

64. MINUTES

RESOLVED

That the Minutes of meetings of the Nelson, Brierfield and Reedley Committee held on, 2021 be approved as correct records and signed by the Chairman.

65. PROGRESS REPORT

A progress report on actions arising from the last meetings of Nelson Committee and Brierfield and Reedley Committee were submitted for information.

66. POLICE ISSUES

The crime figures for Nelson for the month of August, 2021 (compared to the same period last year) were circulated at the meeting. There had been a reduction in the number of anti-social behaviour logs from 225 to 119 this year. Over the past 2/3 weeks over 30 cannabis farms had been located and dismantled which had resulted in 13 arrests. Investigations were still ongoing.

PCSO Katie Clowes provided updates with regards to anti-social driving and anti-social behaviour incidents. Over the summer months three community events had been held in Walverden Park, Nelson, Hodge House, Nelson and Heyhead Park, Brierfield which had been very well attended and more events like these were planned for the future.

Concerns were again raised about the speeding vehicles on Chapelhouse Road, Carleton Street, Hibson Road and Brunswick Street area of Nelson. The Police were proposing to use mobile speed cameras in speeding hotspots but residents needed to report these incidents via the Lancashire Road Safety Partnership website where a picture could be formed of problem areas. These statistics would provide a trigger for action.

It was reported that there was an abandoned vehicle on the footpath near the Sure Start building on Brunswick Street, Nelson and another with exposed parts on the corner of Duerden Street/Hibson Road, Nelson. PCSO Clowes said she would follow this up.

In relation to Bonfire Night it was reported that the Police were meeting with the Lancashire Fire and Rescue Service followed by a multi-agency meeting to prepare for this year's event. The Police would also be going into schools and possibly mosques to help educate young people about the dangers of fireworks.

67. PLANNING APPLICATIONS

(a) Applications to be determined

21/0265/FUL Full: Major: Erection of 10 semi-detached bungalows on the site of former 1-33 O'Hagan Court, Brierfield for Together Housing Limited

RESOLVED

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

Nelson Committee (04.10.2021)

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: TBC

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

3. Prior to the commencement of above ground works involved in the erection of the external walls of the development hereby approved samples of the materials of the external walls and roofs of the development shall have 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 details.

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

4. The window openings shall be set back from the external face of the wall. The depth of reveal shall be at least 70mm.

Reason: To ensure the continuation of a satisfactory appearance to the development.

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:

- The parking of vehicles of site operatives and visitors
- The loading and unloading of plant and materials
- The storage of plant and materials used in constructing the development
- The erection and maintenance of security hoarding
- Wheel washing facilities
- Measures to control the emission of dust and dirt during construction
- A scheme for recycling/disposing of waste resulting from demolition and construction works
- Details of working hours
- Routing of delivery vehicles to/from site
- Construction site noise and vibration
- Restriction of burning onsite

Reason: In the interest of highway safety and residential amenity.

6. No development shall be commenced until full engineering, drainage, street lighting and constructional details of the streets proposed for adoption have been submitted to and approved in writing by the local planning authority. The development shall, thereafter, be constructed in accordance with the approved details, unless otherwise agreed in writing with the local planning authority.

Reason: To ensure that the internal road is constructed to an acceptable standard in the interest of highway safety.

7. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a private management and maintenance company has been established.

Reason: In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the users of the highway and the visual amenities of the locality.

8. The new estate road between the site and Stanley Street shall be constructed in accordance with Lancashire County Council's Specification for Construction of Estate Roads to at least base course level before any development takes place within the site.

Reason: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.

9. No part of the development hereby approved shall be occupied until all the highway works have been constructed and completed in accordance with a scheme that shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.

Reason: To ensure that all highways works are constructed to an acceptable standard in the interest of highway safety.

10. The proposed development should not be brought into use unless and until the parking areas shown on the approved plans has been constructed, laid out and surfaced in bound porous materials. The parking areas shall thereafter always remain available for the parking of domestic vehicles associated with the dwellings.

