

**MINUTES OF A MEETING OF THE  
COLNE AND DISTRICT COMMITTEE  
HELD AT COLNE TOWN HALL  
ON 11<sup>th</sup> MAY, 2017**

*PRESENT –*

**Councillors**

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

**Co-optees**

*Mr. 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 J. Cooney and P. White).*



**1. APPOINTMENT OF CHAIRMAN**

**RESOLVED**

That Councillor G. Waugh be appointed Chairman of the Committee for the Municipal Year 2017/18.

Councillor G. Waugh (Chairman – in the Chair)

**2. APPOINTMENT OF VICE-CHAIRMAN**

**RESOLVED**

That Councillor J. Nixon be appointed Vice-Chairman of the Committee for the Municipal Year 2017/18.

**3. APPOINTMENT OF CO-OPTees**

**RESOLVED**

That the following co-optees be appointed for the ensuing Municipal Year from the organisations stated:-

Representatives from Colne Town Centre Forum, Colne Town Council, Foulridge Parish Council, Laneshaw Bridge Parish Council and Trawden Forest Parish Council.

**4. DECLARATIONS OF INTEREST**

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

Co-optee Ashley Simpson declared a prejudicial interest in minute number 10 – Capital Programme 2017/18 and in particular reference to Colne Premises Improvement Grants 2016/17.

**5. PUBLIC QUESTION TIME**

There were no questions from members of the public.

**6. MINUTES**

**RESOLVED**

That the Minutes of the meeting held on 30<sup>th</sup> March, 2017 be approved as a correct record and signed by the chairman.

**7. PROGRESS REPORT**

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

It was reported that residents on Greenfield Road, Colne were to be consulted on the proposed speed humps which were to be installed to help slow traffic down in that area. It was suggested that the signage at both ends of the road be looked at as it was felt the existing signage was not necessarily in the right place. The signage issue was to be raised at the next Traffic Liaison Meeting on 22<sup>nd</sup> June, 2017.

**8. PLANNING APPLICATIONS**

**(a) Applications to be determined**

The Planning, Building Control and Licensing Services Manger submitted a report on planning applications to be determined as follows:

**17/0176/VAR Full: Major: Variation of Condition: Vary conditions 2 (plans) and 14 (road adoption/management) of planning permission 16/0459/FUL to raise the floor levels of the bungalows and alter the timescale for submission of details of road adoption/management at White Grove Garage Site, Harrison Drive, Colne for Cawder Construction**

**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 from 6<sup>th</sup> October 2016.

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

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: 03-(OS)-7899 Rev A, 002-(BR)-7899 Rev B, 100-(PL)-7899 Rev C, 200-(PL)-7899 Rev C, 203-(BR)-7899 Rev B, 202-(PL)-7899 Rev B.

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

- 3 Samples of external wall and roofing materials shall be submitted to and approved in writing by the Local Planning Authority 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 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.

- 7 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.

- 8 A car parking and manoeuvring 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 manoeuvring 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 manoeuvring 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.

- 9 No development shall commence unless and until details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. Those details shall include, as a minimum:
- a) Information about the lifetime of the development, design storm period and intensity (1 in 30 and 1 in 100 year + allowance for climate change see EA advice Flood risk assessments: climate change allowances'), discharge rates and volumes (both pre and post development), temporary storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;
  - b) The drainage strategy should demonstrate that the surface water run-off must not exceed 5 litres per second. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
  - c) Any works required on or off-site to ensure the adequate discharge of surface water without causing flooding or pollution (which should include the refurbishment/relocation of existing culverts and headwalls or removal of unused culverts where relevant);
  - d) Flood water exceedance routes, both on and off site;
  - e) A timetable for implementation, including phasing as applicable;
  - f) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
  - g) Details of water quality controls, where applicable.

The scheme shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

**Reason:** To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site, to reduce the risk of flooding to the proposed development, elsewhere and to future users and to ensure that water quality is not detrimentally impacted by the development proposal.

- 10 No development shall commence unless and until details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development have been submitted to and approved in writing by the Local Planning Authority. Those details shall include, as a minimum:
- a) the arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company
  - b) arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:

- i. on-going inspections relating to performance and asset condition assessments
- ii. operation costs for 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;
- c) Means of access for maintenance and easements where applicable.

The plan shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.

