

**MINUTES OF A MEETING OF THE
COLNE AND DISTRICT COMMITTEE
HELD AT COLNE TOWN HALL
ON 9TH SEPTEMBER, 2021**

PRESENT –

Councillor D. Cockburn-Price – Chairman (in the Chair)

Councillors	Co-optees	Constabulary Representative
<i>D. Albin</i>	<i>T. Clark</i>	<i>PCSO Ivan Hartley</i>
<i>S. Cockburn-Price</i>	<i>A. Mann</i>	<i>PCSO Natasha Harris (Etherington)</i>
<i>D. E. Lord</i>	<i>A. McGladdery</i>	
<i>K. McGladdery</i>		
<i>A. Sutcliffe</i>		

Officers in attendance

<i>Neil Watson</i>	<i>Planning, Economic Development and Regulatory Services Manager (Area Coordinator)</i>
<i>Lynne Rowland</i>	<i>Committee Administrator</i>

(Apologies for absence were received from His Worship the Mayor Councillor Neil Butterworth, Councillors D. Harrison and D. Lockwood and M. Thomas (Colne Town Council).)



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

<i>Elliot Brown</i>	<i>21/0530/FUL Full: Use of detached garage as a granny annexe at Will O Th Moor Farm, Burnley Road, Trawden</i>	<i>Minute No.59(a)</i>
<i>Emma Hartley</i> <i>Dr. Caroline Palmer</i> <i>Claire Kelly</i> <i>Tessa O'Reilly</i> <i>Janine Snowden</i> <i>Bill Kelly</i> <i>Adam Lee</i> <i>Michael Fairless</i> <i>Charles Hartley</i> <i>Anita Howarth</i> <i>Simon Hartley</i>	<i>Confirmation of TPO/NO4/2021 – Land to the east of Knotts Lane, Colne</i>	<i>Minute No.61</i>

54. DECLARATION OF INTERESTS

Members were reminded of the requirements of the Member Code of Conduct concerning the declaration of interests. The following persons declared a pecuniary interest in the item indicated

<i>Councillor D. Cockburn-Price</i>	<i>21/0698/TPO – Heyroyd Farm,</i>	<i>Minute No.62</i>
<i>Councillor S. Cockburn-Price</i>	<i>Skipton Road, Colne</i>	

55. PUBLIC QUESTION TIME

There were no questions from members of the public.

56. MINUTES

RESOLVED

That the Minutes of the meeting held on 5th August, 2021 be approved as a correct record and signed by the Chairman.

57. PROGRESS REPORT

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

58. COMMUNITY SAFETY ISSUES AND POLICE MATTERS

PCSO Natasha Harris presented the crime figures for August 2021 compared to the same period last year, which had been circulated prior to the meeting. The figures were broken down as follows –

	2020	2021
Burglary – Residential	4	3
Burglary – Commercial	3	4
Vehicle Crime	10	25
Hate Crime	0	1
Assaults	49	33
Theft	36	22
Criminal Damage	24	15
All Crime	250	205
Anti-Social Behaviour	167	91

59. 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 -

20/0758/FUL Full: Major: Demolition of existing disused B2/B8 units and erection of 13 No. 3 and 4 bedroomed dwellings, new access road and associated landscaping works at Weston Electric Units Ltd, Station Road, Foulridge for Sutton Family Trust

The Planning, Economic Development and Regulatory Services Manager made reference to the comments of the Lead Local Flood Authority detailed in the report. A condition relating to the drainage discharge rates was recommended and was included in the conditions.

Members also discussed the footpath through the site. It was noted that the proposed revised route was steep in places. It was therefore suggested that the developer be asked to install handrails on the steeper sections of the path.

RESOLVED

That planning permission be **granted** subject to the conditions set out and an additional condition requiring the addition of a hand rail on the footpath –

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:

15.108.02P, 15.108.03A, 15.108.05A, 15.108.06A, 15.108.12C, 15.108.14D, 15.108.01B, 21126-PWA-00-XX-RP-C-1000 P01, 21126-PWA-00-XX-DR-C-1000 P01, 21126-PWA-00-XX-DR-C-1001 P01, 21126-PWA-00-XX-DR-C-1002 P01, 21126-PWA-00-XX-DR-C-1003 P01, 21126-PWA-00-XX-DR-C-1004 P01, D & A Rev B and Tree Report updated July, 2021.

