

**MINUTES OF A MEETING OF  
NELSON, BRIERFIELD AND REEDLEY COMMITTEE  
HELD AT NELSON TOWN HALL  
ON 3<sup>RD</sup> APRIL, 2025**

*PRESENT –*

*His Worship the Mayor – Councillor M. Aslam*

*Councillor F. Ahmad (Chair)*

**Councillors**

*M. Adnan  
S. Ahmed  
R. Anwar  
N. Ashraf  
M. Iqbal  
Y. Iqbal  
A. Mahmood  
Y. Tennant*

**Co-optees**

*N. Emery (Nelson Town Centre Partnership)*

**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. Ammer and M. Hanif and S. Bibi, Nelson Town Council.)*



**148.**

**DECLARATION OF INTERESTS**

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

The following Councillor declared a disclosable pecuniary interest on the item indicated: –

<i>M. Aslam</i>	<i>25/0064/HHO - Full: Erection of dormers to front and rear roof slopes and erection of new roof to rear outrigger at 152 Scotland Road, Nelson</i>	<i>Minute No. 153(a)</i>
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**149.**

**PUBLIC QUESTION TIME**

There were no questions from members of the public.

**150.**

**MINUTES**

**RESOLVED**

That the Minutes of the meeting held on 3<sup>rd</sup> March, 2025 be approved as a correct record and signed by the Chair.

**151. PROGRESS REPORT**

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

**152. POLICE ISSUES**

The crime statistics for March 2025 compared to the same period in the previous year had been circulated prior to the meeting.

The Police were unable to attend this meeting as was hoped and in their absence no issues were raised.

**153. 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: -

**24/0802/HHO Full: Erection of a single-storey rear extension with associated internal alterations and site works at 39 Elland Road, Brierfield for Mr. Muhammad Shehzad**

The Assistant Director Planning Building Control and Regulatory Services had circulated a replacement report prior to the meeting as there were errors in the original report. The original report had incorrectly stated that the proposed length of the single-storey rear extension was 4m when it was, in fact, proposed to be 6m. The recommendation for approval had, therefore, altered to refusal.

*(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 Pendle Local Plan Part 1: Core Strategy and also potential maladministration. 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.

**24/0854/FUL Full: Change of use of part of a ground floor of a dwelling (Use Class C3) to a dessert shop (Use Class E(a)) at 181 Leeds Road, Nelson for Mr. Mohammad Ibrahim Rana**

Determination of this application had been deferred from the last meeting of this Committee to allow the Applicant opportunity to provide a sequential test to establish that no suitable alternative site was available within Nelson town centre.

*(Before the vote was taken, the Principal Planning Officer advised that a decision to approve the application would represent a significant departure from policy WRK4 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.

**24/0876/HHO Full: Erection of a single storey rear kitchen extension at 49 Fountain Street, Nelson for Mrs. Tahira Ayub**

## **RESOLVED**

That determination of this application be **deferred** to the next meeting of this Committee to allow for a site visit.

**25/0064/HHO Full: Erection of dormers to front and rear roof slopes and erection of new roof to rear outrigger at 152 Scotland Road, Nelson for Ms. Shamim Akhtar**

*(Councillor M. Aslam declared a pecuniary interest in this item and withdrew from the meeting.)*

## **RESOLVED**

That the Assistant Director Planning, Building Control and Regulatory Services be granted **delegated authority to approve** the application subject to the submission of amended plans that incorporate pitched roof dormers to the front and rear roof slopes in the design 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:

D52 A3/005 A; D52 A3/006 A, D52 A3/008 A; D52 A3/009 A (18 Mar 2025)

**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 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.***

**25/0075/HHO Full: Demolition of existing rear dormer and the erection of front and rear dormers with chimney removal at 21 Midland Street, Nelson for Mrs. Sadia Shabir**

### **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:

MID-01-20; MID-02-20 (04 Feb 2025)

**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.

### **INFORMATIVES**

If removing the chimney affects the structural integrity of a party wall (shared with your neighbour), you may need to comply with the Party Wall Act 1996 and possibly obtain Building Regulations approval.

## **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 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.

### **154. ENFORCEMENT ACTION**

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

### **155. 391 KINGS CAUSEWAY, BRIERFIELD**

The Assistant Director Planning, Building Control and Regulatory Services submitted a more detailed report on the enforcement action being taken at 391 Kings Causeway, Brierfield. This report had been requested by Members at the last meeting.

The report recommended that the recommendations of the Planning Inspectorate be awaited, and the outcome then be complied with given there was an active appeal against the Enforcement Notice.

Members enquired as to the implications of the appellant withdrawing the appeal. There would be a risk of a cost award against them to cover the Council's costs in processing the appeal.

Members then enquired as to the implications should the Committee be minded to determine that the enforcement action not be pursued prior to the outcome of the Planning Inspectorate's independent assessment being known. There would be a need to make a referral to the Development Management Committee as there could be a potential risk of costs against the Council and it could also represent potential maladministration on the Council's part.

Following discussion Members determined to defer consideration of this item to a future meeting.

## **RESOLVED**

That consideration of this item be deferred to a future meeting of this Committee to allow for the receipt of the recommendations of the Planning Inspectorate following its decision on the appeal against the Enforcement Notice at 391 Kings Causeway, Brierfield.

