

**MINUTES OF A MEETING OF THE  
COLNE AND DISTRICT COMMITTEE  
HELD AT COLNE TOWN HALL  
ON 10<sup>th</sup> MAY, 2018**

*PRESENT –*

**Councillors**

*N. Butterworth  
J. Cooney  
V. A. Fletcher  
M. S. Foxley  
P. J. Foxley  
A. R. Greaves  
D. E. Lord  
S. Petty  
G. Roach  
G. Waugh  
P. White*

**Co-optees**

*A. Sutcliffe (Colne Town Council)*

**Officers in attendance**

<i>Peter Atkinson</i>	<i>Neighbourhood Services Manager/Area Co-ordinator</i>
<i>Neil Watson</i>	<i>Planning, Building Control and Licensing Services Manager</i>
<i>Jane Watson</i>	<i>Head of Democratic Services</i>

*(Apologies for absence were received from Councillors N. T. McCollum and J. A. Nixon).*



**1. APPOINTMENT OF CHAIRMAN**

**RESOLVED**

That Councillor G. Waugh be appointed Chairman of the Committee for the Municipal Year 2018/19.

**2. APPOINTMENT OF VICE-CHAIRMAN**

**RESOLVED**

That Councillor J. Nixon be appointed Vice-Chairman of the Committee for the Municipal Year 2018/19.

**3. APPOINTMENT OF CO-OPTEEES**

**RESOLVED**

That the following co-optees be appointed for the ensuing Municipal Year from the organisations stated:-

Representatives from Colne Town Centre Forum, Colne Town Council, Foulridge Parish Council, Laneshaw Bridge Parish Council and Trawden Forest Parish Council.

**4. DECLARATIONS OF INTEREST**

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

**5. PUBLIC QUESTION TIME**

There were no questions from members of the public.

**6. MINUTES**

**RESOLVED**

That the Minutes of the meeting held on 10<sup>th</sup> May, 2018 be approved as a correct record and signed by the Chairman.

**7(a) PROGRESS REPORT**

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

**7(b) POLICE ISSUES**

Inspector Winter provided an update on shoplifting and town centre crime. Two arrests had been made which had resulted in a reduction in the number of these types of crimes during March and April. A Business Crime Reduction Initiative was also being targeted and local businesses had met, with the Police, recently to discuss issues around this.

An update on car crime and burglaries was also given.

Issues raised by the Committee included:

- Used needles found around the garages on Spring Lane – the Police were aware of this and this area was included in the Anti-Social Behaviour Patrol Plan.
- The increase in assaults in the Waterside Ward – was this mainly in the town centre or the residential area of the ward? Inspector Winter said there continued to be an increase in recorded crime and provided an explanation on the recording standards etc. He said he would look into this.
- Drug users at the rear of the Hippodrome Theatre – Inspector Winter said he would look into this.
- Thefts from graves at Colne Cemetery and concern that the gates to the cemetery were no longer locked. The Police were aware of the thefts and the Neighbourhood Services Manager said he would find out why the gates were no longer locked.

A final comment from Inspector Winter was that the CCTV scheme installed by Colne Town Council was proving to be a valuable tool for the police in detecting crime and in proactive work in targeting specific areas.

**8. PLANNING APPLICATIONS**

**(a) Applications to be determined**

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

**18/0046/FUL Full: Retain use of former car sales (Use Class Sui Generis) to dwelling house (Use Class C3) erection of garage to side (East) and erection of a single storey extension to the East and North elevations at Archway House, Knotts Lane, Colne for Mr. S. Capstick**

**RESOLVED**

That planning permission be **granted** 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: 01.

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

3. Prior to the commencement of external elevations of the extensions and garage samples of the proposed materials including colour of upvc, timber cladding, render and roof materials shall have been submitted to and approved in writing by Local Planning Authority. The development shall thereafter be carried out in strict accordance with the approved details.

**Reason:** In order to ensure that the materials are appropriate to the locality and in order to allow the Local Planning Authority to control the external appearance of the development.

**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 proposed external extensions and detached garage 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.***

**18/0138/FUL Full: Replacement of basement windows to front and rear and removal of roller shutter door and insertion of bi-fold doors to the rear elevation at ground floor level and replacement window at XLCR House, Albert Road, Colne for XLCR Vehicle Management Ltd.**

## RESOLVED

That, subject to clarification of the plans, the Planning, Building Control and Licensing Services Manager be granted **delegated authority to grant** planning permission subject to the following conditions and reasons:

1. The works approved shall be begun before the expiration of three years from the date of this consent. No later than three days after works first begin on site, written notice shall be given to the Local Planning Authority of the date on which works are first commenced.

