

**MINUTES OF A MEETING OF THE
COLNE AND DISTRICT COMMITTEE
HELD AT COLNE TOWN HALL
ON 10TH OCTOBER, 2019**

PRESENT –

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

Councillors

*D. Clegg
S. Cockburn-Price
V. Fletcher
M. S. Foxley
P. Foxley
A. R. Greaves
A. Mann
N. McCollum*

Co-optees

*E. J. MacDonald
P. Howarth*

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, D. Lord, S. Petty and G. Waugh.)



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

<i>Jerry Stanford Hannah Walker</i>	<i>19/0577/VAR Full: Major: Variation of Condition: Vary Condition 17 of Planning Permission 13/14/0580P off-site highway works – pedestrian improvements at Castle Road and puffin crossing at Keighley Road are no longer deemed necessary or justified for the development or in accordance with the tests set out in the NPPF and NPPG at land to the east of Windermere Avenue, Colne</i>	<i>Minute No. 92(a)</i>
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87. DECLARATION OF INTERESTS

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

88. PUBLIC QUESTION TIME

- Mr Pelter referred to his attendance at the last meeting of this Committee and asked what action had been taken with regard to his concerns. The matters raised continued to be an issue, in particular the failure to clean grates in the road/blocked drains. The roundabout at North Valley Road and Byron Road was referred to as an area that flooded.

Mr Pelter was advised that his concerns had been referred to the local County Councillor as agreed by the Committee and was provided with the relevant contact details for him to follow up if required.

- Ms Ashley expressed concern at the way in which a recent planning application for change of use to premises on Greenfield Road, Colne was being dealt. She asked whether the application was due to be considered by the Committee at any point.

The Committee agreed to ask the Planning, Economic Development and Regulatory Services Manager to refer the application to a future meeting of this Committee for determination.

89. MINUTES

RESOLVED

That the Minutes of the meeting held on 5th September, 2019 be approved as a correct record and signed by the Chairman.

90. PROGRESS REPORT

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

The Committee acknowledged that the complaints in relation to the Woodhead Brothers Factory had been passed to the Environment Agency to investigate. However, it was felt that more action was needed.

RESOLVED

That representatives from the Environment Agency and Woodhead Brothers be invited to meet with the Committee.

REASON

To discuss the ongoing concerns regarding noise and odour relating to the Woodhead Brothers Factory.

91. POLICE ISSUES

Members expressed their thanks to the police and the Council's Anti-Social Behaviour Officer for their work in tackling the issue of youth anti-social behaviour in the vicinity of Sainsbury's and McDonald's, Colne.

92. PLANNING APPLICATIONS

(a) Applications to be determined

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

19/0577/VAR Full: Major: Variation of Condition: Vary Condition 17 of Planning Permission 13/14/0580P off-site highway works – pedestrian improvements at Castle Road and puffin crossing at Keighley Road are no longer deemed necessary

or justified for the development or in accordance with the tests set out in the NPPF and NPPG at land to the east of Windermere Avenue, Colne for McDermott Homes Ltd

An update which reported receipt of additional comments in support of the officer report was submitted for consideration. It was recommended that a decision to grant consent be delegated to the Planning, Economic Development and Regulatory Services Manager.

RESOLVED

That the Planning, Economic Development and Regulatory Services Manager be delegated authority to grant consent subject to the following conditions –

1. Within two months of the date of this decision a planning obligation pursuant to Section 106 of the Town and Country Planning Act 1990 (or any subsequent provision equivalent to that Section) relating to the land has been made and lodged with the Local Planning Authority and the Local Planning Authority has notified the person(s) submitting the said planning obligation in writing that it is to the Local Planning Authority's approval. The said planning obligation will provide for off-site highway works, contributions towards bus services for five years, preparation and support of a Travel Plan, cycle track provision, contribution towards air quality action plan, pump house refurbishment and the provision of 10% affordable dwellings on site.

Reason: In order for the development to contribute towards the supply of affordable housing, ensure the provision of an accessible bus services and offset the impact of the development on the highway network and air quality.

2. Within two months of this decision notice a plan and written-brief detailing the proposed phasing of the site shall have been submitted to and approved in writing by the Local Planning Authority. Such detailing shall include details of the works involved in each phase and how each phase is to be completed in terms of the completion of roads, including access to the first site compound in accordance with Lancashire County Council specification to at least base course level, building operations, foul and surface water sewers and landscaping. The approved scheme shall thereafter be carried out in accordance with the plan and brief.

