

**MINUTES OF A MEETING OF THE
COLNE AND DISTRICT COMMITTEE
HELD AT COLNE TOWN HALL
ON 9TH AUGUST, 2018**

PRESENT –

Councillor G. Waugh (Chairman – in the Chair)

Councillors

*J. Cooney
V. A. Fletcher
M. S. Foxley
P. Foxley
A. R. Greaves
N. T. McCollum
J. A. Nixon
G. Roach
P. White*

Co-optees

Mr. A. Sutcliffe (Colne Town Council)

Officers in attendance

*Peter Atkinson Neighbourhood Services Manager
Alex Cameron Planning Officer
Lynne Rowland Committee Administrator*

(Apologies for absence were received from Councillors N. Butterworth, D. E. Lord and S. Petty and Mr J. Dransfield (Trawden Forest Parish Council).)



The following people attended the meeting and spoke on the items indicated:

<i>Ian Robinson Peter Robinson Claire Bradley-Kirkwell</i>	<i>18/0358/FUL Change of use from Industrial to Mixed Use with Office (Use Class B1), Storage and Distribution (Use Class B8) and Assembly and Leisure (Use Class D2) at Unit 5A The Foundry, Riverside Mill, Greenfield Road, Colne</i>	<i>Minute No. 50(a)</i>
<i>Mark Salisbury Kerry-Ann Parsons Patricia Hannah-Wood</i>	<i>18/0361/FUL Full: Major: Erection of 15 residential units including 9 dwelling houses and 6 apartments with 29 car parking spaces at garage site to the rear of 10 to 24 Essex Street, Colne</i>	<i>Minute No. 50(a)</i>
<i>Glenn Stock</i>	<i>18/0388/FUL Full: Change of use of car park to B1a (Office) and B8 (Storage and Distribution) use and erection of single storey extension to an industrial building (Use Class B1a – Floor area 25sq.m. and Use Class B8 – Floor area: 246sq.m.) at Sefton Works, Shed Street, Colne</i>	<i>Minute No. 50(a)</i>

Sheryl Nixon
Kevin Farrington
Brian Wildman

18/0412/FUL Full: Major: Erection of 33 No.
dwelling houses (Amended Scheme) at land
off Knotts Lane, Colne

Minute No. 50(a)



45. DECLARATION OF INTERESTS

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

46. PUBLIC QUESTION TIME

There were no questions from members of the public.

47. MINUTES

RESOLVED

That the Minutes of the meeting held on 5th July, 2018 be approved as a correct record and signed by the Chairman.

48. PROGRESS REPORT

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

49. POLICE ISSUES

In the absence of a police representative, no issues were raised.

50. 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:-

18/0319/FUL Full: Erection of two detached dwelling houses at 18-19 School Lane, Colne for Mr and Mrs Hartley

The Planning, Building Control and Licensing Services Manager submitted an update which reported receipt of amended plans. The recommendation to approve the application remained the same.

RESOLVED

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

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 & Country Planning Act 1990 (As Amended).

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

P03 RevA, P06 RevA, P05 RevA, P01 RevA, P04, P07, P08, P09, P10.

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 of both dwellings to be used in the construction of the roofs, walls, boundary/retaining walls and rainwater goods 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 the 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 and to respect the character of the conservation area.

4. The existing dry stone wall to the front of the site, adjoining School Lane must be preserved in situ.

Reason: To ensure the retention of important features of the site.

5. 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.

6. No development shall take place, including any works of clearance, until a construction code-of-practice 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) 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/clearance and construction works
- viii) Details of working hours
- ix) Routing of delivery vehicles to/from site.

The construction code-of-practice should be compiled in a coherent and integrated document and must 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 statement. All works agreed as part of the plan shall be implemented during an agreed timescale.

Reason: To protect existing road users and the amenity of neighbouring residents.

7. No part of the development hereby approved shall commence unless and until a scheme for the construction of the site access has been submitted to and approved in writing by, the Local Planning Authority. Thereafter, the access must be constructed in strict 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.

8. The car parking spaces shall be laid out, in accordance with the approved plans, and surfaced in a bound material, before first occupation of the premises hereby permitted. Thereafter, they shall be permanently retained for parking of vehicles.

Reason: To allow for the effective use of the car parking areas and ensure materials are not transferred onto the highway, causing a hazard for vehicles.

9. 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. the exact location and species of replacement trees;
- c. all proposals for new planting and turfing indicating the location, arrangement, species, sizes, specifications, numbers and planting densities;
- d. all proposed boundary treatments with supporting elevations and construction details;
- e. all proposed hard landscape elements and pavings, including layout, materials and colours.

