

**MINUTES OF A MEETING OF
BARROWFORD AND WESTERN PARISHES COMMITTEE
HELD AT HOLMFIELD HOUSE
ON 10TH OCTOBER, 2019**

PRESENT

Councillor C. Wakeford – Vice-Chairman (in the Chair)

Councillors

*B. Newman
K. Turner*

Co-optees

*A. Stringer – Barrowford Parish Council
N. Goodall – Wheatley Booth Parish Council
M. Tetley - Higham with West Close Booth Parish Council
K. Wilkinson – Goldshaw Booth Parish Council
D. Heap – Barley with Wheatley Booth Parish Council
N. Hodgson – Blacko Parish Council*

Officers in Attendance

*S. Guinness
A. Cameron
J. Eccles*

*Chief Financial Officer
Planning Officer
Committee Administrator*

(Apologies were received from A. Walker and Councillors L. M. Crossley, C. Lioni and N. McEvoy.)



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

*Peter Williams 19/0428/FUL – Full: Conversion of stone barns Minute No. 63
to four residential dwelling houses at Spencer
House Farm, 262 Wheatley Lane Road. Fence*

*Claire Bradley 19/0622/FUL – Full: Change of use from vehicle Minute No. 63
garage and 1 residential dwelling to 6 No. 1 bed
residential units and associated external
alterations at 213/215 Gisburn Road, Barrowford*

59.

DECLARATION OF INTERESTS

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

60.

PUBLIC QUESTION TIME

A resident from Fence was concerned that the drains on country lanes in the area were not being cleared. She gave an example of the road from Croft Top to Wheatley Lane Road where 9 drains were blocked and in danger of being covered up.

The Vice-Chairman said that this was the responsibility of Lancashire County Council. The drains were cleared at least once a year, but said that any blocked drains should be reported as soon as possible, so that appropriate action could be taken. This could be done via County

Councillors or preferably using the Highways Report It system on the County Council's website. He said he would take the matter up with County Council.

61. MINUTES

RESOLVED

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

62. POLICE AND COMMUNITY SAFETY ISSUES

Members considered the following crime statistics for September which had been circulated prior to the meeting –

	2018	2019
Burglary - Residential	4	2
Burglary - Commercial	1	0
Vehicle Crime	1	5
Hate Crime	0	0
Assaults	4	4
Theft	9	3
Criminal Damage/Arson	6	4
Other Crime	10	17
ALL CRIME	35	35
Anti-Social Behaviour	10	13

PC Dibb reported on recent crimes including the theft of a motor home from Higham and an increase in the theft of catalytic converters. He was pleased to report that 2 people had been arrested in connection with the latter crime. He gave some initial outcomes from an ongoing operation on rural crime and said he would be able to give more detail at the next meeting.

There had been an issue with youths coming into Barrowford in the evening from Colne and Nelson. An operation had been carried out on Friday evening in association with Trading Standards and Licensing. A Barrowford off-licence had failed the test. Appropriate action and training would be taken, but hopefully this would help to reduce anti-social behaviour going forward.

63. PLANNING APPLICATIONS

(a) Planning applications to be determined

The Planning, Economic Development and Regulatory Services Manager submitted a report on the following planning applications for determination -

19/0428/FUL Full: Conversion of stone barns to four residential dwelling houses at Spencer House Farm, 262 Wheatley Lane Road, Fence for Mr N. Rycroft

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

An update had been circulated prior to the meeting with amended plans reducing the double garages to a single garage and increased the width of the access to 4.5m for the first 5m.

Members were advised that this provided acceptable access and provision of parking for up to nine cars, in accordance with the parking standards of the Replacement Pendle Local Plan. The recommendation remained to approve.

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:
1:1250 plan, 103, 100, 101, 102, 203C, 200A, 204A, 201A, 202A & 205A.

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

3. Notwithstanding the provisions of Article 3 and parts 1 and 2 of the second Schedule of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development as specified in Classes A, B, C, D & E(a) of Part 1 and Class A and B 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.

Part 1

- A) no extensions shall be erected
- B) no addition or alterations to roof
- C) no other roof alterations

Part 2

- A) no gate, wall or means of enclosure
- B) no means of access shall be constructed to the curtilage of the building(s)
- D) no porches shall be erected
- E(a)) no buildings, enclosures, swimming or other pools shall be erected or constructed within the curtilage of the building

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

3. A scheme for the disposal of foul and surface waters shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. The scheme shall provide separate systems for foul and surface waters and shall be constructed and completed in accordance with the approved details before any dwelling is occupied and shall thereafter be retained.

