

to indicate that the road was closed. At the opposite entrance, the road closure signage was unclear with regards to access. This meant that post and deliveries were not getting through.

Councillor Purcell advised that in her role as a County Councillor she had contacted various officers at LCC regarding the problem, with little progress. She asked that the Committee support the residents and Parish Council by writing to LCC to establish the plans for carrying out the works and re-opening the Ford.

The Committee agreed to seek clarification on the schedule of works to be undertaken at Noyna Ford.

25. MINUTES

RESOLVED

That the Minutes of the meeting held on 12th May, 2022 be approved as a correct record and signed by the Chairman.

26. PROGRESS REPORT

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

27. COMMUNITY SAFETY ISSUES AND POLICE MATTERS

The crime figures for May, 2022 compared to the same period last year had been circulated prior to the meeting. The figures related to the policing areas of Waterside, Horsfield, Colne Rural, Vivary Bridge and Foulridge and the totals were broken down as detailed below.

The Committee was advised to view the figures with caution as the statistics were not being presented on a like for like basis at the moment. This was mainly due to a changeover of staff.

	2021	2022
Burglary – Residential	3	6
Burglary – Commercial	0	2
Vehicle Crime	10	15
Hate Crime	0	0
Assaults	41	48
Theft	26	47
Criminal Damage	9	17
All Crime	161	252
Anti-Social Behaviour	96	76

A member of the Committee provided a brief update following their attendance at the earlier Community Safety Partnership meeting. Specific reference was made to a problem with youths climbing on the roofs of town centre premises such as Santander, the former Northern Whisper building and Kip McGrath. Meetings were due to take place to discuss ways in which to prevent access.

There had also been some cases of arson. These were being dealt with through restorative justice.

28. PLANNING APPLICATIONS

(a) Applications to be determined

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

21/0565/FUL Full: Erection of detached dwelling at Haverholme, Harrison Drive, Colne for Mr Tim Hartley

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:

221-P03A, 221-P04, 221-P05, 221-P06, 221-P09

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

3. The external materials used in 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

4. The window openings shall be set back from the external face of the wall. The depth of reveal shall be at least 75mm.

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

5. Foul and surface water shall be drained on separate systems. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly. The development shall be completed in accordance with the approved details.

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

6. Prior to the commencement of the development a detailed landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme 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;
 - 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 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.

7. The proposed development should not be brought into use unless and until the parking and manoeuvring areas shown on the approved plans has been constructed, laid out and surfaced in bound porous materials. The parking areas shall thereafter always remain available for the parking of domestic vehicles associated with the new dwelling and existing dwelling known as Haverholme. The manoeuvring areas shall remain free from obstruction for the lifetime of the development.

Reason: In order to ensure satisfactory levels of off-street parking are achieved within the site to prevent parking on the highway to the detriment of highway safety.

8. Unless approved in writing by the Local Planning Authority no ground clearance, changes of level or development or development shall commence until, a scheme for the protection of the retained trees, in accordance with BS 5837:2012 has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall include specific details of;

- a) Location and installation of services/ utilities/ drainage;
- b) Details of construction within the Root Protection Areas (RPAs) or that may impact on the retained trees;
- c) A full specification for the installation of boundary treatment works;
- d) A full specification for any construction including hardsurfacing using a no-dig specification;
- e) A specification for protective fencing to safeguard trees during the construction phase and a plan indicating the alignment of the protective fencing;
- f) Boundary treatments within the RPAs;

The development thereafter shall be carried out in strict accordance with the approved details.

Reason: In order to ensure that there is minimal impact on the protected trees on the site during construction works.

9. In accordance with Pendle Council's Code of Practice for Construction and Demolition Sites, a Construction Method Statement shall be submitted to the Local Planning Authority and approved prior to commencement of the development. The Method Statement must cover the topics detailed below, including:

- Hours of operation
- Hours of deliveries
- Construction site noise and vibration
- Control of dust
- Wheel Cleaning Facilities
- Proposals for sheeting of vehicles carrying dusty materials
- Storage compound details
- Burning on site

Reason: To protect human health and the environment from adverse effects of air pollution.

