

**MINUTES OF A MEETING OF
WEST CRAVEN COMMITTEE
HELD AT
THE RAINHALL CENTRE, BARNOLDSWICK
ON 8TH JANUARY 2019**

PRESENT –

D. M. Whipp (Chairman – in the Chair)

Councillors

*M. Adams
R. E. Carroll
M. S. Goulthorp
K. Hartley
J. Purcell
M. Horsfield
C. Teall
T. Whipp*

Co-optees

*D. Haigh
J. Mills
C. Pollard
G. Wilson*

Officers Present

N. Watson

*Planning, Building Control and Licensing
Services Manager*

J. Eccles

Committee Administrator, PBC



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

<i>Andrew Smith Lorraine Smith William Alexander Claire Lunney</i>	<i>18/0283/FUL – Major: Full: Change of use from Agricultural to a Caravan Park and siting of 36 Holiday Lodge Caravans and 20 Touring Caravan Pitches at Caravan Site, Lower Greenhill Farm, Kelbrook Road, Salterforth</i>	<i>Minute No.110</i>
<i>Lynn Southworth</i>	<i>18/0756/FUL - Full: Erection of a single-storey dwelling and formation of four parking spaces at Dog Exercise Field, Colne Road, Kelbrook</i>	<i>Minute No. 110</i>
<i>Amanda Craine James Falshaw Sally Lambert</i>	<i>Land off Greenberfield Lane, Barnoldswick</i>	<i>Minute No. 118</i>

106.

DECLARATIONS OF INTEREST

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

107.

PUBLIC QUESTION TIME

There were no questions from members of the public.

108.

MINUTES

RESOLVED

That the Minutes of this Committee, at the meeting held on 4th December 2018, be approved as a correct record.

109.

POLICE AND COMMUNITY SAFETY ISSUES

Due to illness it was not possible for a Police representative to attend the meeting. The crime statistics were not available for December due to difficulties with a new computer system.

A Barnoldswick resident raised concern about a beggar in the Town Centre. This person was known to the Police and to Members. The Chairman said that he knew the person she was talking about and he had recently been convicted of theft. He was not homeless and was being dealt with by the Council under anti-social behaviour legislation. At the last meeting, PC Wallin had asked residents to report any incidents concerning this individual to the Police, so they had the evidence to back up any action taken.

Members were concerned that there had been a recent crime wave in the area. In Earby large camper vans had been targeted and vans broken into. It was felt that there were not enough police in the area, and concern that no police attended when the crimes were reported.

RESOLVED

- (1) That the Police Neighbourhood Team and the Council's Anti-Social Behaviour Officer be asked for strong action to be taken against this individual to protect the neighbourhood as well as providing appropriate support for the individual concerned.
- (2) That a letter be sent to the Chief Constable of Lancashire Police expressing concern about the recent cuts to local policing, and requesting that a more proactive approach be taken in apprehending criminals.

110.

PLANNING APPLICATIONS

(a) Planning applications for determination

The Planning, Building Control and Licensing Services Manager submitted a report on the following planning applications for determination -

18/0283/FUL Major: Full: Change of use from Agricultural to a Caravan Park and siting of 36 Holiday Lodge Caravans and 20 Touring Caravan Pitches at Caravan Site, Lower Greenhill Farm, Kelbrook Road, Salterforth for Mr & Mrs N. Hudson

(A site visit was undertaken prior to the meeting.)

(Before the vote was taken, the Planning, Building Control and Licensing Services Manager advised that should the application be refused there would be a significant risk of costs in the event of an appeal. 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).

An update from the Planning, Building Control and Licensing Services Manager had been circulated prior to the meeting with comments received from the Lead Local Flood Authority and the Earby and Salterforth Internal Drainage Board. It also revised the relevant planning history. The recommendation remained Delegate Grant Consent subject to a number of conditions.

