

M. S. Foxley
P. Foxley

18/0374/FUL Non-Material Amendment: Alteration of facing materials to parts of the south, east and north elevations of Planning Permission 18/0167/HHO from self-coloured render to natural stone at 14 Moorhead Street, Colne

Minute No.33(a)

29. PUBLIC QUESTION TIME

A number of residents from the Essex Street area of Colne reported that two large containers and fencing had been placed on and around a nearby piece of land on which there was a planning application pending.

It was a well-used piece of land for children to play and it was now believed to be a health and safety risk. It was also stated that the trees and wildlife had been affected.

It was noted that ward councillors Greaves and Roach had previously met with residents on site to discuss their concerns.

It was understood that the containers and fencing had been placed there by the planning applicant.

RESOLVED

That the Planning, Building Control and Licensing Services Manager be requested to instruct the planning applicant to remove all containers and any equipment placed on the site by Friday 13th July and that, in the meantime, they keep the site secured.

REASON

In the interest of public safety.

30. MINUTES

RESOLVED

That the Minutes of the meeting held on 7th June, 2018 be approved as a correct record and signed by the Chairman.

31. PROGRESS REPORT

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

32. POLICE ISSUES

Inspector Winter reported on a recent review of police core services in Lancashire. Following a public consultation the policing model for Lancashire would be changing. An additional 50 control room operators would be recruited; an additional 45 response officers and 10 sergeants to improve the response service; the Targeting Team would be doubled so that there would be 6 sergeants, 44 officers and 1 superintendent across 3 divisions. Resources in CID would be increased and there would be a dedicated team to deal with exploitation and modern slavery.

Whilst the number of Community Beat Managers would reduce in Pendle from 14 (13 currently in

post) to 6 and sergeants from 3 to 2, he said that they would have more time to effectively police that area. He also explained that the Targeting Team and the Response Team would be doing proactive work in these areas. Every response officer would be designated a particular area and their default would be to police that area and take ownership of it.

Reference was made to the vacant PCSO post covering the rural areas and when this was likely to be filled. Inspector Winter explained that recruitment of PCSOs was expected to take place in September 2018 and every effort would be made to fill the vacancy.

33. 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:-

18/0199/OUT Outline: Major: Residential development of land 0.25ha for ten dwellinghouses (Access only) at land to the North West of Laneshaw Bridge Methodist Church, Keighley Road, Laneshaw Bridge for John Kay

RESOLVED

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

1. An application for approval of the reserved matters (namely the appearance, landscaping, layout and scale of the site) shall be submitted in writing to the Local Planning Authority before the expiration of three years from the date of this permission and the development hereby permitted must be begun two years from the date of approval of the last of the reserved matters to be approved.

Reason: This condition is required to be imposed by the provisions of Article 3 (1) of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Details of the appearance, landscaping, layout and scale (hereinafter called the 'reserved matters') shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: In order to comply with the requirements of Section 92 of the Town & Country Planning Act 1990.

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

ADM18/12/02 & ADM/18/12/01A.

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

4. Prior to commencement of development, a plan and written-brief detailing the proposed phasing of the site shall have been submitted to and approved in writing by the Local

Planning Authority. Development shall not commence unless and until the scheme has been submitted and approved. Such detailing shall include details of the works involved in each phase and how each phase is to be completed in terms of the completion of roads, building operations, foul and surface water sewers and landscaping, and each phase shall be substantially completed before the next successive phase of the development is commenced. The approved scheme shall thereafter be carried out in strict accordance with the plan and brief.

Reason: To secure the proper development of the site in an orderly manner.

5. The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:

- i) the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 20% of housing units/bed spaces;
- ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- iii) the arrangements for the transfer of the affordable housing to an affordable housing provider [or the management of the affordable housing] (if no RSL involved);
- iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason: To ensure the provision of a mix of tenure on the site appropriate for the requirements of the area.