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

4. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority.

Reason: In order to satisfy the Local Planning Authority that the final details of the highway scheme/works are acceptable before work commences on site.

5. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority.

Reason: In order to satisfy the Local Planning Authority that the final details of the highway scheme/works are acceptable before work commences on site.

6. 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
- v) Wheel washing facilities
- vi) Measures to control the emission of dust and dirt during construction
- viii) Details of working hours
- ix) Routing of delivery vehicles to/from site
- x) Timing of deliveries
- xi) Measures to ensure that construction and delivery vehicles do not impede access to neighbouring properties.

Reason: In the interest of highway safety.

7. There shall not at any time in connection with the development permitted be erected or planted or allowed to remain upon the land hereinafter defined any building, wall, fence, hedge, tree, shrub or other device over 0.9m above road level. The visibility splay to be the subject of this condition shall be that land in front of a line drawn from a point 2.4m measured along the centre line of the proposed road from the continuation of the nearer edge of the carriageway of Wheatley Lane Road to points measured 43m in each direction along the nearer edge of the carriageway of Wheatley Lane Road. The visibility splays shall be constructed and maintained at verge/carriageway level in accordance with a scheme to be agreed by the Local Planning Authority.

Reason: To ensure adequate visibility at the site access.

8. Prior to occupation the proposed access from the site to Wheatley Lane Road shall be constructed to a minimum width of 4.5m and this width shall be maintained for a minimum distance of 5m measured back from the nearside edge of the carriageway. Before the access is used for vehicular purposes, that part of the access extending from the highway boundary for a minimum distance of 5m into the site shall be appropriately paved in bound porous material.

Reason: To enable vehicles to enter and leave the site in a safe manner without causing a hazard to other road users and to prevent loose surface material from being carried on to the public highway.

9. Prior to first occupation of the first unit the existing access shall be physically and permanently closed.

Reason: To limit the number of access points to and from the highway.

10. Prior to any external works samples of all the materials to be used on the external elevations of the development including window, doors, surfacing and rainwater goods shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved materials.

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

11. The ground floor windows in the side (western) elevation of the detached one bed unit hereby permitted shall at all times be fitted with obscure glazing to a least level 4 or above unless otherwise agreed in writing by the Local Planning Authority. Any replacement glazing shall be of an equal degree or above or the windows shall be high level and set a minimum of 1.8m above floor level. The window shall be hung in such a way so as to prevent the effect of the obscure glazing being negated by way of opening.

Reason: To ensure an adequate level of privacy to adjacent residential properties.

12. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order, 1995 (or any other order revoking or modifying that Order) the dwellinghouses hereby permitted shall not at any time have any additional windows, doors or other openings inserted in the elevations unless with the prior written consent of the Local Planning Authority as to the location, size and design and if necessary degree of obscurity of the glazing in the new opening and any window thereafter installed shall at all times comply with the details approved.

Reason: To safeguard residential amenity and to ensure an acceptable design for these traditional barn conversions.

13. The windows shall be of timber or aluminium construction with details including paint colour to be submitted to and agreed in writing prior to insertion by the Local Planning Authority. The windows and doors shall be set back from the external wall face of the wall by at least 75mm in depth.

Reason: To ensure a satisfactory appearance to the development.

14. Unless approved in writing by the Local Planning Authority no ground clearance, demolition, changes of level or development or development-related work shall commence until protective fencing, in full accordance with BS 5837: 2012 has been erected around each tree/tree group or hedge to be preserved on the site or on immediately adjoining land, and no work shall be carried out on the site until the written approval of the Local Planning Authority has been issued confirming that the protective fencing is erected in accordance with this condition. Within the areas so fenced, the existing ground level shall be neither

raised nor lowered. Roots with a diameter of more than 25 millimetres shall be left unsevered. There shall be no construction work, development or development-related activity of any description, including the deposit of spoil or the storage of materials within the fenced areas. The protective fencing shall thereafter be maintained during the period of construction.

All works involving excavation of soil, including foundations and the laying of services, within the recommended distance calculated under the BS 5837 (2012) of the trees to be retained on the site, shall be dug by hand and in accordance with a scheme of works which has been submitted to and approved by the Local Planning Authority, prior to the commencement of works.

Reason: To prevent trees or hedgerows on site from being damaged during building works.

