

**MINUTES OF A MEETING OF  
THE WEST CRAVEN COMMITTEE  
HELD AT THE  
NEW ROAD COMMUNITY CENTRE, EARBY  
ON 2<sup>ND</sup> AUGUST 2016**

*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  
J. Purcell  
C. Teall  
D. M. Whipp*

**Officers Present**

*N. Watson*

*J. Eccles*

**Co-optees**

*D. Haigh  
G. Wilson*

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



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

<i>Keith Jones Rebecca Dennis</i>	<i>16/0410/FUL Full: Major: Demolition of existing structures; erection of food store (use class A1) (1735 sq.m.) including a new vehicular access, car parking, servicing and landscaping at Crownest Mill, Skipton Road, Barnoldswick</i>	<i>Minute No. 56(a)</i>
---------------------------------------	---	-------------------------

**52. DECLARATIONS OF INTEREST**

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

**53. PUBLIC QUESTION TIME**

There were no questions from members of the public.

**54. MINUTES**

**RESOLVED**

That the Minutes of this Committee, at the meeting held on 5<sup>th</sup> July 2016, be approved as a correct record, and signed by the Chairman.

**55. POLICE ISSUES, POLICE AND COMMUNITIES TOGETHER (PACT) PRIORITIES**

## **AND COMMUNITY SAFETY ISSUES**

Sergeant Jarrett had sent his apologies to the meeting and said it was not possible to provide an alternative Police representative on this occasion. Crime statistics for West Craven for July 2016 compared to the same period in the previous year had been circulated prior to the meeting. Crimes were broken down as follows –

	<b>2015</b>	<b>2016</b>
Burglary in a dwelling	7	0
Burglary other than a dwelling	3	2
Vehicle Crime	1	2
Hate crime	0	3
Assaults	12	5
Criminal Damage	6	5
<b>TOTAL CRIME</b>	<b>36</b>	<b>30</b>
Anti-Social Behaviour	39	49

A list of anti-social behaviour hot spots for August had also been sent to Members with the crime statistics.

Members understood that the Police faced resourcing problems but were keen to meet Sergeant Jarrett who had taken over from Sergeant De Curtis in April and had still not attended a meeting of this Committee.

There was a “See it, Report it” campaign underway and Members of the Committee and general public were encouraged to report any cases of crime.

### **RESOLVED**

- (1) That Sergeant Jarrett be invited to attend the next meeting of this Committee, and if that was not possible due to his work commitments, that Inspector Goodall be asked to attend in his place.
- (2) That for August the PACT priorities for Earby remain the same and the 6 PACT priorities for Barnoldswick be as follows –
  - Church Street/Station Road – anti-social behaviour by youths
  - Letcliffe Park, Victory Park and Valley Gardens – late night anti-social behaviour (camping/fires/noise and damage)
  - Speeding traffic and parking on the zig zags on the lead up to the pedestrian crossing near the shops on Gisburn Road
  - Illegal carrying of air rifles by youths and Youths and shooting of wildlife on the canal
  - Racing vehicles down Fernbank Avenue at 5a.m.
  - Youths climbing scaffolding around the town centre (eg at Yorkshire Bank) causing a risk to themselves and being a nuisance to passers by
- (3) That the Democratic and Legal Manager be asked to write to Lancashire County Council Highways about the problems with parked cars on the zig zags leading up the pedestrian crossing on Gisburn Road and what they could do to improve visibility and slow down approaching traffic.

**56. PLANNING APPLICATIONS**

**(a) To be determined**

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

**16/0320/FUL Full: Change of use of dwelling (C3) to café (A3) at ground level, self-contained flat at first floor level and erection of external staircase to rear at 10 Skipton Road, Barnoldswick for Mr D. Sulley**

**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: ADM/16/10/04, ADM/16/10/03, ADM/16/10/02

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

3. All materials to be used for the proposed development shall be as stated on the 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.