6. Prior to the commencement of development the applicant shall have submitted to and have agreed in writing by the Local Planning Authority a method statement which sets out in detail the method, standards and timing for the investigation and subsequent remediation of any contamination which may be present on site. The method statement shall detail how:-

a) an investigation and assessment to identify the types, nature and extent of land contamination affecting the application site together with the risks to receptors and potential for migration within and beyond the site will be carried out by an appropriately qualified geotechnical professional (in accordance with a methodology for investigations and assessments which shall comply with BS 10175:2001) will be carried out and the method of reporting this to the Local Planning Authority; and

b) A comprehensive remediation scheme which shall include an implementation timetable, details of future monitoring and a verification methodology (which shall include a sampling and analysis programme to confirm the adequacy of land decontamination) will be submitted to and approved in writing by the Local Planning Authority.

All agreed remediation measures shall thereafter be carried out in accordance with the approved implementation timetable under the supervision of a geotechnical professional

and shall be completed in full accordance with the agreed measures and timings, unless otherwise agreed in writing by the Local Planning Authority.

In addition, prior to commencing construction of any building, the developer shall first submit to and obtain written approval from the Local Planning Authority a report to confirm that all the agreed remediation measures have been carried out fully in accordance with the agreed details, providing results of the verification programme of post-remediation sampling and monitoring and including future monitoring proposals for the site.

Reason: In order to protect the health of the occupants of the new development and/or in order to prevent contamination of the controlled waters.

7. No part of the development shall be commenced unless and until a Construction Code-of-Practice method statement has been submitted to and approved in writing by the Local Planning Authority. The code shall include details of the measures envisaged during construction to manage and mitigate the main environmental effects of the relevant phase of the development. The submitted details shall include within its scope but not be limited to:
- a) A programme of works including phasing, hours of operation and measures for the control of traffic to and from the site, and within the site, during construction.
 - b) The areas and methods of loading and unloading of plant and materials.
 - c) The areas for the storage of plant and materials.
 - e) Details, including likely vibration and noise levels at site boundaries, of the piling operations.
 - h) Location and details of site compounds
 - i) An overall Construction Monitoring programme, to include reporting mechanisms and appropriate redress if targets/standards breached
 - j) Noise-monitoring to be carried out for the construction period.
 - k) Parking area(s) for construction traffic and personnel
 - L) Details of the provision and use of wheel washing on the site
 - M) Site security

The Construction Code-of-Practice should be compiled in a coherent and integrated document and should be accessible to the site manager(s), all contractors and sub-contractors working on site. As a single point of reference for site environment management, the CCP should incorporate all agreed method statements, such as the Site Waste Management Plan and Demolition Method Statement. All works agreed as part of the plan shall be implemented during an agreed timescale and where appropriate maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that adequate measures are in place to protect the environment during the construction phase(s).

8. No development shall commence unless and until all the site access and all off-site highway works to have been constructed in accordance with a scheme which shall be submitted to and approved by the Local Planning Authority. Off-site highway works shall include improvements to the bus stops outside the Emmott Arms pub and on Keighley Road opposite Kingsley Road, to include DDA compliant bus border kerbs. These works shall be implemented before first occupation of any dwelling.

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

9. The new estate road shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level to each plot before any development commences on that plot. The final wearing course shall be completed to each plot within 2 years of the substantial completion of each plot or within one week of the substantial completion of the final house on site whichever shall occur first unless another timescale is agreed in writing by the Local Planning Authority. If an alternative timescale is agreed the completion of the highway shall be undertaken in strict accordance with the agreed timescale.

Reason: To ensure that satisfactory access is provided to the site before construction of the development hereby permitted commences.

- 10 The access shall be constructed so that there is clear visibility from a point 1.05 metres above ground level at the centre of the access 2.4m distant from the adjoining edge of carriageway, to points 1.05 metres above ground level at edge of the adjoining carriageway and 43m 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 shall be permanently retained.

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

11. Prior to first occupation each dwelling shall have an electric vehicle charging point.

Reason: To ensure that the development provides for sustainable modes of travel.

12. Before a dwelling unit is occupied waste containers shall be provided on each plot.

Reason: To ensure adequate provision for the storage and disposal of waste.

