

**MINUTES OF A MEETING OF
NELSON, BRIERFIELD AND REEDLEY COMMITTEE
HELD AT NELSON TOWN HALL
ON 27th FEBRUARY, 2023**

PRESENT –

Councillor N. Ashraf (Chairman - in the Chair)

Councillors

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

Co-optees

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

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

Officers in attendance:

*Alex Cameron Planning Officer/Area Co-ordinator
Jane Watson Head of Democratic Services*

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The following people attended the meeting and spoke on the following item:

<i>Carole Johnson</i>	<i>23/0019/FUL Retention of agricultural storage</i>	<i>Minute No.</i>
<i>Sarah Seed</i>	<i>building with associated infrastructure, including</i>	
<i>Lee Greenwood</i>	<i>fencing, walls and hardstanding (resubmission of</i>	
<i>Wayne Clarke</i>	<i>planning permission 22/0555/FUL) at New Laund</i>	
<i>Zac Kaye</i>	<i>Farm, Greenhead Lane, Reedley</i>	

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118. DECLARATION OF INTERESTS

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

119. PUBLIC QUESTION TIME

There were no questions from members of the public.

120.

MINUTES

RESOLVED

That the Minutes of meeting held on 30th January, 2023 be approved as correct records and signed by the Chairman.

121.

PROGRESS REPORT

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

122.

POLICE ISSUES

Although there was no one present from the Police the Chairman raised an issue with regards to various anti-social behaviour incidents, over a number of years, at the Seedhill Athletics Track.

Councillor M. Iqbal offered to contact the Chief Inspector about these incidents.

123.

PLANNING APPLICATIONS

(a) Applications to be determined

22/0521/ADV Advertisement Consent: Installation of internally illuminated fascia advertisement above shop front (retrospective) at 98-100 Manchester Road, Nelson for Mr. Shehraz Aktar

RESOLVED

That the Planning, Economic Development and Regulatory Services Manager be granted delegated authority to approve the application subject to agreement with the applicant/agent with regards to the level of lighting required.

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

A site visit was carried out prior to the meeting.

(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 approve the application subject to appropriate conditions and reasons.

22/0776/FUL Full: Refurbishment of farmhouse and conversion of outbuildings to form 6 apartments for supported living, plus ancillary staff office and communal kitchen, dining and lounge areas at 40 Reedley Road, Reedley for Safe as Houses Property Investment

RESOLVED

That this application be deferred for a site visit.

22/0777/FUL Full (Major): Part change of use from offices (Class B1) to storage (Class B6) with the installation of two roller shutter doors at Walshaw House, Regent Street, Nelson for Mr. Bannister

The Planning Officer circulated an update at the meeting. It was reported that a noise assessment had been received and was currently being assessed.

RESOLVED

That the Planning, Economic Development and Regulatory Services Manager be granted delegated authority to grant consent subject to the satisfactory outcome of the noise assessment and 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 1474-7, proposed site plan 1474-6, proposed elevation plan 1474-5 and proposed floor plan 1447-4.

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

3. All materials to be used in the elevations of the proposed development shall be as stated on the application form and approved drawings and 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. No operation shall take place outside the hours of 0800 and 1800 on weekdays and there shall be no operation at all on Saturdays, Sundays, Bank or Public Holidays.

Reason: In the interests of neighbouring 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 access and principle of the proposed development accord with the policies of the Pendle Local Plan: Part 1 Core Strategy and the 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.

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

A site visit was carried out prior to the meeting.

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: plans received 19th December, 2022 and amended plans received 8th January, 2023 and 17th January, 2023.

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

3. The premises shall be used as a residential care home or secure accommodation for up to two young people aged up to 18 year only and for no other purpose, including any other purpose in Class C2A of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: In the interests of 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 change of use is acceptable in terms of policy, 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.

23/0007/HHO Full: Erection of front and rear dormers to second floor/loft at 3 Stanley Street, Nelson for Mr. Muhammad Afzal

The Planning Officer circulated an update at the meeting. It was reported that the applicant had submitted additional information including amended plans which had changed the design and materials of the proposed front and rear dormers and a document detailing other sites with front dormers. The amended plans and details did not change the officer's recommendation to refuse the application.

