

**MINUTES OF A MEETING OF THE
COLNE AND DISTRICT COMMITTEE
HELD AT COLNE TOWN HALL
ON 7TH MARCH, 2019**

PRESENT –

Councillor G. Waugh - Chairman (In the Chair)

Councillors

*N. Butterworth
J. Cooney
M. S. Foxley
P. Foxley
A. R. Greaves
N. McCollum
G. Roach
P. White*

Constabulary Representative

Inspector A. Winter

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 V. Fletcher, D. Lord, J. Nixon and S. Petty and J. Dransfield (Trawden Forest Parish Council) and A. Sutcliffe (Colne Town Council).)



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

<i>David Cockburn-Price</i>	<i>18/0848/CND Approval of details reserved by condition: Discharge of conditions 4, 5, 6, 7, 8, 9, 10, 11, 14 and 16 of planning permission 13/14/0580P at land to the east of Windermere Ave, Colne</i>	<i>Minute No.157(a)</i>
	<i>18/0865/REM Reserved Matters: Major: Erection of 82 dwelling houses and associated infrastructure (Appearance, Landscaping, Layout and Scale) (planning application 13/14/0580P – Appeal APP/E2340/W/15/3131974) at land to the east of Windermere Ave, Colne</i>	<i>Minute No. 157(b)</i>
<i>Liz Hurley</i>	<i>Items for discussion – 481 Burnley Road, Colne</i>	<i>Minute No.164</i>

151.

DECLARATION OF INTERESTS

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

152.

SUPERFAST LANCASHIRE

It was reported that this item had been deferred to the next meeting of the Committee.

153. PUBLIC QUESTION TIME

There were no questions from members of the public.

154. MINUTES

RESOLVED

That the Minutes of the meeting held on 7th February, 2019 be approved as a correct record and signed by the Chairman.

155. PROGRESS REPORT

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

156. POLICE ISSUES

Further to the Committee expressing concern about the way in which crime statistics had recently been reported, Inspector Winter advised that initial problems with a new IT programme had now been resolved.

He continued by providing an update on police activity in the Colne and District area in the past month. This included information on action taken with regard to anti-social behaviour at the former Langroyd Hall; McDonalds; KFC and Sainsburys. He also advised of arrests made in connection with dwelling and Hanoi burglaries in Foulridge.

Inspector Winter was informed that the drug selling on the car park at the rear of the library had quietened down since last being reported. However, it was stated that drug selling and smoking was rife in the cemetery and on the car park at the end of Greenfield Road, Colne. There was also concern about a young homeless man, sleeping on the canal bank near the Greenfield Road car park. It was reported that he was extremely violent and a danger to the public. Inspector Winter said that he would follow the matter up.

Reference was also made to the work carried out in partnership with the DVLA targeting untaxed vehicles across the Borough, which had been discussed at the January meeting. It was noted that dealing with untaxed/uninsured vehicles continued as part of the Local and Road Policing Teams daily business.

157. PLANNING APPLICATIONS

(a) Applications to be determined

The Planning, Building Control and Licensing Services Manager submitted a report of the following planning applications to be determined -

18/0848/CND Approval of details reserved by condition: Discharge of conditions 4, 5, 6, 7, 8, 9, 10, 11, 14 and 16 of planning permission 13/14/0580P at land to the east of Windermere Avenue, Colne for McDermott Homes Ltd

The Planning, Building Control and Licensing Services Manager submitted a report which provided an update on each condition, together with a recommendation.

RESOLVED

That –

- (1) condition 4 be discharged;
- (2) the Planning, Building Control and Licensing Services Manager be delegated authority to discharge conditions 5, 7 and 11 subject to implementation once satisfactory details have been provided regarding outstanding issues;
- (3) conditions 6, 8, 9, 10, 14 and 16 be discharged subject to implementation.

18/0876/FUL Full: Major: Change of use from light industrial (Use Class B1) to 10 residential apartments (Use Class C3) at 58-60 Brown Street West, Colne for Mossley Hill Investments Colne Ltd

The Planning, Building Control and Licensing Services submitted an update which reported receipt of one further response objecting to the lack of off-street parking.

