

**MINUTES OF A MEETING OF NELSON COMMITTEE  
HELD AT NELSON TOWN HALL  
ON 30TH NOVEMBER, 2015**

*PRESENT –*

*Councillor A. Mahmood (Chairman – in the Chair)*

<b>Councillors</b>	<b>Co-optees</b>	<b>Police Representative</b>
A. Aziz N. Ahmed E. Ansar W. Blackburn J. Henderson M. Iqbal M. Sakib K. Shore D. Whalley S. Wicks N. Younis	M. Aslam	

*(Apologies were received from Councillors M. Ammer, B. N. Parker and Inspector P. Goodall)*

*Officers in attendance:*

<i>Julie Whittaker</i>	<i>Housing, Health &amp; Economic Development Services Manager (Area Co-ordinator)</i>
<i>Kathryn Hughes</i>	<i>Principle Planning Officer</i>
<i>Sarah Waterworth</i>	<i>Committee Administrator</i>



The following persons attended the meeting and spoke on the item indicated:-

Mr P. Sedgwick Mrs A. Horsfall	Outline: Major: Residential development (0.98ha) of up to 39 dwelling houses – Access only (from Priory Chase) at Land between Fletcher street and Bracewell Street, Nelson	Minute No. 81(a)
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**76. DECLARATION OF INTERESTS**

Members were reminded of the requirements of the Member Code of Conduct concerning the Declaration of Interests. The following person declared a disclosable pecuniary interest in the item indicated -

Councillor M. Sakib	13/15/0421P Full: Erection of 2 semi-detached dwellings at car park at side of 3 Midland Street, Nelson	Minute No. 81(a)
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Town Councillor M.  
Aslam

Items for Discussion – Wall at Forest  
House, Cobden Street/ Hibson Road

Minute No. 87

**77.**

### **PUBLIC QUESTION TIME**

Mr Kasim made reference to a question he raised at the last two meeting regarding the land at Crawford Street/ Regent Street as two sofas had been dumped on the land at the weekend and the owner seemed to be reluctant to take ownership and tidy the land.

Councillor Iqbal reported that a Community Protect Order had been served on 15<sup>th</sup> September 2015 and that a planning application has also been submitted for a garage to be built on the site.

**78.**

### **MINUTES**

#### **RESOLVED**

That the Minutes of this Committee at the meeting held on 2<sup>nd</sup> November, 2015 be approved as a correct record and signed by the Chairman.

**79.**

### **PROGRESS REPORT**

A progress report on action arising from the meeting of this Committee held on 2<sup>nd</sup> November, 2015 was submitted for information.

**80.**

### **POLICE ISSUES**

Crime figures were circulated at the meeting as there were no police present.

It was reported that the Pendle Community Safety Partnership had agreed at their meeting on 12<sup>th</sup> October that the Community Safety Area Working Groups which had operated in the 5 areas in the borough since the inception of the Partnership were no longer viable and would cease to meet. One of the recommendations agreed was to explore the option of an enhanced discussion on local Community Safety issues at area committees.

#### **RESOLVED**

That Community Safety Partnership issues be discussed with Police Issues at future meetings of this committee.

**81.**

### **PLANNING APPLICATIONS**

#### **(a) Applications to be determined**

The Planning, Building Control and Licensing Services Manager submitted a report on planning applications to be determined as follows:-

**13/15/0404P Outline: Major: Residential development (0.98ha) of up to 39 dwelling houses – Access only (from Priory Chase) to Land between Fletcher Street and Bracewell Street, Nelson for Targetsite Limited.**

Before the vote was taken the Principle Planning Officer advised that should the application be refused this would represent a significant risk of costs to the Council. The matter would be referred to the Democratic and Legal Manager and subject to his agreement the decision would stand referred to the Development Management Committee.

## **RESOLVED**

That planning permission be **refused** for the following reason:-

1. Highway matters – unsuitable access from Priory Chase

**13/15/0406P Full: Erection of dormer to rear slope (amended scheme) at 44 Carr Road, Nelson for Mr I Ayub.**

## **RESOLVED**

That planning permission be **granted** subject to the following conditions and reasons:-

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: site location plan 1:1250, SAA9-P02D

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

3. Prior to the commencement of development samples of the materials to be used in the construction of the development hereby permitted (notwithstanding any detail shown on the previously submitted plans and specification) shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

**Reason:** To ensure a satisfactory form of development in the interest of visual amenity of the area.

## **REASON**

***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. There is a positive presumption in favour of approving the development and there are no material reasons to object to the applications.***

**13/15/0415P Full: Variation of Condition: Vary Conditions 2 (Plans) and 3 (Materials) of Planning Permission 13/13/0246P to allow the use of concrete roof tiles at 180 – 182 Every Street, Nelson for Mr M Anwar.**

Before the vote was taken the Principle Planning Officer advised that should the application be refused this would represent a significant departure from policy.

The matter would be referred to the Democratic and Legal Manager and subject to his agreement the decision would stand referred to the Development Management Committee.

## **RESOLVED**

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

The proposed concrete roof tiles are an unsympathetic modern material that have an unacceptable impact upon the significance of the Conservation Area contrary to Policy 10 of the Replacement Pendle Local Plan, the adopted Conservation Area Design and Development Supplementary Planning Document and paragraphs 131-134 of the National Planning Policy Framework.

