# MINUTES OF A MEETING OF THE COLNE AND DISTRICT COMMITTEE HELD AT COLNE TOWN HALL ON 3<sup>RD</sup> AUGUST, 2022

PRESENT -

Councillor D. Cockburn-Price – Chairman (In the Chair)

| Councillors                                                 | Co-optees              |  |
|-------------------------------------------------------------|------------------------|--|
| D. Albin<br>S. Cockburn-Price<br>K. McGladdery<br>K. Salter | M. Thomas<br>M. Burton |  |
| A. Sutcliffe                                                |                        |  |

#### Officers in attendance

Neil Watson Planning, Economic Development and Regulatory Services Manager (Area

Coordinator)

Joanne Eccles Committee Administrator

(Apologies for absence were received from R. Bucknell, A. McGladdery and Councillors N. Butterworth, P. McGladdery and D. Lord.)

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The following person attended the meeting and spoke on the item indicated -

Richard Maudsley 22/0350/FUL Full: Erection of six new Minute No.66(a)

dwellings with associated works, including new car park and access at land adjacent

to 37 Hollin Hall, Trawden

#### 61. DECLARATION OF INTERESTS

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

#### 62. PUBLIC QUESTION TIME

There were no questions from members of the public.

63. MINUTES

#### **RESOLVED**

That the Minutes of the meeting held on 7<sup>th</sup> July, 2022 be approved as a correct record and signed by the Chairman.

#### 64. PROGRESS REPORT

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

The Planning, Economic Development and Regulatory Services Manager said that he would speak to the Environmental Services Manager about action 8(a) regarding the missing fencing on Vivary Way which Members said needed urgent attention, and would try to get the matter resolved as soon as possible.

#### 65. COMMUNITY SAFETY ISSUES AND POLICE MATTERS

The crime figures for July 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.

|                        | 2021 | 2022 |
|------------------------|------|------|
| Burglary – Residential | 3    | 6    |
| Burglary – Commercial  | 2    | 1    |
| Vehicle Crime          | 9    | 9    |
| Hate Crime             | 0    | 0    |
| Assaults               | 47   | 38   |
| Theft                  | 20   | 40   |
| Criminal Damage        | 8    | 23   |
| All Crime              | 209  | 227  |
| Anti-Social Behaviour  | 113  | 89   |

The Chairman provided a brief update following his attendance at the earlier Community Safety Partnership meeting which Sergeant James Cooper had attended.

#### 66. 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 -

## 22/0222/FUL Full: Major: Proposed development of B2/B8 commercial units with associated parking, infrastructure and altered access following from the previously approved phase at former Spring Gardens Mill, Spring Gardens Road, Colne for Mr Mark Taylforth

An update had been circulated prior to the meeting reporting receipt of additional information on the drainage strategy and that the objection of the Lead Local Flood Authority had now been withdrawn. Comments had been sought from LCC on what improvements could be made to the junction of Shaw Street/Bridge Street but no response had been received. The Planning, Economic Development and Regulatory Services Manager advised that this matter could be dealt with by an appropriate condition. The colour of materials could also be controlled by condition. Drawings of the revised turning area had just been received, which on first glance looked satisfactory, but would need LCC to review.

#### **RESOLVED**

That the Planning, Economic Development and Regulatory Services Manager be **delegated authority to grant** this planning application subject to the Council being satisfied that the internal layout for highways was satisfactory and that discussions take place with LCC on offsite highway works 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: 18.162.001O, 18.162.002A, 18.162.02.001C, 18.162.02.002C, 18.162.03.001B, 18.162.03.002C, 18.162.04.001B, 18.162.04.002C, 18.162.05.001B, 18.162.05.002C, 18.162.06.001B, 18.162.06.002C.

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

3. Prior to the commencement of above ground works involved in the erection of the external walls of the development hereby approved samples of the external materials of the walls and roof the development, including their colour and finish 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**: In the interest of visual amenity.

4. The access, parking and manoeuvring areas for each unit shall be laid out in accordance with the approved plans and surfaced in a bound material prior to the commencement of the use of the unit they serve. The parking spaces and manoeuvring areas shall at all times remain free from obstruction and available for parking and manoeuvring.

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

5. Prior to the commencement of the use of the development hereby approved details of works to form the access and access road shall have been submitted to and approved in writing by the Local Planning Authority. The works shall be completed in accordance with the approved details prior to the commencement of the use of the development hereby approved.

