

**MINUTES OF A MEETING OF
BARROWFORD AND WESTERN PARISHES COMMITTEE
HELD AT NELSON TOWN HALL
ON 12TH DECEMBER, 2016**

PRESENT

L. M .Crossley – Chairman (in the Chair)

Councillors

*N. McEvoy
B. Newman
J. K. Starkie
K. Turner
C. Wakeford*

Co-optees

*Mr C. Burt – Goldshaw Booth Parish Council
Mr R. Oliver – Barrowford Parish Council
Mr N. Hodgson – Blacko Parish Council
Mr D. Heap – Barley with Wheatley Booth Parish Council
Mrs J. Heaps – Old Laund Booth Parish Council
Mr A. Walker – Roughlee Booth Parish Council*

Also in attendance

D. Whalley

Officers in attendance

<i>V. Green K. Hughes J. Eccles</i>	<i>Financial Services Manager Principal Planning Officer Committee Administrator</i>
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The following people attended the meeting and spoke on the following items:-

<i>Peter Hesketh</i>	<i>Item 5(a) – 16/0603/OUT Outline: Major: Demolition of Hollin Hall Farm and erection of 12 dwellings (access & layout) Full: Change of use of domestic garage and annexe to two dwellings and external alterations at Hollin Hall Farm, 517 Gisburn Road, Blacko</i>	
<i>Russell Clarke</i>	<i>Item 5(a) – 16/0634/FUL Full: Demolition of outbuildings and erection of 4 one bedroom holiday cottages at Ashtrees, Ing Head Farm, Barley Lane, Barley</i>	<i>Minute No.70(a)</i>
<i>Marlene Holgate Alan Kinder John Webster Hugh Simpson</i>	<i>Item 5(a) - 16/0652/FUL Full: Change of use of residential care home and staff accommodation to a residential drug and alcohol rehabilitation unit and formation of an extension to car park at Brookdell Retirement Home, Foreside, Barrowford</i>	<i>Minute No.70(a)</i>
<i>Mr D. Oldham</i>	<i>Item 16/0697/HHO Full: Formation of an access and two car parking spaces at Croft Barn, Barley New Road, Barley</i>	<i>Minute No. 70(a)</i>

<i>Mr Steele</i>	<i>Item 5(a) - 16/0725/VAR Full: Major: Variation of Condition: Vary Condition 2 (Plans) of Planning Permission 16/0390/REM to amend the plans of plots 1, 2, 3 and 4 at Spring Mill, Wheatley Lane Road, Fence, Spring Mill, Fence</i>	<i>Minute No. 70(a)</i>
<i>Mr Simpson</i>	<i>Enforcement/Unauthorised uses - Haddings Head, Higham</i>	<i>Minute No. 71(a)</i>
<i>Laurie Peake</i>	<i>Old Corn Mill, Higherford</i>	<i>Minute No. 74</i>

66. DECLARATION OF INTERESTS

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

67. PUBLIC QUESTION TIME

There were no questions from members of the public.

68. MINUTES

RESOLVED

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

69. POLICE ISSUES

Prior to the meeting crime statistics had been circulated for Barrowford and Western Parishes for November 2016 compared to the same period in 2015. Crimes were broken down as follows –

	2015	2016
Burglary in a dwelling	3	1
Burglary other than a dwelling	4	1
Vehicle Crime	17	4
Hate crime	2	0
Assaults	6	2
Criminal Damage	3	0
ALL CRIME	40	18
Anti-Social Behaviour	12	18

Members welcomed the fall in crime. However, it was reported that there had been a burglary in Blacko the prior evening. They also discussed the role of Lancashire Police officers being diluted particularly with regard to enforcement.

RESOLVED

- (1) That Damian Pemberton be asked if he could attend the next meeting of the Committee to talk about neighbourhood policing and enforcement issues.

(2) That the Police be asked if crimes in Higham covered the Pendleside villages.

70.

PLANNING APPLICATIONS

(a) Planning Applications

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

16/0603/OUT Outline: Major: Demolition of Hollin Hall Farm and erection of 12 dwellings (access & layout) Full: Change of use of domestic garage and annexe to two dwellings and external alterations at Hollin Hall Farm, 517 Gisburn Road, Blacko for Mr D. Hall

(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 on the grounds proposed this would represent a significant risk of costs to the Council. The matter would be referred to the Head of Legal Services 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 with details of a further objection and reporting receipt of a photograph traffic survey of the road adjacent to the site.

RECOMMENDATION

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

- Education provision
- Policy SDP2
- SPG: Development in the Open Countryside No. 2

16/0634/FUL Full: Demolition of outbuildings and erection of 4 one bedroom holiday cottages at Ashtrees, Ing Head Farm, Barley for Mrs A. Clarke

RESOLVED

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

1. The proposed development, by virtue of its design, scale and appearance would have an adverse impact on the traditional and sensitive landscape character of the AONB, contrary to Policies ENV1 and ENV2 of the Local Plan Part 1 and paragraph 64 of the National Planning Policy Framework.

