

**MINUTES OF A MEETING OF
BARROWFORD AND WESTERN PARISHES COMMITTEE
HELD AT HOLMFIELD HOUSE
ON 5TH MARCH, 2020**

PRESENT

Councillor L. M. Crossley – Chairman (in the Chair)

Councillors

*C. Lioni
N. McEvoy
B. Newman
K. Turner*

Co-optees

*A. Stringer - Barrowford Parish Council
M. Tetley - Higham with West Close Booth Parish Council
R. Donovan – Goldshaw Booth Parish Council
A. Walker – Roughlee Booth Parish Council
D. Heap – Barley Parish Council
N. Goodall – Old Laund Booth Parish Council*

Officers in Attendance

<i>D. Walker</i>	<i>Environmental Services Manager & Area Co-ordinator</i>
<i>K. Hughes</i>	<i>Principal Development Management Officer</i>
<i>J. Eccles</i>	<i>Committee Administrator</i>

(Apologies were received from Councillor C. Wakeford and N. Hodgson.)



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

<i>R. Slater</i>	<i>19/0767/FUL Outline: Major: Demolition of</i>	<i>Minute No. 117(a)</i>
<i>R. Willoughby</i>	<i>existing farm buildings and erection of up to</i>	
	<i>55,750 sq.m. of commercial development,</i>	
	<i>comprising B1a/b, B1c, B2, B8, and A1</i>	
	<i>(Food)/A3/A5 uses (Access only off Barrowford</i>	
	<i>Road with all other matters reserved) at</i>	
	<i>Wheatley Laithe Farm, Barrowford Road, Fence</i>	

113. DECLARATION OF INTERESTS

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

114. PUBLIC QUESTION TIME

There were no questions from members of the public.

115. MINUTES

RESOLVED

That the Minutes of this Committee, at the meeting held on 6th February, 2020, be approved as a correct record.

116. POLICE AND COMMUNITY SAFETY ISSUES

There was no Police representative at the meeting. Members noted the following crime statistics for February 2020 compared to the same period for the previous year -

	2019	2020
Burglary - Residential	4	2
Burglary - Commercial	7	3
Vehicle Crime	2	0
Hate Crime	0	1
Assaults	8	6
Theft	7	5
Criminal Damage/Arson	4	3
Other Crime	20	18
ALL CRIME	52	38
Anti-Social Behaviour	16	17

117. 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 -

19/0755/OUT Full: Conversion of barn to a single dwelling, formation of domestic curtilage and access track (Resubmission) at Manknows Ing, Barley Lane, Barley for Mr & Mrs Southworth

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: 000 (Submitted 20th January 2020), 001D, 002 and 003E.
Reason: For the avoidance of doubt and in the interests of proper planning.
3. No above ground works shall commence on site unless and until, representative samples of all the external materials to be used in the repairing of the roof and walls and to surface the parking area, together with samples showing the colour and finish of the windows and doors, 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 and details.

Reason: To ensure a satisfactory form of development in the interests of the visual amenity of the area and to maintain the rural character of the building.

4. All windows and doors which form part of this permission shall be of timber construction only and shall be painted not stained in a colour to be first agreed in writing by the Local Planning Authority. Any replacement windows and doors shall be of a timber construction which accord with the agreed details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory form of development in the interests of the visual amenity of the area and to maintain the rural character of the building.

5. Construction of the access track shall be the first form of development on site and prior to its installation, detailed plans including cross sections overviews of its construction, together with a sample of the base material, shall have first been submitted to and approved in writing by the Local Planning Authority and the development shall thereafter proceed in strict accordance with the agreed details.

Reason: To minimise the visual impacts of construction traffic and the access track in relation to the surrounding landscape and AONB.

6. The dwelling hereby approved shall not be occupied unless and until, the parking area as shown on approved plan '001D' has been laid out and made available for use thereafter for the parking of vehicles associated with the occupants of the dwelling.

Reason: To provide adequate parking provision to service the development in the interest of highway safety.

