

**MINUTES OF A MEETING OF  
BARROWFORD AND WESTERN PARISHES COMMITTEE  
HELD AT HOLMFIELD HOUSE  
ON 6<sup>TH</sup> JULY, 2017**

*PRESENT*

*L. M. Crossley – Chairman, in the Chair*

**Councillors**

*N. McEvoy  
B. Newman  
J. K. Starkie  
K. Turner  
C. Wakeford*

**Co-optees**

*Mr R. Oliver – Barrowford Parish Council  
Mr J. Connor – Barley with Wheatley Booth Parish Council  
Mr N. Goodall – Old Laund Booth Parish Council  
Mr C. Williams – Roughlee Parish Council  
Mr R. Willoughby – Higham Parish Council  
Mr C. Burt – Goldshaw Booth Parish Council*

**Police**

*PC M. Dibb*

**Officers in attendance**

*V. Green  
K. Hughes  
J. Eccles*

*Financial Services Manager  
Principal Planning Officer  
Committee Administrator*



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

|                        |   |                    |
|------------------------|---|--------------------|
| <i>Mick Waddington</i> | <i>Item 5a – 17/0233/FUL Full: Formation of BMX track, car parking areas and road widening (Reg.3) at Swinden Playing Fields, Cravendale Avenue, Nelson</i> | <i>Item No. 38</i> |
|------------------------|---|--------------------|

|                     |                                  |                    |
|---------------------|----------------------------------|--------------------|
| <i>Hugh Simpson</i> | <i>Capital Programme 2017/18</i> | <i>Item No. 40</i> |
|---------------------|----------------------------------|--------------------|

**32. DECLARATION OF INTERESTS**

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

**33. PUBLIC QUESTION TIME**

Mr Hall asked if in respect of planning applications it was appropriate for relevant documents to be put on the website the same day that the application was being determined by an area committee. It was explained that whilst the agenda and reports for area committee meetings were available on the Council's website 5 working days prior to the meeting, that any further correspondence, late comments or other relevant documents received relating to a particular planning application would continue to be placed on the planning system on the website.

**34. MINUTES**

**RESOLVED**

That the Minutes of this Committee, at the meeting held on 15<sup>th</sup> June, 2017, be approved as a correct record and signed by the Chairman.

**35. POLICE ISSUES**

PC Mark Dibb presented crime statistics for Barrowford and Western Parishes for June 2017 compared to the same period in 2016. He commented on recent trends and preventative measures the Police were taking to combat anti-social behaviour. Crimes were broken down as follows –

|                                | <b>2016</b> | <b>2017</b> |
|--------------------------------|-------------|-------------|
| Burglary in a dwelling         | 0           | 1           |
| Burglary other than a dwelling | 8           | 3           |
| Vehicle Crime                  | 4           | 8           |
| Hate crime                     | 0           | 0           |
| Assaults                       | 6           | 7           |
| Criminal Damage                | 2           | 2           |
| <b>ALL CRIME</b>               | <b>26</b>   | <b>28</b>   |
| Anti-Social Behaviour          | 21          | 14          |

There were discussions about the impact the fracking demonstrations elsewhere in Lancashire were having on Police resources and the difficulties of getting through on the 101 number. PC Dibb encouraged members to write to the new Chief Constable Andy Rhodes about any problems they were experiencing.

**36. 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, on the grounds that the deadline for any representations on the proposed closure of some Lancashire Constabulary front counters was 21<sup>st</sup> July, 2017 and the next meeting was not until 10<sup>th</sup> August.

**37. REVIEW OF LANCASHIRE CONSTABULARY'S FRONT COUNTER PROVISION**

It was reported that, following a recent review, Lancashire Constabulary proposed to reduce the number of their front counters that were open to the public from 23 to 13. A letter from the Police and Crime Commissioner for Lancashire was submitted which explained the decision and outlined the future plans. In Pendle, the proposals would affect counters in Barnoldswick and Colne. The front counter at Nelson Police Station was staying open although with reduced hours. The Committee noted the proposed changes.

38.

## PLANNING APPLICATIONS

### (a) Planning Applications

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

**17/0200/FUL Full: Major: Demolition of existing outbuilding and erection of two, one bed holiday cottages (Re-submission) at Ing Head Farm, Barley Lane, Barley for Mr Jeremy Kirk**

### RESOLVED

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

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 buildings and units shall be occupied for holiday purposes only:

(1) the building shall not be occupied as a person's sole or main place of residence.

(2) the owner/operator shall maintain an up-to-date register of the names of the owners/occupiers of the building and their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority.

