

**MINUTES OF A MEETING OF
WEST CRAVEN COMMITTEE
HELD AT LINDEN ROAD SENIOR CITIZENS' CENTRE, EARBY
ON 6TH JULY 2021**

PRESENT –

Councillors

*M. Adams
R. E. Carroll
M. Goulthorp
J. Purcell
D. M. Whipp
T. Whipp*

Co-optees

*C. Carter, Earby Town Council
M. Whittingham, Barnoldswick Town Council
G. Wilson, Kelbrook and Sough Parish Council*

Officers Present

<i>D. Walker</i>	<i>Environmental Services Manager (Area Committee Co-ordinator)</i>
<i>N. Watson</i>	<i>Planning, Economic Development and Regulatory Services Manager</i>
<i>J. Eccles</i>	<i>Committee Administrator</i>

(Apologies were received from C. Pollard.)



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

<i>Debbie Richardson</i>	<i>21/0399/PIP Permission in Principle: Erection of up to 9 No dwellings at Land off Cob Lane and Old Stone Trough Lane, Kelbrook</i>	<i>Minute No. 27(a)</i>
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21. APPOINTMENT OF CHAIRMAN

RESOLVED

That Councillor R. E. Carroll be appointed Chairman of this Committee for the municipal year 2021/22.

(Councillor R. E. Carroll – Chairman, in the Chair)

22. APPOINTMENT OF VICE-CHAIRMAN

RESOLVED

That Councillor J. Purcell be appointed Vice-Chairman of this Committee for the municipal year 2021/22.

23. DECLARATIONS OF INTEREST

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

24. PUBLIC QUESTION TIME

There were no questions from members of the public.

25. MINUTES

RESOLVED

That the Minutes of this Committee, at the meeting held on 8th June 2021, be approved as a correct record.

26. POLICE AND COMMUNITY SAFETY ISSUES

There was no Police representative available for the meeting. The crime figures for June 2021 compared to the same period in 2020 had been circulated prior to the meeting and were broken down as follows –

	2020	2021
Burglary - Residential	2	2
Burglary - Commercial	0	0
Vehicle Crime	8	4
Hate Crime	0	0
Assaults	11	15
Theft	6	8
Criminal Damage	9	8
Other Crime	38	27
ALL CRIME	74	64
Anti-Social Behaviour (ASB)	42	41

There were concerns raised again about speeding vehicles along Gisburn Road and Skipton Road in Barnoldswick. Also traffic offences being caused by vehicles parking too close to junctions obscuring vision at the following locations –

- Church Lane/A56 junction in Kelbrook
- B6251/A56 junction coming into Foulridge

It was suggested that the Kelbrook problem was due to Euravia staff parking there. In Foulridge the issue was people parking for quick convenient access to the shops in that location.

RESOLVED

- (1) That the request for speed cameras along Skipton Road and Gisburn Road in Barnoldswick be reiterated and the Police be asked to undertake speed checks along these stretches of road.

- (2) That a letter be sent to Euravia asking them to request their staff not to park so close to the Church Lane/A56 junction in Kelbrook and the Police be asked to check this junction and the one at B6251/A56 Foulridge, for highway safety offences taking place.

27. PLANNING APPLICATIONS

(a) Planning applications for determination

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

21/0242/FUL Full: Major: Conversion of former St Andrews Sunday School into 13 No. apartments at St. Andrews Methodist Church, Mosley Street, Barnoldswick for Barnoldswick Development Co.

This application was deferred from June's Committee meeting in order for the applicant to be requested to explore the possibility of providing off-street car parking.

An update was circulated prior to the meeting reporting that the possibility of provision of off-street parking had been investigated. The developer had made a request to use spaces on the Rainhall Road car park 75m from the site. Parking at that distance would not usually be considered to be close enough to adequately serve a dwelling. However, the recommendation remained that, taking into account the parking demand that could be generated by lawful uses of the existing building and the proximity to the centre of Barnoldswick, dedicated off-street parking was not necessary.

A bat survey had also been received which had found no evidence of use of the building by bats.

