

**MINUTES OF A MEETING OF THE  
COLNE AND DISTRICT COMMITTEE  
HELD AT COLNE TOWN HALL  
ON 7<sup>th</sup> DECEMBER, 2016**

*PRESENT –*

*Councillor G. Waugh (Chairman – in the Chair)*

**Councillors**

**Co-optees**

*N. Butterworth  
D. Clegg  
S. E. Cockburn-Price  
M. S. Foxley  
A. R. Greaves  
D. E. Lord  
J. Nixon  
S. Petty  
G. Roach  
P. White*

**Officers in attendance:**

<i>Peter Atkinson</i>	<i>Neighbourhood Services Manager</i>
<i>Neil Watson</i>	<i>Planning, Building Control and Licensing Services Manager</i>
<i>Jane Watson</i>	<i>Head of Democratic Services</i>

*(Apologies for absence were received from Councillors N. Butterworth, J. Cooney, M. Foxley and S. Petty and John Dransfield (Trawden Forest Parish Council)).*



*The following person attended the meeting and spoke on the item indicated:*

<i>Steve Craig</i>	<i>Capital Programme 2016/17</i>	<i>Minute No. 112</i>
--------------------	----------------------------------	-----------------------

**105. DECLARATION OF INTERESTS**

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

**106. PUBLIC QUESTION TIME**

There were no questions from members of the public.

**107. MINUTES**

**RESOLVED**

That the Minutes of the meeting held on 10<sup>th</sup> November, 2016 be approved as a correct record and signed by the Chairman.

**108. PROGRESS REPORT**

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

**109. PLANNING APPLICATIONS**

**(a) Applications to be determined**

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

**16/0650/FUL Full: Major: Erection of 32 dwellings with associated works including parking, highways and landscaping at Oak Mill, Skipton Road, Colne for PEARL2**

The Planning, Building Control and Licensing Services Manager circulated an update at the meeting.

**RESOLVED**

That planning permission be **granted** subject to the following conditions and reasons:

