

**MINUTES OF A MEETING OF  
WEST CRAVEN COMMITTEE  
HELD AT  
MOUNT ZION BAPTIST CHAPEL, EARBY  
ON 28<sup>TH</sup> MARCH 2017**

*PRESENT –*

*The Worship the Mayor (Councillor R. E. Carroll)  
Councillor M. S. Goulthorp – Chairman (In the Chair)*

**Councillors**

*M. Adams  
L. Davy  
K. Hartley  
M. Horsfield  
C. Teall  
D. M. Whipp*

**Co-optees**

*G. Wilson  
D. Haigh*

**Officers Present**

*N. Watson*

*Planning, Building Control and  
Licensing Services Manager  
Committee Administrator*

*J. Eccles*

*(Apologies were received from Councillor J. Purcell.)*



*The following people attended and spoke at the meeting on the items indicated –*

<i>Jerry Diccox</i>	<i>16/0653/FUL Full: Major: Change of use from grazing land to accommodate 24 residential mobile homes (C3) with associated access road, parking areas and infrastructure at Dalesview Caravan Park, Salterforth</i>	<i>Minute No.169(a)</i>
<i>Ian Swain</i>	<i>17/0001/OUT Outline: Major: Residential development (0.42 hectares) (Access only) at Land to the west of Birtwistle Court, Kelbrook Road, Barnoldswick</i>	<i>Minute No.169(a)</i>

**165.**

**DECLARATIONS OF INTEREST**

Members were reminded of the legal requirements concerning the declaration of interests. The following person declared a disclosable pecuniary interest in the item indicated –

<i>Councillor D. M. Whipp</i>	<i>17/0011/REM - Reserved Matters: Erection of eight dwellings (13/13/0600P) (Appearance, Landscaping, Layout and Scale) (Re-submission) at Land to the east of former Bank House, Applegarth, Barnoldswick</i>	<i>Minute No. 169(a)</i>
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**166. PUBLIC QUESTION TIME**

There were no questions from members of the public.

**167. MINUTES**

**RESOLVED**

That the Minutes of this Committee, at the meeting held on 7<sup>th</sup> March 2017 on the Rolls Royce planning application ref 16/0477/FUL, be approved as a correct record, subject to the declaration of interest made by Councillor L. Davy being changed to a pecuniary interest, and signed by the Chairman.

**168. POLICE AND COMMUNITY SAFETY ISSUES**

There was no Police representative available for the meeting. The crime statistics for March would be forwarded to member of the Committee once complete.

Members discussed the latest developments with tackling the rise of youth crime in Barnoldswick and how the Police and agencies were working together to target the group and individuals responsible. They also expressed concerns about speeding traffic on Valley Road.

**RESOLVED**

- (1) That Inspector Goodall be thanked for his response to the Committee's concerns raised at the last meeting about rising youth crime in Barnoldswick and requesting more resources for West Craven, and that he be invited to attend a future meeting.
- (2) That the recent break-ins in garages, sheds at allotments, the Methodist Church outbuildings and the former Church school in March be logged as issues of community concern along with problems in the town centre and issues on Station Road.
- (3) That the Neighbourhood Police Team be asked to include Valley Road, Barnoldswick in any future speed checks; that a letter be sent to Silentnight asking them to ask suppliers to use Valley Road with caution; and that the issue be raised at the next Traffic Liaison Meeting with a view to installing a chicane or other speed reducing measure.

**169. PLANNING APPLICATIONS**

**(a) To be determined**

The Planning, Building Control and Licensing Services Manager submitted a report on the following planning applications for determination –

**16/0653/FUL Full: Major: Change of use from grazing land to accommodate 24 residential mobile homes (C3) with associated access road, parking areas and infrastructure at Dalesview Caravan Park, Salterforth for Dales View Park Ltd**

The Planning, Building Control and Licensing Services Manager submitted an update at the meeting reporting receipt of additional information on highways and LCC Education contribution requests. Additional public comments had also been received raising a number of objections.

## **RESOLVED**

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

1. The site is in an elevated and visually prominent location in open countryside. The development of this land in the manner proposed would adversely impact the open rural character and would severely and adversely affect the character of the area. The development would not be sustainable development and would be contrary to Policy ENV1 of the adopted Pendle Local Plan Part 1: Core Strategy.
2. The proposed development, by virtue of its unsustainable location outside of the settlement boundary, would result in increased vehicular and pedestrian movements on a narrow highway with no pedestrian footways or refuge facilities. It would have a detrimental impact on highway safety for drivers and pedestrians, contrary to Policy ENV4 of the adopted Pendle Local Plan Part 1: Core Strategy and paragraph 32 of the National Planning Policy Framework.

