

**MINUTES OF THE COUNCIL MEETING
HELD AT NELSON TOWN HALL
8th DECEMBER, 2022**

PRESENT –

His Worship the Mayor (Councillor Y. Iqbal – in the Chair)

Councillors

*M. Adnan
F. Ahmad
N. Ahmed
S. Ahmed
D. Albin
Z. Ali
M. Ammer
R. Anwar
N. Ashraf
M. Aslam
N. Butterworth
R. Carroll
C. Church
D. Cockburn-Price
S. Cockburn-Price
M. Goulthorp*

*M. Hanif
M. Iqbal
M. Kaleem
D. Lord
K. McGladdery
P. McGladdery
N. McGowan
A. Mahmood
B. Newman
J. Purcell
K/ Salter
M. Stone
A. Sutcliffe
D. Whipp
T. Whipp*



63. DECLARATIONS OF INTEREST

Members were reminded of the legal requirements concerning the declaration of interests.

64. MINUTES

It was moved by Councillor M. Hanif, seconded by Councillor N. Butterworth and –

RESOLVED

That the minutes of the Council meeting held on 29th September, 2022 and the Extraordinary Council meetings held on 18th October, 2022 and 17th November, 2022 be agreed as a correct record and signed by His Worship the Mayor.

65. ANNOUNCEMENTS FROM THE MAYOR AND LEADER OF THE COUNCIL

- (1) The Leader reported on Lancashire 2050 which had been launched last week at a Lancashire Day reception held at Westminster. The Lancashire 2050 framework involved all councils across Lancashire and aimed to bring people together with a shared vision, ambition, goals, and priorities. The long term plan sat above the work being done to develop a County Deal for Lancashire and was not dependent on local government reorganisation. The plan was organised around eight priority areas as follows –

- Economic prosperity
- Transport and infrastructure
- Environment and climate
- Housing
- Employment and skills
- Early years and education
- Health and wellbeing
- Communities and place

(2) The BBC Radio Lancashire Make a Difference Awards had been held in Lancaster last Saturday. From hundreds of entries, there had been 32 finalists, with 8 winners. The Leader congratulated Pendle Food For All which had received the Community Group Award. He also congratulated Nelson Community Masjid who had won the Best Outreach Service Award at the British Beacon Mosque Awards.

66. QUESTIONS ON NOTICE FROM THE PUBLIC TO THE LEADER

There were no questions from members of the public.

67. QUESTIONS ON NOTICE BY MEMBERS TO THE LEADER, A COMMITTEE CHAIRMAN OR A REPRESENTATIVE ON AN OUTSIDE BODY ON MATTERS NOT OTHERWISE ON THE AGENDA

Councillor M. Ammer asked the Leader if he could confirm that the sale had gone through for the new cemetery site and what was the final cost including legal fees.

In response the Leader said that a completion date of 31st January, 2023 had been agreed with the County Council and that £1.4 million had been set aside for the purchase and work required. The transfer would be finalised following the necessary due diligence work/checks.

Councillor K. McGladdery asked the Leader a supplementary question and asked if he agreed with him that there had been significant progress in securing sufficient cover for cemeteries.

The Leader agreed and explained that the need to address the shortage of cemetery spaces had been a key priority. This 6.3 hectare site provided a long term solution, increasing the number of spaces from 1,100 to over 7,000.

68. REPORT BY THE LEADER ON THE WORK OF THE POLICY AND RESOURCES COMMITTEE

The Leader of the Council submitted a report on the work of the Policy and Resources Committee.

The Leader answered questions in relation to the Quarter 1 – Revenue and Capital Budget Monitoring 2022/23 and the Transforming Pendle Programme.

69. PLANNING MATTERS

The Planning, Economic Development and Regulatory Services Manager submitted a report on the following planning applications for determination. A planning update for a number of the applications had also been circulated.

22/0670/HHO Full: Insertion of dormer windows to front and rear roof slopes at 97 Bradshaw Street, Nelson for Mr. Umar Faruque

It was moved by Councillor A. Mahmood, seconded by Councillor F. Ahmad and –

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: U157-P01, U157-P03B, U157-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 in 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.

22/0620/ADV Advertisement Consent: Display of one LED illuminated wall mounted fascia advertisement sign at 123 Gisburn Road, Barrowford for The Lancashire Wedding House

It was moved by Councillor M. Iqbal, seconded by Councillor N. Ashraf and –

RESOLVED

That planning permission be **refused** for the following reasons –

The proposal, by virtue of its prominent location, scale and illumination on the front elevation, would have a detrimental impact on the amenity of the conservation area and harm the character and

appearance of the conservation area as the proposal would fail to enhance the appearance of the conservation area. The proposal therefore fails to accord with the Pendle Local Plan Part 1: Core Strategy 2011-2030 Policy ENV1, Policy ENV2, the Design Principles Supplementary Planning Document, and the Conservation Area Design and Development Guidance Supplementary Planning Document.

22/0655/HHO Full: Erection of a single storey extension to rear and insertion of dormer window to front roof slope at 12 Wickworth Street, Nelson for Mr. Bilal Hussain

The Planning, Economic Development and Regulatory Services Manager reported receipt of amended plans which had changed the design of the proposed single storey rear extension. The officer recommendation to refuse the application remained the same.

It was moved by Councillor D. Whipp, seconded by Councillor D. Lord and –

RESOLVED

That consideration of this application be **deferred** to allow for a site visit.

22/0510/FUL Full: External alterations involved in conversion from bank to clinic, including insertion of a new door and window and replacement of doors and windows at 2 Newtown, Barnoldswick for NHS Property Services Ltd.

