

**MINUTES OF A MEETING OF
NELSON, BRIERFIELD AND REEDLEY COMMITTEE
HELD AT NELSON TOWN HALL
ON 2nd JUNE, 2025**

PRESENT –

Councillors

*M. Adnan (Vice-Chair)
F. Ahmad
S. Ahmed (Chair)
Z. Ali
R. Anwar
N. Ashraf
M. Aslam
M. Iqbal
Y. Iqbal
M. Kaleem
A. Mahmood
Y. Tennant*

Co-optees

N. Emery (Nelson Town Centre Partnership)

(Apologies for absence were received from Councillors M. Ammer and M. Hanif).

Officers in attendance:

*Alex Cameron
Paul Preston*

*Principal Planning Officer/Area Co-ordinator
Democratic Services Manager*

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The following person attended and spoke at the meeting on the item indicated: –

<i>Usma Ayub</i>	<i>Planning Application 24/0876/ HHO</i>	<i>Minute No. 25</i>
<i>Thomas Balmer</i>	<i>Planning Application 25/0169/FUL</i>	<i>Minute No. 25</i>
<i>Wayne Clarke</i>	<i>Planning Application 25/0169/FUL</i>	
<i>Zac Kaye</i>	<i>Planning Application 25/0169/FUL</i>	
<i>Jamshaid Yousuf</i>	<i>Planning Application 25/0197/HHO</i>	<i>Minute No. 25</i>
<i>Abdul Hafeez</i>	<i>Planning Application 25/0247/FUL</i>	<i>Minute No. 25</i>
<i>Amir Khan</i>	<i>Planning Application 25/0247/FUL</i>	

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20.

DECLARATION OF INTERESTS

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

Councillor F Ahmed declared a prejudicial interest in planning application 25/0228/HHO, took no part in the discussions or voting thereon and had left the room whilst the matter was considered.

Councillor M. Aslam declared a personal interest in application 25/0204/HHO.

21. PUBLIC QUESTION TIME

There were no public questions.

22. MINUTES

RESOLVED

That the Minutes of the meeting held on 6th May, 2025 be approved as a correct record and signed by the Chair.

23. PROGRESS REPORT

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

24. POLICE ISSUES

There was no representative from Lancashire Constabulary at the meeting.

The Committee requested the Democratic Services Manager contact Lancashire Constabulary and request Police attendance at future meetings.

RESOLVED

That the Democratic Services Manager contact Lancashire Constabulary and request Police attendance at future meetings.

25. 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: -

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

The Assistant Director, Planning, Building Control and Regulatory Services had also provided an update report that there have been discussions with the Agent and amended plans received. These do not resolve the unacceptable impacts on habitable room windows of dwellings on both

sides. The extension would project 6.6m and breach the 45 degree rule in relation to habitable room windows in the rear of both No's 47 and 51. The impact on No.51 would also be exacerbated by that property being at a lower level.

It should be noted that the submitted amended proposed side elevations could be potentially misleading as they show steps up to the existing extension on the existing side elevations which are not shown on the proposed side elevation, therefore it could appear that the proposed extension is significantly lower. However, the existing and proposed floor levels would be the same and so those steps up would also be required for the proposed extension, despite not being shown.

The application was therefore recommended for **refusal** on the following grounds:

1: The proposed extension, due to its excessive scale, height, and design, would result in an overbearing impacts on the neighbouring dwellings leading to a significant reduction in living conditions. As such, the proposal does not comply with Policies ENV1 and ENV2 of the Local Plan: Part 1 Core Strategy or the Design Principles SPD.

(Before the vote was taken, the Principal Planning Officer advised that a decision to approve the application would represent a significant departure from policy, the proposed extension would breach the 45 degree rules to habitable room windows in the properties on both sides and therefore would represent a significant departure from policy ENV2 of the Core Strategy and the guidance of the Design Principles SPD. 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.

25/0017/VAR Variation of Condition: Vary Condition 2 (Plans) to make material amendments to the approved plans of Planning Permission 21/0265/FUL on Site of Former 1 to 33 O'Hagan Court, Brierfield for Together Housing Association

The Assistant Director, Planning, Building Control and Regulatory Services had also provided an update report that additional drainage details had been received and the relevant consultees consulted, a response from the Lead Local Flood Authority (LLFA) was awaited to confirm whether their objection had been resolved, United Utilities had responded raising concerns that a water main may be bult over but not specifically objecting, this was a matter that they have separate controls over. The recommendation remained to delegated approval to the Assistant Director Planning Building Control and Regulatory Services subject to the withdrawal of the LLFA's objection and any necessary conditions.

