

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

PRESENT –

Councillor N. Ashraf (Chairman - in the Chair)

Councillors

*F. Ahmad
S. Ahmed
M. Ammer
M. Aslam
M. Hanif
M. Iqbal
N. McGowan*

Co-optees

Mr. N. Emery (Nelson Town Centre Partnership)

(Apologies for absence were received from Councillors M. Adnan, Z. Ali, R. Anwar, Y. Iqbal and A. Mahmood)

Officers in attendance:

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



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

Sarah Steel S Bends Minute No. 145(b)



135. DECLARATION OF INTERESTS

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

136. PUBLIC QUESTION TIME

There were no questions from members of the public.

137. MINUTES

RESOLVED

That the Minutes of meeting held on 27th February, 2023 be approved as correct records and signed by the Chairman.

138.

PROGRESS REPORT

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

139.

POLICE ISSUES

No issues were raised.

140.

PLANNING APPLICATIONS

(a) Applications to be determined

22/0226/CND Approval of Details Reserved by Condition: Discharge of Conditions 4 (drainage) and 5 (landscaping) of planning permission 20/0018/FUL at Northlight, Glen Way, Brierfield for Barnfield Construction

RESOLVED

That the discharge of conditions 4 and 5 in relation to planning permission 20/0018/FUL be approved.

22/0227/CND Approval of Details Reserved by Condition: Discharge of conditions 3 (car parking and cycle storage) 6 (landscaping) and 7 (staircase, stonework and window details) of planning permission 20/0842/FUL at Northlight, Glen Way, Brierfield for Barnfield Construction

RESOLVED

That the discharge of conditions 3, 6 and 7 in relation to planning permission 20/0842/FUL be approved.

22/0228/CND Approval of Details Reserved by Condition: Discharge of condition 5 (staircase and stonework details) of Listed Building Consent 20/0843/LBC at Northlight, Glen Way, Brierfield for Barnfield Construction

RESOLVED

That the discharge of condition 5 in relation to Listed Building Consent 20/0843/LBC be approved.

22/0248/CND Approval of Details Reserved by Conditions: Discharge of conditions 3 (car and cycle parking, including electric vehicles charging points) 4 (landscaping) 5 (remediation of contamination) 6 (off site highway works) 8 (framework travel plan) 9 (construction code of practice) 10 (foul and surface water) 11 (surface water drainage) 13 (stonework repairs) 14 (rainwater goods) and 15 (roof repairs) of planning permission 20/0364/FUL at Northlight, Glen Way, Brierfield for Barnfield Construction

RESOLVED

- (1) That delegated authority be granted to the Planning, Economic Development and Regulatory Services Manager to discharge conditions 4, 5, 6, 8, 9, 10, 13 and 14.
- (2) That the discharge of condition 3 be refused at this stage.

22/0431/HHO Full: Erection of dormer to the front and rear roof slopes at 4 Princess Street, Nelson for Miss Runesa Basharat

RESOLVED

That delegated authority be granted to the Planning, Economic Development and Regulatory Services Manager to grant planning permission subject to the receipt of amended plans for a pitched roof for the dormers.

22/0601/HHO Full: Insertion of dormer windows to front and rear roof slopes at 49 Fountain Street, Nelson for Mr. Wasim

RESOLVED

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

1. The proposed development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended, by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: site plan, layout plan – existing AB101-1, layout plan – proposed AB101-2, elevation plan – existing and proposed AB101-5 and the location plan.

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. 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.

22/0628/HHO Full: Erection of dormer to the front and rear roof slopes at 35 Poplar Street, Nelson for Mr. Muhammad Rizawan

RESOLVED

That delegated authority be granted to the Planning, Economic Development and Regulatory Services Manager to grant planning permission subject to the receipt of amended plans for a pitched roof for the dormers.

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

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 risk of costs due to there being no reason for refusal. The matter would therefore be referred to the Head of Legal Services and subject to his agreement the decision would stand referred to the Development Management Committee).

RECOMMENDATION

That the Development Management Committee be recommended to **refuse** planning permission for the following reason:

- The impact on residential amenity.

22/0863/HHO Full: Erection of roof dormers to front and rear roof slopes at 191 Railway Street, Nelson for Mr. Asif Iqbal

RESOLVED

That delegated authority be granted to the Planning, Economic Development and Regulatory Services Manager to grant planning permission subject to the receipt of amended plans for a pitched roof for the dormers.

23/0024/HHO Full: Erection of single storey rear extension at 144 Reedyford Road, Nelson For Mrs. Daar

(Before the vote was taken, the Planning Officer advised that a decision to approve the application would represent a significant departure from policy ENV2 of the Core Strategy. The matter would

therefore be referred to the Head of Legal Services and subject to his agreement the decision would stand referred to the Development Management Committee).

RECOMMENDATION

That the Development Management Committee be **recommended** to approve planning permission subject to appropriate conditions and reasons.

23/0073/HHO Full: Erection of first floor extension above garage and roof lift across endire dwelling at 7 Cause Foot, Nelson for Miss Nigat Riaz

An update was circulated at the meeting advising that amended plans had been received which had changed the design of the proposal and its description. The Planning Officers recommendation was now to approve the application.

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: 21039-LP, 21039-SP-B, 21039-02-B received on 24th March, 2023.

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

3. Th external materials used in 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 con troll 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.