It was moved by Councillor C. Church, seconded by Councillor T. Whipp and –

RESOLVED

That consideration of this application be **deferred** to allow for further discussions with the applicant and Lancashire County Council and for a site visit to be carried out.

22/0356/HHO Full: Retrospective permission for retaining wall to garden at 14 Hindley Court, Barrowford for Mr. Zahoor Ahmed

It was moved by Councillor M. Iqbal, seconded by Councillor N. Ahmed and –

RESOLVED

That planning permission be **granted** subject to the following condition and reason:

1. The development hereby permitted shall be carried out in accordance with the following approved plans: LU242-P01, LU242-P02.

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

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.

22/0375/FUL Full: Formation of an access track at Higher Park Barn, Salterforth for Mr. H. Bradley

It was moved by Councillor D. Whipp, seconded by Councillor M. Iqbal and –

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 strict accordance with the following approved plans: Location Plan P2139/002T, Site Plan P2139T-001.

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

3. All materials to be 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. Subject to appropriate conditions, the development would be acceptable in terms of landscape impacts, residential amenity and the road network. 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.

22/0433/HHO Full: Demolition and erection of single storey side and rear extension at 8 Whittycroft Avenue, Barrowford for Mr. & Mrs. A. Lloyd

It was moved by Councillor N. Ahmed, seconded by Councillor F. Ahmad and –

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: 670/1A and 670/3.

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. This is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

22/0663/PIP Permission in Principle: Erection of 9 dwellings on land to the north of Turney Crook Mews, Ivegate, Colne for M&A Holdings Ltd.

It was moved by Councillor A. Sutcliffe, seconded by Councillor K. Salter and –

RESOLVED

That the Permission in Principle be approved.

Informative – as part of a technical details application the following information should be provided:

- Plans, including location plan, site plan, access visibility splay plan, elevation and floor plans
- Planning Statement
- Foul and surface water drainage scheme
- Ecology Survey
- Arboricultural Impact Assessment
- Landscaping Scheme

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. Taking into account all material considerations the proposed development is acceptable in principle. 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.

22/0410/FUL Full: Erection of 2 detached double garages on the garage site to the north east of 31 to 45 St. Paul's Road, Nelson for Mr. M. Ansar

It was moved by Councillor Z. Ali, seconded by Councillor M. Aslam and –

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 dated 20th June, 2022 and plans dated 20th June, 2022.

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 shall not be varied without the prior written permission of the Local Planning Authority.

Reason: The 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 garage is acceptable in terms of policy, design, amenity and highway safety. 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.

22/0721/ADV Advertisement Consent: Display of a single sided digital LCD screen at Nelson and Colne College, Scotland Road, Nelson for Nelson and Colne College Group

It was moved by Councillor A. Mahmood, seconded by Councillor M. Iqbal and –

RESOLVED

That advertisement consent be **granted** subject to the following conditions and reasons:

1. Notwithstanding the provision of Part 3 (Regulation 14) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 this consent shall expire five years from the date of the grant of consent.

Reason: In order for the impact of this method of advertising on the highway network at this location to be determined.

2. The display of advertisement hereby permitted shall be carried out in accordance with the following approved plans: 2901-401 and 2901-402.

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

3. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the land entitled to grant permission.

Reason: Condition imposed by the Regulations.

4. No advertisement shall be sited or displayed so as to:

- (a) Endanger persons using the highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- (b) Obscure, or hinder the ready interpretation of any traffic sign, railway signal or aid to navigation by water or air; or
- (c) Hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

Reason: Condition imposed by the Regulations.

5. Any advertisement displayed any site used for the display of advertisement, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: Condition imposed by the Regulations.

6. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason: Condition imposed by the Regulations.

7. Where an advertisement is required under these regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: Condition imposed by the Regulations.

8. Between sunset and sunrise the intensity of the illumination of the display screen shall not exceed 600 cd/m² and between sunrise and sunset the intensity of the illumination of the

display screen shall not exceed 5000 cd/m².

Reason: To avoid glare, dazzle or distraction to passing highway users.

9. The display screen shall be fitted with a light intensity monitoring sensor to ensure the illumination intensity is dimmable to take account of ambient light conditions and comply with the maximum recommended lighting intensity. The advertisement will go to a blank (dark) screen in the circumstance of a malfunction.

Reason: In the interests of highway safety to avoid glare, dazzle or distraction to passing highway users.

10. The display screen shall not display any moving or apparently moving images. Any change in advertisement display shall be 0.1 seconds or less and the complete display screen shall change without visual effects (including fading, swiping or other animated transition). The advertisements displayed shall not change more frequently than one every 10 seconds and there shall be no fine grain material such as email address or telephone numbers.

Reason: In the interests of highway safety to protect highway users.

REASON FOR DECISION

The proposed development is acceptable in terms of amenity and highway safety.

22/0719/HHO Full: Erection of front and rear dormers at 60 Moore Street, Nelson for Mr. P. Klys

It was moved by Councillor N. Ashraf, seconded by Councillor F. Ahmad and –

RESOLVED

That planning permission be **granted** subject to appropriate conditions.

22/0751/NMA Non-Material Amendment: Change of window and door materials from softwood to UPVC of planning permission 21/0596/FUL at Greenbank House, Hollin Hall, Trawden for Mr. R. Pickles

It was moved by Councillor D. Whipp, seconded by Councillor N. Ashraf and –

RESOLVED

That consideration of this application be **deferred** to allow for a site visit.

22/0421/CND Approval of Details Reserved by Condition: Discharge conditions 4 (surface water drainage), 7 (landscaping scheme) and 11 (construction method statement) of planning permission 21/0062/FUL at Casper Fold, Francis Avenue, Barrowford for Buildakit UK Ltd.

