



That the Minutes of the meeting held on 4<sup>th</sup> December, 2023 be approved as a correct record and signed by the Chair.

## **118. PROGRESS REPORT**

A progress report on actions arising from the last meeting of the Nelson, Brierfield and Reedley Committee was submitted for information.

In a verbal update it was reported that the Development Management Committee had met on 20<sup>th</sup> December, 2023 and had made the following resolutions:

- (1) That 23/0603/HHO - Full: Erection of timber fencing to front garden area at 41 Carr Road, Nelson be **refused**.
- (2) That the Assistant Director Planning, Building Control and Regulatory Services be granted **delegated authority to approve** 23/0301/FUL - Full (Major): Erection of 129 dwelling houses, with open space provision, estate roads and landscaping on Land at Further Clough Head, Bamford Street, Nelson subject to the acceptable resolution of the objection in relation to the public right of way, an acceptable additional ecological mitigation report and also appropriate conditions.
- (3) That 23/0557/VAR - Variation of Condition: Vary Condition 24 (S.106 Planning Obligation for education contribution) of Planning Permission 22/0774/OUT on Site of Former Riverside Mill and Land Bordering with Charles Street and Baker Street, Reedyford Road, Nelson be **approved**.

In a further verbal update it was reported that Nelson Town Council's Finance and General Purposes Committee had not met on 20<sup>th</sup> December, 2023 owing to the absence of a quorum. It was now hoped that this Committee's request for the additional funding required for the planting of trees and the siting of benches on the Council owned triangular piece of land off Brunswick Street, Nelson would be considered at a meeting scheduled for 31<sup>st</sup> January, 2024.

## **119. POLICE ISSUES**

In the absence of the Police no issues were raised.

## **120. PLANNING APPLICATIONS**

### **(a) Applications to be determined**

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

**22/0423/FUL Full: Erection of 9 portal frame industrial units for light industrial use (Use Class E (g) (iii)) on Land to the South East of 1 to 31, Pilgrim Street, Nelson for Mr. M. Iqbal**

Determination of this application had been deferred from the last meeting to allow for a site visit which was undertaken prior to this meeting.

**RESOLVED**

That the Assistant Director Planning, Building Control and Regulatory Services, in consultation with the Chair of this Committee, be granted **delegated authority** to **approve** the application subject to additional details being submitted that address Lancashire County Council Highways' objections.

**23/0678/HHO Full: Erection of a dormer to rear, retrospective at 5 Chatburn Park Drive, Brierfield for Mr. Aamir Khan**

**RESOLVED**

That the application be **approved** 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:  
  
Roof plan and side elevation  
Site plan  
Existing and proposed layout plus proposed elevations  
Location plan and existing elevations  
  
**Reason:** For the avoidance of doubt and in the interests of proper planning.
  
3. All the external materials shall match those used on the host dwelling. 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.***

**23/0701/HHO Full: Erection of a two storey side extension, rear extension, part single storey rear extension and the formation of a front entrance. Erection of an outbuilding to the rear garden, extend front drive, erect new front boundary with rendering to all dwelling at 39 Reedley Drive, Reedley for Mrs. Zatoon Khanum**

An update had been circulated prior to the meeting reporting that amended plans had since been submitted. The proposal would now have no unacceptable residential amenity impact but it would be poor design and would be inappropriate in the area and, as such, the recommendation to refuse the application remained.

## **RESOLVED**

That the application be **approved** 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 and Block Plan LU297 – P01, Proposed Plans LU297 – P03A, Proposed Outbuilding Drawings LU297 – P04B.

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

3. The external materials in the proposed development shall be as stated on the application form and approved 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. Prior to the first use of the development hereby permitted an obscurely glazed screen of a minimum 1.8m from the floor level of the balcony will be erected to the side elevations of the front and rear balconies and be obscurely glazed to level 5 and shall thereafter be permanently retained.

**Reason:** To ensure the development does not adversely affect the privacy and amenity of the occupants of Number 37 Reedley Drive, Number 41 Lower Reedley and Number 43 Lower Reedley.

## **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.***

**23/0715/HHO Full: Erection of a dormer to rear, retrospective at 30 Rowland Avenue, Nelson for Mr. Kashif Saleem**

*(Before the vote was taken, the Principal 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 and Democratic 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.

**(b) Planning Appeals**

The Assistant Director Planning, Building Control and Regulatory Services submitted a report, for information, on planning appeals, which was noted.

**121. ENFORCEMENT ACTION**

The Head of Legal and Democratic Services submitted an update on enforcement matters, which was noted.

**122. AREA COMMITTEE BUDGET 2023/2024**

The Head of Housing and Environmental Health reported that the unallocated amount of the Committee's Budget was £29,103 and that a full report would be submitted to the next meeting, which was noted.

**123. OUTSTANDING ITEM**

- (a) Land and Parking Area by Sure Start Nursery, Brunswick Street, Nelson (04.12.2023)

Chair \_\_\_\_\_