Ahmed
M. Aslam
Z. Ali
M. Ammer
E. Ansar
T. Cooney
M. Iqbal
N. McGowan
Y. Tennant
S. Wicks*

Co-optees

*N. Emery (Nelson Town Centre
Partnership)*

Police Representative

Sgt S Boast

Officers in attendance:

*Julie Whittaker Housing, Health and Engineering Services Manager (Area Co-ordinator)
Alex Cameron Planning Officer
Sarah Waterworth Committee Administrator*

(Apologies for absence were received from Councillors G. Adam, J. Henderson, A. Mahmood, K. E. Shore and Town Councillor S. Sawar).



The following persons attended the meeting and spoke on the following items:

<i>R. Atligan S. Hall A. Simcock A. Ali</i>	<i>19/0740/REM Reserved Matters: Major: Erection of 98 dwelling houses (Phase 103), with open space provision, estate roads, landscaping and emergency access road with access from Marsden Hall Road, (Appearance, Layout and Scale) of Outline Planning Permission 17/0427/OUT at Land at further Clough Head, Bamford Street, Nelson.</i>	<i>Minute No. 97</i>
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<i>B. Sumner</i>	<i>19/0810/FUL Full: Major: Erection of light industrial warehouse units (Use classes B1 and B8) (3,640 sq.m) access, parking and associated works at site of former Parkfield Mills, Railway Street, Nelson.</i>	<i>Minutes No. 97</i>
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92.

DECLARATIONS OF INTEREST

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

93. PUBLIC QUESTION TIME

There were no questions raised from members of the public.

94. MINUTES

RESOLVED

That the Minutes of the meeting held on 2nd December, 2019 be approved as a correct record and signed by the Chairman.

95. PROGRESS REPORT

A progress report on action arising from the meeting of this Committee held on 2nd December, 2019 was submitted for information.

96. POLICE AND COMMUNITY SAFETY PARTNERSHIP

Sergeant Boast attended the meeting on behalf of Inspector Cartwright and reported that there had been no spikes in crime over the last few months and even though he thought that the number of residential burglaries was high the figure was down on the same period last year.

He reported on two incidents where two separate taxi drivers had been attacked within six hours of each other. One person was arrested shortly after the incidents took place and another the following day. Both people had been released under further investigation.

Sergeant Boast made reference to an online system "In the Know" that would be going live in spring 2020. Members of the public could sign up to the system and receive alerts, messages and updates on police information as well as report incidents. The system had been designed to help communicate with the public more and share information.

97. PLANNING APPLICATIONS

Applications to be determined

The Planning, Economic Development and Regulatory Services Manager submitted a report on planning applications to be determined as follows:

19/0292/FUL Full: Change of use of a ground floor taxi office (GS) to a Hot Food Takeaway (Use Class A5) and erection of an external flue to rear (retrospective) at 113 Leeds Road, Nelson for Mr Raja Asim Hussain

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: U37-P01B, U37-P03B.

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

3. Within one month of the date of this permission a scheme for the extraction, treatment and dispersal of fumes and odours has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- a. the provision of odour filters (which shall incorporate grease and carbon filters)
- b. details of the sound insulation of odour control equipment

The approved scheme shall be fully implemented within two weeks of its approval and the extraction system shall thereafter be operated and maintained in accordance with the approved details and the manufacturers specifications and be retained for so long as the use continues.

Reason: In order to ensure the adequate treatment and dispersal of fumes and odours and attenuation of noise in the interests of residential amenity.

4. The hot food takeaway hereby approved shall not be open to customers outside of the hours of 9am to 9pm.

Reason: To ensure that night-time and early morning noise and disturbance does not unacceptably impact upon the residential amenity of the occupiers of adjacent dwellings.

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 development is acceptable in terms of design, amenity and highway safety. The development is therefore compliant 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.

19/0682/HHO Full: Erection of two storey side extension at 79 Manor Street, Nelson for Miss Farah Shah

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 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: Site Location Plan Scale 1:1250, Site Plan Scale 1:500, E1 and P1.

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

3. All the external materials to be used in development hereby permitted shall match those of the existing building in colour, form and texture and there shall be no variation without the prior consent 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 proposed 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.

19/0731/HHO Full: Erection of part double, part single storey rear extension and dormers to front and rear at 4 Juno Street, Nelson for Mr. Ali

(The Planning Officer 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: HAD3154-01, HAD3154-02A, HAD3154-03, HAD3154-04, HAD3154-05B and HAD3154-06C.

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

3. All the external materials to be used in the development hereby permitted shall match those of the existing building in colour, form and texture and there shall be no variations without the prior consent 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 proposed development would accord with the 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.

19/0740/REM Reserved Matters: Major: Erection of 98 dwelling houses (Phases 1-3), with open space provision, states roads, Landscaping and emergency access road with access from Marsden Hall road (Appearance, Layout, Landscaping and Scale) of Outline Planning Permission 17/0427/OUT at land at Further Clough Head, Bamford Street, Nelson for PEARL Together Ltd

RECOMMENDATION

- (1) That Policy and Resources Committee be recommendation to defer the application until the following information has been submitted and once submitted it comes back to this committee for comments:-
1. Environmental Agency response
 2. Badger Survey
 3. GP and School places
 4. Green Fields Sites
 5. Road Access
 6. Zebra crossing updated
 7. Pendle Council to adopt grassed areas
 8. Developers contribute to travel plan
- (2) That a meeting take place with the Chairman of this Committee, County Councillor A. Ali, Ward Councillors and residents to discuss the application.

19/0776/HHO Full: Erection of dormer to front roofslope at 9 Chatham Street, Nelson for Mr Khadim Hussain

RESOLVED

That the Planning, Economic Development and Regulatory Services Manager, in consultation with the Chairman, be granted delegated authority to **grant** planning permission subject to receipt of amended plans.

19/0802/HHO Full: Erection of single-storey rear extension and dormers to front and rear at 70 Fleet Street, Nelson for Mr Rashid

RESOLVED

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

1. The proposed development hereby permitted shall be begun 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 strict accordance with the following approved plans: Location Plan (1:1250), HAD3127-02, HAD3127-03, HAD3127-04, HAD3127-05B (Submitted 8th January 2020).

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

3. No above ground works shall commence on site unless and until, representative samples of all the external materials to be used in the construction of the roofs and walls, together with samples showing the colour and finish of the windows, doors and cladding material of the roof dormers to be installed as part of the development hereby approved, have first been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the approved materials.

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

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. Subject to appropriate conditions, the development would be acceptable in terms of design, residential amenity and highways. 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.

19/0810/FUL Full: Major: Erection of light industrial and warehouse units (Use Classes B1 and B8) (3,640 sq.m) access, parking and associated works at site of former Parkfield Mills, Railway Street, Nelson for Mr Brian Foster

(Before the vote was taken, the Planning Officer advised that should the application be refused there would be a significant risk of costs. The matter would therefore be referred to the Head of Legal Services and subject to his agreement the decision would stand referred to the Policy and Resources Committee.)

RESOLVED

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

1. Highway capacity and safety
2. Residential amenity
3. Principle of industrial development of the site

97. CAPITAL PROGRAMME 2019/20

The Housing, Health and Engineering Services Manager reported that the current balance for the 2019/20 capital programme was **£1**.

98. TRAFFIC LIAISON MEETING

Minutes of the meeting held on 17th October, 2019 were submitted for information.

Chairman _____