Council (08.12.2022)

It was moved by Councillor N. Ashraf, seconded by Councillor M. Aslam and –

RESOLVED

That conditions 4, 7 and 11 relating to the drainage, landscaping and construction method statement be **discharged**, subject to implementation.

REASON FOR DECISION

The applicant has submitted satisfactory information to discharge conditions 4, 7 and 11. These conditions can be discharged, subject to implementation.

**22/0766/LHE Permitted Development Notification (Proposed Larger Home Extension):
Erection of a single storey extension to rear at 85 Charles Street, Nelson for
Mr. Daar**

It was moved by Councillor M. Iqbal, seconded by Councillor F. Ahmad and –

RESOLVED

That prior approval is not required.

**22/0768/LHE Permitted Development Notification (Proposed Larger Home Extension):
Erection of a single storey extension to rear at 83 Charles Street, Nelson for
Mr. Daar**

It was moved by Councillor M. Iqbal, seconded by Councillor M. Aslam and –

RESOLVED

That prior approval is not required.

**22/0583/HHO Full: Erection of a single storey rear extension at 17-19 Ethel Street,
Barnoldswick for Mr. N. Shazada**

(A site visit was carried out prior to the meeting.)

The Planning, Economic Development and Regulatory Services Manager reported receipt of an amended plan which had changed the design of the proposed single storey rear extension. The officer recommendation to refuse the application remained the same.

It was moved by Councillor D. Whipp, seconded by Councillor J. Purcell and –

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 Dwg No. Rev 22057-LP; Proposed Site Plan Dwg No – Rev 22057-SP; Proposed Plans and Elevations Dwg No – Rev 22057-02-A.

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.

4. There are to be no windows inserted at any time to the side elevation facing No. 15 Ethel Street.

Reason: To preserve the privacy of the neighbouring property at 15 Ethel Street.

REASON

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.

22/0388/HHO Full: Erection of rear extension to barn to form a garage at Piked Edge Farm, Kipton Old Road, Colne for Mr. S. Swales.

It was moved by Councillor S. Cockburn-Price, seconded by Councillor A. Sutcliffe and –

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 plan: Location Plan – Drawing JW 3046.

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.

4. The garage and its extension hereby permitted shall be used solely for domestic purposes incidental and ancillary to the enjoyment of the existing dwelling known as Piked Edge Farm and shall not be used as a separate dwelling or for any other purpose whatsoever.

Reason: To control the use of the garage for domestic use only.

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.

22/0631/CND Approval of Details Reserved by Condition: Re-discharge of condition 4 of planning permission 21/0142/HHO at 44 Lancaster Gate for Mrs. A. Irfan Malik

It was moved by Councillor F. Ahmad, seconded by Councillor A. Mahmood and –

RESOLVED

The section of the condition requiring the submission of approval of details be **discharged** subject to implementation.

REASON FOR DECISION

The proposed materials of natural roof slate, stone render and pebble dash front elevation walls and white painted render walls to the side and rear elevations, the colour of the windows, doors and rainwater goods and block paving for the driveway are acceptable.

22/0709/HHO Full: Erection of a single storey side extension at Plantation Cottage, Greenhead Lane, Fence for Mr. T. Lister

Council (08.12.2022)

The Planning, Economic Development and Regulatory Services Manager reported receipt of a consultee response from Cadent Gas. The officer recommendation to approve the application remained the same.

It was moved by Councillor K. McGladdery, seconded by Councillor K. Salter and –

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: drawing no. ADM/22/18/04; proposed site layout – scale 1:500; drawing no. ADM/22/18/03A; planning scheme drawing no. ADM/22/18/05.

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.

Informative Note – LCC Highways

The proposed development may affect Public Right of Way ref: 13-16-FF43 and 13-116-FP66 during construction works. The grant of planning permission does not entitle a developer to obstruct a right of way.

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.

22/0645/VAR Variation of Condition 2 (plans) to amend parking layout and farm access of planning permission 21/0915/FUL at Bridge House Farm, Keighley Road, Colne for Mr. Hickey

It was moved by Councillor D. Cockburn-Price, seconded by Councillor S. Cockburn-Price and –

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 14th January, 2022.

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 P2087 Barn/004b, site plan P2087 Barn/003b, plans and elevations P2087 Barn/002b.

Reason: For the avoidance of doubt.

3. Prior to any external works commencing, samples of the external materials for the stone to match the existing stone to be used for blocking up doorways shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter at all times be carried out in strict accordance with the approved materials.

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

4. Prior to commencement of works on site, a foul and surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority and has been fully installed and completed in accordance with the approved details.

The drainage scheme must include:

- (i) an investigation of hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
- (ii) a restricted rate of discharge of surface water agreed with the Local Planning Authority (if it is agreed that infiltration is discounted by the investigations); and
- (iii) a timetable for its implementation;
- (iv) details of how foul and surface water will be disposed of.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March, 2015) or any subsequent replacement national standards.

The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

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 a minimum of 70mm.

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

6. No part of the development hereby approved shall commence until a scheme for the construction of the off-site works of highway mitigation (approximately 8m of footway on Keighley Road in front of the dwellings, extension to the East of the existing dropped vehicle crossing (approximately 2.5m) street lighting assessment) has been submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.

Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site.

7. No part of the development hereby approved shall be occupied until all the highway works have been constructed and completed in accordance with the approved scheme referred to in condition 1.

Reason: In the interests of highway and pedestrian safety.

