

**MINUTES OF A MEETING OF
NELSON, BRIERFIELD AND REEDLEY COMMITTEE
HELD AT NELSON TOWN HALL
ON 30th JUNE, 2025**

PRESENT –

Councillors

M. Adnan
F. Ahmad
S. Ahmed
Z. Ali
R. Anwar
N. Ashraf
M. Hanif
M. Iqbal
Y. Iqbal
M. Kaleem
A. Mahmood
Y. Tennant

Co-optees

N. Emery (Nelson Town Centre Partnership)

(An apology for absence was received from Councillors M. Ammer).

(Councillor M. Adnan in the Chair)

Officers in attendance:

Neil Watson	Assistant Director, Planning, Building Control & Regulatory
David Walker	Assistant Director, Operational Services
Alex Cameron	Principal Planning Officer/Area Co-ordinator
Paul Preston	Democratic Services Manager

Others in attendance:

PC1123 Matt Lunney – Lancashire Constabulary

Public: 63

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

Scott Wilkinson Planning Application 24/0275/HHO Minute No. 37

Tim Collins Planning Application 25/0340/CEA Minute No. 37
Mujahaid Bin Jamshaid Planning Application 25/0340/CEA

Sue Woodward- Planning Application 25/0341/CEA
Massey Minute No. 37
Mujahaid Bin Jamshaid Planning Application 25/0341/CEA

Shikha Dasani Planning Application 24/0149/FUL
County Councillor
AzharAli Planning Application 24/0149/FUL Minute No. 37
Peter Wilkinson Planning Application 24/0149/FUL
Alan Nizikiecwich Planning Application 24 /0149/FUL
Hamish Wilkie Planning Application 24/0149/FUL
Matthew Hargreaves Planning Application 24/0149/FUL
Laura Simpson Planning Application 24/0149/FUL

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33. PUBLIC QUESTION TIME

There was one public question from a member of the public regarding issues around the Medina Mosque.

34. MINUTES

RESOLVED

That the Minutes of the meeting held on 2nd June, 2025 be approved as a correct record and signed by the Chair.

35. PROGRESS REPORT

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

36. POLICE ISSUES

PC Lunney from Lancashire Constabulary attended the meeting. In response to a question from a Member, PC Lunney informed the Committee that there would be two targeted days of enforcement action in July “Bin the Bangers”.

37. 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: -

24/0149/FUL Full: (Major) – Town and Country Planning General Regulations 1992 – Regulation 3 – Change of Use of Land to Cemetery; including car parking, maintenance area and landscaping at land to the south of Halifax Road, Nelson

Several Members of the public spoke on the application. The Assistant Director, Planning, Building Control and Regulatory Services also provided an update report on an additional response from LCC Highways and additional public responses and concerns raised.

RESOLVED

That the matter be **deferred** to a future meeting to allow for Councillors to undertake further consultation.

24/0725/FUL Full: Erection of 3 no. residential bungalows (Use Class C3b), additional car parking spaces, new access from highway and associated works to provide assisted living accommodation at land to the south of Chamber Hil Farm, Clitheroe Road, Brierfield

RESOLVED

That **approval be granted** subject to the following 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:

- 103 Proposed Site Plan Rev.P10
- 104 Proposed Landscaping Rev. P9

- 213 GA Side Elevation Type 2 Rev.P7
- 000 Location Plan Rev.P7
- 105 GA Ground Floor Type 1 Rev.P7
- 106 GA - First Floor Type 1 Rev.P7
- 107 GA - Roof Plan Type 1 Rev.P7
- 110 GA - Front Elevation Type 1 Rev.P7
- 111 GA - Rear Elevation Type 1 Rev.P7
- 112 GA - Side Elevation Type 1 Rev.P7
- 113 GA - Side Elevation Type 1 Rev.P7
- 120 Proposed Site Sections Rev.P7
- 191 3D Visual 001 Type 1 Rev.P7
- 192 3D Visual 002 Type 1 Rev.P7
- 195 3D Visual Proposed 001 Rev.P7
- 196 3D Visual Proposed 002 Rev.P7
- 205 GA Ground Floor Type 2 Rev.P7
- 206 GA First Floor Type 2 Rev.P7
- 207 GA Roof Plan Type 2 Rev.P7
- 210 GA - Front Elevation Type 2
- 211 GA - Rear Elevation Type 2
- 212 GA - Side Elevation Type 2
- 291 3D Visual 001 Type 2
- 292 3D Visual 002 Type 2

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

3. Notwithstanding any indication on the approved plans and application form Prior to any external works commencing, samples of the external facing materials including rainwater goods, verges, windows and doors shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter times be carried out in strict accordance with the approved materials.