15. The development hereby permitted shall not be commenced until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be submitted at a scale of 1:200 and 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 approved form within the first planting season following the substantial completion of the development. Any tree or other planting that is lost, felled, removed, uprooted, dead, dying or diseased, or is substantially damaged within a period of five years thereafter shall be replaced with a specimen of similar species and size, during the first available planting season following the date of loss or damage.

Reason: To ensure that the development is adequately landscaped so as to integrate with its surroundings.

16. The proposed development shall not be brought into use unless and until nine car parking spaces each measuring a minimum of 2.4m x 5m have been constructed, surfaced, sealed, drained and marked out within the site in accordance with details to be first submitted to and agreed in writing by the Local Planning Authority. The parking spaces shall be surfaced in porous materials and shall thereafter always remain unobstructed and available for parking purposes.

Reason: In the interest of amenity and to provide sufficient off-street parking on the site.

17. Before a dwelling unit is occupied waste containers and an appropriate scheme for one vehicle charging point per unit shall be provided on the site.

Reason: To ensure adequate provision for the storage and disposal of waste and ensure future modes of sustainable transport are accommodated.

Notes

1. The grant of planning permission will require the applicant to enter into an appropriate legal agreement (Section 278), with Lancashire County Council as the 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 access to an appropriate standard, including a minimum width of 4.5m, radius kerbs, the re-location of street lighting column 90, a street lighting assessment and the physical closure of the existing site access. 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 developeras@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. The grant of planning permission does not entitle a developer to obstruct or divert a right of way. Public Footpath 102 (Old Laund Booth) may be affected by this development.

19/0477/VAR Full: Variation of Condition: Vary Condition 8 of 16/0621/FUL to extend the permitted hours of use of the outdoor seating area to 10pm at 79-81 Gisburn Rd, Barrowford for The Lounge

RESOLVED

That planning permission be **refused** for the following reason -

1. The increased use of the outside seating area from 20.00 to 22.00 each day and the South Terrace used by smokers until 1am on Fridays would lead to increased noise and activity on the outside terraces to the detriment of the residential amenity of nearby residents.

19/0504/REM Reserved Matters: Major: Formation of access road (Appearance, landscaping, layout and scale) of Outline Planning Permission 17/0672/FUL for the extension to industrial land to accommodate up to ten industrial units with open space, access roads, landscaping and infrastructure with means of access off Churchill Way (Reg. 4) at Land to the south west of Churchill Way for Pendle Borough Council

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

An update had been circulated prior to the meeting reporting that the Lead Local Flood Authority had no objections to the application.

RESOLVED

That the Planning, Economic Development and Regulatory Services Manager be delegated authority **to grant consent** subject to the acceptable resolution of the Environment Agency's objection and the following conditions -

1. This notice constitutes an approval of matters reserved under Condition 2 of Planning Permission No.17/0672/FUL and does not by itself constitute a planning permission.

Reason: The application relates to matters reserved by Planning Permission No. 17/0672/FUL.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: A17-11, E0502 D07.

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

3. No development shall commence unless and 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 and retaining structures with supporting elevations, construction details, materials and colours;
 - e. all proposed hard landscape elements and pavings, including layout, materials and colours;
 - f. the proposed arrangements and specifications for initial establishment 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 and preserve the significance of the listed building Old Laund Hall.

19/0622/FUL Full: Change of use from vehicle garage and 1 residential dwelling to 6 No. 1 bed residential units and associated external alterations at 213-215 Gisburn Road, Barrowford for Mr T. Lord

(A site visit was undertaken 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: 2011-00-F.

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

3. Prior to the commencement of development samples of the materials to be used in the construction of the development hereby permitted (notwithstanding any details shown on previously submitted plan(s) and specification) including fascias, rainwater goods, wall and roof materials, as well as the staircase and screening shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

4. Prior to their installation, details of the design, materials and finishes of the window frames, roof lights 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 the Conservation Area.

5. No development approved by this permission shall be commenced unless and until a scheme for the disposal of foul and surface water has been submitted to and approved by the Local Planning Authority. Such a scheme shall be constructed and completed in accordance with the approved plans.

Reason: To ensure as satisfactory means of drainage.

6. The proposed development shall not be brought into use unless and until the car parking spaces and turning areas have been constructed, surfaced and made available for use in accordance with the approved plan 2011-00-F. The parking spaces and turning area shall thereafter always remain suitably maintained, 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. No part of the development hereby approved shall be commenced unless and until a scheme for the construction of the off-site works of highway improvement has been submitted to and approved in writing by the Local Planning Authority. The works must be completed prior to occupation of the first dwelling.

