



109.

## MINUTES

### RESOLVED

That the Minutes of meeting held on 2<sup>nd</sup> January, 2023 be approved as correct records and signed by the Chairman.

110.

## PROGRESS REPORT

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

111.

## POLICE ISSUES

In the absence of any Police representative being present no issues were raised.

112.

## PLANNING APPLICATIONS

### (a) Applications to be determined

**22/0316/FUL Full: Part conversion of upper floors of shop/storage (Use Class E) to residential flat (Use Class C3) installation of dormers to the front and rear roof slopes, erection of external metal staircase to rear and new rear doorway to first floor and erection of a single storey rear extension (re-submission) at 69 Scotland Road, Nelson for Mr. A. Hussain**

### 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 & Site Plan LU091-P201 and Existing & Proposed Floor Plans & Elevation Plans LU091-P202A.

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

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.***

**22/0389/HHO Full: Two storey side extension at 1 Regent Place, Nelson for Mr. M. 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: Site Plan U99-P03; Existing and Proposed Drawings U99-P02B.

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

3. 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.

**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 housing 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 to the application.***

**22/0546/VAR Variation of Condition: Variation of conditions 4 (foul and surface water drainage) 7 (updated landscaping including footpath) and 8 (updated landscaping showing visibility splays) and discharge of conditions 3 (materials) 5 (window reveal details) and 6 (construction method statement)**

**of planning permission 22/0150/FUL for land to the South of Chamber Hill Farm, Clitheroe Road, Brierfield for Consensus Support**

**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 drawing 000
- Proposed site plan drawing 2003 rev B3
- Proposed landscaping plan 204 rev B3
- Proposed ground floor plan drawing 103
- Proposed first floor plan drawing 104
- Proposed roof plan drawing 105
- Proposed front elevation plan drawing 110
- Proposed rear elevation plan drawing 111
- Proposed side elevation plan drawing 112
- Proposed site sections 220
- Window reveal detail rev B5
- Site compound plan 205 rev B4
- Proposed drainage general arrangement 11194 – 100 – P7 and surface water and foul drainage scheme rev B prepared by Reid Jones Partnership dated 13<sup>th</sup> December, 2022

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

3. The development shall be carried out in strict accordance with the approved materials which have been submitted to and assessed by the Council on 12<sup>th</sup> August, 2022.

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

4. The foul and surface water drainage shall be carried out in strict accordance with the proposed drainage general arrangement 11194 – 100 – P7 and surface water and foul drainage scheme rev A prepared by Reid Jones Partnership dated 13<sup>th</sup> December, 2022.

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

5. All windows shall be set back from the external face of the walls by 70 mm as indicated in the window reveal detailed cross section plan rev B5.

**Reason:** To ensure a satisfactory appearance to the development in the interest of visual amenity.

6. The development shall take place in strict accordance with the construction method statement, received on 12<sup>th</sup> August, 2022.

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

7. The development shall be carried out in accordance with the scheme for the site access and off-site highway detailed in drawing 102 rev B3. The works shall be implemented prior to the first occupation of the development.

**Reason:** In the interests of highway safety.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 there shall not, at any time, in connection with the development hereby permitted, be erected or planted or allowed to remain upon the land hereinafter defined any building, wall, fence, hedge, tree, shrub or other device over 1m above road level. The visibility splay to be the subject of this condition shall be that land in front of a line drawn from a point 2.4m measured along the centre line of the proposed road from the continuation of the nearer edge of the carriageway of Clitheroe Road to points measured 43m to both sides of the nearer edge of the carriageway of Clitheroe Road, from the centre line of the access, in accordance with drawing 204 rev B3.

**Reason:** To ensure adequate visibility at the street junction or site access.

9. Prior to the occupation of development the site access road, parking and turning areas shall be constructed in a bound porous material, marked out and made available for use and maintained for that purpose for as long as the development is occupied.

**Reason:** In the interests of highway safety.

10. Prior to first occupation a secure covered cycle store and electric vehicle charging point shall be installed.

**Reason:** To ensure there are options available for sustainable travel.

11. The windows to the side elevations of the development hereby permitted shall, at all times, be fitted with obscure glazing to at least level 4 or above unless otherwise agreed in writing by the Local Planning Authority. Any replacement glazing shall be of an equal degree or above. The window shall be hung in such a way as to prevent the effect of the obscure glazing being negated by way of opening.

**Reason:** To ensure an adequate level of privacy to adjacent residential properties.

12. The premises shall only ever be used for the provision of supported living accommodation and for no other purpose whatsoever.