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 the appropriate landscape design and in the interests of the visual amenities of the area.

10. No part of the development hereby permitted shall be commenced until the land between the existing highway boundary and the visibility splays indicated on the approved plan (P03 Rev A 13th July 2018) has been cleared of all obstructions exceeding 0.9 metres in height above road level. The land shall be so maintained permanently thereafter at all times.

Reason: To ensure adequate visibility at the site access and in the interests of highway safety.

INFORMATIVE

The grant of planning permission will require the applicant to enter into an appropriate legal agreement (Section 278), with Lancashire County Council as Highway Authority prior to the start of any development. For the avoidance of doubt works shall include, but not be exclusive to, the construction of the access to an appropriate standard, including a minimum width of 4.5m, and re-

location of any highway gullies. 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.

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. 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.

18/0358/FUL Full: Change of use from Industrial to Mixed Use with Office (Use Class B1), Storage and Distribution (Use Class B8) and Assembly and Leisure (Use Class D2) at Unit 5A The Foundry, Riverside Mill, Greenfield Road, Colne for Mr P. Robinson

(Before the vote was taken, the Planning, Building Control and Licensing Services Manager advised that should the application be approved the decision would represent a significant departure from policy. The matter would therefore be referred to the Head of Legal Services and subject to his agreement the decision would stand referred to the Policy and Resources Committee.)

RECOMMENDATION

That planning permission be **granted** subject to appropriate conditions.

18/0361/FUL Full: Major: Erection of 15 residential units including 9 dwelling houses and 6 apartments with 29 car parking spaces at garage site to the rear of 10 to 24 Essex Street, Colne for Cawder Construction

(Councillor P. Foxley declared a non-pecuniary interest in this item which was not a disclosable pecuniary interest as defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 but was such that he considered that in view of the principles set out in the Council's Code of Conduct he should not take part in the debate and decision on the matter, therefore he withdrew from the meeting.)

The Planning, Building Control and Licensing Services Manager submitted an update which reported receipt of a petition objecting to the development. The recommendation to delegate grant consent remained the same.

RESOLVED

That consideration of this application be **deferred**.

REASON

To allow for a site visit.

18/0388/FUL Full: Change of use of car park to B1a (Office) and B8 (Storage and Distribution) use and erection of single storey extension to an industrial building (Use Class B1a - Floor area 25sq.m. and Use Class B8 - Floor area: 246sq.m.) at Sefton Works, Shed St, Colne for Unique Clean Ltd

(Councillor P. White declared a non-pecuniary interest in this item which was not a disclosable pecuniary interest as defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 but was such that he considered that in view of the principles set out in the Council's Code of Conduct he should not take part in the debate and decision on the matter, therefore he withdrew from the meeting.)

The Planning, Building Control and Licensing Services Manager submitted an update which reported receipt of amended plans and further comments from residents, Lancashire County Council and the agent. The recommendation to approve the application remained the same.

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 strict accordance with the following approved plans: Proposed Site Plan and Floor Plan (Drawing Number 18/11/05A) and Proposed Elevations (Drawing Number 18/11/06A).

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

3. Prior to the commencement of any development on site, samples of all the external materials to be used in the construction of the roofs and walls of the development shall be 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 materials and details.

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

4. 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:

- a. The parking of vehicles of site operatives and visitors
- b. The loading and unloading of plant and materials
- c. The storage of plant and materials used in constructing the development
- d. The erection and maintenance of security hoarding
- e. Wheel washing facilities

- f. Measures to control the emission of dust and dirt during construction
- g. A scheme for recycling/disposing of waste resulting from demolition and construction works
- h. Details of working hours
- i. Routing of delivery vehicles to/from site.

Reason: In the interest of highway safety.

5. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority.

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.

6. Before the access is used for vehicular purposes, the part of the access extending from the highway boundary for a minimum distance of 5m into the site shall be appropriately surfaced in a 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.

7. The development hereby approved shall not be used unless and until the proposed parking spaces within the curtilage of the site, have been constructed, surfaced and laid out in accordance with a scheme to be approved in writing by the Local Planning Authority. These spaces shall at all times remain unobstructed and available for parking thereafter.

Reason: In the interests of highway safety and to provide suitable off-street parking provision.

8. Prior to the commencement of any development on site, a scheme for the disposal of foul and surface waters 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 is must be constructed and completed in accordance with the approved plans before the extension is used for commercial purposes.

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

9. Prior to the commencement of any development on site, a detailed Landscaping Scheme shall have 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. 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.

Reason: To ensure that the development is adequately landscaped so as to integrate with its surroundings and that appropriate replacement trees are provided on the site to compensate for those removed.