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 dwellinghouse is acceptable in terms of design and materials and would not adversely impact on amenity or protected trees subject to appropriate 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.

21/0793/FUL Full: Erection of a 3 bedroom bungalow with attached garage at garage site to the east of Crowe Nest, Laneshaw Bridge for Mr and Mrs C. J. Hartley

The Planning, Economic Development and Regulatory Services Manager advised that United Utilities had requested confirmation of floor heights with regard to the drainage. He also reported receipt of amended plans which addressed the highway issues. The officer recommendation had therefore changed to delegate grant consent.

RESOLVED

That the Planning, Economic Development and Regulatory Services Manager be delegated authority to **grant consent** subject to the floor heights being acceptable; a condition that the materials be of stone; plus the standard conditions.

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 accords with Local Planning Policy and 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.

22/0098/VAR Full: Variation of Conditions: Removal of Condition 5 (Affordable Housing) and vary Condition 8 (Off-Site Highway Works) of Planning Permission 18/0199/OUT at land to the north west of Laneshaw Bridge Methodist Church, Keighley Road, Laneshaw Bridge for Montford Developments Ltd

RESOLVED

That the Variation of Conditions application be **approved** subject to the following conditions –

1. An application for approval of the reserved matters (namely the appearance, landscaping, layout and scale of the site) shall be submitted in writing to the Local Planning Authority before the expiration of three years from 9th July 2018 and the development hereby permitted must be begun two years from the date of approval of the last of the reserved matters to be approved.

Reason: This condition is required to be imposed by the provisions of Article 3 (1) of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Details of the appearance, landscaping, layout and scale (hereinafter called the 'reserved matters') shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: In order to comply with the requirements of Section 92 of the Town & Country Planning Act 1990.

3. The development hereby permitted shall be carried out in accordance with the following approved plans:

ADM18/12/02 & ADM/18/12/01A.

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

4. Prior to commencement of development, a plan and written-brief detailing the proposed phasing of the site shall have been submitted to and approved in writing by the Local Planning Authority. Development shall not commence unless and until the scheme has been submitted and approved. Such detailing shall include details of the works involved in each phase and how each phase is to be completed in terms of the completion of roads, building operations, foul and surface water sewers and landscaping, and each phase shall be substantially completed before the next successive phase of the development is commenced. The approved scheme shall thereafter be carried out in strict accordance with the plan and brief.

Reason: To secure the proper development of the site in an orderly manner.

5. Notwithstanding any indication in the application forms, plans and supporting documents the development shall be of not more than four dwellings.

Reason: In the interest of clarity and too ensure that adequate affordable housing and off-site highway works provision is made if alternative reserved matters for more than four dwellings are submitted.

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. No part of the development shall be commenced unless and until a Construction Code-of-Practice method statement 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.
 - c) The areas for the storage of plant and materials.
 - e) Details, including likely vibration and noise levels at site boundaries, of the piling operations.
 - h) Location and details of site compounds
 - i) An overall Construction Monitoring programme, to include reporting mechanisms and appropriate redress if targets/standards breached
 - j) Noise-monitoring to be carried out for the construction period.
 - k) Parking area(s) for construction traffic and personnel
 - l) Details of the provision and use of wheel washing on the site
 - m) Site security

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 phase(s).

8. No development shall commence unless and until the site access has been constructed and completed in accordance with a scheme which shall be submitted to, and approved in writing by, the Local Planning Authority in consultation with the Highway Authority. Reason: To enable all construction traffic to enter and leave the development site in a safe manner without causing a hazard to other road users.

Reason: To enable all traffic to enter and leave the premises in a safe manner without causing a hazard to other road users.

9. The new estate road shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level to each plot before any development commences on that plot. The final wearing course shall be completed to each plot within 2 years of the substantial completion of each plot or within one week of the substantial completion of the final house on site whichever shall occur first unless another timescale is agreed in writing by the Local Planning Authority. If an alternative timescale is agreed the completion of the highway shall be undertaken in strict accordance with the agreed timescale.

