

**MINUTES OF A MEETING OF
BARROWFORD AND WESTERN PARISHES COMMITTEE
HELD ON 1ST DECEMBER, 2021
AT NELSON TOWN HALL**

PRESENT

Councillor N. Ahmed – in the Chair

Councillors

*C. Lioni
B. Newman*

Co-optees

*N. Hodgson – Blacko Parish Council
R. Oliver – Barrowford Parish Council
A. Macadam – Goldshaw Booth Parish Council
R. Willoughby – Higham with West Close Booth Parish Council*

Officers in Attendance

*W. Forrest
K. Hughes
J. Eccles*

*Housing Needs Manager (Area Co-ordinator)
Principal Development Management Officer
Committee Administrator*

(Apologies were received from Councillor L. Crossley, D. Heap and A. Walker.)



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

<i>Paula Fitzgerald</i>	<i>21/0542/FUL Full: Change of use from Joiner's workshop (Use Class E) to a 2 bedroom holiday let (Use Class C3), change window to door with Juliet balcony and insertion of an additional window at Workshop adjacent Higherford Bridge, Gisburn Road</i>	<i>Minute No. 96(a)</i>
-------------------------	---	-------------------------

91. APPOINTMENT OF CHAIRMAN

RESOLVED

That in the absence of the Chairman, Councillor N. Ahmed be appointed as Chairman for this meeting only.

Councillor N. Ahmed – Chairman (in the Chair)

92. DECLARATION OF INTERESTS

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

93. PUBLIC QUESTION TIME

There were no questions from members of the public.

94. MINUTES

RESOLVED

That the Minutes of this Committee, at the meeting held on 3rd November, 2021, be approved as a correct record, subject to the reference to “attempted murder” in Min No. 77(2) being changed to “suspected murder”.

95. POLICE MATTERS AND COMMUNITY SAFETY ISSUES

There was no Police representative available to attend the meeting.

Members raised concerns about highway safety issues, maintenance issues and speeding cars on the Barrowford bypass (A6068), some of which had been raised at previous meetings.

RESOLVED

- (1) That the Police be asked to attend the next meeting of this Committee on 5th January, if possible.
- (2) That an item for discussion be put on the agenda for the next meeting about highway safety issues, maintenance issues and speeding cars on specific roads in the Barrowford and Western Parishes area, including the A6068.

96. PLANNING APPLICATIONS

(a) Planning application for determination

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

21/0542/FUL Full: Change of use from joiner’s workshop (Use Class E) to a 2 bedroom holiday let (Use Class C3), change window to door with Juliet balcony and insertion of an additional window at Workshop adjacent Higherford Bridge, Gisburn Road, Barrowford for Mr. J Fawcett

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:

01, 02, 03, 04 and 05.

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

3. Prior to the commencement of any external alterations samples of the external materials and finishes of the windows shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the approved details.

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

4. The development shall be carried out in strict accordance with the submitted FRA prepared by PSA Design (D3663-FRA-01, dated 17th September, 2021). The proposed development shall thereafter proceed in strict accordance with the FRA and the mitigation measures identified be carried out in strict accordance with the approved details. Any proposed changes will require the submission of a revised FRA.

Reason: To ensure the proposed development is not at risk of flooding or proposes a risk elsewhere.

5. The property shall be occupied for holiday purposes only:

(1) The cottage/chalet shall not be occupied as a person's sole or main place of residence.

(2) The owner/operator shall maintain an up-to-date register of the names of all owners/occupiers of individual units on the site and their main home addresses, and shall make this information available at all reasonable time to the Local Planning Authority.

Reason: In order to ensure the proper control of the use of the holiday units and to prevent the establishment of permanent residency.

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, amenity, highway safety and flood risk. 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.

21/0794/FUL Full: Erection of one detached bungalow and two semi-detached dwellings, including private drives and gardens (Re-submission) at Land adjacent 30 Dixon Street, Barrowford for MFH Projects

An update was circulated prior to the meeting reporting two additional responses. At the meeting the Chairman summarised a letter of objection from a local resident that had been emailed to Councillors. It was also reported that the Planning Department had received a further email objecting to the proposal from a local resident. There were no new material considerations that were not addressed in the report.