RECOMMENDATION

That the application be **refused** due to flooding and impact on the landscape.

18/0756/FUL Full: Erection of a single-storey dwelling and formation of four parking spaces at Dog Exercise Field, Colne Road, Kelbrook for P, L and O Southworth

(A site visit was undertaken prior to the meeting.)

RESOLVED

That the Planning, Building Control and Licensing Services Manager be **delegated authority to grant the application** subject to a condition linking the property to the business following confirmation that the business is sufficiently viable to support the development, and 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 accordance with the following approved plans: 170 01 LP, 170 01 31, 170 01 32, 170 01 33, 170 01 34.

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 hereby approved samples of the external materials, window and door materials and render finish to be used in the construction of the development shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.

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

4. Notwithstanding any indication on the approved plans no permission is granted for the 1.8-2m boundary fence detailed on those plans. The dwelling hereby approved shall not be occupied unless and until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme 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 and turfing indicating the location, arrangement, species, sizes, specifications, numbers and planting densities;
 - c. an outline specification for ground preparation;
 - d. all proposed boundary treatments with supporting elevations and construction details;

- e. all proposed hard landscape elements and pavings, including layout, materials and colours;
- f. the proposed arrangements and specifications for initial establishment maintenance and long-term maintenance of all planted and/or turfed areas.

The approved scheme shall be implemented in its 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 and has appropriate boundary treatment so as to integrate with its surroundings.

5. Notwithstanding the provisions of Article 3 and parts 1 and 2 of the second Schedule of the Town & 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, F and G of Part 1 and Classes A & C of Part 2 of Schedule 2 of that Order shall be carried out without express planning permission first being obtained from the Local Planning Authority.

Reason: To enable the Local Planning Authority to control future development on the site in order to safeguard the character and visual amenity of the area.

6. Works relating to the provision of drainage shall not be commenced unless and until a scheme for the disposal of foul and surface water has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for separate systems for foul and surface waters and be constructed and completed in accordance with the approved scheme before the dwelling is occupied.

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

7. No development shall take place, including any works of clearance, unless and until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. It shall provide for:

- i) The parking of vehicles of site operatives and visitors
- ii) The loading and unloading of plant and materials
- iii) The storage of plant and materials used in constructing the development
- iv) Wheel washing facilities
- v) Details of working hours

Reason: In the interest of highway safety.

8. For the full period of construction facilities shall be provided within the site by which means the wheels of vehicles may be cleaned before leaving the site. There should also be provision to sweep the surrounding highway network by mechanical means if needed.

Reason: To avoid the possibility of the public highway being affected by the deposit of mud and/or loose materials thus creating a potential hazard to road users.

9. The layout of the development shall include provisions to enable vehicles to enter and leave the highway in forward gear and such provisions shall be laid out in accordance with the approved plan and the vehicular turning space shall be laid out and be available for use before the development is brought into use and maintained thereafter.

Reason: Vehicles reversing to and from the highway are a hazard to other road users.

10. The dwelling hereby approved shall not be occupied unless and until the car parking spaces and manoeuvring areas have laid out in accordance with the approved plans and surfaced in a bound porous material, or in accordance with a details to be submitted to and approved in writing by the Local Planning Authority prior to the formation of the car parking spaces and manoeuvring areas.

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

REASON

Section 38 of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise. The proposed development is acceptable in accordance with the policies of the Pendle Local Plan Part 1: Core Strategy and saved policies of the Replacement Pendle Local Plan. 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.

(b) Planning Appeals

The Planning, Building Control and Licensing Services Manager submitted a report for information on planning appeals as at 17th December 2018, which was noted.

111. ENFORCEMENT/UNAUTHORISED USES - COMPLAINTS RECEIVED

(a) Wardle Storeys

At the last meeting the Planning, Building Control and Licensing Services Manager submitted a report with regards to work on the site and potential flooding issues which had been raised at the previous meeting. It was understood that progress was expected shortly and so it was agreed to review the situation at this meeting. The Planning, Building Control and Licensing Services Manager reported that a recent email from the agent had apologised for lack of progress and asked for a little more time in view of the Xmas break.