8. Nothing shall be erected, retained, planted and/or allowed to grow at or above a height of 0.9m above the nearside carriageway level of Keighley Road which would obstruct the visibility splay. The visibility splays shall be maintained free of obstruction at all times thereafter for the lifetime of the development.

Reason: To ensure adequate inter-visibility between highway users at the site access and in the interests of highway safety.

9. Prior to the occupation of any dwelling the parking areas shown on the approved plans shall be constructed and laid out. 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.

10. Prior to first occupation of any approved dwelling cycle storage facilities shall be provided and permanently maintained thereafter.

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

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

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

12. Before any dwelling unit is occupied waste containers shall be provided and shall be stored to the rear of the property.

Reason: To ensure adequate provision for the storage and disposal of waste.

13. A scheme for the insulation of the building in respect of noise and vibration so as to provide insulation against internally generated noise and potential noise nuisance 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 building and shall thereafter be retained throughout its occupation.

Reason: To safeguard the amenities of the neighbouring properties.

Note:

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. For the avoidance of doubt works shall include, but not be exclusive to:

- the construction of a section of footway between the site access and Bridge House Farm (approximately 8m long) to an appropriate standard, including full height kerbs;
- extension of the existing dropped vehicle crossing to the East of the site access on Keighley Road (approximately 2.5m);
- a street lighting assessment.

The applicant should contact the County Council for further information by telephoning the Development Control Section (Area East) on 0300 1236780 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 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.

22/0001/FUL Full: Change of use of former Lomeshaye Village Nursery premises (Use Class E) to form 3 individual storage units (Use Class B8) including the installation of a concrete access ramp (retrospective) at Lomeshaye Day Nursery, Lomeshaye Business Village, Turner Road, Nelson for EP Properties

The Planning, Economic Development and Regulatory Services Manager reported receipt of comments from LCC Highways. The officer recommendation to approve the application remained the same.

It was moved by Councillor A. Mahmood, seconded by Councillor D. Whipp and –

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: 21072-LP, 21072-01(1), 21072-01 and DTP/3705322/ATR001.

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

2. Unless otherwise agreed in writing by the Local Planning Authority the alterations to the vehicular access detailed in drawing number DTP3705322/ATR001 shall be completed within three months of the date of this permission. The vehicle access and manoeuvring areas detailed shall thereafter at all times be kept free from obstruction and available for vehicle access and manoeuvring purposes.

Reason: In the interests of highway safety.

3. There shall be no external storage within the application site unless otherwise approved in writing by the Local Planning Authority. Any external storage thereafter shall, at all times, be carried out only in strict accordance with the approved details.

Reason: In the interests of visual amenity and the character and appearance of the Conservation Area.

Note:

The grant of planning permission will require the applicant to enter into a S278 Agreement with the County Council as Highway Authority. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant should be advised to contact Lancashire County Council for further information by emailing the Highway Development Control Section at developeras@lancashire.gov.uk

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.

22/0446/CND Approval of Details Reserved by Condition: Discharge of conditions 3 (investigation and remediation of contamination) 4 (foul and surface water) 5 (visibility splay kept clear) 6 (construction method statement) 9 (material samples) 14 (landscaping) 15 (tree protective fencing) and 17 (tree clearance schedule) of planning permission 21/0758/FUL on land to the north west of Parrock Road, Barrowford for Therapy Assist Ltd.

The Planning, Economic Development and Regulatory Services Manager submitted an update with regard to conditions 5 and 9. The officer recommendation remained a split decision.

It was moved by Councillor N. Ahmed, seconded by Councillor A. Mahmood and –

RESOLVED

That conditions 4, 5, 6, 9, 14, 15 and 17 be discharged subject to implementation and condition 3 be partially discharged, pending a validation report.

REASON FOR DECISION

The applicant has submitted satisfactory information to discharge conditions 4, 5, 6, 9, 14, 15 and 17. These conditions can be discharged subject to implementation. A validation report is required to fully discharge condition 3.

22/0646/AGD Prior Approval: Change of use of agricultural buildings to two dwelling houses (Use Class C3) (Class Q(a) only) at Bridge House Farm, Keighley Road, Colne for Mr. S. Hickey

The Planning, Economic Development and Regulatory Services Manager advised that a determination could not be made on this application as the regulations stipulate that a decision must be made within 28 days from when the Local Planning Authority receive the application. As such, the decision was automatically approved as set out in the General Permitted Development Order (GDPO).

22/0528/HHO Full: Erection of two storey side and single storey rear extension with parking provision and turning circle at 70 Higher Reedley Road, Brierfield for Mr. M. Arshad

It was moved by Councillor N. Ashraf, seconded by Councillor S. Ahmed and –

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 and Site Layout - Drawing no. D2; Proposed Extension elevations – Drawing no. D3.
Reason: For the avoidance of doubt and in the interests of proper planning.
3. The parking areas must be constructed of a bound porous material in order to ensure that satisfactory parking is provided before the proposal hereby permitted becomes operative. The parking spaces shall thereafter always remain unobstructed and available for parking.

Reason: In order to provide sufficient off street parking for the development in the interests of highway safety.

4. The two shower room windows 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.

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

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.

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.

22/0698/HHO Full: Erection of a boundary fence at 35 Clegg Street, Brierfield for Mr. A. Khalid

It was moved by Councillor D. Whipp, seconded by Councillor T. Whipp and –

RESOLVED

That consideration of this application be **deferred** to allow for a site visit.

