

**MINUTES OF A MEETING OF NELSON COMMITTEE
HELD REMOTELY VIA MICROSOFT OFFICE TEAMS
ON 8th JUNE, 2020**

PRESENT –

Councillor M. Sakib (Chairman – in the chair)

Councillors

G. Adam
N. Ahmed
Z. Ali
M. Ammer
M. Aslam
T. A. Cooney
M. Iqbal
N. McGowan
Y. Tennant
S. Wicks

Co-optees

N. Emery (Nelson Town Centre Partnership)

(Apologies for absence were received from Councillors E. Ansar, J. Henderson, A. Mahmood and K. Shore).

Officers in attendance:

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



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

<i>Georgina Wager</i>	<i>20.0034/FUL Full: Demolition of barn and stables</i>	<i>Minute No. 3(a)</i>
<i>Andy Hawthorne</i>	<i>and erection of an agricultural storage and livestock</i>	
<i>Raul Rigby</i>	<i>building (floor area 164 sq. m.) in field 1246</i>	
<i>Tim Buchanan</i>	<i>Southfield Lane, Southfield</i>	



1. DECLARATION OF INTERESTS

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

Councillor M. Sakib declared a pecuniary interest in minute number 3(a) relating to planning application 20/0209/HHO for 129/131 Regent Street, Nelson as this was his family home.

2. MINUTES

RESOLVED

That the Minutes of the meeting held on 2nd March, 2020 be approved as a correct record and signed by the Chairman.

3. PLANNING APPLICATIONS

(a) Applications to be determined

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

19/0885/OUT Outline: Major: Erection of three storey building for 18 studio apartments (Use Class C3) with access only and all other matters reserved at the former Spiritualist Church, Vernon Street, Nelson for Mr. Saadat Khan

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

RECOMMENDATION

That planning permission be **refused** on the grounds of highway safety and impact on the character of the area.

20/0006/HHO Full: Erection of a single storey rear extension with roof garden above at 2-4 Rutland Street, Nelson for Mr. Shabaz Munir

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: U57-P01, U57-P02 and U57-P03A.

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

3. All materials to be used in the elevations and roof of the proposed development shall be as stated on the application form and shall not be varied without the prior written permission 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.

4. The privacy fencing screen shall be erected in strict accordance with the approved plans prior to first use of the roof terrace and retained permanently thereafter.

Reason: In the interests of amenity and privacy to neighbouring occupiers.

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 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 apposite presumption in favour of approving the development and there are no material reasons to object to the application.

20/0034/FUL Full: Demolition of barn and stables and erection of an agricultural storage and livestock building (Floor Area: 164 sq. m.) in field 1264, Southfield Lane, Southfield for Mrs. G. Wager

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: 01, 03A.

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

3. Prior to the cladding of the walls and roof samples of the external cladding materials of the walls and roof of the building shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out and maintained using only the approved materials.

Reason: To allow the Local Planning Authority to control the external appearance of the development in the interest of visual amenity.

4. The building shall be used solely for purposes falling within the definition of agriculture set out in section 336(1) of the Town and Country Planning Act 1990 and for no other purpose, including the accommodation of equine animals without the prior written approval of the Local Planning Authority.

Reason: For the avoidance of doubt and to control the use of the development.

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 visual and residential amenity, highway safety, Conservation Area impact and all other relevant regards. 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.

20/0045/HHO Full: Erection of dormer windows to front and rear roof slopes (re submission) at 179 Chapel House Road, Nelson for Mr. S. Mehboob

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

RECOMMENDATION

That planning permission be **granted** subject to appropriate conditions and reasons.

Councillor M. Aslam declared a personal but non-prejudicial interest in the following item as the property belonged to a family member.

20/0066/FUL Full: Change of use from car sales (sui generis) to car valeting business (Use Class B1C) and erection of canopy and 3.5m boundary walls on the south and east boundaries at 148-150 Scoltand Road, Nelson for Mr. Shuaib Ashraf Dar

RESOLVED

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

1. The development hereby permitted shall be carried out in accordance with the following approved plans: U62-P01, U62-P04 and U62-P05.
Reason: For the avoidance of doubt and in the interests of proper planning.
2. Prior to the commencement of the use hereby approved, details of the colour and finish of the boundary walls shall have been submitted to and approved in writing by the Local Planning Authority and the boundary walls shall be finished in strict accordance with the approved details within one month of the written approval.
Reason: In the interests of visual amenity.
3. Prior to the commencement of the use hereby approved, a scheme for the disposal of foul and surface waters, including provision for oil interceptors, shall have been submitted to and approved in writing by the Local Planning Authority. Prior to the commencement of the use hereby approved, the foul and surface water drainage shall be fully implemented and thereafter maintained in strict accordance with the approved scheme.
Reason: To secure proper drainage and to manage the risk of flooding and pollution.
4. Prior to the commencement of the use hereby approved, the car parking and manoeuvring areas shall be marked out in accordance with the approved plan U62-P04 and thereafter

shall remain free from obstruction and available for car parking and manoeuvring purposes.