**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 is acceptable in terms of policy, amenity 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.***

**16/0382/RES Outline: Major: Erection of twenty dwelling houses and construction of access road (Access, Layout and Scale only) at Land at the junction of Greenberfield Lane and Gisburn Road, Barnoldswick for A. Brooks and E Beezley**

**RESOLVED**

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

1. The proposed development, by way of increased vehicular movements along Greenberfield Lane and due to the substandard nature and lack of adequate visibility at the junction, would have a severe and unacceptable impact on highway safety, to the detriment of other road users and pedestrians, thereby failing to accord with Policy ENV4 of the Local Plan Part 1 and paragraph 32 of the National Planning Policy Framework.

**16/0410/FUL Full: Major: Demolition of existing structures; erection of food store (use class A1) (1735 sq.m.) including a new vehicular access, car parking, servicing and landscaping at Crownest Mill, Skipton Road, Barnoldswick for R. Soper Ltd (t/a Albert Hartley) and Aldi Stores Ltd**

The Planning, Building Control and Licensing Services Manager gave a verbal update at the meeting reporting comments from Lancashire County Council Highways and Environmental Health.

### **RESOLVED**

That the Planning, Building Control and Licensing Services Manager be **delegated authority to grant consent** subject to agreement to use of the Aldi Store car park for residents of Crownest Cottages and Bankfield Terrace; satisfactory conditions for drainage and Section 106 contributions, including discussions on possible support for public transport to the store; a condition requiring that the land between Stocks Beck and the proposed store remain for the purpose of the manufacturer; and 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:

1523MID-99, 1523MID-100, 1523MID-101, 1523MID-102 & 1523MID-103.

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

3. The net retail area shall not exceed 1,254 square metres and shall be used as a Class A1 retail foodstore. This shall be restricted to 'limited product line deep discounting' (which shall be taken to mean the sale of no more than 2000 individual product lines). No increase in the number of product lines shall be permitted without the prior written approval of the local planning authority. Comparison goods (as defined within the Pitney Bowes Retail Expenditure Guide 2013/2014, or any subsequent document which supersedes it) shall not be displayed from more than 15% of the net retail area'.

**Reason:** In order to protect the vitality and viability of existing centres and to ensure that the store retains its status as a deep discount retail foodstore.

4. Prior to the first use of the building hereby approved, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall be implemented in accordance with a timescale set out in the approved plan and will be audited and updated at intervals as approved.

**Reason:** In order to reduce the number of car trips and encourage sustainable transport movements.

5. Prior to the first use of the development hereby approved a Car Park Management Strategy/Plan shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented. The Plan shall set out the car park layout, maximum duration of stay, onsite parking enforcement, safety, security, monitoring (of its use) measures to manage efficient usage and control. The layout to include the appropriate number of spaces for motorised and non-motorised vehicle and user types and the car parking shall be available to customers at all times.

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

6. 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.

7. A minimum of 12 cycle racks with appropriate signage shall be provided within the site prior to the proposed development being first brought into use, in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

**Reason:** To reduce dependence on car-borne travel.

8. Before development commences a Construction Method Statement shall be submitted to and be approved in writing by the Local Planning Authority and shall thereafter be adhered to. The Statement shall provide for:

1. the parking of vehicles for site operatives and visitors
2. loading and unloading of plant and materials
3. storage of plant and materials used in the construction of the development
4. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing (if appropriate)
5. wheel-washing facilities
6. measures to control the emission of dust and dirt during construction
7. a scheme for re-cycling/disposing of waste resulting from demolition and construction works.
8. hours of working.

**Reason:** To maintain the operation of local streets and the through routes in the area during construction in the interests of highway safety.

9. No processing or storage of materials, goods, machinery or plant shall take place in the service yard servicing the supermarket at any time that would preclude the use of the yard for delivery vehicles.

**Reason:** In the interests of highway safety.

10. No delivery vehicle movements and associated loading and unloading activities shall take place outside the hours of 06:00 and 23:00 on Mondays- Saturdays and 08:00 hours to 18:00 hours on Sundays.

