



A second Petition which contained 22 signatures was then submitted at the meeting on the behalf of residents of Hargreaves Street, Nelson. The Petition requested that a one-way traffic system be introduced on the top half of Hargreaves Street to improve traffic flow and severe congestion at peak times.

Lancashire County Council Highways (LCCH) were already aware of this request and were in the process of considering it. The Petition would be submitted to LCCH in support of the request.

## **RESOLVED**

- (1) That all the residents' concerns relating to the proposed pump track at Marsden Park, Nelson and be raised with the relevant Council Officer(s).
- (2) That an update then be provided to the residents in due course.
- (3) That the second Petition submitted to this meeting be forwarded to Lancashire County Council Highways in support of the request for the introduction of a one-way traffic system on the top half of Hargreaves Street, Nelson that they were already considering.

## **REASONS**

- (1) ***To ensure all concerns are taken account of as part of the decision-making process on the proposed pump track in Marsden Park, Nelson.***
- (2) ***In the interests of openness and transparency.***
- (3) ***In the interests of highway safety on Hargreaves Street, Nelson.***

## **74. MINUTES**

### **RESOLVED**

That the Minutes of the meeting held on 2<sup>nd</sup> September, 2024 be approved as a correct record and signed by the Chair.

## **75. PROGRESS REPORT**

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

An update was requested on the repair works that Network Rail had agreed to undertake on the railway boundary wall along Manchester Road, Nelson. The issue had been discussed at a meeting of this Committee held on 5<sup>th</sup> August, 2024 and no work appeared to have commenced to date.

### **RESOLVED**

That an update be requested from Network Rail on the repair works they had agreed to undertake on the railway boundary wall along Manchester Road, Nelson.

### **REASON**

***In the interests of visual amenity and pedestrian and road user safety.***

**76. POLICE ISSUES**

The crime statistics for September 2024 had been circulated prior to the meeting.

One of the Whitefield and Walverden Ward Councillors had been approached by one of their constituents who was the victim of racial harassment perpetrated by their neighbour. Reports had been made to the Police and the victim had been advised to provide evidence in order for any action to be taken. The victim had since erected a CCTV camera on an existing pole but had been advised that this was not permissible without planning consent and that it was unlikely that such consent would be granted. The victim now did not know how to proceed. Advice on obtaining the necessary evidence would be sought from the Police and shared with Members and also the victim in due course.

**77. 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: -

**24/0439/HHO Full: Erection of a single storey rear extension at 96 Chapel Street, Nelson for Mr. Shahbaz M. Mughal**

**RESOLVED**

That the application be **approved** subject to the addition of a condition requiring the window on the side elevation to be obscurely glazed and also 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.

**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.

4. The kitchen window to the east elevation of the extension hereby approved shall at all times be obscure glazed to a minimum level of obscurity of Pilkington Level 5 (or equivalent). The window shall at all times be hung in such a way that prevents the effect of the obscure glazing being negated by opening.

**Reason:** To protect the amenity of occupiers of the neighbouring properties.

### **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.***

**24/0494/HHO Full: Erection of a two-storey side extension and a single storey rear extension at 2 Wharfedale Avenue, Reedley for Mr Manzoor Ahmed**

*(Before the vote was taken, the Principal Planning Officer advised that a decision to approve the application would represent a significant departure from policy ENV4 of the Pendle Local Plan Part 1: 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.

**24/0530/HHO Full: Erection of dormers to front and rear roof slopes at 100 Chapel House Road, Nelson for Mr. Ahmed Shabbir**

### **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:

- 24049 – LP Location Plan (received on 07.08.24)
- 24049 – 02 Proposed Plans (received on 07.08.24)
- 24049 – 03 Proposed Elevations (received on 07.08.24)
- 24049 – SP Site Plan (received on 07.08.24)

**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.***

**24/0537/HHO Full: Erection of a single storey rear extension and dormers to front and rear roof slopes at 22 Dover Street, Nelson for Mr. Khalid Mahmood Abdul-Ghulam**

### **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:

- o Location Plan (received on 12.08.24)
- o DOV-02-20 Proposed Plans (received on 12.08.24)

