

**MINUTES OF A MEETING OF THE
COLNE AND DISTRICT COMMITTEE
HELD AT COLNE TOWN HALL
ON 3rd DECEMBER, 2015**

PRESENT –

Councillor G. Waugh (Chairman – in the Chair)

Councillors

*S. Benson
N. Butterworth
D. Clegg
S. E. Cockburn-Price
A. R. Greaves
J. A. Nixon
G. Roach
I. W. Tweedie
P. White*

Co-optees

Ashley Sutcliffe (Colne Town Council)

(Apologies for absence were received from J. Cooney, M. S. Foxley, D. E. Lord and Mr. J. Dransfield (Trawden Forest Parish Council)).

Officers in attendance:

<i>Peter Atkinson</i>	<i>Neighbourhood Services Manager and Area Co-Ordinator</i>
<i>Neil Watson</i>	<i>Planning, Building Control and Licensing Services Manager</i>
<i>Audrey Drinkwater</i>	<i>Senior Localities and Communities Officer</i>
<i>Jane Watson</i>	<i>Senior Committee Administrator</i>

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The following people attended the meeting and spoke on the items indicated:

<i>Neil Smith</i>	<i>13/15/0472P Full: Demolition of existing extension and erection of two-storey extension to rear including first floor balcony and parking area at Gadshill, Favordale Road, Colne</i>	<i>Minute No. 112(a)</i>
<i>Steve Craig</i>	<i>Capital Programme 2015/16 – Colne Swimming club bid</i>	<i>Minute No. 112(a)</i>

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108.

DECLARATIONS OF INTEREST

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

Councillor A. R. Greaves declared a non-pecuniary interest in minute number 117 regarding South Valley Children's Centre as he was a Trustee of the South Valley Children's Action Trust.

109. PUBLIC QUESTION TIME

There were no questions from members of the public.

110. MINUTES

RESOLVED

That the Minutes of this Committee at the meeting held on 5th November, 2015 be approved as a correct record and signed by the Chairman.

111. PROGRESS REPORT

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

112. PLANNING APPLICATIONS

(a) Applications to be determined

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

13/15/0472P Full: Demolition of existing extension and erection of two storey extension to rear including first floor balcony and parking area at Gadshill, Favordale Road, Colne for Mr. N. Smith

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: 1 & 2

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

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

Reason: These materials are appropriate to the locality and in order to allow the Local Planning Authority to control the external appearance of the development.

4. The windows in the first floor of the south facing elevation of the development hereby

permitted shall at all times be glazed only with obscure glass of a type and degree of obscurity to be first agreed in writing by the Local Planning Authority prior to its installation. Any replacement glazing shall be of an equal degree of obscurity to that which was first approved. The windows shall be hung in such a way so as to prevent the effect of obscure glazing being negated by way of opening.

Reason: To protect the privacy of the occupants of the adjoining dwelling.

5. No ground clearance, demolition, or construction work shall commence unless and until a method statement for the construction of the driveway and parking areas, including details of machinery access; material extraction adjacent to trees and protective measures including fencing, both in accordance with BS 5837 (2012); surfacing materials and topographical information, has been submitted to and approved in writing by the local planning authority. The approved works shall then be carried out in strict accordance with the agreed details.

Reason: To ensure that adjacent trees are protected during the construction process.

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 development is acceptable in terms of scale, design and amenity, thereby complying with Policies 13 and 14 of the Replacement Pendle Local Plan and Policies ENV1 and ENV2 of the Core Strategy. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

13/15/0503N Prior Approval Notification (Part 3, Class C – GPDO 2015): Change of use from retail (A1) to café (A3) with no external alterations at 48 Market Street, Colne for Mrs. K. Burnside

RESOLVED

That prior approval be required and refused for the following reason:

1. It is undesirable for the building to change to a use falling within Class A3 because it would reduce the provision of retail premises within a primary shopping frontage to an unacceptable level and therefore would harm the sustainability of Colne town centre contrary to Policy 26 of the Replacement Pendle Local Plan and WRK4 of the emerging Core Strategy.

(b) Planning Appeals

The Planning, Building Control and Licensing Services Manager submitted, for information, a report giving the up-to-date position on appeals.

113. ENFORCEMENT/UNAUTHORISED USES

(a) Outstanding Enforcements

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

The unauthorised replacement of a shop front at 12 Church Street, Colne was discussed. The property was within a Conservation Area and a planning application had been requested back in February 2015 but had not yet been submitted.

RESOLVED

- (1) That the report be noted.
- (2) That a report on 12 Church Street, Colne be submitted to the next meeting.

REASON

To establish the reason for the delay in submitting a planning application.

(b) Enforcement Action

The Democratic and Legal Manager submitted, for information, a report giving the up-to-date position on enforcement matters.

