

**MINUTES OF A MEETING OF
WEST CRAVEN COMMITTEE
HELD AT
THE RAINHALL CENTRE, BARNOLDSWICK
ON 9TH JANUARY 2018**

*PRESENT –
Councillor M. S. Goulthorp – Chairman (In the Chair)*

Councillors

*M. Adams
R. E. Carroll
K. Hartley
M. Horsfield
J. Purcell
C. Teall
D. M. Whipp*

Co-optees

*G. Wilson
D. Oliver*

Police

*PC M. Lunney
PCSO Alisa Gill*

Officers Present

N. Watson

*Planning, Building Control and Licensing
Services Manager, Pendle Borough
Council (PBC) & Area Co-ordinator
Committee Administrator, PBC*

J. Eccles

(Apologies were received from Councillor L. Davy.)



The following people attended and spoke at the meeting on the items indicated –

<i>Ian Lyons Linda McCreadie Christopher Carroll</i>	<i>Item 5a - 17/0465/OUT Outline: Major: Residential development of 5.44 ha (Access only) at Land to the north east of Meadow Way, Skipton Road, Barnoldswick</i>	<i>Item 124(a)</i>
<i>Michael Firth</i>	<i>Item 5a – 17/0651/FUL Full: Erection of 3 No bungalows and creation of new vehicular access from Green End Road (Resubmission) at Land adjacent Heather View, Green End Road, Earby</i>	<i>Item 124(a)</i>
<i>Harold Chambers</i>	<i>Item 5c - Application for Works to Protected Trees – St Michael's Church, Bracewell</i>	<i>Item 124(c)</i>

120. DECLARATIONS OF INTEREST

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

121. PUBLIC QUESTION TIME

There were no questions from members of the public.

122.

MINUTES

RESOLVED

That the Minutes of this Committee, at the meeting held on 5th December 2017, be approved as a correct record.

123.

POLICE AND CRIME ISSUES

The crime statistics for December had been circulated prior to the meeting. Crimes were broken down as follows –

	2016	2017
Burglary in a dwelling	3	3
Burglary other than a dwelling	3	3
Vehicle Crime	3	4
Hate crime	1	0
Assaults	11	14
Criminal Damage	12	13
Other Crime	15	30
ALL CRIME	48	67
Anti-Social Behaviour	28	25

Reference was made to the increase in the total crime figure. There was concern that whilst Colne crime figures were reducing, crime in West Craven was on the increase.

RESOLVED

- (1) That a more detailed explanation of the crime figures be brought to the next meeting including how much was being caused by travelling rather than local criminals.
- (2) That the Police be thanked for successfully detaining 3 alleged criminals following a recent helicopter chase.

124.

PLANNING APPLICATIONS

(a) For comment

The Planning, Building Control and Licensing Services Manager submitted a report on the following planning application for comment -

17/0465/OUT Outline: Major: Residential development of 5.44ha (Access only) at Land to the north east of Meadow Way, Skipton Road, Barnoldswick for Future Habitats Limited

(A site visit was undertaken prior to the meeting.)

RECOMMENDATION TO DEVELOPMENT MANAGEMENT COMMITTEE

- (1) That West Craven Committee strongly object to this planning application due to the impact on the open countryside, impact on and setting of heritage assets and impact on landscape character.

- (2) That the Committee's attention also be drawn to Highways, drainage and flooding issues.

For determination

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

17/0651/FUL Full: Erection of 3 No. bungalows and creation of new vehicular access from Green End Road (Re-Submission) at Land adjacent Heather View, Green End Road, Earby for Michael Firth

RESOLVED

That the application 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: P(0)01 Rev B, P(0)02 Rev A, P(0)03 Rev B, P(0)04 Rev H, P(0)05 Rev C, P(0)07.

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

3. 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. 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
- iv) Wheel washing facilities
- v) Details of working hours
- vi) Routing of delivery vehicles to/from site.

Reason: In the interest of highway safety.

4. No part of the development hereby approved shall commence until a scheme for the construction of the site access has been submitted to, and approved by, the Local Planning Authority and constructed in accordance with the approved scheme.

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, and to enable all construction traffic to enter and leave the site in a safe manner without causing a hazard to other road users.

5. Before the use of the site hereby permitted is brought into operation facilities shall be provided within the site by which means the wheels of vehicles may be cleaned before leaving the site.

