

**MINUTES OF A MEETING OF
BARROWFORD AND WESTERN PARISHES COMMITTEE
HELD AT HOLMEFIELD HOUSE
ON 3RD MARCH, 2016**

PRESENT

Councillor L. M. Crossley – Chairman (In the Chair)

Councillors

*N. McEvoy
B. Newman
J. K. Starkie*

Co-optees

*Mrs K. Wilkinson – Goldshaw Booth Parish Council
Mr R. Oliver – Barrowford Parish Council
Mr M. Tetley – Higham Parish Council
Mr D. Oldham – Barley with Wheatley Booth Parish Council
Mr N. Hodgson – Blacko Parish Council*

Officers in attendance

*V. Green
K. Hughes
J. Eccles*

*Financial Services Manager
Principal Planning Officer
Committee Administrator*

(Apologies were received from Councillor C. Wakeford.)



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

- | | | |
|---|---|--------------------------|
| <i>Mark Sugden
Chris Read
Harry Preston
Dominic Parsons</i> | <i>13/15/0578P Full: Demolition of garage block and erection of three dwelling houses in one row with parking and cycle stores at Garage site off Gisburn Road, Blacko</i> | <i>Minute No. 103(a)</i> |
| <i>Matthew Wyatt</i> | <i>13/15/0587P Full: Lift roof of property to create first floor, erection of two storey extension to front and associated external alterations at 4 Sandy Hall Lane, Barrowford</i> | <i>Minute No. 103(a)</i> |
| <i>Matthew Wyatt</i> | <i>13/15/0620P Full: Change of use of detached storage building to ancillary accommodation/holiday let for unit 7. Erection of first floor extension and porch to front elevation at Filter House, Barley Green, Barley for R. Pilling & Sons (Burnley) Ltd</i> | <i>Minute No. 103(a)</i> |
| <i>Elaine Clayton
Arnold Wager
Geoff Jackson
Mark Porter
Richard Clarke</i> | <i>13/15/0624P Outline: Major: Residential development of up to 19 dwelling houses (All matters reserved) at Part of field nos. 6777, 7878 and 0083 Gisburn Road, Blacko</i> | <i>Minute No. 103(a)</i> |

99. DECLARATION OF INTERESTS

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

100. PUBLIC QUESTION TIME

There were no questions from members of the public.

101. MINUTES

RESOLVED

That the Minutes of this Committee, at the meeting held on 4th February, 2016 be approved as a correct record and signed by the Chairman.

102. POLICE ISSUES

The Police submitted crime figures for Barrowford and Western Parishes for February 2016 broken down into the various villages.

RESOLVED

That the Police be asked for clarification on why certain crimes in Old Laund Booth that had been reported to the Police had been recorded as “no crimes”.

103. PLANNING APPLICATIONS

(a) Planning Applications

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

13/15/0578P Full: Demolition of garage block and erection of three dwelling houses in one row with parking and cycle stores at Garage site off Gisburn Road, Blacko for Mr D. Parsons

The Planning, Building Control and Licensing Services Manager submitted an update at the meeting suggesting two amendments to the conditions regarding proposed access into the site.

RESOLVED

That planning permission be **granted** subject to the following conditions –

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:

2247 03, 2247 04, 2247 05 Rev B & 2247 06.

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

3. Notwithstanding the provisions of Article 3 and parts 1 and 2 of the second Schedule of the Town & 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 & E(a) 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

E (a) no buildings, enclosures, swimming or other pools shall be erected or constructed within the curtilage of the buildings

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.

4. No development shall take place unless and until a scheme for all highway works to facilitate the proposed access to the site along the access track from Gisburn Road have been submitted to and approved in writing by the Local Planning Authority. The new access into the site shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any development takes place within the site. The access road shall be laid out, surfaced, sealed and completed in its entirety prior to the occupation of the first unit.

Reason: To ensure that the access can be achieved to a suitable standard to enable vehicles to enter and leave the premises in a safe manner without causing a hazard to other road users.

