

**MINUTES OF A MEETING OF
NELSON, BRIERFIELD AND REEDLEY COMMITTEE
HELD AT BRIERFIELD COMMUNITY CENTRE
ON 5TH FEBRUARY 2024**

PRESENT –

Councillor F. Ahmad (Chair)

Councillors

*M. Adnan
S. Ahmed
Z. Ali
M. Ammer
R. Anwar
N. Ashraf
M. Aslam
M. Hanif
M. Iqbal
Y. Iqbal
M. Kaleem
A. Mahmood
Y. Tennant*

Co-optees

*N. Emery (Nelson Town Centre Partnership)
S. Munir (Reedley Hallows Parish Council)*

Police

*PC Lyddiatt
PCSO Hartley*

Officers in attendance:

*Alex Cameron
Lynne Rowland*

*Principal Planning Officer/Area Co-ordinator
Committee Administrator*



The following persons attended the meeting and spoke on the items indicated -

<i>Susan Woodward-Massey Ayshea Green Gareth Walker Hamish Wilkie</i>	<i>23/0809/FUL Full: (Major): Erection of building and associated infrastructure, including parking, landscaping and a new vehicular access to create a wedding venue at Rockwood, Halifax Road, Nelson</i>	<i>Minute No.129(a)</i>
<i>Deborah Dawson</i>	<i>Enforcement Action (Land at 59 Marsden Hall Road, Nelson)</i>	<i>Minute No.130</i>



124.

DECLARATION OF INTERESTS

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

125.

PUBLIC QUESTION TIME

There were no questions from members of the public.

126. MINUTES

RESOLVED

That the Minutes of the meeting held on 8th January 2024 be approved as a correct record and signed by the Chair.

127. PROGRESS REPORT

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

128. POLICE ISSUES

PC Lyddiatt provided information on a recent police operation during which, working with the DVLA, 43 vehicles had been seized.

129. PLANNING APPLICATIONS

(a) Applications to be determined

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

23/0491/HHO Full: Erection of a two-storey side extension and a two-storey rear extension and a balcony to the front elevation at 29 Romney Street, Nelson for Mr Muzaffar

(Councillor Z. Ali declared a non-pecuniary interest in this item which was not a disclosable pecuniary interest as defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 but was such that he considered that in view of the principles set out in the Council's Code of Conduct he should not take part in the debate and decision on the matter, therefore he withdrew from the meeting.)

RESOLVED

That consideration of this application be **deferred** to allow for a site visit and receipt of amended plans.

23/0781/FUL Full: Change of use of former ramp to the multi storey car park to car sales and the erection of a portacabin on car park adjacent to the ramp leading to the former multi storey car park, Netherfield Road, Nelson for Mr M Iqbal

The Principal Planning Officer advised that this application had been withdrawn by the applicant.

23/0809/FUL Full: (Major): Erection of building and associated infrastructure, including parking, landscaping and a new vehicular access to create a wedding venue at Rockwood, Halifax Road, Nelson for Amor Asset Management Ltd

The Assistant Director, Planning, Building Control and Regulatory Services submitted an update which advised that additional information had recently been received which had not yet been fully assessed. Revised plans and further information was also due to be submitted shortly. It was therefore recommended that the application be deferred to allow for this information to be considered.

RESOLVED

That consideration of this application be **deferred** to the next meeting of this Committee.

23/0833/FUL Full: Demolition of existing mosque and the erection of a replacement mosque building (Use Class F1 (f)) including the formation of 12 no. parking spaces and 10 no. cycle spaces with associated landscaping at Jamia Masjid Usman Ghani Mosque, Stanley Street, Brierfield for Masjid Usman Ghani

The Assistant Director, Planning, Building Control and Regulatory Services submitted an update which advised that additional information was due to be submitted by the applicant shortly. It was therefore recommended that the application be deferred to allow for this information to be considered.

RESOLVED

That consideration of this application be **deferred**.

23/0835/FUL Full: Change of use of ground floor from office/living accommodation to takeaway (Sui Generis)/living accommodation, erection of two-storey rear extension and the erection of a new shop front at 89 Manchester Road, Nelson for Mr Q Zaman

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 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, Roof Plans and Elevation Plans Rev A.

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

3. The use hereby approved shall not commence unless and until details of the extraction system, including measures for noise attenuation and the treatment and dispersal of

particles, fumes and odours, has been submitted and approved in writing by the Local Planning Authority. The equipment shall be installed in strict accordance with the approved details and the extraction system shall thereafter at all times be maintained and operated in strict accordance with those details.

