

**MINUTES OF A MEETING OF
THE WEST CRAVEN COMMITTEE
HELD AT THE
RAINHALL CENTRE, BARNOLDSWICK
ON 7TH JUNE 2016**

PRESENT –

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

Councillors

*M. Adams
K. Hartley
M. Horsfield
J. Purcell
C. Teall
D. M. Whipp*

Officers Present

N. Watson

J. Eccles

Co-optees

G. Wilson

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

Police

PC N. Keates

(Apologies were received from Councillor L. Daly.)



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

<i>Ian Pawson Russell Myers Mrs Higham Mr Collett Stephen Blake</i>	<i>16/0274/HHO - Erection of a single storey extension to the rear of Ghyll Dene, Rainhall Crescent, Barnoldswick</i>	<i>Minute No. 31(a)</i>
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<i>Tessa Fletcher Peter Crompton</i>	<i>16/0136/REM - Reserved Matters: Major: Erection of 31 dwelling houses (Appearance, Landscaping, Layout and Scale) at Land off Long Ing Lane, Barnoldswick</i>	<i>Minute No. 31(a)</i>
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27. DECLARATIONS OF INTEREST

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

28. PUBLIC QUESTION TIME

There were no questions from members of the public.

29. MINUTES

RESOLVED

That the Minutes of this Committee, at the meeting held on 10th May 2016, be approved as a correct record, and signed by the Chairman.

30. POLICE ISSUES, POLICE AND COMMUNITIES TOGETHER (PACT) PRIORITIES AND COMMUNITY SAFETY ISSUES

PC Nigel Keates presented crime statistics for West Craven for May 2016 compared to the same period in 2015 and reported on policing of the area over the last month. Crimes were broken down as follows –

	2015	2016
Burglary in a dwelling	1	0
Burglary other than a dwelling	0	3
Vehicle Crime	0	3
Hate crime	0	0
Assaults	11	7
Criminal Damage	8	9
TOTAL	36	36
Anti-Social Behaviour	40	39

Councillors asked questions about various highways safety and anti-social behaviour issues reported at the last meeting and other issues ongoing in the area. PACT priorities were agreed for the coming month.

31. PLANNING APPLICATIONS

(a) To be determined

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

16/0274/HHO Erection of a single storey extension to the rear of Ghyll Dene, Rainhall Crescent, Barnoldswick for Mr and Mrs Goodwill

(A site visit was carried out prior to the meeting.)

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

RECOMMENDATION

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

1. Impact on neighbours
2. Drainage issues

16/0142/VAR Full: Major: Variation of Condition: Remove Condition 21 (Renewable energy) of Planning Permission 13/10/0568P for the erection of a holiday village comprising 55 lodges, site reception building incorporating shop, cafe, health spa and managers accommodation, alterations to vehicular access, landscaping and tree planting at Park Close Quarry, Moor Lane, Salterforth for Halton Homes Ltd

(A site visit was carried out prior to the meeting.)

RESOLVED

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

1. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers: Location Plan, 369-01A, 369-02A, 369-03, 369-04, 369-05, 369-06, 369-07, 369-08, 369-11, 369-10, 369-12, 369-13, 369-14, 369-15, 369-18, 369-19, 369-21, 369-23, 2283-10, 2283-11, 2283-12, 2283-13, 2283-SK2, SK-23

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

2. The chalets shall be occupied for holiday purposes only:
 - (1) The chalets shall not be occupied as a person's sole or main place of residence.
 - (2) No less than 18 chalets shall be let at any time solely for short let accommodation. The short let chalets shall not be occupied by any one person for a period exceeding 28 days in any calendar year.
 - (3) The owner/operator shall maintain an up-to-date register of the names of all owners/occupiers of individual units on the site and their main home addresses, along with a list identifying current short let chalets 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 units and to prevent the establishment of permanent residency.

3. The development must be begun not later than the expiration of three years beginning 10th February 2011.

Reason: In order to comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (As Amended).

4. The cafe, shop and spa located in the reception building hereby approved shall be for the sole use of occupants of the holiday park hereby approved.

Reason: To protect the viability of the town centre.

5. No part of the development shall be occupied until a footpath linking the site to High Lane as shown on Drawing No. 369-02A has been constructed and is open for use. The footpath shall be retained and open for access to High Lane at all times.

