

## **Nelson, Brierfield & Reedley Committee Update Report 11<sup>th</sup> May 2026**

### **25/0732/FUL: St Philip's Church, Leeds Road, Nelson**

Following the publication of the committee report, additional representations have been received from members of the public raising the following points in support of the application:

- This would be a highly valuable addition to the community
- It would support the most vulnerable members of our community
- The existing boundary walls and the sunken area at the rear of the site will screen the container and pods ensuring there is no harm to visual amenity
- The current yard is being used in unsafe ways, this would allow an improvement
- The Diocese have vetted the plans and are of the view that this would not unacceptably harm the aesthetics of the church building
- Nelson needs to provide somewhere for people who are struggling to go for support
- This would benefit a lot of people
- Homelessness has increased with the cost of living crisis
- At night when the weather is horrible, this would provide shelter for the most vulnerable in our society
- Providing somewhere which is not on the street in a tent means they are not exposed to abuse
- Not all homeless people choose this life but are put in this position
- Nelson is one of the most deprived areas of the country, people rely on this food bank to get by
- The accommodation pods will provide opportunity to access support services, employment and pathways to permanent housing
- The pods will provide dignity, stability and wellbeing to the people in our community who need this the most
- This will in turn ease pressure of emergency services
- NPPF paragraph 8 – strong vibrant healthy communities... and fostering a well designed and safe built environment. Paragraph 60 supports the need to boost the supply of homes and paragraph 92 promoted healthy, inclusive safe places. Paragraph 96 further encourages access to food provision, community facilities and services.
- No evidence to suggest this would lead to anti-social behaviour

The applicant has also provided a commentary on several issues which were outstanding during the determination process. A copy of their statement is on the file and pertinent points have been picked out below, to address the environmental health, highways and security aspects of the scheme:

#### *Security*

Security measures include a combination lock on the gate and on each pod. Gates and fencing to be locked at night. All of which can be changed by the staff onsite. Strict no tolerance policy on visitors to site or antisocial

behaviour. Tenants have to check out every morning. CCTV covering the pods. Phone number of staff displayed for if neighbours have concerns.

The pods will be subject to strict controls and policies. The most important one is that residents will have to check out all their belongings each morning and will not be allowed to occupy the pods until after 5pm. We will have zero tolerance to antisocial behaviour and drug use.

The reason for the pods is simply to keep vulnerable people safe and relatively warm so that they can be helped with their issues and moved on to more permanent accommodation. We work with a charity called the Light Group who are experts in homelessness. They say that it is impossible to get people off drugs while they are on the streets.

The pods will serve to reduce crime, not increase it, as the end use is to provide shelter and other services such as mental health and debt help.

### *Highways*

There is almost no change in waste or traffic from transitioning from the current food bank to a food pantry. We will just pick up from Fairshare every week instead of every fortnight.

The pantry only operates for 2-3 hours one morning a week.

There are two accommodation pods; thereby two occupants will be present onsite. There is no high density accommodation proposed. Therefore the traffic generated would be significantly lower than if the church was reinstated to provide faith services.

### *Environmental Health*

The accommodation pods use a chemical toilet, the type of which are typical within motorhomes. Water services within the pods for hand washing are also provided via water tanks similar to those within motorhomes. The waste from the chemical toilet is proposed to be disposed of at a local dedicated Chemical Disposal Point. This will be done by staff members.

Refrigeration is not included. The container will be used as a canned goods and shelf-stable food storage.

The bins are currently stored just east of the side door on the south side very close to the pantry.

Residential amenity is not considered to be impacted as again, the numbers associated with the proposed development with [Use Class] F1 uses is much

higher; parking and footfall typical of church services are significantly decreased when compared to the proposed scheme.

The Highways Authority have provided a further response reiterating that they do not object to the proposals. They set out in their consultation response dated 29<sup>th</sup> April 2026 that the further information provides the clarity previously sought.

The Council's Environmental Health Officer has provided a further response based upon further information provided by the applicant.

The points which have been raised should be noted by Members. The information provided by the applicant and additional consultation responses from both members of the public and statutory consultees address the concerns highlighted in the original report. The only outstanding issue is that of the site plan which requires updating to provide precise locations for the pods and container. As such, the recommendation is to delegate grant consent subject to a satisfactory site plan being received. Upon receipt of the plan it will be necessary to re-notify neighbours of the proposed arrangements.

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: Location Plan received 24/03/2026, Site Plan received 24/03/2026, Proposed pod layout received 24/03/2026, Proposed pod floor plan received 24/03/2026, Proposed pod rear and side elevation received 24/03/2026, Proposed container layout received 24/03/2026.