Reason: To ensure that noise generated by the extraction system is within acceptable limits and particles, fumes or odours generated by the premises are minimised in the interests of the amenity of occupiers of nearby properties.

4. Operating hours shall be as follows and shall not be altered without the prior approval in writing of the Local Planning Authority:

Monday – Friday 09:00-23:00

Saturday, Sunday & Bank Holidays – 09:00-23:00

Reason: In the interests of neighbouring amenity.

5. No part of the development hereby approved shall be opened for trading until all the highway works to erect bollards in the footway outside Nos 89–95 Manchester Road have been constructed and completed in accordance with a scheme that shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.

Reason: In the interest of highway safety.

Informative Note:

The grant of planning permission will require the applicant to enter into an appropriate legal agreement 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 erection of bollards at the front of the footway outside Nos 89-95 Manchester Road. The applicant must contact the County Council for further information by telephoning the Development Control 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.

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

130. ENFORCEMENT ACTION

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

One of the cases in the report related to an enforcement notice requiring the owner of land at 59 Marsden Hall Road, Nelson to remove the side facing fence. An appeal against the notice had been dismissed and, as the fence had not been removed, the case was now proceeding to the magistrates' court.

The Committee heard from the owner of the property who explained why the fencing had been installed and asked that she be allowed to keep it in place.

(Before the vote was taken, the Principal Planning Officer advised that a decision not to take enforcement action would represent a significant departure from policy. 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 no enforcement action be taken.

REASON

In view of the exceptional circumstances presented.

131. AREA COMMITTEE BUDGET 2023/2024

The Head of Housing and Environmental Health submitted a report which advised Members on the Committee's 2023/24 budget. The following two bids were submitted for consideration –

- Brunswick Street, public realm improvements - £5,500 (maximum)
- Resurfacing various unadopted back streets - £120,000

RESOLVED

- (1) That funding totalling £121,606 be de-allocated from the approved schemes listed in appendix 1 as follows -
 - Scheme 5 – Nelson Town Council – Highway Improvements in Nelson £13,857
 - Scheme 14 – Capital Projects – Bradley £17,998
 - Scheme 15 – Capital Projects – Brierfield East and Cloverhill £ 8,515
 - Scheme 17 – Capital Projects – Marsden and Southfield £23,801
 - Scheme 18 – Capital Projects – Whitefield and Walverden £33,435
 - Scheme 20 – Nelson Town Council – for highway safety £24,000
- (2) That £120,000 be allocated for the resurfacing of various unadopted back streets, as detailed in the submitted application.
- (3) That option 2 be the preferred option for Brunswick Street public realm improvements and funding of £1,606 be allocated towards the project.

- (4) That Nelson Town Council be asked to consider allocating the remaining funding required to proceed with the Brunswick Street public realm improvements (option 2).

REASON

To allocate the Committee's budget effectively.

132. TRAFFIC LIAISON MEETING

The minutes of the Traffic Liaison Meeting held on 20th November 2023 were submitted for information.

133. BRUNSWICK STREET, NELSON – PUBLIC REALM IMPROVEMENTS

The Head of Economic Growth submitted a report for Members to consider options to alleviate the issues associated with parking and abandoned vehicles on the triangular piece of land off Brunswick Street, Nelson.

Engineers had met with Members on site on two occasions to consider potential options. Following the second meeting a further two options for the site had been drawn up which were now submitted to the Committee for consideration.

Both options had been considered earlier in the meeting at minute 131 where it was agreed that option 2 be the preferred option.

134. PROVISION OF LITTER/DOG WASTE BINS AND SUBSTATION SITES

The Assistant Director, Operational Services reported on the spend on litter/dog waste bins in Quarter 3.

The Committee noted that due to wear, damage or a reduced need for the facility eight bins had been replaced/removed by Operational Services in the Nelson area. There had been two in the Brierfield and Reedley area.

Members were encouraged to report any substations within their area that were causing a problem with litter and/or fly tipping to Operational Services.

135. EXCLUSION OF PUBLIC AND PRESS

RESOLVED

That in pursuance of the power contained in Section 100(A)(4) of the Local Government Act, 1972 as amended, the public and press be excluded from the meeting during the next item of business 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.

136. ENVIRONMENTAL CRIME – QUARTER 3

The Assistant Director, Operational Services submitted a report which informed Members of the

Nelson, Brierfield and Reedley Committee (05.02.2024)

enforcement actions taken during the period between 1st October to 31st December 2023 within Nelson, Brierfield and Reedley and provided annual totals for 2023/24.

Chair _____