

REPORT FROM: PLANNING, ECONOMIC DEVELOPMENT AND
REGULATORY SERVICES MANAGER

TO: POLICY AND RESOURCES COMMITTEE

DATE: 25th JUNE, 2020

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PLANNING APPLICATION

PURPOSE OF REPORT

To determine the attached planning application.

REPORT TO POLICY AND RESOURCES COMMITTEE – 25TH JUNE 2020

Application Ref: 19/0885/OUT

Proposal: Outline: Major: Erection of three storey building for 18 no. studio apartments (Use Class C3) with access only and all other matters reserved.

At: the Former Spiritualist Church, Vernon Street, Nelson

On behalf of: Mr Saadat Khan

Date Registered: 20 December, 2019

Expiry Date: 03 April, 2020

Case Officer: Christian Barton

This application has been referred to Policy & Resources Committee as Nelson Area Committee resolved to refuse the application on grounds of highway safety and impact on the character of the area, these reasons would result in a significant risk of costs being awarded against the Council at appeal.

Site Description and Proposal

The application site is a vacant plot located in the settlement of Nelson. Formerly it housed a large stone building which has recently burned down. It is surrounded by terraced dwellings to two sides with a playground to the southwest and a community centre to the northeast. The site is currently in a rundown condition with dumped building rubble and fly tipped household waste on it.

This is an outline application, for access only, for the erection of a three-storey building for up to 18 one bedroom apartments. Details of layout and scale were initially applied for yet those elements have been removed from the submission. A new access off Vernon Street is proposed to service the development. The initial plans submitted indicating the proposals layout and scale have been treat as indicative throughout this assessment.

Relevant Planning History

No relevant planning history.

Consultee Response

PBC Environmental Health – Conditions should be added to any approval regarding the submission of a Contamination Method Statement, Construction Method Statement and to control working hours, times of construction deliveries, dust emissions and burning on site.

LCC Highways – The Highway Development Support Section raises concerns and therefore objects on highway safety grounds, due to intensification of the site and loss of on-road parking provision. Whilst the Highway Development Support Section objects, if the local planning authority is minded to approve this application then a properly constructed access should be formed and conditions should be added in that regard alongside further conditions which relate to the submission of a Construction Method Statement, a survey process to determine damage to the road network, the provision of parking, cycle storage facilities and electric vehicle charge points.

Lead Local Flood Authority (LLFA) – The LLFA is currently unable to provide you with a substantive response as insufficient information has been submitted with this application. The comments made relate to the proposed inclusion of layout and scale. Details should be submitted relating to how surface water will be drained, assessment of run-off rates, details of catchment areas and proposed maintenance of all drainage infrastructure.

The LLFA asks to be re-consulted following the submission of the above information. Once consulted, we will then provide you with a substantive response within 21 days, unless otherwise agreed. For clarity, no further processing of this consultation request will take place until the above information has been received in full.

(Update) It is noted that the above application has now been amended to access only, with all other matters reserved to a later stage in the planning process. On that basis, the Lead Local Flood Authority has no objection to the proposed development, subject to the inclusion of planning conditions to finalise surface water drainage arrangements to service the proposed and during the construction phase.

United Utilities – It is the applicant's responsibility to investigate the possibility of any United Utilities' assets potentially impacted by their proposals and to demonstrate the exact relationship between any United Utilities' assets and the proposed development. A condition should be added to any approval to ensure the development is appropriately drained on separate systems for foul and surface waters.

NHS East Lancashire Hospitals – This proposed development comprises of 18 flats and based on the 2011 Census average household size per dwelling, we have calculated that this development will accommodate a population of 18 residents. This means that this residential development will generate 41 interventions for the Trust based on the average calculation above. The contribution requested is based on this calculation and by that means ensures that the request for the relevant landowner or developer to contribute towards the cost of health care provision is directly related to the development proposals and is fairly and reasonably related in scale and kind. Without the contribution being paid the development would not be acceptable in planning terms because the consequence would be that there would be inadequate healthcare services available to support it and it would adversely impact on the delivery of healthcare for others in the Trust's area. The contribution requested for this proposed development is £10,525.00.

