

**MINUTES OF A MEETING OF THE  
COLNE AND DISTRICT COMMITTEE  
HELD AT COLNE TOWN HALL  
ON 6<sup>TH</sup> JUNE, 2019**

*PRESENT –*

*Councillor G. Waugh – Chairman (In the Chair)*

**Councillors**

*D. Clegg  
S. Cockburn-Price  
V. Fletcher  
M. S. Foxley  
P. Foxley  
D. E. Lord  
N. T. McCollum  
J. A. Nixon  
S. Petty*

**Co-optees**

*T. Clark  
B. Robinson*

**Officers in attendance**

*Neil Watson            Planning, Economic Development and Regulatory Services Manager (Area  
Coordinator)  
Lynne Rowland        Committee Administrator*

*(Apologies for absence were received from Councillors N. Butterworth, A. R. Greaves and A. Mann.)*



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

<i>Graham Cannon</i>	<i>18/0594/FUL Full: Change of use of agricultural land for the erection of six timber glamping pods, toilet and shower building and associated hard standing for car parking at Field 3226 at the junction with Reedymoor Lane, Whitemoor Road, Foulridge</i>	<i>Minute No. 26(a)</i>
<i>Suzanne Hodgson</i>	<i>19/0210/FUL Full: Change of use of land to a mixed equine and agricultural use and erection of an animal shelter with pen (Retrospective) at land to the north east of New Laithe Farm, Burnley Road, Trawden</i>	<i>Minute No. 26(a)</i>
<i>Martin Hardisty</i>	<i>19/0222/FUL Full: Erection of a warehouse extension (Use Class B1c) 460 sq.m., demolition of existing launderette for additional car parking and replacement of north light roof with a portal frame profiled sheet steel roof at N and R Automatic Screw Machine Products, Oak Street, Colne</i>	<i>Minute No. 26(a)</i>

**21. DECLARATION OF INTERESTS**

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

**22. PUBLIC QUESTION TIME**

There were no questions from members of the public.

**23. MINUTES**

**RESOLVED**

That the Minutes of the meeting held on 9<sup>th</sup> May, 2019 be approved as a correct record and signed by the Chairman.

**24. PROGRESS REPORT**

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

**25. POLICE ISSUES**

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

**26. PLANNING APPLICATIONS**

**(a) Applications to be determined**

The Planning, Economic Development and Regulatory Services Manager submitted a report of the following planning applications to be determined -

**18/0594/FUL Full: Change of use of agricultural land for the erection of six timber glamping pods, toilet and shower building and associated hard standing for car parking at Field 3226 at the junction with Reedymoor Lane, Whitemoor Road, Foulridge for Mr T. Philpott**

**RESOLVED**

That planning permission be **refused** for the following reasons –

1. The proposed development fails to preserve the openness of the Green Belt and it would result in an unacceptable impact on the openness of the Green Belt. There are no very special circumstances to offset the harm the development would cause to the openness of the Green Belt contrary to policy ENV2 of the Pendle Local Plan Part 1: Core Strategy and paragraphs 143-145 of the National Planning Policy Framework.
2. The application site is located on raised, open land which falls to the south west, it would be prominently visible in the landscape from public viewpoints and would cause harm to the open rural character of the landscape contrary to Policy ENV1 of the Pendle Local Plan Part 1: Core Strategy.

**18/0768/FUL Full: Major: Conversion of upper floors and part ground floor of mill building to form 8 dwelling houses; demolition of weaving shed and erection of 6 dwelling houses and associated external works (Re-submission) at Black Carr Mill, Skipton Road, Trawden for CRS Plant Ltd**

The Planning, Economic Development and Regulatory Services Manager submitted an update which reported receipt of amended details. Due to the late submission, there had not been time to evaluate the revised information. It was therefore recommended that the application be delegated to the Planning, Economic Development and Regulatory Services Manager.

**RESOLVED**

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

**REASON**

***To allow for further consideration by the Committee once the information has been fully evaluated.***

**19/0083/HHO Full: Change of use of agricultural land to domestic garden and erection of a detached garage with office accommodation above at Thornlea, Lane House Lane, Trawden for Mr and Mrs N. Waring**

**RESOLVED**

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

**REASON**

***To allow for enquiries to be made into land ownership and the validity of the application.***

**19/0111/FUL Full: Convert barn to dwelling house and erect extension to front elevation at Causeway Top Farm, Moss Houses Road, Foulridge for Mr L. Baldwin**

The Planning, Economic Development and Regulatory Services Manager submitted an update which reported receipt of amended plans which improved the accuracy of the proposed plans and slightly altered some of the openings. The recommendation to approve the application remained the same.