7. No development shall commence on site unless and 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:

- a) A programme of works including phasing and commencement dates;
- b) The parking of vehicles of site operatives and visitors;
- c) The storage of plant and materials used in constructing the development.

Reason: To minimise landscape impacts during the construction phase.

8. Notwithstanding the provisions of Article 3 and parts 1 and 2 of the Second Schedule 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 (Extensions and other alterations), B (Additions to the roof), C (Alterations to the roof), E (Curtilage buildings and Class G (Chimneys, flues etc.) of Part 1 of Schedule 2 and 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 building and surrounding landscape.

9. No development shall commence on site unless and until, a scheme for the disposal of foul and surface waters has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide separate systems for foul and surface waters, be constructed and completed in accordance with the approved details before the dwelling is occupied and thereafter be retained.

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

10. No development shall commence on site unless and 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) All proposals for new planting and turfing indicating the location, arrangement, species, sizes, specifications, numbers and planting densities;
- b) All proposed boundary treatments with supporting elevations and construction details;
- c) An outline specification for ground preparation;
- d) All proposed hard landscape elements and pavings, including layout, materials and colours;
- e) The proposed arrangements and specifications for initial establishment;
- f) 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.

11. The domestic curtilage of the dwelling hereby approved shall be limited to that which is shown on the approved '000 (Submitted 20th January 2020)' and that area shall not be increased at any point.

Reason: To prevent domestic sprawl and minimise the visual impacts of the development in relation to the surrounding landscape and AONB.

12. Details of any external lighting shall have first been submitted to and approved in writing by the Local Planning Authority prior to its installation. Such details shall include the positioning, direction and luminance of all external lighting and all lighting of the development hereby approved shall be installed in strict accordance with the approved details and shall thereafter be maintained as such in perpetuity.

Reason: In order to protect the AONB from adverse light pollution.

13. The dwelling hereby approved shall not be occupied unless and until, the Barn Owl nest box as shown on the approved plan '003E' has been installed in accordance with that plan and shall thereafter be maintained as such in perpetuity.

Reason: In order to minimise the impacts of development on Barn Owl populations.

14. The development hereby approved shall proceed in strict accordance with all of the recommendations contained within the Preliminary Ecological Appraisal carried out by Ian Ryding of Pennine Ecological and dated August 2019 and Dusk Survey Results carried out by Joshua Styles and Mark Pritchard of Tyrer Ecological Consultants Ltd and dated 12th September 2019 (Revised 07th January 2020).

Reason: In order to minimise the impacts of development on local wildlife populations.

15. The chimney shall be reconstructed in its original position and prior to those works being carried out detailed plans of its external construction and samples of external materials 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 details and the dwelling shall not be occupied unless and until the chimney has been externally constructed in its entirety.

Reason: To ensure the original character of the building is not diminished through development.

Informative

1. The development may be served by a private (i.e. non-mains) water supply. The applicant is advised to ascertain the quality and sufficiency of the water supply. If the water is used in a commercial or public activity, or if it is rented to tenants, it must be tested every year by the Council. If there is no commercial or public activity but more than one property uses the same water source, it must be tested by the Council every five years. For further information contact Environmental Health at Pendle Borough Council by telephoning (01282) 661199.

REASON

Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. Subject to appropriate conditions, the proposal would be acceptable in terms of principle, design, the AONB, residential amenity, highways, ecology and drainage. 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.

- 19/0767/FUL **Outline: Major: Demolition of existing farm buildings and erection of up to 55,750 sq.m. of commercial development, comprising B1a/b, B1c, B2, B8, and A1 (Food)/A3/A5 uses (Access only off Barrowford Road with all other matters reserved) at Wheatley Laithe Farm, Barrowford Road, Fence for Pendle Business Park Ltd**

(Before the vote was taken, the Principal Development Management Officer advised that should the application be refused there was a significant risk of costs being awarded against the Council in the event of an appeal. The matter would therefore be referred to the Head of Legal Services and subject to his agreement the decision would stand referred to the Policy and Resources Committee.)