**Reason:** To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development, to reduce the flood risk to the development as a result of inadequate maintenance, to identify the responsible organisation/body/company/undertaker for the sustainable drainage system.

- 11 No development shall take place unless and until further investigations are carried out to establish the location, capacity and condition of the intended surface water discharge point (culverted watercourse). The surface water drainage strategy should be revised to accommodate findings as appropriate. The development shall not be commenced unless and until a revised surface water drainage strategy has been submitted to and approved by the Local Planning Authority. The development shall be carried out in strict accordance with the approved surface water drainage strategy.

**Reason:** To ensure that the watercourse does not pose a flood risk, on-site or off-site.

- 12 The development shall be carried out in strict accordance with the recommendations set out in the submitted Extended Phase 1 Habitat Survey.

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

- 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 No dwelling hereby approved shall be occupied unless and until details of the long term management and maintenance of the roads, pavements, verges and parking areas of the development has 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.

- 15 Within two weeks of the commencement of the development a scheme for the provision of a footpath from Harrison drive to the parking bays to the front of plots 7-12 and for the full frontage from plot 12 into the site with a crossing point to align with the parking bays footpath shall be submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied unless and until the footpath has been completed in accordance with the approved scheme.

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

- 16 All glazing installed in the elevations facing north and those facing east shall be in accordance with the specifications set out in the noise assessment ref: LG0408163NR dated 26/09/2016.

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

### **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.***

### **(b) Planning Appeals**

The Planning, Building Control and Licensing Services Manager reported notification of one new appeal:

16/0700/HHO

17/0001/AP/REFUSE Appeal against refusal of planning permission for the erection of a single storey extension to the rear at 160 Barrowford Road, Colne

**9. ENFORCEMENT/UNAUTHORISED USES**

**(a) Outstanding enforcements**

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

**(b) Enforcement action**

The Head of Legal Services submitted a report giving the up-to-date position on prosecutions.

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

Reference was made to the continuing unauthorised uses on this site, in particular with regards to livestock. It was reported that a trial date had been set for the end of August, 2017.

**(d) Persimmon Homes Site, Knotts Drive**

It was reported that currently there were no immediate problems associated with the site. The first phase had been completed and the delivery of materials had ceased. It was felt that problems may arise when work starts on future phases.

Concern was expressed that there appeared to be a generator running on the site at all times of the day. The Planning, Building Control and Licensing Services Manager agreed to look into this issue.

*Mr. A Sutcliffe (Colne Town Council) declared a prejudicial interest in the following item as the premises he rented was listed in the report and he withdrew from the meeting during the discussion.*

**10. CAPITAL PROGRAMME 2017/18**

The Neighbourhood Services Manager reported that the current balance for the Committee's capital programme for 2017/18 was £25,733.

A late bid requesting £15,000 for Colne Town Centre Premises Improvement Grants was circulated at the meeting. The Committee also considered at this point the update report on town centre premises improvement grants (Minute number 15 refers).

During discussion there was some confusion around the criteria in relation to what the grant could be spent on. It was suggested that clarification be sought for the next meeting.

**RESOLVED**

- (1) That the bid for Colne Town Centre Premises Improvement Grants be deferred and Paul Collins, Business Support Team Leader, be invited to the next meeting to explain what this grant could be spent on.
- (2) That Councillors D. E. Lord and P. White be nominated onto the Premises Improvement Grant Panel.



**REASON**

*To understand the process before making a decision.*

**11. ITEMS FOR DISCUSSION**

**(a) Land at Laithe Street, Colne**

Concerns over the untidy and overgrown appearance of the site were expressed. Neighbouring gardens were now being affected.

It was agreed that this issue be addressed at a future date.

**12. PROBLEM SITES**

The Planning, Building Control and Licensing Services Manager submitted a report on problem sites in the area.

It was reported that an expression of interest had been received in relation to the former Blockbuster unit. The enquirer had been referred on to the owner of the premises.

Reference was made to a wall at the rear of the former Blockbuster unit which had been knocked down some time ago by a privately owned refuse wagon. Officers were aware of this and any progress on the rebuilding of the wall would be reported at the next meeting.

**13. ALBERT ROAD CONSERVATION AREA, COLNE – UPVC WINDOWS, DOORS AND SHOPFRONTS**

The Planning, Building Control and Licensing Services Manager submitted a report on the outcome of a survey of commercial properties within the Albert Road Conservation Area to establish the extent of use of UPVC shopfronts, doors and windows and to consider whether enforcement action should be taken where these were unauthorised.

