

**MINUTES OF A MEETING OF THE
COLNE AND DISTRICT COMMITTEE
HELD AT COLNE TOWN HALL
ON 8TH AUGUST, 2019**

PRESENT –

Councillor G. Waugh – Chairman (In the Chair)

Councillors

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

Co-optees

*T. Clark
C. McBeth
P. Reyner*

Officers in attendance

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

(Apologies for absence were received from M. Thomas (Colne Town Council).)



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

<i>Shiraz Valli</i>	<i>19/0314/FUL Full: Erection of single storey extensions to rear, side (north) and front for Use Class D1 purposes, alterations to windows to all elevations and creation of pedestrian link from School Street at St Bartholomews School, Exchange Street, Colne</i>	<i>Minute No.60(a)</i>
	<i>19/0316/LBC Listed Building Consent: Erection of single storey extension to rear, side (north) and front, alterations to windows to all elevations and creation of pedestrian link from School Street at St Bartholomews School, Exchange Street, Colne</i>	<i>Minute No.60(a)</i>
<i>Brian Curran</i>	<i>19/0375/FUL Full: Erection of single storey dwelling with associated parking at Great Hey Farm, Hill Top, Foulridge</i>	<i>Minute No.60(a)</i>
<i>Claire Bradley</i>	<i>19/0430/FUL Full: Erection of a detached dwelling house with garage at 17 White Lee Avenue, Trawden</i>	<i>Minute No.60(a)</i>

54. MINUTES SILENCE

On behalf of the Committee, the Chairman expressed condolences at the recent death of former Borough Councillor Tony Beckett and paid tribute to his many years of service to the people of Pendle.

The meeting stood in silence for one minute as a mark of respect.

55. DECLARATION OF INTERESTS

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

56. PUBLIC QUESTION TIME

There were no questions from members of the public.

57. MINUTES

RESOLVED

That the Minutes of the meeting held on 4th July, 2019 be approved as a correct record and signed by the Chairman.

58. PROGRESS REPORT

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

59. POLICE ISSUES

No police issues were raised.

60. 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 -

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 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: Location Plan, 2018/29/1B, 2018/29/2B.

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

3. Prior to the commencement of above ground works involved in the erection of the external walls of the building hereby approved samples of external materials of the walls and roof 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 materials.

Reason: These materials are appropriate to the locality and in order to allow the Local Planning Authority to control the external appearance of the development to preserve the significance of the Conservation Area.

4. Notwithstanding any indication on the approved plans or application form the windows and doors of the building hereby approved shall be of timber construction only. Details of the detailed design and finish of the windows and doors shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. The development shall be carried out in strict accordance with the approved details and thereafter any replacement windows and doors shall be in accordance with the approved details.

Reason: In order to preserve the character and appearance of the Conservation Area.

5. The building hereby approved shall only be used for domestic purposes ancillary to the enjoyment of Thornlea.

Reason: For the avoidance of doubt in the interests of highway safety.

6. 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 E & F of Part 1 and Class A 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, appearance of the Conservation Area.

7. No development shall commence 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 entirety 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.

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 would preserve the significance of the Conservation Area and is in accordance with the Pendle Local Plan Part 1: Core Strategy and Trawden Forest Neighbourhood 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.

19/0314/FUL Full: Erection of single storey extensions to rear, side (north) and front for Use Class D1 purposes, alterations to windows to all elevations and creation of pedestrian link from School Street at St Bartholomews School, Exchange Street, Colne for Mosque Secretary Madina Mosque

The Planning, Economic Development and Regulatory Services Manager submitted an update which detailed further comments received and provided a response to each. 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 accordance with the following approved plans: 050_300, 050_304 Rev A, 050_305 Rev A, 050_306 Rev A, 050_307 Rev A, 050_308 Rev A, 050_309 Rev A, 050_310 Rev B.

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

3. Notwithstanding any indication on the approved plans the glazing of the lobby area shall be extended around the corner of the building up to the internal double doors in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of above ground works involved in the erection of the external walls of that extension. The development shall thereafter be carried out in strict accordance with the approved details.

Reason: To protect the significance of the Listed Building.

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:

- 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) Measures to control the emission of dust and dirt during construction
- v) A scheme for recycling/disposing of waste resulting from demolition and construction works
- vi) Details of working hours
- vii) Timing of deliveries
- viii) Measures to ensure that construction, delivery and site operatives' vehicles do not impede access to neighbouring properties.

Reason: In the interest of highway safety.

5. The use of the extensions hereby approved shall not commence unless and until cycle storage facilities have been provided in accordance with a scheme that has been submitted to and approved by the Local Planning Authority. The cycle storage facilities shall be maintained available for cycle storage purposes at all times thereafter.

Reason: For the provision of infrastructure for sustainable forms of transport.

Note: 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 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. The proposed development is acceptable in terms of design, amenity, highway safety and impact upon ecology. 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.

