

**MINUTES OF A MEETING OF THE  
DEVELOPMENT MANAGEMENT COMMITTEE  
HELD AT NELSON TOWN HALL  
ON 26<sup>th</sup> FEBRUARY, 2018**

*PRESENT –*

*Councillor K. Hartley - (Chairman – in the Chair)*

**Councillors**

*W. Blackburn  
T. Cooney  
L. Crossley  
M. Iqbal (substitute for N. Younis)  
J. Starkie  
K. Turner (substitute for M. Goulthorp)  
G. Waugh  
D. Whipp*

**Also in Attendance:**

*Councillor B. Newman  
Councillor C. Wakeford*

**Officers**

<i>Neil Watson</i>	<i>Planning, Building Control and Licensing Services Manager</i>
<i>Howard Culshaw</i>	<i>Head of Legal Services</i>
<i>Sarah Waterworth</i>	<i>Committee Administrator</i>

*(Apologies for absence were received from Councillors M. Goulthorp and N. Younis)*



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

<i>Gary Wilson Debbie Richardson Dorothy Turner Stuart Booth</i>	<i>17/0691/OUT Outline: Major: Erection of up to 10 dwellinghouses (Access only) (Re-submission) at Land off Cob Lane and Old Stone Trough Lane, Kelbrook</i>	<i>Minute No. 55(a)</i>
<i>Ron Bolton Julie Macadam Richard Hall John Osborn Susan Nike Anne Kellow David Wilkinson</i>	<i>17/0714/VAR Variation condition 3 (restriction of sale of goods) of planning permission 13/13/0542P for erection of food store at E H Booths Ltd, Halstead Lane, Barrowford</i>	<i>Minute No. 55(b)</i>
<i>Paul Foxley Mike Powell</i>	<i>18/0003/FUL Full Erection of two four bed dwelling houses with detached double garages and bin store with access off</i>	<i>Minute No.55(d)</i>

*Keighley Road, South side of Keighley  
road, Colne*



**53. DECLARATION OF INTERESTS**

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

**54. MINUTES**

**RESOLVED**

That the Minutes of the meeting held on 22<sup>nd</sup> January, 2018 be approved as a correct record and signed by the Chairman.

**55. PLANNING APPLICATIONS  
REFERRED FROM AREA COMMITTEES**

*(Councillors K. Hartley and D. Whipp declared an interest in this item which was not a disclosable pecuniary interest as defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012)*

- (a) **17/0691/OUT**      **Outline: Major: Erection of up to 10 dwellinghouses (Access only) (Re-submission) at Land off Cob Lane and Old Stone Trough Lane, Kelbrook for Mr A. Parker and Miss E. Parker**

**RESOLVED**

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

1. Harm to heritage assets' setting

- (b) **17/0714/VAR**      **Variation of condition: Variation of condition 3 (Restriction of sale of goods) of Planning Permission 13/13/0542P for erection of food store at E H Booth Ltd, Halstead Lane, Barrowford for E H Booth and Co Ltd**

*(Councillors L. Crossley and K. Turner declared an interest in this item which was not a disclosable pecuniary interest as defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012)*

The Planning, Building and Licensing Services Manager submitted an update to the meeting.

**RESOLVED**

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

1. NPPF para 70 points 2 & 3 - loss of valued service

- (c) 17/0773/HHO      **Full: Retain section of driveway with 2m strip of stone setts to entrance Croft Barn, Barley New Road, Barley for Mr and Mrs Barry Sanderson**

**RESOLVED**

That planning permission be **granted** with 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 plan: Drawing Number 2016/30/1 – Revision D.  
**Reason:** For the avoidance if doubt and in the interest of proper planning.
3. Prior to the installation of the setts a sample of them shall be submitted to and approved in writing by the Local Planning Authority.  
**Reason:** In order that the Local Planning Authority can assess their suitability for the area in order to protect and preserve the conservation area.