Reason: In order to provide a pedestrian link to High Lane in the interest of highway safety.

6. Prior to the commencement of development, a scheme for the construction of off-site works of highway improvement shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter, no part of the development hereby approved shall be occupied until the approved scheme has been constructed and completed in accordance with the details agreed.

Reason: To satisfy the Local Planning Authority that details of the highway scheme/works are acceptable before work commences.

7. 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.

8. No part of the development shall be commenced until all the highway works to facilitate construction traffic access have been constructed in accordance with a scheme which shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.

Reason: To enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users.

9. No part of the development hereby permitted shall be occupied until the land between the existing highway boundary and the visibility splays indicated on the submitted drawing no. 369-05A has been cleared of all obstructions exceeding 0.9 metres in height. The land shall be so maintained thereafter at all times that the proposed development is in use.

Reason: In the interest of pedestrian and highway safety.

10. The development hereby permitted shall not be commenced until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be submitted at a scale of 1:200 and shall include the following:
- a. the exact location and species of all existing trees and other planting to be retained;
 - b. all proposals for new planting and turfing indicating the location, arrangement, species, sizes, specifications, numbers and planting densities;
 - c. an outline specification for ground preparation;
 - d. all proposed boundary treatments with supporting elevations and construction details;
 - e. all proposed hard landscape elements and pavings, including layout, materials and colours;
 - f. the proposed arrangements and specifications for initial establishment maintenance and long-term maintenance of all planted and/or turfed areas.

The approved scheme shall be implemented in its entirety approved form within the first planting season following the substantial completion of the development. Any tree or other planting that is lost, felled, removed, uprooted, dead, dying or diseased, or is substantially damaged within a period of five years thereafter shall be replaced with a specimen of similar species and size, during the first available planting season following the date of loss or damage.

Reason: To ensure that the development is adequately landscaped so as to integrate with its surroundings.

11. All hard and soft landscape works shall be carried out in accordance with the recommendations of BS 4428 (1989). The works shall be carried out prior to occupation of any part of the development or in accordance with a timetable to be agreed in writing by the Local Planning Authority. Any trees or plants that within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season thereafter.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

12. The windows in the first floor East elevation of the lodges 3 and 4 as shown on drawing No. 369-01A 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 safeguard residential amenity.

13. 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.

14. Samples of materials including descriptions, name of source/quarry shall be submitted to the Local Planning Authority for written approval prior to commencement of work on the site. The development shall be carried out using only the agreed materials.

Reason: In order that the Local Planning Authority can assess the materials in the interest of the visual amenity of the area.

15. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation

Reason: To identify contamination from previous uses, ensure any remediation is undertaken and safeguard future uses, occupiers and the environment beyond.

16. Demolition or construction work shall not begin until a scheme for protecting the nearby residents from noise and vibration from the site during these works has been submitted to and approved in writing by the Local Planning Authority. All measures which form part of the

approved scheme shall be adhered to throughout the period of demolition and/or construction.

NOTES

1. The contractor shall have regard to the relevant parts of BS 5228 1997 "Noise and Vibration Control on Construction and Open Sites" during the planning and implementation of site activities and operations.
2. The local planning authority expects that the best practical means available in accordance with British Standard Codes of practice 5228:1997 Parts 1 to 4 shall be employed at all times to minimise the emission of noise from the site.
3. Reference should be made to the Council's 'Code of Practice for Construction and Demolition Sites'.

Reason: To ensure a satisfactory standard of amenity for neighbouring properties.

17. 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.

18. Before each lodge is first occupied waste containers shall be provided in the bin storage areas on each plot.

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

19. No tree felling, branch lopping or vegetation clearance in connection with the development hereby approved shall take place between the 1st March and 31st July.

Reason: To ensure protection of the habitat of nesting birds which are protected under the Wildlife & Countryside Act, 1981.

20. The development shall be carried out in strict accordance with the recommendations set out in the Extended Phase 1 Habitat Survey received 27/10/2010. Any additional reports required in accordance with those recommendations shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant works. The recommendations of the approved reports shall be wholly implemented in accordance with timescales set out in the report and thereafter retained.