19/0316/LBC Listed Building Consent: Erection of single storey extension to rear, side (north) and front, alterations to windows to all elevations and creation of pedestrian link from School Street at St Bartholomews School, Exchange Street, Colne for Mosque Secretary Madina Mosque

The Planning, Economic Development and Regulatory Services Manager submitted an update which detailed further comments received and provided a response to each. The recommendation to approve the application remained the same.

RESOLVED

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

1. The works approved shall be begun before the expiration of three years from the date of this consent. No later than three days after works first begin on site, written notice shall be given to the Local Planning Authority of the date on which works are first commenced.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and to ensure the Local Planning Authority is informed of the commencement of the first works on the site.

2. The works hereby approved shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers: 050_300, 050_304 Rev A, 050_305 Rev A, 050_306 Rev A, 050_307 Rev A, 050_308 Rev A, 050_309 Rev A, 050_310 Rev B.

Reason: For the avoidance of doubt

3. The works shall not commence unless and until samples of new and replacement external materials to be used in the walls and roofs of the works hereby approved have been submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in strict accordance with the approved materials.

Reason: To protect the significance of the Listed Building.

4. The works shall not commence unless and until details of the glazing system for the lobby has been submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in strict accordance with the approved details.

Reason: To protect the significance of the Listed Building.

5. No stone cleaning or repointing works shall commence unless and until details of those works, including details of the mortar mix, have been submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in strict accordance with the approved details.

Reason: To protect the significance of the Listed Building.

6. All new or replacement rainwater goods, soil pipes and flues shall be cast iron or aluminium and finished in black, details of any new or replacement rainwater goods, soil pipes and flues shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. The works shall thereafter be carried out in strict accordance with the approved details.

Reason: To protect the significance of the Listed Building.

7. Details of all new and replacement window frames and doors and rooflights, including cross-sectional plans and/or samples, and details of finish and colour, shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. The works shall thereafter be carried out in strict accordance with the approved details.

Reason: To protect the significance of the Listed Building.

8. Details of the proposed pedestrian access gate to School Street, including the design of the gate and gateposts and the materials and finishes, shall be submitted to and approved in writing by the Local Planning Authority prior to the works to form the pedestrian access. The works shall thereafter be carried out in strict accordance with the approved details.

Reason: To protect the significance of the Listed Building.

9. The works shall only be carried out in strict accordance with the recommendations of Dawn and Dusk Emergence Bat Survey Reports received 23/07/2019. A Bat Method Statement in accordance with the reports' recommendations shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the works. The works shall be carried out and thereafter maintained in strict accordance with the approved method statement.

Reason: To ensure protection of the habitat of protected species.

REASON

In accordance with Section 66 of the Planning (Listed Buildings and Conservation) Act 1990, special regard has been made to the desirability of preserving the special historic or architectural interest of the building. The minor harm to the significance of the Listed Building would be outweighed by the public benefits of the works and as such there is no reason to refuse consent.

19/0375/FUL Full: Erection of single storey dwelling with associated parking at Great Hey Farm, Hill Top, Foulridge for Mr Brian Curran

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 building shall be occupied for holiday purposes only:
 - (1) the building shall not be occupied as a person's sole or main place of residence.
 - (2) the owner/operator shall maintain an up-to-date register of the names of all residents of the unit and their main home addresses, and shall make this information available at all reasonable time to the Local Planning Authority.

Reason: In order to ensure the proper control of the use of the holiday units and to prevent the establishment of permanent residency.

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

ADM/19/15/03, ADM/19/15/02 and ADM/19/15/01.

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

4. Prior to the commencement of the development samples of all the external materials to be used in the development, including roofing, wall cladding, doors, windows and decking 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 enable the Local Planning Authority to control the materials to be used on the proposed development and ensure that they are appropriate for this location.

5. Prior to the commencement of development details of a scheme of 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 unit is first occupied.

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

6. The proposed development shall not be brought into use unless and until the car parking provision has been constructed, surfaced, sealed, drained and marked out in accordance with approved plan ADM/19/15/02. The two parking spaces and turning area shall thereafter always remain unobstructed and available for parking and turning purposes.

Reason: In order to provide sufficient off street parking for the development in the interests of highway safety.

7. Notwithstanding the provisions of Article 3 and Parts 1 and 2 of the Second Schedule of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or 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,B and C of Part 2 of Schedule 2 of that Order shall be carried out without the 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 setting of the Open Countryside.

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 erection of a holiday let is acceptable in this location in terms of impact on the open countryside subject to appropriate conditions. 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.

19/0430/FUL Full: Erection of a detached dwelling house with garage at 17 White Lee Avenue, Trawden for Mr S. Hardman

The Planning, Economic Development and Regulatory Services Manager submitted an update report which summarised additional objections received following submission of amended plans. The recommendation to approve remained the same.

RESOLVED

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

REASON

To allow for a site visit.

