

**MINUTES OF A MEETING OF
NELSON, BRIERFIELD AND REEDLEY COMMITTEE
HELD AT NELSON TOWN HALL
ON 31st JANUARY, 2022**

PRESENT –

Councillor N. Ashraf (Chairman – in the Chair)

Councillors

*M. Adnan
F. Ahmad
Z. Ali
E. Ansar
R. Anwar
M. Aslam
M. Hanif
K. Howarth
Y. Iqbal
M. Sakib*

Co-optees

*N. Emery (Nelson Town Centre Partnership)
P. McCormick (Reedley Hallows Parish Council)*

(Apologies for absence were received from Councillors M. Iqbal, A. Mahmood and N. McGowan).

Also in attendance:

PC Lorna Bolton

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> |



118. DECLARATION OF INTERESTS

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

119. PUBLIC QUESTION TIME

There were no questions from members of the public.

120. MINUTES

RESOLVED

That the Minutes of meetings of the Nelson, Brierfield and Reedley Committee held on, 29th November, 2021 be approved as correct records and signed by the Chairman.

121.

PROGRESS REPORT

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

122.

POLICE ISSUES

PC Lorna Bolton reported that there had been a drop in the number of burglaries over the past six months but there had been a rise in all other reported crimes. There wasn't a specific reason for this but it could have been that with the Covid restrictions in place the public weren't out and about the same and the number of reported incidents decreased. However, with the relaxation of the restrictions there had been a noticeable increase in reported crime.

The Police were continuing with their anti-social driving initiative and were currently visiting secondary schools to talk to students about this. A meeting was also scheduled between the Police and Pendle Council to discuss the possibility of introducing an anti-social driving Public Spaces Protection Order. There was currently only one and this was in Bradford.

There had been a decrease in the number of anti-social behaviour reports in parks. It was felt that this was probably due to the poor weather conditions but further operations were planned.

Concerns were again raised about the length of time taken for calls to the 101 number to be answered. The Committee were advised that emergency calls should be made to 999 and other calls to the 101 number or via the Lancashire Police website. It was, however, acknowledged that there were funding and resource issues around this service.

It was also reported that there were two new members to the Neighbourhood Policing Team, Gemma Hill and Tom Schofield and they would be working within both Brierfield and Nelson.

123.

PLANNING APPLICATIONS

(a) Applications to be determined

21/0429/FUL Full: Erection of a religious building (Use Class D1) (floor area 900 sq. m.) formation of 12 parking spaces (7 accessed from Stanley Street and 5 in the underground car park with access from Arthur Street) and associated landscaping at the Gospel Mission Pentecostal, Stanley Street, Brierfield for Masjid Usman Ghani

RESOLVED

That this application be **deferred** for a site visit.

21/0768/HHO Full: Retrospective application for the erection of a close boarded fence to the eastern and southern boundaries (max 2.5m in height) and two sets of entrance gates to the western elevation at 251 Hibson Road, Nelson for Mr. Mubashar Sarwar

(Before the vote was taken, the Planning Officer advised that a decision to approve the application would represent 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.

21/0785/FUL Full: Change of use of ground floor from retail (Use Class E) to hot food takeaway (sui generis) replacement shop front and installation of extractor flue and outdoor seating area at 176 Every Street, Nelson for Mr. Syed Ali Raza

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 from the date of this permission.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

U123-PO1, U123-PO2 and U123-PO3

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

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. The use hereby approved shall not be open to customers outside the hours of 11 am and 11 pm Monday to Sundays and Bank Holidays. The external seating area to the front shall not be used outside the hours of 11 am and 8 pm on any day.

Reason: To ensure that noise and disturbance does not adversely impact upon the residential amenity of the occupiers of nearby residential units.

5. A scheme for the enclosure of any noise emitting plant and machinery with sound-proofing material, including details of any sound-insulating enclosure, mounting to reduce vibration and transmission of structural borne sound and ventilation or extract system shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The approved scheme shall be completed prior to the first occupation of the unit as a hot food takeaway and shall thereafter be retained. Before any plant or machinery is used on the premises other than as provided in the approved scheme, a further scheme evidencing the same details shall be submitted to and approved in writing

by the Local Planning Authority and the approved scheme shall be completed prior to any further use.

Reason: To protect the amenities of occupiers of adjoining and nearby properties.

