

**MINUTES OF A MEETING OF
BARROWFORD AND WESTERN PARISHES COMMITTEE
HELD ON 30TH MARCH, 2022
AT NELSON TOWN HALL**

PRESENT

Councillors

*N. Ahmed
C. Lioni*

Co-optees

*D. Heap – Barley with Wheatley Booth Parish Council
R. Oliver – Barrowford Parish Council
A. Macadam, Goldshaw Booth Parish Council
R. Willoughby – Higham with West Close Booth Parish Council
J. Hartley – Old Laund Booth Parish Council*

Officers in Attendance

*W. Forrest
A. Cameron
L. Barnes
J. Robinson*

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

Police

PC. L. Bolton

Also in Attendance

County Councillor H. Hartley

(Apologies for absence were received from N. McEvoy, (Blacko Parish Council) and A. Walker, (Roughlee Booth Parish Council)).



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

<i>David Ashton</i>	<i>21/0936/HHO - Full: Erection of a part single storey, part two storey extension to the rear at 15 Kendal Avenue, Barrowford</i>	<i>Minute No. 151(a)</i>
<i>Paul Rayson Janet Sharp</i>	<i>21/0962/FUL - Full: Change of use of a domestic annexe to tourist accommodation (1 Bedroom) at Height Top Smithy, Stump Hall Road, Higham</i>	
<i>Howard Hartley Jill Hartley</i>	<i>22/0041/HHO - Full: Demolition of conservatory and erection of single storey rear extension and extend patio, demolition of garage to side and erection of 2 storey side extension, formation of 3 dormers to front and extend driveway at 18 Forester Drive, Fence</i>	

Ian Ingham

Enforcement Action – Belgarth Nursing Home,
Barrowford

Minute No. 152



146. APPOINTMENT OF CHAIRMAN

That Councillor N. Ahmed be appointed as Chairman for this meeting only.

Councillor N. Ahmed – Chairman (in the Chair)

147. DECLARATION OF INTERESTS

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

148. PUBLIC QUESTION TIME

There were no questions from members of the public.

149. MINUTES

RESOLVED

That the Minutes of this Committee, at the meeting held on 2nd March, 2022, be approved as a correct record and signed by the Chairman.

150. POLICE MATTERS AND COMMUNITY SAFETY ISSUES

PC Bolton introduced herself as the new dedicated Community Beat Manager for the Barrowford and Western Parishes area. She further added that she would be supported by PCSO Bradley Burnie and PCSO Kinga Wisniowska. PC Bolton gave her email address (4123@lancashire.police.uk) to the Members and members of the public present and urged them to use it to report any incidents they witness. She said she was planning on a return to 'old school policing' and getting out on the beat and would be reinstating Police and Community Together (PACT) meetings in the Parishes which would be advertised via the Nelson, Brierfield and Barrowford Facebook page (www.facebook.com/NelsonBrierfieldBarrowfordPolice).

PC Bolton spoke of an incident last Friday evening where a group of approximately 30 youths carrying balloons behaved in an anti-social manner as they progressed from Belgarth Nursing Home to Barrowford Park via Nora Street, Barrowford. Barrowford Park had since been added to her Patrol Plan along with Belgarth Nursing Home as a result. She said it was hoped that the incident was a one-off but that support would be drafted from the Nelson and Brierfield Community Beat Teams if it was not. She added that the incident was currently being investigated and urged anyone with any information about it or the identity of the offenders to contact her via e-mail.

The issue of anti-social driving on roads in the Barrowford and Western Parishes area was again raised. PC Bolton reported that an Operation targeting anti-social drivers on roads in Pendle including the A6068 and Gisburn Road, Barrowford would be launched on 1st April, 2022 and would continue throughout April. She said additional resources had been made available for this Operation especially on 4th-6th April including Armed Response Officers due to their advanced driving skills. She said a multi-strand approach was being taken to address this issue including

a recent education campaign with Year 11 pupils at Pendle Vale School and working with the Council towards putting in place a Public Spaces Protection Order to address anti-social driving in the Pendle area. She again urged those present to report any incidences of anti-social driving and other problem areas to her via e-mail.