## **REASONS**

- (1) The Planning Inspectorate will make an independent assessment of the development.***

- (2) ***There could be a potential risk of costs against the Council, and it could also represent potential maladministration on the Council's part if a determination is made prior to the outcome of the independent assessment being known.***

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

The Head of Housing and Environmental Health reported that the Committee had allocated all its Budget from 2024/25. The Budget for 2025/26 was £78,270.

A full report would be submitted to the next meeting.

**157. NELSON FOOTBALL CLUB – NEW 25 YEAR LEASE**

The Director of Resources submitted a report to seek Members' approval for the surrender of the existing lease held by Nelson Football Club and the grant of a new 25 year Contracted Out lease on the same terms subject to a new commencement rent of £1,500 annum. A new lease would assist the Club with applications for grant monies to carry out improvements to its facilities.

The current lease was made on 20<sup>th</sup> May, 2014 and referred to a plot of land known as Victoria Park Football Ground shown edged in black on the plan attached to the report at Appendix 1. The current lease had a term of 21 years at a rent of £1,000 per annum with rent reviews every 3 years.

A new Leadership Team at the Club had privately invested in the region of £500,000 to improve the ground and facilities for the benefit of the local community and were now proposing to submit a grant application to install environmentally friendly LED lights as a further improvement that would also reduce power usage. A requirement of the funding was that the Club held a legal interest (lease) for a longer period than that available on the existing lease (only 10 years unexpired).

The new lease, if approved, would transfer the responsibility to the tenant for repairs and maintenance of the site.

Following discussion Members gave their approval for the existing lease to be surrendered and for the new lease, as proposed, to be granted.

**RESOLVED**

That the surrender of the existing lease to Nelson Football Club and the grant of a new 25 year Contracted Out lease on the same terms subject to a new commencement rent of £1,500 per annum, be approved.

**REASON**

***The Club has recently gone through a number of Leadership changes and the Board Members have privately invested in the region of £500,000 to improve the ground and facilities. The Club have advised that they are proposing to submit a grant application to install environmentally friendly LED lights as a further improvement that will reduce the power usage. A requirement of the funding is that the Club hold a legal interest (lease) for a longer period than that available on the existing lease (only 10 years unexpired).***

## **158. PREMISES IMPROVEMENT GRANT SCHEME - SUMMARY 2024/25**

The Head of Economic Growth submitted a report on progress made on the Nelson and Brierfield Premises Improvement Grant Scheme during the 2024/25 financial year. The report further requested that Members agreed to a funding allocation of £15,000 from the Committee's Budget to allow the programme to continue in 2025/26 and that they also considered the appointment of two Grant Panel Members for 2025/26.

There had been thirty enquiries during 2024/25 in Nelson, twenty-nine of which were eligible, and one which didn't fulfil the criteria. Seven of those enquiries had developed into applications leaving twenty-two outstanding. There had been four enquiries during 2024/25 in Brierfield, one of which had developed into an application leaving three outstanding. A total of £8,900 of grant monies had been paid out for both towns in 2024/25.

Members determined to agree to the requested funding allocation of £15,000 from the Committee's 2025/26 Budget. This money would support the remaining outstanding enquiries for both towns with additional funding from Nelson Town Council, as confirmed in 2024, to assist Nelson businesses only.

Members did not consider the request to appoint two Grant Panel Members for 2025/26.

Members felt that it would be beneficial for a Member of the Economic Development Team to attend the next meeting of this Committee to deliver a presentation on the Scheme with a particular focus on its successes.

### **RESOLVED**

- (1) That the summary of the Premises Improvement Grant Scheme be noted.
- (2) That the allocation of £15,000 from the Committee's 2025/26 Budget to the Premises Improvement Grant Scheme be agreed.
- (3) That a Member of the Economic Growth Team be invited to attend the next meeting of this Committee to deliver a presentation on the Scheme with a particular focus on its successes.

### **REASONS**

- (1) *To allow Members of the Committee to see the outcomes of the Premises Improvement Grant Scheme in the 2024/25 financial year.*
- (2) *To allow the Premises Improvement Grant programme to fund future projects in 2025/26.*
- (3) *To allow Grant Panel Members to be decided by the Members of the Committee.*
- (4) *To allow Members to make decisions that support the ongoing regeneration of Nelson and Brierfield town centres.*

## **159. EXCLUSION OF PUBLIC AND PRESS**

Members agreed to exclude the public and press from the meeting during the following item of business in pursuance of the power contained in Section 100(A) (4) of the Local Government Act, 1972 as amended 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.

**160. PROPOSED ENFORCEMENT ACTION**

Members were given the opportunity to discuss proposed enforcement action on the owners of two Nelson properties prior to any such action being taken.

Following consideration of the Principal Planning Officer's advice and some discussion, Members determined that the owner of the first of the two properties be given twelve months to permanently remove the offending feature. They further determined that no enforcement action be taken against the owner of the second of the two properties. This was in recognition of the fact that although the cases did appear to be very similar, the feature at the first property was in a more prominent and elevated position in the streetscene than the one at the second property.

**RESOLVED**

- (1) That the owner of the first of the two Nelson properties be given twelve months to permanently remove the offending feature.
- (2) That enforcement action not be taken against the owner of the second of the two properties.

**REASON**

***Although the cases do appear to be very similar, the feature at the first property is in a more prominent and elevated position in the streetscene than the one at the second property.***

Chair \_\_\_\_\_