

**MINUTES OF A MEETING OF
WEST CRAVEN COMMITTEE
HELD AT
THE RAINHALL CENTRE, BARNLDSWICK
ON 10TH JANUARY 2017**

PRESENT –

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

Councillors

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

Co-optees

*G. Wilson
C. Pollard
D. Haigh*

Police

PC Duncan Park

Officers Present

N. Watson

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

J. Eccles

(Apologies were received from Councillors L. Davy and J. Purcell.)



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

<i>David Henley Peter Crompton</i>	<i>16/0735/VAR - Full: Major: Variation of Condition: Vary condition 1 of planning permission 16/0136/REM to substitute approved plans and make minor material amendments to the scheme at land off Long Ing Lane, Barnoldswick</i>	<i>Minute No.126(a)</i>
<i>Eleanor Berridge</i>	<i>16/0756/REM - Reserved Matters: Residential development for 5 detached houses with garages (appearance and landscaping) at land to rear of 8 Birch Hall Lane, Earby</i>	<i>Minute No.126(a)</i>
<i>Mr Lomax Jennie Hann Carole Preston</i>	<i>16/0781/FUL - Full: Installation of a telecommunications mast comprising a 17.5m monopole supporting 3 antennas and 1 transmission dish, 3 equipment cabinets, 1.8m palisade fence and ancillary development at Earby Cricket Club, William Street, Earby</i>	<i>Minute No.126(a)</i>

122.

DECLARATIONS OF INTEREST

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

123. PUBLIC QUESTION TIME

There were no questions from members of the public.

124. MINUTES

RESOLVED

That the Minutes of this Committee, at the meeting held on 6th December 2016, be approved as a correct record, and signed by the Chairman.

125. POLICE AND COMMUNITY SAFETY ISSUES

PC Duncan Park presented crime statistics for West Craven for December 2016 compared to the same period in 2015. He reported on progress with certain crimes and answered related questions. Crimes were broken down as follows –

	2015	2016
Burglary in a dwelling	3	3
Burglary other than a dwelling	1	3
Vehicle Crime	3	3
Hate crime	1	1
Assaults	9	11
Criminal Damage	6	12
ALL CRIME	32	48
Anti-Social Behaviour	40	28

Members then discussed the issues and areas of concern they considered should be given priority by the police in the coming month.

RESOLVED

That the West Craven Neighbourhood Policing Team be asked to give some priority to the following issues -

Barnoldswick

- Anti-social behaviour in the town centre. In particular, Station Road where a phone box had been damaged twice and a window broken at the Civic Hall
- The undeveloped part of the Crow Nest Mill site which was insecure and had been broken into.
- Continue taking action for people parking on the zig zags and double yellow lines near the crossing on Gisburn Road
- Speed checks through Bracewell Village
- Parks - vehicles and anti-social behaviour

Earby

- Anti-social behaviour at Cemetery Road and Waterfalls
- Former Wardle Storey offices – problems with unauthorised entry and graffiti

- Mini motors/bikes/segways causing nuisance and a danger to themselves and motorists in the dark.

126. PLANNING APPLICATIONS

(a) To be determined

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

16/0735/VAR Full: Major: Variation of Condition: Vary Condition 1 of planning permission 16/0136/REM to substitute approved plans and make minor material amendments to the scheme at land off Long Ing Lane, Barnoldswick for Stirling Investment Properties LLP

RESOLVED

- (1) That planning permission be **granted** subject to the following conditions –
1. The development hereby permitted shall be carried out in accordance with the following approved plans: 605/01F (site layout); 605/02A (location plan); 605/03A,04B,05C,06A (house types); 605/7C (sections); 605/11D (footpath network); 605/12E (landscaping); 605/13A (vehicle tracking); 1979/100A, 101A, 102A (highway drainage); 1979/104A (typical highway details); 1979/105A,106A (retaining walls); 1979/110A, 111A (drainage schedules); 1979/112A (finished levels).
 2. Before development commences samples of the external materials to be used in the construction of the roofs and walls and samples of the colour and finish of windows and doors of the development hereby approved shall be submitted to and approved in writing by the local planning authority. The development shall be carried in the approved colours and materials.
 3. All approved hard and soft landscaping 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.
 4. Before development commences an Estate Street Phasing and Completion Plan shall be submitted to and approved in writing by the local planning authority. This Plan shall include construction details of the access ways to plots 5-8 and 28-31 and communal parking areas, together with the phasing and timescales of all estate road/access way works and dates for entering into an agreement under section 38 of the Highways Act 1980 and/or the establishment of a private management and maintenance company. The Plan shall be implemented in accordance with the approved details and timescales.
 5. Before development commences a parking and manoeuvring scheme shall be submitted to and approved in writing by the local planning authority. The approved car parking and manoeuvring areas for each dwelling shall be marked out and surfaced in accordance with the scheme prior to the occupation of that dwelling and shall thereafter remain free from obstruction and available for car parking and manoeuvring purposes.