13. As part of any reserved matters application and prior to the commencement of any development, the following details shall be submitted to, and approved in writing by, the local planning authority, in consultation with the Lead Local Flood Authority:

a) A detailed surface water drainage strategy for the development proposal;

b) Information about the lifetime of the development, the design storm period and intensity (1 in 1, 1 in 30 and 1 in 100 year + allowance for climate change), final surface water discharge rates and volumes, temporary storage facilities, means of access for maintenance and easements where applicable, the methods employed to delay and control surface water discharged from the site, the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, and details of flood levels in AOD;

c) Demonstration that surface water run-off from the application site will not exceed 5l/s. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

d) Flood water exceedance routes, both on and off site;

e) A timetable for implementation, including phasing where applicable;

f) Site investigation and test results to confirm infiltrations rates. If infiltration is shown to be a viable option for the disposal of surface water, then this should then be used as the primary method for disposing of surface water from the site. Disposal via a surface water body will only be considered where infiltration is proved to be unsuitable.

g) Details of water quality controls, where applicable.

The scheme shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

Reasons To ensure that the proposed development can be adequately drained, that there is no flood risk on or off the site resulting from the proposed development and to ensure that water quality is not detrimentally impacted by the development proposal

Notes

1. The grant of planning permission will require the applicant to enter into an appropriate legal agreement (Section 278), with Lancashire County Council as the Highway Authority prior to the start of any development. 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 developeras@lancashire.gov.uk in the first instance to ascertain the details of such an agreement and the information to be provided, quoting the relevant planning application reference number.
2. This consent does not give approval to a connection being made to Lancashire County Council's highway drainage system.

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 housing development would accord with Local Planning Policy and would be compliant with the guidance set out in the Framework, subject to compliance with planning 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.

18/0292/VAR Full: Variation of Conditions: Variation of Conditions 1, 2 and 3 of Planning Permission 13/15/0451P to alter the parking layout and allow valeting at The Annex, Vivary Mill, Vivary Way, Colne for W18 Cars Ltd

RESOLVED

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

1. The development hereby permitted shall be carried out in accordance with the details shown on the approved site layout plan, Drawing No: VTC/P811.1/jcc RevB dated 14.06.2018.

Reason: In the interests of highway safety and to ensure the effective use of the parking area.

2. No vehicular repairs or car washing shall take place on the premises at any time without the prior written consent of the Local Planning Authority.

Reason: In order to protect the visual amenity of the area that the Local Planning Authority can control the activities taking place on the site and prevent pollution of the surface water drainage system.

3. The parking and manoeuvring areas for staff and customers as shown on the approved site layout plan, Drawing No: VTC/P811.1/jcc RevB dated 14.06.2018, shall remain available at all times for those purposes.

Reason: In the interests of highway safety.

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 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.

18/0374/FUL Non-Material Amendment: Alteration of facing materials to parts of the south, east and north elevations of Planning Permission 18/0167/HHO from self-coloured render to natural stone at 14 Moorhead Street, Colne for Mrs Shirley Gillett

(Councillors M. S. Foxley and P. Foxley declared a disclosable pecuniary interest in this item and withdrew from the meeting).

RESOLVED

That the Non-Material Amendment be **granted**.

REASON

The proposed amendments shown in drawing Nos. 06 Rev A and 07 Rev A meet the criteria of the Non-Material Minor Amendment Practice Note and are therefore acceptable as a non-material minor amendment.

(b) Appeals

The Planning, Building Control and Licensing Services Manager submitted, for information, a report giving the up-to-date position on appeals.

34. 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

The Planning, Building Control and Licensing Services Manager reported that an inter-agency meeting was due to take place later this month with regard to Hubbs House Farm, Colne.

(d) Persimmon Homes Site, Knotts Drive, Colne

The Planning, Building Control and Licensing Services Manager advised that he was awaiting a response from Persimmon Homes regarding concerns over the pond at the site.

35. CAPITAL PROGRAMME 2018/19

The Neighbourhood Services Manager reported that the current balance for the Committee's capital programme for 2018/19 was £52,556. This included £13,177 carried forward from 2017/18.