5. Prior to the commencement of development the applicant shall have submitted to and have agreed in writing by the Local Planning Authority a method statement which sets out in detail the method, standards and timing for the investigation and subsequent remediation of any contamination which may be present on site. The method statement shall detail how:-

a) an investigation and assessment to identify the types, nature and extent of land contamination affecting the application site together with the risks to receptors and potential for migration within and beyond the site will be carried out by an appropriately qualified geotechnical professional (in accordance with a methodology for investigations and assessments which shall comply with BS 10175:2001) will be carried out and the method of reporting this to the Local Planning Authority; and

b) A comprehensive remediation scheme which shall include an implementation timetable, details of future monitoring and a verification methodology (which shall include a sampling

and analysis programme to confirm the adequacy of land decontamination) will be submitted to and approved in writing by the Local Planning Authority.

All agreed remediation measures shall thereafter be carried out in accordance with the approved implementation timetable under the supervision of a geotechnical professional and shall be completed in full accordance with the agreed measures and timings, unless otherwise agreed in writing by the Local Planning Authority.

In addition, prior to commencing construction of any building, the developer shall first submit to and obtain written approval from the Local Planning Authority a report to confirm that all the agreed remediation measures have been carried out fully in accordance with the agreed details, providing results of the verification programme of post-remediation sampling and monitoring and including future monitoring proposals for the site.

Advisory Notes:

(i) Where land identified as having the potential to be contaminated is undergoing redevelopment, a copy of the leaflet entitled 'Information for Developers on the investigation and remediation of potentially contaminated sites' will be available to applicants/developers from the Council's Contaminated Land Officer. The leaflet will be sent to the developer by request.

(ii) Three copies of all contaminated land reports should be sent to the Local Planning Authority.

(iii) This condition is required to be fully complied with before development is commenced. Failure to comply with the condition prior to commencement of work may result in legal action being taken.

Reason: In order to protect the health of the occupants of the new development and/or in order to prevent contamination of the controlled waters.

6. Before work commences on the site, facilities shall be provided and retained within the site, by which means the wheels of vehicles may be cleaned before leaving the land. All vehicles shall thereafter use the facilities.

Reason: In the interest of highway safety.

7. The proposed development shall not be brought into use unless and until the car park shown on the approved plan has been constructed, surfaced, sealed, drained and marked out in accordance with details to be submitted to and agreed in writing by the Local Planning Authority. The parking spaces and turning areas shall thereafter always remain unobstructed and available for parking and turning purposes.

Reason: In the interest of amenity.

8. The access shall be so constructed that there is clear visibility from a point 1.05 metres above ground level at the centre of the access and 2 metres distant from the adjoining edge of carriageway, to points 1.05 metres above ground level at the edge of the adjoining carriageway and 11 metres distant in each direction measured from the centre of the access along the nearside adjoining edge of carriageway prior to the commencement of

any other works on site and thereafter be permanently retained.

Reason: In order to ensure satisfactory visibility splays are provided in the interests of highway safety.

9. Prior to the commencement of development a scheme for the disposal of foul and surface water shall be submitted to and approved in writing by the Local Planning Authority. 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: To control foul and surface water flow disposal and prevent flooding.

10. Before a dwelling unit is occupied waste containers shall be provided in the bin/cycle storage areas on each plot.

Reason: To ensure adequate provision for the storage and disposal of waste.

11. Prior to the commencement of development samples of the materials, including a sample panel, to be used in the construction of the development hereby permitted and details of the proposed cycle stores including materials and dimensions (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.

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. The proposed use of the site for 3 residential units is acceptable in terms of amenity, design and siting and would not adversely impact on amenity or highway safety subject to appropriate conditions. 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.

13/15/0587P Full: Lift roof of property to create first floor, erection of two storey extension to front and associated external alterations at 4 Sandy Hall Lane, Barrowford for Mr A. Leach

RESOLVED

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

1. The extension of the property and the addition of a second floor to it would result in a development that would be disproportionate to the original building. The massing of the building would increase and this would have a detrimental impact on the openness of the

green belt. The development would thus be inappropriate development in the Green Belt contrary to the policies in Section 9 of the National Planning Policy Framework.

13/15/0620P Full: Change of use of detached storage building to ancillary accommodation/holiday let for unit 7. Erection of first floor extension and porch to front elevation at Filter House, Barley Green, Barley for R. Pilling & Sons (Burnley) Ltd

RESOLVED

That planning permission be **granted** subject to the following conditions –

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: 'Proposed Conversion of Detached Store to 1 Bed Holiday Let'.

