

**MINUTES OF A MEETING OF  
NELSON, BRIERFIELD AND REEDLEY COMMITTEE  
HELD AT NELSON TOWN HALL  
ON 5<sup>th</sup> SEPTEMBER, 2022**

*PRESENT –*

*His Worship the Mayor – Councillor Y. Iqbal*

*Councillor N. Ashraf (Chairman - in the Chair)*

**Councillors**

*M. Adnan  
F. Ahmad  
S. Ahmed  
Z. Ali  
M. Ammer  
R. Anwar  
M. Aslam  
M. Hanif  
M. Iqbal  
M. Kaleem*

**Co-optees**

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

*(Apologies for absence were received from Councillors A. Mahmood and N. McGowan).*

**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>Mr. S. Choudrey</i>	<i>22/0353/HHO Full: Erection of first floor and single storey ground floor extensions at Monkholme Lodge, Robinson Lane, Brierfield</i>	<i>Minute No. 63(a)</i>
<i>Lisa Tennant Tracy Lowe Howie Miller Sharon Ashley Ian shut Tony Kidd Maria Clancy Mark Attwood Jaqueline Ironside Richard Sanderson</i>	<i>22/0471/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, Reedley</i>	<i>Minute No. 63(a)</i>



**58. DECLARATION OF INTERESTS**

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

**59. PUBLIC QUESTION TIME**

There were no questions from members of the public.

**60. MINUTES**

**RESOLVED**

That the Minutes of meeting held on 1<sup>st</sup> August, 2022 be approved as correct records and signed by the Chairman.

**61. PROGRESS REPORT**

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

**62. POLICE ISSUES**

In the absence of any Police representation no issues were raised. However concerns were again expressed, that despite a number of requests, the Police had not been in attendance since January.

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

**RESOLVED**

That a complaint be made to the Police and Crime Commissioner with a request that the Police attend meetings of this Committee on a regular basis.

**REASON**

*To maintain a line a communication; to enable issues to be raised and to be informed of initiatives being carried out with the Police.*

**63. PLANNING APPLICATIONS**

**(a) Applications to be determined**

**21/0235/FUL Full: Formation of an all-weather riding arena, including groundworks for level changes within the site (retrospective) at 1 Moor Isles Barn, Woodend Road, Brierfield for Mr. Alister Douglas**

**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: 21/005/3a, 21/005/3/PF Rev. A.

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

2. There shall be no external lighting of the application site unless and until details of the lighting have been submitted to and approved in writing by the Local Planning Authority. The details shall include the type, size, wattage, location, intensity, direction and timing of illumination of the lighting. Any external lighting shall at all times be in strict accordance with the approved details.

**Reason:** In order to prevent light pollution causing harm to the open rural character of the countryside and residential amenity.

3. Within one month of the date of this permission details of manure storage arrangements shall have been submitted to, and approved in writing by the Local Planning Authority. The manure storage shall, at all times thereafter, be in strict accordance with the approved details.

**Reason:** To protect controlled waters from pollution and protect the amenity of neighbouring residential properties from odours and flying insects.

4. The riding arena hereby permitted shall be used solely for horses owned or leased by the owner/occupier of 1 Moor Isles Barn and shall not be used for livery, equestrian events or any commercial purpose whatsoever at any time.

**Reason:** In the interests of highway safety and residential amenity.

5. Within 3 months of the date of this permission, or an alternative date that has been submitted to and approved in writing by the Local Planning Authority, the raised land to the east of the riding arena and temporary access road to the arena shall have been removed, the land returned to its previous level and reseeded to return to its previous condition.

**Reason:** In order to preserve the openness of the Green Belt and the visual amenity of the area.

#### NOTE

The developer should take note of all the public footpaths running through the site and take utmost care to ensure that these are kept undisturbed and free of obstruction during the course of the development. Any breach of the legislation which protects public rights of way can result in legal action, fines and default action carried out and re-charged to the landowner.

#### **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 in accordance with the policies of the Pendle Local Plan Part 1: Core Strategy and the saved policies of the Replacement Pendle Local Plan. 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.***

**22/0353/HHO Full: Erection of first floor and single storey ground floor extensions at Monkholme Lodge, Robinson Lane, Brierfield for Mr. S. Choudrey**

*(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 Policy and Resources Committee be recommendation to grant planning permission subject to appropriate conditions and reasons.

