

**MINUTES OF A MEETING OF THE
COLNE AND DISTRICT COMMITTEE
HELD AT COLNE TOWN HALL
ON 2ND DECEMBER, 2021**

PRESENT –

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

Councillors

*D. Albin
S. Cockburn-Price
D. E. Lord
A. Sutcliffe*

Co-optees

A. McGladdery

Officers in attendance

Neil Watson *Planning, Economic Development and Regulatory Services Manager (Area Coordinator)*
Lynne Rowland *Committee Administrator*

(Apologies for absence were received from Councillors D. Harrison, D. Lockwood and K. McGladdery and A. Mann (Colne Community Safety Partnership), M. Thomas (Colne Town Council) and Sergeant S. Banks.)



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

<i>Harriet French</i>	<i>21/0476/HHO Full: Demolition of conservatory to the north and east elevations, erection of replacement sun room to rear, erection of two storey side extension, 2 no. pitched roof dormers, new entrance and minor alterations to the south elevation and basement extension to the rear to house internal pool with balcony and external staircase at 5 Noyna View, Colne</i>	<i>Minute No.115(a)</i>
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110. DECLARATION OF INTERESTS

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

111. PUBLIC QUESTION TIME

There were no questions from members of the public.

112. MINUTES

RESOLVED

That the Minutes of the meeting held on 4th November, 2021 be approved as a correct record and

signed by the Chairman.

113. PROGRESS REPORT

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

114. COMMUNITY SAFETY ISSUES AND POLICE MATTERS

The crime figures for November 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	4	8
Burglary – Commercial	3	1
Vehicle Crime	13	14
Hate Crime	1	1
Assaults	26	46
Theft	33	37
Criminal Damage	9	16
All Crime	152	204
Anti-Social Behaviour	102	75

A Member advised that there had been an increase in drug activity in the cemetery. It was agreed that the police be made aware of the problem.

115. PLANNING APPLICATIONS

(a) Applications to be determined

The Planning, Economic Development and Regulatory Services Manager submitted a report of the following planning application to be determined -

21/0476/HHO Full: Demolition of conservatory to the north and east elevations, erection of replacement sun room to rear, erection of two storey side extension, 2 no. pitched roof dormers, new entrance and minor alterations to the south elevation and basement extension to the rear to house internal pool with balcony and external staircase at 5 Noyna View Colne for Mr Haroon Shah

The Planning, Economic Development and Regulatory Services Manager submitted an update report which addressed an issue raised with regards to the rear terrace/balcony and potential impact on No.7. The officer recommendation to approve the application remained the same.

(A site visit was carried out prior to the meeting.)

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:

1997-NV-004, 1997-NV-005, 1997-NV-006, 1997-NV-007, 1997-NV-010, 1997-NV-011, 1997-NV-012, 1997-NV-013, 1997-NV-014 and 1997-NV-015.

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

3. All materials to be used in the 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. Prior to the commencement of development on site, a detailed landscaping scheme shall have 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 boundary treatments with supporting elevations and construction details;
- e. all proposed hard landscape elements and pavings, including layout, materials and colours with all existing stone setts/flags being retained;
- 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 entire 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: In the interests of visual amenity.

5. Plans and particulars showing a scheme of surface water drains shall be submitted to, and approved in writing by the Local Planning Authority, and development shall not be commenced before these details have been approved, unless otherwise agreed in writing. The scheme shall include details of the flow attenuation measures for the surface water disposal system including final run off rates. The approved systems shall be completed in their entirety prior to the first use of the proposed extensions and shall thereafter be retained.

Reason: In order that the Local Planning Authority may be satisfied with the details of the proposal and to avoid potential flooding issues.

6. Prior to any above ground works details of an appropriate screen to the western side of the balcony/terrace shall be submitted to, and approved in writing by the Local Planning Authority

and the development shall be carried out in accordance with the approved details and thereafter retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to avoid potential overlooking and protect the privacy of the adjacent property no. 3.

7. The area of roof on the east side of the swimming pool and the area immediately to the north of the first floor extension and the access door from the Utility on the eastern side of the dwellinghouse (plan no. 1886-NV-011) shall only be used for maintenance and not for any form of recreation and an obscure privacy screen of at least 1.8m shall be erected along this elevation prior to the rear extension being brought into use. Details of the privacy screen shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. The screen shall be installed prior to the first use of the development hereby approved and shall at all times thereafter be retained.

Reason: In order to limit the use of that element of the roof for maintenance only and not recreational use in the interests of privacy for the neighbouring property no. 7.

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 proposal is acceptable in terms of design and materials and would not unduly adversely impact on amenity. 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.

116. ENFORCEMENT/UNAUTHORISED USES

Enforcement action

The Head of Legal Services submitted a report which gave the up-to-date position on prosecutions.

117. 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 £9,130.

The following new bids were submitted for consideration –

- Supply and fitting of a heritage plaque at Trawden Recreation Ground - £409.20
- Repairs to retaining wall at Public Footpath 207, Byron Road to Keighley Road, Colne - £2,250

RESOLVED

- (1) That Trawden Forest Parish Council be asked to review the design and materials proposed

and be asked to contribute half the funding for the supply and fitting of a heritage plaque at Trawden Recreation Ground and if agreed, the balance be funded equally from the capital funds of Councillors N. Butterworth, D. Cockburn-Price and S. Cockburn-Price.

- (2) That the bid for funding for repairs to the retaining wall at Public Footpath 207, Byron Road to Keighley Road, Colne be refused and a notice to repair be served on the owner.

