

**MINUTES OF A MEETING OF NELSON COMMITTEE
HELD REMOTELY VIA MICROSOFT OFFICE TEAMS
ON 29th MARCH, 2021**

PRESENT –

Councillor M. Sakib (Chairman – in the chair)

Councillors

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

Co-optees

Police

PCSO Holly-May Pinder

(Apologies for absence were received from Councillors J. Henderson 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>



121. DECLARATION OF INTERESTS

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

122. PUBLIC QUESTION TIME

There were no questions from members of the public.

123. MINUTES

RESOLVED

That the Minutes of the meeting held on 1st March, 2021 be approved as a correct record and signed by the Chairman.

124. PROGRESS REPORT

A progress report on actions arising from the last meeting was submitted for information.

125.

POLICE ISSUES

PCSO Pinder reported that patrols had been stepped up in response to concerns about drug dealing and anti-social behaviour in Walverden Park. Also following concerns from residents about damage to the Bowling Green at Marsden Park patrols in this area had also been increased.

A joint operation was planned to target untaxed vehicles, no MOT and illegal number plates.

126.

PLANNING APPLICATIONS

(a) Applications to be determined

20/0796/FUL Full: Erection of a single storey extension to accommodate two additional classrooms, toilet facilities and car parking at Castercliff Primary Academy Marsden Hall Road North, Nelson for the Governors of Castercliffe Primary Academy

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 BS.20-118/01; Proposed Site Plan BS.20-118/03; Proposed Elevation Plans BS.20-118/05 Rev A.

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

3. All materials to be used for the proposed development hereby approved shall be as stated on the application form and approved drawings and they shall not be varied without the prior written permission of the Local Planning Authority.

Reason: Those materials are appropriate for the development of the site.

4. The additional accommodation hereby approved shall not be brought into use unless and until the additional parking space, as shown on the approved plan Proposed Elevation Plans BS.20-118/05 Rev A has been constructed, laid out and surfaced in a bound porous material and those spaces shall thereafter remain free from obstruction and be available for the parking of vehicles associated with the staff of the school at all times.

Reason: In order to ensure the development is provided with adequate parking.

5. No development shall take place, including any works of demolition, 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.

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) a scheme for recycling/disposing of waste resulting from demolition and construction works;
- (viii) details of working hours;
- (ix) routing and timing of delivery vehicles to/from site to avoid school drop-off and collection times.

Reason: In the interests of neighbouring amenity.

6. The proposed development hereby approved shall not be brought into use unless and until a foul and surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority and has been fully installed and completed in accordance with the approved details.

The drainage scheme must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water.
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations).
- (iii) A timetable for its implementation.
- (iv) Details of how foul and surface water will be disposed of.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

7. Prior to the first use of the development hereby permitted, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. This must include details of measures to reduce travel by private car. The approved plan shall be adhered to for as long as the development hereby permitted remains in use.

Reason: In the interests of highway safety.

8. Construction deliveries to the development hereby approved shall only be accepted between the hours of 09:30 and 14:00.

Reason: To avoid peak traffic on the surrounding highways network in the interests of highway safety.

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 principle and 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.

20/0083/FUL Full: Change of use of ground floor from residential dwelling (Use Class C3) to a shop (Use Class E) and insertion of a shop front (resubmission) at 55 Newport Street, Nelson for Mr. Qaiser Ahmed

(Before the vote was taken, the Planning Officer advised that a decision to approve the application would have an unacceptable impact on the vitality of the town centre and represented a significant departure from policy. 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).

RECOMMENDATION

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

20/0753/HHO Full: Erection of side and rear two storey extensions at 181 Regent Street, Nelson for Mr. Zulfqar Ali

RESOLVED

That the Planning, Economic Development and Regulatory Services Manager be granted **delegated authority** to approve the application subject to the receipt of amended plans.

(b) Appeals

The Planning, Economic Development and Regulatory Services Manager submitted, for information, a report on planning appeals.

127. ENFORCEMENT/UNAUTHORISED USES

Update on Enforcement Matters

The Head of Legal Services submitted an update on enforcement matters.

128. CAPITAL PROGRAMME 2020/21

The Housing, Health and Engineering Services Manager reported that the unallocated sum of the Committee's Capital Programme for 2020/21 was £1,201.

Two capital programme bids and two ward initiative bids were submitted for consideration.

RESOLVED

- (1) That £69,032.50 be de-allocated from various capital works in lines 40, 42, 43, 44, 45, 47, 48 and 49 in the Capital Programme report.
- (2) That £67,000 be allocated to work in partnership with Nelson Town Council to address highways improvements in Nelson.
- (3) That £3,233.50 be allocated for the installation of a street light on Regent Place/Regent Street, Nelson.
- (4) That £300 of the Ward Initiative money be allocated to Marsden Community Primary School to purchase resources to assist with developing vocabulary and oracy.
- (5) That £2,250 of the Ward Initiative money be allocated to assist the Food Bank run by Nelson Community Mosque (subject to the money being spent on equipment).

REASON

To allocate the Committee's Capital Programme effectively.

129. TRAFFIC LIAISON MEETING

Minutes of a meeting of the Traffic Liaison Meeting held on 25th February, 2021 was submitted for information.

130. RESIDENTS' ONLY PARKING SCHEME – HOLLY STREET, NELSON

At a meeting of this Committee on 4th January, 2021 it was resolved:

- “(1) That due to the results of the traffic survey providing no evidence to support the introduction of a scheme, a scheme not be introduced on Holly Street, Nelson at this time.
- (2) That resolution (1) above be reviewed once further information regarding the enforcement of the school zigzags has been provided by Lancashire County Council.”

The Housing, Environmental Health and Engineering Services Manager reported that Lancashire County Council's Parking Services department had advised that Walverden School on Holly Street, Nelson was visited three times in November, 2020 when the school was fully open. No cars were parked on the school zigzags at this time and therefore no Penalty Charge Notices were issued.

Lancashire Parking Services also reported that they had received no complaints about parking on the school zigzags.

Therefore, due to the County Council receiving no complains and the original traffic study not providing evidence of an issue with non-residential parking, it was recommended that no further action was taken.

RESOLVED

That no further action be taken.

REASON

In response to the findings of the County Council.

131. NELSON TOWN CENTRE – RE-OPENING

The Planning, Economic Development and Regulatory Services Manager submitted a report which provided an update on the grant funding for the re-opening of Nelson Town Centre. Committee were asked to agree to the development of a website and/or Click and Collect service for Nelson.

Due to their being no Committees until after Annual Council in May it was suggested that the Planning, Economic Development and Regulatory Services Manager be given operational control to continue with the projects listed in the report including the development of the website or other service and the spending of all monies (grant and non-grant based) to ensure the successful completion of any agreed projects.

It was reported that the Council had been awarded a further £81k but would be called the Welcome Back Fund. The criteria on what this fund could be used for had been widened but detailed guidance had not yet been issued.

RESOLVED

- (1) That the report be noted.
- (2) That spending detailed in the report be approved to spend on a website for Nelson Town Centre businesses.
- (3) That the remaining spend on the projects listed in the report be delegated to the Planning, Economic Development and Regulatory Services Manager.

REASONS

- (1) *To keep the Committee apprised of development concerning the spending on the re-opening of Nelson Town Centre.*

(2) ***To maintain progress with the project.***

Chairman _____