

**MINUTES OF A MEETING OF
WEST CRAVEN COMMITTEE
HELD AT THE RAINHALL CENTRE, BARNOLDSWICK
ON 10TH MAY 2022**

PRESENT –

Councillors

*R. E. Carroll
C. Church
M. Goulthorp
J. Purcell
D. M. Whipp
T. Whipp*

Co-optees

*A. Inman, Earby Town Council
P. Maskell, Kelbrook and Sough Parish Council*

Officers Present

N. Watson

*Planning, Economic Development and Regulatory
Services Manager and Area Co-ordinator (for this
meeting only)*

J. Eccles

Committee Administrator

(Apologies were received from M. Whittingham.)



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

<i>Andrew Morgan</i>	<i>21/0666/FUL - Full: Erection of 3 holiday lodges with associated parking, access and amenity area Land to the rear of The Greyhound, Manchester Road, Barnoldswick</i>	<i>Item 8(a)</i>
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1. APPOINTMENT OF CHAIRMAN

No agreement could be reached on the appointment of the Chairman for the municipal year 2022/23.

2. APPOINTMENT OF VICE-CHAIRMAN

RESOLVED

That this item be deferred until a Chairman had been appointed.

3. APPOINTMENT OF CO-OPTEEES

RESOLVED

That all West Craven Parish and Town Councils, including the Bracewell and Brogden Parish meeting, be invited to nominate co-optees to the Committee for the municipal year 2022/23.

4. DECLARATIONS OF INTEREST

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

5. PUBLIC QUESTION TIME

A resident of Barnoldswick asked who was responsible for the open spaces at Cornmill Place and if it was the Council, would there be a visit soon to attend to the tall trees and overgrown vegetation? It was reported that the benches were also rotten and not safe.

It was explained that when the properties were built a Section 106 agreement stated that land within the site would be taken over by the Council following completion of the landscaping works. Since then the Council had been undertaking maintenance on an ad hoc basis. In 2019 this Committee had asked for the open space within Cornmill Place to be transferred to Barnoldswick Town Council as a Community Asset with the residual amount of Section 106 funding, but it was not known how far this had progressed.

The Planning, Economic Development and Regulatory Services Manager said that he would check on progress with the Community Asset Transfer and see if the outstanding work could be expedited. In the meantime he would ask for the necessary maintenance work to be carried out and arrange for the trees to be looked at. It would be put on the agenda for an update at the next meeting.

6. MINUTES

RESOLVED

That the Minutes of this Committee, at the meeting held on 29th March 2022, be approved as a correct record.

7. POLICE AND COMMUNITY SAFETY ISSUES

The crime figures for April 2022 compared to the same period in 2021 had been circulated prior to the meeting. They were broken down as follows –

	2021	2022
Burglary - Residential	3	1
Burglary - Commercial	0	0
Vehicle Crime	6	3
Hate Crime	0	0
Assaults	12	19
Theft	6	9
Criminal Damage	3	3
Other Crime	43	52
ALL CRIME	73	87
	2021	2022
Anti-Social Behaviour (ASB)	58	35

The crime statistics for March were not available due to staff resources.

Members raised concerns with speeding traffic on local roads including Skipton Road, Gisburn Road, Manchester Road (which had all been mentioned at previous meetings and raised with the Police). They wanted the Police to take this issue seriously and do what they could to deal with offenders. The Lancashire Road Safety Partnership, the installation of speed cameras, other interactive devices, and the introduction of traffic calming measures were all mentioned as ways to combat speeding. It was hoped that the new Inspector for the area, who had a background in roads policing, would be willing to put some more resources into this area. An initiative closing some streets around schools at drop off/pick up times to help with road safety had been introduced in some areas. It was suggested that this be looked at and LCC asked for their views.

Anti-social behaviour was another major concern and not helped by a lack of provision for young people. Fires were being lit and not put out properly at Birley Playing Fields, Ann's Wood and the Waterfalls in Earby.