6. Fumes, vapours and odours shall be extracted and discharged from the premises in accordance with a scheme (which shall incorporate grease and carbon filters and discharge at roof ridge level) to be submitted to and approved in writing by the Local Planning Authority before the use hereby approved is commenced. The approved scheme shall be fully implemented before the use is first commenced and shall be maintained in efficient working order thereafter.

Reason: To protect the amenities of occupiers of adjoining and nearby properties.

7. Prior to the use being first implemented details of the flue to be erected on the rear elevation, including design, materials and colour shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be completed prior to the first use of the unit as a hot food takeaway and shall thereafter be retained. Before any plant or machinery is used on the premises other than as provided in the approved scheme, a further scheme evidencing the same matters shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be completed before the premises is brought into use as a hot food takeaway.

Reason: To protect the amenities of occupiers of adjoining and nearby properties.

NOTE

Regard shall be had of the following: DEFRA Guidance on the control of Odours and Noise from Kitchen Extraction Systems.

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 scale and amenity and would not unduly impact on neighbours or the conservation area any more than the existing commercial use, thereby complying with the Local Plan policies. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

21/0921/HHO Full: Erection of ground floor extension and terrace above basement, yard and garage to the rear at 252 Manchester Road, Nelson for Mr. Mohammed Iqbal

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:

Location Plan – TQRQM21314131202077
Proposed Elevation Plans – AB092 received on 14th December, 2021
Layout and Elevation Plan – AB092 received on 6th December, 2021
Layout and Roof Plan - AB092 received on 17th November, 2021

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

3. Samples of materials including descriptions, name of source/quarry and details of the balustrade surrounding the raised terrace shall be submitted to the Local Planning Authority for written approval prior to commencement of work on the site. The development shall be carried out using only the agreed materials.

Reason: In order that the Local Planning Authority can assess the materials in the interest of the visual amenity of the 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. 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.

21/0941/FUL Full: Demolition of an existing foyer entrance lobby and erection of a three storey extension to front with associated car parking alterations at Bridgewater House, Surrey Road, Nelson for Bridgewater+ Limited

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:

A025-L(00)102 Rev A, A025-E(00)101, A025-E(00)102, A025-L(00)200, A025-L(00)201 and A025-L(00)202.

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 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.

4. The use of the extension hereby approved shall not commence unless and until the two additional car parking spaces detailed on plan number A025-L(00)102 Rev A have been laid out in accordance with the approved plan and surfaced in a bound porous material, unless otherwise approved in writing by the Local Planning Authority. The parking shall thereafter, at all times, be maintained in accordance with the approved details and available for car parking purposes.

Reason: To ensure acceptable car parking provision in the interest 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. The proposed development is 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.

(b) Planning Appeals

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

124. ENFORCEMENT/UNAUTHORISED USES

Update on Enforcement Matters

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

125. CAPITAL PROGRAMME 2021/22

The Housing, Health and Engineering Services Manager submitted a report on the Committee's 2021/22 Capital Programme.

Committee were asked to consider a bid requesting £3,000 for improvements to Southfield Street Steps. This item had been deferred from the last meeting.

RESOLVED

- (1) That the report be noted along with the schemes listed in Appendix 1 attached to the report.
- (2) That £3,000 be allocated towards the cost of improvements to the steps on Southfield Street, Nelson (total cost £5,132) and that this be funded from the Ward allocation for Marsden and Southfield with the residual balance being funded from the public rights of way maintenance budget.

REASON

To enable the capital programme to be allocated effectively.

126. NELSON AND BRIERFIELD TOWN CENTRE RE-OPENING

The Planning, Economic Development and Regulatory Services Manager submitted a report which provided an update on the spend for the re-opening of both Nelson and Brierfield town centres.

An update was circulated at the meeting which included a bid for £1,750 to be allocated from the Welcome Back Fund to provide the following improvements in Brierfield:

- Glazing improvements to Colne Road shop canopies (owned by Pendle Council)
- Guttering improvements to Colne Road shop canopies
- Re-lining of Tunstill Square Car Park

RESOLVED

- (1) That the report be noted.
- (2) That with regards to the Website for Nelson and Brierfield it was acknowledged that both needed to be similar but that two separate URL's be produced, one for each town.
- (3) That the bid for £1,750 from the Welcome Back Fund to provide improvements in Brierfield as set out above, be agreed.

REASON

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

127. ITEMS FOR DISCUSSION

- (a) **Problem with rats at the rear of Hargreaves Street/Manchester Road and around the Albert Street area, Nelson**

It was reported that residents had complained about rats in the Hargreaves Street/Manchester Road and Albert Street areas of Nelson. This was an area where there were a number of hot food takeaways with trade waste bins.

