

**MINUTES OF A MEETING OF THE  
COLNE AND DISTRICT COMMITTEE  
HELD AT COLNE TOWN HALL  
ON 9<sup>th</sup> MARCH, 2017**

*PRESENT –*

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

**Councillors**

*N. Butterworth  
D. Clegg  
S. E. Cockburn-Price  
J. Cooney  
A. R. Greaves  
D. E. Lord  
N. T. McCollum  
J. Nixon  
G. Roach*

**Co-optees**

*A. Sutcliffe (Colne Town Council)*

**Officers in attendance:**

<i>Peter Atkinson</i>	<i>Neighbourhood Services Manager/Area Co-ordinator</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 M. S. Foxley, S. Petty and P. White).*



*The following people attended the meeting and spoke on the items indicated:*

<i>Pauline Hirons</i>	<i>17/0045/HHO Full: Demolition of existing extension and erection of two storey extension to rear at Claines, Skipton Old Road, Colne</i>	<i>Minute No. 136(a)</i>
<i>Mr. Runskill Mr. Nolan</i>	<i>Outstanding Enforcements – Caravans on Carry Lane, Colne</i>	<i>Minute No. 137(a)</i>
<i>Mr. Holden Mr. Runskill</i>	<i>Greenfield Road, Colne</i>	<i>Minutes No. 141</i>



**132. DECLARATIONS OF INTEREST**

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

**133. PUBLIC QUESTION TIME**

There were no questions from members of the public.

134.

## MINUTES

### RESOLVED

That the Minutes of the meeting held on 9<sup>th</sup> February, 2017 be approved as a correct record and signed by the Chairman.

135.

## PROGRESS REPORT

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

136.

## 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:

**17/0005/FUL   Erection of 22 apartments in one 2/3 storey block and formation of 33 space car park with access from Ivegate on land at Ivegate/Windy Bank, Colne for Grays Inn Development Ltd.**

### RESOLVED

That planning permission be **granted** subject an additional condition granting delegated authority to the Planning, Building Control and Licensing Services Manager regarding the screen wall and subject to the following conditions and reasons:

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 Nos. 10, 11, 12, 14, 15.

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

3. The erection of the external walls of the development shall not be commenced unless and until samples of the external materials to be used in the construction of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the approved details.

**Reason:** To ensure a satisfactory form of development in the interest of 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. Prior to 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.

6. Prior to commencement of development a scheme for the provision of bat and bird boxes shall be submitted to the Local Planning Authority and approved in writing. The boxes shall be installed in accordance with the scheme before the first dwelling is occupied and thereafter retained.

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

7. Unless otherwise agreed in writing by the Local Planning Authority, 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.

10. 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.

11. Prior to occupation of any part 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. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
  - b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system 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 ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

12. Demolition or construction work shall not begin unless and 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.

**Note**

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.

13. 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.

14. 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 the new development and to prevent contamination of the controlled waters.

15. 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 and thereafter shall be permanently retained unobstructed before the development is brought into use.

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

16. The car park shall be surfaced or paved in accordance with a scheme to be approved by the Local Planning Authority and the car parking spaces and manoeuvring areas marked out in accordance with the approved plan, before the use of the premises hereby permitted becomes operative. They shall thereafter be permanently retained and be available for use of vehicles solely associated with the development.

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

**Notes:**

- The external communal entrance to the apartment block should be fitted with an anti-vandal proof access control system such as a key fob/keypad system. Communal entrance doorsets should be certificated to PAS24/2012 security standards or an equivalent standard such as LPS 1175 SR2. All glazing in external doorsets should be laminated.
- The internal doorsets for each of the 22 apartments should be certificated to PAS 24/2012 standards. These doorsets should incorporate a door viewer and security bar/chain.
- The building should be illuminated externally with dusk till dawn lighting, all external entrances should be illuminated. The car park and binstore/cycle store area should be illuminated.
- Windows should be PAS24/2012 certificated, fitted with laminated glazing at ground floor level and all windows should be fitted with restrictors.
- An infrared CCTV system should be considered for the scheme. Coverage of the communal entrance to the apartment block and the car park is recommended.
- Plans show that access to the scheme will be via the existing gate to Ivegate Mews Car Park. This is supported in terms of reducing the opportunity for vehicle crime and exposing the vulnerable rear of the apartment block to intruders.
- The site must be secured throughout the construction phase. Construction sites are easy targets for opportunist thieves. There are a number of threats to consider including theft, vandalism and criminal damage. The site should be secure at the perimeter with 2m high fencing and gates as well as other measures such as monitored CCTV and security patrols

**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 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.***

**17/0045/HHO Full: Demolition of existing extension and erection of two storey extension to rear at Claines, Skipton Old Road, Colne for John Macbeth**

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

**RESOLVED**

That this item be deferred for a site visit.

