

**MINUTES OF A MEETING OF
BARROWFORD AND WESTERN PARISHES COMMITTEE
HELD ON 2ND FEBRUARY, 2022
AT NELSON TOWN HALL**

PRESENT

Councillors

*N. Ahmed
C. Lioni
B. Newman*

Co-optees

*D. Heap – Barley with Wheatley Booth Parish Council
R. Oliver – Barrowford Parish Council
K. Wilkinson - Goldshaw Booth Parish Council
R. Willoughby – Higham with West Close Booth Parish Council
A. Walker - Roughlee Booth Parish Council*

Officers in Attendance

*W. Forrest
K. Hughes
J. Robinson*

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

Also in Attendance

County Councillor H. Hartley

(Apologies for absence were received from Councillor L. Crossley and N. McEvoy, (Blacko Parish Council)).



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

<i>Judith Dand Christie McDonald Brian Sumner Alex Haworth Mr. and Mrs. Firman Stephen Shepherd</i>	<i>21/0758/FUL - Full: Erection of two detached dwellinghouses at Land to the North West of Parrock Road, Barrowford</i>	<i>Minute No. 122(a)</i>
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117. APPOINTMENT OF CHAIRMAN

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)

118. DECLARATION OF INTERESTS

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

The following Councillor declared a disclosable pecuniary interest on the item indicated –

C. Lioni *19/0638/CND - Approval of Details Reserved by Condition: Discharge conditions 2 (Landscaping) and 4 (Manure Storage) of Planning Permission 17/0769/FUL at Land to the North West of Clough Springs, Clough Springs, Barrowford* *Minute No. 122(a)*

119. PUBLIC QUESTION TIME

There were no questions from members of the public.

120. MINUTES

RESOLVED

That the Minutes of this Committee, at the meeting held on 5th January, 2022, be approved as a correct record and signed by the Chairman.

121. POLICE MATTERS AND COMMUNITY SAFETY ISSUES

The following crime statistics for January 2022 compared to the same period in the previous year had been circulated prior to the meeting. The Police were not able to attend this meeting.

JANUARY	2021	2022
Burglary – Residential	1	0
Burglary - Commercial	1	1
Auto Crime	1	3
Hate Crime	1	0
Assaults	6	4
Theft	0	3
Criminal Damage/Arson	0	0
Other Crime	6	8
ALL CRIME	16	19
Anti-Social Behaviour	41	11

The crime figures for January were showing no increase with the exception of Auto Crime and Theft. There was a 73% decrease in the number of reported anti-social behaviour incidents.

It was reported that a meeting was in the process of being arranged with Lancashire County Council's Cabinet Member for Highways and Transport, County Councillor Charles Edwards to discuss continuing highway safety issues, maintenance issues and speeding cars on specific roads in the Barrowford and Western Parishes area, including the A6068 as per the recommendation this Committee made at its last meeting.

122. PLANNING APPLICATIONS

(a) Planning applications for determination

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

19/0638/CND Approval of Details Reserved by Condition: Discharge conditions 2 (Landscaping) and 4 (Manure Storage) of Planning Permission 17/0769/FUL at Land to the North West of Clough Springs, Clough Springs, Barrowford for Mr. C Lioni

(Councillor C. Lioni declared a pecuniary interest in this item and withdrew from the meeting).

RESOLVED

That conditions 2 (Landscaping) and 4 (Manure Storage) be **discharged** subject to clarification of the planting proposed.

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.

21/0758/FUL Full: Erection of two detached dwellinghouses at Land to the North West of Parrock Road, Barrowford for Therapy Assist Ltd

An update was circulated prior to the meeting stating that the recommendation had been changed from Approve to Delegate Grant Consent subject to no new issues being raised as the press notice for the application would not expire until 11th February, 2022 and a decision could not be issued until after that.

RESOLVED

That the Planning, Economic Development and Regulatory Services Manager be granted **delegated authority** to **approve** the application subject to the expiry of the consultation period and subject to the following conditions and reasons:

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:

A007_P_001, A007_P_003A, A007_P_100A, A007_P_101, A007_P_102, A007_P_103, A007_P_104, A007_P_201, A007_P_300 & A007_P_301.