Reason: To secure the proper development of the site in an orderly manner.

3. The development shall be carried out in strict accordance with the drainage scheme submitted to and approved in writing by the Local Planning Authority on the 4th April, 2019. The drainage shall be provided in accordance with the approved details before the development is completed, and maintained and managed thereafter in strict accordance with measures agreed as part of the scheme.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

4. The development shall be carried out in strict accordance with the programme of archaeological works submitted to and approved in writing by the Local Planning Authority on the 4th April, 2019.

The works shall be undertaken in accordance with the approved details. A written record of any archaeological works undertaken shall be submitted to the Local Planning Authority

within 3 months of the completion of any archaeological investigation unless an alternative timescale for submission of the report is first agreed in writing with the Local Planning Authority.

Reason: To ensure that an appropriate recording is undertaken of any archaeological interest on the site.

5. The development shall be carried out in strict accordance with the Construction Method Statement submitted to and approved in writing by the Local Planning Authority on the 4th April, 2019.

Reason: To ensure that adequate measures are in place to protect the environment during the construction phases.

6. The development shall be carried out in strict accordance with the full details of tree protection measures for trees and hedgerows to be retained submitted to and approved in writing by the Local Planning Authority on the 4th April, 2019 and retained throughout the course of development until completion.

Reason: To protect the existing trees and hedgerows to be retained on the site during the course of the development.

7. The development shall be carried out in strict accordance with the detailed proposals for the incorporation of features into the scheme including all recommended mitigation and ecological enhancement measures and those suitable for use by breeding birds and roosting bats, as detailed in Sections 5.4 and 5.6 of the 'Ecological Survey and Assessment' report prepared by ERAP Ltd (Consultant Ecologists) (October 2014), the Addendum Report on Great Crested Newts ref: 2014_263c and the Hedgerow and Ecological Addendum 2015 submitted to and agreed in writing with the Local Planning Authority on the 4th April, 2019. The agreed measures shall be permanently installed in accordance with approved details prior to the first occupation of the development hereby approved and retained thereafter.

Trees and shrubs planted shall comply with BS.3936 (Specification of Nursery Stock) and shall be planted in accordance with BS.4428 (General Landscape Operations).

Reason: To ensure protection of the habitat of species protected under the Wildlife & Countryside Act 1981.

8. The development shall be carried out in strict accordance with the Landscape and Habitat Creation Management Plan, in accordance with Section 5.8 of the 'Ecological Survey and Assessment' report prepared by ERAP Ltd (Consultant Ecologists) (October 2014) and the Hedgerow and Ecological Addendum 2015 submitted to and approved in writing by the Local Planning Authority on the 4th April, 2019.

The agreed Plan shall be implemented in full, in accordance with the timescales indicated in the approved scheme.

Reason: To ensure protection of the habitat of species protected under the Wildlife & Countryside Act 1981.

9. The development shall be carried out in strict accordance with the Management Plan providing full details for all of the non-adopted areas of the site, to include the timing of,

provision, and a schedule of maintenance, shall be submitted to and agreed in writing by the Local Planning Authority on the 4th April, 2019.

The maintenance of the non-adopted areas shall at all times thereafter be undertaken in accordance with the approved scheme.

Reason: To ensure that the areas of land on site are provided and thereafter maintained in an appropriate manner.

- 10.** Tree felling, vegetation clearance works (including grassland clearance) or other works that may affect nesting birds, including ground-nesting birds, shall not be undertaken between the months of March to August inclusive unless the absence of nesting birds has been confirmed by further survey or inspections. Such surveys shall be carried out by a suitably qualified and experienced ecologist. If nesting birds (or dependant young) are found to be present, works in the area shall be delayed until such time as nesting is complete and the young have fledged. Completion of nesting shall be confirmed by a suitably qualified person and a report submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any nesting birds are not disturbed or adversely affected by this development.

- 11.** The development shall be carried out in strict accordance with the Invasive Species Management Plan detailing eradication and/or control and/or avoidance measures for Himalayan Balsam and Japanese Knotweed shall be submitted to and agreed in writing by the Local Planning Authority on the 10th April, 2019.

Reason: To prevent the possible spread of these invasive species on and outside of the site.

- 12.** The development shall be carried out in strict accordance with the management (including maintenance) of the open space areas submitted to and agreed in writing by the Local Planning Authority on the 4th April, 2019.