Reason: In the interest of traffic flow and highway safety.

8. No boundary treatment erected adjacent to the proposed car park shall be greater in height than 0.7m above the crown level of the carriageway of Gisburn Road.

Reason: To ensure adequate visibility at the car park access and in the interests of highway safety.

9. Prior to first occupation each dwelling shall have a secure, covered cycle store provided in accordance with the approved plan 2011-00-F.

Reason: To ensure that the development supports sustainable transport modes.

INFORMATIVE

The grant of planning permission will require the applicant to enter into an appropriate legal agreement (Section 278), with Lancashire County Council as the Highway Authority prior to the start of any development. For the avoidance of doubt works shall include, but not be exclusive to:

Car park access:

- the construction of the access to an appropriate standard including a minimum width of 4.5m,
- 6m radius kerbs,
- buff coloured, tactile paved, dropped pedestrian crossings either side of the access.

Footway reinstatement:

- the construction of the footway to an appropriate standard,
- vehicular crossing kerbing to be reinstated to an appropriate standards,
- the provision of buff coloured, tactile paved, dropped pedestrian crossings either side of Ford Street at its junction with Gisburn Road.

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 developeras@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.

(b) Planning Appeals

The Planning, Economic Development and Regulatory Services Manager reported that there one outstanding appeal.

64. ENFORCEMENT/UNAUTHORISED USES

Enforcement Action

The Head of Legal Services reported that there were no outstanding enforcement items. There had been a number of issues following work starting at Spenbrook Mill. The Planning Officer said that Planning officers had visited the site and breach of condition notices were being prepared by Legal. This would be reported to the next meeting.

65. CAPITAL PROGRAMME 2019/20

The Housing, Health and Engineering Services Manager submitted a report on the Committee's 2019/20 Capital Programme which was noted.

66. COMMUNITY INVESTMENT FUND

Members noted the uncommitted Community Investment Fund allocations detailed on the agenda and were reminded that all CIF allocations had to be made no later than the November round of area committees.

67. ENVIRONMENTAL BLIGHT

The Housing, Health and Engineering Services Manager submitted a report on environmental sites in Barrowford and the Western Parishes area. It was noted that the owners of the garage site at the junction of Nora Street and Higher Causeway would be instructed under Section 154 of the Highways Act to cut back the trees within seven days or that notice would be served.

RESOLVED

That the Housing, Health and Engineering Services Manager be asked to report back to the next meeting on whether the trees at the Nora Street Garage Site had been cut back as instructed.

REASON

To ensure the neighbouring footpath was clear from overgrown vegetation.

68. FORMER BELGARTH CARE HOME

The Planning, Economic Development and Regulatory Services Manager submitted a report on the former Belgarth Care Home which had been vacant for some time, with no sign of the site being brought into use or an alternative use in the near future. The site had been visited and it was noted that it had been broken into and vandalised with a number of windows broken, and was generally in a poor condition. Environmental Health had contacted the owners to secure the site. Planning would contact the owners and offer assistance in bringing the building back into use or consider serving a Section 215 notice to repair the site.

RESOLVED

That the Belgarth Care Home on Wheatley Lane Road, Barrowford be added to the problem sites list and for progress and possible enforcement action to be considered at the next meeting.

REASON

To ensure the site is improved and an optimum future use of the site sought.

69. EXCESS WATER AT CLOUGH SPRINGS, WHEATLEY LAND ROAD

The excess water on the highway at Clough Springs, Wheatley Lane Road was discussed at the last meeting. As requested, officers had made relevant enquiries. It was believed to be caused by a significant collapse at the inlet to the particular section of highway culvert adjacent to Clough Springs, and this was on land which formed part of the site at Clough Springs, currently being developed by GC Construction UK. This made the developer riparian land owner and therefore responsible for clearing the culvert or dealing with the collapse.

Earlier in the day there had been a Making Space for Water meeting with officers from PBC, LCC, EA and UU, when it had been agreed that essentially this was an enforcement issue, with either LCC or PBC needing to contact the developers to ensure that appropriate action could be taken.

RESOLVED

That the Housing, Health and Engineering Services Manager be asked to again contact the relevant authorities to try to get immediate resolution to the problem with excess water on the highway at Clough Springs.

REASON

In the interests of highway and public safety.

Chairman.....