

**MINUTES OF A MEETING OF
WEST CRAVEN COMMITTEE
HELD AT
SALTERFORTH VILLAGE HALL, SALTERFORTH
ON 6TH JUNE 2017**

PRESENT –

Councillors

*M. Adams
K. Hartley
D. M. Whipp*

Co-optees

*G. Wilson
D. Oliver*

Officers Present

N. Watson

J. Eccles

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

(Apologies were received from Councillors J. Purcell, M. S. Goulthorp, M. Horsfield, L. Davy, R. E. Carroll and C. Teall.)



21. APPOINTMENT OF CHAIRMAN

In the absence of the Chairman and Vice-Chairman Members were asked to appoint a Chairman for this meeting.

RESOLVED

That Councillor D. M. Whipp be appointed Chairman for this meeting.

Councillor D. M. Whipp – in the Chair

22. DECLARATIONS OF INTEREST

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

23. PUBLIC QUESTION TIME

There were no questions from members of the public.

24. MINUTES

RESOLVED

That the Minutes of this Committee, at the meeting held on 11th May 2017 be approved as a correct record.

25. POLICE AND CRIME ISSUES

There was no Police representative available for the meeting. The crime statistics for May had been circulated prior to the meeting. Crimes were broken down as follows –

	2016	2017
Burglary in a dwelling	0	2
Burglary other than a dwelling	3	1
Vehicle Crime	3	4
Hate crime	0	0
Assaults	7	12
Criminal Damage	9	9
Other Crime	14	12
ALL CRIME	36	40
Anti-Social Behaviour	39	45

26. PLANNING APPLICATIONS

(a) To be determined

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

17/0204/OTD Permitted Development Notification: Proposed change of use from offices (B1a) to 18 self-contained apartments on three floors at South Block, Wardle Storey Offices, School Lane, Earby for Mr A. Kinder

The Planning, Building Control and Licensing Services Manager submitted an update at the meeting reporting receipt of comments from Yorkshire Water and Earby Town Council and amended plans from the applicant.

RESOLVED

That the Planning, Building Control and Licensing Services Manager be delegated authority to **grant Permitted Development Notification** subject to the following conditions and agreement on the siting of the bins –

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:

CALI/02 Dwg 01, CALI/02 Dwg 02 & CALI/02 Dwg 03.

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

3. The proposed development shall not be brought into use unless and until the car park shown on the approved plan has been constructed, surfaced, sealed, drained and marked out in accordance with details to be submitted to and agreed in writing by the Local Planning

Authority. The parking spaces and turning areas shall thereafter always remain unobstructed and available for parking and turning purposes.

Reason: In the interest of amenity.

4. Before the development hereby permitted becomes operative, the existing wall within the footway to the north of the proposed new vehicle exit onto School Lane shall be reduced to, and be permanently maintained henceforth, at a height not greater than 0.9m above the crown level of the carriageway of School Lane.

Reason: To ensure adequate visibility for the drivers of vehicles entering and leaving the site.

5. The proposed development shall be carried out in accordance with the mitigation measures set out in Flood Risk Assessment by Michael Lambert Associates 16th December, 2013 .

Reason: In order to reduce the risk of flooding.

17/0173/FUL Full: Demolition of link bridge, layout of parking spaces, erection of bin store and external alterations to building at South Block, Wardle Storey Offices, School Lane, Earby for Calico

The Planning, Building Control and Licensing Services Manager submitted an update at the meeting reporting receipt of comments from the Yorkshire Water and Earby Town Council and amended plans from the applicant.

RESOLVED

That the Planning, Building Control and Licensing Services Manager be delegated to **grant consent** subject to the following conditions and agreement on the siting of the bins –

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:

CALI/02 Dwg 01, CALI/02 Dwg 04, CALI/02 Dwg 02 & CALI/02 Dwg 03 & CALI/02 Dwg 05.

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

3. Prior to the commencement of development samples of the materials to be used in the construction of the development including colour of render hereby permitted (notwithstanding any details shown on previously submitted plan(s) and specification) shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

4. The development hereby permitted shall not be commenced until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be submitted at a scale of 1:200 and 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 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 that the development is adequately landscaped so as to integrate with its surroundings.