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

3. Prior to the commencement of development 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 contributions towards education provision.

Reason: In order for the development to contribute towards education provision in the area.

4. The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of PPS 3 or any future guidance that replaces it. The scheme shall include:

- i) the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 20% of housing units/bed spaces;
- ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- iii) the arrangements for the transfer of the affordable housing to an affordable housing provider [or the management of the affordable housing] (if no RSL involved);
- iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason: In order for the development to contribute to the supply of affordable housing in accordance with the need identified in the Strategic Housing Market Assessment.

5. Prior to the commencement of development the applicant shall have submitted to and have

agreed in writing by the Local Planning Authority a method statement which sets out in detail the method, standards and timing for the investigation and subsequent remediation of any contamination which may be present on site. The method statement shall detail how:-

- a) an investigation and assessment to identify the types, nature and extent of land contamination affecting the application site together with the risks to receptors and potential for migration within and beyond the site will be carried out by an appropriately qualified geotechnical professional (in accordance with a methodology for investigations and assessments which shall comply with BS 10175:2001) will be carried out and the method of reporting this to the Local Planning Authority; and
- b) A comprehensive remediation scheme which shall include an implementation timetable, details of future monitoring and a verification methodology (which shall include a sampling and analysis programme to confirm the adequacy of land decontamination) will be submitted to and approved in writing by the Local Planning Authority.

All agreed remediation measures 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.

Advisory Notes:

- (i) Where land identified as having the potential to be contaminated is undergoing redevelopment, a copy of the leaflet entitled 'Information for Developers on the investigation and remediation of potentially contaminated sites' will be available to applicants/developers from the Council's Contaminated Land Officer. The leaflet will be sent to the developer by request.
- (ii) Three copies of all contaminated land reports should be sent to the Local Planning Authority.
- (iii) This condition is required to be fully complied with before development is commenced. Failure to comply with the condition prior to commencement of work may result in legal action being taken.

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

6. The development permitted by this planning permission shall be carried out in accordance with the principles set out within the submitted flood risk assessment (September 2020, Ref: 20123-PWA-00-XX-RP-C-1000, Paul Waite Associates). The measures shall be fully implemented prior to first occupation of any dwelling and in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority in consultation with the lead local flood authority.

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site.

7. No development shall commence in any phase until a detailed, final surface water sustainable drainage strategy for the site has been submitted to, and approved in writing by, the local planning authority. The detailed sustainable drainage strategy shall be based upon the site-specific flood risk assessment submitted and sustainable drainage principles and requirements set out in the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems and no surface water shall be allowed to discharge to the public foul sewer(s), directly or indirectly.

Those details shall include, as a minimum:

- a) Sustainable drainage calculations for peak flow control and volume control (1 in 1, 1 in 30 and 1 in 100 + 40% climate change), with allowance for urban creep.
- b) Final sustainable drainage plans appropriately labelled to include, as a minimum:
- i. Plan identifying areas contributing to the drainage network, including surface water flows from outside the curtilage as necessary;
 - ii. Sustainable drainage system layout showing all pipe and structure references, dimensions, design levels;
 - iii. Details of all sustainable drainage components, including landscape drawings showing topography and slope gradient as appropriate;
 - iv. Flood water exceedance routes in accordance with Defra Technical Standards for Sustainable Drainage Systems;
 - v. Finished Floor Levels (FFL) in AOD with adjacent ground levels for all sides of each plot to confirm minimum 150mm+ difference for FFL;
 - vi. Details of proposals to collect and mitigate surface water runoff from the development boundary;
 - vii. Measures taken to manage the quality of the surface water runoff to prevent pollution, protects groundwater and surface waters, and delivers suitably clean water to sustainable drainage components;

The sustainable drainage strategy shall be implemented in accordance with the approved details.

- c) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates and groundwater levels in accordance with industry guidance.

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site.

8. No development shall commence until details of how surface water and pollution prevention will be managed during each construction phase have been submitted to and approved in writing by the Local Planning Authority.

Those details shall include for each phase, as a minimum:

- a) Measures taken to ensure surface water flows are retained on-site during construction phase(s) and, if surface water flows are to be discharged they are done so at a restricted rate to be agreed.
- b) Measures taken to prevent siltation and pollutants from the site into any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance. The development shall be constructed in accordance with the approved details.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water during each construction phase(s) so it does not pose an undue flood risk on site or elsewhere and to ensure that any pollution arising from the development as a result of the construction works does not adversely impact on existing or proposed ecological or geomorphic condition of water bodies.