Reason: To ensure that satisfactory access is provided to the site before construction of the development hereby permitted commences.

10. The access shall be constructed so that there is clear visibility from a point 1.05 metres above ground level at the centre of the access 2.4m distant from the adjoining edge of carriageway, to points 1.05 metres above ground level at edge of the adjoining carriageway and 43m distant in each direction measured from the centre of the access along the nearside adjoining edge of carriageway prior to the commencement of any other works on site and thereafter shall be permanently retained.

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

11. Prior to first occupation each dwelling shall have an electric vehicle charging point.

Reason: To ensure that the development provides for sustainable modes of travel.

12. Before a dwelling unit is occupied waste containers shall be provided on each plot.

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

13. As part of any reserved matters application and prior to the commencement of any development, the following details shall be submitted to, and approved in writing by, the local planning authority, in consultation with the Lead Local Flood Authority:

a) A detailed surface water drainage strategy for the development proposal;

- b) Information about the lifetime of the development, the design storm period and intensity (1 in 1, 1 in 30 and 1 in 100 year + allowance for climate change), final surface water discharge rates and volumes, temporary storage facilities, means of access for maintenance and easements where applicable, the methods employed to delay and control surface water discharged from the site, the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, and details of flood levels in AOD;
- c) Demonstration that surface water run-off from the application site will not exceed 5l/s. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
- d) Flood water exceedance routes, both on and off site;
- e) A timetable for implementation, including phasing where applicable;
- f) Site investigation and test results to confirm infiltrations rates. If infiltration is shown to be a viable option for the disposal of surface water, then this should then be used as the primary method for disposing of surface water from the site. Disposal via a surface water body will only be considered where infiltration is proved to be unsuitable.
- g) Details of water quality controls, where applicable.

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 ensure that the proposed development can be adequately drained, that there is no flood risk on or off the site resulting from the proposed development and to ensure that water quality is not detrimentally impacted by the development proposal.

Notes

1. The grant of planning permission will require the applicant to enter into an appropriate legal agreement (Section 278), with Lancashire County Council as the Highway Authority prior to the start of any development. The applicant should be advised to contact the county council for further information by telephoning the Development Support Section (Area East) on 0300 123 6780 or email developeras@lancashire.gov.uk in the first instance to ascertain the details of such an agreement and the information to be provided, quoting the relevant planning application reference number.
2. This consent does not give approval to a connection being made to Lancashire County Council's highway drainage system.

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 variation of conditions are acceptable in all relevant regards. 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.

22/0099/VAR Full: Variation of Condition: Variation of Condition 2 (Plans) for the erection of 4 detached dwellings and associated roads, infrastructure and detached garages (appearance, landscaping, layout and scale) of outline planning permission 18/0199/OUT (resubmission). Application Reference Number:

21/0358/REM at land to the north west of Laneshaw Bridge Methodist Church, Keighley Road, Laneshaw Bridge for Montford Developments Ltd

RESOLVED

That the Variation of Condition application be **refused** due to its poor design that does not reflect the character and nature of Laneshaw Bridge.

22/0135/FUL Full: Change of use of part of ground floor from retail (A1) to hot food takeaway (A5), insert doorway and shop front with roller shutter, including extraction duct and new wall and roof to enclose rear yard to rear elevation at 104 Green Road, Colne for Mr Arif

RESOLVED

That consideration of this application be **deferred**.

REASON

To allow for receipt of amended plans.

(b) Planning appeals

The Planning, Economic Development and Regulatory Services Manager submitted a report on planning appeals.

29. ENFORCEMENT/UNAUTHORISED USES

Enforcement action

The Head of Legal Services submitted a report which gave the up-to-date position on prosecutions. A verbal update was also provided.

It was noted that the container sited on land at 1 Edgerton House, Lane Top, Winewall had been removed.