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, Site Boundaries, Proposed Site Plan Rev2, Site Levels Plan Rev1, Site Sections Rev 1, Section & Elevation Reference Plan Rev1, B5\*-A1-20-ZZ-00-3D-001-Rev2, B5\*-A1-20-ZZ-00-P2-001-Rev1, B5\*-A1-20-ZZ-LL-3D-001-Rev2, B5\*-A1-20-ZZ-LL-E2-001-Rev2, B5\*-A1-20-ZZ-LL-E3-001-Rev2, B5\*-A1-20-ZZ-LL-E4-001-Rev1, B5\*-A1-20-ZZ-LL-S2-001-Rev1, B5\*-A1-20-ZZ-R0P2-001-Rev1, B5-A1-20-ZZ-00-3D-001-Rev2, B5-A1-20-ZZ-00-P2-001-Rev1, B5-A1-20-ZZ-LL-3D-001-Rev2, B5-A1-20-ZZ-LL-E2-001-Rev2, B5-A1-20-ZZ-LL-E3-001-Rev1, B5-A1-20-ZZ-LL-E4-001-Rev1, B5-A1-20-ZZ-LL-S2-001-Rev1, B5-A1-20-ZZ-R0P2-001-Rev1, B4-A1-20-ZZ-00-3D-001-Rev2, B4-A1-20-ZZ-00-P2-001-Rev1, B4-A1-20-ZZ-LL-3D-001-Rev2, B4-A1-20-ZZ-LL-E2-001-Rev2, B4-A1-20-ZZ-LL-E3-001-Rev1, B4-A1-20-ZZ-LL-E4-001-Rev1, B4-A1-20-ZZ-LL-S2-001-Rev1, B4-A1-20-ZZ-R0P2-001-Rev1, B3-A1-20-ZZ-00-3D-001-Rev2, B3-A1-20-ZZ-00-P2-001-Rev1, B3-A1-20-ZZ-01-3D-001-Rev2, B3-A1-20-ZZ-01-P2-001-Rev1, B3-A1-20-ZZ-LL-3D-001-Rev2, B3-A1-20-ZZ-LL-E2-001-Rev2, B3-A1-20-ZZ-LL-E3-001-Rev2, B3-A1-20-ZZ-LL-E4-001-Rev1, B3-A1-20-ZZ-LL-S2-001-Rev1, B3-A1-20-ZZ-R0P2-001-Rev1, B3\*-A1-20-ZZ-00-3D-001-Rev2, B3\*-A1-20-ZZ-00-P2-001-Rev1, B3\*-A1-20-ZZ-01-3D-001-Rev2, B3\*-A1-20-ZZ-01-P2-001-Rev1, B3\*-A1-20-ZZ-LL-3D-001-Rev2, B3\*-A1-20-ZZ-LL-E2-001-Rev2, B3\*-A1-20-ZZ-LL-E3-001-Rev2, B3\*-A1-20-ZZ-LL-E4-001-Rev1, B3\*-A1-20-ZZ-LL-S2-001-Rev1, B3\*-A1-20-ZZ-R0P2-001-Rev1, B1-A1-20-ZZ-00-3D-001-Rev2, B1-A1-20-ZZ-00-P2-001-Rev1, B1-A1-20-ZZ-01-3D-001-Rev2, B1-A1-20-ZZ-01-P2-001-Rev1, B1-A1-20-ZZ-LL-3D-001-Rev2, B1-A1-20-ZZ-LL-E2-001-Rev2, B1-A1-20-ZZ-LL-E3-001-Rev2, B1-A1-20-ZZ-LL-E4-001-Rev1, B1-A1-20-ZZ-LL-S2-001-Rev1, B1-A1-20-ZZ-R0P2-001-Rev1, B1\*-A1-20-ZZ-00-3D-001-Rev2, B1\*-A1-20-ZZ-00-P2-001-Rev1, B1\*-A1-20-ZZ-01-3D-001-Rev2, B1\*-A1-20-ZZ-01-P2-001-Rev1, B1\*-A1-20-ZZ-LL-3D-001-Rev2, B1\*-A1-20-ZZ-LL-E2-001-Rev2, B1\*-A1-20-ZZ-LL-E3-

001-Rev2, B1\*-A1-20-ZZ-LL-E4-001-Rev1, B1\*-A1-20-ZZ-LL-S2-001-Rev1, B1\*-A1-20-ZZ-R0P2-001-Rev1.

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

3. Samples of external materials of the development shall be submitted to the Local Planning Authority for written approval within two weeks of the commencement of the development. 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.

4. The window openings shall be set back from the external face of the wall. The depth of reveal shall be at least 70mm.

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

5. No development shall commence unless and until 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 has been submitted to and agreed in writing by the Local Planning Authority. 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 to prevent contamination of the controlled waters.

6. For the full period of construction facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway. The roads adjacent to the site shall be mechanically swept as required during the full construction period.

Reason: To prevent stones and mud being carried onto the public highway to the detriment of road safety.

7. A car parking and maneuvering scheme shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the first dwelling. The car parking spaces and maneuvering areas for each dwelling shall be surfaced and made available for use in accordance with the approved scheme prior to the occupation of the dwelling they serve, the car parking and maneuvering areas shall thereafter be maintained free from obstruction and available for parking and turning purposes.

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

8. No development shall take place unless and until details of the mechanism for the long term management and maintenance of the roads, pavements, verges and parking areas of the development have been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing by the Local Planning Authority the management and maintenance scheme shall be fully implemented in accordance with the approved details prior to the occupation of the first dwelling and thereafter the roads, pavements, verges and parking areas shall be managed and maintained in accordance with the approved scheme.

Reason: to ensure the adequate long term management and maintenance of the highway within the development.

9. No development shall commence unless and until a Traffic Management Plan for the construction works has been submitted to and approved in writing by the Local Planning Authority. The Traffic Management Plan shall include details of:-

- The parking of vehicles of site operatives and visitors;
- Loading and unloading of plant and materials used in the construction of the development;
- Storage of such plant and materials;
- Wheel washing facilities;
- Periods when plant and materials trips should not be made to and from the site (mainly peak hours but the developer to identify times when trips of this nature should not be made)
- Routes to be used by vehicles carrying plant and materials to and from the site;

- Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties.