9. No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report and Operation and Maintenance Plan for the lifetime of the development, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority.

The Verification Report must demonstrate that the sustainable drainage system has been constructed as per the agreed scheme (or detail any minor variations), and contain information and evidence (including photographs) of details and locations (including national grid reference) of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an final 'operation and maintenance manual' for the sustainable drainage scheme as constructed.

Details of appropriate operational, maintenance and access requirements for each sustainable drainage component are to be provided, with reference to published guidance, through an appropriate Operation and Maintenance Plan for the lifetime of the development as constructed. This shall include arrangements for adoption by an appropriate public body or statutory undertaker, and/or management and maintenance by a Management Company and any means of access for maintenance and easements, where applicable. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained.

10. No part of the development shall be commenced unless and until a Construction Code-of-Practice has been submitted to and approved in writing by the Local Planning Authority. The code shall include details of the measures envisaged during construction to manage and mitigate the main environmental effects of the relevant phase of the development. The submitted details shall include within its scope but not be limited to:

- a) A programme of works including phasing, hours of operation and measures for the control of traffic to and from the site, and within the site, during construction.
- b) The areas and methods of loading and unloading of plant and materials.
- c) The areas for the storage of plant and materials.
- d) Methods for dust control and suppression including asbestos controls and undertaking of regular dust monitoring including when dust monitoring and dust control/suppression are to be implemented.
- e) Details of wheel-washing facilities including location
- f) Details, including likely vibration and noise levels at site boundaries, of the piling operations.
- g) Measures related to construction and demolition waste management

- h) Pollution prevention to include odour suppression, temporary drainage measures and measures such as cut-off trenches to control gas migration.
- i) Soil resource management including stock-pile management
- j) Compliance with BS5228: Part 1 1997 to minimise noise
- k) Measures to ensure that vehicle access of adjoining access points are not impeded.
- l) Measures to ensure that there is no burning of waste.
- m) Demolition Management Plan/Programme
- n) Location and details of site compounds
- o) Hoarding details during construction
- p) An overall Construction Monitoring programme, to include reporting mechanisms and appropriate redress if targets/standards breached
- q) Vibration monitoring to be carried out for the construction period.
- r) Noise-monitoring to be carried out for the construction period.
- s) A Construction and Demolition-Waste minimisation Strategy.
- t) A Construction-Risks Education plan/programme
- u) Parking area(s) for construction traffic and personnel
- v) Routeing of construction vehicles

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).

11. The accesses shall be completed to base course level, including visibility splays, to the satisfaction of the Local Planning Authority prior to the commencement of any other works. The estate roads shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level up the entrance of the site compound before any other development takes place. The estate roads shall be laid out, surfaced, sealed and completed in its entirety prior to occupation of the first unit on each phase.

Reason: To ensure adequate access for construction vehicles and that satisfactory access is provided to the site before the development hereby permitted becomes operative.

12. Prior to the commencement of development, a scheme for the construction of the off-site works of highway improvement shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter, no part of the development (or phase) hereby approved shall be occupied until the approved scheme has been constructed and completed in accordance with the details agreed.

For the avoidance of doubt works shall include, but not be exclusive to:

Station Road:

- Construction of access 5.1m wide; kerb radii; buff coloured, tactile paved dropped pedestrian crossings both sides of the access; re-location of a highway gully; street lighting

assessment;

□ Construction of a new footway to an appropriate standard from the gable end of 2 Wilson Street to the new vehicular site access and along the frontage of Plots 1 to 5, including a radius kerb at the gable end of Plot 5, with buff coloured, tactile paved dropped pedestrian crossings both sides of the access of the unnamed road along the gable end of 14 Station Road.

Whitemoor Road:

- Construction of a dropped vehicle crossing to an appropriate standard;
- Construction of 2m wide footway to full kerb height along frontage of Plots 12 and 13.
- Street lighting assessment.

Reason: To satisfy the Local Planning Authority that details of the highway scheme/works are acceptable before work commences.