30. CAPITAL PROGRAMME 2022/23

The Housing, Health and Engineering Services Manager reported that the current balance for the Committee's capital programme for 2022/23 was £40,021.

31. TRAFFIC LIAISON MEETING

Minutes of the Traffic Liaison meeting held on 12th May, 2022 were submitted for information.

32. BARNOLDSWICK, COLNE AND EARBY MASTERPLAN

Pendle Borough Council's Senior Regeneration Officer gave a presentation on the progress and general direction of the proposed Barnoldswick, Colne and Earby Masterplan which had been made possible from £70k One Public Estate funding and £80k from the Lancashire Economic Recovery Growth Fund.

The Masterplan would explore the opportunities and challenges associated with each of the towns. It would look at how the towns could act as both independent entities as well as looking at any interdependence and contribution to the wider district. It was not designed to be prescriptive and would enhance and complete existing work taking place, for example the Colne Neighbourhood Plan. It would be a useful tool to help bring in future resources.

There had been over 50 Expressions of Interest and the indicative timetable anticipated appointing consultants by the end of July. The consultants would then collect data which would likely include desktop data and consultation with the local population such as businesses, parish, town and borough councillors, the community and other organisations. They would work towards developing a draft Masterplan by the end of October, and a final report at the end of November. It was anticipated that a working document would be in place by early 2023.

33. REPRESENTATIVES ON OUTSIDE BODIES

(a) Appointment of Representatives on Outside Bodies

The Committee was asked to consider appointing representatives to a number of outside bodies/organisations.

RESOLVED

(1) That the following nominations onto outside bodies be agreed –

Pendle First Aid Services -	Councillor Kieran McGladdery
Luther Greenwood Festival Committee -	Councillor Neil Butterworth
Trawden and District Agricultural Society -	Councillor Sarah Cockburn-Price
Colne Business Improvement District -	Councillor Sarah Cockburn-Price

(2) That it be noted that Councillors David Albin, Neil Butterworth and Kieran McGladdery were appointed representatives on the Hartley Homes Trust until 2025 and that the invitation to appoint a fourth member be declined at this time.

REASON

To maintain Council representation on outside bodies.

(b) Appointment to Colne Market Forum

The Committee was asked to appoint three Councillors to the Colne Market Forum.

RESOLVED

That Councillors A. Sutcliffe, S. Cockburn-Price and P. McGladdery be appointed to the Colne Market Forum.

REASON

To maintain Council membership on the Colne Market Forum in line with the Forum's Terms of Reference.

34. COLNE YOUTH ACTION GROUP

An update was provided on the work and activities of the Colne Youth Action Group (CYAG). This included a summary of the continuing activities, along with information on new activities that had been added to the programme.

Information was also provided on the work of accessing grant support. Funding was being sought to purchase a minibus which it was hoped would be available in time for the summer Holiday Activities and Food (HAF) programme. In addition, the Group had reached the next level of the Lancashire Environment Fund process. It expected to hear by 13th July.

Unfortunately they had still not acquired the Byron Road building.

**35. COLNE AND DISTRICT WORKING GROUP OF
THE COLNE COMMUNITY SAFETY PARTNERSHIP**

Draft minutes of the above Working Group held on 12th May, 2022 were submitted for information.

36. 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.

37. MISCELLANEOUS MINUTES

Minutes of the Annual General Meeting of the Friends of Ball Grove held on 23rd May, 2022 were submitted for information.

38. OUTSTANDING ITEMS

The following items had been requested by the Committee. Reports would be submitted to a future meeting(s).

- (a) Options and costings for the provision of three benches in Richmond Court (31.03.2022)
- (b) Review of Premises Improvement Grant Criteria (12.05.2022)

39. 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 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.

40. 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.

A discussion was held with regard to a specific property in the area.

RESOLVED

That the Planning, Economic Development and Regulatory Services Manager be asked to submit a report to the next meeting of this Committee on the specific property referenced above.

REASON

To consider the options available.

CHAIRMAN _____