

**MINUTES OF A MEETING OF THE
DEVELOPMENT MANAGEMENT COMMITTEE
HELD AT NELSON TOWN HALL
ON 21ST OCTOBER 2025**

PRESENT –

Councillor M. Adnan (Chair)

Councillors

*F. Ahmad
S. Ahmed
A. Bell
S. Cockburn-Price
D. Gallear
Y. Iqbal
R. O'Connor
A. Sutcliffe
Y. Tennant
D. Whipp*

Officers

<i>N. Watson</i>	<i>Assistant Director Planning, Building Control and Regulatory Services</i>
<i>E. Barker</i>	<i>Legal Services Manager</i>
<i>J. Eccles</i>	<i>Committee Administrator</i>

(Apologies for absence were received from Councillor M. Strickland.)

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The following person attended and spoke on the item indicated –

<i>David Dean</i>	<i>25/0245/FUL - Full: Erection of a detached annex within the rear garden curtilage at 269 Barkerhouse Road, Nelson</i>	<i>Minute No.16</i>
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14. DECLARATION OF INTERESTS

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

15. MINUTES

RESOLVED

That the Minutes of the meeting held on 16th September 2025 be approved as a correct record and signed by the Chair.

16. PLANNING APPLICATIONS

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

25/0245/FUL *Full: Erection of a detached annex within the rear garden curtilage at 269 Barkerhouse Road, Nelson for Mr Lucas Dean*

At the last meeting the determination of this application was deferred to allow time for amended plans to be submitted. These had been received and were acceptable. The officer's report now recommended approval.

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: DEAN/07/ DWG 01C, DEAN/07/ DWG 02C, Site Plan.

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

3. The external materials to be used on the development hereby authorised shall be as stated on the approved plans and application forms.

Reason: These materials are appropriate to the design of the dwelling and its setting and in order to comply with the requirements of the adopted design code for the area and in order that the Local Planning Authority may control the external appearance of the building in the interests of the visual amenity of the area.

4. No other openings whatsoever other than those shown on the approved drawings shall at any time be inserted not any part of the development hereby permitted without the prior written consent of the Local Planning Authority. Any new openings shall thereafter strictly comply with the written permission of the Local Planning Authority.

Reason: In order to prevent any loss of privacy to the occupants of neighbouring dwellings.

5. 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 Part 1 of Schedule 2 of that Order shall be carried out without express planning permission first being obtained from the Local Planning Authority.

Reason: To enable the Local Planning Authority to control any future development on the site in order to safeguard the character and amenity of the area and impacts on neighbouring properties.

6. No wall, fence or other means of enclosure other than the 2m high boundary fencing shown on the submitted plans shall be erected or allowed to remain on the land without the prior written approval of the Local Planning Authority.

Reason: In order to control the means of enclosure in the interests of the visual amenity of the area.

7. The building hereby authorised shall only ever be used by family members and shall only be used as an ancillary building to the main dwelling. It shall at no time ever be separated, sold or used independently of the main dwelling.

Reason: The back lands position would mean that any independent use would lead to an unacceptable relationship and loss of privacy and amenity to both sets of occupants.

8. The building hereby permitted shall at no time be used unless and until it is connected to a public sewage system.

Reason: In order to prevent pollution.

9. The development hereby authorised shall at all times be undertaken in strict accordance with the submitted method statement.

Reason: In order to protect the amenity of nearby residential occupants.

25/0424/HHO Full: Erection of rear extension at 2-4 Carleton Street, Nelson for Mohammed Farooq

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

At a meeting of Nelson, Brierfield and Reedley Committee on 6th October, the decision to approve this application was referred as a recommendation to this Committee as the proposed development would breach the 45 degree rules to a habitable room window in the adjoining property and therefore would represent a significant departure from policy ENV2 of the Core Strategy 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 development would lead to an unacceptable impact on the living conditions of the occupiers of the adjoining property at number 2 as it would be overbearing and oppressive. This would result in a poorly designed development contrary to policy ENV2 of the adopted Pendle Local Plan and to paragraph 139 of the National Planning Policy Framework.

25/0519/FUL Full: Change of use of ground floor C3 dwelling to shop (Use Class E(a)) at 30-32 Crawford Street, Nelson for Azher Mohammed

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

At a meeting of Nelson, Brierfield and Reedley Committee on 6th October, the decision to approve this application was referred as a recommendation to this Committee as this change of use would result in a retail use outside of the town centre when sequentially preferable units within the town centre were likely to be available and therefore would represent a significant departure from policy WRK4. The Planning Officer's recommendation was to refuse this application.

RESOLVED

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

1. The application is for a main town centre use located outside of the town centre for Nelson. No sequential impact test has been submitted to justify the change of use which if permitted would set a precedent for other unjustified main town centre uses to be brought forward which would undermine the vitality and viability of the town centre. The development is thus contrary to policy WRK4 of the Adopted Pendle Local Plan (Core Strategy) and Paragraphs 91 and 95 of the National Planning Policy Framework.
2. The development is located in an area that has high parking demand with no off-street parking available so all parking is on the highway. The increase in parking and manoeuvring which would result from this development would lead to a danger to users on the highway and would be inimical to highway safety contrary paragraph 115 of the National Planning Policy Framework.

CHAIR _____