5. The proposed development shall not be brought into use unless and until a scheme for the car park including proposed signage and levels has been submitted to and approved in writing by the Local Planning Authority and shall thereafter be constructed, surfaced, sealed, drained and marked out in accordance with the approved details. The parking spaces and turning areas shall thereafter always remain unobstructed and available for parking and turning purposes.

Reason: In the interest of amenity.

7. No development shall take place, including any works of demolition for the link bridge, until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. It shall provide for:
- i) The parking of vehicles of site operatives and visitors
 - ii) The loading and unloading of plant and materials
 - iii) The storage of plant and materials used in constructing the development
 - viii) Details of working hours
 - ix) Routing of delivery vehicles to/from site.
8. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority. These should include works to create new vehicle accesses to/from School Lane (re-siting of street lighting column, radius kerbs, tactile paving etc); reduction in height to wall within the highway within the visibility

splay, widening of footway along School Lane; any boundary treatment along School Lane. The above works to be implemented prior to first occupation.

Reason: In order to satisfy the Local Planning Authority that the final details of the highway scheme/works are acceptable before work commences on site.

9. A minimum of 2 cycle racks with appropriate signage shall be provided within the site prior to the proposed development being first brought into use, in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

Reason: To reduce dependence on car-borne travel.

10. All window frames and doors shall be of a timber construction and painted in a colour to be submitted to and agreed by the Local Planning Authority within 2 weeks of the commencement of development. The development shall then only be carried out in accordance with the approved details prior to the occupation of any dwelling and retained thereafter.

Reason: To ensure the satisfactory appearance of the development.

11. The windows and doors shall be set back from the external face of the walls by at least 75mm in depth.

Reason: To ensure the continuation of a satisfactory appearance to the development.

12. Full details of the rainwater goods including the colour thereof shall be submitted to and approved in writing by the Local Planning Authority within two weeks of the commencement of development. The development shall thereafter strictly conform to the details so approved.

Reason: In order to ensure the design of the features of the building are acceptable.

13. Within two weeks of the commencement of development full details of :-

- * reinstatement of facades where the bridge link adjoins the buildings is to be demolished;
- * timetable of schedule of work.

shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the approved plans.

Reason: In the interests of amenity and the appearance of the development.

Informative - This development will require a permit under the Environmental Permitting (England and Wales) Regulations 2010 from the Environment Agency for any proposed works or structures, in, under, over or within 8m of the top of the bank of both Earby Beck and the New Cut, designated 'main rivers'. This was formerly called a Flood Defence Consent. Some activities are not excluded or exempt. A permit is separate to and in addition to any planning permission granted.

Notes

1. The grant of planning permission will require the applicant to enter into an appropriate Section 278 Legal Agreement, with Lancashire County Council as Highway Authority prior to the start of any development. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant should be advised to contact the county council for

further information by telephoning the Development Support Section (Area East) on 0300 123 6780 or email lhscustomerservice@lancashire.gov.uk , quoting the relevant planning application reference number.

2. The land referred to in Condition 8 to widen the footway on School Lane shall be the subject of a dedication agreement with the Highway Authority under the provision of Section 38 of the Highways Act or other appropriate agreement.

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 demolition of the link bridge, formation of car park, erection of bin store and external alterations are acceptable subject to appropriate conditions. The development therefore complies with the development plan. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

(b) Planning Appeals

The Planning, Building Control and Licensing Services Manager reported that at 26th May 2017 the following appeal had been dismissed, although costs had been awarded against the Council.

16/0488/OUT – Appeal against refusal of outline planning permission for up to 17 dwellings at Land off Cob Lane and Old Stone Trough Lane, Kelbrook.

Notification of two new appeals had just been received which would be reported to the next meeting.

27. ENFORCEMENT/UNAUTHORISED USES - COMPLAINTS RECEIVED

(a) Outstanding

The Planning, Building Control and Licensing Services Manager submitted a report detailing outstanding enforcement cases which was noted.

(b) 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. At the last meeting Members had resolved to hold a meeting with Albert Hartley's to discuss investment in the site in relation to the Aldi development prior to determining possible enforcement action. This had been arranged for 7th June. In the meantime, it was understood that demolition on site had been forced to stop as the substation had not been removed.