**Reason:** In order to ensure the proper control of the use of the holiday unit and to prevent the establishment of permanent residency.

3. The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, 1624-SP01C, 1624-PL01C, 1624-PL02C, 1624-PL03C, 1624-PL04C, 1624-PL05C,

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

4. The holiday units hereby approved shall not be occupied unless and until details of the proposed external bin storage arrangements for the holiday units has been submitted to and approved in writing by the Local Planning Authority. The associated bins shall thereafter be stored in accordance with the approved details at all times.

**Reason:** To ensure that external paraphernalia is suitably sited.

5. The erection of the walls of the development hereby permitted shall not be commenced unless and until samples and colours of all facing and roofing materials to be used in the development, 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.

6. No development shall be commenced unless and until a scheme for the disposal of foul and surface water has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for separate systems for foul and surface waters and be constructed and completed in accordance with the approved scheme before the first unit is occupied.

**Reason:** In order that the Local Planning Authority may be satisfied with the details of the proposal and to avoid flooding.

7. Prior to their installation, details of the proposed roof lights style and appearance shall be submitted to and approved in writing by the Local Planning Authority. The roof lights shall then be installed in strict accordance with the approved details.

**Reason:** To ensure the use of appropriate materials in order to protect the character and appearance of the AONB.

8. The parking and manoeuvring spaces, as shown on approved drawing 1624-SP01C, shall be laid out, surfaced and made available prior to the first occupation of any unit hereby approved. The areas shall thereafter remain available at all times for the parking and manoeuvring of vehicles associated with the existing dwelling and holiday units.

**Reason:** To ensure suitable and useable parking provision.

## **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 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.***

**17/0223/FUL Full: Extension of existing car park to 23 spaces and widening of existing entrance and exit at Holmefield House, Gisburn Road, Barrowford for Barrowford Parish Council**

The Planning, Building Control and Licensing Services Manager submitted an update at the meeting reporting receipt of further information setting out the justification for the scheme and loss of open space provision.

## **RESOLVED**

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

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:

Zero/PH, One/PH, Two/PH & Three/PH.

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

3. No part of the development hereby approved shall commence until a scheme for the alterations to the site access/exit and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority. For the avoidance of doubt these works shall include a radius access crossing on Lucy Street; an extended vehicle crossing on Gisburn Road; H bar markings across the Gisburn Road and Lucy Street accesses; road markings to indicate the on-street parking bay terminations on Gisburn Road.

**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.

4. Prior to the commencement of the development, details shall be submitted to and approved in writing by the Local Planning Authority in respect of a signing scheme for the one-way traffic system. The development should be undertaken in accordance with the agreed details and implemented prior to the first use of the car park.

**Reason:** For reasons of highway and pedestrian safety.

5. The proposed car park shown on the approved plan shall be constructed, surfaced, sealed, drained and marked out in accordance with the approved plan 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 and highway safety.

6. Prior to the commencement of development a scheme for the disposal of surface water for the proposed car park shall have been submitted to and agreed in writing with the Local Planning Authority. The approved scheme shall be implemented in full accordance with the approved details prior to the car park being brought into use.

**Reason:** To control surface water disposal and prevent flooding.

7. Unless otherwise 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,

and 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 prevent trees or hedgerows on site from being damaged during building works.

8. Notwithstanding the submitted plan no work shall be carried out to the existing structure surrounding the protected Lime tree unless and until details of this work have been submitted to and approved in writing by the Local Planning Authority. Any works shall then be carried out in strict accordance with the approved details.

**Reason:** For the avoidance of doubt and to prevent any potential impact on this protected tree.

9. Notwithstanding the submitted plans, 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 indicating the location, arrangement, species, sizes, specifications, numbers and planting densities;
  - c. an outline specification for ground preparation;
  - d. all proposed hard landscape elements;
  - e. the proposed arrangements and specifications for initial establishment maintenance and long-term maintenance of all planted.

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

**Note**

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.

**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 formation of car park and external alterations are acceptable subject to acceptable details being provided to address the concerns raised, appropriate conditions and amended plans. 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.***

**17/0233/FUL Full: Formation of BMX track, car parking areas and road widening (Reg. 3) at Swinden Playing Fields, Cravendale Avenue, Nelson for Pendle Borough Council**

The Planning, Building Control and Licensing Services Manager submitted an update at the meeting reporting receipt of further information from the applicant on access, notification of residents on Wilton Street, traffic control measures and control of invasive species.

This application was in Nelson and Barrowford Wards and had been submitted to both area committees for comment. The application would be determined by Development Management Committee.

**RECOMMENDATION**

That consideration of the planning permission be **deferred** to the next meeting to allow for further consultation on certain issues with the Parish Council and residents.