School Planning Team – An education contribution is not required at this stage in regards to this development. If the education contribution assessment identifies the need for a contribution to be provided Lancashire County Council is, in effect, objecting to the application. A developer contribution, including indexation will, in most cases, overcome the objection. If a developer does not agree to payment of the requested education contribution or the local planning authority does not pursue Lancashire County Council's request on its behalf, Lancashire County Council cannot guarantee that children yielded by the development will be able to access a school place within reasonable distance from their home, so the development could be considered to be unsustainable. Furthermore, if the planning application is approved without the required education contribution LCC would request that the local planning authority confirm how the shortfall of school places, resulting from the development, will be addressed.

Lancashire Fire and Rescue – A number of measures are recommended to make the applicant aware of conditions which will have to be satisfied on a subsequent Building Regulations application.

Lancashire Constabulary – It is beneficial to address crime and security issues as early as possible in the design process. This allows crime prevention strategies to be more effectively integrated into

the overall development. A number of security recommendations have been made which accord with the Secured by Design New Homes 2019 design guide.

Public Response

The nearest neighbours have been notified by letter and a site notice was posted. Public comments have been received objecting on the following grounds;

- The area is an eyesore with dumped rubbish;
- Exacerbation of local parking shortfalls;
- Additional traffic movements will compromise highway safety;
- The development will cause losses of light and privacy impacts;
- Additional school and nursery places cannot be accommodated;
- Healthcare facilities cannot accommodate the development;
- The buildings scale would not fit in with the street scene;
- Land stability would be compromised;
- Drainage problems will be caused;
- Noise from adjacent premises will cause disruption for future occupants;
- Nelson has an abundance of vacant homes.

Officer Comments

The main considerations for this application are the principle of the development, design, residential amenity, highways, drainage and environmental impacts.

The Pendle Local Plan Part 1: Core Strategy (2011 – 2030) is the starting point for considering planning applications. Policies that conform to the Framework and are up to date must be given full weight when planning applications are considered. Other relevant material considerations are then set against the Policies of the Local Plan and contribute to the decision making process.

1. The relevant Pendle Borough Council Local Plan Part 1: Core Strategy (2011 – 2030) policies are:

- CS Policy SDP2 (Spatial Development Principles) states that Key Service Centres, including Nelson, should accommodate the majority of new development and that new development should be located within the settlement boundary unless permitted by an exception outlined in the Local Plan;
- CS Policy ENV2 (Achieving Quality in Design and Conservation) identifies the need to protect and enhance the heritage and character of the Borough and quality of life for its residents by encouraging high standards of quality and design in new development. It states that siting and design should be in scale and harmony with the wider locality;
- CS Policy ENV4 (Promoting Sustainable Travel) requires new development to have regard to potential impacts that may be caused on the highway network. Where residual cumulative impacts cannot be mitigated, permission should be refused;
- CS Policy ENV5 (Pollution and Unstable Land) states that new development is required to address the risks arising from contaminated land or unstable land, including that arising from mining legacy, through remediation work that makes the site suitable for the proposed end use;

- CS Policy ENV7 (Water Management) states that proposals within a designated flood zone should seek to eliminate or reduce the potential for flooding to occur, by demonstrating that further investigation of the extent of risk, and the feasibility of options for prevention or mitigation, have been considered;
- CS Policy LIV1 (Housing Provision and Delivery) sets out the Councils requirement to deliver new housing at a rate of 298 dwellings per annum. Proposals for housing within defined settlement boundaries are supported in sustainable locations;
- CS Policy LIV3 (Housing Needs) involves the housing needs of different groups in the community and encourages the provision of a range of residential accommodation in terms of type, tenure and size.
- CS Policy LIV5 (Design Better Places to Live) states that the layout and design of new housing should reflect the site surroundings, and provide a quality environment for its residents, whilst protecting the amenity of neighbouring properties. Provision for open space and/or green infrastructure should be made in all new housing developments.