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

3. Within two weeks of the commencement of development samples of the external materials to be used in the construction of the roofs and walls of the development hereby permitted shall have been submitted to the Local Planning Authority. Should the samples not be submitted no further development shall be undertaken on site until samples are submitted. The development shall not be occupied unless it is constructed strictly in accordance with the approved materials.

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

4. Any pruning works to the adjacent tree required in connection with the development shall only be carried out in strict accordance with BS 3998 (2010).

Reason: To protect the adjacent tree.

5. The development shall include provision for one car to park, turn and exit the site in forward gear. Unless otherwise agreed in writing by the Local Planning Authority the parking space shall be that marked no.18 on the approved site plan. The building shall not be occupied unless and until the car parking space and turning area has been surfaced, marked out and made available for use and they shall thereafter at all times remain unobstructed and available for parking and manoeuvring purposes.

Reason: In the interest of highway safety.

6. The building shall be occupied for holiday purposes or as accommodation incidental and

ancillary to the enjoyment of Unit 7 of the Filter House only:

(1) the building shall not be occupied as a person's sole or main place of residence other than as accommodation incidental and ancillary to the enjoyment of Unit 7 of the Filter House.

(2) the owner/operator shall maintain an up-to-date register of the names of all owners/occupiers of the building and their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority.

Reason: In order to ensure the proper control of the use of the holiday unit / ancillary accommodation.

7. A scheme for the disposal of foul and surface water shall be submitted to and approved in writing by the Local Planning Authority within two weeks of 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: To control foul and surface water flow disposal and prevent flooding.

8. Notwithstanding the provisions of Article 3 and parts 1 and 2 of the second Schedule of the Town & 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, E & F of Part 1 and Class A of Part 2 of Schedule 2 of that Order shall be carried out without express planning permission first being obtained from the Local Planning Authority.

Reason: To enable the Local Planning Authority to control any future development on the site in order to safeguard the adjacent tree, the character of the area and the natural beauty of the AONB.

9. Prior to the commencement of development the applicant shall have submitted to and have agreed in writing by the Local Planning Authority a method statement which sets out in detail the method, standards and timing for the investigation and subsequent remediation of any contamination which may be present on site. The method statement shall detail how:-

a) an investigation and assessment to identify the types, nature and extent of land contamination affecting the application site together with the risks to receptors and potential for migration within and beyond the site will be carried out by an appropriately qualified geotechnical professional (in accordance with a methodology for investigations and assessments which shall comply with BS 10175:2001) will be carried out and the method of reporting this to the Local Planning Authority; and

b) A comprehensive remediation scheme which shall include an implementation timetable, details of future monitoring and a verification methodology (which shall include a sampling and analysis programme to confirm the adequacy of land decontamination) will be submitted to and approved in writing by the Local Planning Authority.

All agreed remediation measures shall thereafter be carried out in accordance with the approved implementation timetable under the supervision of a geotechnical professional

and shall be completed in full accordance with the agreed measures and timings, unless otherwise agreed in writing by the Local Planning Authority.

In addition, prior to commencing construction of any building, the developer shall first submit to and obtain written approval from the Local Planning Authority a report to confirm that all the agreed remediation measures have been carried out fully in accordance with the agreed details, providing results of the verification programme of post-remediation sampling and monitoring and including future monitoring proposals for the site.

Advisory Notes:

(i) Where land identified as having the potential to be contaminated is undergoing redevelopment, a copy of the leaflet entitled 'Information for Developers on the investigation and remediation of potentially contaminated sites' will be available to applicants/developers from the Council's Contaminated Land Officer. The leaflet will be sent to the developer by request.

(ii) Three copies of all contaminated land reports should be sent to the Local Planning Authority.

(iii) This condition is required to be fully complied with before development is commenced. Failure to comply with the condition prior to commencement of work may result in legal action being taken.

Reason: In order to protect the health of the occupants of the new development and/or in order to prevent contamination of the controlled waters.

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. The proposed development is acceptable in terms of policy, design, amenity, drainage, impact on trees and highway safety. 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.

13/15/0624P Outline: Major: Residential development of up to 19 dwelling houses (All matters reserved) at Part of field nos. 6777, 7878 and 0083 Gisburn Road, Blacko for Mr Greenwood

(Councillor B. Newman declared a personal interest in this application.)

(Before the vote was taken the Planning, Building Control and Licensing Services Manager 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.)

