

**MINUTES OF A MEETING OF  
NELSON, BRIERFIELD AND REEDLEY COMMITTEE  
HELD AT NELSON TOWN HALL  
ON 9<sup>th</sup> MAY, 2022**

*PRESENT –*

**Councillors**

*M. Adnan  
F. Ahmad  
S. Ahmed  
Z. Ali  
M. Ammer  
R. Anwar  
M. Aslam  
N. Ashraf  
M. Hanif  
M. Iqbal  
Y. Iqbal  
M. Kaleem  
A. Mahmood  
N. McGowan*

**Co-optees**

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

**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 items:*

<i>Mohammad Ansar</i>	<i>21/0959/HHO Full: Erection of single storey extension to front and side of dwelling, canopy to front, create 3 space parking area and widen vehicular access point at 157 Napier Street, Nelson</i>	<i>Minute No. 9(a)</i>
<i>Brian Sumner Georgie Mitchell Srah Robinson Rishard Sanderson Daniel Lord Tony Kidd Ian Shutt Janet Garvey Michelle Pearson Ella Wilkinson Lisa</i>	<i>21/0978/FUL Full: Retention of use of land for private equine use, dog rehabilitation use and associated rural workers dwelling at Pendle Bridge Lodge, Woodend Road, Brierfield</i>	<i>Minute No. 9(a)</i>

*Amjad Khan*

*21/055/CEA Lawful Development Certificate  
(Proposed Use): Use of premises for retail (Class  
E) at Springbank Buildings, Every Street, Nelson*

*Minute No. 9(a)*



**1. APPOINTMENT OF CHAIRMAN**

**RESOLVED**

That Councillor N. Ashraf be appointed Chairman of this Committee for the municipal year 2022/23.

Councillor N. Ashraf (Chairman in the chair)

**2. APPOINTMENT OF VICE-CHAIRMAN**

**RESOLVED**

That Councillor F. Ahmad be appointed Vice-Chairman of this Committee for the municipal year 2022/23.

**3. APPOINTMENT OF CO-OPTEEES**

**RESOLVED**

That N. Emery of Nelson Town Centre Partnership and a representative from Brierfield Town Council, Nelson Town Council and Reedley Hallows Parish Council be co-opted onto the Committee for the municipal year 2022/23.

**4. DECLARATION OF INTERESTS**

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

**5. PUBLIC QUESTION TIME**

There were no questions from members of the public.

**6. MINUTES**

**RESOLVED**

That the Minutes of meeting held on 28<sup>th</sup> March, 2022 be approved as correct records and signed by the Chairman.

**7. PROGRESS REPORT**

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

**8. POLICE ISSUES**

The crime statistics for April, 2022 compared with the same period last year, were circulated at the meeting.

**9. PLANNING APPLICATIONS**

**(a) Applications to be determined**

**21/0959/HHO Full: Erection of single storey extension to front and side of dwelling, canopy to front, create 3 space parking area and widen vehicular access point at 157 Napier Street, Nelson for Mr. Mohammed Ansar**

**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:

Location Plan, Site Plan, Proposed Elevation Plan and Proposed Floor Plan received on 6<sup>th</sup> December, 2021.

**Reason:** For the avoidance of doubt.

3. All 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.

**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.***

**21/0978/FUL Full: Retention of use of land for private equine use, dog rehabilitation use and associated rural workers dwelling at Pendle Bridge Lodge, Woodend Road, Brierfield for K9 Rehab**

*(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**

- (1) That the Policy and Resources Committee be recommended to **grant** planning permission.
- (2) That the enforcement action in relation to the residential caravan on the site be suspended until a decision has been made on this planning application.

**22/0095/HHO Full: Insertion of dormer windows to front and rear roof slopes and removal of chimney at 9 Eagle Street, Nelson for Mr. Abid Ali**

**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:  
  
Location Plan received on 14<sup>th</sup> February, 2022; Block Plan received on 14<sup>th</sup> February, 2022  
Proposed Erection and Floor Plans Ref: EAG-02-20.  
**Reason:** For the avoidance of doubt and in the interests of proper planning.
3. The external facing and roofing materials shall match those of the existing building in terms of type, size, form, texture and colour and there shall be no variation without the prior consent of the Local Planning Authority.  
**Reason:** In order to ensure that new material matches the existing.