RESOLVED

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

1. The proposed development makes no provision of off-street car parking, the development would therefore lead to an increase in on-street car parking in the surrounding streets to the detriment of the free flow of traffic and resulting in unacceptable impacts to highway safety contrary to Policy ENV4 of the Pendle Local Plan Part 1: Core Strategy, Policy 31 of the Replacement Pendle Local Plan and paragraphs 108-110 of the National Planning Policy Framework.

21/0399/PIP Permission in Principle: Erection of up to 9 No dwellings at Land off Cob Lane and Old Stone Trough Lane, Kelbrook for YLBD

An update circulated prior to the meeting pointed out that the report stated that press and site notices had been posted. This was a typographical error, no press or site notice had been posted. No press notice was required by the Permission in Principle regulations, however upon further consideration of the regulations a 14 day site notice was required.

It was therefore recommended that the approval of the application be delegated to the Planning, Economic Development and Regulatory Services Manager subject to further publicity being carried out.

RESOLVED

That consideration of this application be **deferred** to the next meeting to allow time to seek legal advice on the process of determination.

21/0412/FUL Full: Variation of Condition: Vary Condition 2 (Approved Plans) of Planning Permission 16/0617/FUL at Ambulance Station, Brogden View, Barnoldswick for Mr Graham Harker

RESOLVED

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

1. The proposed development hereby permitted shall be begun before the 28th September, 2020 or as extended by the Business and Planning Act 2020 to the 1st May, 2021.

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:

ADM/16/26/01 Rev. C, ADM/16/26/04 Rev. A, ADM/16/26/05 Rev B and ADM/16/26/07 Rev B.

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

3. The remediation measures shall implemented in strict accordance with the detail submitted and agreed on the 5th February, 2020 and shall thereafter be carried out in accordance with the approved implementation timetable under the supervision of a geotechnical professional and shall be completed in full accordance with the agreed measures and timings, unless otherwise agreed in writing by the Local Planning Authority.

In addition, prior to commencing construction of any building, the developer shall first submit to and obtain written approval from the Local Planning Authority a report to confirm that all the agreed remediation measures have been carried out fully in accordance with the agreed details, providing results of the verification programme of post-remediation sampling and monitoring and including future monitoring proposals for the site.

Reason: In order to protect the health of the occupants of the new development and/or in order to prevent contamination of the controlled waters.

4. The drainage scheme shall be carried out in strict accordance with the approved details submitted and agreed on the 5th February, 2020 unless otherwise agreed in writing with the Local Planning Authority.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

5. The Construction Code-of-Practice method statement shall be carried out in strict accordance with the details submitted and agreed on the 5th February, 2020 unless otherwise agreed in writing by the Local Planning Authority.

The Construction Code-of-Practice should be compiled in a coherent and integrated document and should be accessible to the site manager(s), all contractors and sub-contractors working on site. As a single point of reference for site environment management, the CCP should incorporate all agreed method statements, such as the Site Waste Management Plan and Demolition Method Statement. All works agreed as part of the plan shall be implemented during an agreed timescale and where appropriate maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that adequate measures are in place to protect the environment during the construction phase(s).

6. The new estate road shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads. The new estate road should be completed to at least base course level up to plots 6, 7 and 8 before the commencement of the construction of dwellings on those plots. The final wearing course of the estate road shall be completed prior to first occupation of the dwellings on plots 6, 7 and 8 of the Site Layout Plan.

Reason: To ensure that satisfactory access is provided to the site before construction of the development hereby permitted commences.

7. The accesses to plots 1, 2, 3, 4 and 5 shall be so constructed to allow clear visibility from a point 1.05m above ground level at the centre of the access and 2.4m distance from the adjoining edge of the carriageway, to points 1.05m above ground level at the edge of the carriageway and 43m distant in each direction measured from the centre of the access along the nearside adjoining edge of the carriageway of Brodgen Lane prior to the commencement of the dwellings on plots 1, 2, 3, 4 and 5.

Reason: To order to ensure satisfactory visibility splays are provided in the interests of highway safety.

