

**MINUTES OF A MEETING OF
NELSON, BRIERFIELD AND REEDLEY COMMITTEE
HELD AT NELSON TOWN HALL
ON 8TH JULY, 2024**

PRESENT –

His Worship the Mayor – Councillor M. Aslam

Councillor F. Ahmad (Chair)

Councillors

Co-optees

*M. Adnan
S. Ahmed
M. Ammer
R. Anwar
Y. Iqbal
M. Kaleem
Y. Tennant*

*N. Emery (Nelson Town Centre Partnership)
S. Bibi (Nelson Town Council)*

Officers in attendance:

*Alex Cameron
Jessica Robinson*

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

(Apologies for absence were received from Councillors Z. Ali, M. Hanif, M. Iqbal and A. Mahmood and S. Munir, Reedley Hallows Parish Council).



30. DECLARATION OF INTERESTS

Members were reminded of the requirements of the Member Code of Conduct concerning the Declaration of Interests. There were no declarations of interest.

31. PUBLIC QUESTION TIME

There were no questions from members of the public.

32. MINUTES

RESOLVED

That the Minutes of the meeting held on 3rd June, 2024 be approved as a correct record and signed by the Chair.

33. PROGRESS REPORT

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

34. POLICE ISSUES

In the absence of the Police no issues were raised.

35. 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: -

23/0833/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

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

The Assistant Director, Planning, Building Control and Regulatory Services had circulated an update prior to the meeting which advised that Lancashire County Council Highways had withdrawn their objection following the receipt of amended plans and additional information. The recommendation to delegate grant consent remained but was now subject to the expiry of the publicity period.

RESOLVED

That the Assistant Director, Planning, Building Control and Regulatory Services be granted **delegated authority** to **approve** the application subject to the expiry of the publicity period and 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: P01, P03A, P04A, P05A, P06A.
Reason: For the avoidance of doubt and in the interests of proper planning.
3. Prior to the commencement of above ground works involved in the erection of the external walls of the development samples of the external materials and finishes of the walls, roofs, dome, minaret, windows and doors shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
Reason: In order to control the external appearance of the development in the interest of visual amenity.
4. The development shall not commence unless and until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following:

- a. the exact location and species of all existing trees and other planting to be retained;
- b. all proposals for new planting and turfing indicating the location, arrangement, species, sizes, specifications, numbers and planting densities;
- c. an outline specification for ground preparation;
- d. all proposed boundary treatments with supporting elevations and construction details;
- e. all proposed hard landscape elements and pavings, including layout, materials and colours;
- f. the proposed arrangements and specifications for initial establishment maintenance of all planted and/or turfed areas.

The approved scheme shall be implemented in its entirety within the first planting season following the commencement of the operation of the development. Any tree or other planting that is lost, felled, removed, uprooted, dead, dying or diseased, or is substantially damaged within a period of five years thereafter shall be replaced with a specimen of similar species and size, during the first available planting season following the date of loss or damage.

Reason: To ensure that the development is adequately landscaped so as to integrate with its surroundings.

5. All windows in the north and south side elevations of the building shall at all times be obscure glazed to a minimum obscurity level of Pilkington level 4 or equivalent up to a minimum of 1.7m in height above the floor level of the area they serve. The windows shall at all times be hung in such as what as to prevent the effect of the obscure glazing from being negated by opening.

Reason: In order to preserve the privacy of adjacent dwellings.

6. There shall be no external amplified noise unless details of the level and timing of the noise have been submitted to an approved in writing by the Local Planning Authority. Any amplified noise shall be in strict accordance with those approved details.

Reason: In order to control external amplified noise the interest of residential amenity.

7. Prior to the installation of any external lighting details including type, size, location, intensity, direction and timing of illumination of the proposed external lighting shall have been submitted to and approved in writing by the Local Planning Authority. The external lighting shall thereafter at all times be maintained and operated in strict accordance with the approved details.

Reason: In order to reduce the impact of external lighting in the interest of residential amenity.

8. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

(i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365; (ii) A restricted rate of discharge of surface water agreed with the Local Planning Authority (if it is agreed that infiltration is discounted by the investigations);

- (iii)** Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- (iv)** Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
- (v)** Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution and prevent surface water draining onto the highway.