*(A site visit was carried out prior to the meeting.)*

**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: 3423/202a, 3423/201a

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

3. The materials to be used on the external walls and roof of the development hereby approved must comprise of natural sandstone and natural stone slate roof tiles. The development shall be carried out only using the approved materials.

**Reason:** In order to protect and preserve the character and visual appearance of the building.

4. Prior to their installation, details of the design, materials and finishes of the window frames and doors shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the approved details.

**Reason:** To ensure satisfactory details that are appropriate for the building and area.

5. The development shall be carried out in strict accordance with the recommendations set out in the Preliminary Roost Assessment Bat Survey V2 18.03.2019.

**Reason:** To ensure protection of the habitat of bats and barn owls which are protected under the Wildlife & Countryside Act, 1981.

6. Prior to the commencement of any external works details of the provisions, including location, to be made for a bat box must be submitted to and approved in writing by the Local Planning Authority. The box shall thereafter be installed prior to the occupation of development and retained thereafter.

**Reason:** In order to not disturb the nesting of bats which are protected under the Wildlife and Countryside Act, 1981.

7. Prior to the commencement of development a scheme for the disposal of foul and surface water 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 be constructed and completed in accordance with the approved plans before the dwelling is occupied.

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

8. All new rainwater goods or soil pipes shall be in cast iron or aluminium and painted in a colour to be agreed in writing by the Local Planning Authority and thereafter carried out in strict accordance with the approved plans.

**Reason:** To ensure the use of appropriate material in order to protect the character and appearance of the building and the area.

9. Notwithstanding the provisions of Article 3 and Parts 1 and 2 of Schedule 2 of the Town & Country Planning (General Permitted Development) (England) 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 and G of Part 1 and Classes A, B & 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 any future development on the site in order to safeguard the character of the area.

10. The permission hereby granted is for the conversion of the existing barn only and does not imply or grant permission for demolition or re-building of the external walls.

**Reason:** The substantial rebuilding of this building in Open Countryside would be contrary to the development plan and Paragraph 79 of the National Planning Policy Framework.

11. The dwelling hereby approved shall not be occupied unless and until the car parking area on the approved plan 3423/201a has been laid out, surfaced in a bound material and made available for use. The car parking area shall thereafter be maintained free from obstruction and available for parking of two cars.

**Reason:** In the interests of highway safety and allow for effective use of the parking areas.

12. The windows in the south east rear elevation of the development hereby permitted shall at all times be glazed only with obscure glass, of obscurity Level 4 or above, and be retained as such. Any replacement glazing shall be of an equal degree of obscurity. The window shall also be hung in such a way so as to prevent the effect of obscure glazing being negated by way of opening.

**Reason:** In order to protect and preserve the privacy and amenity of the occupiers of the adjoining dwelling.

13. The details of any fencing to be erected within the curtilage of the dwelling, hereby approved, must be submitted to and approved in writing by the Local Planning Authority, prior to implementation. All fencing must be erected in accordance with the approved details.

**Reason:** In order to protect and preserve the setting of the adjacent listed building and character of the area.

## **INFORMATIVE**

The grant of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping-up or diversion of a right of way should be the subject of an Order under the appropriate Act. Public Footpath FP 38 (Foulridge) may be affected by this development. The applicant should contact the Public Rights of Way Section for any advice regarding the above by e-mail on [PROW@lancashire.gov.uk](mailto:PROW@lancashire.gov.uk)

## **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 barn conversion 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.***

**19/0161/CND Approval of Details Reserved by Condition: Discharge of Conditions 3, 8, 9 and 10 of Planning Permission 18/0613/FUL at Christ Church School, Keighley Road, Colne for The School Governors**

**RESOLVED**

- (1) That condition 10 be discharged; conditions 8 and 9 be discharged subject to implementation; and condition 3 be refused in terms of the materials on the roof.
- (2) That the Planning, Economic Development and Regulatory Services Manager be authorised to take enforcement action with regard to the materials on the roof to ensure they are acceptable in the locality and conservation area.