Environmental Health were aware of the problem and the Environmental Services Manager had visited the area and discussed the problem with the businesses. It had been suggested that

padlocks be put on the bins to prevent other people using them but this had led to people leaving rubbish besides the bins which was continuing to attract the rats.

RESOLVED

That the Environmental Services Manager be requested to submit a report to the next meeting on what was being done to address the issue of rats in this area, how often spot checks were made, the frequency of refuse collection and any enforcement measures that could/were being used.

REASON

In the interests of public health.

(b) Speeding cars on Vernon Street, Nelson

Residents had complained to Ward Councillors about speeding vehicles and felt that some traffic calming measures should be introduced to help address this problem.

RESOLVED

That a request for the introduction of traffic calming measures on Vernon Street, Nelson be referred to the Traffic Liaison Meeting for consideration.

REASON

In the interests of highway safety.

(c) Railings in Nelson Town Centre

Concerns were raised that railings which had either been damaged or removed as a result of road traffic accidents had not been repaired/replaced and posed a hazard for pedestrians. The areas of concern were outside Hayhurst's Camera Shop, the junction of Manchester Road/Broadway and opposite Barclays Bank.

RESOLVED

That the Housing, Health and Engineering Services Manager be requested to find out who was responsible for the replacement of the damaged/removed railings in Nelson Town Centre.

REASON

To improve the street furniture within the town centre.

(d) Local GP service and patient access

Local residents had expressed concerns that they were still finding it difficult to get an appointment to see their GP. This was a problem at both Yarnspinners Wharf and the Brierfield practices. Since the start of the pandemic surgeries had adopted a different way of working but it was felt that some form of normality should be resumed. It was also acknowledged that there were a number of different issues that patient were concerned about.

RESOLVED

That a meeting to be arranged with representatives from Yarnspinners and the Brierfield surgeries, the Chairman and Ward Councillors to discuss these issues further.

REASON

In response to concerns raised by residents.

(e) Hard Platts – Local Wildlife Habitat

It was reported that a tree planting scheme was proposed on the Hard Platts at the rear of properties on Dunderdale Avenue, Nelson. Residents had raised concerns that they had not been consulted on these proposals; were unaware of what species were to be planted and if these would impact on the amenity of the rear of their properties. They were concerned that the proposed planting area would attract anti-social behaviour and wondered if an alternative location on the Hard Platts was an option.

RESOLVED

That the Environmental Services Manager be requested to submit a report to the next meeting advising on the proposed planting scheme and that no work be carried out until this report had been considered by this Committee.

REASON

In response to concerns raised by residents.

(f) Anti-social driving in the Mansfield Grove area, Brierfield

As a result of anti-social driving on Mansfield Grove, Brierfield a local resident had incurred £700 worth of damage to his garden wall. He had submitted CCTV footage to the Chairman and it was suggesting that traffic calming measures be introduced such as a speed ramp to help deter this type of driving in this area.

RESOLVED

That a request for traffic calming measures on Mansfield Grove, Brierfield be submitted to Traffic Liaison Meeting for consideration.

REASON

In response to concerns from local residents and in the interests of highway safety.

127.

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) Land adjacent to 51 Reedley Road, Reedley (02.08.2021)
- (d) Enforcement Item (29.11.2021)

128. EXCLUSION OF PUBLIC AND PRESS

Members agreed to exclude the public and press from the meeting during the following item of business in pursuance of the power contained in Section 100(A) (4) of the Local Government Act, 1972 as amended when it was likely, in view of the nature of the proceedings or the business to be transacted, that there would be disclosure of exempt information which was likely to reveal the identity of an individual.

Councillor M. Sakib declared a pecuniary interest in the following item and withdrew from the meeting.

129. ENVIRONMENTAL CRIME

The Environmental Services Manager submitted a report on environmental crime for quarter 3 (1st October, 2021 to 31st December, 2021) in the Nelson, Brierfield and Reedley area along with annual totals for 2021/22.

There was a discussion around the number of fines issued on private land and the Committee asked for clarification on whether this was permitted or not.

RESOLVED

- (1) That the report be noted.
- (2) That the Environmental Services Manager be asked to provide clarification on the remit of issuing fines by the Enforcement Team.

REASON

To keep Committee informed of any environmental crime action taken and to bring any problems to the attention of Environmental Services in order to help remedy any substation sites.

Chairman _____