**Reason:** In order to protect the residential amenity of occupants of the nearby residential units.

11. No construction hereby approved shall commence unless or until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to and approved in writing by the Local Planning Authority. This shall include details of the phasing of provision of the said works. Before commencement of any demolition works details of the construction traffic access for the demolition phase of the development shall have been submitted to, and approved in writing by, the Local Planning Authority. The approved scheme(s) shall then be implemented in strict accordance with the agreed scheme(s) and phasing.

**Reason:** In order to satisfy the Local Planning Authority that the final details of the highway scheme/works are acceptable before work commences on site.

12. 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 new development and/or in order to prevent contamination of the controlled waters and the surrounding environment.

13. The development shall be carried out in accordance with the recommendations set out in the submitted – Ecological Appraisal, Crownest Mill, Skipton Road, Barnoldswick dated 24<sup>th</sup> May, 2016.

**Reason:** To ensure no net loss of biodiversity as a result of the development and in order not to disturb or deter the nesting of bats, protected by the Wildlife and Countryside Act 1981.

14. Full details of the details and positioning for plant, ventilation grilles, ducts and pipework, rainwater goods on the building, including the colour thereof shall be submitted to and approved in writing by the Local Planning Authority within two weeks of the commencement of construction. The development shall thereafter strictly conform to the details so approved.

**Reason:** In order to ensure the design of the features of the building are acceptable.

15. This development shall proceed in strict accordance with the noise assessment received on 6<sup>th</sup> June, 2016 and the equipment shall at all times be maintained in good working order and operated in compliance with the assessment. .

**Reason:** In the interest of residential amenity.

16. The discount foodstore hereby permitted shall not be open to customers or any other persons not employed within the business operating from the site outside the hours of 08:00 and 22:00 on Mondays to Saturdays and 09:00 and 17:00 on Sundays.

**Reason:** In order to safeguard the aural amenity of the occupants of the nearby residential units.

17. Prior to the commencement of development (other than demolition) a scheme for the lighting of the site shall be submitted to and agreed in writing by the Local Planning Authority. This shall include details of the number, location and direction of any lighting proposed to be

installed as well as the times that the lighting will be switched on. Any lighting so installed shall at all times strictly comply with the approved details.

**Reason:** In order to ensure there is no light pollution from the site.

18. 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 (excluding demolition) 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 any building is first used.

**Reason:** In order to ensure that the site is served by adequate foul and surface water effluent disposal in order to avoid pollution and flooding.

19. The site shall be landscaped in accordance with a scheme of hard and soft landscaping which shall be submitted to the Local Planning Authority for written approval within two weeks of the commencement of development.

The scheme shall be wholly implemented in its finally approved form within the first available planting season following the substantial completion of development. Any tree or other planting which is lost, felled, removed, becomes diseased, or is substantially damaged within a period of five years thereafter shall be replaced in kind during the first available planting season following the date of loss or damage.

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

20. Representative samples of the external materials of construction to be used on the roof, walls, fencing and internal car parking and circulation space of the development shall be submitted to and approved in writing by the Local Planning Authority within two weeks of the commencement of construction. The development shall thereafter at all times be carried out in strict accordance with the approved

**Reason:** To ensure a satisfactory appearance to the development.

21. The store, hereby approved, shall not at any time be subdivided into smaller units without the prior consent of the Local Planning Authority.

**Reason:** The scheme has been assessed on detail submitted and any subdivision may adversely impact on the vitality and viability of the Town Centre.

## **(b) Planning Appeals**

The Planning, Building Control and Licensing Services Manager submitted a report on outstanding planning appeals for information.

