

**MINUTES OF A MEETING OF THE
COLNE AND DISTRICT COMMITTEE
HELD AT COLNE TOWN HALL
ON 10th AUGUST, 2017**

PRESENT –

Councillor G. Waugh (Chairman – in the Chair)

Councillors

*N. Butterworth
D. Clegg
S. E. Cockburn-Price
J. Cooney
M. S. Foxley
N. T. McCollum
J. Nixon
S. Petty
G. Roach
P. White*

Co-optees

*A. Sutcliffe (Colne Town Council)
B. Hodgson (Trawden Forest Parish Council)*

Officers in attendance:

*Peter Atkinson Neighbourhood Services Manager (Area Co-ordinator)
Kathryn Hughes Principal Development Management Officer
Sarah Waterworth Committee Services*

(Apologies for absence were received from Councillors A. R. Greaves and D. E. Lord).



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

<i>Kathryn Stephenson Shirley Forester Max Denton Roger Needham Jenny Mazakevich Mr. Paliwoda Andrew Morgan</i>	<i>17/0206FUL Full: Demolition of existing structures and erection of a single dwelling with detached garages on land to south of Lyndhurst Hall Road, Trawden.</i>	<i>Minute No. 56(a)</i>
<i>Charlotte Holden Robert Glozier Emma-Jane MacDonald Helen McCue-Melling</i>	<i>17/0287/FUL Full: Alterations to parish hall to form a day nursery with extension to rear, ramp to the side and formation of a play area at the Church Hall, Church Street, Trawden.</i>	<i>Minute No. 56(a)</i>
<i>Tom Kelly</i>	<i>17/0321/FUL Full: Major: Erection of 20 dwelling houses with car parking and landscaping on land north of New Shed, Warehouse Lane, Foulridge.</i>	<i>Minute No. 56(a)</i>



52. DECLARATIONS OF INTEREST

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

53. PUBLIC QUESTION TIME

There were no questions raised from member of the public.

54. MINUTES

RESOLVED

That the Minutes of the meeting held on 6th July, 2017 be approved as a correct record and signed by the Chairman.

55. PROGRESS REPORT

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

56. PLANNING APPLICATIONS

(a) Applications to be determined

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

17/0206/FUL Full: Demolition of existing structures and erection of single dwelling with detached garage on land to the south of Lyndhurst, Hall Road, Trawden for Ms Isobel Gudgeon

The Principle Building Control Manager submitted an update to the meeting.

RESOLVED

That planning permission be **refused** for the following reasons:-

1. The proposed development would result in inappropriate development in the Trawden Forest Conservation Area in terms of design, materials, size and siting. The development would have a detrimental impact on the character, appearance and significance of the Conservation Area by reason of siting, appearance, design and materials and would impinge on the landscape and views from Trawden. The impact would result in less than substantial harm but it would be sufficient to justify refusal of planning permission when weighed against the public benefits of the proposed development under Paragraph 134 of the National Planning Policy Framework. The development would not accord with policies ENV1 and ENV2 of the Pendle Local Plan Part 1: Core Strategy, the Conservation Area Design and Development Guidance Supplementary Planning Document and Paragraph 64 of the National Planning Policy Framework.

17/0287/FUL Full: Alterations to parish hall to form a day nursery with extension to rear, ramp to the side and formation of a play area at the Church Hall, Church Street, Trawden for Mrs. P. Hargreaves.

The Principle Building Control Manager submitted an update to the meeting.

RESOLVED

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

1. The development would, by virtue of its proposed extension, lead to an increase in vehicular movements along Church Street. The lack of suitable parking at the premises and limited off-street parking in the immediate vicinity would result in substantial on street parking for both employees and customers leading to a severe and unacceptable impact on highway safety to the detriment of other road users and pedestrians, thereby failing to accord with Policy ENV4 of the Local Plan Part 1 and Paragraph 32 of the National Planning Policy Framework.

17/0321/FUL Full: Major: Erection of twenty dwelling houses with car parking and landscaping on land north of New Shed, Warehouse Lane, Foulridge for Bowsall Ltd.

The Principle Building Control Manager submitted an update to the meeting.

RESOLVED

That the Planning, Building Control and Licensing Services Manager be granted **delegated authority** to **grant** planning permission subject to the receipt of an acceptable viability assessment 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: A 000, A002 I, C-52 A, A004 A, A005 JH, A003 A, A006 A, A007 A, A007 B.
Reason: For the avoidance of doubt and in the interests of proper planning.
3. Prior to the commencement of development samples of the external materials to be used (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. The materials so approved shall thereafter be used on the development at all times.
Reason: To ensure a satisfactory form of development in the interest of visual amenity of the area.

4. No part of the development shall be commenced until all the highway works to facilitate construction traffic access have been constructed in accordance with a scheme which shall be submitted to and approved by the Local Planning Authority

Reason: To enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users

5. Prior to the first occupation of any dwelling hereby approved, the vehicular access, as shown on drawing A 002 Rev I, shall be so constructed that there is clear visibility from a point 1.05 metres above ground level at the centre of the access and 2.4 metres distant from the adjoining edge of carriageway, to points 1.05 metres above ground level at the edge of the adjoining carriageway and 43 metres distant in each direction measured from the centre of the access along the nearside adjoining edge of carriageway prior to the commencement of any other works on site and thereafter be permanently retained.
Nothing shall be planted, erected or allowed to grow on the triangular areas of land so formed, which would obstruct the visibility described in the condition above.

Reason: In order to ensure satisfactory visibility splays are provided in the interests of highway safety

6. The car parking shown on each plot shall be provided prior to occupation of the dwelling it relates to. The spaces shall thereafter be retained at all times for the parking of cars in association with the occupants of the dwelling.