22/0604/FUL Full (Major): Erection of a slurry store with roof over at Greenberfield Farm, Greenberfield Lane, Barnoldswick for WH & JW Hartley

It was moved by Councillor D. Whipp, seconded by Councillor J. Purcell and –

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: TS385-3, Proposed Elevation Plan, Roof Plan & Floor Plan: TS385-1, Proposed Landscaping Scheme Additional Information (received on 28/11/2022)

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.

4. All hard and soft landscape works shall be carried out in accordance with the recommendations of BS 4428 (1989) and with the “Landscaping Scheme Additional Information, received on 28/11/2022 and the Establishment and Maintenance Schedule, received on 18/11/2022”. The works shall be carried out prior to occupation of any part of the development. Any trees or plants that within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season thereafter.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

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 visual amenity, thereby complying with 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.

22/0692/OUT Outline: Erection of 2 detached dwellings (access only) Regulation 4 on land to the south east of 71 Mansfield Crescent, Brierfield for Pendle Borough Council

It was moved by Councillor N. Ashraf, seconded by Councillor Zafar Ali and –

RESOLVED

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

1. An application for approval of the reserved matters (namely the layout, appearance, landscaping and scale of the site) shall be submitted in writing to the Local Planning

Authority before the expiration of three years from the date of this permission and the development hereby permitted must be begun two years from the date of the approval of the last reserved matters.

Reason: This condition is required to be imposed by the provisions of Article 3 (1) of the Town and Country Planning (General Development Procedure) (England) Order 2015 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Details of the appearance, layout, access, scale and landscaping (hereinafter called the 'reserved matters') shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: In order to comply with the requirements of Section 92 of the Town & Country Planning Act 1990.

3. The development hereby permitted shall be carried out in accordance with the following approved plans: A1904-LIB-XX-XX-XX-AL 90-002 Rev B and A19-04-LIB-XX-XX-XX-AL 90-003.

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

4. Prior to the commencement of development the applicant shall have submitted to and have agreed in writing by the Local Planning Authority 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. 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/or in order to prevent contamination of the controlled waters.

5. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
- (v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To control foul and surface water flow disposal and prevent flooding.

6. Prior to the commencement of development samples of the materials to be used in the construction of the development hereby permitted (notwithstanding any details shown on previously submitted plan(s) and specification) shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

7. No part of the development shall be commenced unless and until a Construction Code-of-Practice method statement has been submitted to and approved in writing by the Local Planning Authority. The code shall include details of the measures envisaged during construction to manage and mitigate the main environmental effects of the relevant phase of the development. The submitted details shall include within its scope but not be limited to:

- a) A programme of works including hours of operation and measures for the control of traffic to and from the site including routing of any HGV's, and within the site, during construction.
- b) The areas and methods of loading and unloading of plant and materials.
- c) The areas for the storage of plant and materials.
- d) Location and details of site compounds
- e) Parking area(s) for construction traffic and personnel
- f) Erection and maintenance of security hoarding
- g) Wheel washing facilities
- h) Measures to control emission of dust and dirt during construction.

i) measures to control noise during construction

The Construction Code-of-Practice should be compiled in a coherent and integrated document and should be accessible to the site manager(s), all contractors and sub-contractors working on site. As a single point of reference for site environment management, the CCP should incorporate all agreed method statements, such as the Site Waste Management Plan and Demolition Method Statement. All works agreed as part of the plan shall be implemented during an agreed timescale and where appropriate maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that adequate measures are in place to protect the environment during the construction phase(s).

8. No part of the development hereby approved shall commence unless and until a scheme for the construction of the site accesses have been submitted to, and approved in writing by the Local Planning Authority.

Reason: To ensure that the final details of the highway scheme are acceptable before work commences on site.

9. Prior to first occupation each dwelling shall have an electric vehicle charging point.

Reason: To ensure that the development provides for sustainable modes of travel.

10. Before a dwelling unit is occupied waste containers shall be provided on each plot.

Reason: To ensure adequate provision for the storage and disposal of waste.

Notes:

The grant of planning permission will require the applicant to enter into an appropriate legal agreement (Section 278), with Lancashire County Council as Highway Authority prior to the start of any development. For the avoidance of doubt works shall include, but not be exclusive to, the construction of the accesses to an appropriate standard, including a minimum width of 3.2m, extension of the adopted footway outside Plot 1, and re-location of a highway gully. 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.

United Utilities will not allow building over or in close proximity to a water main. A water main crosses the site. It must not be built over, or our access to the pipeline compromised in any way. The Water Industry Act 1991 affords United Utilities' specific rights in relation to maintenance, repair, access and protection of our water infrastructure. We require an access strip as detailed in our 'Standard Conditions for Works Adjacent to Pipelines', a copy of which accompanies this letter. The applicant must comply with this document to ensure pipelines are adequately protected both during and after the construction period. It also includes advice regarding landscaping in the vicinity of pipelines.

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 accords with the Local Plan and National Planning Policy 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.

22/0668/HHO Full: Erection of a two storey side and rear extension and single storey front extension at 251 Halifax Road, Nelson for Mrs. Hussain

It was moved by Councillor Z. Ali, seconded by Councillor S. Ahmed and –

RESOLVED

That consideration of this application be **deferred** to allow for discussions with the applicant.

22/0300/HHO Full: Erection of first storey bedroom extension over existing garage, erection of single storey full width rear extension and insertion of dormer to rear elevation at 12 Whittycroft Drive, Barrowford for Mr. & Mrs. Young

It was moved by Councillor N. Ahmed, seconded by Councillor J. Purcell and –

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: 001,003

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

3. All of the external materials to be used in the elevations and roof of the development hereby permitted shall be as stated on the application form and approved plans 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.

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.