**Reason:** To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and to ensure the Local Planning Authority is informed of the commencement of the first works on the site.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

575/6A, 575/7A.

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

3. All materials to be used in the replacement windows of the proposed development shall be as stated on the approved drawings and shall not be varied without the prior written permission of the Local Planning Authority.

**Reason:** These materials are appropriate to the locality and in order to allow the Local Planning Authority to control the external appearance of the development.

## 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 proposed 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.***

**18/0142/FUL Full: Modifications to parish hall to form a day nursery with new windows, ramp to side and extended play area at the Church Hall, Church Street, Trawden for Mrs. P. Hargreaves**

## RESOLVED

That planning permission be **granted** 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:

2017/12/1, 2017/12/2D & 2017/12/3D.

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

### **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 external alterations are acceptable and the development 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.***

**18/0193/CND Approval of Details Reserved by Condition: Discharge of conditions 4 (landscaping) 5 (skate park) and 6 (drainage) of application 17/0505/FUL at the All Weather Games Court, Colne for Pendle Borough Council**

### **RESOLVED**

That the discharge of conditions 4, 5 and 6 be approved.

**18/0223/FUL Full: Retain use at ground floor as mixed use A3 (restaurant/café) and A4 (drinking establishment) (retrospective) (re-submission) at 76A Albert Road, Colne for Miss Deborah Sharpe**

### **RESOLVED**

That the Planning, Building Control and Licensing Services Manager be granted delegated authority to approve the application subject to satisfactory discussions with the applicant regarding an 'active' frontage.

**18/0258/VAR Full: Major: Variation of Condition: Vary condition 2 (approved plans) of planning permission 17/0321/FUL to allow plots 13, 14, 15 and 16 to be raised by 1.5m on land north of New Shed, Warehouse Lane, Foulridge for O'Rourke Groundworks**

### **RESOLVED**

That the Planning, Building Control and Licensing Services Manager be **granted delegated authority to grant** planning permission 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: A000, A009 G, A012 A, A014 A, A100 C, A200, A201, A202, A203, A204, A205, C57 G, 01 D.

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

3. Prior to the commencement of the erection of the external walls of the development samples of the external materials to be used (notwithstanding any details shown on previously submitted plans 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 100 Rev C, 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. 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.

8. 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.

9. The approved landscaping scheme, as shown on drawing 01 D, 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.

10. 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.

11. 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.

12. 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

13. 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.

14. The acoustic fence, as shown on approved landscape drawing 01 D 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.

15. 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 proposed variation of condition 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.***

## **9. 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.



The Committee discussed the condition of the land off Laithe Street, Colne (ref PLE/16/0218) which was becoming more over grown and was affecting properties on Grindlestone Hurst, Colne.

**RESOLVED**

- (1) That the report be noted.
- (2) That a meeting be arranged with the owners of the land off Laithe Street, Colne to discuss the future use of this land.

**REASON**

***To establish the future use of the land.***

**(b) Enforcement action**

The Head of Legal Services submitted a report giving the up-to-date position on prosecutions.

**(c) Hubbs House Farm, Colne**

It was reported that the Environment Agency's Court Order, which was for the Delves Lane site, would expire in June. If this was not complied with then this would result in contempt of court. The next stage for the County Council was for them to serve an Injunction for the tipping of waste materials at Hubbs House Farm.

Worryingly, there had been reports of the appellant continuing to tip waste materials in the Knotts Lane area of Colne. This was considered to be fly-tipping and it was felt that this was something the Council could address.

**RESOLVED**

That the 'fly-tipping' in the Knotts Lane area of Colne be brought to the attention of the Environmental Services Manager.

**REASON**

***To address the removal of the fly-tipped materials.***

**(d) Persimmon Homes Site, Knotts Lane, Colne**

Concerns were raised with regard to the attenuation basin between Knotts Mount and the railway line. It was felt that it had not been built in accordance with the approved plans; it was retaining water; and the wooden safety rail was not considered to be suitable. The Committee were advised that these concerns had been raised with Persimmon and although the basin looked deeper it was not significantly different to the approved plans. The Planning, Building Control and Licensing Services Manager agreed to look into this along with the wheel washing facilities.

**10. CAPITAL PROGRAMME 2018/19 – REVISED FUNDING ARRANGEMENTS**

The Financial Services Manager submitted a report advising on the change made to the funding of Area Committee capital programme for 2018/19. The total budget of £170,000 was now wholly

funded from capital resources with no revenue funding. Therefore only bids of a capital nature would be considered.

The implications of this change were outlined in the report along with the process to be adopted to ensure that only bids of a capital nature were funded during the year.