Reference was made to 74 Albert Road, Colne. The owner had failed to comply with the requirements of the Enforcement Notice and the Breach of Condition Notice. As a result this had resulted in an instruction being given to proceed to prosecute for non-compliance of the two Notices. It was reported that a hearing was scheduled for 18th December, 2015.

RESOLVED

That the decision to prosecute for non-compliance with the requirements of the Enforcement Notice and the Breach of Condition Notice at 74 Albert Road, Colne be endorsed.

REASON

To comply with the Enforcement and Breach of Condition Notice.

(c) Hubbs House Farm, Colne

The Planning, Building Control and Licensing Services Manager reported that the County Council were considering serving an injunction against the alleged unauthorised activities ongoing at Hubbs House Farm, Colne.

114. CAPITAL PROGRAMME 2015/16

The Neighbourhood Services submitted a report on the Committee's Capital Programme for 2015/16.

RESOLVED

- (1) That it be noted that only the schemes listed in Appendix 1 attached to the report had been agreed funding.
- (2) That £2,370 be allocated to Colne Swimming Club to cover the cost of providing 6 ASA Level 1 courses.
- (3) That the allocation of funding for the re-instatement of the paving on Market Street, Colne not be agreed but funding be allocated for the provision of one new waste bin subject to a second waste bin being provided by Environmental Services on Market Street, Colne.
- (4) That the underspend of £195 in relation to town centre entertainment at the Colne Rhythm and Blues Festival 2015 be de-allocated and returned to the capital programme funds for 2015/16.
- (5) That officers be made aware that the remaining £960.88 of the S106 money relating to the planning application ref., 13/05/0267P land to rear of Barrowford Road, Colne had been identified as being used for future maintenance of the play area and that this amount should be transferred to Colne Town Council as part of the transfer of play areas which was currently being undertaken.
- (6) That with regard to the £10,434 of the Committee's Capital Programme for 2015/16 held back by the Executive pending discussions relating to the transfer of various assets the Executive be asked to let the Committees know when this funding was going to be released to the Area Committee to allocate.

REASON

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

116.

ITEMS FOR DISCUSSION

(a) Colne Bus Station

It was reported that the condition of the passenger shelters and the street furniture at Colne Bus Station was in a poor state of repair. The County Council had identified funding which would be used for mainly resurfacing and carriageway repairs. It was felt that the passenger shelters were in need of repainting and some of the benches should be replaced with wooden ones. There was also a problem with the signage indicating which service stopped at which shelter. It was considered that this information was now out of date.

RESOLVED

- (1) That the Neighbourhood Services Manager be asked to arrange for the passenger shelters at Colne Bus Station, and the railings, to be repainted.
- (2) That the Neighbourhood Services Manager submit a report to the next meeting on options available for the replacement of the benches at Colne Bus Station.
- (3) That the Neighbourhood Services Manager continue negotiations with the County Council

regarding improvements to the signage at Colne Bus Station.

- (4) That the condition of the tree pits and the 'leaning trees' be investigated and possible improvements be made where appropriate.

REASON

To improve the overall condition of Colne Bus Station.

(b) Knotts Drive Pond, Colne

It was reported that after a number of years the land known as Knotts Drive Pond in Colne, and edged red on the plan submitted to the Committee, was now within the Council's ownership.

RESOLVED

That a report be submitted to a future meeting on the future use and maintenance arrangements for the site known as Knotts Drive Pond, Colne.

REASON

To ensure the land is used and maintained in the interests of residential amenity.

117. SOUTH VALLEY CHILDREN'S CENTRE (WATERSIDE CENTRE) – UPDATE

This matter was discussed at a previous meeting of this Committee on 8th October, 2015 where it was resolved to proceed to take a transfer of the site of the Waterisde Centre and the adjoining MUGA from Lancashire County Council.

The Democratic and Legal Manager reported that following that meeting discussions were held with Newground about the future of this building. A few years ago discussions took place about the possibility of the Council granting Newground a lease of the building so that they could obtain grants to pay for improvements to it. However, recently Newground had said that they no longer wanted to do this. They would like instead to take a licence of the building from the Council so that they could continue their current activities in the building, but this would be on the basis that the Council took on responsibility for the repair and maintenance of it. Liberata Property Services had been asked to carry out a survey of the building and the results would be reported back to Committee so that a decision could then be taken whether to proceed on the basis suggested by Newground.

118. MISCELLANEOUS MINUTES

Minutes of a meeting of the Friends of Ball Grove were submitted for information.

119. LANCASHIRE PARISH BASED PUBLIC TRANSPORT SCHEME

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

120.

OUTSTANDING ITEMS

The following item had been requested by this Committee and a report would be submitted to a future meeting:

Newtown Street Area of Colne – Parking Problems (report requested (08.01.2015)

Signs – Advertising the Town Centre (report requested 08.10.2015)

Chairman _____