Reason: In order to ensure satisfactory levels of off-street parking are achieved within the site to prevent parking on the highway to the detriment of highway safety.

11. Prior to the occupation of any approved dwelling an electric vehicle charging point shall be installed.

Reason: To ensure that the development provides the infrastructure for forms of sustainable transport.

12. Prior to first occupation of any approved dwelling cycle storage facilities shall be provided in accordance with a scheme to be approved in writing by the Local Planning Authority.

Reason: To ensure that the development provides the infrastructure for forms of sustainable transport.

13. Prior to the start of any development a condition survey of the section of culvert that would be under the estate road should be carried out and submitted to the local planning authority for approval.

Reason: In order to ensure that the development does not have a detrimental effect on the construction of the internal estate road and adopted highway network.

14. The development shall not commence unless and until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following:

- a. the exact location and species of all existing trees and other planting to be retained;
- b. all proposals for new planting and turfing indicating the location, arrangement, species, sizes, specifications, numbers and planting densities;
- c. an outline specification for ground preparation;
- d. all proposed boundary treatments with supporting elevations and construction details;
- e. all proposed hard landscape elements and pavings, including layout, materials and colours;
- f. the proposed arrangements and specifications for initial establishment maintenance and long-term maintenance of all planted and/or turfed areas.

The approved scheme shall be implemented in its entirety within the first planting season following the commencement of the use of the development. Any tree or other planting that is lost, felled, removed, uprooted, dead, dying or diseased, or is substantially damaged within a period of five years thereafter shall be replaced with a specimen of similar species and size, during the first available planting season following the date of loss or damage.

Reason: To ensure that the development is adequately landscaped so as to integrate with its surroundings.

15. The development shall not be commenced unless and until 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 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; 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 in order to prevent contamination of controlled waters and the environment.

Notes:

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. 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.

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 accords with Local Planning Policy and 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.

21/0325/FUL Full: Change of use of former ambulance station to mixed use; including storage and distribution, vehicle mechanical and body repairs and tyre fitting (part retrospective) at the Ambulance Station Rakeshouse Road, Nelson for Mr. H. J. Ahmad

The Planning Officer circulated an update at the meeting. Committee were advised that the revised Noise Assessment had been received but had not yet been agreed by Environmental Health. It was recommended that this application be deferred to allow time for the Noise Assessment to be assessed.

RESOLVED

That this application be deferred until the next meeting to allow time for the Noise Assessment to be assessed.

21/0419/HHO Full: Erection of dormer window to the front at 65 Barkerhouse Road, Nelson for Mr. M. Basharat

RESOLVED

That delegated authority be granted to the Planning, Economic Development and Regulatory Services Manager to approve the application subject to:

- (a) receipt of amended plans for a pitched roof to the dormer; or
- (b) if there was sufficient head-room with a flat roofed dormer.

21/0502/HHO Full: Landscaping and earth works to create four terraces in rear garden (part retrospective) at 454 Kings Causeway, Brierfield for Mr. U. Saeed

RESOLVED

That the Planning, Economic Development and Regulatory Services Manager be granted delegated authority to approve the application subject to the receipt of a structural survey and subject to the following conditions and reasons:

1. The development hereby permitted shall be carried out in accordance with the following approved plans: 204-PL102A.

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

2. All materials used in the proposed development shall be as stated on the application form and approved drawings 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.

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.

21/0532/HHO Full: Erection of a two storey side extension, single storey rear extension, erection of replacement porch and balcony above the single storey rear extension at 41 Lowthwaite Drive, Nelson for Miss S. Mahmood

The Planning Officer circulated an update at the meeting. Amended plans had been received which reduced the size of the balcony above the proposed single storey rear extension from 5m in depth to 2m. There was also the addition of two bay windows to the front elevation.

Although the proposed balcony was now acceptable the two proposed bay windows to the front would have gable roofs and would be separate from the proposed porch. This would result in three separate elements with differing roof types along the front elevation contrary to good design. Officer recommendation was still to refuse the application.