13. No part of the development associated with the Skipton Road access hereby permitted shall be commenced until the visibility splays measuring 2.4m x 25m in both directions have been provided, measured along the centre line of the proposed new road from the continuation of the nearer edge of the existing carriageway of Station Road to the satisfaction of the Local Planning Authority. The land within these splays shall be maintained thereafter free from obstructions such as walls, fences, trees, hedges, shrubs, ground growth or other structures within the splays in excess of 1.0m in height above the height at the centre line of the adjacent carriageway.

Reason: To ensure adequate visibility at the street junction or site access in the interest of highway safety.

14. No part of the development associated with the Whitemoor Road Access hereby permitted shall be commenced until the visibility splays measuring 2.4m x 59m in both directions have been provided, measured along the centre line of the proposed new road from the continuation of the nearer edge of the existing carriageway of Whitemoor Road to the satisfaction of the Local Planning Authority. The land within these splays shall be maintained thereafter free from obstructions such as walls, fences, trees, hedges, shrubs, ground growth or other structures within the splays in excess of 1.0m in height above the height at the centre line of the adjacent carriageway.

Reason: To ensure adequate visibility at the street junction or site access in the interest of highway safety.

15. No development shall be commenced until full engineering, drainage, street lighting and constructional details to adoptable standards (to Lancashire County Council's specification) of the internal road have been submitted to and approved in writing by the local planning authority. The development shall, thereafter, be constructed in accordance with the approved details, unless otherwise agreed in writing with the local planning authority.

Reason: To ensure that the internal road is constructed to an acceptable standard in the interest of highway safety.

16. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed estate road within the development have been submitted to and approved by the local planning authority. The estate road shall thereafter be maintained in accordance with the approved management and maintenance.

Reason: In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the users of the highway and the visual amenities of the locality.

17. Prior to first occupation of any dwelling the parking provision shown on the approved plans shall be constructed, laid out and surfaced in bound porous materials. The parking provision shall thereafter always remain available for the parking of domestic vehicles associated with the dwelling.

Reason: In order to ensure satisfactory levels of off-street parking are achieved within the site to prevent parking on the highway to the detriment of highway safety.

18. Prior to first occupation each dwelling shall have an electric vehicle charging point.

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

19. 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 replacement trees, 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.

20. 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) 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.

21. Notwithstanding the provisions of Article 3 and parts 1 and 2 of the second Schedule of the

Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no development as specified in Classes A, E(a) & (b), F of Part 1 and Classes A & 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

E(a)) no buildings, enclosures, swimming or other pools shall be erected or constructed within the curtilage of the buildings

E(b)) no containers for the storage of oil or gas for domestic heating purposes shall be installed within the curtilage of the buildings

F) no hard surface shall be provided within the curtilage of the buildings Part 2

A) no gates, fence or wall structures shall be erected within the curtilage of the buildings

B) no means of access shall be constructed to the curtilage of the buildings

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.

22. The garages hereby permitted shall not at any time be used for any purpose which would preclude its use for the parking of a motor car.

Reason: To ensure that there is adequate off-street parking provision within the site to prevent on-street car parking that would be inimical to highway safety.

23. Before a dwelling unit is occupied waste containers shall be provided in the bin/cycle storage areas on each plot.

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

24. No part of the development hereby permitted shall be commenced until details of the proposed ground levels have been submitted to and approved in writing by the Local Planning authority. The submitted details shall include a number of sections across the site, which shall indicate existing and proposed ground levels, together with the floor levels of any proposed dwelling/buildings through which the sections run and shall extend beyond the site boundaries to include any surrounding, adjacent properties. The development shall thereafter be implemented in accordance with the approved details.

Reason: To enable the Local Planning Authority to assess how the development will accommodate the varied land levels and control the final form.

25. The development shall be carried out in accordance with the mitigation plan for bat boxes set out in the Site Specific Bat Survey dated September 2020 and the mitigation proposed in the updated Ecology Report Paragraph 5. The development shall be completed in strict accordance with these details.

Reason: To ensure no net loss of biodiversity as a result of the development.

26. The development shall be carried out in strict accordance with the Tree Report 27 November 2020. The development shall then only commence and be completed in accordance with the agreed details. No vegetation shall be removed during February to September unless a report detailing pre-checks for nesting birds by a qualified ecologist has been submitted to

and agreed in writing by the Local Planning Authority. Any trees to be removed shall be pre-checked for habitation prior to removal. All trees to be removed shall be replaced as part of the proposed landscaping scheme.

Reason: To ensure no net loss of biodiversity as a result of the development.