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 accordance with the following approved plans:

01 REV1, 02, 03, 04 REV1, 05 REV1, 06, 07 REV1 & 08.

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

3. Foul and surface water shall be drained on separate systems. Surface water shall be drained in accordance with the hierarchy of drainage options in national planning practice guidance. In the event of surface water discharging to public sewer, the rate of discharge shall be restricted to the lowest possible rate which shall be agreed with the statutory undertaker prior to connection to the public sewer.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

4. No development shall commence until details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water drainage scheme have been submitted to and approved in writing by the local planning authority. Those 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 will not exceed the existing surface water runoff rate for the corresponding rainfall event.
- c) A plan showing flood water exceedance routes, both on and off site;
- d) Details of an appropriate management and maintenance plan for the surface water drainage scheme for the lifetime of the development.

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 and that there is no flood risk on or off the site resulting from the proposed development, reduce the flood risk to the development as a result of inadequate maintenance and to identify the responsible organisation/body/company/undertaker for the sustainable drainage system.

5. 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:
- 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
 - vi) Details of working hours
 - vii) Measures to ensure that construction and delivery vehicles do not impede access to surrounding properties.

Reason: In the interest of highway safety.

6. The four dormers to the front roofslope shall be clad in slate to match the existing roof unless otherwise agreed in writing by the Local Planning Authority.

Reason: For the avoidance of doubt and to ensure a satisfactory appearance to the development.

7. The proposed development shall not be brought into use unless and until the car park and cycle stands shown on the approved plan 05 REV1 has been constructed, surfaced, sealed, drained and marked out in accordance with details and materials to be submitted to and agreed in writing by the Local Planning Authority. A minimum of four car parking spaces with turning areas and six cycle stands shall thereafter always remain unobstructed and available for parking and turning purposes.

Reason: To allow for effective use of the parking area and to ensure appropriate off-street parking and cycle storage is provided within the site.

8. Before any dwelling unit is occupied adequate waste containers shall be provided within the site.

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

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 use is appropriate in this location and the alterations proposed are minor in nature and would not unduly impact on the area. 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) Applications for comment

The Planning, Building Control and Licensing Services Manager submitted a report which invited comments on the following planning application –

18/0865/REM Reserved Matters: Major: Erection of 82 dwelling houses and associated infrastructure (Appearance, Landscaping, Layout and Scale) (planning application 13/14/0580P – Appeal APP/E2340/W/15/3131974) at land to the east of Windermere Avenue, Colne for McDermott Homes Ltd

The Planning, Building Control and Licensing Services Manager submitted an update report which provided details of various changes and improvements to the landscaping which had resulted in an acceptable scheme. The report also provided information on outstanding drainage issues; amendments to the design and layout; and comments on the material palette.

RESOLVED

That the Policy and Resources Committee be informed of the Committee's concerns as follows:-

- The error in the proposed site layout whereby an extra four properties (Plots 46, 67, 68 and 78) fall inside, or on the boundary of, the Lidgett and Bents Conservation Area (CA). Councillors believe that these properties should have the same, higher quality, architectural treatment and material palette as the other proposed properties in the CA.
- The sharp definition between the architectural treatment and material palette deployed in the CA and that used on the adjacent properties just outside the CA and those running along the eastern boundary. Councillors believe that this lack of consideration has a negative impact on the CA. There should be a transition zone to protect views into and out of the CA. The properties affected are:
 - Plots 79, 80-82 and possibly 66 and 45 immediately abutting the CA; and
 - Plots 60-64 and 49 along the eastern boundary

It was noted that planning officers had discussed some of these properties with the developer, but no formal documentation had been presented of the agreed plans and several of the above properties had not been covered.

(c) Appeals

The Planning, Building Control and Licensing Services Manager submitted a report which advised the Committee of two outstanding appeals.

158. 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.

He answered a number of specific questions relating to the report.

RESOLVED

- (1) That file reference PLE/17/0778 - Cowfield Farm, Burnley Road, Trawden be removed from the Committee's list of outstanding enforcements.
- (2) That appropriate officers be -
 - (i) requested to submit a report to the next meeting of this Committee providing an update on the current position with regard to land off Laithe Street, Colne (PLE/16/0218);
 - (ii) authorised to serve a Community Protection Notice with regard to file reference PLE/18/1248 (Cuerden Street, Colne);
 - (iii) asked to assess the current situation at land to the south of Curzon Street, Colne and authorised to take enforcement action as appropriate (PLE/18/1270);
 - (iv) authorised to take enforcement action as appropriate with regard to the spoil at land to the west of 2 to 26 Hawley Street, Khyber Street, Colne (PLE/19/0134).

