

**MINUTES OF A MEETING OF THE
DEVELOPMENT MANAGEMENT COMMITTEE
HELD AT NELSON TOWN HALL
ON 23RD JUNE 2026**

PRESENT –

Councillor M. Adnan (Chair)

Councillors

*F. Ahmad
S. Cockburn-Price
D. Hartley
M. Stone
A. Sutcliffe
Y. Tennant
M. Waddington
L. 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 S. Ahmed.)



The following people attended and spoke on the item indicated –

<i>Kate Salter</i>	<i>26/0221/REM - Reserved Matters: Residential development of up to 113 dwellings (Appearance, Landscaping, Layout and Scale) of Outline Planning Permission 22/0774/OUT varied by 23/0557/VAR at site of former Riverside Mill and land bordering with Charles Street and Baker Street, Reedyford Road, Nelson</i>	<i>Minute No. 7(a)</i>
<i>Mike Hughes Jazmin Laurie</i>	<i>26/0204/FUL - Full (Major): Erection of 28 no. dwellings with detached garages and associated landscaping, infrastructure and altered vehicular access at land at Field Number 0087, Earby Road, Salterforth</i>	<i>Minute No. 7(b)</i>

6. DECLARATION OF INTERESTS

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

7. MINUTES

RESOLVED

That the Minutes of the meeting held on 26th May 2026 be approved as a correct record and signed by the Chair.

8. PLANNING APPLICATIONS

(a) Applications for over 60 housing units

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

26/0221/REM *Reserved Matters: Residential development of up to 113 dwellings (Appearance, Landscaping, Layout and Scale) of Outline Planning Permission 22/0774/OUT varied by 23/0557/VAR at site of former Riverside Mill and land bordering with Charles Street and Baker Street, Reedyford Road, Nelson for Westchurch Homes Limited*

(A site visit was undertaken prior to the meeting.)

At a meeting of Nelson, Brierfield and Reedley Committee on 8th June, Members commented that the redevelopment of this site would be beneficial but raised the following concerns –

- Roads should be of adequate width for parking;
- Affordable housing should be provided; and
- The impact on capacity of schools and other services should be offset by Section 106 contributions.

A planning update had been circulated prior to the meeting which reported receipt of amended plans responding to comments from LCC Highways. It stated that the applicant's intention was for the development to be 100% affordable housing although there was no policy basis or necessity for any affordable housing to be required.

Contributions to offset impacts on schools and other services were a matter for the outline stage. Members were informed that an amount had been agreed in the original outline approval, but this was removed following the submission of a viability appraisal which demonstrated this would unacceptably impact upon the financial viability of the development.

The Planning Officer's recommendation remained that approval and any further conditions necessary be delegated to the Assistant Director Planning, Building Control and Regulatory Services.

RESOLVED

That the Assistant Director Planning, Building Control and Regulatory Services be delegated authority to grant consent subject to the following conditions and any further necessary conditions -

Development Management Committee (23.06.2026)

1. This notice constitutes an approval of matters reserved under Condition 2 of Planning Permission No. 22/0774/OUT (and as varied by 23/0557/VAR) and does not by itself constitute a planning permission.

Reason: The application relates to matters reserved by Planning Permission No. 22/0774/OUT (and as varied by 23/0557/VAR).

2. The development hereby permitted shall be carried out in accordance with the following approved plans: PL01 Rev A, AH01 Rev A, BT01 Rev B, HL01 Rev A, ML01 Rev A, SH01 Rev A, WM01 Rev A, BGC-PL-101 Rev P2, BGC-PL-102 Rev P2, BGC-PL-103 Rev P2, BCL-PL-D501 Rev P1.

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

3. Prior to the commencement of above ground works involved in the erection of the external walls of the development samples of external materials / finishes of the walls, roofs, windows and doors shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the approved materials.

Reason: To ensure that the materials are appropriate to the locality and in the interest of visual amenity

4. Plots 1 and 2 shall not be occupied unless and until a solid fence of height 0.3m greater than the existing boundary fence with No.72 Charles Street (as detailed on plan No. SEC001) has been erected along the full length of the rear boundary of plots 1 and 2, a fence shall be maintained in that position and at that height at all times thereafter.

Reason: In order to preserve the privacy of No. 72 Charles Street.

5. The submitted landscaping scheme (Drawing Nos. 7842.01, 7842.02, 7842.03, 7842.04, 7842.05, 7842.06, 7842.07, CS/7842/LMP) 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 and that felled trees are adequately replaced.

6. The landscaped areas of the site (excluding domestic gardens) shall at all times be managed and maintained in accordance with the submitted Landscape Management Plan Ref: CS/7842/LMP or an alternative Landscape Management Plan that has been submitted to and approved in writing by the Local Planning Authority. Details of the arrangements for a management company for the management and maintenance of the landscaped areas of the site (excluding domestic gardens) shall be submitted to and approved in writing by the Local Planning Authority within six months of the substantial completion of the development.

Reason: To ensure that the landscaped areas of the site are acceptably management and maintained in the interest of visual amenity.

7. The development shall be carried out in accordance with the recommendations of the Report of Ecological Considerations Including an Updated Bat Survey and Assessment at Culvert and the bat and bird boxes and hedgehog highway shall be installed in accordance with Appendix 4 of that report prior to the occupation of the plots on which they are located and maintained thereafter.

Reason: To ensure the preservation or enhancement of protected species habitats.