16/0652/FUL Full: Change of use of residential care home and staff accommodation to a residential drug and alcohol rehabilitation unit and formation of an extension to car park at Brookdell Retirement home, Foreside, Barrowford for Mr B. Holgate

The Planning, Building Control and Licensing Services Manager submitted an update reporting receipt of a tree report which was satisfactory subject to a suitable condition requiring the root protection areas to be maintained and protected during the formation of the car park. The recommendation remained to approve subject to an additional condition.

RESOLVED

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

1. The development permitted shall be begun before the expiration of three years from the date of the permission.

Reason: This condition is required to be imposed by virtue of Section 91(1) of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: ADM/16/38/01, ADM/16/38/02, ADM/16/38/03.

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

3. The layout of the development shall include provisions to enable vehicles to enter and leave the highway in forward gear and the vehicular turning space shall be laid out and be available for use before the development is brought into use. It shall thereafter remain unobstructed at all times.

Reason: Vehicles reversing to and from the highway are a hazard to other road users.

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

Reason: In order to provide sufficient off street parking for the development in the interests of highway safety.

5. Unless approved in writing by the Local Planning Authority no ground clearance, demolition, or construction work shall commence until protective fencing, to BS 5837 : 2012 at least 1.25 metres high securely mounted on timber posts firmly driven into the ground has been erected around each tree/tree group or hedge to be preserved on the site or on immediately adjoining land, and no work shall be carried out on the site until the written approval of the Local Planning Authority has been issued confirming that the protective fencing is erected in accordance with this condition. Within the areas so fenced, the existing ground level shall be neither raised nor lowered. Roots with a diameter of more

than 25 millimetres shall be left unsevered. There shall be no construction work, development or development-related activity of any description, including the deposit of spoil or the storage of materials within the fenced areas. The protective fencing shall thereafter be maintained during the period of construction of the car park.

Reason: To prevent trees or hedgerows on site from being damaged during building works.

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 change of use of the building is acceptable in principle and in line with local plan policy. The proposals would not result in any detrimental impact to neighbouring residential amenities or 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.

16/0697/HHO Full: Formation of an access and two car parking spaces at Croft Barn, Barley New Road, Barley for Mr and Mrs Barry Sanderson

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: 2016/30/1, 2016/20/2.

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

3. Within two weeks of the commencement of the development hereby approved samples of the materials to be used in the walls and surfacing of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved materials.

Reason: In the interest of visual amenity and the character and appearance of the Conservation Area.

4. The use of the parking spaces hereby approved for parking vehicles shall not commence unless and until the access, turning area and parking area have been hard surfaced in accordance with the details in the approved plans and application forms.

Reason: In the interest of highway safety.

5. The use of the access and car parking spaces hereby approved shall not commence unless and until the wall fronting the road to the south has been reduced in height to a maximum of 1m for its full length. Thereafter the wall shall be at all times maintained at a height of not more than 1m.

Reason: In the interest of highway safety.

6. Unless approved in writing by the Local Planning Authority no ground clearance, demolition, changes of level or development or development-related work shall commence until protective fencing, in full accordance with BS 5837 : 2012 has been erected around each tree/tree group or hedge to be preserved on the site or on immediately adjoining land, and no work shall be carried out on the site until the written approval of the Local Planning Authority has been issued confirming that the protective fencing is erected in accordance with this condition. Within the areas so fenced, the existing ground level shall be neither raised nor lowered. Roots with a diameter of more than 25 millimetres shall be left unsevered. There shall be no construction work, development or development-related activity of any description, including the deposit of spoil or the storage of materials within the fenced areas. The protective fencing shall thereafter be maintained during the period of construction.

All works involving excavation of soil, including foundations and the laying of services, within the recommended distance calculated under the BS 5837 (2012) of the trees to be retained on the site, shall be dug by hand and in accordance with a scheme of works which has been submitted to and approved by the Local Planning Authority, prior to the commencement of works.

Reason: To protect the trees and ensure that future landscaping incorporates those specimens.

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 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.

16/0725/VAR Variation of Condition: Major: Vary Condition 2 (Plans) of 16/0390/REM to amend plans of plots 1, 2, 3 and 4 at Spring Mill, Wheatley Lane Road, Fence for Skipton Properties Ltd

RESOLVED

That Condition 2 for planning permission 16/0390/REM be varied as follows –

1. This notice constitutes an approval of matters reserved under Condition 1 of Planning Permission No.13/14/0088P and does not by itself constitute a planning permission.