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

4. 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:
- 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
 - 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. Details of working hours
 - ix. Routing of delivery vehicles to/from site

Reason: To mitigate the impact of the construction traffic on the highway network.

5. Prior to commencement a scheme for the site access and off-site highway works shall be submitted to and approved by the Local Planning Authority. The works shall include the following and be implemented prior to the first occupation of any dwelling.
 - a. New site access on Clitheroe Road with a new footway along the full frontage of the site along Clitheroe Road.
 - b. New uncontrolled crossing on Clitheroe Road, dropped kerbs and tactile paving to replace existing facility.

Reason: To mitigate the impact of the development traffic on the highway network.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 there shall not at any time in connection with the development hereby permitted be erected or planted or allowed to remain upon the land hereinafter defined any building, wall, fence, hedge, tree, shrub or other device over 1m above road level. The visibility splay to be the subject of this condition shall be that land in front of a line drawn from a point 2m measured along the centre line of the proposed site access from the continuation of the nearer edge of the carriageway of Clitheroe Road to points measured 43m to both sides along the nearer edge of the carriageway of Clitheroe Road, from the centre line of the access, in accordance with a scheme to be agreed by the Local Planning Authority.

Reason: To ensure adequate visibility at the street junction or site access.

7. Within 3 months of commencement details of the proposed arrangements for future management and maintenance of the estate road within the development shall be 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 with the Highway Authority or a private management and maintenance company has been established.

Reason: To ensure that the infrastructure is maintained in the future.

8. Within 3 months of commencement full engineering, drainage, street lighting and constructional details to adoptable standards (LCC specification) of the internal estate roads 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 infrastructure is constructed to a suitable standard. 4

9. The internal estate roads shall be constructed in accordance with the approved engineering details and to at least base course level prior to first occupation of any dwelling, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the infrastructure is completed in a timely manner.

10. Prior to the occupation of each dwelling the driveways and parking areas shall be constructed in a bound porous material and made available for use and maintained for that purpose for as long as the development is occupied.

Reason: To ensure adequate parking provision is provided.

11. Prior to first occupation each dwelling shall have a secure cycle store for at a ratio of 1 cycle space per bedroom.

Reason: To support sustainable travel.

12. Prior to the first occupation an electric vehicle charging point shall be provided. Charge points must have a minimum power rating output of 7kW, be fitted with a universal socket that can charge all types of electric vehicle currently.

Reason: To support sustainable travel.

13. 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:

1. 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;
2. 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);
3. Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
4. Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
5. 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.

14. 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:

- a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
- b. 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.

15. A Construction Method Statement shall be submitted to the Local planning authority and approved prior to commencement of the development. The Method statement must cover the topics detailed below, including:

- a. Hours of operation
- b. Hours of deliveries
- c. Construction site noise and vibration
- d. Control of Dust
- e. Burning onsite

Reason: To protect the amenities of occupiers of adjoining and nearby properties.

16. No part of the development commences unless and until a Planning Obligation pursuant to section 106 of the Town & Country Planning Act, 1990 (or any subsequent provision equivalent to that section) has been made with the Local Planning Authority. The said obligation shall provide for monitoring of Biodiversity Net Gain over a 30-year period.

Reason: To ensure that the proposed development makes provision to enhance biodiversity on the site and that this can be monitored for a period no less than 30 years following completion of the development.

- 17.** The development hereby approved shall be carried out in strict accordance with the submitted PHASE II GROUND INVESTIGATION (REPORT) REV.1 prepared by CC GEOTECHNICAL LIMITED. The development shall thereafter be carried out in strict accordance with the recommendations of this report.

Reason: To ensure the safe and proper operation of the development in the interests of public safety.

- 18.** Notwithstanding the provisions of Article 3 and parts 1 and 2 of the second Schedule of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development as specified in Classes, A, B and D of Part 1 of that Order shall be carried out without express planning permission first being obtained from the Local Planning Authority. The development hereby permitted shall not at any time have any additional windows, doors or other openings inserted into any elevation unless with the prior written consent of the Local Planning Authority as to the location, size, design and degree of obscurity of the glazing in the new opening and any window thereafter installed shall at all times comply with the details approved.

Reason: To enable the Local Planning Authority to control any future development on the site in order to safeguard the residential amenity.