**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 proposed use would be acceptable subject to appropriate conditions. The development complied with the development plan. There is a positive presumption in favor of approving the development and there are no material reasons to object to the application.***

- (d) 18/0003/FUL      **Full: Erection of two detached four bed dwelling houses with detached double garages and bin store with access of Keighley Road on land to the south side of Keighley Road, Colne for Barnfield Construction**

The Planning, Building and Licensing Services Manager submitted an update to the meeting.

**RESOLVED**

That planning permission be **granted** subject to the following conditions and reason:-

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.  
**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:

Location Plan 1:1250, Existing Site Plan 1:500, Proposed Elevations House 'A', Proposed Floor Plans House 'A', Proposed Roof Plan House 'A', Proposed Elevations House 'B', Proposed Floor Plans House 'B', Proposed Roof Plan House 'B', Proposed Double Garages, Bin Stores Detailing.

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

3. Prior to the commencement of development samples of all the external materials to be used in the construction of the roofs, walls, boundary/retaining walls and paving together with samples of the colour and finish of windows and doors of the development hereby approved, shall be submitted to and approved in writing by Local Planning Authority. The development shall thereafter at all times be carried out in strict accordance with the approved materials and details.

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

4. Notwithstanding the provisions of the Town and Country Planning (General Development Procedure) (England) Order 2015 and the Town and Country Planning (General Permitted Development) (England) Order 2015, or any subsequent Orders or statutory revision re-enacting the provision of these Orders, all garages shown on the approved plan shall be maintained as such and shall not be converted to ancillary accommodation/ offices or used for storage without the prior written approval of the Local Planning Authority.

**Reason:** In order to ensure that sufficient off-street parking can be accommodated within the site.

5. The car parking areas shall be surfaced or paved in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to the dwellinghouses being occupied and shall thereafter at all times be made available for the parking of vehicles associated with the dwellings.

**Reason:** To allow for the effective use of the parking areas.

6. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (England) 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 1m 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 2.4m measured along the centre line each of the proposed access driveways from the continuation of the nearer edge of the carriageway of Keighley Road to points measured 43m in each direction along the nearer edge of the carriageway and shall be maintained thereafter. This shall apply to all of the boundary treatments between the two accesses regardless of the actual line of the visibility splay.

**Reason:** To ensure adequate visibility at each site access in the interest of highway safety.

7. Before either access is used for vehicular purposes, any gateposts that may be erected shall be positioned 5m behind the back edge of the footway. The gates shall open away from the highway.

**Reason:** To permit vehicles to pull clear of the carriageway when entering and exiting the site and to ensure the swing of the gates do not affect the availability for a car to wait off road.

8. No part of the development shall be occupied until all highway works within the adopted highway have been constructed in accordance with a scheme that shall be submitted to and approved by the Local Planning Authority.

**Reason:** In order to satisfy the Local Planning Authority that the final details of highway scheme/ works are acceptable before the premises are occupied.

9. No development shall take place, including any works 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 construction the development
- iv) The erection and maintenance of security hoarding
- v) Wheel washing facilities
- vi) Measures to control the emission of dust and dirt during construction
- vii) A scheme for recycling/ disposing of waste resulting from demolition and construction works.
- ix) Routing of delivery vehicles to/from site

**Reason:** In the interest of highway safety.

10. The development hereby permitted shall not be commenced unless and until full details of both hard and soft landscape proposals have been submitted to and approved in writing by the Local Planning Authority. These works shall then be carried out as approved.

**Reason:** To ensure the appropriate landscape design and in the interests of the visual amenities of the area.

11. Plans and particulars showing a scheme of foul sewers and surface water drains, shall be submitted to, and approved in writing by the Local Planning Authority, and the development shall not be commenced before these details have been approved, unless otherwise agreed in writing. Such works shall be carried out in accordance with the approved details and shall be finished before the dwellings are occupied.

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

12. No permitted development rights and condition out lower field.

**REASON**

***Section 38 of the Planning and Compulsory Purchase Act 2004 required 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.***

CHAIRMAN \_\_\_\_\_