RESOLVED

That **delegated approval be granted** subject to the following conditions and any necessary additional or revised conditions:

1. The proposed development hereby permitted shall be begun before the expiration of three years from 11th January 2022.

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: TBC

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 hereby approved samples of the materials of the external walls and roofs of the development shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the approved details.

Reason: To allow the Local Planning Authority to control the external appearance of the development in the interest of visual amenity.

4. The window openings shall be set back from the external face of the wall. The depth of reveal shall be at least 70mm.

Reason: To ensure the continuation of a satisfactory appearance to the development.

5. No development shall take place, including any works of demolition, 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:

- The parking of vehicles of site operatives and visitors
- The loading and unloading of plant and materials
- The storage of plant and materials used in constructing the development
- The erection and maintenance of security hoarding
- Wheel washing facilities
- Measures to control the emission of dust and dirt during construction
- A scheme for recycling/disposing of waste resulting from demolition and construction works
- Details of working hours
- Routing of delivery vehicles to/from site
- Construction site noise and vibration
- Restriction of burning onsite

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

6. No development shall be commenced until full engineering, drainage, street lighting and constructional details of the streets proposed for adoption have been submitted to and approved in writing by the local planning authority. The development shall, thereafter, be constructed in accordance with the approved details, unless otherwise agreed in writing with the local planning authority.

Reason: To ensure that the internal road is constructed to an acceptable standard in the interest of highway safety.

7. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a private management and maintenance company has been established.

Reason: In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the users of the highway and the visual amenities of the locality.

8. The new estate road between the site and Stanley Street shall be constructed in accordance with Lancashire County Council's Specification for Construction of Estate Roads to at least base course level before any development takes place within the site.

Reason: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.

9. No part of the development hereby approved shall be occupied until all the highway works have been constructed and completed in accordance with a scheme that shall be submitted to and approved by the Local Planning Authority.

Reason: To ensure that all highways works are constructed to an acceptable standard in the interest of highway safety.

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

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

11. Prior to the occupation of any approved dwelling an electric vehicle charging point shall be installed.

Reason: To ensure that the development provides the infrastructure for forms of sustainable transport.

12. Prior to first occupation of any approved dwelling cycle storage facilities shall be provided in accordance with a scheme to be approved in writing by the Local Planning Authority.

Reason: To ensure that the development provides the infrastructure for forms of sustainable transport.

13. Prior to the start of any development a condition survey of the section of culvert that would be under the estate road should be carried out and submitted to the local planning authority for approval.

Reason: In order to ensure that the development does not have a detrimental effect on the construction of the internal estate road and adopted highway network.

14. 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 and long-term 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 use 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.

15. The development shall not be commenced unless and until a method statement which sets out in detail the method, standards and timing for the investigation and subsequent remediation of any contamination which may be present on site has been submitted to and approved in writing by the Local Planning Authority. The method statement shall detail how:-
- a) an investigation and assessment to identify the types, nature and extent of land contamination affecting the application site together with the risks to receptors and potential for migration within and beyond the site will be carried out by an appropriately qualified geotechnical professional (in accordance with a methodology for investigations and assessments which shall comply with BS 10175:2001) will be carried out and the method of reporting this to the Local Planning Authority; and
 - b) a comprehensive remediation scheme which shall include an implementation timetable, details of future monitoring and a verification methodology (which shall include a sampling and analysis programme to confirm the adequacy of land decontamination) will be submitted to and approved in writing by the Local Planning Authority.

All agreed remediation measures shall thereafter be carried out in accordance with the approved implementation timetable under the supervision of a geotechnical professional and shall be completed in full accordance with the agreed measures and timings, unless otherwise agreed in writing by the Local Planning Authority.

In addition, prior to commencing construction of any building, the developer shall first submit to and obtain written approval from the Local Planning Authority a report to confirm that all the agreed remediation measures have been carried out fully in accordance with the agreed details, providing results of the verification programme of post-remediation sampling and monitoring and including future monitoring proposals for the site.

Reason: In order to protect the health of the occupants of the new development and in order to prevent contamination of controlled waters and the environment.

Notes:

The grant of planning permission will require the applicant to enter into an appropriate legal agreement (Section 278), with Lancashire County Council as the Highway Authority prior to the start of any development. The applicant should be advised to contact the county council for further information by telephoning the Development Support 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.

25/0163/HHO Full: Erection of a single storey side extension, garage conversion, dormers to the side, and rear elevation and replacing Apex roof to flat roof at 101 Beaufort Street, Nelson.