Reason: To ensure adequate car parking provision and to enable vehicles to enter and exit the site in forward gear in the interests of highway safety.

5. The use hereby approved shall not operate outside the hours of 08:00 to 20:00 on any day.

Reason: In the interests of residential amenity.

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 has been determined to be acceptable in all relevant regards. 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.

20/0118/FUL Full: Erection of front extension with roof lantern and installation of additional windows to the rear elevation at Whitefield Community Centre, 212A Manchester Road, Nelson for Mr. Mehmood Hassan

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 strict accordance with the following approved plans: Location Plan (1:1250) Site Plan (1:500) 212A-20-P02 and 212A-20[P-03A.

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

3. No above ground works on site shall commence on site unless and until samples of the external materials to be used for the construction of the walls and roof, together with samples showing the colour and finish of the doors, windows and roof lantern 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 and details.

Reason: To ensure a satisfactory form of development within a Conservation Area.

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 design, the conservation area 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.

20/0154/HHO Full: Erection of two-storey extension and porch to site (north west) part double, part single-storey extension to rear and front porch at 41 Rakes House Road, Nelson for Mr. Mirza Rafaqat Ali

RESOLVED

That planning permission be **granted** subject to appropriate conditions and reasons.

20/0155/FUL Full: Change of use from retail shop (Use Class A1) to restaurant (Use Class A3) and hot food take-away (Use Class A5) install new shop front and vertical extract flue to the rear of 31 Scotland Road, Nelson for Mr. Safdar Hussain

Before the vote was taken the Planning Officer advised that should the application be approved this would represent a significant departure from policy. The matter would be referred to the Head of Legal Services and subject to his agreement the decision would stand referred to the Policy and Resources Committee.

RECOMMENDATION

That planning permission be **granted** subject to appropriate conditions and reasons.

Councillor M. Sakib declared a personal and pecuniary interest and withdrew from the meeting during discussion of the following item.

Councillor M. Iqbal (Vice-Chairman – in the chair)

20/0209/HHO Full: Erection of two storey rear and side extensions connecting two properties, single storey front porch and parking to the front at 129 and 131 Regent Street, Nelson for Mr. Mohammad Sakib

The Planning Officer circulated an update prior to the meeting advising that amended plans had been received which significantly reduced the size of the two storey rear extension proposed. The officer recommendation was still to refuse the application.

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: 28/4/20 Parking, 3/4/20 Extg Plans, 3/4/20 Elevations 1, 3/4/20 First Floor Plans, 3/4/20 Ground Floor Plan, 3/4/20 Roof Plans and 3/4/20 Elevations 2.

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

3. The external materials to be used in the elevations and roof of the 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 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 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) Application for comment

19/0901/FUL Full: Major: Erection of 114 dwelling units (15 apartments and 99 houses) with associated estate roads (new primary vehicular and pedestrian access off Priory Chase) and ancillary associated infrastructure at the site of the former James Nelson Sports Club, Wickworth Street, Nelson for M.C.I. Development Ltd., Linkhaven Ltd., and Accent Homes Ltd.

The Planning, Economic Development and Regulatory Services Manager submitted a report on the above planning application which was before Committee for comment. Due to the application being for more than 60 properties the application would be submitted to the next Policy and Resources Committee for consideration. Any comments from this Committee would be included in the report.

RESOLVED

That no comments be made.

Councillor M. Sakib (Chairman – in the chair)

4. RE-OPENING OF PENDLE’S TOWN CENTRES

The Government were intending to lift the Coronavirus restrictions on most non-essential retail premises with effect from 15th June. This was subject to there being no spike in infection rates before then and to businesses being able to demonstrate that they met the guidelines to protect shoppers and staff. Detailed guidance from the Government had been published.

An ERDF grant of £50m had been made available to support the reopening of high streets to put in place additional measures to establish a safe trading environment. Pendle’s allocation was £81,195.

The four strands activity were:

- To develop an action plan and in doing so to engage with businesses, parish and town councils etc.
- Communications and public information.
- To raise awareness with businesses e.g., on social distancing and how to make temporary adjustments to their premises if necessary.
- To make town centre public spaces as safe as possible.

It was proposed that £20,000 of the £81,195 be top sliced to cover work of a corporate nature e.g., communications and that the remainder be distributed to each area committee based on population. Nelson’s allocation was £20,677.

It was recommended that each area committee take on the task of developing tailored action plans for their town centres and that this be done through the agendas for their scheduled meetings and by making appropriate co-options for this item of business.

RESOLVED

That an Action Group be established as soon as possible comprising of the following:

Borough Councillors Mohammad Sakib, George Adam, Yvonne Tennant and Nadeem Ahmed
Two representatives from Nelson Town Council: Councillors Zafar Ali and Nazeem Hyat
Two representatives from Nelson Town Centre Partnership: Nick Emery and Lara Oddie

REASON

To move progress as quickly as possible.

Chairman _____