- 9.** Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the Local Planning Authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- (i)** Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
- (ii)** Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

- 10.** No development shall take place until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. It shall provide for:

- i)** The parking of vehicles of site operatives and visitors;
- ii)** The loading and unloading of plant and materials;
- iii)** The storage of plant and materials used in constructing the development;
- iv)** The erection and maintenance of security hoarding;
- v)** Wheel washing facilities and road sweeping when necessary;
- vi)** Measures to control the emission of dust and dirt during construction;
- vii)** A scheme for recycling/disposing of waste resulting from demolition and construction works;
- viii)** Timing of deliveries;
- ix)** Measures to ensure that construction and delivery vehicles do not impede access to neighbouring properties;
- x)** Hours of operation;
- xi)** Construction site noise and vibration; and
- xii)** Control of burning onsite.

Reason: In the interest of residential amenity and highway safety.

11. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority. The works shall be implemented prior to first occupation of the approved development. Works to include, but not be exclusive to:

- the formation of vehicular accesses on Arthur Street to an appropriate standard, including kerbed radii;
- buff colour tactile paved dropped pedestrian crossings either side of the accesses;
- buff colour tactile paved dropped pedestrian crossings at the junction of Hartington Street with Stanley Street (both sides);
- the re-construction of the footway along the frontage on Arthur Street to an appropriate standard;
- provision of waiting restrictions (Traffic Regulation Orders) across the access on Arthur Street.

Reason: In order to satisfy the Local Planning Authority that the final details of the highway scheme/works are acceptable before work commences on site and in the interest of highway safety.

12. The proposed development should not be brought into use unless and until the parking and manoeuvring areas shown on the approved plans have been constructed, laid out and surfaced in bound materials. The parking and manoeuvring areas shall thereafter always remain available for parking of vehicles associated with the development.

Reason: To allow for the effective use of the parking areas.

13. Prior to the commencement of the use of the development a scheme secure and covered cycle storage facilities shall have been submitted to and approved in writing by the Local Planning Authority and provided in accordance with the approved details.

Reason: To provide infrastructure for sustainable modes of transport.

14. The boundary treatment on Stanley Street should not at any time exceed 0.6m high.

Reason: For pedestrian safety.

15. Prior to the commencement of the use of the development, a green travel plan shall be submitted for approved to include the management of on-site car parking including priority users, promotion of car sharing and drop-off, promotion of walking and cycling together with high quality cycle storage. The plan shall be reviewed annually.

Reason: To support sustainable travel and reduce car parking.

16. The use of the building and land hereby permitted shall be confined to that of Class F1(f) and uses ancillary to that use only and for no other purpose, including any other use within Class F of Schedule 2 of the Town and Country Planning (Use Classes) Order, 1987 (as amended).

Reason: In the interest of residential amenity and 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 development is acceptable in all relevant regards. 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.

24/0231/HHO Full: Demolition of existing garage, erection of porch to front, erection of a single storey side and rear extensions and insertion of dormer windows to front and rear roof slopes at 56 Causey Foot, Nelson for Mr. Javed Iqbal

The Assistant Director, Planning, Building Control and Regulatory Services had circulated an update prior to the meeting which advised that some amended plans had been submitted which had removed the single storey rear extension which resulted in an unacceptable residential amenity impact to the neighbouring properties to the rear on Queensway, Nelson. The recommendation to refuse the application had, therefore, altered to delegate grant consent subject to the receipt of a complete set of amended plans.

RESOLVED

That the Assistant Director, Planning, Building Control and Regulatory Services be granted **delegated authority to approve** the application subject to the receipt of a complete set of amended plans and 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 Plans and Elevations Amended (received 24 June 2024), Amended Plan and Roof Plan – Proposed (received 9th July 2024).

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

3. The external materials 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.

24/0357/HHO Full: Erection of dormers to front and rear roof slopes at 4 Fountain Street, Nelson for Mr. Shahzad Saleem

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:

- 22025 – LP Site Location Plan (received 30.05.24)
- 22025 – SP Site Plan (received 30.05.24)
- 24025 – 03 Proposed Plans (received 30.05.24)
- 24025 – 04 Proposed Elevations (received 30.05.2024)
- 24025 – 05 Existing & Proposed Roof Plans (received 30.05.24)

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 form 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.

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.

(b) Planning Appeals

The Assistant Director, Planning, Building Control and Regulatory Services reported that, as at 25th June, 2024, there were no outstanding planning appeals, which was noted.

36. ENFORCEMENT ACTION

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

37. AREA COMMITTEE BUDGET 2024/2025

The Head of Housing and Environmental Health submitted a report on the Area Committee's Budget for 2024/25.