22/0283/HHO Full: Erection of a single storey rear extension at 5 Beckside Close, Trawden, Colne for Mrs Nicola Rowllandson

(A site visit was carried out prior to the meeting.)

It was moved by Councillor D. Whipp, seconded by Councillor K. McGladdery and –

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.

- a. The development hereby permitted shall be carried out in accordance with the following approved plans: 7006.

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

2. The external materials to be used for the construction of the development hereby approved shall be as stated on the application form and approved drawings and shall not be varied without the prior written consent of the Local Planning Authority.

Reason: Those materials are appropriate for the development and 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 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.

22/0430/FUL Full: Erection of a pair of semi-detached dwellings at Dam Head Studio, Blacko Bar Road, Roughlee for Mrs Moira Mortimer

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(A site visit was carried out prior to the meeting.)

It was moved by Councillor S. Cockburn-Price, seconded by Councillor D. Whipp and –

RESOLVED

That planning permission be **refused** for the following reasons:

1. The proposed development is poorly related to the surrounding development which is characterised by an open aspect in the street scene. The development would look incongruous in the street scene to the detriment of the character of the area and the AONB. As such it represents poor design contrary to Policy ENV1 of the adopted Local Plan: Part 1 Core Strategy and to paragraph 134 of the National Planning Policy Framework.
2. By virtue of its position in front of Dam Head Farmhouse which is a Grade II Listed Building the proposed development would unacceptably affect the setting of the listed building. This harm is not outweighed by the limited public benefit which would arise as a result of the proposed development, contrary to paragraph 202 of the Framework and Policy ENV1 of the Local Plan: Part 1 Core Strategy and to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

22/0486/FUL Full: Reconfiguration and removal of holiday restrictions to allow residential occupation (part retrospective) at Prospect Farm Caravan Site, Lenches Road, Colne for Mr Culligan

(A site visit was carried out prior to the meeting.)

It was moved by Councillor A. Sutcliffe, seconded by Councillor K. Salter and –

RESOLVED

That the Planning, Economic Development and Regulatory Services Manager be **delegated authority to grant consent** subject to being satisfied with the visibility splays and an added condition requiring a TEMPO assessment to be carried out.

22/0503/CND Approval of details reserved by condition: Discharge of conditions 5 (Site access and off-site highway improvements), condition 6 (construction method statement), condition 7 (height of obstacles within the visibility splay), condition 14 (tree protective fencing), condition 15 (landscaping scheme) at Spencer House Farm, 262 Wheatley Lane Road, Fence for Dalfour Limited

(A site visit was carried out prior to the meeting.)

It was moved by Councillor D. Whipp, seconded by Councillor K. Salter and –

RESOLVED

That the Planning, Economic Development and Regulatory Services Manager be delegated

authority to discharge the conditions subject to the information submitted being acceptable.

22/0659/FUL Full: Remodelling of land surrounding the mosque, including the provision of 49 additional car parking spaces and associated landscaping works, a fenced children’s play area, access paths with lighting, steps within the woods, a water fountain, a 3G sports pitch and a retaining wall at the Madina Mosque, 144 Manchester Road, Nelson for Mr Ishtiaq Mohammed

(A site visit was carried out prior to the meeting.)

It was moved by Councillor K. McGladdery, seconded by Councillor D. Whipp and –

RESOLVED

That consideration of this application be **deferred** to allow for outstanding information to be considered.

70. ENFORCEMENT UPDATES

The Head of Legal Services submitted a report giving the up-to-date position on prosecutions.

71. KELBROOK AND SOUGH NEIGHBOURHOOD PLAN

The Planning, Economic Development and Regulatory Services Manager submitted a report on the outcome of the referendum on the Kelbrook and Sough Neighbourhood Plan. It was recommended that the Plan be ‘made’ (adopted) within eight weeks of the referendum.

It was moved by Councillor N. Ahmed, seconded by Councillor S. Cockburn-Price and –

RESOLVED

- (1) That the Kelbrook and Sough Neighbourhood Plan be adopted.
- (2) That the publication of the Council’s Decision Statement be agreed.

72. APPOINTMENT OF DIRECTOR OF PLACE

At a meeting of the Senior Appointments Committee on 24th November, 2022 it was resolved “that Council be recommended to appoint Phillip Spurr to the post of Director of Place.”

MOTION

It was moved by Councillor N. Ahmed and seconded by Councillor J. Purcell –

That Phillip Spurr be appointed to the post of Director of Place.

RESOLVED

Accordingly.

73. FEES AND CHARGING POLICY

The Director of Resources submitted a report which set out the Fees and Charges Policy for the Council. The aims of the Policy were to ensure that:

- Fees and charges were reviewed regularly and set annually.
- Budget managers were equipped with guidance on the factors which should be considered when reviewing charges.
- Charges were fair, transparent and understandable and a consistent and sensible approach was taken to setting the criteria for applying concessions or discounted charges.
- Decisions regarding fees and charges were based on relevant and accurate information regarding the service and the impact of any proposed changes to the charge was fully understood.

At a meeting of the Policy and Resources Committee on 24th November, 2022 it was resolved “that the Council be recommended to adopt the Fees and Charges Policy as set out in the appendix to the report.”

MOTION

It was moved by Councillor N. Ahmed and seconded by Councillor S. Cockburn-Price –

That the Fees and Charges Policy as set out in the appendix to the report be adopted.

RESOLVED

Accordingly.

74. BUSINESS GROWTH AND RESILIENCE GRANTS

The Housing, Health and Engineering Services Manager submitted a report on the progress of the Business Resilience and Growth Grants Programme.