REASON

- (1) *To be monitored under the Committee's planning appeals.*
- (2) *In the interests of public amenity.*

(b) Enforcement action

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

RESOLVED

That land to the north east of Cowfield Farm, Burnley Road, Trawden be removed from the

Committee's enforcement action report.

REASON

To be monitored under the Committee's planning appeals.

(c) Hubbs House Farm, Colne

The Planning, Building Control and Licensing Services Manager advised that a multi-agency meeting had taken place since the last meeting of this Committee, to discuss the ongoing issue of illegal activities being carried out at Hubbs House Farm, Colne and the land associated with it. An update on further enforcement action was given.

(d) Persimmon Homes Site, Knotts Drive, Colne

There were no further issues to report with regard to the Persimmon Homes Site, Knotts Drive, Colne.

159. CAPITAL PROGRAMME 2018/19

The Neighbourhood Services Manager reported that the current balance for the Committee's capital programme was £9,611.

160. COMMUNITY INVESTMENT FUND

(a) Community Investment Fund 2018/19

The Neighbourhood Services Manager submitted a report which provided a further update on the Community Investment Fund bid process, together with a revised Pro-Forma.

(b) Submission of bids

Members noted a verified bid of £2,040 from Councillor Graham Waugh for land drainage and tree management on land used as allotments at Foulridge.

161. PROBLEM SITES

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

162. CUERDEN STREET, COLNE

(a) Untidy garages

In the absence of any further information, no update was given.

(b) 9 and 11 Cuerden Street, Colne

In the absence of any further information, no update was given.

163. TELEPHONE KIOSKS OUTSIDE XLCR HOUSE, ALBERT ROAD, COLNE

The Planning, Building Control and Licensing Services Manager submitted a report for Members to consider whether to add the telephone kiosks outside XLCR House, Albert Road, Colne to the Committee's list of problem sites.

An update was provided at the meeting which advised that British Telecom (BT) had recently replaced 44 of the panes on the kiosks.

RESOLVED

- (1) That the telephone kiosks outside XLCR House, Albert Road, Colne are not added to the Committee's list of problem sites.
- (2) That a meeting be convened later in the year involving organisations such as BT, Pendle Council, Colne Town Council, Colne in Bloom and Colne Business Improvement District (BID).

REASON

To consider the future use of the telephone kiosks.

164. FORMER PUBLIC CONVENIENCES – COLNE BUS STATION

The Committee considered a report from Liberata Property Services which sought Members' views as to the future of the former public conveniences on Colne Bus Station.

It was noted that Colne Town Council had indicated that it did not wish to take a transfer of the building from Pendle Council.

RESOLVED

That Liberata Property Services be advised of this Committee's preference to demolish the building, repair the retaining wall and create a green space or paved area.

REASON

To create a cleared space and avoid the risk of collapse.

165. ITEMS FOR DISCUSSION

481 Burnley Road, Colne

Further to this item being discussed at the December 2018 meeting of this Committee it was reported that there still appeared to be business activity taking place at 481 Burnley Road, Colne. There continued to be problems with large vehicles causing an obstruction by being parked on the pavement alongside the property (Bott House Lane), blocking the entrance to Ivy Street and forcing pedestrians into the road. There was also a report of house contents being stored in the back yard of the property.

Members questioned whether those responsible had the appropriate vehicle operator licence and planning permissions in place.

The Committee was advised that Bott House Lane was an unadopted highway, whereas Ivy Street was adopted. Possible courses of action included contacting the police regarding the obstruction, Lancashire County Council regarding the vehicle operator licence and/or taking enforcement action.

RESOLVED

That Council officers be delegated authority to take any necessary appropriate enforcement action, to include a Community Protection Notice and Enforcement Notice, to cease the alleged unauthorised activity taking place at 481 Burnley Road, Colne.

REASON

In the interests of public amenity and safety.

166. 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 February, 2019 were submitted for information.

167. MISCELLANEOUS MINUTES

Minutes of meetings of the Local Nature Reserves Steering Group (held on 22nd January, 2019), Friends of Ball Grove (held on 12th February, 2019) and Friends of Alkincoats Park (held on 25th February, 2019) were submitted for information.

168. 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) Air Quality Management Area Order (08.11.18)
- (b) Land in the South Valley off Lenches Road, Colne (2 pieces) (10.01.19)
- (c) Residents Parking, Calder Street, Colne (Result of survey) (07.02.19)

RESOLVED

That an officer of Housing, Health and Economic Development Services be asked to attend the next meeting of this Committee to provide an update on the Air Quality Management Area Order.

CHAIRMAN _____