The approved scheme for open space areas shall be carried out in full accordance with the agreed scheme before the first dwelling is occupied.

Subsequent management and maintenance of the open space areas shall be carried out in accordance with the approved scheme.

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

- 13.** Demolition or construction works shall not take place outside the hours of 8:00 and 18:00 on weekdays and 8:00 - 13:00 on Saturdays, nor at any time on Sundays, Bank or Public Holidays.

Reason: In the interests of residential amenity and to safeguard local residents from noise and disturbance.

- 14.** The development shall be carried out in strict accordance with the lighting design strategy for the development submitted to and approved in writing by the Local Planning Authority on the 4th April, 2019.

Reason: To provide an appropriate scheme of lighting for the site in the interests of ecology.

15. No dwelling shall be occupied unless and until the off-site highway works shown in the following plans have been constructed in accordance with those plans and any phasing information provided:

3344 bus stops fig 5 (only those shown on Venables Avenue); 3344 tactile paving at the existing pedestrian crossing points on all arms of the roundabout which includes Keighley Road, Byron Road and Skipton Old Road and 3344 upgrade zebra crossing to signalised crossing on Byron Road, 40m east of Venables Avenue as shown on plan 2728-D001 A.

Reason: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.

16. The development hereby permitted shall be carried out in accordance with the following approved plans: 754.000A, 754.400A Rev 1, 3344 Skipton Old Road dated 10/02/2015, 3344 Windermere Ave Access dated 28/10/2014.

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

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 development is compliant with the aims of the Local Plan Part 1 and saved Policies of the Replacement Pendle Local 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 three new appeals.

93. 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.

A discussion was held in relation to a number of specific cases detailed in the report.

RESOLVED

- (1) That the Planning, Economic Development and Regulatory Services Manager be requested to add Christ Church School, Colne to the list of outstanding enforcements in respect of the failure to comply with conditions relating to the roof.
- (2) That a meeting be arranged with the owners of Land off Laithe Street, Colne.

REASON

- (1) To allow progress to be monitored.**
- (2) To discuss the future of the site.**

(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 Langroyd Hall, Langroyd Road, Colne.

(c) Hubbs House Farm, Colne

There was no further information to report on Hubbs House Farm, Colne.

(d) Persimmon Homes Site, Knotts Drive, Colne

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

94. 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 the following two bids for consideration –

- Works to parapet wall to the rear of 10-13 Winewall Road and 3-11 Holme Street, Trawden - £2,000
- Tree on Blucher Street, Colne - £1,250

Further information regarding the tree on Blucher Street, Colne was considered at minute 97.

RESOLVED

- (1) That Trawden Forest Parish Council be requested to match fund the cost of works to the parapet wall to the rear of 10-13 Winewall Road and 3-11 Holme Street, Trawden and, if agreed, a contribution of £1,000 be allocated from this Committee's capital programme.
- (2) That consideration of the funding request for the tree on Blucher Street, Colne be deferred to a future meeting of this Committee.

REASON

- (1) To allocate the Committee's capital programme effectively.**
- (2) To allow for further information (see minute 97).**

95. COMMUNITY INVESTMENT FUND 2018/19

Members received details of the uncommitted Community Investment Fund (CIF) allocations and were advised that, further to a decision of the Policy and Resources Committee, all CIF allocations must be made no later than the November round of area committees. Any unallocated funds would be referred to the 21st November, 2019 Policy and Resources Committee meeting.

96. ENVIRONMENTAL BLIGHT

The Housing, Health and Engineering Services Manager submitted a report on environmental blight sites in the Colne and District area.

RESOLVED

That land off Skipton Road roundabout, Colne be removed from the Committee's list of environmental blight sites.

REASON

The site is no longer a blight on the area.

97. TREE ON BLUCHER STREET, COLNE

The Housing, Health and Engineering Services Manager submitted a report for Members to consider whether to remove the tree outside 12 Blucher Street, Colne and replace with a smaller container tree.

The Committee discussed the potential consequences of removing trees that were situated close to property and agreed that the effects may be dependent on the type of tree that was to be removed.

RESOLVED

That the Housing, Health and Engineering Services Manager be requested to submit an update report to the next meeting of this Committee, providing details of the tree species and the potential effects its removal could have on nearby properties.

REASON

For further information.

98. 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 5th September, 2019 were submitted for information.

99. 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 (awaiting further information) (05.09.19)

CHAIRMAN _____