RESOLVED

That the Planning, Building Control and Licensing Services Manager be asked to request the relevant body to decommission the substation at Albert Hartleys as soon as possible, so that work on site could continue.

28. CAPITAL PROGRAMME 2017/18

The Neighbourhood Services Manager submitted a report on the Committee's Capital Programme for 2017/18. The following bid was submitted for consideration –

St Joseph's Community Centre, Barnoldswick - £1,000 to renew leaking gutter and fascia boards

RESOLVED

That the Treasurer for St Joseph's Community Centre, Barnoldswick be asked for more information on the total cost of the work to renew leaking gutter and fascia boards and what proportion of the work was being requested, and for the bid to be reconsidered at the next meeting.

REASON

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

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

It was understood that agreement had been reached on the amount of hours the School would use West Craven Sports Centre. It was hoped that this agreement and the others could now be progressed.

RESOLVED

That a detailed update be brought to the next meeting.

30. REDIFFUSION CABLES IN BARNOLDSWICK TOWN CENTRE

The Planning, Building Control and Licensing Services Manager said that there was no news to report on the removal of Rediffusion cables from Barnoldswick Town Centre. Any progress would be reported to the next meeting.

31. ITEMS FOR DISCUSSION

Parking problems in the vicinity of Earby Cricket Club

It was reported that on occasion the Earby Cricket Club car park wasn't always open when a match was on. This was causing parking problems on the adjacent streets.

RESOLVED

That a meeting be arranged with Earby Cricket Club, Members of the Committee, local residents and Earby Town Council to discuss parking issues and to seek to alleviate the parking problems.

REASON

To ease parking problems at this location.

Emissions from Grove Mill, Earby

Local residents had complained about plasticiser fallout at Uniroyal Global, Grove Mill in Earby. Environmental Health was aware of the problem which had occurred about 4 times since 2013. It was understood that the fallout was not harmful to health but could be difficult to remove. Whenever the problem came to light the company immediately tried to resolve it and was proactive in informing residents and paying for valeting of cars etc. The company was working towards installing a new thermal oxidiser abatement system within the next two years. Environmental Health was meeting senior management at the company on 7th June to discuss the problem.

RESOLVED

That the Housing, Health and Economic Development Services Manager be asked to report back to the next meeting on the discussions with Uniroyal Global.

REASON

In the interests of residential amenity and the local environment.

32. PUBLIC SPACES PROTECTION ORDERS - PARKS

The Neighbourhood Services Manager submitted a report on proposals and options for Public Spaces Protection Orders in relation to Letcliffe, Sough and Victory Parks and Valley Gardens.

RESOLVED

- (1) That proposals for public and partner consultation for a Public Spaces Protection Order Letcliffe, Sough and Victory Parks and Valley Gardens be agreed in relation to the control of dogs and to incorporate the relevant parts of the existing Parks by-laws subject to the following amendments to the conditions applicable in all Parks listed at Appendix 1 –
 - Using fireworks of any description at any time *without the expressed consent of an authorised officer of the Council*
 - Removing or displacing any stone, soil, or turf or the whole *or any part* of any plant, shrub or tree
- (2) That the proposals also be applied to other green spaces in Earby and Barnoldswick such as Ouzledale Park, Clough Park, the grassed area of Bank Street near to the play area, Land at Harrison Street, Memorial Gardens, the War Memorial area, the Town Green, Priory Way and Land at the end of Coates Avenue.

REASON

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

33. REPRESENTATIVES ON OUTSIDE BODIES

At the Annual meeting of the Council the responsibility for appointing representatives to the Earby and Salterforth Internal Drainage Board and West Craven Together had been referred to this Committee.

RESOLVED

That Council representation on the Earby and Salterforth Internal Drainage Board for 2017/18 remain the same and Council representation be removed from West Craven Together as it no longer received support from the Council.

REASON

To maintain the Council's representation where appropriate.

34. OUTSTANDING ITEMS

It was noted that the following item had been requested by this Committee and a report would be submitted to a future meeting.

- (a) Private Street Works legislation – Moss Side (11.05.2017)

Chairman.....