The report advised that the overall funding package had been agreed, as had the parameters for spending. The applications would be considered by the Grants Panel but the accountable body needed to finally sign off the grants. It was recommended that this be delegated to the Planning, Economic Development and Regulatory Services Manager or the Section 151 Officer. The process of how this would be done was set out in the report.

It was moved by Councillor N. Ahmed and seconded by Councillor D. Cockburn-Price –

- (1) That progress be noted.
- (2) That the spending on the Business Resilience and Growth Grants Programme be delegated to the Planning, Economic Development and Regulatory Services Manager or the Section 151 Officer.

RESOLVED

Accordingly.

75.

NOTICES OF MOTION

(a) Staffing Shortage and Level of Service

It was moved by Councillor M. Iqbal and seconded by Councillor N. Ashraf -

Council wishes to place on record it's appreciation to every single member of staff who work tirelessly to serve the people of Pendle.

Council notes and praises all members of staff who went beyond their duty during the COVID 19 pandemic to help Pendle residents and businesses during a difficult time for many.

Council notes the alarming level of staff leaving the Council in the last 12 months and the lack of capacity to cover these strategic roles, including deliverability of the Nelson Town Deal.

Council also notes the Conservative administration plan for £500,000 cuts in services which will have a direct impact on the ability to deliver quality services to Pendle residents.

Accordingly Council resolves to:

- (1) Instruct the Chief Executive to put in place urgent measures to cover roles left vacant by experienced members of staff instead of relying on those left.
- (2) Put in place a cross party group of 2:2:2 to oversee the retention/recruitment of staff to avoid added pressure on hard-working colleagues.
- (3) Instruct the Chief Executive to write to the Prime Minister and Chancellor of the Exchequer to visit Pendle as a matter of urgency and see what impacts 12 years of Tory cuts have had to Pendle and consider additional funding to Pendle to protect vital front-line services.

Upon being put to the vote it was –

RESOLVED

Accordingly.

(b) Area Committees

It was moved by Councillor D. Whipp and seconded by Councillor A. Mahmood –

That Minute 10(b) of the Annual Council minutes dated 19th May, 2002 being the decision to remove planning issues from Area Committees, be rescinded; that the scheme of delegation in effect prior to the Annual Meeting of the Council be reinstated and consequently, planning matters be determined by Area Committees, the Planning Manager under the scheme of delegation previously in place and that a new Development Management Committee be established to deal with the development control matters previously referred to the Policy and Resources Committee comprising of 12 members (6:4:2).

AMENDMENT

It was moved by Councillor N. Ahmed and seconded by Councillor A. Sutcliffe –

That the planning system be kept under review to ensure targets were being met and if need be this be reconsidered by all three Group Leaders.

Upon being put to the vote the amendment was **LOST**.

In accordance with Rule 17.4.1 of the Procedure at Full Council and at the request of two Members a recorded vote was taken.

Those Members voting in favour of the amendment were Councillors:

N. Ahmed, D. Albin, M. Aslam, R. Carroll, D. Cockburn-Price, S. Cockburn-Price, M. Goulthorp, M. Kaleem, K. McGladdery, P. McGladdery, J. Purcell, K. Salter, M. Stone and A. Sutcliffe.

Those Members voting against the amendment were Councillors:

M. Adnan, F. Ahmad, S. Ahmed, Z. Ali, M. Ammer, R. Anwar, N. Ashraf, C. Church, M. Hanif, M. Iqbal, Y. Iqbal, D. Lord, A. Mahmood, B. Newman, D. Whipp and T, Whipp.

RESOLVED

That Minute 10(b) of the Annual Council minutes dated 19th May, 2002 being the decision to remove planning issues from Area Committees, be rescinded; that the scheme of delegation in effect prior to the Annual Meeting of the Council be reinstated and consequently, planning matters be determined by Area Committees, the Planning Manager under the scheme of delegation previously in place and that a new Development Management Committee be established to deal with the development control matters previously referred to the Policy and Resources Committee comprising of 12 members (6:4:2).

In accordance with Rule 17.4.1 of the Procedure at Full Council and at the request of two Members a recorded vote was taken.

Those Members voting in favour of the motion were Councillors:

M. Adnan, F. Ahmad, S. Ahmed, Z. Ali, M. Ammer, R. Anwar, N. Ashraf, C. Church, M. Hanif, M. Iqbal, Y. Iqbal, D. Lord, A. Mahmood, B. Newman, D. Whipp and T, Whipp.

The following Members abstained from voting:

N. Ahmed, D. Albin, M. Aslam, R. Carroll, D. Cockburn-Price, S. Cockburn-Price, M. Goulthorp, M. Kaleem, K. McGladdery, P. McGladdery, J. Purcell, K. Salter, M. Stone and A. Sutcliffe.

(c) Community Governance

It was moved by Councillor M. Hanif and seconded by Councillor N. Ashraf –

Council notes the outcome and recommendations of the Governance Working Group in December, 2021 in respect of Brierfield Town Council.

Accordingly, Council resolves that with effect from the next Town Council elections in 2023, the number of electoral wards in Brierfield is reduced from 5 to 3 by combining the existing North and

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East wards into a new East ward, the existing Central and South wards into a new South ward and retain the existing West ward.

Upon being put to the vote it was –

RESOLVED

Accordingly.

(d) Health Standards for Housing

It was moved by Councillor D. Lord and seconded by Councillor F. Ahmad –

Council notes the tragic death of Rochdale child Awaab Ishak caused by exposure to mould in his home and expresses its deepest sympathy to Awaab's family.

