

**MINUTES OF A MEETING OF THE
COLNE AND DISTRICT COMMITTEE
HELD AT COLNE TOWN HALL
ON 5TH AUGUST, 2021**

PRESENT –

*His Worship the Mayor Councillor Neil Butterworth
Councillor D. Cockburn-Price – Chairman (in the Chair)*

Councillors

*D. Albin
S. Cockburn-Price
D. Lockwood
K. McGladdery
A. Sutcliffe*

Co-optees

*A. Mann
B. Hodgson*

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 Councillors D. Harrison and D. E. Lord and M. Thomas (Colne Town Council).)



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

<i>Judith Douglas</i>	<i>21/0486/HHO Full: Erection of front garden</i>	<i>Minute No.44(a)</i>
<i>Tracey Metcalfe</i>	<i>fence and gate (Part retrospective) at 14</i>	
	<i>Castle Court, Colne</i>	

39. DECLARATION OF INTERESTS

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

40. PUBLIC QUESTION TIME

There were no questions from members of the public.

41. MINUTES

RESOLVED

That the Minutes of the meeting held on 8th July, 2021 be approved as a correct record and signed by the Chairman.

42. PROGRESS REPORT

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

Reference was made to the decision to appoint Councillor A. Sutcliffe as one of the three Colne and District Committee members to sit on the steering group to oversee the Colne masterplanning process. It was felt that, as Councillor Sutcliffe could sit on the steering group in his position as a town or county councillor, this Committee appoint an alternative representative.

RESOLVED

That Councillor D. Albin be appointed to replace Councillor A. Sutcliffe on the steering group to oversee the Colne masterplanning process.

43. COMMUNITY SAFETY ISSUES AND POLICE MATTERS

The crime figures for July 2021 compared to the same period last year had been circulated prior to the meeting. The figures were broken down as follows –

	2020	2021
Burglary – Residential	8	3
Burglary – Commercial	3	2
Vehicle Crime	19	9
Hate Crime	0	0
Assaults	44	47
Theft	18	20
Criminal Damage	12	8
All Crime	245	209
Anti-Social Behaviour		

44. 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 -

21/0312/VAR Variation of Condition: Major: Removal of Condition 4 (affordable housing) of Planning Permission 18/0768/FUL at Black Carr Mill, Skipton Road, Trawden for CRS Plant Ltd

RESOLVED

That the Planning, Economic Development and Regulatory Services Manager be delegated authority to **approve** the application subject to the following conditions plus a further condition that, once sold, if there is any overage then a contribution be taken.

1. The proposed development hereby permitted shall be begun before the 5th November 2022.

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:

1045-142_1 (A3), 145-142_2(A3), 1045-142_E(A1), 1045-142_G(A0), 1045-142_XS(A1), 1681 A1-02 F, 1681 A1-01 A, 1681 A2-02 A, 1681 A2-02 Rev A, 1681 A2-03 C, 1681 A2-04 D, 1681 A2-05, 1681 A2-06A, 1681 A2-07, 1681 A4-01B, 1681 A4-02 A, 1681 A4-03 A, 1681 A4-04 C, 1681 A4-05 B, 1681 A4-06 B, 1681 A4-08 C, 7997-CRS, 1000-007-002 and 1000-007-003B

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

3. No part of the development hereby approved shall take place until a Planning Obligation pursuant to section 106 of the Town and Country Planning Act, 1990 (or any subsequent provision equivalent to that section) has been made with the Local Planning Authority. The said obligation shall provide for a contribution towards education provision.

Reason: In order to ensure that the development has adequate education provision available for secondary school places.

4. Prior to commencement of development, a plan and written-brief detailing the proposed phasing of the site shall have been submitted to and approved in writing by the Local Planning Authority. Development shall not commence unless and until the scheme has been submitted and approved. Such detailing shall include details of the works involved in each phase and how each phase is to be completed in terms of the completion of roads , building operations, foul and surface water sewers and landscaping, and each phase shall be substantially completed before the next successive phase of the development is commenced. The approved scheme shall thereafter be carried out in strict accordance with the plan and brief.

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

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. No dwelling hereby permitted shall be occupied unless and until it is connected to the public foul and surface water systems or an alternative agreed under Condition 8.

Reason: In order to ensure satisfactory drainage systems.

7. No development shall commence unless and until details of the design, based on sustainable drainage principles, and implementation of a sustainable surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority.

Those details shall include, as a minimum:

- a) Information about the lifetime of the development, design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change see EA advice Flood risk assessments: climate change allowances'), discharge rates and volumes (both pre and post development), temporary storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;
- b) The drainage strategy should demonstrate that the post development surface water run-off will not exceed 17l/s for rainfall events up to and including the 1 in 100 year return period. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
- c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
- d) A plan showing flood water exceedance routes, both on and off site;
- e) A timetable for implementation, including phasing as applicable;
- f) Details of water quality controls, where applicable.