**REASON**

***The roof materials are light in colour and a reflective material which catches the light resulting in this low, long building being clearly visible from public vantage points especially when viewed adjacent to adjacent darker landscaping and the green landscape setting resulting in an unacceptable impact on the landscape and conservation area. The building as erected results in unacceptable harm to the heritage asset and is clearly visible in both short and longer public view points both within and into the conservation area.***

**19/0210/FUL Full: Change of use of land to a mixed equine and agricultural use and erection of an animal shelter with pen (Retrospective) at land to the north east of New Laithe Farm, Burnley Road, Trawden for Mr D. Wilkinson**

**RESOLVED**

- (1) That planning permission be **refused** for the following reasons –
  1. The development results in harm to the setting of the adjacent Listed Building, whilst the harm to the significance of the Listed Building would be less than substantial there are no public benefits resulting from the development that outweigh the harm contrary to Policies ENV1 and ENV2 of the Pendle Local Plan Part 1: Core Strategy and paragraphs 193 and 196 of the National Planning Policy Framework.
  2. The development results in an unacceptably harmful highway safety impact due to the location of the access and lack of provision for parking and turning within the site contrary to Policy ENV4 of the Pendle Local Plan Part 1: Core Strategy and paragraphs 108 and 109 of the National Planning Policy Framework.
- (2) That the Planning, Economic Development and Regulatory Services Manager be authorised to take enforcement action.

**19/0222/FUL Full: Erection of a warehouse extension (Use Class B1c) 460 sq.m., demolition of existing launderette for additional car parking and replacement of north light roof with a portal frame profiled sheet steel roof at N and R Automatic Screw Machine Products, Oak Street, Colne for N and R Automatics Ltd**

**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: 2018/28: 1A, 2, 4, 3B and 5A.

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

3. Prior to the commencement of any above ground works on site, representative samples of the materials to be used for the roof and walls of the development hereby approved, shall have first been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the approved materials.

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

4. The extension hereby approved shall not be used unless and until, the proposed parking spaces off Varley Street have been constructed, surfaced in bound porous material and laid out in strict accordance with the approved plan '2018/28:3B', unless otherwise agreed in writing by the Local Planning Authority. Those spaces shall at all times remain unobstructed and available for parking thereafter.

**Reason:** To provide additional parking to service the development and to prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to other road users.

5. No development shall commence on site unless and until, a scheme for the construction of the site access off Varley Street and the off-site works of highway improvement has been submitted to, and approved in writing the Local Planning Authority. The development shall thereafter proceed fully in 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 any development commences on site.

6. No development shall commence on site unless and until, a scheme for the disposal of surface water has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter proceed fully in accordance with the approved scheme.

**Reason:** In order that the Local Planning Authority may be satisfied with the details of the proposal and to avoid flooding.

7. At no point shall there be any outside storage or logistical activity carried out on the area of land to the north of the extension hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In order to minimise noise and disruption for the residential neighbours immediately to the north of the site.

### Informatives

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. For the avoidance of doubt works shall include, but not be exclusive to, the construction of the amended access to an appropriate standard; radius kerbs; buff coloured, tactile paved dropped pedestrian crossings, and the re-location of a highway gully. 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 [highways@lancashire.gov.uk](mailto:highways@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. Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance.

If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. The Applicant should contact Cadent's Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delays.

If any construction traffic is likely to cross a Cadent pipeline then the Applicant must contact Cadent's Plant Protection Team to see if any protection measures are required. All developers are required to contact Cadent's Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to. Email: [plantprotection@cadentgas.com](mailto:plantprotection@cadentgas.com) Tel: 0800 688 588.

### **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. Subject to appropriate conditions, the development would be acceptable in terms of the design and it would not adversely impact on residential amenity or the road network. 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) Appeals**

The Planning, Economic Development and Regulatory Services Manager submitted a report which advised the Committee of two new and two outstanding appeals.

**27. ENFORCEMENT/UNAUTHORISED USES**

**(a) Outstanding enforcements**

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

The Committee was advised that the taxi firm that had been advertising unlawfully had been served with a Community Protection Notice. The case would be added to future outstanding enforcement reports as appropriate.