The Principal Development Management Officer submitted an update at the meeting stating that the ecology issues had been satisfactorily resolved; a revised FRA had been submitted; and discussions relating to the timing of highway conditions, phasing of the development and contributions were in progress. Revised conditions were set out with a recommendation to delegate grant consent.

RECOMMENDATION

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

- Impact on highway capacity and safety of the A6068

(b) Planning Applications for comment

The Planning, Economic Development and Regulatory Services Manager submitted a report which invited comments on the following planning application –

19/0952/REM Reserved Matters: Major: Erection of 243 dwelling houses (Use Class C3) (Appearance, Landscaping, Layout and Scale) with associated open space and infrastructure at Land at Trough Laithe, Barrowford Road, Barrowford

RESOLVED

That the Policy and Resources Committee be advised of the following comments from this Committee –

- That the indication from the developer that a hedgerow would be planted in the garden for each house, to help wildlife and drainage, be welcomed.
- That an assurance be sought that the capacity of flood pipes/tanks would be able to accept all water on site without affecting the properties at Lower Clough.
- That the developer be asked to provide a convenience store and medical centre on the business park.
- That County Council be asked to carry out a road safety audit and introduce double yellow lines on Riverside Way, and a car park be created on the business park, leaving access free for the construction vehicles.
- That the new roads provided in Phase 1 should not be used by vehicles in the construction of Phase 2.

(c) Planning Appeals

The Planning, Economic Development and Regulatory Services Manager submitted a report on planning appeals for information.

118. ENFORCEMENT ACTION

The Head of Legal Services submitted a report on enforcement action. There were further complaints about the Spenbrook Mill site, which were occurring on a daily basis and causing problems for local residents. These included fences being left open, road sweeping not being effective, the unloading of goods at inconsiderate times and blocking the side of the road; and not providing adequate parking spaces for the workers on site.

The Principal Development Manager Officer sympathised with residents. She said that officers would visit the site again, would review where they were with the discharge of conditions in discussion with other Departments, and would take appropriate action so that the developer made the necessary improvements on site.

119. CAPITAL PROGRAMME 2019/20

The Housing, Health and Engineering Services Manager submitted a report on the Committee's 2019/20 Capital Programme. The balance stood at £3,476.

Members considered the following bid which had been deferred from the last meeting –

- Goldshaw Booth Parish Council - £3,000 towards the purchase of two defibrillators

RESOLVED

That £3,000 be allocated from the Committee's 2019/20 Capital Programme to Goldshaw Booth Parish Council towards the purchase of two defibrillators.

REASON

To enable the Capital Programme to be allocated efficiently and effectively.

120. TRAFFIC LIAISON MEETING

The minutes of the Traffic Liaison Meeting held on 12th February 2020 were submitted for information.

121. PROBLEM SITES

The Planning, Economic Development and Regulatory Services Manager submitted a report on problems sites in Barrowford and Western Parishes for information.

122. EXCESS SURFACE WATER NEAR CLOUGH SPRINGS DEVELOPMENT

There were continuing problems with water on the highway at this site, and it had been particularly bad in the recent wet weather. Members were concerned about highway safety.

It was reported that the responsible party for the watercourse was the owner of the Clough Springs site, not the ongoing development. Pendle Council (PBC) officers had made attempts to contact the management company for Clough Springs and the land owner themselves, but had not received any response, as yet.

Lancashire County Council (LCC) and Electricity North West were aware of the situation and had the power to serve notice to gain access to the land to undertake the work. However, there was an indication at the meeting that this might not be necessary as the owner was known by a Committee member, contactable and likely to allow access.

The LCC Flood Risk Management Team had submitted a bid to the 2020/21 Capital Programme for £15k for works that would potentially include a new inlet, headwall, trash screen and maintained access to the watercourse.

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There was a Making Space for Water meeting on 12th March with officers from PBC, LCC, the Environment Agency and United Utilities and PBC officers would be pressing for the necessary works to go ahead as soon as possible.

Chairman.....