RESOLVED

That the application be **approved**, contrary to the recommendation of the Assistant Director Planning, Building Control and Regulatory Services, subject to the following conditions and reasons:

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: 25018-01, 25018-02, 25018-03, 25018-04, 25018-LP-SP Reason: For the avoidance of doubt and in the interests of proper planning. Town & Country Planning Act 1990 Town & Country Planning (Development Management Procedure) Order (England) 2015 GRANT OF PLANNING PERMISSION 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: 1 The applicant is advised that all construction work should be carried out within the hours of 8am - 6pm Monday to Friday, 9am - 1pm on Saturdays, and no working on Sundays or Bank Holidays. Failure to comply with these working hours may result in action under the Control of Pollution Act 1974.

REASONS FOR APPROVAL: 1 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.

25/0169/FUL FULL: Change of Use from Agricultural to Storage to mixed use Agricultural and commercial storage (Class B8) at New Laund Farm, Greenhead Lane, Reedley

(Before the vote was taken, the Principal Planning Officer advised that a decision to approve the application would represent a significant departure from policy. The access to Greenhead Lane has substandard visibility and traffic from the development would result in an unacceptable risk to

highway safety and therefore would represent a significant departure from policy ENV4 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 **grant** planning permission subject to appropriate conditions and reasons.

25/0179/HHO Full: Formation of a driveway to the side of existing dwelling at 48 Halifax Road, Nelson

RESOLVED

That the application be **deferred**.

25/0197/HHO Full: Erection of Front and Rear Dormers at 138 Berkely Street, Nelson

RESOLVED

That the application be **approved**, contrary to the recommendation of the Assistant Director Planning, Building Control and Regulatory Services, subject to the following conditions and reasons:

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: 2607 02 A - Proposed Plans and Elevations Reason: For the avoidance of doubt and in the interests of proper planning. 3 Prior to their installation full details of the proposed materials including their colour shall be Town & Country Planning Act 1990 Town & Country Planning (Development Management Procedure) Order (England) 2015 GRANT OF PLANNING PERMISSION submitted to and approved in writing by the Local Planning Authority. The materials used thereafter shall strictly comply with the materials so approved. Reason: In order to allow the Local Planning Authority to control the external appearance of the development in the interests of the visual appearance of the area.

REASONS FOR APPROVAL: 1 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, 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.

25/0204/HHO Full: Erection of Front and Rear Dormers at 20 East Street, Nelson

RESOLVED

That the application be **approved**, contrary to the recommendation of the Assistant Director Planning, Building Control and Regulatory Services, subject to the following conditions and reasons:

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: AB0252-01 - Proposed and Existing Ground Floor Plan AB0252-02 - Proposed and Existing First Floor and Loft Plan AB0252-03 – Proposed and Existing Roof Plan AB0252-04 - Proposed and Existing Front and Rear Elevation AB0252-05 - Proposed and Existing West and East Elevation Town & Country Planning Act 1990 Town & Country Planning (Development Management Procedure) Order (England) 2015

GRANT OF PLANNING PERMISSION Reason: For the avoidance of doubt and in the interests of proper planning. 3 Prior to their installation full details of the proposed materials including their colour shall be submitted to and approved in writing by the Local Planning Authority. The materials used thereafter shall strictly comply with the materials so approved. Reason: In order to allow the Local Planning Authority to control the external appearance of the development in the interests of the visual appearance of the area. REASONS FOR APPROVAL: 1 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, 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

25/0205/HHO Full: Erection of Front and Rear Dormers at 15 Oak Street, Nelson

RESOLVED

That the application be **approved**, contrary to the recommendation of the Assistant Director Planning, Building Control and Regulatory Services, subject to the following conditions and reasons:

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: AB0256-02 - Proposed First Floor Plan, Proposed Loft Floor Plan, Proposed Ground Floor Plan AB0256-03 - Proposed and Existing Front and Rear Elevations AB0256-04 - Proposed and Existing West and East Elevations Town & Country Planning Act 1990 Town & Country Planning (Development Management Procedure) Order (England) 2015 GRANT OF PLANNING PERMISSION AB0256-05 - Proposed and Existing Roof Plan Reason: For the avoidance of doubt and in the interests of proper planning. 3 Prior to their installation full details of the proposed materials including their colour shall be submitted to

and approved in writing by the Local Planning Authority. The materials used thereafter shall strictly comply with the materials so approved. Reason: In order to allow the Local Planning Authority to control the external appearance of the development in the interests of the visual appearance of the area.

REASONS FOR APPROVAL: 1 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, 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.

25/0222/HHO Full: Erection of a roof lift to facilitate first floor accommodation, two storey side extension, creation of a timber deck and first floor balcony to the rear of 1 Boulsworth Cresnet, Nelson.

