

**MINUTES OF A MEETING OF THE
COLNE AND DISTRICT COMMITTEE
HELD AT COLNE TOWN HALL
ON 15th JUNE, 2017**

PRESENT –

Councillor J. Nixon (Vice-Chairman – in the Chair)

Councillors

Co-optees

*D. Clegg
S. E. Cockburn-Price
J. Cooney
M. Foxley
A. R. Greaves
D. E. Lord
N. McCollum
G. Waugh (arrived late)
P. White*

Officers in attendance:

| | |
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| <i>Neil Watson</i> | <i>Planning, Building Control and Licensing Services Manager</i> |
| <i>Paul Collins</i> | <i>Business Support Team Leader</i> |
| <i>Jane Watson</i> | <i>Head of Democratic Services</i> |

(Apologies for absence were received from Councillors N. Butterworth, G. Roach and Mr. J. Dransfield (Trawden Forest Parish Council)).

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The following person attended the meeting and spoke on the item indicated:

| | | |
|----------------------|--|-------------------------|
| <i>David Claxton</i> | <i>17/0080/FUL Full: Conversion, alteration and extension of existing barn to create two dwellings at Hazel Grove Lodge, Warley Wise Lane, Colne</i> | <i>Minute No. 26(a)</i> |
|----------------------|--|-------------------------|

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21. DECLARATIONS OF INTEREST

Members were reminded of the requirements of the Member Code of Conduct concerning the declaration of interests.

22. PUBLIC QUESTION TIME

There were no questions from members of the public.

23. MINUTES

RESOLVED

That the Minutes of the meeting held on 11th May, 2017 be approved as a correct record and signed by the Vice-Chairman.

24. POLICE MATTERS

Inspector Goodall advised the Committee that he was due to retire at the end of July, after almost 6 years' service in the Colne and District area and thanked Members for their help and support during this time. He introduced his replacement, Inspector Andy Winter, who continued by providing details of his policing background and commitment to his new role in Pendle.

Both Inspector Goodall and Inspector Winter answered questions from Members in relation to the increase in the crime figures, particularly in the rural area, concerns regarding the 101 service and resources.

The Committee wished Inspector Goodall well in his retirement and thanked him for his contribution to policing in the 6 years he had been Inspector for Pendle and more recently Ribble Valley.

25. PROGRESS REPORT

A progress report on action arising from the last meeting was submitted for information.

26. 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:

17/0080/FUL Full: Conversion, alteration and extension of existing barn to create two dwellings at Hazel Grove Lodge, Warley Wise Lane, Colne for Mrs. Brayshay

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: WBW03-PL-PS03 Revision B, PP03 Revision B, PP03a Revision A, PE03 Revision A, PE04 Revision B, 1:5000 location plan,

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

3. Notwithstanding the provisions of Article 3 and Part 1 of the second schedule of the Town and Country Planning (General Permitted Development) Order 2015 (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.

Reason: In order to enable the Local Planning Authority to control any future development on the site, in order to safeguard the character and visual amenity of this building and the area.

4. The external facing materials used in the creation of any new window and door openings in the development hereby approved shall match those of the existing building in terms of type, size, form, texture and colour and there shall be no variation without the prior consent of the Local Planning Authority.

Reason: In order to ensure that new material matches the existing.

5. A sample of the materials and colours to be used window frames and doors shall be submitted to and approved in writing by the Local Planning Authority within 2 weeks of the commencement of development. The development shall then only be carried out in accordance with the approved details prior to the occupation of the dwelling and retained thereafter.

Reason: To ensure the satisfactory appearance of the development.

6. Prior to the commencement of development, details of the proposed style and finish of the new roof lights shall be submitted to and approved in writing by the Local Planning Authority. The roof lights shall then be installed in strict accordance with the approved details.

Reason: To ensure the use of appropriate materials in order to protect the character and appearance of the barn.

7. The curtilage of each property hereby approved shall be as shown as shown on drawing WBW03-PL-PS03 Revision B.

Reason: In the interests of clarity and to clearly define the approved curtilage.