**Reason:** The car parking is sufficient for a supported living use but alternative uses have not been assessed in this case.

13. Prior to the first occupation of the development, all of the measures set out in the noise assessment shall have been carried out and completed in their entirety and shall thereafter be retained.

**Reason:** In the interests of residential amenity for future users of the development.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any other order revoking or modifying that Order) the development hereby permitted shall not, at any time, have any additional windows, doors, dormers or other openings inserted in the south elevation 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 with the details approved.

**Reason:** To safeguard residential amenity.

### **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.***

### **22/0753/FUL Full: Demolition of chimney at 3 Woodside Terrace, Nelson for Raja Raheel Munawar**

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

### **22/0772/HHO Full: Erection of wall at front of property and installing gates and infill panels at 161 Reedyford Road, Nelson for Mr. M. Ahmed**

### **RESOLVED**

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

### **22/0821/HHO Full: Erection of dormers to front and rear roof slopes at 34 Rook Street, Nelson for Mrs. Salma Arif**

**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: Site Plan U160-P01; Existing Plans U160-P02; Proposed Plans U160-P03; and Proposed Plans U160-P04.

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

3. 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.

**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 housing 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 to the application.***

**22/0843/HHO Full: Erection of roof dormers to front and rear roof slopes at 16 Cliffe Street, Nelson for Mrs. S. N. Shahid**

**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: U165-P01A Site Plans; U165-P03 Proposed Plans; U165-P04 Proposed Elevations.

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

3. 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.

### **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 housing 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 to the application.***

**22/0852/FUL Full: Change of use from C3 (dwelling) to a residential children's home (C2) at 83 Chapel Street, Brierfield for Welfare First Ltd.**

*An update was circulated at the meeting advising of an additional public response to the change of use of this property. This did not change the officer recommendation.*

### **RESOLVED**

That this application be **deferred** for a site visit and discussions with the applicant.

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

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

### **113. ENFORCEMENT/UNAUTHORISED USES**

#### **Update on Enforcement Matters**

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

### **114. AREA COMMITTEE BUDGET 2022/2023**

The Chief Executive submitted, for information, a report on the Area Committee's Budget for 2022/23. It was noted that the Committee had allocated its Budget for 2022/23.



**115. LAND ADJOINING 54 CARLETON STREET, NELSON**

The Committee considered a report in relation to the proposed disposal of the above land edged in black on the plan attached to the report.

Members were reminded that this request had been before the Committee twice before with recommendations to the Policy and Resources Committee to agree to the disposal of this land. In both cases the recommendations were refused.

It was reported that the adjoining owner was still reporting issues with fly tipping on this land. The Council was responsible for maintenance of the land which was classed as a problem site and there had been ongoing issues with fly tipping. The sale of the land would result in the Council's liabilities being transferred to the adjoining owner.

**RECOMMENDATION**

That the Policy and Resources be recommended to declare the land surplus to requirements adjoining 54 Carleton Street, Nelson (as shown edged in black on the plan attached to the report) in order for it to be sold and that the Chief Executive be authorised to negotiate terms of a long leasehold sale to the adjoining owner.

**REASON**

***Following receipt of a request from the adjoining owner, to end the Council's maintenance liabilities and achieve a capital receipt.***

**116. ITEMS FOR DISCUSSION**

**(a) Clitheroe Road, Brierfield – speed bumps and speeding vehicles**

The Committee discussed concerns raised by local residents with speeding vehicles on Clitheroe Road, Brierfield and other roads in Brierfield. It was stated that this was an ongoing problem which the Police were aware of. There were speed bumps on Clitheroe Road but it was felt that they were ineffective and did not present a deterrent to speeding in this area.

**RESOLVED**

That this issue be raised at the next meeting of the County Council's Traffic Liaison Meeting with a request that consideration be given to installing more effective speed bumps on Clitheroe Road, Brierfield.

**117. OUTSTANDING ITEMS**

- (a) Speed Calming Measures on Chapel House Road, Nelson (05.07.2021)
- (b) Enforcement Item (Mosque, Stanley Street, Brierfield) (Part II of the agenda 29.11.2021)
- (c) Meeting with Transdev (28.02.2022)
- (d) Meeting with LCC re: access for residents/emergency vehicles at Victory Close, Nelson (09.05.2022)
- (e) Meeting with the Chief Inspector and Police and Crime Commissioner

Nelson Committee (30.01.2023)

about a number of issues including anti-social behaviour, drug related issues and littering in Brierfield (04.08.2022)

Chairman \_\_\_\_\_