6. All window openings shall be set back from the external face of the wall. The depth of reveal shall be at least 100mm.
 7. Before development commences details of refuse and recycling storage for each property shall be submitted to and approved in writing by the local planning authority. The approved provision shall be made prior to occupation of any dwelling.
- (2) That the Planning, Building Control and Licensing Services Manager be asked to write to the developer to try to resolve various issues regarding footpaths running across the site.

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 amendments to design and layout are acceptable in terms of 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.

16/0756/REM Reserved Matters: Residential development for 5 detached houses with garages (appearance and landscaping) at land to rear of 8 Birch Hall Lane, Earby for M. Proctor and YLBD Limited

The Planning, Building Control and Licensing Services Manager submitted an update at the meeting reporting receipt of further information from Yorkshire Water and confirmation that they had no objections to the detail of the scheme, and one further neighbour response.

RESOLVED

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

1. This notice constitutes an approval of matters reserved under Condition 1 of Planning Permission No.13/14/0231P and does not by itself constitute a planning permission.

Reason: The application relates to matters reserved by Planning Permission No.13/14/0231P.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 2677.2, 2677.1

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

3. The development hereby permitted shall not be commenced unless and until details and samples of the types and colour of all facing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter at all times be carried out in strict accordance with the approved details.

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

4. The approved landscaping scheme as shown on drawing number 2677.1 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 the site is suitably landscaped

5. The development hereby approved shall be carried out in accordance with the 'construction plan' dated October 2016 at all times and shall not be varied without the prior written agreement of the Local Planning Authority.

Reason: In the interests of residential amenity.

6. The surface water drainage system proposals as shown on the approved drawings shall be attenuated, by way of a scheme to be first submitted to and approved in writing by the Local Planning Authority prior to the commencement of development, so that flows from the site do not exceed greenfield run off rates and shall be designed in such a way as to meet the required storm period and intensity (1 in 30 and 1 in 100 year +30% allowance for climate change) discharge rates and volumes (both pre and post development). The scheme shall be fully implemented prior to the first occupation of any dwelling hereby approved and subsequently maintained thereafter.

Reason: To ensure the satisfactory discharge of surface water from the site and to avoid the risk of flooding elsewhere and for future occupants.

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 complies with Policies ENV1, ENV2 and of the Local Plan Part 1, being appropriate in terms of appearance and landscaping. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

16/0781/FUL Full: Installation of a telecommunications mast comprising a 17.5m monopole supporting 3 antennas and 1 transmission dish, 3 equipment cabinets, 1.8m palisade fence and ancillary development at Earby Cricket Club, William Street, Earby for CTIL and Vodafone Ltd

The Planning, Building Control and Licensing Services Manager submitted an update at the meeting reporting 42 additional neighbor notification responses. 41 were in the form of a standard letter raising issues that had been summarised and addressed in the Committee report. An additional concern had been raised about digging at the site disturbing asbestos from old garages that were buried under the car park.

RESOLVED

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

1. The proposed telecommunications mast would result in unacceptable harm to the setting, and thus the significance of Earby Conservation Area. The harm would be less than substantial but would not be outweighed by the public benefits of the proposed development. The proposed development is therefore contrary to policies ENV1 and ENV2 of the Local Plan Part 1: Core Strategy, policies 10 and 38 of the Replacement Pendle Local Plan and paragraph 134 of the National Planning Policy Framework.

(b) Planning Appeals

The Planning, Building Control and Licensing Services Manager reported that at 19th December there was one new planning appeal as follows –

16/0470/RES *Appeal against refusal of outline planning permission for residential development (14 dwellings) (Access, Appearance, Layout and Scale) (Re-Submission) at Land to the rear of the Greyhound Inn, Manchester Road, Barnoldswick.*

There were no outstanding appeals.

127. ENFORCEMENT/UNAUTHORISED USES - COMPLAINTS RECEIVED

(a) Seddon Homes Development, Salterforth

The Planning, Building Control and Licensing Services Manager submitted a report on progress with the highway requirements for the above development as requested at the last meeting.

RESOLVED

That a meeting be arranged with Members, officers, County Council and developers to see if the road on site, and bridge if possible, could be adopted; to progress the toucan crossing; and to discuss the reopening of the public footpath.

(b) Outstanding

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

RESOLVED

That the Planning, Building Control and Licensing Services Manager be asked to look into activity at 1 Avon Drive where vehicles with trailers were parking, blocking the pavement and the garden was full of wrecked cars.

(c) Enforcement Action

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

The Planning, Building Control and Licensing Services Manager reported that he had asked for an invoice to be raised for the work carried out at Albion Street, Earby so that Pendle's Legal Team could pursue debt recovery as soon as possible.