RESOLVED

That the application be **refused**.

Reason for Refusal:

1. The proposed development would result in an unacceptable loss of residential amenity to the occupants of No. 3 Boulsworth by virtue of the increased height and close proximity of the proposed built form. The development would therefore be contrary to Policy ENV2 of the Pendle Local Plan Part 1: Core Strategy and the Design Principles Supplementary Planning Document.

25/0228/HHO Full: Erection of a two storey front extension and first floor extension at Edge End Hall Cottage, Edge End, Lane, Nelson, Lancashire

RESOLVED

That the application be **deferred**.

25/0247/FUL FULL: Change of Use from a dwelling (Use Class C3) to a Children's Residential Home (Use Class C2) for up to 4 no. children at 534 Colne Road, Reedley, Burnley.

Committee were minded to resolving to refuse this application for change of use of a dwelling to a children's home on the following grounds: 1: Lack of information on the proposed residents and perception of harm to the public, children and residential amenity; and 2. 2: Noise and disturbance from the proposed use.

(Before the vote was taken, the Principal Planning Officer advised that a decision to refuse the application would result in a significant risk of costs at appeal. 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 **refuse** planning permission on the grounds of lack of information on the proposed residents and perception of harm to the public, children and residential amenity; and noise and disturbance from the proposed use.

(b) Planning Appeals

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

26. CALDERDALE WIND FARM NON-STATUTORY CONSULTATION

The Committee was informed that an informal consultation was underway asking for comments on the proposed 41 wind turbine development on land adjacent to Pendle but in Calderdale. Pendle would be a statutory consultee in the formal planning application stage which would be assessed under the Nationally Significant Infrastructure Project process. [Calderdale-Energy-Park-Consultation-Brochure.pdf](#)

At this stage the developer was setting out the scope of the development and looking at the information that would need to be submitted with the application. A full Environmental Impact Assessment would be included looking at, amongst other things, landscape and visual impact, culture and heritage, alternatives to the scheme, ecology, hydrology and impacts on the peat environment.

It was recommended that at this stage Pendle makes no comment on supporting or objecting to the scheme and indicates that Pendle considers the scope of the information proposed to accompany the submission is appropriate but emphasises that there has to be a full and comprehensive assessment of the visual and landscape impacts on Pendle. The consultation closed on 10th June, 2025.

RESOLVED

That no comments be made at this stage.

27. ENFORCEMENT ACTION

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

RESOLVED

That the report be noted.

28. AREA COMMITTEE BUDGET 2025/2026

The Head of Legal and Democratic Services submitted a report which advised Members on the Committee's 2025/26 Budget.

RESOLVED

- (1) That this Committee's notes the 2025/26 Budget as committed and shown in Appendix 1 attached to the report.
- (2) That the financial requirements stipulated in paragraph 4 of the report be noted.

REASON

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

29. PREMISES IMPROVEMENT GRANT SCHEME 2025/26 - PRESENTATION

The Chair informed the Committee this item had been withdrawn from the agenda

RESOLVED

That the Premises Improvement grant Scheme presentation be rescheduled for the August, 2025 meeting of the Committee.

30. REPRESENTATIVES ON OUTSIDE BODIES

Members were asked to consider the following appointments.

ORGANISATION	MEETINGS	MEMBERS OF COUNCIL OR NOT	NUMBER TO BE APPOINTED	PERIOD OF OFFICE	CURRENT REPS
Marsden Heights Education Foundation		Yes	2	1 year	Cllr F. Ahmad Cllr Y. Iqbal
William Walton Cottage Homes and the Mancknols Walton Cottage Homes Charities		No	2	1 year	Cllr M. Adnan Cllr Y. Tennant

Cllr M. Iqbal informed the Committee that the Marsden Heights Education Foundation organisation no longer existed and therefore no appointments were required for that now defunct organisation.

RESOLVED

That Cllrs M. Adnan and Y. Tennant be appointed the Council's representatives on the outside body - William Walton Cottage Homes and the Mancknols Walton Cottage Homes Charities.

31.

ENVIRONMENTAL BLIGHT

The Committee was informed that there were no existing Environmental Blight sites and no new sites had been put forward.

Members were reminded that the definition of an Environmental Blight site was:

- Untidy/derelict piece of Council land requiring tidying up and maintaining.
- Untidy/derelict piece of unregistered land requiring tidying up and maintaining.
- Untidy/derelict piece of **Council-owned or unregistered land** which needs regenerating (eg a former garage colony converted to a landscaped parking area).

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

RESOLVED

That the report be noted.

Chair _____