**(b) Planning Appeals**

The Planning, Building Control and Licensing Services Manager reported that at 22<sup>nd</sup> June there were no outstanding appeals. The following appeal had been dismissed -

16/0603/OUT

17/0004/AP/REFUSE *Outline: Major: Demolition of Hollin Hall Farm and erection of 12 dwellings (access & layout) Full: Change of use of domestic garage and annexe to two dwellings and external alterations at Hollin Hall Farm, 517 Gisburn Road, Blacko*

**39. ENFORCEMENT/UNAUTHORISED USES**

**(a) Complaints – The Lounge, Barrowford**

The Planning, Building Control and Licensing Services Manager informed Members that since the last meeting the Council had not received any further complaints. Environmental Health had served a noise abatement notice. The Police had also visited the premises. The owners were aware that they were now being monitored and it was hoped that the situation would now improve.

There were some outstanding issues concerning conditions and a planning application was still required for the shed outside. The premises would continue to be monitored.

**RESOLVED**

That this item be kept on the agenda for the time being.

**(b) Enforcement Action**

There were no outstanding enforcement cases in Barrowford and the Western Parishes area.

**40. CAPITAL PROGRAMME 2017/18**

The Neighbourhood Services Manager submitted a report on the Committee's 2017/18 Capital Programme. Attached to the report were several bids for consideration.

**RESOLVED**

- (1) That the following amounts be allocated from the Committee's 2017/18 Capital Programme -

|   |        |
|---|--------|
| Blacko PC Bid – Litter Signs  | £490   |
| Old Laund Booth PC Bid – New Car Park                               | £2,000 |
| Roughlee PC Bid– Stile Replacement Programme                        | £1,000 |
| PBC Bid– Premises Improvement Grants                                | £Nil   |
| PBC Bid– Litter and Dog Waste Bins                                  | £506   |
| Higherford Residents Action Group Bid - Footpath/Art Trail          | £Nil   |
| Goldshaw Booth PC Bid– Screening for Wildlife Pond                  | £500   |
| Goldshaw Booth PC Bid – Replacement Notice Board at Spen Brook      | £1,000 |
| Barrowford Cricket Club– Electric Supply to Barrowford Cricket Club | £6,000 |
| Higham PC Bid– Community Notice Board & Goal Posts on Playing Field | £2,500 |
| Barley PC Bid – Barley Village Green and Car Park Improvements      | £2,000 |

- (2) That the £10 underspend on replacement of noticeboards for Goldshaw Booth PC be deallocated.

**REASON**

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



**41. TRAFFIC LIAISON MEETING**

The minutes of the Traffic Liaison Meeting held on 22<sup>nd</sup> June were submitted for information.

Recognising there were issues coming from Nelson into Barrowford, the County Council had undertaken a site visit to Junction 13 to look at the current lane markings and signage. County now intended to amend the signage before proceeding with the Stage 3 Road Safety Audit.

Members highlighted further issues at the roundabout - the lack of markings for directing traffic heading to the M65 (westbound) when approaching from Barrowford. It was also noted that the traffic light heading from Nelson onto the bypass was shuttered on green but not on red which was causing confusion. There was concern that there would be a serious accident at the roundabout unless the situation was improved.

**RESOLVED**

- (1) That County Council be asked to invite members of the Committee if they were arranging another site visit to the Junction 13 roundabout.
- (2) That the Neighbourhood Services Manager be asked to request that the Traffic Liaison Meeting consider the proposed pedestrian crossing at Rushton Street/Gisburn Road at their next meeting.

**42. PROBLEM SITES**

The Planning, Building Control and Licensing Services Manager submitted a report on problem sites in Barrowford and Western Parishes which was noted.

**RESOLVED**

That the Neighbourhood Services Manager be asked to provide an update on progress, and whether a Community Protection Warning or a Community Protection Notice had been issued requiring removal of the vehicles at the Former Corn Mill, Higherford.

**43. ENVIRONMENTAL BLIGHT**

The Neighbourhood Services Manager submitted a report on environmental blight sites in Barrowford and Western Parishes.

**RESOLVED**

- (1) That the Environmental Services Manager be asked to check that United Utilities had tidied or would soon be tidying the electricity sub-station on John Street, and if this was the case, that the Neighbourhood Services Manager be asked to remove the sub-station from the environmental blight list.
- (2) That the piece of land at the bottom of John Street, owned by Booths be removed from the list as this had been referred to Planning.

**REASON**

***To deal with environmental blight in the area.***

CHAIRMAN \_\_\_\_\_