RESOLVED

- (1) That the Police be asked to do what they could to tackle the problem of speeding vehicles in West Craven and to carry out more regular ASB patrols, in particular at Birley Playing Fields, the Waterfalls, and Ann's Wood in Earby.
- (2) That the Anti-Social Behaviour Officer also be informed about the lighting of fires at Brierley Playing Fields and at the Waterfalls in Earby to see what could be done.
- (3) That Lancashire County Council be asked to make better provision for young people in West Craven so that there were positive activities available.
- (4) That the possible closure of some streets around schools at drop off and pick up times be considered as an Item for Discussion at the next meeting.

8. PLANNING APPLICATIONS

(a) Planning applications for determination

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

21/0666/FUL Full: Erection of 3 holiday lodges with associated parking, access and amenity area at land to the rear of the Greyhound, Manchester Road, Barnoldswick for Greyhound Cottages Ltd

RESOLVED

That consideration of this application be **deferred** for a site visit.

21/0481/FUL Full: Erection of six detached dwellings and garages with new estate road and associated landscaping at Land to the rear of 8, Birch Hall Lane, Earby for Pretty Perfect Properties Ltd

An update was circulated prior to the meeting reporting receipt of an amended plan for plot 6 moving the utility room door in the rear elevation to the site of the garage and clarifying the

proposed levels down to the boundary. This resolved the potential issue in relation to privacy impact of the door on the rear of Heather Brow.

RESOLVED

That the Planning, Economic Development and Regulatory Services Manager be delegated authority to **grant** consent, subject to the Environment Agency's objection being withdrawn and 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: 041 Rev B, 042 Rev A, 043 Rev A, 044, 050, 051, 052, 053, 054, 055, 056, 057, 058, 059, 060, 061, 062, 063, 064, 065, 066, 067, 068, 070, 071, 072, 073, 074, 101 SK2.

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

3. Prior to the commencement of development samples of all the external materials to be used in the construction of the roofs, walls, boundary/retaining walls and paving together with samples of the colour and finish of windows and doors of the development hereby approved, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter at all times be carried out in strict accordance with the approved materials and details.

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

4. The dwellings hereby approved shall not be occupied unless and until the parking for a minimum of three cars per dwelling has been laid out and surfaced in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. The parking spaces, including those in garages, shall remain available free from obstruction and available for parking purposes at all times thereafter.

Reason: In the interests of highway safety and to provide suitable off-street parking provision.

5. Notwithstanding the provisions of Article 3 and parts 1 and 2 of the Second Schedule of the Town & 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 of Part 1 of Schedule 2 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 character and amenity of the area and impacts on

neighbouring properties and in order to ensure the trees retained on the site are not adversely affected.

6. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed estate road within the development have been submitted to and approved by the local planning authority. (The road shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980, or a private management and maintenance company has been established.)

Reason: In the interest of highway safety.

7. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. It shall provide for:

- i) The parking of vehicles of site operatives and visitors
- ii) The loading and unloading of plant and materials
- iii) The storage of plant and materials used in constructing the development
- iv) Wheel washing facilities
- v) Periods when plant and materials trips should not be made to and from the site (mainly peak hours but the developer to identify times when trips of this nature should not be made)
- vi) Routing of delivery vehicles to/from site.

Reason: In the interest of highway safety.

8. No part of the development hereby approved shall commence until a scheme for the construction of the site access including visibility splays has been submitted to, approved by the Local Planning Authority and subsequently constructed.

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 and to enable all construction traffic to enter and leave the site in a safe manner without causing a hazard to other road users

9. Before the use of the site hereby permitted is brought into operation facilities shall be provided within the site by which means the wheels of vehicles may be cleaned before leaving the site.

Reason: To avoid the possibility of the public highway being affected by the deposit of mud and/or loose materials thus creating a potential hazard to road users.

10. No deliveries shall be made before 9.00 am and after 3.00pm to avoid conflict with traffic (vehicular or pedestrian) entering or leaving the estate.

