

**MINUTES OF A MEETING OF THE
COLNE AND DISTRICT COMMITTEE
HELD AT COLNE TOWN HALL
ON 6TH DECEMBER, 2018**

PRESENT –

Councillor G. Waugh - Chairman (In the Chair)

Councillors

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

Officers in attendance

*Peter Atkinson Neighbourhood Services Manager (Area Coordinator)
Neil Watson Planning, Building Control and Licensing Services Manager
Lynne Rowland Committee Administrator*

(Apologies for absence were received from Councillors P. Foxley and P. White and J. Dransfield (Trawden Forest Parish Council).)



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

<i>Alistair Baines Andrew Peers Pat McIlroy Lesley Millward Tony Pickles John Hartley</i>	<i>18/0613/FUL Full: Demolition of modular classroom and erection of a two-storey education building (Use Class D1) (Floor Area 396 sq.m.), provision of Multi-Use Games Area (MUGA) pitch and associated landscaping works at Christ Church CofE School, Bent Lane, Colne</i>	<i>Minute No.109(a)</i>
<i>Rosa McDonnell Mr Egan Sue Thompson Mark Salisbury</i>	<i>18/0718/FUL Full: Major: Erection of 15 residential units including 9 dwellinghouses and 6 apartments with 26 car parking spaces (resubmission) at garage site to rear of 10 to 24 Essex Street, Colne</i>	<i>Minute No.109(a)</i>
<i>Suzanne Schofield</i>	<i>Capital Programme 2018/19</i>	<i>Minute No.111</i>



104. DECLARATION OF INTERESTS

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

The following person declared a pecuniary interest in the item indicated –

Councillor G. Waugh	Capital Programme 2018/19 (Bid for the provision of future-proof fibre optic cable submitted on behalf of Community Fibre Partnership, Foulridge)	Minute No.111
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105. PUBLIC QUESTION TIME

There were no questions from members of the public.

106. MINUTES

RESOLVED

That the Minutes of the meeting held on 8th November, 2018 be approved as a correct record and signed by the Chairman.

107. PROGRESS REPORT

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

108. POLICE ISSUES

In the absence of the Police, no police issues were raised.

109. 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 detailed below.

18/0587/FUL Full: Major: Erection of 10 dwellinghouses with associated bin storage and parking at site of former 1-34 Bright Street, Colne for WayMoor Ltd

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:

18-107 SP01, 18-107 SP02A, 18-107 SP03A, 18-107 PL01, 18-107 EL01, 18-107 EL02 & 18-107 EL03.

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

3. 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.

Advisory Notes:

(i) Where land identified as having the potential to be contaminated is undergoing redevelopment, a copy of the leaflet entitled 'Information for Developers on the investigation and remediation of potentially contaminated sites' will be available to applicants/developers from the Council's Contaminated Land Officer. The leaflet will be sent to the developer by request.

(ii) Three copies of all contaminated land reports should be sent to the Local Planning Authority.

(iii) This condition is required to be fully complied with before development is commenced. Failure to comply with the condition prior to commencement of work may result in legal action being taken.

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

4. No development shall commence until the final details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage

scheme have been submitted to, and approved in writing by, the Local Planning Authority. These details shall include, as a minimum:

- a) Information about the lifetime of the development, design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change see EA advice Flood risk assessments: climate change allowances'), discharge rates and volumes (both pre and post development), temporary storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;
- b) The drainage strategy should demonstrate that surface water run-off must not exceed the existing pre-development runoff rate for the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed;
- c) A site layout plan showing overland flow routes and flood water exceedance routes, both on and off site – these must be directed away from property and critical infrastructure;
- d) Details of an appropriate management and maintenance plan for the lifetime of the sustainable drainage system.

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.

Reason: 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, to ensure the water quality is not detrimentally impacted by the development proposal and to reduce the flood risk to the development as a result of inadequate maintenance.

5. No part of the development shall be commenced unless and until a Construction Code-of-Practice 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 of wheel-washing facilities including location
 - k) Measures to ensure that vehicle access of adjoining access points are not impeded.
 - n) Location and details of site compounds
 - o) Hoarding details during construction
 - u) Parking area(s) for construction traffic and personnel
 - v) Routeing of construction vehicles

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 phases.

6. 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.

7. 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.