(b) Referrals from area committees

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

26/0018/VAR *Variation of Condition: Vary Condition 2 (Plans) of Planning Permission 25/0431/HHO at 33 Heyhead Street, Brierfield for Mr Mehdi Khan Dad Bibi*

At the last meeting consideration of this application was deferred to allow the applicant to submit amended plans which were in accordance with Policies DM16 and DM24 of the Pendle Local Plan Fourth Edition (2021–2040) and the adopted Design Principles SPD. Amended plans for a complete off-white coloured render finish for all external surfaces were submitted which were considered acceptable.

However, the planning update reported receipt of further amended plans which altered the proposed external materials beneath the roof overhang from off-white render to black marble tiles with gold detailing. This was poor design and contrary to policy. Therefore, the recommendation had been changed back to refusal.

RESOLVED

- (1) That the applicant be given 7 days to submit amended plans for a complete off-white render scheme for all external surfaces including the covered areas in accordance with Policies DM16 and DM24 of the Pendle Local Plan Fourth Edition (2021–2040) and the adopted Design Principles SPD; that the Assistant Director Planning, Building Control and Regulatory Services be delegated authority to grant permission on this basis; and otherwise that planning permission be refused.
- (2) That enforcement action be taken if necessary to deal with any unauthorised materials on the approved extension.

26/0180/HHO *Full: Erection of a two-storey side and part single storey side and rear extension at 153 Walton Lane, Nelson for Mr Bilal Shaheen*

(A site visit was undertaken prior to the meeting.)

At a meeting of Nelson, Brierfield and Reedley Committee on 8th June the decision to approve a two-storey application was referred as a recommendation to this Committee as this decision would represent a significant departure from policy. The development, due to its scale and design would have an unacceptable overbearing impact upon the neighbouring dwelling, which would represent a significant departure from Policies DM16 and DM24 of the Pendle Local Plan Fourth Edition and the Design Principles SPD.

The planning update reported that amended plans had been received which altered the proposal from a two-storey side extension to a two-storey and part single storey side and rear extension. Relevant consultees and neighbours were reconsulted on a 21-day expiry which was due to expire on 8th July 2026. The amended plans introduced a more subordinate form of development which overcame the previous concerns regarding the impact on the character and appearance of the area and neighbouring residential amenity. The Planning Officer's recommendation had been revised from refusal to delegate grant consent.

RESOLVED

That authority to grant permission be delegated to the Assistant Director, Planning, Building Control and Regulatory Services subject to the receipt of satisfactory amended parking/access details and provided that no additional material planning considerations were raised through the ongoing consultation process.

26/0191/HHO Full: Demolition of existing pedestrian gate, widening of existing vehicular access with the addition of a privacy screen and the installation of electric sliding gates at 509 Colne Road, Reedley for Mr Imran

(A site visit was undertaken prior to the meeting.)

At a meeting of Nelson, Brierfield and Reedley Committee on 8th June the decision to approve this application was referred as a recommendation to this Committee as this decision would represent a significant departure from policy SP13 of the Pendle Local Plan Fourth Edition, due to the adverse effect on visibility and therefore highway safety. The Highway Authority opposed the retrospective application for this reason.

The planning update reported there had been an issue with the accuracy of the plans regarding the height of the original railings. A revised plan had been provided. The update also reported additional comments from a member of the public suggesting the development would improve security. Another response raised serious highway safety concerns over the visibility splay. The Planning Officer's recommendation remained to refuse the application with enforcement action also recommended.

RESOLVED

(1) That planning permission be **refused** for the following reasons -

1. By virtue of its position upon the most prominent boundary of the application site, the boundary treatment introduces a fortified structure to a public highway which unacceptably impacts upon the wider visual amenity of the area, contrary to Policy DM16 of the Local Plan: Fourth Edition and paragraph 139 of the Framework.
2. The development results in an unacceptable highway safety danger to users of Colne Road and Redman Road, contrary to paragraph 116 of the Framework and Policy SP13 of the Local Plan: Fourth Edition.

(2) That enforcement action be taken regarding the unauthorised development.

26/0204/FUL Full (Major): Erection of 28 no. dwellings with detached garages and associated landscaping, infrastructure and altered vehicular access at land at Field Number 0087, Earby Road, Salterforth for Mr R. Calderbank

(A site visit was undertaken prior to the meeting.)

At a meeting of West Craven Committee on 9th June the decision to refuse this application was referred as a recommendation to this Committee as this decision would represent a significant risk of costs being awarded on appeal. Members were minded to refuse the application, contrary to office recommendation, for the reasons set out in the report.

The planning update reported final comments from the LLFA. Based on the additional information submitted by the applicant in the form of an updated drainage scheme and a drainage statement the LLFA had withdrawn its objection to the proposed development based on drainage, subject to recommended conditions. Final comments from Yorkshire Water were still awaited. The officer concluded that subject to the recommended conditions, acceptable drainage could be achieved on site, and the proposal would be acceptable in terms of drainage and flood risk.

The update also summarised an additional statement from the applicant addressing the concerns raised at West Craven Committee regarding the principle of the development, evidence to prove that the previous permission for 34 dwellings was extant, and other considerations stating that none of the 6 grounds for refusal put forward by the area committee were justified.

The points raised were in line with the Planning Officer's assessment and did not change the recommendation to Delegate Grant Consent subject to acceptable landscaping, housing mix and affordable housing compliance.

RESOLVED

That consideration of this application be deferred for 1 month to allow further discussions with the developers on the landscaping scheme and the housing mix and layout including the properties backing onto Kenilworth Drive.

CHAIR _____