**22/0402/HHO Full: Resubmission of application 13/08/0655P – first floor extension to garage/outbuilding at Hollydene, 1 Reedley Drive, Reedley for Mr. S. Hussain**

The Planning Officer circulated an update at the meeting advising receipt of amended plans which provided further details for the proposed feature window on the front elevation. It was noted that this amendment did not bring up any new material considerations.

**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: LU264-P01 Site Plan; and LU261-P02B Layout and Elevation Plan Existing and Proposed Floor Plans.

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

3. The four rooflights nearest to the rear of the development hereby permitted shall, at all times, be glazed only with obscure glass of a type and degree of obscurity to be Level 5. Any replacement glazing shall be of an equal degree of obscurity. The rooflight(s) shall be hung in such a way so as to prevent the effect of obscure glazing being negated by way of opening.

**Reason:** To ensure the development does not adversely affect the privacy and amenity of the occupants of the adjoining dwelling.

4. The existing fence along the party boundary with number 513 Colne Road shall remain in place at a height of 1.8m for the lifetime of the development. If the fence is removed a replacement boundary treatment shall be installed within 3 months of the removal of the fence in accordance with details submitted to and approved in writing by the Local Planning Authority.

**Reason:** In the interests of neighbouring amenity.

5. The external 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.

6. The development hereby permitted shall be used solely for domestic purposes incidental and ancillary to the enjoyment of the existing dwelling known as Hollydene 1 Reedley Drive and shall not be used as a separate dwelling or for any other purpose whatsoever.

**Reason:** To protect the residential amenities of the site and neighbourhood.

7. The development hereby permitted shall not at any time have any additional windows, doors or other openings inserted in the east, south, west and north elevations unless with the prior written consent of the Local Planning Authority as to the location, size, design and degree of obscurity of the glazing in the new opening and any window thereafter installed shall at all times comply strictly with the details so approved.

**Reason:** In the interests of the privacy and amenity of the occupants of the adjacent property.

### **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, 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 the application.***

### **22/0456/HHO Full: Insert dormer windows to front and rear roofslopes at 183 Leeds Road, Nelson for Mr. Riana**

The Planning Officer circulated an update at the meeting advising that an acceptable Flood Risk Assessment had been received.

**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 for pitched roof dormers and an agreement about materials.

**22/0471/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**

The Planning Officer circulated an update at the meeting. Following publication of the committee report multiple additional representations supporting this application received. These representations had not brought up any new material planning considerations.

*(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 Policy and Resources Committee be recommendation to grant planning permission subject to appropriate conditions and reasons.

**64. ENFORCEMENT/UNAUTHORISED USES**

**Update on Enforcement Matters**

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

**65. CAPITAL PROGRAMME 2022/2023**

The Housing, Health and Engineering Services Manager submitted, for information, a report on the Committee's 2022/23 Capital Programme. It was noted that the Committee had allocated its Capital Programme for 2022/23.

Three bids were submitted for consideration.

**RESOLVED**

- (1) That the report be noted.
- (2) That the approved schemes listed in Appendix 1 attached to the report be noted.
- (3) That the following allocations be agreed:

£8,000 to Scheme 15 – resurfacing of back streets in Brierfield East and Cloverhill Wards;  
£6,565 to Scheme 16 – resurfacing of back streets in Brierfield West and Reedley Wards;  
£1,760 to Scheme 14 – moving street light at Cliffe Street, Nelson

- (4) That subject to the agreement of the Chief Finance Officer and the receipt of the appropriate form, £500 from Scheme 15 the Brierfield East and Cloverhill and £500 from Scheme 16 Brierfield West and Brierfield be allocated to the Brierfield Allotments.

**REASON**

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

**66. CRICKET PROVISION AT EDGE END PLAYING FIELDS, BRIERFIELD**

The Environmental Services Manager submitted a report which provided an update on cricket provision on Edge End Playing Fields.

It was noted that cricket provision was currently only provided at Bulhome and Swinden Playing Fields. This was agreed in March 2021 following a rationalisation of sports facilities across the borough.