The scheme shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no flood risk on or off the site resulting from the proposed development

8. A management scheme for the maintenance and management of the Surface Water Drainage Scheme shall have been submitted and agreed in writing by the Local Planning Authority prior to the commencement of development and this scheme shall thereafter be implemented and completed prior to the occupation of the first dwelling.

No development shall commence until details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development have been submitted which, as a minimum, shall include:

- a) The arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company
- b) Arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:
 - i. on-going inspections relating to performance and asset condition assessments
 - ii. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;
- c) Means of access for maintenance and easements where applicable.

The plan shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.

Reason: To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development, reduce the flood risk to the development as a result of inadequate maintenance and to identify the responsible organisation/body/company/undertaker for the sustainable drainage system.

9. Prior to any work commencing on the conversion of the mill to apartments details of the proposed acoustic mitigation measures set out in the Noise Impact Assessment ref. 11-987-R3 dated March, 2019 shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented in strict accordance with the approved details prior to occupation of each apartment and shall remain as such in perpetuity.

Reason: To ensure that the development has adequate mitigation against potential noise nuisance from the adjacent commercial premises.

10. No part of the development shall be commenced unless and until a Construction Code-of-Practice method statement 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.
- e) Details, including likely vibration and noise levels at site boundaries, of the piling operations.
- h) Location and details of site compounds
- i) An overall Construction Monitoring programme, to include reporting mechanisms and appropriate redress if targets/standards breached
- j) Noise-monitoring to be carried out for the construction period.
- k) Parking area(s) for construction traffic and personnel
- L) Details of the provision and use of wheel washing on the site
- M) Site security

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. No construction work shall be carried out on the site outside the hours of 8:00 and 17:00 on weekdays and 8:00 - 12:00 on Saturdays. No work shall take place on site on Sundays and Bank Holidays.

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

12. No development shall commence unless and until all the highway works to facilitate the new access have been constructed in accordance with Lancashire County Council's Specification for construction of Estate Roads to at least base course level for a minimum distance of 5m into the site from the near side carriageway edge of Skipton Road. The access shall be constructed to a minimum width of 4.8m and this width shall be maintained for a minimum distance of 5m into the site measured back from the nearside edge of the carriageway. The final surfacing of the access shall be laid prior to first occupation of any residential unit.

Reason: To ensure that satisfactory access is provided to the site before the development is commenced and to enable vehicles to enter and leave the site in a safe manner without causing a hazard to other road users.

13. No development shall commence unless and until a scheme for the construction of the site access and the off-site highway works to facilitate the development have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include uncontrolled pedestrian crossing points with associated works on Skipton Road. The development shall thereafter be carried out in accordance with the approved details prior to the occupation of the first dwellinghouse.

Reason: To ensure the final details of the highway works are acceptable prior to work commencing on site and to enable all traffic can enter and leave the premises in a safe manner without causing a hazard to other road users.

14. There shall not at any time be erected, planted or allowed to remain on the land any building, wall, fence, hedge, tree, shrub or other device over 0.9 metres above road level. The visibility splay shall be 2.4 metres distant from the adjoining edge of carriageway of Skipton Road measured 38m in each direction offset 1m from the nearer edge of the carriageway of Skipton Road and shall be constructed and maintained at footway level in accordance with a scheme to be submitted and agreed in writing by the Local Planning Authority.

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

15. Notwithstanding the submitted landscaping plan, 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 hard landscape elements and pavings, including layout, materials and colours;
- e. 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. A scheme for the management (including maintenance) of the landscaped areas shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any dwellinghouse. The approved scheme shall be carried out in full accordance with the agreed scheme before the first dwelling is occupied.

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

17. Prior to any above ground works samples of the all materials to be used in the construction of the external surfaces of the development hereby permitted (notwithstanding any details shown on previously submitted plans and specification) shall have been submitted to and approved in writing by the Local Planning Authority.

The development shall then be completed in accordance with the approved details.

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

18. Prior to any above ground works details of walkway to the rear of the mill including finishes

shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be completed in strict accordance with the approved details.

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

19. All windows and doors shall be set back from the external face of the walls of the units by at least 70mm in depth.

Reason: To ensure a satisfactory form of development.

20. Before a dwelling unit is occupied waste containers shall be provided within the site.

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. The proposed development is acceptable in terms of policy, design, amenity, impact on conservation area, noise, flooding and highway safety. 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.