Notes:

1. The alterations to the existing highway as part of the new works may require changes to the existing street lighting at the expense of the client/developer. 2. The applicant is advised that the new site access, will need to be constructed under a section 278 agreement of the 1980 Highways Act. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant is advised to contact the Environment Directorate before works begin on site. Further information and advice can be found at www.lancashire.gov.uk and search for "278 agreement". 3. It is assumed that Lancashire County Councils Highways Maintenance will be consulted regarding the approval of street works details. 4. The applicant the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes

The developer should take note of all the public footpaths running through the site and take utmost care to ensure that these are kept undisturbed and free of obstruction during the course of the development. Any breach of the legislation which protects public rights of way can result in legal action, fines and default action carried out and re-charged to the landowner. Any proposals for the temporary diversion or closure of a footpath should be made to Lancashire County Council's public rights of way team. An enquiry about permanently diverting or closing the footpath may be made to Pendle Council.

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 and layout and would not adversely impact on amenity or highway safety. Drainage, contamination, landscaping and ecology can be addressed by 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.

20/0865/FUL Full: (Major) Demolition of outbuildings/sheds and erection of 20 no. 3 & 4 bed properties comprising 3 terraced, 14 semi-detached and 3 detached dwellinghouses with associated parking and vehicular access from Dean Street and Skipton Road at land to the west of Brookside Garage, Dean Street, Trawden for Trawden Water Ltd

RESOLVED

That consideration of this application be **deferred**.

REASON

To allow for further negotiations with regard to the design of the windows and doors and the provision or enhancement of off-site open space or green infrastructure.

21/0530/FUL Full: Use of detached garage as a granny annexe at Will O Th Moor Farm, Burnley Road, Trawden for Mr John Campain

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, ref: TQRQM21137123148645
- Site Plan ref: JR04
- Proposed Floor Plan, ref: JR02
- Proposed Elevation Plan, ref: JC04

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

3. All materials to be used in the elevations and roof of the proposed development shall be as stated on the application form and approved drawings and shall not be varied without the prior written permission of the Local Planning Authority.

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.

4. The accommodation hereby permitted shall at no time be separated, sold or used independent of the main dwelling to which it is related as shown on the approved location plan.

Reason: A separate dwelling in this location would be contrary to local and national planning policy on creating new dwellings in isolated locations away from settlements.

5. Prior to occupation a scheme for the 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 first dwelling is occupied.

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

6. At least one vehicular car parking space shall be made available within the site for the sole use of the annex hereby approved at all times, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order that sufficient car parking is available for users of the annex

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 accord with Local Planning Policy and would be compliant with the guidance set out in the Framework. 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.

21/0570/FUL Full: Demolition of outbuildings and structures and erection of a detached agricultural worker's dwelling and two agricultural buildings at land to the north of Brookside, Skipton New Road, Foulridge for Mr Simon Mellin

The Planning, Economic Development and Regulatory Services Manager reported that this application had been withdrawn prior to the meeting.

(b) Planning application for comment

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

21/0626/VAR Full: Variation of Condition: Vary Condition 2 (Plans) of Planning Permission 19/0801/FUL to substitute site layout, reposition housing plots and change materials at land off Harrison Drive, Colne for Barnfield Construction Ltd

RESOLVED

That the Policy and Resources Committee be advised that this Committee has no objection to the Variation of Condition application and is satisfied with the proposed amendments to the design of the development.

REASON

To allow for consideration by the Policy and Resources Committee.

(c) Planning appeals

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

60. ENFORCEMENT/UNAUTHORISED USES

Enforcement action

The Head of Legal Services submitted a report which gave the up-to-date position on prosecutions. A verbal update was provided by the Planning, Economic Development and Regulatory Services Manager.

**61. CONFIRMATION OF TPO/NO4/2021 –
LAND TO THE EAST OF KNOTTS LANE, COLNE**

The Planning, Economic Development and Regulatory Services Manager submitted a report which

sought Committee approval of the confirmation of the Tree Preservation Order (TPO) TPO/NO4/2021 following an objection. The grounds for objection were detailed, and addressed, in the report.

It was reported that, since the writing of the report, over 70 comments had been received in support of the TPO.