Reason: The application relates to matters reserved by Planning Permission No.13/14/0088P.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 1445SPL/smwlf/PL01 Rev J, 1445SPL/smwlf/Csm-01, 1445SPL/smwlf/HT-A1, 1445SPL/smwlf/HT-A2, 1445SPL/smwlf/HT-BP1, 1445SPL/smwlf/HT-BR1, 1445SPL/smwlf/HT-BE1, 1445SPL/smwlf/HT-C1, 1445SPL/smwlf/HT-F1, 1445SPL/smwlf/HT-H1, 1445SPL/smwlf/HT-PT1, 1445SPL/smwlf/HT-PT2, 1445SPL/smwlf/HT-PN1, 1445SPL/smwlf/HT-SP1, 1445SPL/smwlf/HT-SP2, 1445SPL/smwlf/SS01 Rev C, 1445SPL/smwlf/SS02 Rev C, 1445SPL/smwlf/SS03 Rev C, 10.140 08, GL0590 01, 1445SPL/smwlf/IP-01 Rev A, 1445SPL/smwlf/Cms-02 Rev A.

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, walls, boundary/retaining walls and paving and samples of the colour and finish of windows and doors (notwithstanding any details on the approved plans, forms or supporting documents) of the development hereby approved shall have been submitted to the Local Planning Authority for written approval. The development shall be carried out in strict accordance with the approved materials.

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

4. All soft landscape works shall be carried out in accordance with the approved landscaping plan GL0590 01 and 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 the interest of visual amenity.

5. Within two weeks of the commencement of the development details of hard landscaping shall be submitted to the Local Planning Authority for written approval. The development shall thereafter be carried out in strict accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development in the interest of visual amenity.

6. The window openings shall be set back from the external face of the wall. Unless otherwise agreed in writing by the Local Planning Authority, the depth of reveal shall be at least

100mm.

Reason: To ensure a satisfactory appearance to the development in the interest of visual 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 variation of condition is acceptable in terms of design, visual amenity, residential 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.

(b) Planning Appeals

The Planning, Building Control and Licensing Services Manager reported that at 2nd December there were no new appeals and 2 outstanding appeals.

71. ENFORCEMENT/UNAUTHORISED USES

(a) Haddings Head, Higham

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

Following consideration of the report at the last meeting on the situation at Haddings Head, a further site visit had been carried out by Members of the Committee with relevant officers. It was reported that a number of improvements had been made on site with regard to the welfare of the dogs, and the general condition of the site. The Fire Service had confirmed that although the access to neighbouring properties wasn't ideal, and would require some removal of objects on site, vehicles could access them.

However, neighbours were still concerned about the security of the site and control of the dogs, posing a risk to residents. They also pointed out that although the Fire Service had confirmed a fire engine could access the site if the crew removed the obstacles to the side of the access lane, an ambulance carrying only two crew members would struggle and this would delay the vehicle reaching the properties.

RESOLVED

That the Neighbourhood Services Manager be asked to check that ambulances/paramedic vehicles could access the neighbouring properties; check that the fencing was secure enough to contain the dogs; ask the Dog Warden to monitor the situation; and that an update be brought to the next meeting.

(b) Enforcement Action

The Democratic and Legal Manager submitted a report on outstanding enforcement cases in Barrowford and Western Parishes for information.

72. CAPITAL PROGRAMME 2016/17

The Neighbourhood Services Manager submitted a report on the Committee's Capital Programme for 2016/17. Members considered a bid from the Neighbourhood Services Team seeking £2,200 towards the resurfacing of Wilton Street/Bullholme Bridge in Barrowford.

RESOLVED

That the Neighbourhood Services Manager be asked to allocate £2,200 from the Committee's 2016/17 Capital Programme towards the resurfacing of Wilton Street/Bullholme Bridge in Barrowford.

REASON

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

73. UPDATE ON M65/JUNCTION 13 WORKS

County Council reported that improvement works at Junction 13 were going according to plan. There was a need to close the 'Thatch' end of the A6068 Padiham bypass overnight this month to enable ducting for the new signals. A more detailed update for December would be forwarded to Councillors shortly.

Councillors had heard reports of recent collisions at the roundabout, following the new arrangement. There was also an issue with water collecting on the M65 between Junction 13 and Colne.

RESOLVED

That County Council be asked to report back on –

- (1) Whether anything could be done to improve current sight lines at the Junction 13 roundabout.
- (2) And what was being done to address the drainage problem on the M65, between junction 13 and Colne.

REASON

In the interests of highway safety.

74. OLD CORN MILL, HIGHERFORD

The Neighbourhood Services Manager submitted a report on the options for dealing with unsightly vehicles adjacent to the highway at Higherford.

RESOLVED

That the Corporate Director be given authority to issue a Community Protection Warning

requesting the removal of unsightly vehicles on land at the front of the Old Corn Mill, Gisburn Road, Higherford and a Community Protection Notice be served should negotiations with the owner fail.

REASON

- 1. *To enable officers to negotiate or force the removal of unsightly vehicles on land at the front of the Old Corn Mill.***
- 2. *In the interests of visual amenity.***

75. TELEPHONE BOX REMOVAL CONSULTATION

As requested, Parish Councils had been consulted on the proposals to remove a number of payphones within the Barrowford and Western Parishes area.

RESOLVED

That the Planning, Building Control and Licensing Services Manager be asked to request that the Barley telephone box be retained.

REASON

The phone box is used regularly in view of the poor mobile coverage in Barley.

CHAIRMAN _____