8. A scheme for the disposal of foul and surface water shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The scheme shall provide for separate systems for foul and surface waters and be constructed and completed in accordance with the approved plans before the first dwelling is occupied.

Reason: In order to control foul and surface water disposal and to prevent pollution and flooding.

9. The development shall commence in accordance with all recommendations within the EPS Scoping Survey carried out by David Fisher of EED Surveys and dated 20 March 2017.

Reason: To protect species and their habitats.

10. The permission hereby granted is for the conversion and extension of the existing building only and does not imply or grant consent for any demolition (with the exception of the existing lean-to and detached outbuilding) or re-building of the external walls.

Reason: The substantial rebuilding of this structure in Open Countryside would be contrary to the development plan.

11. Prior to the commencement of any development the existing vegetation on the highway frontage of the site at the junction of the access track with the lane leading to Hazelgrove Lodge shall be reduced to and be permanently maintained henceforth at a height not greater than 0.9m above the crown level of the carriageway of the access track.

Reason: In order to allow for the effective use of the parking areas and in the interests of highway safety.

12. Prior to the commencement of development the two existing passing places along the access track from its junction with Warley Wise Lane to the entrance to the track leading to Hazelgrove Lodge shall be extended to a minimum size of 10m x 2m and surfaced in an appropriate material to be submitted to and approved in writing by the Local Planning Authority. The passing places shall thereafter be retained in accordance with the approved details.

Reason: In the interest of highway safety.

13. Notwithstanding the submitted plans a scheme for the parking area for both cottages to provide a total of five spaces shall have been submitted to and approved in writing by the Local Planning Authority and shall be made available for use in accordance with the approved details prior to the first occupation of the dwellings hereby approved. The car parking area shall thereafter remain available for the parking of vehicles associated with these properties.

Reason: In order to allow for the effective use of the parking areas and in the interests of highway safety.

Note:

1. The development is located within a rural area, which appears likely to be served by a private (i.e. non-mains) water supply. The applicant is advised to ascertain the quality and sufficiency of the water supply. For further information contact Environmental Health at Pendle Borough Council by telephoning (01282) 661199.
2. The grant of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping-up or diversion of a right of way should be the subject of an Order under the appropriate Act. Bridleway 39 and Footpaths 40, 41 and 42 (Colne) may be affected by the development. If it is necessary for Public Rights of Way to be temporarily diverted or temporarily closed, this is the responsibility of the landowner to

ensure that this is done following the appropriate legal procedures. A temporary closure will only be granted where it is the intention to re-open the right of way upon expiration of the closure on the route recorded on the Definitive Map of Public Rights of Way.

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 conversion is acceptable in terms of design, amenity, highway safety and impact on the open countryside, thereby complying with Policies ENV1 and ENV2 of the Local Plan Part 1. There is apposite 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 receipt of the following appeal decision:

16/0700/HHO

17/0001/AP/REFUSE Appeal against refusal of planning permission for the erection of a single storey extension to the rear at 160 Barrowford Road, Colne by Mr. Andrew Watson APPEAL DISMISSED

27. ENFORCEMENT/UNAUTHORISED USES

(a) Outstanding enforcements

The Planning, Building Control and Licensing Services Manager submitted a report giving the up-to-date position on outstanding enforcement cases.

(b) Enforcement action

The Head of Legal Services submitted a report giving the up-to-date position on prosecutions.

(c) Hubbs House Farm, Colne

There was nothing further to report but the Committee felt that Community Protection Notices should be served on the owner of Hubbs House Farm in relation to a number of unauthorised activities.

RESOLVED

That officers investigate the possibility of serving Community Protection Notices on the owner of Hubbs House Farm, Colne in relation to alleged unauthorised activities taking place on the site.

REASON

To address the alleged unauthorised activities.