**17/0072/FUL Full: Formation of ramp to entrance (retrospective) at 125 Albert Road, Colne For Mr. R. Mirfield**

**RESOLVED**

That the Planning, Building Control and Licensing Services Manager be granted delegated authority to approve the application subject to no objections being received at the expiry of the consultation period and subject to the following conditions and reasons:

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

Location plan & 1b.

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

2. Notwithstanding the submitted plans and application forms within two months of the date of this decision details (including samples) of the materials for the means of enclosing the ramp shall have been submitted to and approved in writing by the Local Planning Authority and these approved materials shall hereby be strictly adhered to and implemented with three months of the date of this decision.

**Reason:** In order to ensure that the materials are appropriate for this site within a Conservation Area.

***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 ramp is acceptable subject to appropriate conditions. The development 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 receipt of decisions on the following two appeals:

13/16/0107P Appeal against refusal of planning permission for the erection of a detached dwelling house at Knarrland Farm, Warley Wise Lane, Colne – Dismissed 6<sup>th</sup> February, 2017

16/0300/FUL Appeal against refusal of planning permission for the erection of a detached dwelling house and change of use of agricultural land to residential use at Hollin Hall Barn, Hollin Hall, Trawden – Dismissed 3<sup>rd</sup> February, 2017

## **137. 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.

It was reported that discussions with the owners of the Carry Lane site in Colne were planned for next week. The Committee were also updated on discussions with the owner of the Crown Hotel on Albert Road, Colne regarding the replacement of a number of UPVC windows.

### **(b) Enforcement Action**

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

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

The Planning, Building Control and Licensing Services Manager reported the possibility of an imminent prosecution by the Environment Agency. The County Council had obtained more evidence of the owner tipping on the site and this had been passed onto their solicitors. It was felt that to maintain progress a further letter from the Chairman of the Committee and the Strategic Director to the County Council should be sent requesting the matter be progressed as soon as possible.

The Committee discussed the increase in fly tipping along country lanes and at the entrance to fields. It was suggested that Section 25 Notices be served to address this issue.

## **RESOLVED**

- (1) That the Chairman of this Committee and the Strategic Director be requested to send letters to the Leader and Chief Executive of the County Council to ensure the prosecution for the alleged unauthorised activities at Hubbs House Farm, Colne were progressed as soon as possible.
- (2) That Section 215 Notices be served on the owners of land where fly tipping has occurred along country lanes and entrances to fields within the Colne and District area.

## **REASONS**

- (1) ***To maintain pressure on the County Council to proceed with the prosecution.***
- (2) ***To address the issue of fly tipping in the area.***



**138. CAPITAL PROGRAMME 2016/17**

The Neighbourhood Services Manager reported that the current balance of the Committee's Capital Programme for 2016/17 was £1,081.

**139. TRAFFIC LIAISON MEETING**

Minutes of a meeting of the Traffic Liaison Meeting held on 9<sup>th</sup> February, 2017 were submitted for information.

It was noted that a request in 2011/2012 for a residents' only parking scheme on Fothergill Street, Colne had not yet been implemented by the County Council. The Committee had allocated funding for this scheme but there had been little progress to date. Concerns were also expressed that the proposed residents' only parking scheme on Duke Street, Colne had also not yet to implemented.

**RESOLVED**

That the Neighbourhood Services Manager be requested to provide an update to the next meeting on progress with the implementation of residents' only parking schemes on Fothergill Street and Duke Street, Colne.

**REASON**

*To move progress.*

**140. PROBLEM SITES**

The Planning, Building Control and Licensing Services Manager submitted, for information, a report on problem sites within the Colne and District area.

**RESOLVED**

- (1) That the report be noted.
- (2) That Bank House, Albert Road, Colne be removed from the problem sites list.
- (3) That a Section 215 Notice be served on the owners of the former Blockbuster unit.