Reason: To avoid the possibility of the public highway being affected by the deposit of mud and/or loose materials thus creating a potential hazard to road users.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 there shall not at any time in connection with the development hereby permitted be erected or planted or allowed to remain upon the land hereinafter defined any building, wall, fence, hedge, tree, shrub or other device over 0.9m above road level. The visibility splay to be the subject of this condition shall be that land in front of a line drawn from a point 2m measured along the centre line of the proposed access road from the continuation of the nearer edge of the carriageway of Green End Road to points measured 17m in each direction along the nearer edge of the carriageway of Green End Road.

Reason: To ensure adequate visibility at the site access.

7. Before the access is used for vehicular purposes, that part of the access extending from the highway boundary for a minimum distance of 5m into the site shall be appropriately paved in bound porous material.

Reason: To prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to other road users.

8. The layout of the development shall include provisions to enable vehicles to enter and leave the highway in forward gear and such provisions shall be laid out in accordance with the approved plan and the vehicular turning space shall be laid out and be available for use before the development is brought into use and maintained thereafter.

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

9. Car parking provision shall be made at the following level:

One bedroom bungalows: 1 space per dwelling
Two bedroom bungalow: 2 spaces
Heather View (13 Green End Road): 3 spaces

The car parking spaces and manoeuvring areas shall be laid out in accordance with the approved plan before the development hereby permitted is first occupied and maintained free from obstruction and available for parking and manoeuvring purposes at all times thereafter.

Reason: To allow for the effective use of the parking area.

10. Prior to the occupation of each dwelling hereby approved an electric vehicle charging point shall be installed for that dwelling.

Reason: To ensure that the development provides sustainable transport options.

11. The development hereby permitted shall not be occupied unless and until a detailed landscaping scheme has been 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. all proposed boundary treatments with supporting elevations and construction details;
- d. all proposed hard landscape elements and pavings, including layout, materials and colours;
- e. 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.

- 12.** Notwithstanding the provisions of Article 3 and parts 1 and 2 of the second Schedule of the Town & 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 Class B and C of Part 1 of that Order shall be carried out without express planning permission first being obtained from the Local Planning Authority.

Reason: To enable the Local Planning Authority to control any future development on the site in order to safeguard the character and amenity of the area and impacts on neighbouring properties.

- 13.** Prior to the commencement of the erection of the external walls of the development a scheme for the disposal of foul and surface water shall be 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 plans before the first dwelling is occupied.

Reason: To control foul and surface water flow disposal and prevent flooding.

- 14.** Prior to the commencement of the erection of the external walls of the development samples of the external materials and finishes of the walls, roof, window and door surrounds, roof soffits, fascias and copings 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 details.

Reason: To ensure a satisfactory form of development in the interest of visual amenity of the area and character and appearance of the Conservation Area.

- 15.** All rainwater goods and soil pipes shall be in cast iron or aluminium and painted black, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure an appropriate appearance to the building and preserve the character and appearance of the Conservation Area.

- 16.** A solid fence or wall of not less than 1.8m in height shall be erected / maintained at all times along the north boundary of the site from the access gate to the north side of the proposed dwellings to for a distance of a minimum of 11m.

Reason: In order to ensure that the privacy of adjacent dwelling is acceptably preserved.

- 17.** Notwithstanding any indication on the approved plans or application forms the windows and doors, and any subsequent replacement window and doors, shall be of timber construction and painted, and maintained thereafter, in a colour to be submitted to and agreed in writing by the Local Planning Authority prior to their installation.

Reason: In the interest of the character and appearance of the Conservation Area.

Note:

The alterations to the existing highway as part of the new works may require changes to the existing street lighting at the expense of the developer. Prior to the start of any works the developer should contact Lancashire County Council's Street Lighting section by e-mail on highways@lancashire.gov.uk to obtain further advice and a quotation and should quote the planning application reference number.

The grant of planning permission does not include the right to either permanently or temporarily obstruct or interfere with a right of way. The owner of the site and/or the developer may be liable to a fine for any offences under The Highways Act 1990 if a right of way is obstructed or interfered with as a result of the development work being carried out. An obstruction would include any encroachment into the width of the right of way in question. The position and width of the right of way may not be obvious, and may not be shown with any degree of accuracy by a local authority search (a search will only show the approximate position). Therefore, any development work which is proposed to take place near or adjacent to a public right of way should only commence after the Definitive Map and Statement has been checked. These documents are available for public inspection at Lancashire County Council's offices in Preston, or at Pendle Council's offices at Fleet Street Depot, Nelson, BB9 7YQ.

