

**MINUTES OF A MEETING OF THE  
DEVELOPMENT MANAGEMENT COMMITTEE  
HELD AT NELSON TOWN HALL  
ON 17<sup>TH</sup> OCTOBER 2023**

*PRESENT –  
Councillor M. Adnan (Chair)*

**Councillors**

*N. Ahmed  
S. Ahmed  
S. Cockburn-Price  
D. Gallear  
Y. Iqbal  
A. Sutcliffe  
D. Whipp*

**Officers**

<i>N. Watson</i>	<i>Assistant Director Planning, Building Control &amp; Regulatory Services</i>
<i>J. Eccles</i>	<i>Committee Administrator</i>

*(Apologies for absence were received from Councillors N. Ashraf, D. Albin, D. Lord and M. Strickland.)*



*The following people attended the meeting and spoke on the item indicated –*

<i>Lisa Tennant</i>	<i>23/0521/FUL - Full Change of use of part</i>	<i>Minute No. 13(a)</i>
<i>Ian Shutt</i>	<i>of a stable building for residential</i>	
<i>Tracy Lowe</i>	<i>accommodation (For a temporary period of</i>	
<i>Sharon Ashley</i>	<i>3 years), the siting of 5 no. dog kennels at</i>	
<i>Jaqueline Hodson</i>	<i>the site and the retention of the site for dog</i>	
<i>Robbie Attilgan</i>	<i>rehabilitation and training use at Pendle</i>	
	<i>Bridge Lodge, Woodend Road, Reedley</i>	

**11. DECLARATION OF INTERESTS**

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

**12. MINUTES**

**RESOLVED**

That the Minutes of the meeting held on 19<sup>th</sup> September 2023 be approved as a correct record and signed by the Chairman.

**13. PLANNING APPLICATIONS**

The Assistant Director Planning, Building Control and Regulatory Services submitted a report of the following planning applications for determination -

**23/0485/HHO Full: Removal of timber fencing to front and side, erection of porch to front and access gate to side at 35 Clegg Street, Brierfield for Mr. Khalid**

At a meeting of Nelson, Brierfield and Reedley Committee on 2<sup>nd</sup> October 2023 the decision to approve this application was referred as a recommendation to this Committee as the development would have an unacceptable impact on highway safety due to the substandard access arrangements into the site which would amount to a significant departure from policy ENV4.

An update circulated at the meeting reported receipt of amended plans which showed a new sliding gate and space for two cars to park and turn round to go in and out in forward gear. The proposed access arrangements were now considered to be acceptable and the Planning Officer's recommendation had therefore changed to approve subject to a number of conditions.

**RESOLVED**

That planning permission be **granted** subject to the following conditions –

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

**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, 2164-01-Rev A.

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

3. The development hereby approved shall at all times be fitted with a sliding gate and at no time shall any other form of gate be fitted as a replacement.

**Reason:** In order to ensure gates do not open out over the highway or open into the site which would restrict the available parking in the interests of highway safety.

4. 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.

**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.**

**23/0521/FUL    *Full Change of use of part of a stable building for residential accommodation (For a temporary period of 3 years), the siting of 5 no. dog kennels at the site and the retention of the site for dog rehabilitation and training use at Pendle Bridge Lodge, Woodend Road, Reedley for K9 Rehab***

At a meeting of Nelson, Brierfield and Reedley Committee on 2<sup>nd</sup> October 2023 the decision to approve this application was referred as a recommendation to this Committee as this would represent inappropriate development within the Green Belt which would unacceptably harm the openness of the Green Belt, without very special circumstances that would clearly outweigh that harm. It would also result in a new dwelling in an unsustainable isolated location without suitable justification of an essential need for a rural worker to live at or near to their place of work and the potential impact of noise on residents had not been adequately assessed. These would represent significant departures from policies ENV2, ENV4, ENV5, LIV1 and SDP2 of the Core Strategy. The officer's report recommended refusal.

## **RESOLVED**

That the Assistant Director Planning, Building Control and Regulatory Services be delegated authority to **grant consent** subject to the receipt of a satisfactory noise assessment and appropriate conditions.

**23/0564/HHO    *Full: Erection of a side dormer at 229 Every Street, Nelson for Miss F. Sharples***

At a meeting of Nelson, Brierfield and Reedley Committee on 2<sup>nd</sup> October 2023 the decision to approve this application was referred as a recommendation to this Committee as the proposed development did not reflect high design standards and would not protect or enhance the character of the borough given its location in the Whitefield Conservation Area. The development would be a significant departure from policies ENV1 and ENV2. The officer's report recommended refusal.

## **RESOLVED**

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

1. By virtue of its position upon a prominent roof slope of the dwelling, the proposed dormer would have an unacceptable impact upon the design of the original dwelling and in turn cause harm to the wider character and appearance of the Whitefield Conservation Area. It represents poor design, contrary to paragraph 134 of the Framework and is in conflict with paragraph 202 of the Framework because the harm is not outweighed by any public benefit. The proposal is also contrary to Policies ENV1 & ENV2 of the Local Plan: Part 1 Core Strategy and the Design Principles SPD.

CHAIRMAN\_\_\_\_\_