Reason: In the interest of highway safety.

11. 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.

12. Notwithstanding the provisions of the Town and Country Planning (General Development Procedure) (England) Order 2015 and the Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008, or any subsequent Orders or statutory provision re-enacting the provisions of these Orders, all garages shown on the approved plan shall be maintained as such and shall not be converted to ancillary accommodation/offices 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.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 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 1m above road level. The visibility splay 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 access road from the continuation of the nearer edge of the carriageway of Birch Hall Lane to points measured 25m in each direction along the nearer edge of the carriageway of Birch Hall Lane.

Reason: To ensure adequate visibility at the site access.

14. Before the access is used for vehicular purposes, that part of the access extending from the highway boundary for a minimum distance of 5m into the site shall be appropriately paved in bound porous material.

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

15. Before a dwelling unit is occupied waste containers shall be provided in the designated storage areas on each plot.

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

16. The recommendations detailed in Part 3 of Extended Phase 2 Habitat Survey undertaken by Pennine Ecological dated May 2014 shall be carried prior to any building work at the site. Any further, necessary mitigation measures identified should be submitted to and approved in writing by the local planning authority prior to the commencement of any further development. The development shall subsequently be implemented entirely in accordance with the approved details. Thereafter, unless otherwise agreed in writing by the local planning authority, the mitigation measures shall be permanently maintained and retained in accordance with the approved details.

Reason: To protect species and their habitats.

17. No vegetation or tree clearance work shall take place during the bird breeding season. Such activities shall be confined between the months of October (start) to February (end) unless a bird breeding assessment and is undertaken by a suitably qualified ornithologist along with a report of the findings to identify if any breeding birds would be affected. Any clearance outside of the period between October to February (inclusive) must be agreed in writing by the Local Planning Authority and clearance thereafter shall be undertaken in strict accordance with the approved details.

Reason: To ensure that suitable habitats for breeding birds are not harmed.

18. No development shall commence unless and until details of the design, based on sustainable drainage principles, and implementation of an appropriate 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 and 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 surface water run-off must not exceed 5 litres per second. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

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 prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site, to reduce the risk of flooding to the proposed development, elsewhere and to future users and to ensure that water quality is not detrimentally impacted by the development proposal.

19. No development shall commence unless and 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 management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

20. The upper floor window in the north elevation of Plot 1 and all windows in the west elevation of Plot 6 of the development hereby approved shall at all times be fitted with obscure glazing to at least level 4 or above, unless otherwise agreed in writing by the Local Planning Authority. Any replacement glazing shall be of an equal degree or above. The windows shall be hung in such a way as to prevent the effect of the obscure glazing being negated by way of opening. Notwithstanding any indication in the approved plans no doorway shall be installed in the in the west elevation of Plot 6.

Reason: To ensure an adequate level of privacy to the adjacent residential properties.

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 impact upon ecology. 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) Appeals

The Planning, Economic Development and Regulatory Services Manager submitted a report for information on outstanding planning appeals and gave an update at the meeting.

9. ENFORCEMENT ACTION

The Head of Legal Services submitted a report for information, giving the up-to-date position on prosecutions and answered questions.

10. CAPITAL PROGRAMME 2021/22

The Housing, Health and Engineering Services Manager submitted a report on the Committee's 2021/22 Capital Programme. It was noted that the allocation for 2022/23 was likely to be the same as last year - £31,490 - but that this would be confirmed by Finance in time for the next meeting.

RESOLVED

- (1) That the £111 remaining from the uncommitted Earby 2020/21 balance be added to the Earby and Coates Councillors' current allocations.

- (2) That £9,000 from the Earby Councillors' remaining allocation of the 2021/22 Capital Programme and £6,000 from the 2022/23 Capital Programme, once confirmed, be allocated for the Victoria Road reflagging scheme (see item 12).

REASON

To enable the Capital Programme to be allocated efficiently and effectively.

