

Nelson Brierfield & Reedley Committee Update Report 26th February 2026

25/0701/FUL – Land at Alder Bank, Manchester Road, Nelson

Canal and River Trust - Drawing number 2023-017-01 provides confirmation that the surface water discharge will be to a manhole directly above the existing watercourse. The applicant has also been in direct contact with the Trust and provided photos of the installation. Taken together, the details strongly suggest that the proposed surface water drainage on site will not directly interfere the canal overflow. On the details provided, we therefore have no issue with the details provided.

Officer Comments

The submitted additional drainage details acceptably resolve the Canal and River Trust's queries. The submission of the update noise assessment and amended parking layout is awaited and therefore the recommendation remains to delegate the approval of the application and any conditions necessary to the Assistant Director Planning, Building Control and Regulatory Services subject to the receipt of acceptable details.

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 is acceptable in all relevant regards. 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.

RECOMMENDATION: Delegate Grant Consent

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: TBC

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

- 3 Samples of the external materials of construction to be used on the roof and walls of the development shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. The development shall thereafter be carried out in accordance with the approved details.

Reason: In order for the Local Planning Authority to control the external appearance.

- 4 The submitted Construction Management Plan, or an alternative Construction Management Plan that has been submitted to and approved in writing by the Local Planning Authority, shall be adhered to throughout the construction period for the development.

Reason: - In the interests of the safe operation of the adopted highway during the demolition and construction phases.

- 5 For the full period of construction facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud, stones and debris being carried onto the highway. Provision to sweep the surrounding highway network by mechanical means will be available and the roads adjacent to the site shall be mechanically swept as required during the full construction period.

Reason: To prevent stones, mud and debris being carried onto the public highway to the detriment of road safety.

- 6 No building (or use hereby permitted) shall be occupied (or use commenced) until visibility splays 2.4 metres back from the centre line of the access and extending 43 metres on the nearside carriageway edge in both directions have been provided at the access, as shown on the approved plans. Nothing shall be erected, retained, planted and / or allowed to grow at or above a height of 0.9 metres above the nearside carriageway level which would obstruct the visibility thereafter for the lifetime of the development.

Reason: To ensure adequate intervisibility between highway users at the street junction or site access, in the interests of highway safety.

- 7 No part of the development hereby approved shall be occupied or use commenced until all the highway works (site access including right turn provision and improvements to footways) have been constructed and completed in accordance with a scheme that shall be submitted to and approved by the Local Planning Authority.

Reason: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highwayscheme/works.

- 8 No building or use hereby permitted shall be occupied or the use commenced until the car parking area has been surfaced or paved in accordance with a scheme to be approved by the Local Planning Authority and the car parking spaces and manoeuvring areas marked out in accordance with the approved plan. The car parking area shall thereafter be kept free of obstruction and available for the parking cars at all times.

Reason: To allow for the effective use of the parking areas.

- 9 The development permitted by this planning permission shall be carried out in accordance with the principles set out within the approved Flood Risk Assessment (30th March 2023 / 2023-017 / Flood Risk and Drainage Solutions LTDS) and Surface Water Sustainable Drainage Strategy (Drainage Impact Assessment / 2023-017-01-H / 21 st January 2026 / FRDS). The measures shall be fully implemented prior to first use of the development and in accordance with the timing and phasing arrangements embodied within the approved scheme, or within any other period as may subsequently be agreed in writing by the Local Planning Authority.

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site.

- 12 The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Foul & Surface Water Drainage Design Drawing 2023/017- 01, 2023/017-01 & 2023/017-03, - Dated 23/08/2023 which was prepared by Flood Risk Drainage Solutions For the avoidance of doubt No surface water will be permitted to drain directly or indirectly into the public sewer. 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 ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

- 13 The commencement of use of the development shall not be permitted until a site-specific Operation and Maintenance Plan for the lifetime of the development, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include, as a minimum:

- a) A timetable for its implementation
- b) Site-specific details of the operation, maintenance, and access requirements for all sustainable drainage system features and connecting drainage structures. This shall include any automated monitoring of motorised equipment (such as pumps and proprietary drainage features for flow control or water quality improvement), their functionality, and transmission of failure warnings to the responsible maintenance body
- c) The arrangements for adoption by any public body or statutory undertaker, or identification of named parties responsible for the management and maintenance of each surface water drainage system feature throughout the lifetime of the development
- d) Details of financial management, including arrangements for the replacement of major components at the end of the manufacturer's recommended design life
- e) Instructions on necessary steps to be taken in the event of a pollution

incident, including matters that should be reported to the adopting authorities or the Environment Agency

f) Details of land ownership and access rights for all parts of the surface water drainage system, including watercourses, sustainable drainage system features, and associated easements required for inspection and maintenance.

Thereafter, the drainage system shall be retained, managed, and maintained in accordance with the approved details.

Reason: To ensure that surface water flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property, and ecological systems and sustainable drainage.

- 14 The development shall be undertaken and thereafter maintained in strict accordance with the submitted Preliminary Ecological Appraisal.

Reason: In the interests of protected species.

- 15 No events shall take place outside of the function building hereby approved and no fireworks shall be discharged from the site and there shall be no fireworks displays in association with the use at any time.

Reason: To preserve the residential amenity of neighbouring properties.

- 16 Events held at the venue shall cease outside of the hours of 09:00 and 23:00 Monday to Saturday and 09:00 and 18:00 on Sundays, Bank or Public Holidays. Unless otherwise agreed in writing by the Local Planning Authority no customers or guests shall remain on the site for more than 30 minutes beyond the specified hours.

Reason: In the interests of neighbouring amenity.

- 17 The Noise Impact Assessment, NP-009473, must be adhered to at all times.

Reason: To safeguard a satisfactory standard of amenity for neighbouring properties.

- 18 Alder house shall be used only for accommodation in association with the use of the site and shall not be used as an independent dwelling.

Reason: In order to protect the amenity of the occupier.

- 19 Prior to the commencement of the use of the development hereby approved a validation report demonstrating remediation of contamination shall have been submitted to and approved in writing by the Local Planning Authority. This should include, but not necessarily be limited to:

- Tickets from waste removal contractor and receiving landfill.
- Photographs of excavation to confirm depth.

- Supplementary test results.
- Contamination test results for tests on imported soils.
- Photographs to confirm thickness of imported soil types.
- Document (receipt, delivery notes) to show soil types and sources.
- Independent inspection of gas membrane and report.
- Confirmation from the Water Authority of final water pipe connection.
- Certificate/invoice from supplier to confirm appropriate water pipes have been used.

Reason: In the interests of human health and safety.

- 20 Full details of all fencing, screen walls or any means of enclosure to be erected or planted on the site shall be submitted to and approved in writing by the Local Planning Authority prior to the erection or planting thereof. The planting and fencing shall thereafter be completed in the first planting season after commencement of development. Any plant/shrubs/trees becoming dead dying or diseased in the first 5 years after planting shall be replaced with plants of similar sizes and species.

Reason: In the interests of visual amenity.

- 21 The use of the development hereby approved 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 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.