8. The development shall be constructed in strict accordance with the materials submitted and approved on the 5th February, 20020 unless otherwise agreed in writing by the Local Planning Authority. The development shall then be completed in strict accordance with the approved details.

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

9. The windows and doors of the approved dwellings shall be set back from the external face of the walls of the units by at least 100mm.

Reason: To ensure a satisfactory form of development.

10. No dwellings shall be occupied until space has been laid out within its plot in accordance with drawing no. ADM/16/26/01 – Rev C for cars to be parked and that space shall thereafter be kept available at all times for the parking of vehicles.

Reason: To allow for the effective use of the parking areas.

11. The development hereby permitted shall be completed in strict accordance with the detailed landscaping scheme submitted and approved on the 5th February, 2020 unless otherwise agreed in writing by the Local Planning Authority.

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

12. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

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

13. Waste and recycling receptacles shall be provided on the plot of any dwelling hereby permitted prior to its first occupation.

Reason: To ensure adequate provision for the storage and disposal of waste.

REASON

Section 38 of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise. Subject to appropriate conditions the proposal would not unduly impact on amenity or raise undue highway concerns and the development therefore complies with the development plan. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

(b) Appeals

The Planning, Economic Development and Regulatory Services Manager submitted a report for information on outstanding planning appeals. An update was given at the meeting reporting that the planning appeal at 82 Esp Lane had been dismissed.

28. ENFORCEMENT ACTION

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

29. CAPITAL PROGRAMME 2021/22

The Housing, Health and Engineering Services Manager reported that the balance on the Committee's 2021/22 Capital Programme was £33,333.

Members were asked to consider a bid from Earby Town Council for Flood Pump Piping Enhancement costing £1,732 plus VAT for consideration.

RESOLVED

That the Housing, Health and Engineering Services Manager be asked to allocate £1,732 from the remaining Earby allocation of the 2020/21 Capital Programme to Earby Town Council for Flood Pump Piping Enhancement.

REASON

To improve Earby's flood defences.

30. TRAFFIC LIAISON MEETING

The minutes of the Traffic Liaison Meeting held on 19th May 2021 were submitted for information.

RESOLVED

That the Housing, Health and Engineering Services Manager be asked to –

- Request more detail on the error with current signage on Skipton Road, Barnoldswick and where the new signs would be located; also information on when the consultation for the new design on Foster Road, Barnoldswick would be released/promoted, the length of consultation and what it was about (Min 3).
- Confirm that Dam Head Road referred to in Min 4 was in Barnoldswick not Earby.
- Seek urgent assurance that the necessary legal advice for the Victoria Road, Earby proposed PoD (Min 4) had been obtained as the flood alleviation works in this area had a deadline to start in August in order to draw down European funding.

REASON

In the interests of highway safety and not jeopardise the implementation of necessary flood defence works.

31. RE-OPENING OF BARNOLDSWICK AND EARBY TOWN CENTRES

The Planning, Economic Development and Regulatory Services Manager submitted a report on the Re-opening the High Streets Safety Fund for the re-opening of Barnoldswick and Earby Town Centres and the Welcome Back Fund for consideration.

RESOLVED

That the Planning, Economic Development and Regulatory Services Manager be asked to split the funding between Barnoldswick and Earby town centres by two thirds and one third respectively, and consideration be given to a scheme that would allow Earby's allocation to be used for the renewal of street furniture.

REASON

To encourage people back to the high streets safely.

32. GISBURN ROAD, BARNOLDSWICK FOOTPATH

The Countryside Access Officer gave an update following the request at the last meeting that the County Council be asked to add the footpath from Gisburn Road, Barnoldswick to the back street adjacent to number 135 to the Definitive Map and bring it up to an adoptable standard.

He explained that in the absence of any evidence of long use there was no basis to apply for a Definitive Map Modification. Evidence could be gathered but the Council did not have the resources to make such an application. Furthermore, unless evidence existed that the footpath was a public right of way prior to 1949, its addition to the definitive map would not have the effect of making the footpath legally maintainable at public expense.