RESOLVED

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

1. The development permitted shall be begun before the expiration of three years from the date of the permission.

Reason: This condition is required to be imposed by virtue of Section 91(1) of the Town and Country Planning Act 1990.

2. This permission shall be carried out in accordance with the following plans: U106-P01, U106-P02 and U106-P03D.

Reason: This condition is required to be imposed by virtue of Section 91(1) of the Town and Country Planning Act 1990. Town and Country Planning Act 1990 and Country Planning (Development Management Procedure) Order (England) 2015 GRANT OF PLANNING PERMISSION.

3. All materials to be used in the development shall be as stated on the application form and approved drawings 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. Prior to the first use of the balcony hereby approved, details of a 1.8m high obscure screen shall be erected along the north-west side boundary. The screen shall be obscure glazed to Level 4 or above at all times. The screen shall be erected in strict accordance with the approved details and shall thereafter remain insitu unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential amenity and to protect the privacy of the adjacent property.

REASONS 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 not adversely impact on amenity or highway safety and would be acceptable.

21/0545/HHO Full: Insertion of dormers to front and rear roof slopes at 27 Hartley Street, Nelson for Mr. M. Gafar

RESOLVED

That delegated authority be granted to the Planning, Economic Development and Regulatory Services Manager to approve the application subject to the receipt of amended plans for pitched roofs to the dormers and appropriate conditions and reasons.

21/0569/HHO Full: Erection of part single storey, part two storey extension to the side and Juliet balcony to the front (re-submission) at 1 Roundwood Avenue, Reedley for Mr. Z. Aslam

RESOLVED

That planning permission be **approved** 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:

Location and Site Plan dated 6th July, 2021
Proposed Side Elevation Plans dated 6th July, 2021
Proposed Front and Rear Elevation Plans dated 6th July, 2021
Proposed Floor Plans dated 6th July, 2021

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

3. All 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.

4. The proposed development should not be brought into use unless and until the parking area shown on the approved plans has been constructed, laid out and surfaced in bound porous materials. The parking area shall thereafter always remain available for the parking of domestic vehicles associated with the dwelling.

Reason: In the interest of highway safety and in order to ensure satisfactory levels of off street parking are achieved within the site.

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 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.

68. ENFORCEMENT/UNAUTHORISED USES

Update on Enforcement Matters

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

69. CAPITAL PROGRAMME 2021/22

The Housing, Health and Engineering Services Manager reported that all the money from the Committee's 2021/22 Capital Programme had been allocated. A full report would be submitted in due course.

The Committee were asked to consider a bid seeking £4,000 to complete the refurbishment of the street furniture within Nelson Town Centre.

RESOLVED

That the bid for £4,000 for the refurbishment of street furniture within Nelson Town Centre be approved and that it be allocated from:

Capital Projects – Bradley	£1,000
Capital Projects – Marsden and Southfield	£1,000
Capital Projects – Whitefield and Walverden	£2,000

REASON

To enable the Capital Programme to be allocated effectively.

70. NELSON AND BRIERFIELD TOWN CENTRE RE-OPENING

The Planning, Economic Development and Regulatory Services Manager submitted an update on progress with the spend of the Welcome Back Fund.

It was reported that the proposed name for the website for Brierfield and Nelson town centres was "Come to Nelson and Brierfield." It was suggested that separate URL's be set up for each town but that these land on the same page.

RESOLVED

(1) That the report be noted.

Nelson Committee (04.10.2021)

(2) That separate URL's be set up for the website for Brierfield and Nelson town centres.

REASON

To keep the Committee up to date with progress and spend.

61. OUTSTANDING ITEMS

- (a) Junction of Scotland Road/Sagar Street/Broadway, Nelson (05.07.2021)
- (b) Speed Calming Measures on Chapel House Road, Nelson (05.07.2021)
- (c) Broadway Car Park, Nelson (05.07.2021)
- (d) Land adjacent 51 Reedley Road, Reedley (02.08.2021)

Chairman _____