(d) Persimmon Homes Site, Knotts Drive, Colne

It was reported that residents were concerned that work on site was starting prior to 8.00 a.m. The planning permission stipulated that hours of operation were 8.00 a.m. to 5.00 p.m. on weekdays. At a recent visit to the site work had started at 7.50 a.m. although workers arrived from 7.00 a.m. onwards but did not start work until going up to 8.00 a.m. A breach of condition notice had been served but residents were still complaining that work was starting sooner than it should. They had been asked to keep a log so that this could be used as evidence should this lead to a prosecution.

RESOLVED

That a meeting with representatives from Persimmon Homes be arranged prior to the next Area Committee meeting to discuss a number of issues, including operating hours.

REASON

To address concerns from residents.

28. CAPITAL PROGRAMME 2016/17 AND 2017/18

The Neighbourhood Services Manager submitted a report on the Committee's Capital Programme for 2016/17 and 2017/18.

The Committee were asked to consider two bids:

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| Colne Town Centre Premises Improvement Grants | £15,000 (this allocation was agreed – Minute 31 below refers) |
| Alley Gating Maintenance (Repairs and Paintwork) | £2,095 |

RESOLVED

- (1) That it be noted that only the schemes listed in Appendices 1 and 2 had agreed funding.
- (2) That the Executive be recommended to agree a bid of £2,095 for Alley Gating Maintenance (Repairs and Paintwork) from central funds.
- (3) That the cost of reinstating the public pay phone at Alkincoats Café be met from the Vivary Bridge Environmental Improvement Fund.
- (5) That it be noted that Councillor Greaves allocated £1,500 from the Waterside

Horticultural Projects/Events to Colne In Bloom.

REASON

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

29. PROPOSED TRAFFIC CALMING ON GREENFIELD ROAD, COLNE

The Neighbourhood Services Manager reported that residents on Greenfield Road, Colne had been consulted on three options for traffic calming measures. Of the 20 households consulted 14 responses had been received:

| | | Preferred Option |
|----------|---|---------------------|
| Option 1 | Rebuild existing humps on Whitewalls Drive | 0 |
| Option 2 | Rebuild existing humps and add 3 new sleeping policeman style humps to Colne Road | 6 |
| Option 3 | As Option 2 but provide a lockable gate | 9 |

Of the responses received 5 of the residents nearest to Whitewalls Drive agreed to a gate; 5 of the 13 residents in the middle section of Greenfield Road did not want a gate; 4 did want a gate and 4 did not respond.

It was reported that the humps would not cause a problem for the refuse vehicles but the installation of a gate may be restrictive for the vehicles. There was a suggestion that the lockable gate be used for a temporary period of as and when required. It was also suggested that a combination lock be used instead of a key lock.

RESOLVED

That Option 3, to rebuild the existing humps, add 3 new sleeping policeman style humps to Colne Road and the installation of a lockable gate and the inclusion of Greenfield Road in the borough-wide Public Space Protection Order governing alley gates be agreed.

REASON

To prevent Greenfield Road, Colne being used as a rat run.

30. ITEMS FOR DISCUSSION

(a) Land rear of the Pine Shop on Craddock Road, Colne

Concerns were expressed that the land to the rear of the Pine Shop on Craddock Road, Colne was very overgrown. The gate was often left open and there was a dishevelled look to the site.

RESOLVED

That a Section 215 Notice be served on the owner of the land to the rear of the Pine Shop on Craddock Road, Colne requesting this land be cleared and maintained.

REASON

To remove an eyesore from a prominent town centre location.

31. COLNE PREMISES IMPROVEMENT GRANTS – 2016/17 SUMMARY

The Housing, Health and Economic Development Services Manager submitted a report on progress made on the Colne premises improvement grants scheme in the 2016/17 financial year. This item had been deferred at the last meeting following a request for more information.

The Business Support Leader circulated the criteria for this grants fund at the meeting and answered questions from the Committee. He clarified how the money was spent and what it could be spent on.