RESOLVED

That this item be **deferred** to the next meeting and that a site visit be arranged.

(b) Outstanding

The Planning, Building Control and Licensing Services Manager submitted a report on outstanding enforcement cases for information, which was noted.

(c) Enforcement Action

The Head of Legal Services submitted a report for information, giving the up-to-date position on progress in respect of enforcement notices which had been served. Members were concerned about the length of time it was taking to make progress with the Gospel Hall site

RESOLVED

That the Head of Legal Services be asked for the latest position on the Gospel Hall site and to see what could be done to aid progress.

112. CAPITAL PROGRAMME 2018/19

The Neighbourhood Services Manager reported that the balance for the Committee's 2018/19 Capital Programme was £7,462: Barnoldswick £5,666 and Earby £1,796.

113. UNIROYAL GLOBAL

The Chairman reported back on the Uniroyal Global/Residents Working Group meeting on 17th December and the improvement works that had been carried out. The RTO was now complete and fully commissioned, taking the S1 and S4 production lines. S2 was due to be connected within the next few weeks. A noise report has been produced and would be submitted to Environmental Health. There had been an issue with low frequency noise but this was being addressed. The stack was now redundant and the company was looking to demolish it in the summer months, in better weather. Work was continuing in stages on replacing the cooling towers with the final commissioning of the new equipment at the end of March.

An emissions test would be required as part of the variation of Uniroyal's Environmental Permit under the Environmental Permitting Regulations. The company would then need to carry out annual monitoring in accordance with the regulations.

RESOLVED

That the Housing, Health and Economic Development Services Manager be asked if a volatile organic compound test could be done in advance of December 2019, in view of the RTO's recent installation.

REASON

To ensure compliance with the relevant regulations.

114. PROBLEM SITES

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

RESOLVED

That the Planning, Building Control and Licensing Services Manager be asked to see if any further progress could be made with a view to improving the appearance of 449 Kelbrook Road, Kelbrook, including discussion with neighbours and family.

REASON

In the interests of visual amenity.

115. ENVIRONMENTAL BLIGHT

The Neighbourhood Services Manager submitted a report on environmental blight sites in West Craven.

RESOLVED

- (1) That in respect of Land off Hill Street/Earl Street, Barnoldswick the Neighbourhood Services Manager be asked to confirm that the Environmental Action Group would continue to maintain this land following its transfer to Barnoldswick Town Council.
- (2) That the possibility of resurfacing Cemetery Road Car Park be considered at the next meeting alongside further information on the Community Investment Fund.

RESOLVED

To deal with environmental blight in the area.

116. ELLIS STREET AND FRANK STREET, BARNOLDSWICK

In November members had considered a scheme to replace the existing road surface with sett paving on sections of Ellis Street and Frank Street at an estimated cost of £32,000. The scheme provided crossing points in smooth cobbles. However, there were concerns that the scheme might not alleviate existing issues with inconsiderate parking in the area. Members had asked for a revised scheme providing raised crossing points only. The Neighbourhood Services Manager submitted a revised scheme which would cost £17,500 and would be subject to approval from Lancashire County Council.

RESOLVED

That the Neighbourhood Services Manager be asked to seek County Council's views on the different options and if they would be willing to contribute to the pedestrian element of the scheme.

REASON

In the interests of highway improvements.

117. BARNOLDSWICK TOWN SQUARE – PLANTERS AND BOLLARDS

As requested at the last meeting, the Neighbourhood Services Manager submitted further options for movable planters and removable bollards for the Town Square for consideration. There was general agreement that bollards would be preferable to planters, mainly in terms of cost.

RESOLVED

That the Neighbourhood Services Manager be asked to invite the bollards supplier to a site meeting to discuss and trial the various options.