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

3. 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/or in order to prevent contamination of the controlled waters.

4. No development approved by this permission shall commence unless and until a scheme for the disposal of foul and surface water for the entire site has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, surface water must drain separate from the foul and no surface water will be permitted to discharge directly or indirectly into existing foul or combined sewerage systems. Any surface water draining to the public surface water sewer must be restricted to a maximum pass forward

flow of 5l/s. The development shall be completed, maintained and managed in accordance with the approved details.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run off and to reduce the risk of flooding

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 there shall not at any time in connection with the development hereby permitted be erected or planted or allowed to remain upon the land hereinafter defined any building, wall, fence, hedge, tree, shrub or other device over 0.9m above road level. The visibility splays at both accesses to be the subject of this condition shall be that land in front of a line drawn from a point 2.4m measured along the centre line of the proposed site access road from the continuation of the nearer edge of the carriageway of the unnamed lane leading from Parrock Road to points measured 11m in each direction along the nearer edge of the carriageway of the unnamed lane, and shall be constructed and maintained at verge level in accordance with a scheme to be agreed by the Local Planning Authority.

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

6. 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.
 - e) Details of wheel-washing facilities including location.
 - k) Measures to ensure that vehicle access of adjoining access points are not impeded.
 - n) Location and details of site compounds.
 - u) Parking area 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 phases.

7. Before the access is used for vehicular purposes, the access and manoeuvring area shall be appropriately paved in bound porous material.

Reason: To prevent loose surface material from being carried on to the adjacent highway thus causing a potential source of danger to other road users.

8. The layout of the development shall include provisions to enable vehicles to enter and leave the highway in forward gear and such provisions shall be laid out in accordance with the approved plan and the vehicular turning space shall be laid out and be available for use before the development is brought into use and maintained thereafter.

Reason: Vehicles reversing to and from the highway are a hazard to other road users.

9. Prior to any above ground development taking place samples of the external facing materials, windows, doors, garage doors and external facing materials and rain water goods 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. The development shall thereafter be carried out in strict accordance with the approved details.

Reason: To ensure a satisfactory form of development in the open countryside.

10. Windows and doors shall be set back from the external face of the walls of the units by at least 75mm in depth.

Reason: To ensure a satisfactory form of development.

11. Notwithstanding the submitted plans the windows and doors shall be of timber construction and painted not stained in a colour to be agreed in writing with the Local Planning Authority prior to installation.

Reason: To ensure a satisfactory form of development in this location.

12. Notwithstanding the provisions of Article 3 and Parts 1 and 2 of the second schedule of the Town and 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, B, C, D, E and F of Part 1 and Class B of Part 2 of Schedule 2 of that Order shall be carried out and Class A 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.

Reason: In order to enable the Local Planning Authority to control any future development on the site, in order to safeguard the character and visual amenity of the conservation area and restrict any potential impact on protected trees.

13. The car parking and turning areas shall be surfaced or paved in accordance with a scheme to be approved by the Local Planning Authority and the car parking spaces and manoeuvring areas marked out in accordance with the approved plan, before the use of the premises hereby permitted is occupied.

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

14. 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, boundary treatments 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

15. Unless approved in writing by the Local Planning Authority no ground clearance, demolition, changes of level or development or development-related work shall commence until protective fencing, in full accordance with BS 5837: 2012 has been erected around each tree/tree group or hedge to be preserved on the site or on immediately adjoining land, and no work shall be carried out on the site until the written approval of the Local Planning Authority has been issued confirming that the protective fencing is erected in accordance with this condition. Within the areas so fenced, the existing ground level shall be neither raised nor lowered. Roots with a diameter of more than 25 millimetres shall be left unsevered. There shall be no construction work, development or development-related activity of any description, including the deposit of spoil or the storage of materials within the fenced areas. The protective fencing shall thereafter be maintained during the period of construction.

All works involving excavation of soil, including foundations and the laying of services, within the recommended distance calculated under the BS 5837 (2012) of the trees to be retained on the site, shall be dug by hand and in accordance with a scheme of works which has been submitted to and approved by the Local Planning Authority, prior to the commencement of works.

Reason: To prevent trees or hedgerows on site from being damaged during building works.