Reason: In the interests of highway safety and to ensure adequate onsite parking.

7. Prior to commencement of development full details of the retaining structures to be provided on the site shall be submitted to and agreed in writing by the local planning authority. Development shall be carried out in strict accordance with the approved details.

Reason: To ensure a satisfactory appearance and finish to the development.

8. Notwithstanding the provisions of Article 3 and Part 1 of the second schedule of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development as specified in Classes A, B, C, D, E of Part 1 of Schedule 2 of that Order shall be carried out without express planning permission first being obtained from the Local Planning Authority.

Reason: In order to enable the Local Planning Authority to control any future development on the site, in order to safeguard the character and visual amenity of the area.

9. No development shall commence unless and until a drainage strategy for the site has been submitted to and approved in writing by the Local Planning Authority, the approved strategy shall be implemented in its entirety prior to the first occupation of any dwelling hereby approved.

Reason: To ensure that the site is suitably drained and to prevent flood risk on site and elsewhere.

10. The approved landscaping scheme, as shown on drawing 01 A, 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: In the interests of visual amenity and to ensure that the site is suitably landscaped.

11. Before any dwelling hereby approved is occupied, waste containers shall be provided within the site.

Reason: To ensure adequate storage facilities for domestic refuse, in the interest of residential amenity.

12. Unless and until approved in writing by the Local Planning Authority no ground clearance, demolition, changes of level or development or development-related work shall commence until protective fencing, in full accordance with BS 5837 : 2012 has been erected around each tree/tree group or hedge to be preserved on the site or on immediately adjoining land as detailed in the Arboricultural Impact Assessment dated 3rd November 2016. No work shall be carried out on the site until the written approval of the Local Planning Authority has been issued confirming that the protective fencing is erected in accordance with this condition. Within the areas so fenced, the existing ground level shall be neither raised nor lowered. Roots with a diameter of more than 25 millimetres shall be left unsevered. There shall be no construction work, development or development-related activity of any description, including the deposit of spoil or the storage of materials within the fenced areas. The protective fencing shall thereafter be maintained during the period of construction.

All works involving excavation of soil, including foundations and the laying of services, within the recommended distance calculated under the BS 5837 (2012) of the trees to be retained on the site, shall be dug by hand and in accordance with a scheme of works which has been submitted to and approved by the Local Planning Authority, prior to the commencement of works.

Reason: To protect trees and shrubs as essential elements in the development.

13. No development shall take place, including any works of demolition, 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. The Statement shall provide for:

- i) the parking and access 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) Wheel-washing facilities
- v) Measures to control the emission of dust and dirt during construction.

Reason: In the interests of amenity and highway safety

14. No construction work shall be carried out on the site outside the hours of 8:00 and 17:00 on weekdays and 8:00 - 12:00 on Saturdays.

Reason: In the interests of residential amenity.

15. The acoustic fence, as shown on approved landscape drawing 01 Rev A and as detailed within Noise Impact Assessment (paragraph 5.1) shall be installed in strict accordance with those specifications detailed and retained at a height of no less than 2.5m when measured from ground level within the site.

Reason: In the interests of residential amenity.

16. Unless otherwise agreed in writing by the Local Planning Authority the affordable housing shall be provided in strict accordance with the Affordable Housing Statement Received 01/08/2017.

Reason: In order for the development to contribute to the supply of affordable housing in accordance with the need identified in the Strategic Housing Market Assessment and the National Planning Policy Framework.

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 development is compliant with the aims of the Local Plan Part 1 and saved policies of the Replacement Pendle Local 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 the following new appeal:

16/0824/FUL

17/0006/AP/REFUSE Appeal against refusal of planning permission for replacement of existing windows with UPVC windows (part retrospective) at Crown Hotel, Albert Road, Colne

57. 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

There was nothing further to report at this stage. The court case regarding the prosecution for unauthorised activities on the site was scheduled for the end of August, 2017.

(d) Persimmon Homes Site, Knotts Lane, Colne

It was reported that a public meeting with Persimmon Homes had taken place regarding the two variations to the planning requirements which residents were against. At the meeting Persimmon Homes agreed to contact all the contractors who worked on site to advise them about the times in which they were allowed on the site and not to que prior to these times.

58. CAPITAL PROGRAMME 2017/18

The Neighbourhood Services Manager submitted a report on the Committee's Capital Programme for 2017/18.

RESOLVED

That it be noted that only the schemes listed in Appendix 1 had agreed funding.

REASON

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

59. ENVIRONMENTAL CRIME UPDATE

The Environment Services Manager submitted, for information, a report on environmental crime action for the period 1st April to 30th June, 2017 in the Colne area, along with annual totals for 2016/17.

RESOLVED

That the report be noted.

REASON

To keep Members up to date with environmental crime action.

60. COLNE AND DISTRICT WORKING GROUP OF THE PENDLE COMMUNITY SAFETY PARTNERSHIP

Minutes of a meeting of the Colne and District Working Group of the Pendle Community Safety Partnership held on 6th July, 2017 were submitted for information.

Concerns were raised regarding child grooming at McDonalds. It was suggested that the reason children were congregating in the area was that McDonalds provided free WIFI. It was reported that McDonalds was currently closed for refurbishments.

RESOLVED

That a meeting be arranged with Wards Councillors and the Manager of McDonalds to discuss these issues.

61.

MISCELLANEOUS MINUTES

Minutes of meetings of Colne Market Panel, Friends of Greenfield Local Nature Reserve and Friends of Alkincoats Park were submitted for information.

62.

OUTSTANDING ITEMS

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

Former Tower Ballroom and Sugar Hut, Keighley Road, Colne (06.07.2017)

Roundabout at Skipton Road, Colne (06.07.2017)

Chairman _____