23/0083/HHO Full: Erection of dormer to the rear and front with alterations to the rear single storey roof shape and height at 145 Netherfield Road, Nelson for Mr. Satlar Hanif Mughal Mughal

The Planning Officer circulated an update at the meeting. Amended plans had been received which altered the proposed front dormer from flat roof to a pitched roof. The amended plans did not result in a change to the officer recommendation.

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, proposed floor plans and elevations ref: IPS/R/145/BB99QS Rev. B.

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. 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.

23/0090/HHO Full: Erection of single storey rear extension with associated internal alterations and site works at 33 Reedfield, Reedley for Mr. Nafis Tanveer

The Planning Officer circulated an update at the meeting. Amended plans had been received which altered the design of the proposal. The length of the proposed rear extension had been reduced by 1m but this did not change the officer recommendation.

(Before the vote was taken, the Planning Officer advised that a decision to approve the application would represent a significant departure from policy ENV2 of the Core Strategy. The matter would therefore be referred to the Head of Legal Services and subject to his agreement the decision would stand referred to the Development Management Committee).

RECOMMENDATION

That the Development Management Committee be **recommended** to grant planning permission subject to appropriate conditions and reasons.

23/0092/PIP Permission In Principle: Erection of 6 dwellings at 27 Highgate, Nelson for Mr. Ajaz Aslam

RESOLVED

That the Permission in Principle be approved subject to the following:

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.
- Heritage Statement.
- Arboricultural Impact Assessment.
- Foul and Surface Water Drainage Scheme.
- 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.

(b) Planning Appeals

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

141. ENFORCEMENT/UNAUTHORISED USES

Update on Enforcement Matters

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

It was reported that in relation to Item 10 land at 7 Limefield Avenue, Brierfield the Notice had been complied with and therefore would be removed from the list.

142. 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.

The Committee were asked to consider deallocating funding in relation to the Town Centre Premises Improvement £33,541 Grants (Appendix 1, Scheme 1) and for Street Light at Regent Place/Regent Street, Nelson £3,234 (Appendix 1, Scheme 6). A late bid of £24,000 for the resurfacing of back 47-65 Stanley Street, Nelson was also circulated prior to the meeting.

RESOLVED

- (1) That the report be noted.
- (2) That it be agreed that the following be de-allocated:

Town Centre Premises Improvement Grants £33,541
Street Light at Regent Place/Regent Street, Nelson £3,234
- (3) That the request for funding of £24,000 for the resurfacing of back 47-65 Stanley Street, Nelson be noted.

REASON

To enable the budget to be allocated effectively.

143. TRAFFIC LIAISON MEETING

Minutes of a meeting of the Traffic Liaison Meeting held on 22nd February, 2023 were submitted for information.

Reference was made to the speed calming measures on Chapel House Road, Nelson. It was noted that the speed calming measures would not meet the criteria for LCC to provide funding and that full costs for any scheme, including any further investigatory work would have to be met by the Council or Nelson Town Council.

RESOVLED

That the proposed speed calming measures on Chapel House Road, Nelson be referred to Nelson Town Council for consideration.

REASON

In the interests of highway safety.

144. PREMISES IMPROVEMENT GRANTS 2022/23 SUMMARY

The Planning, Economic Development and Regulatory Services Manager submitted a report on progress made on the Nelson and Brierfield premises improvement grants scheme during the 2022/23 financial year. It was noted that there had been four applications in Nelson and no applications in Brierfield during this period.

RESOLVED

- (1) That the summary of the premises improvement grant scheme be noted.
- (2) That, it be agreed, in principle, to allocate £15,000 from the Committees 2023/24 budget for Nelson and Brierfield premises improvement grants.
- (3) That Councillors M. Hanif and A. Mahmood be nominated onto the Grants Panel for 2023/24.

REASON

- (1) *To allow Members of the Committee to see the outcomes of the premises improvement grants scheme for the 2022/23 financial year.*
- (2) *To allow the premises improvement grant programme to fund future projects.*
- (3) *To allow Grant Panel members to be decided by the Members of the Committee.*

145. ITEMS FOR DISCUSSION

- (a) **Condition of Back Burnley Road, Brierfield (numbers 31-41)**

RESOLVED

Due to the absence of the Councillor who raised this issue for discussion this item be deferred until the next meeting.

- (b) **S Bends, Brierfield**

It was reported that there had been numerous accidents over many years of vehicles crashing into the railings and entering the fields along the S bends. Some photographs of a recent incident were circulated to the Committee.

Over the years the Police had shown little, or no interest and the landowner was concerned that animals had been injured in the past and a more serious accident could prove to be fatal. Incidents had regularly been reported to the Police, but no action had been taken.

RESOLVED

That on behalf of the Committee the Chairman writes to Inspector Clare Pearson and the LCC Cabinet Member for Highways Councillor R. Swarbrick about the number of accidents there had been on the S bends in Brierfield with a view to try and put some traffic calming measures in place to prevent any further accidents.

REASON

In the interests of vehicular safety.

132.

OUTSTANDING ITEMS

- (a) Enforcement Item (Mosque, Stanley Street, Brierfield) (Part II of the agenda 29.11.2021)
- (b) Meeting with Transdev (28.02.2022)
- (c) Meeting with LCC re: access for residents/emergency vehicles at Victory Close, Nelson (09.05.2022)
- (d) 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)

Chairman _____