RESOLVED

(1) 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: Proposed Site Plan 5131-005J, Proposed Elevations Plots 1, 2 and 3 5131-007H, Proposed Ground Floor and First Floor Plans 5131-006 G, Location Plan 5131-001, Proposed Elevations Plots 1, 2, and 3 continued 5131-009A.

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

3. All the external materials to be used in the elevations and roof of the development hereby permitted shall be as stated on the application form and approved plans and there shall be no variation without the prior written consent 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 dwelling shall not be occupied unless and until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority and has been fully installed and completed in accordance with the approved details.

The drainage scheme must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations); and
- (iii) A timetable for its implementation.
- (iv) Details of how foul and surface water will be disposed of.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

The scheme hereby approved shall be carried out only in accordance with the approved drainage scheme.

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

5. All windows shall be set back from the external face of the walls by a minimum of 70mm.

Reason: To ensure a satisfactory appearance to the development in the interest of visual amenity.

6. 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.

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.

7. The proposed development should not be brought into use unless and until the parking area and garage shown on the approved plans has been constructed, laid out and surfaced in bound porous materials. The parking area shall thereafter always remain available for the parking of domestic vehicles associated with the dwelling.

Reason: In the interest of highway safety and in order to ensure satisfactory levels of off-street parking are achieved within the site.

8. Before the development hereby permitted becomes operative, the existing boundary to the east and west of the site shall be reduced to and be permanently maintained henceforth at a height no greater than 900mm above the crown level of the adjacent carriageway / Public Footpath, and shall include any new, internal boundaries in the front section of the site, in accordance with the approved plan, before the first occupation of any dwelling.

Reason: To ensure adequate visibility for the drivers of vehicles entering and leaving the

site. The cycling facilities to be provided in accordance with a scheme to be approved by the Local Planning Authority and the cycling facilities to be provided in accordance with the approved plan, before the first occupation of any dwelling.

9. The garage shown on the approved plan shall be maintained as such and shall not be converted to ancillary accommodation or used for storage without the prior written approval of the Local Planning Authority.

Reason: In order to ensure that sufficient off-street parking can be accommodated within the site.

10. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvements has been submitted to, and approved by, the Local Planning Authority. The scheme shall thereafter be completed in accordance with the approved details.

The works shall include:

- Re-surfacing and kerbing the footway from the end of the adopted section to the western edge of No. 59 Dixon Street. A measurement of 5.5m from this kerb edge should be taken, which will be the minimum carriageway width
- Upgrading and re-surfacing the carriageway from the edge of the adopted section to the western boundary i.e opposite No. 59 Dixon Street, to include a surface water gully
- Provision of a new street lighting column, exact position to be agreed with Lancashire County Council's Street Lighting Section

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

11. The car parking area shall be surfaced or paved in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority prior to the dwelling houses being occupied and shall thereafter at all times be made available for the parking of vehicles associated with the dwelling.

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

12. Electric vehicle charging points to be provided in accordance with a scheme to be approved by the Local Planning Authority and the vehicle charging points to be provided in accordance with the approved plan, prior to first occupation of any residential unit.

Reason: To ensure that the development provides sustainable transport options.

13. Prior to the commencement of development on site a method statement shall be submitted to the Local Planning Authority for written approval which shall include the following:

- i) the parking of vehicles of site-operatives and visitors
- ii) loading and unloading of plant and materials
- iii) storage of plant and materials used in constructing the development
- iv) the erection and maintenance of security hoardings including decorative displays, where appropriate

- v) wheel-washing facilities
- vi) measures to control the emission of dust and dirt during construction
- vii) details of working hours

Reason: In the interest of the amenity of the area and highway safety during construction work.

14. Notwithstanding the provisions of Article 3 and parts 1 and 2 of the second Schedule of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), for Plot 1 no development as specified in Class B & C of Part 1 of that Order and for Plot 2 & 3 no development as specified in Class D of Part 1 of that Order shall be carried out without express planning permission first being obtained from the Local Planning Authority.