- (2) That Enforcement Action not be taken

*(Councillor M. Sakib declared a disclosable pecuniary interest in the following item and withdrew from the meeting).*

### **13/15/0421P Full: Erection of 2 semi-detached dwellings at car park at side of 3 Midland Street, Nelson for Mr M. Sakib**

## **RESOLVED**

That planning permission be **granted** subject to the following conditions and reasons:-

1. The propose 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: 1:1250 location plan, dormer and roof plan (Revision B), ground and first floor plan (Revision A), elevations front and rear (Revision B), elevation sides (Revision B).

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

3. Prior to the commencement of development samples of the materials to be used in the construction of the development hereby permitted (notwithstanding any details shown on previously submitted plan(s) and specification) shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

**Reason:** To ensure a satisfactory form of development in the interest of visual amenity of the area.

4. The development hereby approved shall not commence unless and until plans and particulars showing a scheme of foul sewers and surface water drains has been

submitted to and approved in writing by the Local Planning Authority. The approved systems shall be installed in their entirety prior to the first occupation of any dwelling and shall thereafter be retained.

**Reason:** In order that the Local Planning Authority may be satisfied with the details of the proposal and to avoid flooding.

## **REASON**

***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. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.***

**13/15/0430P Advertisement Consent: Display 5 illuminated fascia signs at 45-47 Scotland Road, Nelson for Mr M Aslam.**

## **RESOLVED**

That in consultation with the Chairman the Planning, Building Control and Licensing Services Manager be delegated authority to **grant consent** subject to the receipt of acceptable information regarding illumination of the signs.

### **(b) Planning Appeals**

The Planning, Building Control and Licensing Manager submitted for reported that there were no new appeals.

#### Outstanding appeals:-

13/14/0321P Appeal against refusal of planning permission for the erection of a 225kw wind turbine (30.05m to hub, 47m to tip), underground concrete foundation, control cabinet and cabling at Part of Field No's. 1449 and 393, Back Lane, Southfield, Burnley.

## **82. CAPITAL PROGRAMME 2015/16**

The Neighbourhood Services Manager submitted a report regarding the committees 2015/16 capital programme

It was reported that there had been issues regarding anti-social behaviour to the rear of Every Street and a request for additional lighting had been received.

The following new bids were submitted to the meeting

- |  |        |
|--|--------|
| (1) Drainage CCTV Hibson Road, Nelson    | £750   |
| (2) Walverden park Interpretation Boards | £1,200 |
| (3) Nelson Food Festival 2016            | £5,000 |

## **RESOLVED**

- (1) That the schemes listed in Appendix 1 of the report be noted

- (2) That a further £600 be allocated towards the Improvements to stone flags, Walverden Terrace.
- (3) That the following be allocated from the 2015/16 capital programme
  - (a) Drainage CCTV Hibson Road, Nelson £750
  - (b) Walverden park Interpretation Boards £1,200
  - (c) Nelson Food Festival 2016 £5,000
  - (d) Rear of Every Street, street light £2,500

**REASON**

*To enable the capital programme to be allocated efficiently and effectively.*

**83. RESIDENTS-ONLY PARKING – EDWARD STRET, NELSON**

The Neighbourhood Services Manager reported receipt of a petition signed by 23 residents requesting residents-only parking be introduced on Edward Street, Nelson. Members were asked to consider requesting Officers to undertake appropriate consultations and parking duration studies and report back to a future meeting.

**RESOLVED**

That the Neighbourhoods Services Manager be requested to undertake a survey in the Edward Street area for the possible introduction of a residents-only parking scheme and to report back on the outcome of the survey.

**84. RESIDENTS-ONLY PARKING – PARKER STREET, NELSON**

The Neighbourhood Services Manager submitted a report regarding including an additional property to the residents-only parking scheme on Parker Street, Nelson following a request from one of the residents.

**RESOLVED**

That 3 Walton Lane, Nelson is added to the list of eligible properties for the residents-only parking scheme for Parker Street, Nelson.

**REASON**

*To enable the residents of 3 Walton Lane, Nelson, to park safely near to their residence.*

**85. LAND AT ALGAR STREET, NELSON**

The Strategic Director submitted a report which asked members to request that the Executive declare the land shown edged black, on the appended plan of the report, surplus to requirements.

**RECOMMENDATION**

That the Executive be requested to declare the land surplus to requirements in order for it to be marketed for sale for an alternative use subject to planning consent.

**REASON**

***To achieve a capital receipt and to end maintenance liabilities.***

*(Councillor M. Aslam declared a disclosable pecuniary interest in the following item and withdrew from the meeting).*

**86. ITEMS FOR DISCUSSION**

**Wall at Forest House, Cobden Street/ Hibson Road**

Councillor Henderson explained that she had received a number of complaints from residents in the area regarding the height of the wall.

The Principle Planning Officer said that the matter was being dealt with.

**RESOLVED**

- (1) That the owner be given 28 days to reduce the height of the wall.
- (2) That a report be submitted to the next meeting if the height had not been reduced within 28 days seeking members approval to take formal Enforcement Action.

**REASON**

***To ensure the wall is reduced to a suitable height.***

**87. LANCASHIRE PARISH BASED PUBLIC TRANSPORT SCHEME**

A letter from County Council on proposals for a Parish based public transport scheme was submitted for information.

Nelson Committee (30.11.2016)

Chairman \_\_\_\_\_