REASON

To find the most cost-effective solution for creating temporary access to the Town Square.

118. LAND AT GREENBERFIELD LANE, BARNOLDSWICK

Members were asked to consider a request from the adjoining land owner to purchase Council owned land at Land off Greenberfield Lane and to advise the Policy and Resources Committee accordingly. A number of options were given in the report and Members were recommended to agree the request to dispose of the whole of the Council's interest.

RECOMMENDATION

That the Policy and Resources Committee be advised that the Committee did not want to dispose of the land for potential development, but asked for it to be transferred to Barnoldswick Town Council (BTC) under the Community Asset Transfer scheme for the following reasons –

- The current tenants of the land marked A on the plan attached to the report had and were continuing to invest in the site, building fences and planting trees, most recently planting a hedgerow for the benefit of wildlife. They had also invested a lot of time and effort making the land making it suitable for grazing.
- The TPO trees on the boundary of the site are of high amenity value and provide roosts for protected bats.
- Initially this land was included in the plan for the transfer of Victory Park to BTC but was later taken out. BTC could provide allotments on this site to meet demand in Barnoldswick.
- Highway safety is a great concern; the plans approved on appeal for the adjoining plot of land do not provide a safe junction onto Gisburn Road for the vastly increased numbers of vehicles from a much larger housing development. The approved development fails to provide a continuous pavement from the site into Barnoldswick; this would be of great concern as Gisburn Road is a very busy and fast road.
- The bus turnaround would be affected by the proposal. The turnaround allows the Barnoldswick Town Service to operate down Gisburn Road; any impact on this service would be detrimental to public transport provision.
- There is a public right of way on the Definitive Map 24' wide going across the larger grazing site marked B on the plan. There is another public right of way along the access track to West Close Farm and Barn. Impact on these PROWs would be unacceptable.
- Greenberfield Lane is very narrow and there isn't enough space for vehicles and pedestrians to pass each other on the greater part of its length. The consequential increase in traffic from development is unacceptable.
- The lane is not appropriate for HGV traffic accessing the adjacent sewage work or vehicles going to the parking area at the northern end of Victory Park. Disposal of the land could result in the removal of the access track on part of the land – leading to the loss of the only safe access to these areas.
- Greenberfield Lane is an important leisure route used by walkers, cyclists and horses. Part of the land is a designated wheelchair route. The whole of the lane is "Access Only" to help keep it a 'quiet lane' for such purposes. Development of a large field on the lane would destroy the character of the lane as well as increasing the risk of injury to leisure users.
- Greenberfield Lane is the route of a Roman Road – an important part of Barnoldswick's heritage. This heritage should not be destroyed by development.
- The proximity of the sewage works makes it an inappropriate place for development – with nuisance from odours and midges a big problem.

- Development on the field, which slopes towards Rolls-Royce at the other side of Stock Beck would lead to tension between the industrial and domestic areas. RR is a very important industry and employer. Their Bankfield site has a lot of noisy plant facing the proposed development area; this could have unfortunate consequences in the future.

REASON

In the interests of community value.

119. GENERAL FUND REVENUE BUDGET 2019/20

The Financial Services Manager submitted a report asking the Committee to consider its base budget for 2019/20, identify any options for budget reductions and pass on any comments to the Policy and Resources Committee which was noted.

120. ITEMS FOR DISCUSSION

It was reported that the Manager of Barnoldswick Market had given notice and would be leaving his position in due course. Barnoldswick Town Council was interested in taking on the management of the market in the Town Square to ensure its future.

RESOLVED

That the Head of Legal Services be informed that the Committee would like Barnoldswick Town Council to be given the right to operate the market on the Town Square; the Committee approved the Town Council operating the market on Albert Road and Town Square.

REASON

To ensure the future operation of Barnoldswick Town Square Market.

Chairman.....