Council notes the requirements of the Decent Homes Standard in the social rented sector and further, that a high proportion of homes in Pendle were built over a century ago; have inadequate insulation or heating systems; are occupied by residents living in fuel poverty; with a high proportion of properties in the private rented sector; and that several neighbourhoods in Pendle are assessed as having poor quality housing in national indices of deprivation; and that, as well as having a significant effect on residents' health, poor housing affects education, employment and wider life-outcomes.

According, Council resolves:

- (1) That this authority expresses its full support for the Renters' Reform bill; calls upon the Government to introduce legislation as a matter of urgency; and, requests Pendle MP Andrew Stephenson to make every effort to ensure that effective legislation, together with adequate resources to enforce, especially within the private rented sector, is in place by the end of this year.
- (2) That the Chief Executive presents a report to the next meeting of the Policy and Resources Committee with details of existing powers and resources available to the Council, the extent to which these powers are currently used, how use of existing powers can be extended; and, what further powers and resources would be beneficial in dealing with these issues in Pendle.
- (3) That an all-party group of Councillors meet with Housing Associations with homes in Pendle to discuss conditions within the social rented sector as a matter of urgency.
- (4) That Council reiterate calls for a major investment by Government to retrofit homes in Pendle to super-insulated standards; and requests the support of Pendle's MP to press for such measures.

Upon being put to the vote it was –

RESOLVED

Accordingly.

(e) Health Service and Ambulance Response Times

It was moved by Councillor C. Church and seconded by Councillor T. Whipp –

Council notes with extreme concern the crisis within health services at all levels, with primary care services failing because of GP and dentist shortages, inadequate primary care facilities in some parts of the Borough, acute hospital services regularly being beyond breaking point, social care being inadequate; the impact on the ambulance service and response times, all leading to a system that is in meltdown, with terrible consequences for local residents.

Council praises health and social care workers at all levels within the system, who continue to work under extreme pressure and are doing their utmost to meet residents' needs under circumstances not of their making.

In particular, Council notes that ambulance response times are significantly worse in the West Craven area, that community health facilities in the West Craven area are significantly worse than elsewhere in the Borough and that replacement facilities for Butts Clinic (which has been allowed to rot) at the former Yorkshire Bank in Barnoldswick are utterly inadequate for residents;' needs.

Council therefore resolves that:

- (1) The Chief Executive requests urgent meetings with senior managers and practitioners of the relevant services with an all-party group of Councillors to discuss how services to local residents can be improved in the short and medium terms.
- (2) That this authority reiterates its view that the use of the former Yorkshire Bank in Barnoldswick for health clinics is completely unacceptable and that the West Craven area needs a comprehensive new health centre. Accordingly, that the Chief Executive seek an all-party meeting with NHS property Services and related parties to pursue the Council's objectives and reiterates its offer of land for a new health centre.
- (3) That the Chief Executive writes to Andrew Stephenson MP seeking his support for these courses of action and requests that he uses all possible avenues within Government to press for shortages of GP's and other professions within the health system to be addressed urgently.

Upon being put to the vote it was –

RESOLVED

Accordingly.

(f) Sustainable Transport

It was moved by Councillor T. Whipp and seconded by Councillor D. Whipp –

Council notes the continued 'derailment' of a decision by Government of proposals for the reopening of the Colne/Skipton rail route; and the ensuing uncertainty for local residents and campaigners, both for and against reopening. In addition, Council notes the continued failure of the highway authority and other agencies to publish comprehensive plans, implementation

strategies and resources for the provision of sustainable and active travel initiatives and routes within Pendle.

Council resolves:

- (1) That the Chief Executive requests the Secretary of State for Transport, Right Honourable Mark Harper MP, to make a clear-cut decision about reopening the Colne/Skipton rail route and that Pendle's MP is asked to support this request.
- (2) That the highway authority, Lancashire County Council, be asked to provide comprehensive sustainable and active travel routes within and between communities within Pendle and that Pendle's MP be requested to lobby for resources to enable such provision.
- (3) That the Chief Executive presents a report to the next Policy and Resources meeting to consider the provision of sustainable and active travel routes in Pendle.

Upon being put to the vote it was –

RESOLVED

Accordingly.

(g) Live Streaming of Council Meetings

It was moved by Councillor D. Whipp and seconded by Councillor T. Whipp –

Council notes the current policy that Council and committee meetings should be live streamed by the authority and that a report about implementing this should have been considered in September as a consequence of the recommendations of the Peer Challenge carried out earlier this year.

Council resolves that the policy of live streaming meetings be reaffirmed and that the reintroduction of livestreaming by the authority be implemented for the January 2023 meeting of the Policy and Resources Committee and that a report detailing how this will be extended to Council and other committee meetings will be considered at that meeting.

Upon being put to the vote it was –

RESOLVED

Accordingly.



In accordance with the Council's rules of procedure the time having reached 11.00 p.m. a vote was taken to continue with the meeting.



(h) Emergency Contact Arrangements

It was moved by Councillor D. Lord and seconded by Councillor C. Church –

That a review of Pendle Council's out-of-hours emergency contact arrangements is carried out as a matter of urgency, in order that residents and elected representatives can contact the Council about problems needing an immediate or emergency response.

Upon being put to the vote it was –

RESOLVED

Accordingly.

(j) Flood Alleviation in Earby

His Worship the Mayor advised that following advice from the Head of Legal Services and in accordance with the Financial Procedure Rules A9 and 2.58-2.65 (Responsibility of Management Team) that he ruled this motion out of order and therefore the motion was not put before Council or discussed.

75. 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.

76. OUTSTANDING ENFORCEMENTS

The Planning, Economic Development and Regulatory Services Manager submitted a report giving the up-to-date position on outstanding enforcement cases.

His Worship the Mayor _____