**11. PROPOSED DIVERSION OF PART OF FOOTPATH 13-3-FP3
AT THE FORMER FERNBANK MILL, BARNOLDSWICK**

The Environmental Services Manager submitted a report on an application to divert a public footpath at the former Fernbank Mill, Barnoldswick.

RESOLVED

- (1) That the Planning, Economic Development and Regulatory Services Manager be asked to check that planning permission 21/0590/FUL required there to be a pedestrian crossing where the footpath crossed the road.
- (2) That the Head of Legal Services be authorised to make an Order under Section 257 of the Town and Country Planning Act 1990 to divert part of public footpath 13-3-FP 3 as shown on the map in the report.
- (3) That in the event of no objections that the order be confirmed, but if objections are received the order be sent to the Secretary of State to be decided.

REASON

1. ***The diversion is necessary for a development which has been granted planning permission.***
2. ***The Council can only confirm a diversion order if there are no objections.***

12. VICTORIA ROAD REFLAGGING SCHEME

Members gave further consideration to a reflagging scheme for Victoria Road, Earby having been informed that LCC would not be able to provide any funding towards it. Members agreed that the scheme should include the creation of a useable event space. It was felt that this package of works would help to generate footfall and help businesses in Earby.

RESOLVED

- (1) That, in addition to the £15,000 committed from this Committee's Capital Programme towards a reflagging scheme for Victoria Road, Earby that Policy and Resources Committee be asked to contribute £70,000.
- (2) That a more useable event space be included in the project and that discussions take place with Earby Town Council with a view to this being adjacent to the parish rooms with the inclusion of the 'Crumble Corner' area.

- (3) That Earby Town Council also be asked to contribute towards the scheme.
- (4) That LCC then be asked to provide match funding towards the scheme from their Economic Development budget.

REASON

To improve the amenity and safety of Earby Town Centre for local residents and visitors and in the interests of economic development.

13. CHAPMAN COURT VERGE

At the last meeting members provisionally agreed to allocate £1,500 from the Barnoldswick Councillors' allocation of the Capital Programme for a £3,500 scheme to surface a strip of grass verge at Chapman Court, which was on an adopted highway, to help with parking and that LCC be asked to contribute the remaining £2,000 towards the work. LCC had said it would not be willing to contribute to the works at this time. Members were asked if they wanted to fund the total cost of the scheme to allow the scheme to go ahead.

RESOLVED

That consideration of this item be deferred for a site visit.

REASON

To determine the best way forward.

14. LAND AT GREENBERFIELD LOCKS

On 6th April Members of the Committee met representatives from the Canal and River Trust (C&RT) with neighbouring residents and representatives from Barnoldswick in Bloom to discuss the condition and use of land adjacent to Leeds and Liverpool Canal below bridge 157 at Greenberfield Locks. Barnoldswick in Bloom, had expressed an interest in this area becoming a nature reserve and had the support of Barnoldswick Town Council.

It was reported that the C&RT had agreed to carry out a habitat survey during May/June and prepare a ten-year management plan for the site. It was evident that the land was full of invasive butterber that would require active management. C&RT's management plan would seek to address this by the most appropriate method and, once drawn up, would be shared with this Committee and other interested parties.

15. DOG CONTROL - PUBLIC SPACE PROTECTION ORDERS

Members had been consulted on the borough-wide Dog Control Public Spaces Protection Order in 2016 when the Order was first made and in 2019 when it was extended for three years. The Council was now embarking on further partner and public consultation ahead of a proposed extension for a further three years.

The Order covered dog fouling in all areas accessible by the public; limited the number of dogs in cemeteries and required them to be on a lead; banned dogs in designated children's play areas, war memorials and memorial gardens; and banned smoking in designated children's play areas.

Members were asked to comment on the current provisions and given the opportunity to propose new provisions prior to consultation with partners and the public.