**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.***

**22/0118/FUL Full: Major: Change of use of council offices to multi-use community hub including Use Class E(b) sale of food and drink for consumption (mostly) on the premises, E(d) indoor sport, recreation or fitness, E(e) provision of medical or health services, E(f) crèche, day nursery or day centre, E(g)(i) offices to carry out any operational or administrative functions, F1(a) provision of education, F1(f) public workshop or religious instruction, F2(b) halls or meeting places for the principal use of the local community, external alterations including external flue to rear, formation of café frontage, insert three windows to the South West elevation and formation of entrance lobby to North West elevation at the Bestlight Community Hub, Market Square, Nelson for The Bestlight Community Hub**

## **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:

Location Plan – 1978-1.1  
Site Plan – 1978-1.2  
Proposed Ground Floor Plan – 1978-3.4A  
Proposed First Floor Plan – 1978-3.5  
Proposed Second Floor Plan – 1978-3.6  
Proposed Elevation Plans - 1978-3.7

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

3. Notwithstanding any indication on the approved plans and application form, prior to any external works commencing, samples of the external materials for the stone to match the existing stone and details of the proposed windows, doors and roof lights shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter times be carried out in strict accordance with the approved materials.

**Reason:** To ensure a satisfactory form of development in the interest of visual amenity of the area.

4. Notwithstanding any indication on the plans hereby approved, no consent is given for the display of advertisements.

**Reason:** This is controlled under separate legislation and an application should be made for this.

5. Within 3 months of the date of this permission, notwithstanding the plans hereby approved, details of the cycle storage boxes or stands shall be submitted and approved in writing by the Local Planning Authority.

**Reason:** To comply with Policy 31 of the Pendle Replacement Local Plan (Adopted 2006)

6. Prior to commencement of the proposed development, the waste storage area shall be laid out in accordance with the site plan and when wheeled waste disposal containers shall be kept behind locked gates, except on collection by the waste disposal provider. This arrangement shall remain in place unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To prevent any rubbish being left within the public highway.

7. No customers shall remain on the premises outside of the following hours. The premises shall fully close 30 minutes after the last customer is served on the premises Use Class E(b) sale of food and drink mostly on the premises Monday to Friday 08:00 to 22:00. Saturday, Sunday and Bank Holiday, 08:00 to 23:00

- Use Class E(d) Indoor sport, recreation / fitness Monday to 09:00 to 22:00 Monday to Friday, Saturday, Sunday and Bank Holidays
- Use Class E(e) Medical facilities 09:00 to 20:00 Monday to Friday, Saturday and Bank Holidays
- Use Class E(f) crèche, day nursery or day centre 08:00 to 18:00 Monday to Friday, Saturday, Sunday and Bank Holidays
- Use Class E9g)(i) Offices 08:00 to 20:00 Monday to Friday, 08:00 to 18:00 Saturday, Sunday and Bank Holidays
- Use Class F1(a) Education 08:00 to 20:00 Monday to Friday, 08:00 to 18:00 Saturday, Sunday and Bank Holidays
- Use Class F1(f) Public worship 09:00 to 22:00 Monday to Friday, Saturday, Sunday and Bank Holidays
- Use Class F2(b) Halls or meeting places for use by the local community 09:00 to 23:00 Monday to Friday, Saturday, Sunday and Bank Holiday

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

8. Notwithstanding any indication on the approved plans or application form, no permission is granted for the use of the building as a hot food takeaway (Sui Generis).

**Reason:** In order to allow the Local Authority to control this aspect of the mixed use 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.***

**21/0055/CEA Lawful Development Certificate (Proposed Use): Use of premises for retail (Class E) at Springbank Buildings, 226-248 Every Street, Nelson for Mr. A. Khan**

*(Before the vote was taken, the Planning Officer advised that a decision to approve the application would represent a significant risk of costs being awarded against the Council at appeal. 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 the Certificate of Lawfulness be **refused**.