The following new bid was submitted for consideration –

- Improvements to Multi-Use Games Area, Foulridge - £5,000

RESOLVED

- (1) That £5,000 be allocated for improvements to the Multi-Use Games Area, Foulridge.
- (2) That each Colne and District Councillor be allocated £2,000 for spend on environmental schemes, £1,000 of which to be allocated from the outstanding 2017/18 budget.
- (3) That, prior to any spend of each Councillor's allocation, a capital programme bid form be submitted for approval.

REASON

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

36. RED LANE, COLNE – TRAFFIC ISSUES

The Neighbourhood Services Manager submitted a report on a proposed scheme to resolve traffic problems being experienced outside Sacred Heart RC Primary School.

RESOLVED

- (1) That a meeting be arranged between Members and representatives from Neighbourhood Services, Lancashire County Council and Sacred Heart RC Primary School.
- (2) That the outcome of the meeting be reported back to a future meeting of Colne and District Committee.

REASON

To ensure the relevant parties are involved in the scheme to help alleviate the traffic issues identified.

37. ITEMS FOR DISCUSSION

(a) Burst water pipes in the Waterside and Vivary Bridge Wards

It was reported that there had been a number of burst water pipes in the Waterside and Vivary Bridge Wards of Colne.

Reference was also made to problems with common supply pipes where water was provided to a number of houses from one single connection to the water main.

RESOLVED

That United Utilities be asked to provide information on –

- (1) what action is being taken to address the issue of burst water pipes;
- (2) the number and location of common supply pipes in Pendle.

REASON

For further information.

38. NICHOLAS STREET, COLNE

The Neighbourhood Services Manager submitted a report which provided information and an estimate on works required to tidy the site at Nicholas Street, Colne.

It was noted that some of the works would require revenue funding.

RESOLVED

That the Neighbourhood Services Manager be requested to submit a further report to a future meeting of this Committee, itemising the capital and revenue elements of the proposed scheme.

REASON

To allow for further consideration.

39. PROBLEM SITES

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

Reference was made to the former 'Sugarhouse' on Keighley Road which was currently in a poor state. It was noted that the Policy and Resources Committee had recently agreed to invite proposals for development, however it was felt that the site should be monitored in the meantime.

RESOLVED

That the former 'Sugarhouse' on Keighley Road, Colne be added to the list of problem sites.

40. ENVIRONMENTAL BLIGHT

The Neighbourhood Services Manager submitted a report on environmental blight sites in the Colne and District area.

41. COLNE AND DISTRICT WORKING GROUP OF THE COLNE COMMUNITY SAFETY PARTNERSHIP

Minutes of a meeting of the Colne and District Working Group of the Colne Community Safety Partnership held on 7th June, 2018 were submitted for information.

42. MISCELLANEOUS MINUTES

Minutes of meetings of the Friends of Alkincoats Park, the Friends of Ballgrove AGM and the Friends of Greenfield Local Nature Reserve were submitted for information.

43. 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, the ground being that a decision was required before the next meeting to allow sufficient time to advertise the arrangements, should they be agreed.

44. RHYTHM AND BLUES FESTIVAL PROVISION OF TEMPORARY TAXI RANKS

The Planning, Building Control and Licensing Services Manager submitted a report which provided information on arrangements being made for hackney carriage and private hire vehicles for the Rhythm and Blues Festival. The Committee was asked to consider providing a temporary rank on Bridge Street, Colne.

RESOLVED

- (1) That the use of the Bus Station and the private hire pick-up point be noted.
- (2) That the Planning, Building Control and Licensing Services Manager be authorised to advertise the making of a temporary rank on Bridge Street, Colne as set out on the plan attached to the report, from 9.00 a.m. Friday 24th August to 1.00 a.m. Tuesday 28th

August, 2018 and if no representation is made from the public, Police or Highway Authority the rank be implemented for that period only.

REASON

To provide temporary ranks and collection points during the Rhythm and Blues Festival due to the temporary closure of taxi ranks on Albert Road and Market Street.

Chairman _____