Other policies and guidance's are also relevant:

- Saved Policy 31 of the Replacement Local Plan (Parking) sets out appropriate parking standards for new housing developments;

National Planning Policy Framework (The Framework)

- Paragraph 11 of the Framework states that plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means:
 - a) Approving development proposals that accord with an up-to-date development plan without delay; or
 - b) Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (including where a local planning authority cannot demonstrate a five year supply of deliverable housing sites), granting permission unless:
 - I. The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (including policies relating to designated heritage assets); or
 - II. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

There is a presumption in favour of sustainable development as set out in Paragraph 11. Applications that conform to the development plan should be approved. Where policies are out-of-date development should be approved unless the policies in the Framework provide a clear reason for refusing (the policies which apply are set out in footnote 6) or any adverse impacts of approving would significantly and demonstrably outweigh the benefits. This is commonly referred to as 'the tilted balance'.

In broad terms a five year supply of housing is calculated by assessing how many units are required per annum, adding or subtracting houses delivered or under delivery, adding in the appropriate buffer for under delivery and then assessing how many houses can be brought forward within 5 years on sites. Pendle currently has a 4.6 years supply of housing land and the tilted balance is therefore applicable to housing schemes.

- Paragraphs 54 – 57 consider viability and contributions from developments. Paragraph 57 states:

“Where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available.”

2. Principle of the Development

The application site is within the settlement boundary and it is surrounded by residential properties. Services, facilities and regular public transport links are all within walking distance and the development would be within a sustainable location for housing. Empty homes in the area have been raised in public comments. The provision of smaller homes in accessible locations however has a medium priority in the Local Plan highlighting local shortfalls. This proposed residential development is therefore acceptable in principle and accords with Policies SDP2, LIV1 and LIV3.

3. Visual Amenity

Concerns have been raised in relation to the current condition of the site. This application provides a welcomed opportunity to develop it and prevent future waste dumping. The massing of the proposed building and how effectively it would integrate with the surrounding street scene has been raised in public comments.

The indicative plans submitted show the proposed building to have similar proportions when related to the previous building. Those plans sufficiently demonstrate that the site could accommodate a three-storey building of 18 apartments whilst also retaining a certain level of open space. Subject to further design details being agreed at the reserved matters stage, the proposed development would be acceptable in relation to visual amenity thereby complying with Policy ENV2 and LIV5.

4. Residential Amenity

Comments have been made in relation to the potential for noise disruption from the adjacent community centre. However, such uses typically do not generate noise to the extent where aural amenity is compromised. Noise from adjacent land uses has not been raised by PBC Environmental Health and the proposal would be acceptable in that respect.

Losses of light and privacy impacts were cited in public comments. The indicative plans submitted show the site could accommodate a three-storey building without appearing overbearing, or causing any unacceptable losses of light. As highlighted above, the proposed building would be similar in scale to the previous building and its mass would not have an unacceptably imposing impact on the immediate neighbours when the previous relationship is considered.

Subject to an acceptable window arrangement being finalised at the reserved matters stage, the proposed development would have no unacceptable impacts on residential amenity in accordance with Policies ENV2 and ENV5.

5. Highways

The Parking Standards of Saved Policy 31 require 18 off-street parking spaces to service the development. The constrained nature of the site cannot accommodate such level of provision and existing parking will be lost from Vernon Street to accommodate the proposed access. Public comments and objections from LCC Highways have been raised in that regard.

With the provision of basement parking and some outdoor parking the site could accommodate around half of the 18 spaces required. Those are maximum requirements however and the overall impact of additional parking on the safety of the highway network must be considered. The site is within walking distance of regular public transport links and cycle storage can be required through condition at the reserved matters stage to promote sustainable travel. Not all of the surrounding streets are lined with dwellings on both sides and they provide an abundance of parking opportunities.