## **57. ENFORCEMENT/UNAUTHORISED USES - COMPLAINTS RECEIVED**

### **(a) Outstanding**



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

**RESOLVED**

- (1) That the Planning, Building Control and Licensing Services Manager be asked for 43 Coates Avenue to go back on the list of outstanding enforcements as the site had not been tidied and to ask once again the owner of 39 Rainhall Road to remove the unauthorised adverts.
- (2) That the Democratic and Legal Manager be authorised and instructed to take enforcement action (if possible) against the owners of Glen Cottage through either a Section 215 Notice or a Section 79 Buildings Act Notice so that the site could be tidied and the building brought up to an acceptable standard.
- (3) That the Planning, Building Control and Licensing Services Manager be asked to see if it was possible for the accuracy of location addresses for Earby and Barnoldswick on the IT system to be improved.

**(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. An update was given at the meeting on 2 Albion Road, Earby and Gospel Hall in Barnoldswick.

**58. CAPITAL PROGRAMME 2016/17**

The Neighbourhood Services Manager submitted a report on the Committee's 2016/17 Capital Programme. Members were asked to consider the following new bids –

£1,000	Barnoldswick Cricket Club for electronic scoreboard
£1,000	Barnoldswick Town Football Club for replacement of showers
£500	Salterforth Toilets Group to help keep the toilets open

**RESOLVED**

That the Neighbourhood Services Manager be asked to allocate -

- £1,000 to Barnoldswick Cricket Club for the purchase of an electronic scoreboard.
- £1,000 to Barnoldswick Town Football Club towards the replacement of showers.
- £500 to Salterforth Toilets Group to help keep the toilets open.

**REASON**

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

**59. 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 above agreements. A meeting had been held on 15<sup>th</sup> July with interested parties. Whilst some progress had been made there

was concern that the problems with parking at the primary school would get worse as the intake was expected to grow by 90 places over the next 3 years, which also meant an increase in staff. There were discussions about the possibility of the West Craven Sports Centre being extended.

Another issue of concern was over the dual use agreement of West Craven Sports Centre between the Governors of WC High School and Pendle Leisure Limited which had never been signed. The School was due to become an Academy on 1<sup>st</sup> September.

## **RESOLVED**

- (1) That the possibility of extending the West Craven Sports Centre be noted and the Democratic and Legal Manager be asked to see if this was possible.
- (2) That the Committee express extreme concern in respect of the proposal to amend the Dual Use Agreement so that the use of the Sports Centre by the School would reduce by 50%; and that County Council and the School Governors who had an interest in this assure the Committee that the Agreement originally enshrined should continue in the future.

## **REASON**

***To try to resolve parking problems at the Schools and protect the future of the Sports Centre.***

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

The Planning, Building Control and Licensing Services Manager reported no further progress with the removal of Rediffusion cables in Barnoldswick town centre.

### **61. ENVIRONMENTAL CRIME UPDATE**

The Environmental Services Manager submitted a report on environmental crime in West Craven from 1<sup>st</sup> April to 30<sup>th</sup> June 2016 which was noted.

### **62. NORTH WEST AMBULANCE SERVICE STATISTICS**

Ambulance response times for April to June 2016 from the North West Ambulance Service were submitted for information. Councillor K. Hartley also circulated a chart showing Red 1 ambulance response times performance against the target over the last 18 months for Lancashire, East Lancashire, Pendle and BB18.

## **RESOLVED**

That the new Chief Executive of the North West Ambulance Service be asked to meet the Committee at the earliest opportunity to discuss the ambulance response times for the area.

## **REASON**

***In the interests of public health.***

**63. PUBLIC SPACES PROTECTION ORDERS PROGRAMME 2016/18**

The Neighbourhood Services Manager submitted a report on proposals and options for Public Spaces Protection Orders (PSPOs) in relation to parks; sports grounds; local nature reserves; town centres and alley ways in Pendle. Members were asked to recommend options to include in the public consultation on PSPOs for 2016-18.

**RESOLVED**

That this item be deferred to the September meeting giving Members more time to consider the options for inclusion in the public consultation on PSPOs for 2016-18.

**REASON**

*To allow a more detailed discussion at the next meeting.*

*Chairman.....*