The survey revealed that of the 180 commercial premises within the Conservation Area around 160 either retained their original joinery or more recent timber replacements at street level. Only 20 properties were found to have some element of UPVC in shopfronts, windows and doors at street level. These premises were listed in the report. It was noted, however that 53 premises were found to have UPVC windows at first/second floor or dormer level.

**RESOLVED**

- (1) That the findings of the survey of commercial premises and the extent of use of UPVC in the Albert Road Conservation Area be noted.
- (2) That the Planning, Building Control and Licensing Services Manager, be authorised to take enforcement action in respect of those premises where unauthorised UPVC windows, doors and shopfronts existed.

**REASON**

***In order that the heritage significance, character and appearance of the Conservation Area is not harmed by the use of inappropriate modern materials.***

**14. ENVIRONMENTAL CRIME UPDATE**

The Environmental Services Manger submitted an update on environmental crime in the area for the period 1<sup>st</sup> January, 2017 to 31<sup>st</sup> March, 2017. An update on the annual totals for 2016/17 was also provided.

**15. COLNE PREMISES IMPROVEMENT GRANTS 2016/17**

The Housing, Health and Economic Development Services Manager submitted a report which provided an update on progress made on the Colne Premises Improvement Grants Scheme for the 2016/17 financial year.

This report had been considered earlier in the meeting – Minute number 10 refers.

**16. PUBLIC SPACES PROTECTION ORDERS – SPORTS GROUNDS**

The Neighbourhood Services Manager submitted a report on proposals and options for Public Spaces Protection Orders (PSPOs) in relation to sports grounds. The intention of the proposals was to strike a balance between the needs of groups; families and individuals using the sports grounds for recreation and leisure; and those using them as public open space, in particular dog walkers. A public consultation on the proposals had been carried out.

The proposed order affected Holt House (including Colne Football Club and Colne and Nelson Rugby Club) and Emmott Lane Playing Fields. Following a meeting in February, 2017 the Executive had met with Trawden Forest Parish Council to discuss the proposal with residents regarding Trawden Recreation Ground.

It was reported at the meeting that a volunteer group “Friends of Trawden Rec” would be established consisting of volunteers from all user groups who had agreed to patrol the ground and clear up any litter or dog fouling that had been left behind by other users.

**RESOLVED**

That, having completed a period of public consultation, a Public Spaces Protection Order for sports grounds in the Colne and District area be agreed in relation to the control of dogs, with the exception of Trawden Recreation Ground, and to incorporate the relevant parts of the existing by-laws.

**REASON**

***To enable the Council and its partners to respond to concerns regarding behaviour that was detrimental to the quality of life in public spaces in Pendle including enforcement action.***

**17. VACANT HOUSES**

The Housing, Health and Economic Development Services Manager submitted a report on the current position regarding the management of vacant houses in the Colne and District area.

The Committee acknowledged the work undertaken by officers to bring back into use a number of empty properties. It was noted that as from 1<sup>st</sup> April, 2016 there had been 71 residential properties empty over two years, of which 27 had been re-occupied. A further 307 residential properties were recorded as empty up to two years, of which 225 had since been re-occupied. This left only 2 vacant properties on the priority list.

**RESOLVED**

- (1) That the action being taken to manage empty houses be noted.
- (2) That the position regarding each of the priority empty properties be noted.
- (3) That 3 Peter Street, Colne be added to priority list of vacant properties in Colne.
- (4) That a further update report be submitted in six months' time unless there was an issue with particular property.

**REASON**

*To ensure the empty properties in the borough are managed and to keep the Committee up to date.*

**18. INSPIRE CLINICAL VAN**

It was reported that Inspire Integrated Substance Misuse Service now had a clinical van for use across all of its service areas, including Pendle. It was currently in the process of finding suitable venues to make it accessible and easier to attend. A briefing note which provided further details on the services available was submitted for information.

Members were also advised of an Inspire Community Delivery update event which was taking place at the Grassroots Centre in Nelson on Friday 12<sup>th</sup> May.

**19. 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 30<sup>th</sup> March, 2017 were submitted for information.

**20. MISCELLANEOUS MINUTES**

Minutes of meetings of the Colne Market Panel and Friends of Alkincoats Park were submitted for information.

Chairman \_\_\_\_\_