REASON

- (1) To allocate the Committee's capital programme effectively.**
- (2) The wall is in private ownership.**

118. WHEEL PARK, VIVARY WAY, COLNE

Further to a request of this Committee investigations had been carried out on an area of land between Pendle Leisure Centre and Bowker BMW, Colne, to establish its suitability for a wheel park. The Environmental Services Manager submitted a report on the outcome of the investigations.

The Committee was asked to consider whether to move forward with the proposal to create a wheel park or similar facility at this location and if so, consider which construction method to use. The two options for construction were either a cast concrete structure or individual elements that were secured to the floor.

RESOLVED

- (1) That the proposal to create a wheel park or similar facility on available land between Pendle Leisure Centre and Bowker BMW be pursued.
- (2) That a cast concrete structure be the preferred construction method.
- (3) That Colne Town Council be consulted on the proposal and be advised that an element of match funding would be required, plus an annual sum to cover the annual inspection, lifecycle and maintenance charges and minimum revenue charges incurred by Pendle Council.
- (4) That, if Colne Town Council are in support of the proposal, the £11,540 already allocated within the capital budget from relocation of the MUGA on Vivary Way be allocated towards the project.

REASON

- (1) Skateboarding, parkour and BMX stunt riding are an increasing popular sport and the nearest facilities are several miles away.**
- (2) The land was allocated to a potential wheel park as part of the planning application on the site.**
- (3) The proposed site has good access, being close to the M65/Vivary Way corridor and the railway station. It will also benefit from being close to the Leisure Centre and could attract a full spectrum of recreational users to the area and increase footfall to Colne Town Centre.**

119. CEMETERY LODGE, KEIGHLEY ROAD, COLNE

The Housing, Health and Engineering Services Manager submitted a report for Members to consider making a recommendation to the Policy and Resources Committee that the Cemetery Lodge, Keighley Road, Colne and an additional area of the Council's land be declared surplus to requirements in order for it to be sold on the open market. A plan of the land was attached as an appendix to the report.

The Committee generally agreed with the principle of the request, subject to appropriate access to the site being established. It was suggested that electric gates should be installed and that access from Sagar Fold would be more appropriate. However, it was acknowledged that this second suggestion would involve crossing the triangular shaped land identified on the plan.

RESOLVED

- (1) That the Policy and Resources Committee be recommended to declare the Cemetery Lodge, Keighley Road, Colne (shown edged black on the plan) and an additional area of the Council's land (shown cross hatched on the plan) surplus to requirements in order for it to be sold on the open market, subject to:-
 - Potential access from Sagar Fold being explored
 - Suitable electric gates being installed, or the existing cemetery gates being altered to electric opening, to allow for controlled vehicular access and 24 hour pedestrian entry/exit to the cemetery
 - A condition being imposed to ensure that no further development is carried out on the land.
- (2) That, if the property is declared surplus, the Housing, Health and Engineering Services Manager be authorised to apply for planning permission for the additional area of land to be used as a garden and parking for the property.

REASON

- (1) ***To achieve a capital receipt and end all liabilities.***
- (2) ***To potentially increase the demand and amount of consideration which would be achievable.***

120. RE-OPENING OF COLNE TOWN CENTRE

The Planning, Economic Development and Regulatory Services Manager submitted a report on the Re-opening the High Streets Safely Fund (RHSSF) grant spending for the re-opening of Colne Town Centre. The report also included information on the Welcome Back Fund (WBF) allocation.

A verbal update on progress with 'Christmas in Colne' was provided by co-optee Aneesa McGladdery of Colne BID. It was noted that, for health and safety reasons, it hadn't been possible to install the Christmas tree at Hartley Square. An alternative was being sought, which would be funded by the BID. Members were therefore asked to consider re-allocating the tree funds towards a light festival in Colne plus Colne merchandise.

Aneesa also invited the Committee to comment on a proposal for Independent Street Events to collaborate with Colne BID to bring a monthly community event to the town centre. Information on the proposal had been circulated prior to the meeting. Members were generally in support of the

proposal, but raised concern over the current lack of public toilet provision and the need for this to be addressed prior to any event taking place.

RESOLVED

- (1) That the Planning, Economic Development and Regulatory Services Manager be delegated authority to negotiate with Colne BID regarding the use of any remaining RHSSF and WBF funds and if appropriate, they be allocated towards a light festival in Colne plus Colne merchandise.
- (2) That Colne BID be advised of this Committee's support for its collaboration with Independent Street Events to bring a monthly community event to the town centre.

REASON

To continue in helping keep Colne economically successful.

121. ENVIRONMENTAL BLIGHT

The Housing, Health and Engineering Services Manager submitted a report which provided an update on environmental blight sites in the Colne and District area.

122. COLNE YOUTH ACTION GROUP

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

Unfortunately, as a result of vandalism to the Byron Road building, the opening had been delayed. This had created a potential issue for the Group's participation in the Holiday Activities and Food (HAF) Programme. Marsden Old Hall, Nelson was currently the fall-back position.

As referred to at the last meeting of the Committee, the Group was looking to set up a business to run Forest School training courses for organisations and schools. As part of this, access to the Additional Restrictions Grant (ARG) was being explored. It was noted however that the ARG was aimed at Covid recovery and therefore may not fit the criteria.

It was also reported that the work of the CYAG had been recognised by the Mayor of Pendle who had awarded a certificate of commendation for going above and beyond.

123. 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 4th November, 2021 were submitted for information.

124. 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 item 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.

125.

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.

CHAIRMAN _____