### **17/0001/OUT Outline: Major: Residential development (0.42 hectares) (Access only) at Land to the west of Birtwistle Court, Kelbrook Road, Barnoldswick for Mr Ian Birtwistle**

*(Before the vote was taken the Planning, Building Control and Licensing Services Manager advised that should the application be refused on the grounds proposed this would represent a significant risk of costs to the Council. The matter would be referred to the Head of Legal Services and subject to his agreement the decision would stand referred to the Development Management Committee.)*

The Planning, Building Control and Licensing Services Manager submitted an update at the meeting stating that the education contribution was not necessary and with comments from LCC Highways requesting a number of conditions. The recommendation remained to delegate grant consent subject to the receipt of acceptable plans of the off-site highway works and visibility splays and revised conditions.

## **RECOMMENDATION**

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

1. Impact on landscape

### **17/0117/REM Reserved Matters: Erection of eight dwellings (13/13/0600P) (Appearance, Landscaping, Layout and Scale) (Re-submission) at Land to the east of former Bank House, Applegarth, Barnoldswick**

*(Councillor D. M. Whipp declared a disclosable pecuniary interest in this item and withdrew from the meeting.)*

The Planning, Building Control and Licensing Services Manager submitted an update at the meeting reporting receipt of three further comments and amended plans addressing the concerns raised by the Environment Officer relating to protected trees and the shallow rear gardens and proximity to nearby residents. The turning head had been revised and LCC was satisfied with the proposed layout.

## **RESOLVED**

That the Planning, Building Control and Licensing Services Manager be **delegated authority to grant consent** including the following conditions –

1. This notice constitutes an approval of matters reserved under Condition 1 of Planning Permission No.13/13/0600P and does not by itself constitute a planning permission.

**Reason:** The application relates to matters reserved by Planning Permission No.13/13/0600P.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

16/106/1B, 16/106/2B, 16/0106/3, 16/106/4 & 16/106/5.

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

3. Notwithstanding any details on the approved plans, forms or supporting documents, within two weeks of the commencement of development samples of the external materials to be used in the construction of the roofs, walls, boundary/retaining walls and paving and samples of the colour and finish of windows and doors of the development hereby approved, together with details of proposals for the reuse of existing materials, shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved materials and details.

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

4. The window openings shall be set back from the external face of the wall. Unless otherwise agreed in writing by the Local Planning Authority, the depth of reveal shall be at least 75mm.

**Reason:** To ensure a satisfactory appearance to the development in the interest of visual amenity.

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 1995 (or any Order revoking and re-enacting that Order with or without modification), no development as specified in Classes A, B, C, D, E of Part 1 of Schedule 2 of that Order shall be carried out without express planning permission first being obtained from the Local Planning Authority.  
Part 1

A) no extensions shall be erected

B+C) no alterations to the roof of the building shall be carried out

D) no porches shall be erected

**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 and in order to ensure the protected trees on the site are not adversely affected.

6. The layout of the development shall include provisions to enable vehicles to enter and leave the highway in forward gear and such provisions shall be laid out in accordance with the

approved plan and the vehicular turning space shall be laid out and be available for use before any development commences and maintained thereafter.

**Reason:** Vehicles reversing to and from the highway are a hazard to other road users, for residents and construction vehicles.

7. The new estate road for the development shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level up to the entrance of the site compound before any development takes place within the site and shall be further extended before any development commences fronting the new access road.

**Reason:** To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.

8. The car parking areas shall be 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, before the use of the premises hereby permitted becomes operative.

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

9. Notwithstanding the provisions of the Town and Country Planning (General Development Procedure) Order 1995 and the Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008, or any subsequent Orders or statutory provision re-enacting the provisions of these Orders, all garages shown on the approved plan shall be maintained as such and shall not be converted to or used for living accommodation without the prior written approval of the Local Planning Authority

**Reason:** In order to ensure that sufficient off-street parking can be accommodated within the site.

10. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details.

**Reason:** To ensure the streets are maintained in an acceptable and appropriate manner.

## **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. Subject to appropriate conditions the proposal would not raise concerns with regard to protected trees and would be acceptable in terms of layout, design and materials and would not raise undue amenity issues and 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.***

**(b) Planning Appeals**

The Planning, Building Control and Licensing Services Manager reported that at 20<sup>th</sup> March 2017 there was one new appeal as follows –

*16/0488/OUT – Appeal against refusal of outline planning permission for up to 17 dwellings at Land off Cob Lane and Old Stone Trough Lane, Kelbrook.*

**(c) Access to Long Ing Development Site**

As requested at the last meeting, the Planning, Building Control and Licensing Services Manager submitted a report on the options to prevent access to the Long Ing development site other than from the approved access. He also reported that he had written to the developer reporting complaints from local residents about nuisance and inconsiderate behaviour, highlighting the correct access point and asking that anyone working on the development be notified of this before they visited the site. The developer had apologised for the behaviour and inconvenience to local residents.

However, it was noted that there was still the issue of private street works on Moss Side.