These works shall include (but are not limited to):

- a street lighting assessment;
- construction of buff coloured tactile paved dropped pedestrian crossings at the junction of Argyle Street/Bright Street, including an extended dropped crossing to facilitate the use of the bin store;
- improvements to the existing dropped pedestrian crossings on Bright Street/Rook Street and Rook Street/Rear New Market Street, to include buff coloured tactile paving;
- improvements to the existing dropped pedestrian crossings on Rook Street near the junction with New Market Street, to include buff coloured tactile paving.

Reason: In order to satisfy the local planning authority and highway authority that the final details of the highway scheme/works are acceptable before work commences on site.

8. The car parking spaces shall be surfaced or paved in accordance with a scheme to be approved by the Local Planning Authority and the car parking spaces and manoeuvring areas marked out in accordance with the approved plan, prior to occupation of the first unit and maintained thereafter.

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

9. Notwithstanding the submitted landscaping plan, 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:
- b. all proposals for new planting and turfing indicating the location, arrangement, species, sizes, specifications, numbers and planting densities;
 - c. an outline specification for ground preparation;
 - 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;
 - f. all boundary treatments between properties and to the boundary of the site including fencing, walls and hedgerows.

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 that the development is adequately landscaped so as to integrate with its surroundings and retains existing trees and hedgerows where possible.

10. Prior to the commencement of above ground works samples of all materials to be used on the external elevations including window, doors, surfacing and rainwater goods shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved materials.

Reason: In the interest of the visual amenity of the area.

11. The windows and doors shall be set back from the external face of the walls by at least 75mm in depth.

Reason: To ensure the continuation of a satisfactory appearance to the development.

12. Prior to first occupation the parking areas shall be constructed in a bound porous material and made available for use and maintained for that purpose for the as long as the development is occupied.

Reason: To ensure satisfactory off street parking arrangements do not lead to an increase in flooding.

13. A scheme for the management (including maintenance) of the open space area shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The approved scheme shall be carried out in full accordance with the agreed scheme before the first dwelling is occupied.

Reason: To ensure the site is properly maintained and managed in the interests of visual amenity.

14. Prior to first occupation of each dwelling unit a scheme for electric charging points or appropriate alternative shall be provided in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority.

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

15. 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.

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 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 by email on 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 development is acceptable in terms of policy, impact on amenity, highway safety, design and materials. 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.

18/0613/FUL Full: Demolition of modular classroom and erection of a two-storey education building (Use Class D1) (Floor Area 396 sq.m.), provision of a Multi-Use Games Area (MUGA) pitch and associated landscaping works at Christ Church C of E School, Bent Lane, Colne for The School Governors

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

RESOLVED

That consideration of this application be **deferred** to the next meeting of this Committee.

REASON

To allow for a site visit.

18/0718/FUL Full: Major: Erection of 15 residential units including 9 dwellinghouses and 6 apartments with 26 car parking spaces (resubmission) at garage site to the rear of 10 to 24 Essex Street, Colne for Cawder Construction

The Planning, Building Control and Licensing Services Manager submitted an update report which provided additional consultee responses; notification responses; and officer comments.

A petition against the application was presented at the meeting.

The Committee felt that there were a number of outstanding issues to be addressed before a decision could be made.

RESOLVED

That consideration of this application be **deferred** to the next meeting of this Committee.

(d) Persimmon Homes Site, Knotts Drive, Colne

Councillor Greaves advised that local residents had recently met with Kevin Farrington of Persimmon Homes and the site manager to discuss ongoing issues. A provisional date had been set for another meeting in January and it was proposed that further meetings take place every two months.

111. CAPITAL PROGRAMME 2018/19

(Councillor G. Waugh declared a pecuniary interest in this item in respect of the bid for the provision of future-proof fibre optic cable submitted on behalf of Community Fibre Partnership, Foulridge and withdrew from the meeting.)

Councillor J. Nixon – Vice-Chairman (In the Chair)

The Neighbourhood Services Manager submitted a report which advised Members on the Committee's 2018/19 capital budget. The report included the following bid for consideration –

- Provision of future-proof fibre optic cable, Foulridge - £5,667

The bid submission highlighted the poor broadband speeds achieved by businesses and residents served by Cabinet 14 in Colne.