In addition, several residents attended the meeting to request that the TPO be confirmed. Reasons for this included visual amenity; being irreplaceable; the importance to the environment, mental health and health and wellbeing; the established eco system, habitat and wildlife corridor; the existence of English bluebells; and the danger of a landslide if the trees were to be removed, due to the field being waterlogged.

RESOLVED

- (1) That Tree Preservation Order TPO/NO4/2021 – land to the east of Knotts Lane, Colne be confirmed.
- (2) That the responsibility for the management (including variation or revocation) of the Tree Preservation Order be delegated to the Planning, Economic Development and Regulatory Services Manager.

REASON

- (1) *To ensure the protection of the trees contained within the Order*
- (2) *For the efficient management of the Tree Preservation Order.*

62. 21/0698/TPO – HEYROYD FARM, SKIPTON ROAD, COLNE

(Councillors D. Cockburn-Price and S. Cockburn-Price declared a pecuniary interest in this item and withdrew from the meeting for this item only.)

Councillor A. Sutcliffe – Vice-Chairman (In the Chair)

The Planning, Economic Development and Regulatory Services Manager submitted a report for Members to consider an application to carry out work to protected trees at Heyroyd Farm, Skipton Road, Colne.

RESOLVED

That the application be approved subject to the following conditions, applied to those trees protected by the Tree Preservation Order –

1. The works hereby consented shall consist only of those detailed in the application, as qualified by these conditions, and shall be completed in their entirety.

Reason: To ensure the continued protection of the tree(s).

2. The pruning works shall consist of the following:
 - a) The cleaning out of any stumps, dead wood, hung up branches and climbers.

- b) Crown lifting of the trees within G2 in the application to a maximum height above ground level of 5 metres and the tree marked T2 to a maximum height above ground level of 3 metres.
- c) Crown thinning throughout the crown to a maximum of 20% inclusive of the above work.

Reason: To ensure high standards of tree care are maintained, promoting healthy, safe trees that continue to provide amenity and ecological value to the area and/or site.

3. The works shall not include:

- a) The removal of any branch of which any part is more than 75 millimetres in diameter, measured over the bark;
- b) Any pollarding or topping;
- c) Any reduction in height of the tree.

Reason: To prevent any detriment to the amenity value of the tree.

4. All works shall be carried out so as to conform to British Standard 3998:2010, Tree Works – Recommendations.

Reason: To ensure high standards of tree care are maintained, promoting healthy, safe trees that continue to provide amenity and ecological value to the area and/or site.

5. The works hereby permitted are to be completed within two years.

REASON

For good and appropriate management of protected trees and those within a Conservation Area.

Councillor D. Cockburn-Price – Chairman (In the Chair)

63. CAPITAL PROGRAMME 2021/22

The Housing, Health and Engineering Services Manager reported that the current balance of the Committee's capital programme for 2021/22 was £7,380.

64. BALL GROVE LOCAL NATURE RESERVE MANAGEMENT PLAN

The Planning, Economic Development and Regulatory Services Manager submitted a report for Members to consider the adoption of the Ball Grove Local Nature Reserve (LNR) Management Plan as the document outlining the future management of the reserve.

The draft plan was considered as an appendix to the report.

RESOLVED

- (1) That the Local Nature Reserve Management Plan be adopted in order to direct the future management of the LNR.
- (2) That any future iterations and updates of the management plan be delegated to the Environmental Services Manager.

REASON

- (1) *The LNR Management Plan will ensure good management of the reserve protecting it for wildlife and future generations.***
- (2) *The LNR Management Plan is required documentation for the extensions to the nature reserve incorporating the woodland areas, meadow and river corridor through to Laneshawbridge.***
- (3) *Delegating updates to the Environmental Services Manager will ensure that the document remains flexible and adaptable to changes that take place with annual review periods.***

65. POLLING STATIONS

It was reported that the polling stations used at the 6th May 2021 Election had been determined taking into account the outcome of the recent Electoral Review which had replaced 20 Borough wards with 12 new ones, and the review of polling districts and polling stations carried out in late 2019.

At the request of the Governance Working Group, the Committee was invited to comment and provide feedback on the polling stations in the Colne and District area.

Members felt that the constituents of Colne and District had generally been served well by the polling stations in the area, with the exception of a few residents of Castle Road, Colne, whose polling station was Foulridge Village Hall, rather than Park High School which was much closer.

RESOLVED

That the Governance Working Group be advised of the comments from this Committee.

