

**MINUTES OF A MEETING OF
NELSON, BRIERFIELD AND REEDLEY COMMITTEE
HELD AT BRIERFIELD COMMUNITY CENTRE
ON 4TH MARCH 2024**

PRESENT –

Councillor F. Ahmad (Chair)

Councillors

*M. Adnan
S. Ahmed
M. Ammer
R. Anwar
N. Ashraf
M. Hanif
M. Iqbal
M. Kaleem*

Co-optees

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

(Apologies for absence were received from Councillors Z. Ali, M. Aslam, Y. Iqbal, A. Mahmood and Y. Tennant).

Officers in attendance:

<i>Alex Cameron</i>	<i>Principal Planning Officer/Area Co-ordinator</i>
<i>Neil Watson</i>	<i>Assistant Director Planning, Building Control and Regulatory Services</i>
<i>Jessica Robinson</i>	<i>Committee Administrator</i>

Also in attendance:

Councillor M. Stone



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

<i>Yahya Bashir Mark Devenish Ayshea Green Lee Greenwood Suhaib Haider Mujahaid bin Jamshaid Maureen Roberts Iqbal Shah Gareth Walker Hamish Wilkie Susan Woodward-Massey</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.142(a)</i>
<i>Mark Brame Charles Crowson Paula Holden Craig McLeod Peter Maden Marie Reece</i>	<i>24/0036/HHO - Full: Erection of two storey side extension, single storey rear extension with balcony above, erection of rear dormer, raising roof of existing single storey extension and landscaping including excavation to form terrace at</i>	<i>Minute No.142(a)</i>

Marie Stone
Martyn Stone
Denise Watson

281 Barkerhouse Road, Nelson



137. DECLARATION OF INTERESTS

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

138. PUBLIC QUESTION TIME

There were no questions from members of the public.

139. MINUTES

RESOLVED

That the Minutes of the meeting held on 5th February, 2024 be approved as a correct record and signed by the Chair.

140. PROGRESS REPORT

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

The Development Management Committee had met on 29th February, 2024 and had resolved, in respect of the Enforcement Notice for the unlawful erection of a fence at 59 Marsden Hall Road, Nelson, that:

The developer be given 7 days to fully comply with the requirements of the Enforcement Notice. Should the Notice not be complied with in full, the developer should be prosecuted without further reference to them.

141. POLICE ISSUES

In the absence of the Police no issues were raised.

142. 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

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

The Assistant Director, Planning, Building Control and Regulatory Services had circulated an update prior to the meeting which advised that the Applicant had not submitted amended plans to address the impact of the proposal on the residential amenity to neighbouring properties and that, as such, the recommendation to refuse the application remained.

(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 **approve** the application subject to appropriate conditions and reasons.

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

Determination of this application had been deferred from the last meeting.

The Assistant Director, Planning, Building Control and Regulatory Services had circulated an update prior to the meeting which advised that PBC Environmental Health and LCC Highways had both withdrawn their objections following the submission of additional and revised information. The recommendation to refuse the application remained but the reasons for refusal had been revised accordingly.

RESOLVED

That the application be **refused** for the following reasons: -

1. The development site is located beyond the settlement boundary and is poorly located to support sustainable travel modes, it is an unsustainable location for the proposed use which would result in excessive reliance on private motor vehicles contrary to policies SDP2, WRK4, and ENV4 of the Local Plan Part 1: Core Strategy.
2. The proposed development would result in unacceptable landscape and visual impacts to the detriment of the landscape character and visual amenity of the area, the development is therefore contrary to policies ENV1 and ENV2 of the Local Plan Part 1: Core Strategy and the guidance of the Development in the Open Countryside SPG.

23/0834/FUL Full: Installation of 6 no. roller shutters and relocation of fascia boards/signage on Block Containing 60 to 70, Railway Street, Nelson for Together Housing Association Limited

RESOLVED

That the application be **refused** for the following reason: -

The proposed roller shutters and roller shutter boxes would be harmful to the appearance of the terrace and harmful to the character of the area by virtue of their prominence, design and choice of finish. As such they would be contrary to Pendle Local Plan Part 1: Core Strategy Policies ENV1 and ENV2, to the Council's adopted Design Principles Supplementary Planning Document and to Paragraph 139 of the National Planning Policy Framework.

24/0031/HHO Full: Erection of a two-storey side extension with associated internal alterations and site works at 35 Town House Road, Nelson for Mr. Wajid Hussain

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:

2225-08 Existing and Proposed Roof Plan (received 23.01.24)
2225-02 Existing and Proposed Site Plan (received 18.01.24)
2225-03 Proposed Site/Block Plan (received 18.01.24)
2225-05 Proposed GF and FF Plan (received 18.01.24)
2225-07 Proposed Elevations (received 18.04.24)

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

3. All the external materials to be used in the elevations and roof of the development hereby permitted shall be as stated on the application and approved plans and 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.