The Planning, Building Control and Licensing Services Manager submitted an update at the meeting on highways issues and a proposal to amend condition 4 so that it related only to a contribution towards education facilities.

RECOMMENDATION

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

1. Education impact;
2. Environmental impact;
3. Site located outside the settlement boundary; and
4. Road safety issues.

13/15/0627P Full: Change of use from offices (B1) to shop (A1) at 55 Gisburn Road, Blacko for Mr G. Ford

(Before the vote was taken the Planning, Building Control and Licensing Services Manager advised that should the application be approved this would be 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.)

RECOMMENDATION

That planning permission be **granted**.

13/16/0044PP Full: Demolition of garage and erection of single storey extension to accommodate garage and lounge at 21 Stone Edge Road, Barrowford for Mr & Mrs J. Plant

RESOLVED

That planning permission be **granted** subject to the following conditions –

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:

1:1250 location plan, 201 001, 201 002 C & 201 003 C.

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

3. The external facing and roofing materials 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.

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. The proposed single storey extension is acceptable in terms of impact on amenity, design and materials. 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.

13/16/0044P Outline: Partial demolition of Hollin Hall Farm: Erection of nine dwelling houses (including 1 holiday cottage); form new vehicular access from Gisburn Road (access and layout only) at Hollin Hall Farm, 517 Gisburn Road, Blacko for Mr D. Hall

The Planning, Building Control and Licensing Services Manager submitted an update reporting that this application was invalid and had been withdrawn.

(b) Planning Appeals

The Planning, Building Control and Licensing Services Manager reported that there were two outstanding planning appeals as follows –

13/15/0255P Appeal against refusal of planning permission for the erection of a single storey extension and dormer to rear and roof lights to front at 22 Carr Hall Road, Barrowford, BB9 6BX

13/15/0260P Appeal against refusal of Listed Building consent to replace existing wood framed windows to UPVC double glazed windows at 195 Gisburn Road, Barrowford BB9 6JD

104. ENFORCEMENT/UNAUTHORISED USES

Enforcement Action

The Democratic and Legal Manager reported that there were no outstanding enforcement cases in Barrowford and the Western Parishes.

105. CAPITAL PROGRAMME 2015/16

The Neighbourhood Services Manager reported that the balance for the Committee's 2015/16 Capital Programme was £1,559.

106. TRAFFIC LIAISON MINUTES

The Minutes of the Traffic Liaison meeting held on 21st January were submitted for information.

RESOLVED

That the Neighbourhood Services Manager be asked to provide a monthly update to Committee on works at the M65/Junction 13.

RESOLVED

To keep Councillors informed of developments.

107.

PROBLEM BUILDINGS

The Planning, Building Control and Licensing Services Manager submitted a report about problem buildings in Barrowford. It was reported that the developer for Land adjacent to Garnett Street was intending to start work on the site before planning permission expired in July. Councillors discussed the untidy appearance of a building site in Fence where the Harpers Inn had been demolished.

RESOLVED

That the building site on Harpers Lane be added to the problem sites list.

REASON

In the interests of visual amenity.

108.

STEVEN BURKE SPORTS HUB – PHASE 2

The Neighbourhood Services Manager submitted an update on progress made in relation to the proposed plans for Phase 2 of the Steven Burke Sports Hub.

RESOLVED

- (1) That £2,000 be earmarked from the Committee's 2016/17 Capital Programme towards the project costs.
- (2) That the Neighbourhood Services Manager be asked to have further discussions with Barrowford Parish Council in view of concerns about access to the site and use of the site by 6-12 year olds and for a further report to come back to the next meeting on these issues.

REASON

- 1. To add to the Council's match funding pot to enable external funding bids to be made.**
- 2. To gain a fuller understanding of the project before it progresses.**

109.

MISCELLANEOUS PIECES OF LAND

The Neighbourhood Services Manager submitted a list of miscellaneous pieces of land in Barrowford that had previously been considered by the Transfer of Services and Facilities to

Town and Parish Councils Committee, for possible transfer to the town and parish councils. Maps of the sites had also been circulated prior to the meeting. Members were asked to make any comments on any of the sites prior to the town and parish councils being asked whether they would wish for any to be transferred to them.

RESOLVED

That, in principle, all four pieces of land listed in the report be included in the sites offered for transfer to Barrowford Parish Council.

REASON

For the possible transfer of land to Barrowford Parish Council.

CHAIRMAN _____