### **(b) Planning Appeals**

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

## **10. ENFORCEMENT/UNAUTHORISED USES**

### **Update on Enforcement Matters**

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

## **11. CAPITAL PROGRAMME 2022/2023**

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

The unallocated balance was £81,305 and the Committee were asked to consider the following bids:

- (a) Resurfacing of back streets in Nelson £4,243
- (b) Reinstatement of back 75-77 Every Street and back 7-9 Chatham Street, Nelson £3,272
- (c) New litter bin Beaufort Street/Bradshaw Street, Nelson £193

## **RESOLVED**

- (1) That the bid for resurfacing of back streets in Nelson be noted.
- (2) That the allocation of £3,272 for the reinstatement of back 75-77 Every Street and back 7-8 Chatham Street, Nelson be approved.
- (3) That the allocation of £193 for a new litter bin at Beaufort Street/Bradshaw Street, Nelson be approved.

(4) That the following allocations be approved:

<b>Ward</b>	<b>£</b>
Bradley	12,989
Brierfield East and Cloverhill	16,261
Brierfield West and Reedley	16,261
Marsden and Southfield	16,261
Whitefield and Walverden	16,068

**REASON**

*To enable the capital programme to be allocated effectively.*

**12. DOG CONTROL – PUBLIC SPACE PROTECTION ORDERS (PCSOs)**

The Committee were asked to comment on the current provisions within the Council's Public Spaces Protection Order No. 1 2019 and were given the opportunity to propose new provisions prior to consultation with partners and the public. It was proposed that the Order would be extended for a further three years, the maximum allowed by the legislation. The Order was first made in 2016.

**RESOLVED**

That any comments be sent to Tim Horsley [tim.horsely@pendle.gov.uk](mailto:tim.horsely@pendle.gov.uk) as soon as possible.

**REASON**

*To allow Members the opportunity to input into the process.*

**13. REPRESENTATIVES ON OUTSIDE BODIES**

At the Annual Council meeting of the Council the responsibility for appointing representatives to some outside bodies was referred to this Committee.

**RESOLVED**

That Councillors N. McGowan and M. Adnan be appointed as representatives on the William Walton Cottage Homes and the Mancknols Walton Cottage Homes Charities for this municipal year.

**REASON**

*In response to a request from the charity.*

**14. PROVISION OF LITTER/DOG WASTE BINS**

The Environmental Services Manager reported, for information, that in the Nelson area due to wear, damage or a reduced need for the facility, 5 bins had been replaced/removed; and in the Brierfield and Reedley area one bin had been replaced/removed during the period January to March, 2022.



The Committee were reminded to report any substations which needed tidying up to Environmental Services.

**15. ITEMS FOR DISCUSSION**

**(a) Access for residents/emergency vehicles at Victory Close, Nelson**

The Committee were advised that residents on Victory Close, Nelson had expressed concerns about the double parking which was causing an issue on the entrance to the Close and opposite Wavelengths. As well as causing a problem for residents this was also causing a problem for emergency vehicles.

A scheme to address this problem had been agreed by the County Council's Cabinet Member for Highways two years ago but nothing had come of this.

**RESOLVED**

That a meeting be arranged with officers from the County Council, members of this Committee and relevant officers of the Council to discuss the problems being experienced by residents.

**REASON**

*In response to concerns raised by local residents and in the interests of road safety.*

**16. ENVIRONMENTAL BLIGHT**

The Housing, Health and Engineering Services reported that fly tipping concerns for the car park to the rear of Brierfield Community Centre were reported following the last Environmental Blight report.

Currently there were no existing environmental blight sites and no new sites had been put forward.

**17. 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) Enforcement Item (29.11.2021)

**18. 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.

19.

**ENVIRONMENTAL CRIME**

The Environmental Services Manager submitted a report on environmental crime for quarter 4 (1<sup>st</sup> January to 31<sup>st</sup> March, 2022) in the Nelson, Brierfield and Reedley area along with annual totals for 2021/22.

**RESOLVED**

That the report be noted.

**REASON**

***To keep Members informed and to bring problems to the attention of the Environmental Services Manager.***

Chairman \_\_\_\_\_