RESOLVED

- (1) That the Anti-Social Behaviour Officer be informed that Sough Park Children's Play Area should be added to the list of children's play areas in Schedule 4.
- (2) That an exemption for people with a mental health disability be included in the PCSO, as previously suggested when the last review was carried out.
- (3) That the Anti-Social Behaviour Officer be asked for an update on the PCSO covering parks and sports grounds following further discussions with Earby and Barnoldswick Town Councils regarding their requests for amendments relating to Birley Playing Fields, Victory Park, Valley Gardens and Letcliffe Park.

REASON

To enable the Council and its partners to respond to concerns regarding behaviour that is detrimental to the quality of life in public spaces in Pendle, including enforcement action.

16. PROVISION OF LITTER/DOG WASTE BINS AND SUBSTATION SITES

The Environmental Services Manager reported that due to wear, damage or a reduced need for the facility, 10 bins had been replaced/removed in the period January to March 2022 and Members were asked if there were any substations within their area that needed tidying up.

RESOLVED

That the Environmental Services Manager be asked to arrange for the litter bin on Westfield Road, Barnoldswick to be moved to the other end of the car park barrier, so it was easier to see on collection day; the bin currently located on the Earby stone sign moved to a site nearby (but not in the way of the sign) or on the opposite side of the road; and to check that bin collections in West Craven were being carried out as scheduled, as there seemed to be a problem with some bins not being emptied.

REASON

In the interests of visual amenity.

17. OUTSTANDING ITEMS

It was noted that the following items had been requested and updates or a report would be provided to a future meeting -

West Craven Committee (10.05.2022)

- (a) Traffic issues on Skipton Road, Barnoldswick near junction of Coates Lane – awaiting update from LCC (2/11/2021)
- (b) Request for LCC to upgrade the carriageway on Station Road (02/11/2021)
- (c) Request to repair the pavement in front of the old post office buildings on the corner of Station Road/Skipton Road, Barnoldswick (2/11/21)
- (d) Request to use HRA to strengthen the carriageway on Skipton Road/Fernlea Avenue junction Barnoldswick (29/03/2022)
- (e) Drainage on Stoneybank Road/Water Street & Wentcliffe Drive - request for meeting with YW (07/09/2021)
- (f) Water Supply pressure in Kelbrook – request for meeting with YW (1/2/2022)
- (g) Back Myrtle Grove Car Parking Scheme – in discussions with LCC (4/1/2022)
- (h) Northholme Community Centre – meeting with Earby Town Council on 17th May (1/2/2022)
- (i) Parking issues in Earby (29.03.2022)

RESOLVED

- (1) That in respect of item (a) LCC be asked for an update for the next meeting.
- (2) That in respect of items (b), (c) and (d) a strongly worded letter from the Leader of the Council be sent to the Leader of LCC requesting that these 3 issues be looked at again in order to provide a satisfactory and reasonable resolution.
- (3) That the Housing, Health and Engineering Services Manager be asked to report back on progress with works at Wentcliffe Drive and to request an urgent meeting with Yorkshire Water in regard to the Stoneybank Road/Water Street issues.
- (4) That the report on parking issues in Earby be taken off the outstanding list of items.

REASON

To try to make progress with some of the long outstanding issues raised by this Committee.

18. 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.

19. OUTSTANDING ENFORCEMENTS

The Planning, Economic Development and Regulatory Services Manager submitted a report on outstanding enforcements in West Craven and answered related questions.

20. ENVIRONMENTAL CRIME

The Environmental Services Manager submitted a report on environmental crime in West Craven for the period 1st January to 31st March 2022.

RESOLVED

That the Environmental Services Manager be asked to –

- See what could be done to address the issue of litter regularly emanating from a business in Kelbrook and to report back; and
- Look at the effectiveness of issuing Section 46 Notices and whether there was any alternative or additional action that could be taken to encourage or persuade residents to separate their waste for recycling in the correct bins.

REASON

1. *In the interests of residential amenity.*
2. *To encourage more recycling.*

Chairman.....