Lancashire County Council had been approached as requested, but there seemed little realistic prospect of a positive result. It was possible for the Pendle Council to make improvements if the consent of the owner was forthcoming. The Committee considered funding the improvements from its capital programme, but needed more information on costs.

RESOLVED

That in the first instance, the Countryside Access Officer be asked to report back with an idea of how much it would cost to bring the footpath up to an adoptable standard.

REASON

To enable a decision to be made on whether or not to fund the Definitive Map Modification Order work.

33. TREES AT KLONDYKE

It was noted that Salterforth Parish Council had commissioned a second survey of the condition of the above trees, and the outcome would be reported back to this Committee.

34. WALMSGATE METHODIST CHAPEL

The Housing, Health and Engineering Services Manager submitted a report on the Council's involvement in attempting to resolve the ongoing damp issues at Walmsgate Methodist Chapel.

It was noted that a meeting on site was being arranged with the trustees, Ward Councillors and an officer from the Drainage Team on Monday 12th July.

RESOLVED

That this item be deferred to the next meeting to allow consideration of the various options to resolve the damp issues at Walmsgate Methodist Chapel and funding available following the site visit on 12th July.

REASON

To gain a better understanding of the reported damp issue.

35. REPRESENTATION ON OUTSIDE BODIES 2021/22

At the Annual meeting of the Council the responsibility for appointing representatives to some outside bodies was referred to this Committee. Members were asked to consider the appointment of a representative on the Earby and Salterforth Internal Drainage Board following the retirement of former Councillor C. Carter. This item was deferred from the last meeting.

RESOLVED

That Councillor M. S. Goulthorp be appointed a representative on the Earby and Salterforth Internal Drainage Board for 2021/22.

REASON

To maintain Council representation on outside bodies.

36. MASTERPLAN FOR BARNOLDSWICK AND EARBY

The Housing, Health and Engineering Services Manager reported that funding had been secured through the One Public Estate (OPE) 8 Programme to develop masterplans for Barnoldswick and Earby. The Committee was asked to appoint 3 members to sit on the steering group to oversee the masterplanning process.

RESOLVED

That Councillors R. E. Carroll, J. Purcell and T. Whipp be appointed to sit on the steering group to oversee the Barnoldswick and Earby masterplanning process.

REASON

To provide local knowledge during the masterplanning process.

37. OUTSTANDING ITEMS

- (a) Meetings with local businesses (05.01.2021)
- (b) Transdev Buses – Request for a meeting (05.01.2021)
- (c) Highway Issues on Back Myrtle Grove, Barnoldswick – request for meeting (08.06.2021)
- (d) Euravia Emissions (08.06.2021)

It was reported that arrangements were underway to arrange the various meetings requested. Environmental Health were in touch with Euravia about the emissions. It was suggested that the proposed Working Group consist of the Chairman of this Committee, the 3 Ward Councillors, a representative from Kelbrook and Sough Parish Council, 5 or 6 local residents, a PBC Environmental Health Officer, and representatives from the company.

38. EXCLUSION OF PUBLIC AND PRESS

Members agreed to exclude the public and press from the meeting during the following item of business in pursuance of the power contained in Section 100(A) (4) of the Local Government Act, 1972 as amended when it was likely, in view of the nature of the proceedings or the business to be transacted, that there would be disclosure of exempt information which was likely to reveal the identity of an individual.

39. PROBLEM SITES

The Planning, Economic Development and Regulatory Services Manager submitted a report on problem sites in West Craven, which was noted.

RESOLVED

- (1) That the Planning, Economic Development and Regulatory Services Manager be asked to remove PLE/18/1134 from the list of problem sites.
- (2) That Policy and Resources Committee be asked to consider how it might be able to assist with the redevelopment of the last site on the list.

REASON

In the interests of visual amenity and to encourage redevelopment of a brownfield site.

40. OUTSTANDING ENFORCEMENTS

The Planning, Economic Development and Regulatory Services Manager submitted a report on outstanding enforcements in West Craven and answered related questions.

RESOLVED

That the Planning, Economic Development and Regulatory Services Manager request the Enforcement Officer to see what progress had been made in respect of PLE/21/0525.

Chairman.....