**(b) 481 Burnley Road, Colne**

It was reported that a Community Protection Notice Warning was being pursued with regard to 481 Burnley Road, Colne.

**(c) Langroyd Hall, Langroyd Road, Colne**

The Planning, Economic Development and Regulatory Services Manager advised that a recent visit to the property had shown that the premises were fairly intact internally. Appropriate notices had been served regarding the unauthorised removal of the roof to the building.

**RESOLVED**

That the Planning, Economic Development and Regulatory Services Manager be delegated authority, in consultation with the Chairman, to take whatever appropriate enforcement action is necessary to secure the integrity of the listed building with regard to Langroyd Hall, Langroyd Road, Colne.

**REASON**

***To prevent further deterioration of this listed building.***

**(d) Enforcement action**

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

**(e) Hubbs House Farm, Colne**

It was understood that illegal activity at Hubbs House Farm had reduced whilst the owner was serving a term in prison. However there had been a case of tipping on the main site, photographs of which had been sent to Lancashire County Council.

**(f) Persimmon Homes Site, Knotts Drive, Colne**

No further issues were reported with regard to the Persimmon Homes Site, Knotts Drive, Colne.

**28. CAPITAL PROGRAMME 2019/20**

The Housing, Health and Engineering Services Manager submitted a report which advised Members on the Committee's 2019/20 capital budget.

Members were asked to consider what action to take in relation to funding of £2,760.30 that had been allocated to three former ward councillors to spend on appropriate capital projects, but remained uncommitted.

The details were as follows –

Boulsworth Ward Councillor	£ 880.15
Vivary Bridge Ward Councillor	£ 880.15
Waterside Ward Councillor	£1,000.00

**RESOLVED**

That the £2,760.30 uncommitted funding of the three former ward councillors be returned to the capital programme and subsequently distributed as follows –

- £880.15 to be divided equally between the three Boulsworth Ward councillors
- £880.15 to be divided equally between the three Vivary Bridge Ward councillors
- £1,000 to be divided equally between the three Waterside Ward councillors

for spend on appropriate capital projects.

**REASON**

*To allocate the Committee's capital programme effectively.*

**29. COMMUNITY INVESTMENT FUND 2018/19**

Members noted the allocations made to date under the Community Investment Fund. Councillor Lord stated that she wished to allocate her uncommitted balance of £2,040 to Colne in Bloom.

**RESOLVED**

That Councillor Lord be asked to complete a Community Investment Fund application form, to be returned to the Housing, Health and Engineering Services Manager for verification.

**REASON**

*To ensure that the bid meets the criteria of the fund.*

**30. REPRESENTATIVES ON OUTSIDE BODIES**

The Committee was asked to consider appointing representatives to a number of outside bodies/organisations.

**RESOLVED**

(1) That the following nominations onto outside bodies be agreed –

Colne First Aiders	Councillor G. Waugh
Hartley Homes Trust	Councillor D. Lord
Luther Greenwood Festival Committee	Councillor N. Butterworth
Trawden and District Agricultural Society	Councillor N. Butterworth

(2) That Councillor P. Foxley no longer be an appointed representative on the Hartley Homes Trust.

**31. ITEMS FOR DISCUSSION**

**(a) Flyposting**

It was reported that the issue of flyposting had become a significant problem in Colne over recent months, particularly regarding the failure to remove posters after events.

It was noted that event organisers needed to apply to Lancashire County Council for permission to place temporary signs on the highway. An example of the application form was circulated at the meeting. This included information on standard conditions that applied and details on the permitted duration.

As a reminder, the rules around displaying temporary signage would be highlighted at the quarterly Events Safety Advisory Group meetings.

**32. 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 9<sup>th</sup> May, 2019 were submitted for information.

**33. MISCELLANEOUS MINUTES**

Minutes of meetings of Friends of Ballgrove, Friends of Alkincoats Park and Pendle Local Nature Reserve Steering Group were submitted for information.

**34. 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) Residents Parking, Calder Street, Colne (07.02.19) (Result of survey)
- (b) Land off Laithe Street, Colne (07.03.19)
- (c) Old Mill sites in the South Valley (04.04.19) (Report on outcome of the meeting)
- (d) 95 Skipton Road, Colne (09.05.19) (Potential problem building)

CHAIRMAN \_\_\_\_\_