PC Bolton was asked about the recent vandalism at the bowling green in Barrowford Park. She said the incident was under investigation but that her Team currently had not received any verifiable evidence. She was also asked if she could accept photographs and dashcam footage of perpetrators of anti-social behaviour at Belgarth Nursing Home specifically and said she could if it could be done without compromising safety. She also asked for Vehicle Registration Numbers of speeding vehicles to be sent to her via e-mail.

151. PLANNING APPLICATIONS

(a) Planning applications for determination

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

21/0936/HHO Full: Erection of a part single storey, part two storey extension to the rear at 15 Kendal Avenue, Barrowford for Mr. and Mrs. Berry

RESOLVED

That determination of the application be **deferred** to the next meeting to allow for a site visit.

21/0945/FUL Full: Major: Change of use of the land from agriculture to a mixed use of agriculture and equestrian, erection of private stables building and tack store and creation of access track and hardstanding at Field to the East of Ravensclough, Barrowford Road, Fence for Mrs. J. Ellins

An update was circulated prior to the meeting reporting that the recommended conditions had been revised to take account of the retrospective nature of the development but did not alter the recommendation to delegate grant consent subject to the expiry of publicity period.

RESOLVED

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

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan 1:2500 – received 05/01/2022, 1470-1A, 1470-2A.

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

2. The external 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.

3. Within one month of the date of this permission details of manure storage arrangements, including any foul water drainage, shall be submitted to, and approved in writing by, the Local Planning Authority. The manure storage shall at all times thereafter be sited, drained and managed in strict accordance with the approved details.

Reason: To protect controlled waters from pollution and protect the amenity of neighbouring residential properties from odours and flying insects.

4. The equine development hereby permitted shall be for, or ancillary to, the stabling of horses owned, or leased, by the owner of the site only, the site shall not be used for livery or any commercial equine purpose whatsoever at any time.

Reason: In the interest of highway safety.

Note: The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

If during any stage of the development any miscellaneous substances, made ground or potentially contaminated ground that has not been previously identified and planned for in a report is uncovered, work in the area must stop immediately and the Environmental Health Department at the Borough of Pendle should be made aware. No work should continue until a contingency plan has been developed, and agreed with the Local Planning Authority.

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 in accordance with the policies of the Pendle Local Plan Part 1: Core Strategy and the saved policies of the Replacement Pendle Local Plan. 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.

21/0962/FUL Full: Change of use of a domestic annexe to tourist accommodation (1 Bedroom) at Height Top Smithy, Stump Hall Road, Higham for Mr. M Statham

This application was deferred from the last meeting to allow for the objection relating to the work not adhering to the original permission for the extension, specifically the rendering, to be investigated.

RESOLVED

That planning permission be **granted** subject to the following conditions –

1. The development must be begun not later than the expiration of three years beginning with 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 – received 20/12/2021, Height Top Smithy – received 10/03/2021.

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

3. The tourist accommodation hereby approved shall be occupied for holiday purposes only and shall not be occupied as a person's sole or main place of residence. The operators of the site shall maintain an up-to-date register of the names of the occupiers of the tourist accommodation and of their main home addresses and shall make this information available at all reasonable times to the local planning authority.

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

4. The parking provision shown on the approved plans received 10/03/2022 shall at all times be maintained free from obstruction and available for parking a minimum of four vehicles with provision for them to turn and exit in forward gear.

Reason: In order to ensure satisfactory levels of parking and adequate turning provision are maintained in the interest of highway safety.

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 use is acceptable in accordance with the policies of the Pendle Local Plan Part 1: Core Strategy and saved policies of the Replacement Pendle Local Plan. 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.