Reason: To ensure protection of the habitat of bats and barn owls which are protected under the Wildlife & Countryside Act, 1981.

21. Prior to the commencement of development on site a method statement shall be submitted to the Local Planning Authority for written approval which shall include the following:
- i) the parking of vehicles of site-operatives and visitors
 - ii) loading and unloading of plant and materials
 - iii) storage of plant and materials used in constructing the development
 - iv) the erection and maintenance of security hoardings including decorative displays, where appropriate
 - v) wheel-washing facilities

- vi) measures to control the emission of dust and dirt during construction
- vii) a scheme for re-cycling/disposing of waste resulting from demolition and construction works the development shall proceed strictly in accordance with that method statement.

Reason: In the interest of the amenity of the area and highway safety during construction work.

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 condition is no longer necessary under current local or national policy. 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.

16/0136/REM Reserved Matters: Major: Erection of 31 dwelling houses (Appearance, Landscaping, Layout and Scale) at Land off Long Ing Lane, Barnoldswick for Stirling Investment Properties LLP

(A site visit was carried out prior to the meeting.)

RESOLVED

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

1. The design of the development, due to the inclusion of uncharacteristic three storey dwellings and its layout, represents poor design that would harm the character and amenity of the area contrary to policies ENV2 and LIV5 of the adopted Pendle Local Plan Part 1: Core Strategy and paragraph 64 of the National Planning Policy Framework.

16/0159/OUT Outline: Demolition of existing nursing home and construction of 5 dwelling houses in a terrace row (Access, Layout and Scale) at Briercliffe Lodge, Rainhall Crescent, Barnoldswick for Mr R Eyton Jones

(A site visit was carried out prior to the meeting.)

RESOLVED

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

1. An application for approval of the reserved matters (namely the appearance and landscaping of the site) shall be submitted in writing to the Local Planning Authority before the expiration of three years from the date of this permission and the development hereby permitted must be begun two years from the date of approval of the last of the reserved matters to be approved.

Reason: This condition is required to be imposed by the provisions of Article 3 (1) of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Details of the appearance and landscaping (hereinafter called the 'reserved matters') shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: In order to comply with the requirements of Section 92 of the Town & Country Planning Act 1990.

3. The development hereby permitted shall be carried out in accordance with the following approved plans: 2629.

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

4. Unless otherwise agreed in writing by the Local Planning Authority, plots 2, 3 and 4 shall not be occupied unless and until secure cycle storage for two cycles for each of plots 2, 3 and 4 has been provided for in accordance with a scheme that has been submitted to and approved by the Local Planning Authority. The cycle storage shall be retained thereafter and at all times shall be available for storage of cycles.

Reason: To allow for the effective use of the parking areas the promotion of sustainable forms of transport and aid social inclusion.

5. The dwellings hereby approved shall not be occupied unless and until car parking and manoeuvring areas have been marked out surfaced and made available for car parking and manoeuvring purposes in accordance with a scheme, including details of any allocation of spaces, that has been submitted to and approved by the Local Planning Authority. The car parking and manoeuvring areas shall thereafter at all times be maintained free from obstruction and available for car parking and manoeuvring purposes.

Reason: To ensure an adequate level of car parking provision is provided and maintained in the interest of highway safety.

6. The dwellings hereby approved shall not be occupied unless bin storage and collection areas have been made available in accordance with a scheme that has been submitted to and approved by the Local Planning Authority. The bin storage and collection areas shall thereafter at all times be available for bin storage purposes.

Reason: To ensure adequate facilities for the storage and collection of bins in the interest of highway safety.

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. The development shall be carried out in strict accordance with the recommendations set out in the Bat Survey Report received 5th April 2016.

Reason: To ensure protection of species protected under the Wildlife & Countryside Act, 1981.

RESOLVED

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 compliant with policy and the principle of residential development is accepted in this location and the proposed access is acceptable in terms of 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.

16/0113/FUL Full: Erection of 3 bedroom dwelling house at Land adjacent to 7 The Hayfields, Salterforth for Mr C. Nuttall

(A site visit was carried out prior to the meeting.)

RESOLVED

That planning permission be **granted** subject to the following conditions and County Council be asked if the existing turning head adjacent to the site could be cross hatched so that it would always be free of parked vehicles -

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: Drawing No. 1, Drawing No. 2, Drawing No. 3.