**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.***

**24/0556/PNT Prior Approval Notification (Telecoms): Installation of a 20m monopole supporting 3 no. antennas within a shroud, 2no. 0.3m transmission dishes, installation of 3 no. equipment cabinets and ancillary development thereto on Amenity Area at the Junction with Netherfield Road and Railway Street, Nelson for EE Limited**

### **RESOLVED**

That the application be **approved** subject to the following conditions and reasons: -

1. The development hereby permitted shall be carried out in accordance with the following approved plans:
  - Location Plan – 1728100\_N/A\_34928\_N/A\_M001 Rev A (Received 10<sup>th</sup> June 2021)
  - Proposed Site Plan 1728100\_N/A\_34928\_N/A\_M001 Rev A
  - Proposed Elevation Plan 1728100\_N/A\_34928\_N/A\_M001 Rev A

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

### **REASON FOR DECISION**

***Based on the information provided, the development subject to this prior notification submission would meet the criteria detailed within Part 16 of the GPDO. As such, prior notification is approved.***

**24/0562/FUL Full: Retention of a roller shutter gate at 28A Colne Road, Brierfield for Mr. I Khan**

The Assistant Director Planning, Building Control and Regulatory Services had circulated an update prior to the meeting which advised that two further objections, which were summarised in the report, had been received from neighbours. The objections did not, however, alter the recommendation which was for refusal.

### **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:

- Dwg 01 Existing Plans and Elevations and Site Plan; Location Plan (received on 20.08.24)
- Dwg 02 Proposed Plans and Elevations and Site Plan (received on 20.08.24)

**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.

4. The roller shutter gate hereby approved, and the area bounded by it shall only be used ancillary to the use of 28A Colne Road and shall not be used by way of sale of sub-letting to form separate usage.

**Reason:** In the interest of highway safety so that any traffic generation/movements can be adequately assessed.

### **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, for information, that there was one new appeal.

23/0766/FUL  
24/0008/AP/COND

*Appeal against condition 3 of planning permission 23/0766/FUL for erection of a canopy and the installation of shutters at Springbank Buildings, 226 - 248 Every Street, Nelson*

In a verbal update it was reported that there was a further new appeal against the refusal of planning application 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.

**78. ENFORCEMENT ACTION**

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

**79. AREA COMMITTEE BUDGET 2024/2025**

The Head of Housing and Environmental Health submitted a report on the Area Committee's Budget for 2024/25 to update Members that £46,607 of the Budget remained uncommitted. Consideration of the following bids had been deferred from the last meeting of this Committee to allow for that update to be provided: -

Pendle Borough Council (PBC) – Capital Projects – Brierfield West and Reedley	£19,992
PBC – Refurbishment of Street Furniture at Nelson Town Centre	£1,500
RC Lions Cricket Club - Healthy Living Through Sport	£500
Bradley Ward Projects	£11,731
Brierfield East and Clover Hill Ward Projects	£11,931
Brierfield West and Reedley Ward Projects	£7,958
Marsden and Southfield Ward Projects	£11,931
Whitefield and Walverden Ward Projects	£11,856

Members were also asked to consider a late bid from Pendle Borough Council for £2,500 for Gully Works on Unadopted Back Streets.

**RESOLVED**

- (1) That it be noted that £46,607 of this Committee's 2024/25 Budget remained uncommitted.
- (2) That the 2024/25 Budget as committed and shown in Appendix 1 attached to the report be noted.
- (3) That the Head of Housing and Environmental Health be requested to allocate the following amounts from the 2024/25 Budget: –

Pendle Borough Council (PBC) – Refurbishment of Street Furniture at Nelson Town Centre	£1,500
PBC – Gully Works on Unadopted Back Streets	£2,500
<b>Total</b>	<b>£4,000</b>
- (4) That the remaining 2024/25 Budget (£42,607) be split pro rata, according to the number of Councillors, across the Projects for the Bradley, Brierfield East and Clover Hill, Brierfield West and Reedley, Marsden and Southfield and Whitefield and Walverden Wards.
- (5) That the following bids be noted as it was the intention that they would be funded, at least in part, from the relevant Ward Project funding allocations agreed in (4): –

PBC – Capital Projects – Brierfield West and Reedley	£19,992
RC Lions Cricket Club - Healthy Living Through Sport	£500
- (6) That the financial requirements stipulated in paragraph 5 of the report be noted.