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

3. All materials to be used for the proposed development hereby approved shall be as stated on the application form and approved drawings and they shall not be varied without the prior written permission of the Local Planning Authority.

Reason: Those materials are appropriate for the development and site.

4. No customers for the food bank / pantry shall be allowed on the premises outside the hours of 09:00-15:30 Monday – Friday. The food bank shall remain closed on weekends and bank holidays.

Reason: In the interests of neighbouring amenity.

5. Prior to commencement of the development hereby approved, details of bin storage and waste management shall be submitted to and approved in writing

by the Local Planning Authority. The waste management details shall include: details of the frequency of collections, the types of waste anticipated to be collected, volumes of anticipated waste, specification and quantity of bins to be used, a plan (1:200) indicating the precise location of the bins to be stored on the site, details of the method of waste collection (local authority collection arrangement or private company details including waste carrier).

Reason: In the interest of public health and appropriate waste management to safeguard the wider visual amenity.

## **26/0128/FUL 12 Commercial Street, Brierfield**

### Public Responses

Comments received raising the following additional concerns:

- Uncertainty, speculative site selection and a lack of settled operational planning
- The applicant's legal interest in the site should be established and the ownership certificate checked
- It should be checked where there is an existing commercial use
- Why is an established commercial unit not being used
- There should be a detailed statement explaining the operation
- Planning permission should not be granted for a speculative use without clear evidence that it can be delivered
- Impacts on privacy
- Impacts from waste storage
- The proposal would set a precedent for further commercial or healthcare related uses in residential terraced streets
- The following information should be required before any decision is made: use classes and full description of the activity, confirmation of whether the premises will be open to the public, hours of opening, operation and delivery / collection, full internal layout, external alterations, parking, loading and delivery plans, waste management plan, noise assessment, evidence of legal right to use the premises, explanation of why previously premises has not been used, evidence that the use can operate without harm to residential amenity
- If the use is approved there should be conditions to control walk-in sales, external alterations, delivery and collection hours, number of courier delivery and collections, parking that obstructs the highway, waste storage and collection, noise, servicing and operational management, permission personal to the applicant and restricting general commercial use.

### Officer Comments

Concerns have been raised regarding the validity of the ownership certificate and the viability of the commercial operation. There is no evidential reason to suspect that

the ownership certificate is incorrect, and the statement of ownership is taken to be correct unless there is evidence to the contrary. The viability of the proposal is not a material consideration for the planning application, there is no requirement for commercial viability to be demonstrated for planning permission to be granted. The is suitable space within the site for waste storage to be accommodated and the use would have no unacceptable privacy impacts. The proposed conditions would acceptably control amenity and highways impacts and therefore the application remains recommended for approval subject to the conditions set out in the report.

## **26/0018/VAR: 33 Heyhead Street, Brierfield**

### Officer Comments

Amended plans have been received which alter the proposed external materials from black marble tiles with gold detailing to predominantly stone-effect tiles, whilst retaining areas of black marble tile beneath the roof overhang.

Whilst the amended materials would appear less visually contrasting than the black marble tile finish, the development would still represent a significant departure from the high-quality and contextually appropriate design approved under the original permission. The proposed stone-effect tiles would fail to replicate the visual quality, proportions, texture and appearance of the approved matching materials, resulting in a development that appears incongruous and materially disconnected from the host dwelling.

Furthermore, the retention of black marble tiling beneath the roof overhang would continue to introduce an inappropriate and visually intrusive feature that is out of keeping with the character and appearance of both the host property and the surrounding residential area.

The harm arising from the proposal is further exacerbated by the site's prominent corner plot position, which results in the extension being highly visible from public vantage points. Rather than integrating with the host dwelling and wider street scene, the extension would appear as a dominant and discordant feature that draws undue visual attention and disrupts the visual cohesion of the area.

As such, the amended variation would continue to represent poor design, resulting in demonstrable harm to the character and appearance of the host dwelling and wider area, contrary to Policies DM16 and DM24 of the Pendle Local Plan Fourth Edition (2021–2040) and the adopted Design Principles SPD.

Therefore, the recommendation for refusal remains unchanged.

### **RECOMMENDATION: Refuse**

1. By reason of its design, the proposed variation undermines the approved scheme and would result in an incongruous and visually intrusive form of development, causing demonstrable harm to the character and appearance of the host dwelling and wider area. It is therefore contrary to Policies DM16 and

DM24 of the Pendle Local Plan Part 1 (2021–2040) and the adopted Design Principles SPD.