Councillor Cooney also reported that he proposed to make a financial contribution of up to £500 to Colne Horticultural Society, from the 2017/18 revenue element of his horticultural projects fund, subject to receipt of a completed capital programme bid form.

RESOLVED

- (1) That funding of up to £5,667 be allocated as a one-off payment, as a trial without prejudice to any future submissions of a similar nature, to support the delivery of future-proof fibre optic cable to a number of business and residential properties in the rural community above the village of Foulridge, subject to the necessary legal obligations being in place.
- (2) That a representative of Superfast Lancashire be invited to the next meeting of this Committee.
- (3) That Colne Horticultural Society be invited to submit a capital programme bid.

REASON

- (1) ***To allocate the Committee's Capital Programme effectively.***
- (2) ***To receive further information on the broadband provision in Colne.***

Councillor G. Waugh – Chairman (In the Chair)

112. PREPARING FOR WINTER

Advice notes from the County Council and the Government's Met Office were submitted for information.

113.

VACANT HOUSES

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

114. TRANSFER OF VIVARY WAY MULTI-USE GAMES AREA TO ALKINCOATS PARK

At the last meeting of this Committee Members had agreed their preferred option for the relocation of the Multi-Use Games Area from Vivary Way to Alkincoats Park, Colne. This had been presented as Option 3 in the report and was agreed, subject to it being turned 90 degrees to run the width of the tennis courts.

This proposed amendment had been drawn up as a fourth option and had been discussed at a recent meeting with Ward Councillors, officers and representatives from the Alkincoats Park Friends Group and Bowling Club. This had then become the preferred option.

However, it was noted that this was the most costly option and further funding would need to be identified. It was agreed that a breakdown of the costings be circulated to Members.

115. FLOODING AT THE BOTTOM OF KNOTTS LANE, COLNE

The Committee received a verbal update on Lancashire County Council's investigations into flooding, with water that was orange in colour, from the car park at the bottom of Knotts Lane, Colne.

It was noted that the drains had been thoroughly cleaned by the County Council and it was hoped that this had solved the issue. Checks had been made on the day of the meeting and no noticeable flooding had been seen.

Councillor Nixon indicated that he would monitor the area and would be happy to collect a sample of the liquid, should the problem recur.

116.

ITEMS FOR DISCUSSION

(a) Burnley Road back street between Phillips Lane and Ridehalgh Street, Colne

The Committee expressed concern with the unsatisfactory repairs made by the County Council to the adopted back street between Philips Lane and Ridehalgh Street, Colne.

Councillor Cooney advised that he would ask County Councillor Andrew Snowden, the Lead Member for Highways to meet on site with ward and town councillors.

(b) Old fencing etc. below Essex Street and Curzon Street, Colne

Reference was made to some broken chain-link fencing, broken concrete gate posts and barbed wire below Essex Street and Curzon Street, Colne. The Committee was unsure as to what purpose it served and felt that it should be removed.

It was also suggested that a sign indicating that there was no access to the industrial estate could be placed at the bottom of Midgley Street, Colne.

RESOLVED

That officers of the Council be asked to investigate the issue and authorised to take any action as appropriate to ensure the repair/removal of the fencing.

REASON

In the interest of visual amenity and safety.

(c) 481 Burnley Road, Colne

It was reported that there had been a number of complaints with regard to alleged unauthorised activity taking place at 481 Burnley Road, Colne. It appeared that the property was being used for commercial purposes. Evidence was shown of advertisement signs erected on the building and removal wagons parked on the gable end.

The situation had recently been investigated by the Council's Planning Enforcement Officer, following which the signs had been removed. The case had been added to the Committee's list of outstanding enforcements.

RESOLVED

That 481 Burnley Road, Colne remain on the list of outstanding enforcements for the Colne and District area.

REASON

To ensure future monitoring.

117. 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 3rd October, 2018 were submitted for information.

118. MISCELLANEOUS MINUTES

Minutes of a meeting of the Friends of Alkincoats Park, held on 12th November, 2018 were submitted for information.

119. OUTSTANDING ITEMS

The following items had either been referred to this Committee or requested by the Committee. Reports would be submitted to future meetings.

- (a) Former Public Conveniences – Colne Bus Station (06.09.18)
- (b) 9-11 Cuerden Street: alleged use as business (06.09.18)
- (c) Air Quality Management Area Order (08.11.18)

CHAIRMAN _____