10. Prior to the commencement of any development on site, a scheme for external lighting shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details of the location, height, types and luminance of all external lighting and it must be installed in accordance with the approved plans before the site is used for any business operations.

Reason: To control the severity of external lighting in the interests of residential amenity.

11. The premises shall not be open for staff and no business activities shall take place within the site outside the hours of 8:00am to 5:30pm Monday – Friday and 8:00am to 12:00pm on Saturdays.

Reason: In the interests of residential amenity.

Informative

The grant of planning permission will require the applicant to enter into a Section 278 Agreement, with the County Council as Highway Authority. 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 Lancashire County Council, Highway Development Control email – developeras@lancashire.gov.uk in the first instance to ascertain the details of such an agreement and the information to be provided.

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 proposal is acceptable in terms of design and materials and would not unduly adversely impact on amenity. 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.

18/0412/FUL Full: Major: Erection of 33 No. dwelling houses (Amended Scheme) at land off Knotts Lane, Colne for Persimmon Homes Lancashire

(Councillor J. Nixon declared a non-pecuniary 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 Control and Licensing Services Manager submitted an update which proposed an additional condition. With this additional condition, the recommendation to delegate grant consent remained the same.

RESOLVED

That consideration of this application be **deferred** to allow for a meeting to take place with the applicant, appropriate officers and Committee members.

REASON

To consider amended plans.

(b) Appeals

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

51. ENFORCEMENT/UNAUTHORISED USES

(a) Outstanding enforcements

The Planning, Building Control and Licensing Services Manager submitted a report, for information, which gave the up-to-date position on outstanding enforcement cases.

(b) Enforcement action

The Head of Legal Services submitted a report, for information, which gave the up-to-date position on prosecutions.

(c) Hubbs House Farm, Colne

It was reported that a multi-agency meeting had recently taken place with regard to Hubbs House Farm, Colne.

(d) Persimmon Homes Site, Knotts Drive, Colne

There was no further update given. However, it was agreed that the matter could be discussed further at the proposed meeting regarding planning application 18/0412/FUL, referred to at minute 50(a).

52. CAPITAL PROGRAMME 2018/19

The Neighbourhood Services Manager submitted a report which advised Members on the Committee's 2018/19 capital budget.

53. NICHOLAS STREET, COLNE

The Neighbourhood Services Manager submitted a report which itemised the costs of works needed to tidy the site at Nicholas Street, Colne. All works were revenue items and totalled £2,009.11.

RESOLVED

- (1) That a total of £1,000 be allocated for works at Nicholas Street, Colne, to be funded equally from the uncommitted balance of the three Waterside ward councillors' 2017/18 horticultural projects fund.
- (2) That a request be made for the remaining balance to be funded from the Council's central budget.

REASON

To enable the site to be tidied.

54. LAND AT ALKINCOATS LOCAL NATURE RESERVE

The Neighbourhood Services Manager submitted a report which advised Members of a request from Alkincoats Nature Reserve Group for a further extension to Alkincoats Local Nature Reserve as shown at appendix 2 of the report.

It was recommended that the request be considered as part of the Local Plan (Part 2) Land Allocations and be brought back to this Committee once the outcome of the Land Allocations was known.

RESOLVED

That Alkincoats Nature Reserve Group be granted permission to extend the Alkincoats Local Nature Reserve as indicated by the area edged red on the plan attached at appendix 2 to the report.

REASON

To allow for the possible increase in green space provision and biodiversity, and improved access and better quality paths for visitors to the local nature reserve.

55. ENVIRONMENTAL CRIME

The Environmental Services Manager submitted a report which informed Members of the environmental crime action for 1st April to 30th June, 2018 in the Colne and District area along with annual totals for 2018/19.

56. ITEMS FOR DISCUSSION

(a) Old Market Hall (Kippax's)

Members asked for an update on any known action being taken to bring the vacant premises at the Old Market Hall, Colne (formerly known as Kippax Biscuits) back into use.

RESOLVED

That the Planning, Building Control and Licensing Services Manager be asked to submit a report to a future meeting of this Committee on the current position with the Old Market Hall, Colne (formerly known as Kippax Biscuits).

REASON

To consider whether the premises be added to the list of problem sites.

57. 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 5th July, 2018 were submitted for information.

58. OUTSTANDING ITEMS

The following items had either been referred to this Committee or requested by the Committee.

Colne and District Committee (09.08.2018)

Reports would be submitted to future meetings.

- (a) Red Lane, Colne – Traffic issues (05.07.18)
- (b) Land at End Street, Colne – consultation on possible disposal (P&R Committee 24.07.18)

CHAIRMAN _____