At the time of the site visit there was a low demand for on-street parking. The scheme would ultimately not contribute to such activity to the extent that it would obstruct the free flow of traffic. For those reasons the immediate highway network could accommodate the schemes parking shortfalls without having a detrimental impact on highway safety. Access into the site would be gained from a residential road restricted to 20 mph. The indicative layout plan confirms the site could accommodate a building of the proposed scale with suitable access arrangements and all technical details regarding the accesses construction can be finalised through condition.

A number of conditions have been recommended by LCC Highways yet not all are relevant at this stage. Degradation of the public roads surface from development cannot be accurately quantified and the provision of parking/manoeuvring areas, electric charge points and covered cycle storage should be covered at the reserved matters stage and related to the proposed layout. With appropriate conditions to control the logistics of the construction phase and any required off-site works of highway improvement, the proposed development would be acceptable in relation to highways matters in compliance with Policy ENV4.

6. Drainage and Flooding

A general requirement for developments to not contribute towards the risk of flooding is outlined in Policy ENV7. For brownfield sites the impacts of new developments are measured against the sites existing performance and if not properly managed this scheme has the potential to increase localised surface water flooding.

On that basis conditions have been recommended by the LLFA to minimise such impacts during the construction phase and following development. With those conditions in place to ensure that appropriate foul and surface water drainage schemes are provided, the proposed development would not contribute towards the risk of surface water flooding and complies with Policy ENV7.

7. Environmental Impact

Terrestrial contamination is a potential problem at this brownfield site. A Preliminary Geoenvironmental Assessment has been submitted which concludes a number of further ground investigation works are required in order to ensure the site can safely accommodate the development. Those conclusions have been affirmed from the comments from PBC Environmental Health so an appropriate condition is recommended in that regard.

Further conditions have also been recommended from PBC Environmental Health though the times of construction materials deliveries cannot be reasonably controlled through condition and the

burning of waste is controlled through non-planning legislation. Measures to control working hours and dust have been incorporated within the recommended Construction Method Statement condition and subject to that condition the proposal raises no unacceptable environmental concerns in accordance with Policy ENV2 and ENV5.

8. Planning Contributions

Contributions have been requested from Lancashire County Council as education Authority and the East Lancashire NHS Trust and concerns have been raised regarding additional strain on community services. In terms of health service contributions there are a number of concerns about the request and justification for those requests. Planning legislation allows for conditions to be placed on developments to make them acceptable. It also provides for the possibility of payments being made through Section 106 agreements for infrastructure affected by a development.

The request for contributions for health care services does in my view fit into a category of infrastructure that could can be funded through a section 106 agreement. However that does not mean to say that the contribution being requested meets the tests set out in the CIL Regulations. Case law is clear that planning permissions cannot be bought or sold hence any sum to be paid to a planning authority must be for a planning purpose which should in some way be connected with the land in which the developer is interested.

The issue for Committee is whether the funding has a direct connection to the development and whether this would be fairly and reasonably related in scale and kind to the development. Robust evidence is required to support a request for a contribution. The requests are there to deal with a one year contribution to deal with services that need to be provided over a one year period. After that the population growth from the development will be known and can be planned for.

The evidence supplied with this request does not in my view go far enough to support the view that the impacts of the individual development are directly related to healthcare deficiencies. A flat rate is applied to all developments which will inevitably result in some developers over providing and some underproviding. The model does not factor in demographic modelling of the area and does not for example look at any percentage of the population that may move into the developments and that they are already resident in the area thus not increasing the demand on services.

Whilst more accurate evidence could be provided were the model to be finessed as it stands it is not sufficiently robust to prove the level of contribution fairly reflects the impact the development would have on services. This is an important issue that will arise in other developments in the Borough. In order to get an independent view on this we have obtained Counsel's opinion on this. That advice is legally privileged but supports the view that the evidence is not sufficiently robust to be able to support a requirement for the contribution requested.