16. The recommendations for biodiversity enhancement outlined in the Preliminary Ecological Appraisal compiled by Pennine ecological Dated August 2021 shall be carried out in accordance with the mitigation measures proposed prior to first occupation of any dwelling on the site.

Reason: To ensure adequate provision of habitats in the interests of biodiversity on the site.

17. No clearance of any shrubs, trees or hedgerows on the site shall take place until a schedule of clearance including timing has been submitted to and approved in writing by the Local Planning Authority. The clearance of the site shall thereafter be undertaken in strict accordance with the approved details and shall cease if any evidence of nesting birds are found on the site.

Reason: To ensure that existing vegetation remains on the site in the interests of protecting habitats and biodiversity.

18. Before each dwelling unit is occupied waste containers shall be provided within the curtilage.

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

19. Before each dwelling unit is occupied electric vehicle charging points shall be provided with the curtilage.

Reason: To provide for sustainable modes of transport.

Note

1. Public Rights of Way must not be obstructed during the proposed development. It is the landowner's responsibility to ensure that the necessary procedures are followed for the legal diversion of the Public Right of Way if this should be necessary. The granting of planning permission does not constitute the diversion of a Definitive Right of Way. If it is necessary for Public Rights of Way to be temporarily diverted or temporarily closed, it is the landowner's responsibility to ensure that this is done following the appropriate legal procedures.

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 subject to appropriate conditions. The development 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 17th January, 2022 there were no outstanding planning appeals.

123.

ENFORCEMENT ACTION

The Head of Legal Services submitted a report on enforcement action in the Barrowford and Western Parishes area and a verbal update was given at the meeting in relation to Belgarth Nursing Home, Barrowford. During the discussion reference was made to possible unauthorised activity at a site in Roughlee. The Principal Development Officer said that they would follow this up and take any appropriate action.

124. CAPITAL PROGRAMME 2021/22

The Housing, Health and Engineering Services Manager submitted a report on the Committee's 2021/22 Capital Programme. Members noted that all the capital budget had been committed.

125. TRAFFIC ISSUES ON WILTON STREET, BARROWFORD

The Housing, Health and Engineering Services Manager submitted a report on the options to resolve the traffic issues being experienced on Wilton Street, Barrowford for consideration.

Members considered the proposals outlined in the report and determined to proceed with Option 8 and the introduction of formal directional signage to the car park off Cravendale Avenue, Barrowford and the creation of formal parking bays at the site to encourage usage.

Members also felt that it would be beneficial to meet informally with the owners of Valley Forge Business Park to discuss Option 6 and the possible introduction of a one-way system making use of the privately owned access road through the Park to help ease the issues on Wilton Street.

RESOLVED

- (1) That the report be noted.
- (2) That the Housing, Health and Engineering Services Manager be requested to submit a report to the next meeting providing a detailed design and cost estimate for introducing formal directional signage to the car park off Cravendale Avenue, Barrowford and creating formal parking bays at the site to encourage usage.
- (3) That an informal meeting be arranged with the owners of Valley Forge Business Park as soon as is practicable to discuss the possibility of introducing a one-way system making use of the privately owned access road through the Park to help ease the traffic issues on Wilton Street, Barrowford.

REASON

To try to improve highway and parking issues at this location for the benefit of residents.

126. TRAFFIC CONCERNS AT THE JUNCTION OF GISBURN ROAD AND INGHAM STREET, BARROWFORD

Lancashire County Council reported that the issue of restricted visibility for vehicles turning from Ingham Street onto Gisburn Road, Barrowford raised at the last meeting of this Committee would be discussed at the next Traffic Liaison Meeting on 23rd February, 2022.

127. OUTSTANDING ISSUES

- (a) Residents-Only Parking on Forest View, Barrowford (5/1/22)
- (b) Highway safety issues, maintenance issues and speeding cars on specific roads in the Barrowford and Western Parishes area, including the A6068 (5/1/22)

128.

EXCLUSION OF PUBLIC AND PRESS

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

129.

ENVIRONMENTAL CRIME

The Environmental Services Manager submitted a report on Environmental Crime in the Barrowford and Western Parishes area for the period 1st October to 31st December, 2021, which was noted.

Chairman _____