19/0453/ADV Advertisement Consent: Retention of 1 x freestanding non-illuminated advertisement board (Retrospective) at Lidgett, Skipton Old Road, Colne for Mr R. McDermott

The Planning, Economic Development and Regulatory Services Manager submitted an update which reported receipt of three additional responses objecting to the application which had been received following submission of amended plans. The comments of Colne Town Council and Lancashire County Council Highways were also reported. The recommendation to grant advert consent remained the same.

RESOLVED

That advertisement consent be **granted** subject to the following conditions –

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

01A.

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

2. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the land entitled to grant permission.

Reason: Condition imposed by the Regulations.

3. No advertisement shall be sited or displayed so as to -
- a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
 - c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

Reason: Condition imposed by the Regulations.

4. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: Condition imposed by the Regulations.

5. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason: Condition imposed by the Regulations.

6. Where an advertisement is required under these Regulations to be removed, the site shall be left in condition that does not endanger the public or impair visual amenity.

Reason: Condition imposed by the Regulations.

REASON

The signage scheme is acceptable and would not adversely impact on amenity or highway safety.

(b) Appeals

The Planning, Economic Development and Regulatory Services Manager submitted a report which advised the Committee of three appeal decisions.

61. 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.

(b) Enforcement action

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

A verbal update was given with regard to a number of cases listed.

(c) Hubbs House Farm, Colne

It was noted that there had been further fires on land associated with Hubbs House Farm, Colne. Information on activity being carried out had been reported to the County Council as appropriate.

(d) Persimmon Homes Site, Knotts Drive, Colne

A question was asked about the access to the new builds on the Persimmon Homes site development. It was reported that vehicles were currently gaining access via Knotts Drive and it was thought that this may be in breach of the planning conditions.

The Planning, Economic Development and Regulatory Services Manager advised that he would look into the matter.

62. 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.

The report included two bids for consideration as follows –

- Improvements to Footpath 79 at Boulsworth Drive, Trawden - £750
- New plaque at Colne War Memorial to commemorate John William Stell - £500

RESOLVED

- (1) That a total of £375 be allocated towards improvements to Footpath 79 at Boulsworth Drive, Trawden and this be funded equally by the capital funds of Councillor S. Cockburn-Price, M. Foxley and P. Foxley.
- (2) That Trawden Forest Parish Council be requested to contribute the remaining £375 for improvements to Footpath 79 at Boulsworth Drive, Trawden.
- (3) That the Engineering Manager be requested to obtain further estimates for the new plaque at Colne War Memorial and also be asked to provide additional details on John William Stell. In the meantime funding of up to £500 be allocated from the Committee's capital programme for the project.

REASON

To allocate the Committee's capital programme effectively.

63. COMMUNITY INVESTMENT FUND 2018/19

Members noted the allocations made to date under the Community Investment Fund.

64. ENVIRONMENTAL CRIME

The Environmental Services Manager submitted a report which informed Members of the environmental crime action for 1st April to 30th June, 2019 in the Colne and District area along with annual totals for 2019/20.

65.

VACANT HOUSES

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

It was noted that, in previous years, the vacant houses report had provided details of the empty properties. This was no longer the case following a case in which an authority received a substantial fine for releasing such information.

As these details were considered important to Members it was felt that future agendas should include a Part 2 during which the public and press would be excluded.

RESOLVED

- (1) That the Housing, Health and Engineering Services Manager be asked to provide details of empty properties in future vacant houses reports and this be considered under Part 2 of the agenda, during which the public and press be excluded.
- (2) That a similar request for additional details be put to the authors of other Colne and District Committee standing information reports that have had details restricted by General Data Protection Regulations (GDPR).

REASON

For information.

66.

95 SKIPTON ROAD, COLNE

The Planning, Economic Development and Regulatory Services Manager submitted a report for Members to consider whether to add 95 Skipton Road, Colne to the Committee's list of problem sites.

RESOLVED

That 95 Skipton Road, Colne be added to the Committee's list of problem sites.

REASON

To ensure the site is monitored.

67.

**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 4th July, 2019 were submitted for information.

It was noted that, in response to an invitation, the Community Safety Partnership (CSP) had appointed Craig McBeth as their representative on Colne and District Committee.

Mr McBeth had been in attendance at two meetings of this Committee and contributed to debate. However his comments were his own views on matters and did not represent the views of the

CSP, the body he had been co-opted to represent.

RESOLVED

That the co-optation of Craig McBeth be revoked and the Colne Community Safety Partnership be invited to appoint an alternative representative.

REASON

To give the CSP the opportunity to appoint a co-optee that will represent the views of the Partnership at future meetings of this Committee.

68. MISCELLANEOUS MINUTES

Minutes of meetings of Friends of Greenfield Local Nature Reserve held on 16th April and 23rd July, 2019 were submitted for information.

69. 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) Land at Lenches Road, Colne (04.07.19)
- (e) Former Public Conveniences – Colne Bus Station (04.07.19)

CHAIRMAN _____