**REASON**

***To enable the Budget to be allocated effectively and in line with financial regulations.***

**80. BRUNSWICK STREET PUBLIC REALM IMPROVEMENTS UPDATE**

The Head of Economic Growth submitted a report to update Members on the Brunswick Street, Nelson public realm improvements scheme.

The full public consultation exercise on Lancashire County Council's and Jacobs' Safer, Greener, Healthier Streets (SGHS) designs for the triangular piece of land at Brunswick Street had taken place in mid-July 2024. Members of this Committee had seen and had liked the SGHS proposals but were concerned that work was not due to start on the scheme until 2025. At a meeting of this Committee held on 5<sup>th</sup> August, 2024, Members agreed to fund the installation of bow-top fencing prior to the delivery of the SGHS scheme as there was clearly still an issue with cars parking on the piece of land that needed to be addressed.

There had been a site meeting on 1<sup>st</sup> August, 2024 at which the Members in attendance had made the Council's Engineers aware of commercial premises that were contributing to the parking issues in the area. The Engineers had agreed at that meeting that they would investigate any potential breaches of lease agreements and an update on these investigations was now being sought.

Members also suggested at the site meeting that the nursery and/or Marsden Heights be approached to find out if they might help maintain the site once the SGHS improvements were finished. There might be the possibility of the school and/or nursery setting up projects for wildflower planting or generally taking an interest in the site and this would be explored as it might help deter others from misusing the site in the future.

**RESOLVED**

- (1) That the report and follow-up be noted.
- (2) That an update on the investigations into potential breaches of lease agreements be provided at the next meeting of this Committee.

**REASON**

***To alleviate problems with parking and abandoned vehicles at Brunswick Street, Nelson.***

**81. PUBLIC SPACES PROTECTION ORDERS: ALLEY GATES AND RESTRICTED ACCESS**

The Head of Policy and Commissioning submitted a report to seek this Committee's approval to extend the current Public Spaces Protection Orders (PSPOs) for Alley Gates and Restricted Access for a further three years from 22<sup>nd</sup> October, 2024.

The draft PSPO extensions could be viewed at [https://www.pendle.gov.uk/meetings/meeting/3347/nelson\\_brierfield\\_and\\_reedley\\_committee](https://www.pendle.gov.uk/meetings/meeting/3347/nelson_brierfield_and_reedley_committee). The draft Alley Gate PSPO now included the variation for the scheme at Chapel Street, Brierfield.

No objections to the current schemes had been received during the life of the current PSPOs. Consultation had been carried out door to door and by letter drop at the addresses benefiting from the schemes. Over thirty replies had been received with no objections to continuing the schemes and retaining the gates.

An inspection of the gates themselves showed some minor maintenance was needed and that a small number might not be fully utilised. Future resources permitting, the intention was to carry out minor work and consult in more detail with residents in the areas where use was uncertain to see if the gates were still needed during the next three year period.

## **RESOLVED**

- (1) That the current Public Spaces Protection Orders (PSPOs) for Alley Gates and Restricted Access be extended for a further three years from 22<sup>nd</sup> October, 2024.
- (2) That, during the life of the two extended PSPOs, a detailed review of schemes be carried out where maintenance was needed or use was limited in anticipation of the next extension in 2027.

## **REASON**

***To address the concerns of local residents that without the alley gates in place, their back streets would attract crime and anti-social behaviour.***

## **82. FORMER LUCAS PLAYING FIELDS**

The upper level of the former Lucas Playing Fields site had now been sown with a wildflower meadow mix by Pendle Borough Council's (PBC's) Contractors. The lower level pitch had now been seeded by Barnfield Construction Limited (BCL) and had started to sprout nicely. PBC would also be tidying some of the perimeter trees and shrubs on site during the winter months.

BCL had yet to undertake the 'snagging' works they had agreed to.

## **RESOLVED**

- (1) That the update be noted.
- (2) That this item and any further updates be considered at the next meeting of this Committee.

## **REASON**

***To determine whether any further action is required.***

Chair \_\_\_\_\_