22/0041/HHO Full: Demolition of conservatory and erection of single storey rear extension and extend patio, demolition of garage to side and erection of 2 storey side extension, formation of 3 dormers to front and extend driveway at 18 Forester Drive, Fence for Mr. and Mrs. Heys

An update was circulated prior to the meeting reporting that the Applicants had submitted some amended plans removing the two storey element from the side elevation, so that the proposed plans now indicated demolition of the conservatory and garage, erections of a single storey wrap around extension to the side and rear, two dormer windows to the front elevation and an extended driveway. It was also reported that given the amendment to the plans a short period of time to review the amended submission and make an assessment was required but that the

recommendation to delegate grant consent subject to satisfactory neighbouring amenity remained.

RESOLVED

That determination of the application be **deferred** to the next meeting to allow for the amended plans to be reviewed and assessed and to allow for a site visit.

(b) Planning Appeals

The Planning, Economic Development and Regulatory Services Manager reported that as at 8th March, 2022 there were no outstanding planning appeals.

152. ENFORCEMENT ACTION

The Head of Legal Services submitted a report on enforcement action in the Barrowford and Western Parishes area.

The representative of Goldshaw Booth Parish Council said she was awaiting the release of Section 106 monies from the Developers of Spenbrook Mill to fund the purchase of play equipment but was not certain of the process. She said she had contacted the Council's Planning and Legal Departments but had not as yet received a definitive response. The Chair said this information would again be requested from the Council's Planning Department.

A resident requested an update on Belgarth Nursing Home. They were advised that a planning application to develop the site had been submitted but had yet to be validated and that this could take between 8 and 13 weeks depending on the number of units applied for. They were further advised that the enforcement action would continue in spite of this.

153. 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 to the next meeting.

It was also reported that the remaining £3,700 of capital funding under the non-grant budget for Covid measures would be rolled into the Capital Programme budget for financial year 2022/23 and would then be at the disposal of this Committee.

154. TRAFFIC LIAISON MEETING

The minutes of the Traffic Liaison Meeting held on 23rd February, 2022 were submitted for information.

Members expressed disappointment that the Traffic Liaison Meeting did not support the request for parking restrictions to assist with visibility exiting Ingham Street onto Gisburn Road, Barrowford and that they would be taking no further action.

The representative of Barrowford Parish Council requested clarification on some of the minutes relating specifically to Barrowford. The Chair said this would be sought from the Housing, Health and Engineering Services Manager.

155. TRAFFIC ISSUES ON WILTON STREET, BARROWFORD

The Housing, Health and Engineering Services Manager reported that consultation on the signage scheme proposed to help ease the traffic issues on Wilton Street, Barrowford had taken place with Lancashire County Council and that they supported the proposal in principle but had raised questions about the signs and potential implications for the existing directional signage in Barrowford. It was further reported that a meeting between Officers had been arranged to resolve these issues and that a full design with costings would be submitted to the next meeting of this Committee.

156. OUTSTANDING ISSUE

- Residents-Only Parking on Forest View, Barrowford (2/3/22)

157. EXCLUSION OF PUBLIC AND PRESS

Members agreed to exclude the public and press from the meeting during the following items 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.

158. ENFORCEMENT ACTION CASE

The Head of Legal Services submitted a report for Members' information.

RESOLVED

- (1) That the report be noted.
- (2) That the Head of Legal Services be instructed to commence prosecution proceedings immediately and to obtain a Court date for a first hearing.
- (3) That a report setting out the viability of Compulsory Purchase of the site be submitted to the next meeting.

REASON

In the interests of visual amenity and public health and safety.

159. SITE REFERENCE PLE/22/0102

The Planning, Economic Development and Regulatory Services Manager submitted a report for Members' consideration.

RESOLVED

- (1) That a site visit be arranged and attended by Members of this Committee as soon as is practicable.

- (2) That the Planning, Economic Development and Regulatory Services Manager be instructed to serve a Section 215 Notice to require the site to be tidied and brought back to an acceptable condition.

REASON

To protect the visual amenity of the Area of Outstanding Natural Beauty.

Chairman _____