The report provided information on the costs involved in reinstating the pitch either in the traditional grass format (option 1) or with artificial material (option 2). It was noted that the site was very wet and waterlogged during the winter months and was also a location for antisocial behaviour.

**RECOMMENDATION**

That the Policy and Resources Committee be recommended to approve a supplementary estimate for £5,000 to reinstate the cricket pitch at Edge End Playing Fields, Brierfield as a traditional grass field as detailed in the report.

**REASON**

*To reinstate a much needed facility.*

**67. ACCESSIBLE NELSON UPDATE**

The Housing, Health and Engineering Services Manager submitted an update on the Accessible Nelson Scheme. The Scheme aimed to improve the infrastructure for cycling and walking around the town centre whilst looking to slow vehicular traffic down but improve its flow.

**68. ENVIRONMENTAL BLIGHT**

There were currently no reported environmental blight sites in the area.

The Committee were reminded that any new environmental blight sites should be reported to Tricia Wilson ([tricia.wilson@pendle.gov.uk](mailto:tricia.wilson@pendle.gov.uk)) or Julie Whittaker ([julie.whittaker@pendle.gov.uk](mailto:julie.whittaker@pendle.gov.uk)) including a contact name and contact details, with a brief description of the site and the problem.

**69. ITEMS FOR DISCUSSION**

**(a) Potential flooding of graves at Nelson Cemetery, Walton Lane, Nelson**

It was reported that residents had expressed concern that there was a potential of flooding in the graves in the new section of Nelson Cemetery. Officers were aware of the problem but residents were still concerned that this was an ongoing problem.

**RESOLVED**

That the Environmental Services Manager be requested to submit a report to this Committee addressing any flooding problems at Nelson Cemetery along with any solutions.

**REASON**

*To address the issue of potential flooding at Nelson Cemetery.*

**(b) Removal of tree on Halifax Road, Brierfield**

It was reported that a resident was interested in the removal of a tree on Halifax Road, Brierfield to enable him better access to his driveway. The tree was on the grass verge outside the property and was possibly on County Council land although it was reported that the County Council had advised that this was not the case.

It was suggested that the resident explores the possibility of funding the felling of the tree himself.

**RESOLVED**

- (1) That it be established who owns the land where the tree was sited.
- (2) That the resident of the property on Halifax Road explore the possibility of funding the felling of the tree but that he be advised that permission from the land owner be obtained before the tree was felled.

**REASON**

*To enable better access to the driveway of the property.*

**(c) Dropped kerb applications – new application process**

Dropped kerb applications were submitted to the County Council. It was reported that the County Council had changed the way in which they accepted these applications and required a written confirmation from the Planning Department that planning permission was not required (which was the case in the majority of applications).

The Committee were advised that this had been the case for some time. The issue was that the pre-application advice service within the Planning Department had been suspended for the time being due to current workloads and staff shortages. It was reported that officers were looking at providing a pro-forma



**RESOLVED**

That the Planning, Economic Development and Regulatory Services Manager be requested to provide a pro-forma to address the request from the County Council in relation to dropped kerb applications.

**REASON**

*To enable applications to be submitted successfully.*

**70. LEVELLING UP PARKS FUND NOTIFICATION OF ELIGIBILITY**

At its meeting on 25<sup>th</sup> August, 2022 the Policy and Resources Committee considered a report from the Environmental Services Manager in relation to grant funding as part of the Government's levelling up agenda.

Pendle Council was due to receive a grant of £85,000 to fund the creation or significant refurbishment of parks. The Policy and Resources Committee invited this Committee to consider a site or sites in the Nelson, Brierfield and Reedley area which should be put forward for the project proposal and which met the guidance provided by the Department for Levelling Up, Housing and Communities (DLUHC).

**RECOMMENDATION**

That the Policy and Resources Committee be advised that Netherfield Road, Nelson is the Committee's preferred option for refurbishment.

**REASON**

*To improve resident's access to urban green spaces.*

**71. 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)
- (d) Meeting with Transdev (28.02.2022)
- (e) Meeting with LCC re: access for residents/emergency vehicles at Victory Close, Nelson (09.05.2022)

Chairman \_\_\_\_\_