Reason: To enable the Local Planning Authority to control any future development on the site in order to safeguard the residential amenity.

15. Before any dwelling unit is occupied waste containers shall be provided.

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

Informative

The Developer should take note of all the public footpaths running through the site and must 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 can be made to Pendle Borough Council.

The grant of planning permission will require the applicant to enter into an appropriate legal agreement (Section 278), with Lancashire County Council as the Highways Authority prior to the start of any development. For the avoidance of doubt works shall include, but not be exclusive to, the construction of the access and section of widened carriageway to an appropriate standard. The applicant should be advised to contact the County Council for further information.

- (2) That the Planning, Economic Development and Regulatory Services Manager be asked to bring back the Construction Method Statement, required by Condition 13 of the permission, to this Committee for approval.

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 in terms of impact on amenity, design and amenity and highway safety 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.

(b) Planning Appeals

The Planning, Economic Development and Regulatory Services Manager reported that as at 15th November, 2021 there were no outstanding planning appeals.

97. ENFORCEMENT ACTION

The Head of Legal Services submitted a report on enforcement action in the Barrowford and Western Parishes area. At the meeting the Principal Development Officer said she would email Members with an update on Land at Height Top Smithy, Stump Hall Road, Higham.

98. CAPITAL PROGRAMME 2021/22

The Housing, Health and Engineering Services Manager reported that all the money from the Committee's 2021/22 Capital Programme had been allocated and that a full report would be submitted in due course.

99. RE-OPENING OF BARROWFORD TOWN CENTRE

The Planning, Economic Development and Regulatory Services Manager submitted a report with an update on the spend for the re-opening of Barrowford Town Centre.

Barrowford had been allocated £8,119 from the Welcome Back Fund. This funding, combined with the outstanding spend from the Re-opening of the High Street Safely Fund, provided a total of £8,666. £3,274 had been spent on additional planters and plants and £2,351 on Christmas decorations. As requested at the last meeting, the remaining budget of £3,039 had been spent on environmentally friendly bags printed with *I Love Barrowford*. Their delivery was scheduled for early December.

An update on the *Come to Barrowford* website had been circulated prior to the meeting. Unfortunately the local company, Voidwell, who had built the website had split up and all attempts to contact the remaining company owner had failed. The 12 month contract, which included being able to alter businesses details, was due to end in February 2022. The company had been asked to hand over control of the website to the Council, but had not had a reply.

It was suggested that Barrowford join an existing project where funding was being used to create websites for Brierfield, Nelson and Barnoldswick using another company. The sites would have full content management. This was an initial 12 month contract with a respected long-standing company. The company had confirmed it was able to create a new website for Barrowford and transfer all the 65 existing businesses and their information onto it for £2,500. Members were also advised that to take advantage of that rate it needed to be taken up now, at the same time whilst the developer was building the other sites. There was still £3,700 within existing non-grant budgets for Barrowford for Covid resilience to assist the town centres.

The Economic Development Officer recommended that Barrowford create this new website as it would provide a good viable alternative to what was now a defunct website.

At the meeting Members discussed a proposal from Barrowford Parish Council to take control of the website and manage its content. It had the expertise, and whilst there would be a cost to the work, it would be a cheaper and more sustainable option.

RESOLVED

That the Planning, Economic Development and Regulatory Services Manager be informed that the Committee would like Barrowford Parish Council to take over and manage the *Come to Barrowford* website, and for him to have urgent discussions with the Chairman of the Parish Council over the costings for the necessary work and the next steps.

REASON

To help promote retailers in Barrowford and the town in general.

100. ENVIRONMENTAL BLIGHT

Members were advised that there were currently no environmental blight sites in the Barrowford and Western Parishes area. Any new sites should be forwarded to Tricia Wilson (tricia.wilson@pendle.gov.uk) or Julie Whittaker (julie.whittaker@pendle.gov.uk) with a brief description of the site and the problem along with contact details.

101. OUTSTANDING ISSUES

- (a) Residents-Only Parking on Forest View, Barrowford (8/9/21)
- (b) Traffic and Parking Problems on Wilton Street, Barrowford (3/11/21)

Chairman.....