The development shall be carried out in strict accordance with the approved Traffic Management Plan.

Reason: to protect existing road users.

10. The mitigation measures specified in sections 4 and 5 of the Noise Assessment Report dated 28<sup>th</sup> September 2016 shall be fully implemented prior to the occupation of the relevant plots as detailed in sections 4 and 5. Prior to its erection, details of the design and materials of the acoustic barrier shall be submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the approved details.
11. Foul and surface water shall be drained on separate systems. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly. The development shall be completed in accordance with the approved details.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

12. Prior to the commencement of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the Local Planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:
  - a. The arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a Resident's Management Company; and
  - b. Arrangements concerning appropriate funding mechanisms for its ongoing maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as ongoing inspections relating to performance and asset condition assessments, operation costs, regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development.

13. Within two weeks of the commencement of the development a detailed landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme 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 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.

14. Within two weeks of the commencement of the development a crime prevention scheme shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of
  - External lighting to be installed at all external doors.
  - Details of boundary fences/walls.

The scheme shall be implemented for each dwelling in accordance with the agreed details prior to its occupation.

Reason: to reduce risk of burglary.

### **REASON FOR DECISION**

***Section 38 of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise. The proposed housing development would accord with Local Planning Policy and would be compliant with the guidance set out in the Framework. 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.***

### **16/0672/FUL Full: Major: Erection of 11 one bedroom apartments for supported living on land at Argyle Street, Colne for Ainsworth Projects**

The Planning, Building Control and Licensing Services Manager circulated an update at the meeting. Amended plans had been received which addressed concerns regarding the relationship between the proposed development and existing dwellings on New Market Street. A drainage strategy had been commissioned but was not yet available. As a result the recommendation was to delegate grant consent.

**RESOLVED**

That delegated grant consent be agreed subject to the receipt and agreement of drainage details by the Planning, Building Control and Licensing Services Manager and any relevant conditions.

**(b) Planning Appeals**

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

**110. ENFORCEMENT/UNAUTHORISED USES**

**(a) Outstanding Enforcements**

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

Reference was made to the number of shop fronts on Albert Road which were not in-keeping with the Conservation Area status (i.e. plastic and not wood frontages). It was also noted that plastic windows were being installed at the former Providence Methodist Church which had recently received planning permission for redevelopment.

It was explained that a precedent had already been set when the Committee agreed the use of plastic windows at Stanley Villas which was within the Albert Road Conservation Area.

**RESOLVED**

That the Planning, Building Control and Licensing Services Manager be asked to submit a report to the next meeting regarding issues around the use of plastic windows and shop frontages as opposed to wooden windows and shop frontages within the Albert Road Conservation Area.

**REASON**

*To comply with the requirements of the Conservation Area status.*

**(b) Enforcement Action**

The Head of Legal Services submitted, for information, a report giving the up-to-date position on enforcement matters.

**(c) Hubbs House Farm, Colne**

There was nothing further to report.

**111. UNAUTHORISED ADVERTISEMENTS**

The Planning, Building Control and Licensing Services Manager submitted a report following concerns from Members over the increasing number of unlawful adverts that were appearing in particular at transport interchanges.

The report referred to the Town and Country Planning Act 1990 and the Town and Country Planning Advertisement Regulations 2007 (as amended) which governed some requirements that all advertisements must comply with but also allowed certain advertisements to be displayed under a deemed consent regime.

Under the National Planning Practice Guidance local planning authorities were given discretion on whether or not to take action on an advertisement but the decision in law on whether or not to pursue it could only be based on highway safety and amenity grounds.

The Committee discussed the practical implications for this and the impact this would have on community groups advertising events.

**RESOLVED**

That the Executive be recommended to introduce a policy on the removal of unauthorised signs within the Borough based on the suggested approach detailed in the report at paragraph 13.