**RESOLVED**

- (1) That the Planning, Building Control and Licensing Services Manager be asked to ensure that the case officer obtain a method statement about how the site would be managed during development in accordance with Condition 5 of the appeal decision.
- (2) That the Neighbourhood Services Manager be asked to submit a report on the situation with existing private street works on Moss Side.

**170. ENFORCEMENT/UNAUTHORISED USES - COMPLAINTS RECEIVED**

**(a) Outstanding**

The Planning, Building Control and Licensing Services Manager submitted a report detailing outstanding enforcement cases for information.

**(b) Enforcement Action**

The Head of Legal Services submitted a report giving the up-to-date position on progress in respect of enforcement notices which had been served.

**171. CAPITAL PROGRAMME 2016/17**

The Neighbourhood Services Manager submitted a report on the Committee's Capital Programme for 2016/17. There was a balance of £1,683: £0 for Barnoldswick and £1,683 for Earby. Members noted that the new allocation for 2017/18 was the same as the previous year - £19,800 capital plus £13,860 totalling £33,660. The Barnoldswick allocation was £22,440 and the Earby allocation was £11,220.

The following bids were submitted for consideration –

- Salterforth Fun Day Committee £750 for the hire of tea tent, tables, chairs etc for the Salterforth Fun Day on 11<sup>th</sup> June 2017
- Earby Town Council £5,000 for installation of new central heating/domestic hot water systems and the refurbishment of three shower cubicles at Earby Youth Hostel

At the meeting it was also proposed that £10,000 be allocated from the 2017/18 Barnoldswick allocation for improvements to the Memorial Gardens, in conjunction with Barnoldswick Town Council and Barnoldswick in Bloom. And a further £4,000 to address a drainage issue on Kelbrook Road which Neighbourhood Services had been advising on. Water was flowing out of the banking onto the road and was freezing in winter. It was also suggested that the Bracewell and Brogden Meeting's allocation continue to contribute to the Enhanced Paths Maintenance Scheme in 2017/18.

## **RESOLVED**

- (1) That £750 from the Earby allocation of the 2016/17 Capital Programme be granted to Salterforth Fun Day Committee for the Fun Day on 11<sup>th</sup> June 2017.
- (2) That £50 be de-allocated from the clearing of land at Goodhall Close and Victoria Road, in Earby; and £6 be de-allocated from the Enhanced Path Maintenance Scheme, a Bracewell and Brogden Meeting commitment allocated in December 2015, but a further £194 be allocated for the continuation of the Enhanced Path Maintenance Scheme in 2017/18.
- (3) That £10,000 from the Barnoldswick allocation of the 2017/18 Capital Programme be allocated for the creation of a sensory garden at Memorial Gardens and £4,000 to address the drainage problem on Kelbrook Road.
- (4) That £5,000 from the Earby allocation of the 2017/18 Capital Programme be allocated to Earby Town Council for the heating and plumbing works required at Earby Youth Hostel.

## **REASON**

***To enable the Committee's Capital Programme to be allocated effectively and efficiently.***

### **172. AGREEMENTS CONCERNING USE OF WEST CRAVEN SPORTS CENTRE WC HIGH SCHOOL, ASSOCIATED SPORTS PITCHES & CAR PARKS**

Prior to the meeting Members had been sent the note of a meeting on 20<sup>th</sup> March 2017 with the Council's Corporate Director, and representatives from Pendle Leisure Trust and Pendle Education Trust to discuss the dual use agreement between West Craven Sports Centre and West Craven High School. It was noted that the Education Trust would be in a better position to know when they wanted to use the Sports Centre and what their budget would allow at the end of April.

### **173. REDIFFUSION CABLES IN BARNOLDSWICK TOWN CENTRE**

The Planning, Building Control and Licensing Services Manager said that as far as he was aware, there was no progress to report but he would try to make some progress and bring an update to the next meeting.

**174. ENVIRONMENTAL BLIGHT**

The Neighbourhood Services Manager submitted a report on environmental blight sites in West Craven. It was reported that the white car had been removed but been replaced by a blue one.

**RESOLVED**

- (1) That the Neighbourhood Services Manager be asked to remove the Greenberfield Lane Car Park from the list of Environmental Blight sites as the barrier requested has been installed.
- (2) That the Neighbourhood Services Manager be asked to arrange for appropriate arrangements to be made to ensure that the blue vehicle at Cemetery Road car park, Earby be removed.

**REASON**

*In the interests of visual amenity.*

**175. ITEMS FOR DISCUSSION**

**Flooding at Lane Bottom**

It was reported that there was a problem with blocked watercourses upstream causing flooding at Lane Bottom, Barnoldswick. The problem had been ongoing for many years and had become a problem between the landowner and the residents of houses that had been affected. Members were advised that Pendle Council had residual powers to ensure that existing watercourses were free of obstructions.

**RESOLVED**

That the matter be referred to the appropriate officer or Committee in order that a Notice can be served to require the culverts at Lane Bottom to be unblocked.

**REASON**

*To prevent flooding.*

*Chairman.....*