

**MINUTES OF A MEETING OF THE
DEVELOPMENT MANAGEMENT COMMITTEE
HELD AT NELSON TOWN HALL
ON 16TH SEPTEMBER 2025**

PRESENT –

Councillor M. Adnan (Chair, in the Chair)

Councillors

*F. Ahmad
S. Ahmed
M. Aslam
A. Bell
S. Cockburn-Price
Y. Iqbal
A. Sutcliffe
D. Whipp*

Officers

N. Watson *Assistant Director Planning, Building Control and Regulatory Services*
J. Eccles *Committee Administrator*

(Apologies for absence were received from Councillors M. Strickland, D. Gallear and Y. Tennant.)



The following person attended and spoke on the item indicated –

<i>Murrium Akhtar</i>	<i>25/0245/FUL - Full: Erection of a single storey rear extension at 1 Brier Crescent, Nelson</i>	<i>Minute No.13</i>
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11. DECLARATION OF INTERESTS

Members were reminded of the legal requirements concerning the declaration of interests.

12. MINUTES

RESOLVED

That the Minutes of the meeting held on 19th August 2025 be approved as a correct record and signed by the Chair.

13. PLANNING APPLICATIONS

The Assistant Director Planning, Building Control and Regulatory Services submitted a report on the following planning applications for determination -

25/0245/FUL	25/0245/FUL - Full: Erection of a detached annex within the rear garden curtilage at 269 Barkerhouse Road, Nelson for Mr Lucas Dean
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(A site visit was carried out prior to the meeting.)

Development Management Committee (16.09.2025)

At a meeting of Nelson, Brierfield and Reedley Committee on 1st September the decision to approve this application was referred as a recommendation to this Committee as the proposed annex would result in an unacceptable loss of privacy to habitable room windows in the adjoining property, and would represent significant departures from policies ENV2 and LIV5 of the Core Strategy and the guidance of the Design Principles SPD.

An update report was circulated prior to the meeting reporting that the applicant's agent had contacted the Council to discuss a possible alternative design, although no plans had been received.

RESOLVED

That determination of the application be **deferred** to allow time for amended plans to be submitted.

25/0374/HHO Full: Erection of a single storey rear extension at 1 Brier Crescent, Nelson, for M. Akhtar

(A site visit was carried out prior to the meeting.)

At a meeting of Nelson, Brierfield and Reedley Committee on 1st September the decision to approve this retrospective application was referred as a recommendation to this Committee as the extension, which had already been constructed, had resulted in an unacceptable overbearing impact upon the neighbouring property. This was a significant departure from Policy ENV2 of the Core Strategy and the guidance of the Design Principles SPD. A materially identical proposed extension was refused by the Council in 2021 which meant that if approved, there was a risk of maladministration which could result in a significant risk of cost to the Council.

The report advised that the development had already been undertaken and was having an existing detrimental impact on the residential enjoyment of the adjacent dwelling. The Planning Officer's recommendation was to refuse this application.

An update report explained that an Enforcement Notice was served on 4th June 2025 requiring the removal of the extension or reduction of the extension to comply with development allowed under permitted development rights. No appeal had been made against the Notice. Approval of the application would require an instruction to withdraw the Enforcement Notice.

The report also stated that as there was an objection to the development and a refusal of a scheme that was identical in impact to the proposed scheme, were Committee minded to approve the application and withdraw the Enforcement Notice, clear reasons for doing so would be required to ensure that the Council could defend any claim for maladministration.

RESOLVED

That planning permission 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: 25.1BCN.PO1, 25.1BCN.PO2, 25.1BCN.PO4, 25.1BCN.PO3.

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

25/0464/HHO Full: Erection of dormers to front and rear roof slopes at 3 Spring Street, Nelson for Mr Jamshed Imran

(A site visit was carried out prior to the meeting.)

At a meeting of Nelson, Brierfield and Reedley Committee on 1st September the decision to approve this application was referred as a recommendation to this Committee as the front dormer would cause unacceptable harm to the significance of the Whitefield Conservation Area. The development would be a significant departure from Policies ENV1 and ENV2 and the guidance of the Design Principles SPD. The Planning Officer's recommendation was to refuse this application.

RESOLVED

That planning permission be **refused** for the following reason –

1. The proposed front dormer window, because of its size, design, position and prominence, would unduly detract from the character and appearance of the host dwelling, from the appearance of the terrace as a whole and from the character of the surrounding area in general. As well as being poor design in itself it would also lead to unacceptable harm to the designated heritage assets that would not be outweighed by the small public benefits the development would bring. The proposal is therefore contrary to the requirements of Policies ENV1 and ENV2 of the Pendle Local Plan Part 1: Core Strategy, Section 16 of the National Planning Policy Framework and the provisions of the Design Principles Supplementary Planning Document.

CHAIR _____