RESOLVED

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

38. PARKING POLICY AND STRATEGIES FOR PENDLE

The Head of Economic Growth submitted a report detailing a proposal for the production of a new overarching parking policy for Pendle followed by five area-specific parking strategies for Nelson, Brierfield, Barnoldswick, Earby and Colne. Pendle did not currently have a parking policy or strategy.

Members were asked to consider making an appointment or appointments from this Committee to a Working Group to assist in establishing Nelson and Brierfield's parking requirements to feed into the overarching policy and relevant area-specific strategies.

RESOLVED

- (1) That the report be noted.
- (2) That Councillors R. Anwar and M. Aslam be appointed to the Working Group proposed in the report.

REASONS

- (1) ***To agree on the process.***
- (2) ***For the Working Group to assist in establishing Nelson and Brierfield's parking requirements.***

39. PREMISES IMPROVEMENT GRANT SCHEME – AMENDMENT TO BOUNDARY

At the last meeting Members had resolved that the Head of Economic Growth be requested to consider an extension to the current defined town centre boundaries for the Premises Improvement Grant Scheme to include the whole of; Leeds Road, Nelson; Manchester Road,

Nelson; Scotland Road, Nelson; and Colne Road, Brierfield. The Head of Economic Growth had since drawn up proposed maps for both Nelson and Brierfield, which were attached to the report at Appendix 2 and 3 respectively, for Members' consideration. If agreed the boundary changes would be for the purpose of the Premises Improvement Grant Scheme only.

RESOLVED

- (1) That the report be noted.
- (2) That the proposed boundary changes for Nelson and Brierfield, as shown in Appendix 2 and 3 respectively, be agreed for implementation by the Head of Economic Growth for the Premises Improvement Grant Scheme only.
- (3) That the boundary lines agreed in (2) cover both sides of each of the roads/streets.

REASONS

- (1) *To allow Members of the Committee to agree and approve the proposed boundary.*
- (2) *To have a positive impact on take up of the Premises Improvement Grant Scheme within Nelson and Brierfield.*
- (3) *To complement the 'Revitalised Nelson' Nelson Town Deal project.*

40. BRUNSWICK STREET PUBLIC REALM IMPROVEMENTS UPDATE

The Head of Economic Growth reported that the full public consultation exercise on Lancashire County Council's and Jacobs' Safer, Greener, Healthier Streets designs for the triangular piece of land at Brunswick Street, originally scheduled for mid-June, had now been moved to July due to the UK Parliamentary General Election.

41. FORMER MANSFIELD SCHOOL SITE

Lancashire County Council (LCC) had confirmed that the former Mansfield School site needed to be retained for Education purposes. However, in the short-term, LCC were considering a request for a portion of the site to be used as a compound area in connection with a development in the locality. LCC were minded to progress with this request in order to minimise disruption to the local roads and traffic.

In terms of the condition of the site, LCC had arranged some works to improve its appearance including litter picking, grass cutting, vegetation removal and fence repairs and residents should expect some activity on site in the coming weeks.

42. ITEM FOR DISCUSSION

Former Lucas Playing Fields

It was reported that Barnfield Construction Limited (BCL) had been promising for some years that the outstanding works on the former Lucas Playing Fields site would be completed. It was felt some pressure now needed to be applied on BCL to ensure all works were completed this calendar year.

It was further reported that this matter had already been referred to the Green Spaces Manager who had advised that BCL Contractors had been on site mowing the grass during the week commencing 10th June, 2024 and that, during the week commencing 17th June, 2024, 100tonnes of sand had been delivered to apply to the football field. Several hundred tonnes of soil were also to be delivered imminently to create a fall on the old cricket pitch and a clean surface. The Green Spaces Manager was then looking to oversee it all using a wildflower meadow seedmix and would continue to monitor BCL's progress on site.

These recent groundworks, it was suggested, were disturbing rats and infestations in properties on Reedley Drive, Reedley were being reported. This issue, it was felt, was also being exacerbated by BCL not undertaking the works they had agreed to, to clear the site boundary of overgrown vegetation.

An update for the next meeting was requested and, if it was not deemed to be satisfactory, a meeting with BCL would be sought.

RESOLVED

- (1) That the update be noted.
- (2) That the Head of Housing and Environmental Health be requested to investigate the issues with rats on the former Lucas Playing Fields site that were affecting the residents of Reedley Drive, Reedley.
- (3) That the Green Spaces Manager be requested to provide a further update on the progress made on the site at the next meeting of this Committee.

REASON

In the interests of visual amenity and to resolve longstanding issues on this site.

Chair _____