21/0374/HHO Full: Erection of a single storey side extension to form garage with roof terrace above accessed by external staircase and 2.5m high fence to rear and side boundaries (Re-submission) at 41 The Meadows, Colne for Mr Stuart Oakes

RESOLVED

That the Planning, Economic Development and Regulatory Services Manager be asked to engage in discussions with the applicant to request that the extension be set back from the original dwelling by 0.5 metres, following which, on conclusion of the discussions, he be delegated authority to **grant consent** subject to the following conditions -

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: 10/19/04c, 20/19/05c, 20/19/06c 20/19/07,

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 roof terrace hereby approved shall not be used unless and until an obscure glazed screen of 1.8m in height from the floor level of the roof terrace and a minimum obscurity of Pilkington level 4 (or equivalent) has been erected along the side of the extension between the mid-point and rearmost point of the side of the extension. The screen shall thereafter be retained at all times.

Reason: To preserve an acceptable level of privacy for the residents of the neighbouring property.

5. The garage hereby approved shall at all times remain available for the parking of a car and shall not be used for any purpose that would preclude its use for parking of a car.

Reason: To ensure that an adequate level of off-street car parking provision is maintained.

6. Prior to its first use the garage hereby approved shall have an electric vehicle charging point installed. The charge point must have a minimum power rating output of 7kw, be fitted with a universal socket that can charge all types of electric vehicle currently.

Reason: To ensure adequate provision for sustainable transport.

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, residential amenity and highway safety. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

21/0486/HHO Full: Erection of front garden fence and gate (Part retrospective) at 14 Castle Court, Colne for Mr Andrew Clough

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: LP_001

Site Plan: SP_002 002

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

3. The materials to be used on the development hereby approved shall be as stated on the approved plans.

Reason: In order to ensure a satisfactory development within the setting.

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 housing development would accord with Local Planning Policy and would be compliant with the guidance set out in the Framework, subject to compliance with planning 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.

(b) Planning appeals

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

Since the writing of the report, the appeal against refusal of planning permission for re-siting of an existing temporary farm workers dwelling at Cowfield Farm, Burnley Road, Trawden had been dismissed.

45. 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.

46. CAPITAL PROGRAMME 2021/22

The Housing, Health and Engineering Services Manager submitted a report which advised Members on the Committee's 2021/22 capital budget.

It was noted that spend on Premises Improvement Grants was low. Members therefore discussed whether there was a need for additional marketing of the Grant and whether the possibility of extending the qualifying area to outside the defined town centre boundary could be explored.

RESOLVED

- (1) That members of this Committee promote the Premises Improvement Grants Scheme to businesses within the defined Colne town centre boundary as per the eligibility criteria.
- (2) That the situation be kept under review.

REASON

To encourage the take-up of the Grant to enable businesses to enhance the appearance of their property.

47. RE-OPENING OF COLNE TOWN CENTRE

Further to a request from this Committee, a list of potential areas of spend from the Committee's Welcome Back Fund allocation was presented to the Committee. This included suggestions of a light festival, soapbox rally, Christmas 2021 and 'Come to Colne Market' days with estimated costings.

RESOLVED

That the Council's Tourism Development Officer be asked to meet with Councillors S. Cockburn-Price and A. Sutcliffe and A. McGladdery (Colne BID) to discuss the proposals and report back to the next meeting of this Committee.

REASON

To allow for a co-ordinated spending plan to be put in place.

48. COLNE YOUTH ACTION GROUP

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

She advised that discussions were still ongoing with Lancashire County Council (LCC) regarding the lease of the building on Byron Road, Colne. In the meantime, trees had been planted beside the building. The intention was to plant 420 saplings inside the fence and sixteen orchard trees by Park Primary School.

In terms of activities, some courses had ended or were coming to an end (e.g. horticulture and boxing), with many others continuing or re-starting at different venues (e.g. football, biking, martial arts). One new activity was canoeing and kayaking at Foulridge. Future plans included mobile phone photography, cookery, war gaming and roller skating.

Job descriptions had now been completed for two youth worker posts and applicants would be sought shortly.

Councillor D. Cockburn-Price provided further information on the 'Views' software and database and its capabilities. Over 100 forms had now been completed.

49. 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 7th July, 2021 were submitted for information.

50. 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.

51. 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.

RESOLVED

- (1) That file reference PLE/20/0945 be removed from the list.
- (2) That, once compliance has been confirmed, file reference PLE/20/1019 also be removed from the list.

REASON

The cases are no longer outstanding.

52. ENVIRONMENTAL CRIME

The Environmental Services Manager submitted a report which informed Members of the environmental crime action for Quarter 1 (1st April to 30th June, 2021) in the Colne and District area (including spend on litter/dog waste bins) along with annual totals for 2021/22.

53. PETITION RE. RESTRICTED PARKING

The Housing, Health and Engineering Services Manager reported receipt of a petition requesting restricted parking.

It was recommended that a survey be undertaken.

RESOLVED

- (1) That a survey not be undertaken at this time.
- (2) That the staff of the nearby business be asked to find alternative parking to the area currently being used.

REASON

In view of the length of time taken to undertake a survey and implement restricted parking, it is felt that discussions with the nearby business will provide a quicker solution to the problem.

CHAIRMAN _____