**REASONS**

- (1) ***Bank House was currently undergoing renovation works.***
- (2) ***The former Blockbuster unit had been empty for some time and was becoming an eye sore on the street scene.***

**141. GREENFIELD ROAD, COLNE**

Following a request made at the last meeting, the Neighbourhood Services Manager submitted a report regarding speeding vehicles on Greenfield Road, Colne.

Complaints of speeding along this stretch of road following resurfacing works had been received from residents. It was felt the situation had worsened since the works to Junction 13 of the M65 had

started with people using this road as a rat-run to avoid waiting at the traffic lights. Taxi had also started to use this road at night which was causing disturbance to residents.

It was reported that it would cost £1,187.17 to install new bitmac road humps from the entrance onto Greenfield Road off Colne Road up to numbers 103-118 and £2,100 to reinstate the humps from the stretch past number 90-100 leading up to Whitewalls Drive. The total estimated cost including preliminaries and contingencies was £3,775.65.

The Committee were informed that there was no funding available for these works but could consider allocating some money from the Committee's Capital Programme for 2017/18.

There was a discussion around the advantages and disadvantages of the effect of road humps. From this discussion it was suggested that plastic road humps be used, similar to the ones found on supermarket car parks.

## **RESOLVED**

- (1) That the report be noted.
- (2) That the Executive be recommended to agree funding of £2,100 to reinstate the road humps past numbers 90-100 Greenfield Road (leading up to Whitewalls Drive) and approximately £750 for the installation of plastic road humps on Greenfield Road, Colne subject to consultation with residents regarding their exact location.
- (3) That a campaign be undertaken to raise awareness of Greenfield Road, Colne being "access only."

## **REASON**

*To prevent speeding on Greenfield Road and deter it being used as a rat-run.*

### **142. COLNE TOWN CENTRE FORUM**

Minutes of a meeting of the Colne Town Centre Forum held on 21<sup>st</sup> February, 2017 were submitted for information.

### **143. COLNE AND DISTRICT WORKING GROUP OF THE COLNE COMMUNITY SAFETY PARTNERSHIP**

Minutes of a meeting of the Colne and District Working Group of the Colne Community Safety Partnership held on 9<sup>th</sup> February, 2017 were submitted for information.

### **144. MISCELLANEOUS MINUTES**

Minutes of a meeting of the Friends of Ball Grove were submitted for information.

### **145. TRAWDEN FOREST POST OFFICE**

It was reported that the Council had received a letter from the Post Office regarding its facility in Trawden. The facility had been closed since 29<sup>th</sup> January, 2016 and unfortunately it had been unable to restore the service locally.

The Committee were advised that the Trawden Community Group were interested in providing this service in the Community Centre. Discussions were ongoing with the County Council regarding the transfer of the Centre and it was envisaged that at some point the Post Office service would be restored.

**146. OUTSTANDING ITEMS**

The following item had been requested by this Committee and a report would be submitted to a future meeting:

Use of UPVC within the Albert Road Conservation Area, Colne

**147. LOCAL GOVERNMENT ACT 1972**

In accordance with the provisions of Section 100 (B)(4) of the Local Government Act, 1972, as amended, the Chairman agreed that the following item should be considered as a matter of urgency, the ground being that a decision was required before the next meeting of this Committee.

**148. MULTI ACADEMY TRUST FOR COLNE**

It was reported that six schools had expressed an interest in establishing a Multi-Academy Trust. These were Blacko Primary School, Colne Park High School, Colne Park Primary School, Laneshaw Bridge Primary School, Lord Street Primary School and West Street Primary School.

A three week consultation exercise was being undertaken with a deadline of 27<sup>th</sup> March, 2017 for all responses. The consultation document had been circulated prior to the meeting.

Following a lengthy discussion it was established that there was full support from the Committee for this initiative. Some concerns were expressed that three weeks was too short for the consultation and that the consultation document did not provide a balanced view. A question and answer session was scheduled for 2 p.m. on 17<sup>th</sup> March at Lord Street School which everyone was invited to and Colne Town Council would be discussing the proposals at its next meeting.

**RESOLVED**

That this Committee supports, in principle, the proposals for a Multi Academy Trust in Colne and as a Council would support any success provided to increase the level of education for students in Colne.

**REASON**

*In response to the consultation.*

Chairman \_\_\_\_\_