RESOLVED

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

****PLANNING TO ADD****

23/0009/HHO Full: Erection of dormer to the front and rear roof slopes at 24 Camden Street, Nelson for Mr. Ishaq Ahmed

RESOLVED

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

****PLANNING TO ADD****

23/0019/FUL Full: Retention of agricultural storage building with associated infrastructure, including fencing, walls and hardstanding (resubmission of planning permission 22/0555/FUL) at New Laund Farm, Greenhead Lane, Reedley for Mr. & Mrs. Balmer

The Planning Officer circulated an update at the meeting. The update provided information in relation to two additional comments from residents raising concerns as well as an additional condition in relation to the removal of the existing agricultural building.

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 ref: 2322/drawing number 1 revision A, proposed elevation plans ref: 2322/drawing number 3, site plan ref: 2322/drawing number 4 revision A, surface water drainage 2322 drawing number 6 revision A and proposed landscaping plan 2322 drawing number 5 revision A.

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

3. All materials to be used for the proposed development hereby approved shall be as stated on the application form and approved drawings and they shall not be varied without the prior written permission of the Local Planning Authority.

Reason: Those materials are appropriate for the development and site.

4. The landscaping scheme reference 2322 drawing number 5 re vision A shall be implemented in its entirety within the first planning season following the date of this decision. Any tree or other planting that is lost, felled, removed, uprooted, dead, dying or diseased, or is substantially damaged within a period of five years thereafter shall be replaced with a specimen of similar species and site, during the first available planting season following the date of loss or damage.

Reason: To ensure that the development is adequately landscaped so as to integrate with its surroundings.

5. Within three months of the date of this permission, the surface water drainage scheme shall be constructed and completed in accordance with the approved scheme reference 2322 drawing number 6 revision A.

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

6. Within three months of the date of this decision notice the existing building marked "Existing Agricultural Building to be Demolished" on plan reference: 2322 drawing number 6 revision A, shall have been demolished and the building material removed from the site and the land restored to its former condition.

Reason: In order to preserve the openness of the Green Belt and reduce the amount of built form on the 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 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.

(b) Planning Appeals

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

124. ENFORCEMENT/UNAUTHORISED USES

Update on Enforcement Matters

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

125. 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.

126. PENDLE TRAFFIC LIAISON MEETING

Minutes of a meeting of the Pendle Traffic Liaison Meeting held on 30th November, 2022 were submitted for information.

127. FLOOD ALLEVIATION WORKS AT 517 COLNE ROAD, REEDLEY

For information it was reported that Lancashire County Council had excavated the footway and carried out further investigations on the week commencing 6th February, 2023 into the problems being experienced at 517 Colne Road, Reedley. The works undertaken had been successful but there were problems with water getting away slowly on the other side of the road. It was suspected that there was a collapse of the culvert further down the system. This area would continue to be monitored to establish if further works were needed. The County Council had already identified a proposed overflow route into a neighbouring culvert and if required the works would be undertaken.

128. SUSTAINABLE AND ACTIVE TRAVEL

The Chief Executive submitted, for information, a report on sustainable and active travel which had been before the Special Budget Policy and Resources Committee on 9th February, 2023. The Committee were asked to forward any additional cycle routes within their area to Tricia Wilson tricia.wilson@pendle.gov.uk as part of the consultation on the Council's Cycling Legacy Strategy 2016/21.

129. ENVIRONMENTAL BLIGHT

Committee were advised that currently there were no existing environmental blight sites and no new site had been put forward.

Committee were reminded of the definition of an environmental blight site:

- Untidy/derelict pieces of Council land requiring tidying up and maintaining;
- Untidy/derelict pieces of unregistered land requiring tidying up and maintaining;
- Untidy/derelict pieces of Council-owned or unregistered land which needed regenerating (e.g., a former garage colony converted to a landscaped parking area).

New sites should be reported to Tricia Wilson tricia.wilson@pendle.gov.uk along with contact name and contact details with a brief description of the site and the problem.

130. PROVISION OF LITTER/DOG WASTE BINS

(a) Nelson Area

The Environmental Services Manager advised that due to wear, damage or a reduced need for the facility 7 bins had been replaced/removed during Quarter 3 for the period October, 2022 to December, 2022.

(b) Brierfield Area

The Environmental Services Manager advised that there were no bins replaced/removed during Quarter 3 for the period October, 2022 to December, 2022.

131. SUBSTATION SITES

The Committee were encouraged to report if there were any new substations within their area that may need tidying up. Members were asked to provide location details of any substations that were causing a problem with litter and/or fly tipping to Environmental Services.

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

133. 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.

134. ENVIRONMENTAL CRIME

The Environmental Services Manager submitted a report on Environmental Crime in Nelson, Brierfield and Reedley in Quarter 3, for the period 1st October to 31st December, 2022, which was noted.

Chairman _____