**REASON**

***In order to ensure that advertisements that affect the visual amenity and highway safety of Colne are removed to remedy the injury.***

**112. CAPITAL PROGRAMME 2016/17**

The Neighbourhood Services Manager submitted a report on the Committee's Capital Programme for 2016/17.

**RESOLVED**

- (1) That the report be noted.
- (2) That the bid from Colne Amateur Swimming Club be agreed in principle and considered further in the new financial year subject to sufficient funds being available following consideration of the Council's budget in February, 2017.
- (3) That the allocation of £500 each from the horticultural projects/events fund allocated to Councillors P. White and J. Nixon be transferred to the Colne In Bloom project.

**REASON**

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

**113. ITEMS FOR DISCUSSION**

**(a) 447 Burnley Road, Colne and adjacent properties**

It was reported that the property in question was number 447 Burnley Road, Colne and not number 453 as listed on the agenda.

The Committee were advised that there had been a gas explosion at this property which had caused damage to the properties on either side. Officers were involved in assisting with the insurance claim but, as was the norm, this was proving to be a lengthy process.

It was reported that the property was also attracting anti-social behaviour issues and other properties were also being affected. The gable end property was also showing signs of structural problems.

**RESOLVED**

- (1) That officers be asked to resolve this issue as a matter of urgency.
- (2) That quarterly updates be submitted to this Committee.

**REASON**

***To ensure local residents are not inconvenienced longer than they need be and to bring the property back into use.***

**114. LAND AT VIVARY WAY, COLNE**

The Strategic Director submitted a report recommending that land shown on the plan attached to the report, on Vivary Way, Colne be declare surplus to requirements. The land was currently leased to Pendle Leisure Trust and was the site of urban Altitude the high/low ropes course.

Due to lack of demand and difficulty in retaining staff the facility had closed at the end of March, 2016.

It was reported that expressions of interest had been received for the land which could lead to it being sold to generate a capital receipt.

Committee were advised that the possible future reinstatement of the Colne to Skipton railway line ran through this land and therefore any disposal and potential development would be required to comply with the provisions of Core Strategy Policy ENV.

There was a discussion about the possible retention of this land as a site for leisure activities. It was felt that prior to any decisions being made about the disposal of the site other options should be considered

**RECOMMENDATION**

- (1) That the Executive be recommended not to declare the land, shown edged black on the plan attached to the report, surplus to requirements at this time.
- (2) That should the Executive declare the land surplus to requirements the relevance of Council Policy in relation to the portion of the land which could form part of a future railway line extension be noted and that there be sufficient land available to reinstate a double track width with associated land.
- (3) That a public consultation exercise be undertaken to establish the preferred future use of the land.

**REASON**

***To declare Council-owned land surplus in order that options for the future of the site could be explored.***

**115. COLNE TOWN CENTRE FORUM**

Minutes of a meeting of the Colne Town Centre Forum held on 1<sup>st</sup> November, 2016 were submitted for information.

**116. COLNE WORKING GROUP OF THE PENDLE COMMUNITY SAFETY PARTNERSHIP**

Minutes of a meeting of the above Working Group held on 10<sup>th</sup> November, 2016 were submitted for information.

**117. MISCELLANEOUS MINUTES**

Minutes from meetings of Friends of Ball Grove, Colne In Bloom and the Friends of Alkincoats Pare were submitted for information.

**118. FORMER KING STREET BAKERY (KIPPAX BISCUITS) COLNE**

The Planning, Building Control and Licensing Services Manager submitted a report on the possibility of adding the above site to the problem buildings list.

The building had been vacant for approximately five years and during that time the condition of the building had deteriorated. It was reported that Councillor Cockburn-Price had recently met with the new owners of the site and had been given a tour of the building. She gave an update on some remedial works which had recently been carried out and a brief outline of the owner's intentions for its future use.

**RESOLVED**

That the owners of the former King Street Bakery (Kippax Biscuits) in Colne be invited to meet with Members of this Committee prior to its next meeting to discuss the future use of the building.

**REASON**

***To establish the intentions of the new owners for this site.***

Chairman \_\_\_\_\_