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 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. Plans and particulars showing a scheme of foul sewers and surface water drains, shall be submitted to, and approved in writing by the Local Planning Authority, and development shall not be commenced before these details have been approved, unless otherwise agreed in writing. Such works shall be carried out concurrently with the rest of the development and in any event shall be finished before the building is occupied.

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

Reason: To prevent trees from being damaged during building works.

5. The turning head provided at the end of the cul-de-sac The Hayfields and adjacent to the proposed dwelling shall always remain unobstructed and available for turning purposes unless otherwise agreed in writing by the Local Authority.

Reason: In the interest of amenity and highways safety.

6. Before the dwelling unit is occupied, waste containers shall be provided in a bin/re-cycle storage area on the plot.

Reason: To ensure adequate storage facilities for domestic refuse, in the interest of residential amenity.

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 principle and accords with Policies SDP1, ENV1, ENV2 and LIV1 of the Core Strategy Part 1. 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 submitted a report on outstanding appeals for information.

32. ENFORCEMENT/UNAUTHORISED USES - COMPLAINTS RECEIVED

(a) Outstanding

The Planning, Building Control and Licensing Services Manager submitted a report detailing outstanding enforcement cases for information which was noted. The Planning, Building Control and Licensing Manager gave an update on Albion Street at the meeting.

(b) Enforcement Action

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

33. CAPITAL PROGRAMME 2015/16 AND 2016/17

The Neighbourhood Services Manager submitted a report on the Committee's 2015/16 and 2016/17 Capital Programmes. This included two new bids as follows –

- £13,000 for Premises Improvement Grants on behalf of Housing, Health and Economic Development

- £2,000 for Covered Walkway to Garden Area submitted by Friends of Cravenside

RESOLVED

That the report be noted.

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

The Democratic and Legal Manager submitted an update on the agreements concerning the use of West Craven Sports Centre, West Craven High School and the associated sports pitches and car parks. The School had now said that they were not willing to offer any written assurance to the Council about the provision of overflow parking for users of West Craven Sports Centre on the High School car park.

RESOLVED

- (1) That the Democratic and Legal Manager be asked to arrange a meeting with County Council and the School as soon as possible to try to resolve the outstanding issues, and in the meantime, that none of the agreements be signed.
- (2) That the County Council be asked to support Pendle Council's position on the use of the car park when meeting the School.

REASON

To try to resolve this long outstanding matter.

35. REDIFFUSION CABLES IN BARNOLDSWICK TOWN CENTRE

The Planning, Building Control and Licensing Services Manager said that the Building Control Manager had looked at the Rediffusion cable hanging down on Albert Road, which was reported at the last meeting. Although the overhanging cable was not considered dangerous, it had been reported to County Council as it was hanging over the highway.

36. REPRESENTATIVES ON OUTSIDE BODIES

At the Annual meeting of the Council the responsibility for appointing representatives to some outside bodies had been referred to this Committee.

RESOLVED

That Council representation on the Earby and Salterforth Internal Drainage Board and West Craven Together for 2016/17 remain the same.

REASON

To maintain the Council's representation on these bodies.

37. PREMISES IMPROVEMENT GRANTS

Members were asked to consider representation on the above Panel for 2016/17.

RESOLVED

That representation on the Premises Improvement Grants Panel for 2016/17 remain the same.

38. LAND AT RAVENSCROFT WAY, BARNOLDSWICK

The Strategic Director submitted a report asking Members to request the Executive to declare land at Ravenscroft Way, Barnoldswick surplus to requirements.

RECOMMENDATION

That the Executive be recommended to declare the land, shown edged black on the plan attached to the report, 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 all liabilities.

39. GLEN COTTAGE, RAINHALL ROAD, BARNOLDSWICK

The Planning, Building Control and Licensing Services Manager reported that following the request at the last meeting for Glen Cottage to be added to the problem building list he had visited the site. He said that the property was untidy. There were slates missing off the roof and it definitely needed attention.

RESOLVED

That the Planning, Building Control and Licensing Services Manager be asked to request a Land Registry search to see if the owners could be contacted and asked to remedy the situation, and the property be added to the problem buildings list.

REASON

In the interests of visual amenity.

Chairman.....