If by virtue of planning permission being granted any part of a public right of way is required to be permanently closed or diverted to allow the development to be carried out, then a formal order made by the Council will first need to come into operation in accordance with the appropriate legislation. Any enquiries about applying for a diversion should be sent for the attention of the Countryside Access Officer at Fleet Street Depot, Nelson, BB9 7YQ. If any part of a right of way is requires to be temporarily closed the any enquiries about applying for a temporary closure should be made to the Public Rights of Way Manager, Planning and Environment, Lancashire County Council, county Hall, Preston, PR1 0LD.

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. Taking into account all material considerations the proposed development would not result in any unacceptable impacts. 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 submitted a report on outstanding appeals for information.

(c) Application for Works to Protected Trees – St Michael’s Church, Bracewell

The Planning, Building Control and Licensing Services Manager reported that a meeting took place on 12th December 2017 with representatives from the Church, the consulting arborist, the Building Control Manager and the Principal Environment Officer. Discussions were continuing and a report of the findings and recommendations would be reported to the next meeting.

125. ENFORCEMENT/UNAUTHORISED USES - COMPLAINTS RECEIVED

(a) Outstanding

The Planning, Building Control and Licensing Services Manager submitted a report on outstanding enforcement cases for information and discussed a couple of ongoing cases at the meeting.

(b) Enforcement Action

The Head of Legal Services submitted a report for information, giving the up-to-date position on progress in respect of enforcement notices which had been served.

126. CAPITAL PROGRAMME 2017/18

The Neighbourhood Services Manager reported that the balance for the Committee’s 2017/18 Capital Programme was £3,770 - Barnoldswick: £2,139 and Earby: £1,631.

Two bids for Barnoldswick were considered at the meeting. The first bid was for £500 for some drainage work at Barnoldswick Town Green to prevent water from flowing across the road. The second bid was for £1,300 for repairs to the steps leading from the canal towpath up to Coates Bridge.

RESOLVED

That the Neighbourhood Services Manager be asked to allocate £500 for drainage work on Barnoldswick Town Green and £1,300 for repairs to the steps at Coates Bridge from the Barnoldswick allocation of the 2017/18 Capital Programme.

REASON

In the interests of highway and public safety.

127. REVENUE BUDGET 2018/19

The Financial Services Manager submitted a report asking the Committee to consider its base budget for 2018/19, identify any options for budget reductions and pass on any comments to the Executive.

RESOLVED

That the Executive be informed that the Committee considered the Land Drainage element of the base budget as inviolate and in no circumstances should be removed or reduced.

REASON

To ensure that the allocated funding is available for necessary drainage works.

128. UNIT 8 WEST CRAVEN BUSINESS PARK SECTION 106 AGREEMENT

The Neighbourhood Services Manager submitted a report on the situation regarding the Unit 8 West Craven Business Park Section 106 Agreement and to seek approval for the proposed works.

The report explained that, although originally the intention was for a cycle path connection from the new Unit 8 to bridleway 38, it was now proposed to upgrade the surface and widen the existing section of bridleway 38 only.

RESOLVED

That the scheme shown at Appendix 1 of the report, to upgrade the surface and widen the existing section of bridleway 38, be approved.

REASON

To enable the scheme to be implemented before the Section 106 funding deadline.

129. PROBLEM BUILDINGS

The Planning, Building Control and Licensing Services Manager submitted a report on problem buildings in West Craven. Members were concerned that the frontage onto Skipton Road and the yard at Albert Hartley's was untidy. The old engine house and Mill chimney at the right hand side of New Road, Earby were also unsightly and it was suggested that these buildings be added to the problem buildings list.

RESOLVED

That the Planning, Building Control and Licensing Services Manager be asked to -

- (1) Contact the owners of Albert Hartley's with a view to serving a Section 215 Notice if the necessary improvements are not made.
- (2) Bring a report to a future meeting on the mill chimney and old engine house at New Road, Earby.

REASON

In the interests of visual amenity.

130. ENVIRONMENTAL BLIGHT

The Neighbourhood Services Manager submitted a report on environmental blight sites in West Craven.

RESOLVED

That the Neighbourhood Services Manager be asked to arrange for the Lorry Park on West Close Road to be added to the list and tidied.

REASON

In the interests of visual amenity.

131. OUTSTANDING ITEMS

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

- (a) Rediffusion Cables – costings (5/12/2017)

Chairman.....