The Committee felt that the grant should not be used for any internal works and should only be used to make improvements to the exterior of properties. The Committee also felt that the grant should not be used to convert vacant shops to residential properties.

RESOLVED

- (1) That the summary of the premises improvement grant scheme be noted.
- (2) That the criteria for the Premises Improvement Grants Scheme be amended as follows:
 - the grant should not be used for any internal improvements;
 - that any reference to the conversion of vacant shops to residential properties be deleted.
- (3) That £15,000 be allocated for the Colne Premises Improvement Grants for 2017/18 from the Committee's Capital Programme for 2017/18.
- (4) That Councillors D. E. Lord and P. White be nominated onto the Premises Improvement Grant Panel for Colne.

REASON

- (1) ***To allow Members of the Committee to see the outcomes of the premises improvement grants scheme in the 2016/17 financial year.***
- (2) ***To allow Members to have a greater involvement in the allocation of Premises Improvement Grants.***

**32. PUBLIC SPACES PROTECTION ORDER - ALKINCOATS PARK,
BALL GROVE PARK AND KING GEORGE V PLAYING FIELDS**

The Neighbourhood Services Manager submitted a report on proposals and options for a Public Spaces Protection Orders (PSPOs) in relation to Alkincoats Park, Ball Grove Park and King George V Playing Fields.

A consultation would be undertaken which would include notices at park entrances with details on how to participate in an on-line survey; detailed correspondence with partners, including Town and Parish Councils and groups that use parks. There would be a press release inviting people to participate via an on-line survey.

The proposals would enable Council and Police officers to require dog walkers to put their dogs on a lead if they had concerns for other park users.

During discussion it was felt that the Millennium Green in Colne should also be considered for a similar PSPO regarding the control of dogs.

RESOLVED

- (1) That proposals for public and partner consultation of a Public Spaces Protection Order Alkincoats Park, Ball Grove Park and King George V Playing Fields be agreed in relation to the control of dogs and to incorporate the relevant parts of the existing parks by-laws.
- (2) That consideration be given to introducing a PSPO (control of dogs) at the Millennium Green in Colne.

REASON

To enable the Council and its partners to respond to concerns regarding behaviour that was detrimental to the quality of live in public spaces in Pendle including enforcement action.

33. KNOTTS LANE POND, COLNE

The Strategic Director submitted a report which provided an update on responses from residents who had been approached with a view to offering land for sale to the rear of their properties.

Three response had been received with only one owner who was interested in purchasing land hatched blue on the plan attached to the report.

The Committee were asked to consider the responses received and determine the next steps.

During discussion it was felt that residents should be asked to contribute a minimum amount for the transfer of the land to them. Some of the land had been 'give' but other areas had been bought by the Council. It was felt that the price being asked for the land was too much.

It was also reported that residents at 10 Knotts Drive, Colne had expressed an interest in purchasing some of this land.

RESOLVED

That the Executive be recommended to offer residents of 12 Knots Drive, 2 St. Andrews Close, 1 Knotts Mount, 3 Knotts Mount along with residents at 10 Knotts Drive, Colne land, as shown on the plan attached to the report, at minimal costs and that the Strategic Director, in consultation with the Portfolio Holder for Finance, be authorised to agree terms and conditions for the sales.

REASON

To remove a liability for the Council.

34. REPRESENTATIVES ON OUTSIDE BODIES

At the Annual meeting of the Council the responsibility for appointing representatives to some outside bodies was referred to this Committee. The Committee were asked to appoint representatives to organisations detailed in the report.

RESOLVED

That the following nominations be agreed:

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| Colne First Aiders | Councillor J. Cooney |
| Hartley Homes Trust | Councillor M. S. Foxley and Councillor P. White |
| Luther Greenwood Festival Committee | Councillor N. Butterworth |
| Trawden and District Agricultural Society | Councillor S. E. Cockburn-Price |

35. MISCELLANEOUS MINUTES

Minutes of meetings of the Friends of Ball Grove and Colne Market Panel were submitted for information.

Chairman _____