## **RESOLVED**

- (1) That the change made to the funding of Area Committee capital programmes in 2018/19 be acknowledged.
- (2) That the implications for the Committee's allocation of its capital programme during the year be noted.
- (3) That the process for the submission and approval of bids, as set out in paragraph 14 of the report, be agreed.

## **REASON**

***To ensure the Committee is aware of the change in how Area Committee capital programmes are funded, together with the implications arising from this in 2018/19.***

### **11. CAPITAL PROGRAMME 2018/19**

The Neighbourhood Services Manager reported that the current balance for the Committee's capital programme for 2018/19 was £57,537 (this comprised of £13,777 carried forward from 2017/18 and a new allocation of £44,360).

The Chairman suggested, as in previous years, that £2,000 be allocated to each Councillor for environmental schemes but that bid forms would need to be submitted before this could be agreed.

### **12. ITEMS FOR DISCUSSION**

#### **(a) Flats at Oak Street, Colne**

It was reported that there was a problem with lights at the entrances to the flats had been positioned so that they were shining into neighbouring properties and causing a nuisance. The Committee were advised that this was something for Environmental Health to deal with. It was suggested that a complaint be registered with them to see if they could help.

#### **(b) Former Willow Tree/Zebbras, Keighley Road, Colne**

These properties were on the corner of Keighley Road and Craddock Road, Colne and adjacent to the former Tower Buildings.

## **RESOLVED**

That this item be deferred and considered further at the next meeting when a report is to be submitted on the future use of the former Tower Buildings, Colne.

**REASON**

***To discuss the future use of the premises at the same time.***

**(c) Nicholas Street, Colne**

Photographs were circulated showing the condition of the overgrown site. Houses had been demolished and the area grassed, footpaths made, bushes and trees planted and a low level barrier erected approximately 10 to 12 years ago. Over the years the grass had been mown but nothing else. The footpaths were now overgrown and fencing was falling down in places and was in need of a general tidy up.

**RESOLVED**

That the Neighbourhood Services Manager be asked to bring back to a future meeting a list of 'jobs' which needed to be done to tidy the site along with an estimate for the works.

**REASON**

***To tidy up the site.***

**(d) Proposed Changes to Staffing at Colne Library**

There was a lengthy discussion about the proposed staff changes to the library service in Lancashire and in particular the changes affecting Colne Library.

It was reported that there was a notice of motion on this issue at the Annual Council meeting on 17<sup>th</sup> May.

**RESOLVED**

That this item be deferred pending the outcome of the motion at Annual Council on 17<sup>th</sup> May, 2018.

**REASON**

***To establish the feeling of all Members of the Council.***

**13. PROBLEM SITES**

The Planning, Building Control and Licensing Services Manager submitted a report on problem sites in the area.

**RESOLVED**

That a meeting be arranged with the owner of the former Hycrome Site to discuss the future use of the site.

**REASON**

***To establish the future use of the site with a view to bringing it back into use.***

**14. ENVIRONMENTAL CRIME**

The Environmental Services Manager submitted, for information, a report on environmental crime action for 1<sup>st</sup> January to 31<sup>st</sup> March, 2018 in the Colne area along with the annual totals for 2017/18.

**15. COLNE PREMISES IMPROVEMENT GRANTS 2017/18 SUMMARY**

The Housing, Health and Economic Development Services Manager submitted a report on progress made on the Colne Premises Improvement Grants Scheme for the 2017/18 financial year.

There had been 7 grants completed during this period with a spend of £9,497.66 from a budget of £15,434.

There was a request for £10,000 to be allocated from the Committee's capital programme for 2018/19 for premises improvement grants for the same period.

**RESOLVED**

- (1) That the report be noted.
- (2) That £5,000 be allocated to the Colne Premises Improvement Grants for 2018/19.
- (3) That Councillors Victoria Fletcher and Margaret Foxley be nominated onto the Colne Premises Improvement Grants Panel for 2018/19.

**REASON**

***It was felt that as £5,936 was being carried forward from last year then by allocating £5,000 this would add up to more than the £10,000 bid request.***

**16. VACANT HOUSES**

The Housing, Health and Economic Development Services Manager submitted, for information, a report on the position regarding the management of vacant houses in the Colne area.

**17. THOMAS STREET CAR PARK, COLNE**

This item was deferred from the last meeting for further consideration.

It was reported that there was a meeting scheduled with the perspective owner of the site on 11<sup>th</sup> May and it was agreed that this item be discussed further at the next meeting.

**18. MISCELLANEOUS MINUTES**

Minutes of meetings of the Friends of Alkincoats Park and the Friends of Greenfield LNR were submitted for information.

Chairman \_\_\_\_\_