4. The proposed development should not be brought into use unless and until the parking area shown on the approved plans has been constructed, laid out and surfaced in bound porous materials. The parking area shall thereafter always remain available for the parking of domestic vehicles associated with the dwelling.

Reason: In order to ensure satisfactory levels of off-street parking are achieved within the site to prevent parking on the highway.

5. The development hereby permitted shall not be brought into use unless and until details of the drainage from the driveway have been submitted to, approved in writing by the Local Planning Authority and installed. The drainage shall thereafter at all times be retained.

Reason: In the interest of highway safety.

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.

24/0036/HHO Full: Erection of two storey side extension, single storey rear extension with balcony above, erection of rear dormer, raising roof of existing single storey extension and landscaping including excavation to form terrace at 281 Barkerhouse Road, Nelson for Ms. Shanaz Rabia

The Assistant Director, Planning, Building Control and Regulatory Services had circulated an update prior to the meeting which advised that additional comments had been received from neighbours. The issues raised had either been addressed in the original report or were not matters of planning consideration and, as such, the recommendation to approve the application, subject to conditions, remained.

RESOLVED

That determination of this application be **deferred** to the next meeting of this Committee to allow for a Conservation Area appraisal to be undertaken.

24/0049/HHO Full: Erection of a single storey rear extension with flat roof and associated access ramp at 49 Rutland Street, Nelson for Mr. F Mahmood

RESOLVED

That the application be **refused** for the following reason: -

The proposed development would have an overbearing impact on the residential amenity of neighbours resulting in an unacceptable impact on the living environment of the occupants of 51 Rutland Street and a loss of privacy to the occupants of 68 Regent Street and hence would be contrary to policies ENV1 and ENV2 of the Adopted Pendle Local Plan, and the principles set out in the Adopted Pendle Design Principles Supplementary Planning Document.

(b) Planning Appeals

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

143. ENFORCEMENT ACTION

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

144. 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.

RESOLVED

- (1) That the Budget, as committed and the remaining £29,103 uncommitted be noted.
- (2) That the approved schemes, listed in Appendix 1, attached to the report, and the financial requirements stipulated in paragraph 3 of the report be noted.

REASON

To enable the Budget to be allocated effectively.

145. CRICKET PROVISION AT EDGE END PLAYING FIELDS, BRIERFIELD

The Assistant Director Operational Services submitted a report which updated Members on cricket provision at Edge End playing fields in Brierfield.

Cricket provision at the playing fields had been withdrawn in 2021 and currently, within the Borough, cricket facilities were only provided at Bulhome playing fields in Barrowford and Swinden playing fields in Nelson. Should facilities be reinstated at Edge End remedial works would be required to make it fit for purpose as it was not currently in a playable condition.

The report proposed two options for the reinstatement of cricket provision at Edge End playing fields for Members' consideration. The first option was to reinstate Edge End as a traditional grass field and would cost in the region of £6,000. If this option was pursued, the wicket would likely not be ready for use until the season of 2025. The second option was to reinstate Edge End with an artificial concrete wicket at a cost of between £9,000 and £9,500. If this option was pursued, it was likely that the wicket would be ready for use in the second half of the 2024 season.

Both options would also require works to the perimeter fencing, which were likely to cost an additional £1,500 - £2,000, to improve security at the site due to it being prone to anti-social behaviour. There would also be annual maintenance costs associated with both options but they would be lower should option 2 be pursued.

RESOLVED

- (1) That the report be noted.
- (2) That the Assistant Director Operational Services be instructed to reinstate cricket provision at Edge End playing fields in Brierfield.
- (3) That option 1 be the preferred option for the reinstatement.

- (4) That the Assistant Director Operational Services be invited to submit a bid to this Committee's Budget for the funding required to proceed with the reinstatement (option 1) and the works to the perimeter fencing.

REASONS

- (1) *Cricket provision at Edge End was withdrawn in 2021.*
(2) *The cost of reinstating the cricket facility to a good standard is substantial.*

146. BRUNSWICK STREET, NELSON – PUBLIC REALM IMPROVEMENTS

Members noted that Nelson Town Council would be providing the remaining funding required to proceed with the Brunswick Street public realm improvement scheme agreed at the last meeting of this Committee.

147. ENVIRONMENTAL BLIGHT

Members were advised that there were currently no Environmental Blight sites in Nelson, Brierfield and Reedley.

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

Chair _____