66. RE-OPENING OF COLNE TOWN CENTRE

The Planning, Economic Development and Regulatory Services Manager submitted a report which provided an update on the funding remaining from the Re-opening the High Streets Safely Fund (RHSSF) and the Welcome Back Fund (WBF).

The Committee was reminded that funding had previously been allocated for the erection of two electronic totem signs and provisional locations agreed. However, it had been determined that Colne Railway Station was not a viable option and an alternative would need to be found.

As agreed at the last meeting the Council's Tourism Development Officer had met with a small Steering Group at which the framework for the WBF Grant spending was discussed.

As a result, a list of proposed spending activities and ideas for procurement had been drawn up and was presented to the Committee for consideration.

RESOLVED

- (1) That authorisation be given for the Welcome Back Fund Grant to be spent on Christmas in Colne 2021 and Come to Colne Market Days as detailed in the submission presented to the Committee.**
- (2) That the Planning, Economic Development and Regulatory Services Manager be delegated authority to discuss and agree upon a suitable alternative location for the electronic totem sign.**

REASON

To ensure that the spending is taken forward in a co-ordinated manner.

67. COLNE YOUTH ACTION GROUP

Councillor S. Cockburn-Price provided an update on the work and activities of the Colne Youth Action Group (CYAG).

The rotation of summer activities had now come to an end, with the exception of martial arts, biking and football and an indoor autumn programme was due to commence shortly. Proposed events included 'learning to skate', war gaming and mobile phone photography.

CYAG now had one employee plus, for two days a week, the help of a university student on a three year placement.

Negotiations regarding the leasing of the building on Byron Road, Colne were moving forward.

68. ITEMS FOR DISCUSSION

Land at Vivary Way, Colne

The Committee was provided with a plan of land at Vivary Way, Colne. The plan included land that was owned/leased by Boundary Mill, Lloyds BMW and Pendle Leisure Trust, plus a section, shown hatched green, that had previously been identified as a potential site for a wheel park. The proposal had been put forward by a local group but had not been pursued as funding could not be secured. Members were asked to consider whether the proposal should be reconsidered.

It was understood that the section of land identified may not be suitable or large enough to accommodate a wheel park. It was suggested that discussions take place with the neighbouring landowners to see if additional land could be accessed.

RESOLVED

- (1) That investigations be carried out to establish the lay of the land shown hatched green on the attached plan, and assess its suitability for a wheel park.
- (2) That enquiries be made to establish the ownership of the neighbouring land and informal discussions take place with the landowners regarding use of the land should it be felt necessary.

REASON

To assess the feasibility of installing a wheel park at this location.

69. COLNE AND DISTRICT WORKING GROUP OF THE COLNE COMMUNITY SAFETY PARTNERSHIP

Draft minutes of a meeting of the Colne and District Working Group of the Colne Community Safety Partnership held on 5th August, 2021 were submitted for information.

70. ENVIRONMENTAL BLIGHT

The Housing, Health and Engineering Services Manager reported that there were no existing environmental blight sites in the Colne and District area.

The following site was put forward –

The cobbled area of Duke Street leading to Shaw Street, Colne – Rubbish was being dumped in an area that was being accessed due to a collapsed wall. This was a recurring problem that was often reported and the area subsequently cleared. It was understood that temporary fencing had been erected but then removed and thrown into the woods. A request was made for the wall to be rebuilt.

71. EXCLUSION OF PUBLIC AND PRESS

RESOLVED

That in pursuance of the power contained in Section 100(A)(4) of the Local Government Act, 1972 as amended, the public and press be excluded from the meeting during the next items of business when it is likely, in view of the nature of the proceedings or the business to be transacted, that there will be disclosure of exempt information which is likely to reveal the identity of an individual.

72. OUTSTANDING ENFORCEMENTS

The Planning, Economic Development and Regulatory Services Manager submitted, for information, a report which gave the up-to-date position on outstanding enforcement cases.

He answered a number of specific questions in relation to the report.

73. PROBLEM SITES

The Planning, Economic Development and Regulatory Services Manager submitted a report on problem sites in the Colne and District area.

RESOLVED

- (1) That the Planning, Economic Development and Regulatory Services Manager be asked to contact the owners of the site referenced 2 on the list.
- (2) That the site referenced 7 be removed from the list.

REASON

- (1) *To establish their intentions for the site.*
- (2) *The site is no longer a problem.*

CHAIRMAN _____