Requiring a contribution would ultimately impact on the viability and deliverability of the scheme. Committee are therefore recommended not to require a contribution to the NHS as the evidence is not robust enough to confirm that the funding is directly related to the development and is fairly and reasonably related in scale and kind to the development. An education contribution has not been requested at this stage from the School Planning Team and that matter will be resolved at the reserved matters stage.

9. Wider Considerations

A number of recommendations have been made from the emergency services relating to site security and access for emergency vehicles. Those matters are ultimately resolved at the Building Regulations stage and they have no material impact on the assessment of this application.

Concerns have been raised regarding land stability. The site falls within a low risk area for vulnerability to historic coal mining and any matters relating to the physical structure of the development would also be addressed at the Building Regulations stage.

10. Five Year Housing Land Supply

Pendle currently does not have a five year supply of housing. As such consideration needs to be given to paragraph 11 of the Framework. This is quoted above but is commonly referred to as the application of the tilted balance. As with all applications the development needs to be assessed against the development plan and then the tilted balance needs to be taken into consideration. The tilted balance indicates that where policies most relevant for the determination of the application are out of date approving the application unless the any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

For this application the development would conform to the development plan and the recommendation is to approve it. The tilted balance would add weight to this as the benefits of housing provision would outweigh the concerns outlined above.

11. Summary

The application seeks outline permission with details of access alone for the erection of a three-storey building providing up to 18 apartments. The proposal is acceptable in principle and in terms of visual amenity, residential amenity, highways and drainage and environmental impacts in compliance with Policies ENV2, ENV4, ENV5, ENV7, LIV1, LIV3 and LIV5.

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

RECOMMENDATION: Approve

Subject to the following conditions;

1. An application for approval of the reserved matters (namely the layout, appearance, scale and landscaping of the development) 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) (England) Order 2015 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, scale and landscaping (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 strict accordance with the following approved plan: LU158: P01A, P04A and P06C.

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

4. No development shall commence on site unless and until, a scheme for the disposal of foul and surface water has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for separate systems for foul and surface waters and shall be constructed and completed in accordance with the approved plans before any apartment is occupied.

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

5. No development shall commence on site unless and until, a Contamination 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 has been submitted to and approved in writing by the Local Planning Authority. 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;
- b) 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 environment and residents from contamination.

6. No development shall commence on site unless and until, a Construction 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 and it shall provide for but not be exclusively limited to;

- a) The parking of vehicles of site operatives and visitors;

- b) The loading and unloading of plant and materials;
- c) The storage of plant and materials used in constructing the development;
- d) The erection and maintenance of security hoarding;
- e) Wheel washing facilities;
- f) Measures to control the emission of dust and dirt during construction;
- g) A scheme for recycling/disposing of waste resulting from demolition and construction works;
- h) Details of working hours;
- i) Routing of delivery vehicles to/from site.

Reason: In the interest of highway safety and to minimise disruption during the construction phase.

7. No development shall commence on site unless and until, a scheme for the construction of the site access and all required off-site works of highway improvement, has been submitted to, and approved in writing the Local Planning Authority. The works shall be completed in accordance with the approved details before any apartment is occupied.

Reason: In order to satisfy the Local Planning Authority that the final details of the highway scheme/works are acceptable before any development commences on site.

8. No development shall commence on site unless and until, the final details of the design and implementation of an appropriate surface water drainage scheme have been submitted to and approved in writing by the local planning authority. Those details shall include:

- a) An appropriate assessment of the existing surface water runoff rates for the 1 in 1 year, 1 in 2 year (Qbar), 1 in 30 year and 1 in 100 year rainfall events. For a previously developed site such as this, the applicant should follow the methodology outlined in section 24.5 of the CIRIA SuDS Manual, 2015;
- b) An appropriate assessment of the existing surface water runoff volumes for the 1 in 100 year, 6 hour rainfall event;
- c) A final surface water drainage layout plan; appropriately labelled to include all pipe/structure references, dimensions, design levels, finished floor levels and external ground levels (in AOD);
- d) A full set of flow calculations for the surface water drainage network. The calculations must show the full network design criteria, pipeline schedules and simulation outputs for the 1 in 1 year, 1 in 30 year and 1 in 100 year return period, plus an appropriate allowance for climate change and urban creep. The calculations must also demonstrate that surface water runoff from the development will not exceed the existing pre-development surface water runoff rates and volumes for the corresponding rainfall event;
- e) A final site plan showing all on-site surface water catchment areas, i.e. areas that will contribute to the proposed surface water drainage network;
- f) Confirmation of how surface water is to be managed within any non-drained areas of the site, i.e. gardens and public open space;
- g) A final site plan showing overland flow routes and flood water exceedance routes, both on and off site;
- h) Details of any measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses; and
- i) Details of an appropriate management and maintenance plan for the surface water drainage network over the lifetime of the development.

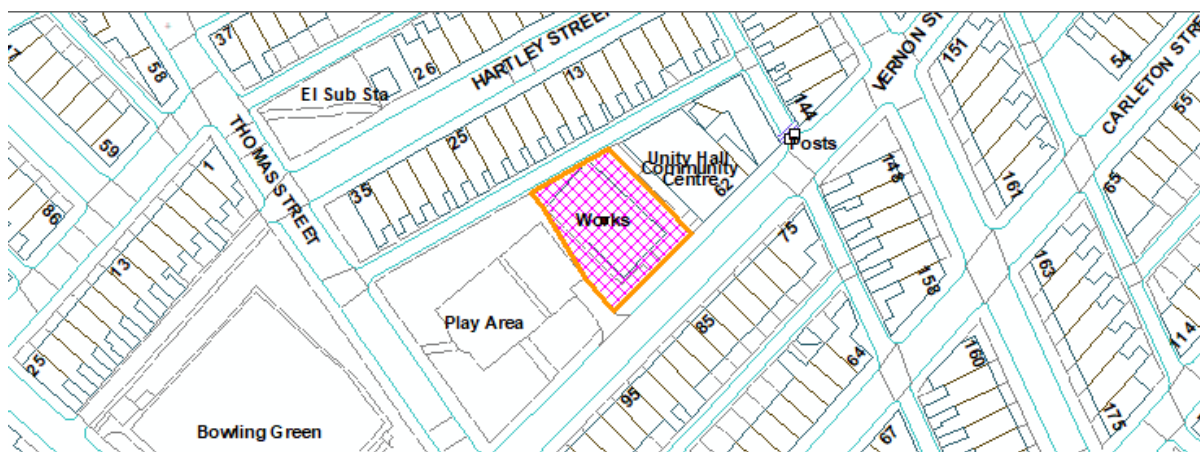
Reason: To ensure that the proposed development can be adequately drained to reduce the risk of flooding and ensure that water quality is not detrimentally effected.

9. No development shall commence on site unless and until, details of how surface water and pollution prevention will be managed during each construction phase have been submitted to and approved in writing by the local planning authority.

Reasons: To ensure that the construction phase(s) of development does not pose an undue flood risk on site or elsewhere and to preserve the ecological or geomorphic condition of water bodies.

Informative

The grant of planning permission will require the applicant to enter into an appropriate legal agreement (Section 278), with Lancashire County Council as the 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 access to an appropriate standard, including a minimum width of 5.2m, radius kerbs, buff coloured tactile paved dropped pedestrian crossings either side of the access and a H bar road marking across the entrance on Vernon Street. 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 by email on 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.



Application Ref: 19/0885/OUT

Proposal: Outline: Major: Erection of three storey building for 18 no. studio apartments (Use Class C3) with access only and all other matters reserved.

At: the Former Spiritualist Church, Vernon Street, Nelson

On behalf of: Mr Saadat Khan