- 19.** The development hereby permitted shall not be commenced until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be submitted at a scale of 1:200 and 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 approved form within the first planting season following the substantial completion 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

- 20.** The development hereby permitted shall not be commenced until a Validation Report has been submitted to and approved in writing by the Local Planning Authority. This should include but not necessarily be limited to:

- a. Tickets from waste removal contractor and receiving landfill.
- b. Photographs of excavation to confirm depth.
- c. Contamination test results for tests on imported soils.
- d. Photographs to confirm thickness of imported soil types.
- e. Document (receipt, delivery notes) to show soil types and sources.
- f. Independent inspection of gas membrane and report.

Reason: In the interests of public safety.

BNG Conditions

1. The development may not be begun unless—
 - a. a biodiversity gain plan has been submitted to the planning authority and
 - b. the planning authority has approved the planPhase plan
(b) the first and each subsequent phase of development may not be begun unless— (i) a biodiversity gain plan for that phase has been submitted to the planning authority and
(ii) the planning authority has approved that plan

Reason: In order to fulfil the obligations for Biodiversity Net Gain, in accordance with the Environment Act 2021, Schedule 14

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

RESOLVED

That the application be **approved** subject to the following conditions:
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:

- RAJ/01 Dwg 02E Existing and Proposed Site Plan
- RAJ/01 Dwg 01E Existing and Proposed Plans and Elevations
- RAJ/01 Dwg 03A Proposed Section Through Driveway
- RAJ/01 Dwg 00 Location Plan

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

3. All the external materials to be used on the exterior 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. No use of the development hereby permitted shall commence until such time as the access arrangements shown on drawing number RAJ/01 Dwg 01E have been implemented in full.

Reason: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with the National Planning Policy Framework.

5. Before the parking area is used for vehicular purposes, it shall be appropriately paved in tarmacadam, concrete, block pavements, or other hard material to be approved by the Local Planning Authority.

Reason: To prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to road users.

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

Reason: In the interest of highway safety.

25/0210/FUL FULL: Insertion of new window, door and new shutter to shopfront at 54 Halifax Road, Brierley

RESOLVED

That the application be approved subject to conditions:

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: 2304-01 TO 2304-04 (27 Mar 2025) Reason: For the avoidance of doubt and in the interests of proper planning.

3 Prior to the installation of the security shutters hereby approved the applicant shall submit Town & Country Planning Act 1990 Town & Country Planning (Development Management Procedure) Order (England) 2015

GRANT OF PLANNING PERMISSION details of the colour and finish of the shutters in writing to the Local Planning Authority, these shall not be varied without the prior written permission of the Local Planning Authority.

Reason: In order to allow the Local Planning Authority to control the external appearance of the development.

INFORMATIVES:

1 Note to Applicant: Any works on, or immediately adjacent to, the adopted highway will require the appropriate permits from Lancashire County Council's Highway Regulation Team. The applicant is advised to contact lhsstreetworks@lancashire.gov.uk or call 01772 533433 to discuss necessary permits and approvals.

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. 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

25/0269/FUL Full: Change of use from a dwelling (Use Class C3) to a residential institution (Use Class C2) for one person and replacement of windows and doors from to UPVC at 25 Albert Street, Brierfield.

RESOLVED

That the application be **approved**.

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:

- 25029 – 01 Proposed Plans

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.

25/0340/CEA Certificate of Lawful Use (S.192 Proposed Development): Change of use from a dwelling (Use Class C3) to a residential institution (Use Class C2) at 16 Hillside View, Brierfield

The Assistant Director, Planning, Building Control and Regulatory Services had also provided an update report that the Council's Legal Services confirmed they had no comments to make on this application. This did not change the recommendation which was to Grant Lawful Development Certificate.

RESOLVED

That a lawful development certificate **be refused**

Reason for refusal:

On the balance of probabilities, the proposed use would result in car parking and activity over and above that which would be experienced by using the premises as a C3 dwelling and as such would result in a material change of use from Use Class C3.

25/0341/CEA Certificate of Lawful Use (S.192 Proposed Development): Change of use from a dwelling (Use Class C3) to a residential institution (Use Class C2) at Rockwood Lodge, Halifax Road, Nelson

The Assistant Director, Planning, Building Control and Regulatory Services had also provided an update report that the Council's Legal Services confirmed they had no comments to make on this application. This did not change the recommendation which was to Grant Lawful Development Certificate.

RESOLVED

That a lawful development certificate be granted.

Reason for decision:

On the balance of probabilities and in accordance with the submitted details the proposed use would not constitute a material change of use requiring planning permission.

(b) Planning Appeals

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

38. ENFORCEMENT ACTION

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

RESOLVED

That the report be noted.

39. AREA COMMITTEE BUDGET 2025/2026

The Head of Legal and Democratic Services submitted a report which advised Members that the Committee's 2025/26 Budget had now been allocated.

RESOLVED

That the report be noted.

40. 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 _____