128. CAPITAL PROGRAMME 2016/17

The Neighbourhood Services Manager reported that the current balance for the Committee's 2016/17 Capital Programme was £4,678. This equated to Barnoldswick £995 and Earby £3,683. Members were asked to consider the two deallocations requested at the last meeting as follows -

£150 from the Hilltop Earby Recreation Ground enclosed dog walking scheme
£1,000 from the Bracewell and Brogden Meeting Commitments for improvements to Esp Lane

RESOLVED

That the two deallocations requested in the report totalling £1,150 be agreed.

REASON

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

129. REVENUE BUDGET 2017/18

The Financial Services Manager submitted a report asking the Committee to consider its base budget for 2017/18, identify any options for budget reductions and pass on any comments to the Executive which was noted.

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

There was no further progress to report on this item.

131. REDIFFUSION CABLES IN BARNOLDSWICK TOWN CENTRE

The Planning, Building Control and Licensing Services Manager reported that he would be contacting the local cable company, as requested, about the possibility of removing some of the old Rediffusion cables from Barnoldswick Town Centre.

132. SKATE PARK, VICTORY PARK

The Neighbourhood Services Manager submitted a report on the issues and possible implications of transferring ownership from Pendle Council to the Lock On Skate Park Group. However, it was understood that the Group no longer wanted to proceed with the transfer.

RESOLVED

- (1) That the Lock On Skate Park Group be asked to confirm that they were no longer interested in taking ownership of the Skate Park.
- (2) That Barnoldswick Town Council's intentions to take over responsibility of the parks in 2018 be noted and that no other transfers of park facilities be considered until a decision has been reached.

REASON

To determine interest in ownership of the Skate Park.

133. PARKS, RECREATION AND GREEN SPACES UPDATE

The Neighbourhood Services Manager submitted for information a report on parks, recreation and green spaces work and upcoming plans/developments for West Craven. There was concern that there were very few events planned for the Barnoldswick parks e.g. Valley Gardens.

RESOLVED

That the Neighbourhood Services Manager be asked to ensure that future events in the parks were equitably spread across the borough.

REASON

For the benefit of all residents.

134. GHYLL MEADOWS FLOODING MEETING

An update was given at the meeting on the discussions at the Ghyll Meadows flooding meeting on 13th December 2016. The CCTV survey of culvert had been completed. The topographical work, site investigations and underground surveys funded by the Environment Agency were now complete. The hydraulic modelling was expected to complete shortly. Once all the data had been assessed, if it was possible to divert the culvert a further bid for the culvert replacement and diversion scheme would be submitted to the Environment Agency.

Rolls Royce had agreed to be the custodians of the key to the emergency flood store holding sand bags and other emergency equipment, which was sited in a container on West Close Lorry Park. The key would be held at the Bankfield gatehouse which was manned 24 hours a day. Rolls Royce had also offered to manufacture signage with instructions for the equipment.

135. PROBLEM BUILDINGS

The Planning, Building Control and Leisure Services Manager submitted a report on problem buildings in West Craven. He added that the developers of the Aldi store at land at Albert Hartley Yard had been asked to submit a timescale of works and he would keep Members informed.

It was reported that a meeting had been held with the owners of the Gospel Hall site. They had confirmed that they wanted the covenant requiring the building to be used as a place of worship, removed so that the building would be easier to sell. They were aware that they would need permission to do this from the Council.

Members reported problems with unauthorised entry and graffiti at the former Wardle Storey offices in Earby.

RESOLVED

That the former Wardle Storey offices in Earby be added to the problem buildings list.

REASON

In the interests of visual amenity.

136. ENVIRONMENTAL BLIGHT

The Neighbourhood Services Manager submitted a report on environmental blight sites in West Craven. Members agreed that the abandoned car at Cemetery Road Car Park was an eyesore and that there should be a way round removing it from Council owned land.

RESOLVED

- (1) That Land at the junction of Goodhall Close and Victoria Road, Earby and Land at Bank Street (the former joiner shop) Barnoldswick be taken off the environmental blight list.
- (2) That the Neighbourhood Services Manager be asked to look again into the possibility of getting the abandoned car removed at Cemetery Road Car Park, Earby.

REASONS

- 1. Work at land at the junction of Goodhall Close and Victoria Road, Earby was complete. The land at Bank Street Barnoldswick had been referred to Planning as it was privately owned.**
- 2. In the interests of visual amenity.**

137. LAND AT ALBION STREET, EARBY

The Corporate Director submitted a report recommending the disposal of Council owned land at Albion Street, Earby, shown edged black on the plan attached to the report.

RESOLVED

That the Executive be recommended to declare the Council owned land at Albion Street, Earby surplus to requirements in order for a sale to be negotiated with the tenant of the land.

REASON

To achieve a capital receipt and end all liabilities.

138. OVERVIEW AND SCRUTINY WORK PROGRAMME 2017/18

Members were asked to consider topics for scrutiny for the next municipal year 2017/18 and to send any suggestions directly to the Scrutiny Management Team before the end of February.

Chairman.....