**Reason:** To ensure adequate access in the interest of highway safety.

6. Prior to the commencement of the use of each unit cycle storage facilities for that unit shall be provided in accordance with a scheme that has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development provides sustainable transport options.

7. Prior to the commencement of the use of each unit electric vehicle charging points shall be installed accordance with details submitted to and approved in writing by the Local Planning Authority and thereafter retained in accordance with the approved details.

**Reason:** To ensure that the development provides sustainable transport options.

**8.** There shall be no external storage within the application site unless otherwise approved in writing by the local planning authority. Any external storage thereafter shall at all times be carried out only in strict accordance with the approved details.

**Reason:** In the interests of visual amenity.

9. The development shall be carried out and operated in strict accordance with the recommendations of the ecological appraisal Ref: BOW17.1053. Prior to the commencement of the use of the development a scheme of ecological mitigation and enhancement measures shall have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented in accordance prior to the commencement of the use of the development or an alternative timescale approved as part of the scheme.

**Reason:** To ensure the protection and enhancement of ecology and protected species habitats.

**10.** No external lighting shall be installed unless and until details of the lighting have been submitted to and approved in writing by the Local Planning Authority. The details shall include the type, size, wattage, location, intensity and direction of the lighting. Any external lighting shall at all times be in strict accordance with the approved details.

**Reason:** In the interest of residential amenity and to preserve the habitat of protected species.

11. Details of any external plant or mechanical ventilation relating to units 5, 6 and 7, including noise levels and attenuation, shall be submitted to and approved in writing by the Local Planning Authority prior to its installation and it shall thereafter be operated and maintained in strict accordance with the approved details.

**Reason:** In the interests of residential amenity.

12. Prior to the commencement of the use of units 5, 6 and 7 an assessment of indoor and outdoor activity noise following BS 4142:2014 shall have been submitted to and approved in writing by the Local Planning Authority. Any noise attenuation shall be fully installed in accordance with the recommendations of the approved assessment for that unit prior to the commencement of the use of that unit and the unit shall be operated in accordance with the approved assessment at all times thereafter unless an alternative assessment is submitted to and approved in writing by the Local Planning Authority.

**Reason:** In order to protect the vitality and viability of town centres.

- **13.** No development shall commence unless and 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) A scheme for recycling/disposing of waste resulting from clearance and construction works
  - vi) Details of working hours
  - vii) Timing of deliveries
  - viii) Measures to ensure that construction and delivery vehicles do not impede access to neighbouring properties.
  - ix) Measures to control construction noise and vibration
  - x) Measures to control dust.

**Reason:** In the interest of highway safety and residential amenity.

- 14. No development shall commence unless and until 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 has been submitted to and approved in writing by the Local Planning Authority. 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 in order to prevent contamination of the controlled waters.

- 15. The use of the development hereby approved shall not commence unless and until a detailed landscaping scheme has been 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 entirety 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.

**16.** Compensatory storage shall be implemented prior to the construction of the built development in accordance with the drawings set out within Appendix IV of the FRA. The compensatory storage scheme as detailed within appendix IV shall be retained and maintained thereafter throughout the lifetime of the development.

**Reason:** To reduce the risk of flooding to the proposed development and future occupants and to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.

Notes: The developer should take note of all the public footpaths running through the site and take utmost care to ensure that these are kept undisturbed and free of obstruction during the course of a development. Any breach of the legislation which protects public rights of way can result in legal action, fines and default action carried out and re-charged to the landowner. Any proposals for the temporary diversion or closure of a footpath should be made to Lancashire County Council's public rights of way team. Enquiries about permanently diverting or closing the footpath may be made to Pendle Council.

The grant of planning permission will require the applicant to enter into an appropriate Legal Agreement, with the County Council as Highway Authority. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant should be advised to contact the contact the Environment Directorate for further information by telephoning the Developer Support Section (Area East) on 0300 123 6780, or email developeras@lancashire.gov.uk .

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions

Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

#### 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, highways impacts and all other 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.

22/0242/VAR Full: Variation of Condition: Major: Remove condition 18 (Affordable housing) of Planning Permission 20/0865/FUL at land to the west of Brookside Garage, Dean Street, Trawden for Trawden Water Limited

This item was deferred from the last meeting to allow for further details in relation to the viability appraisal. This information had not been received.

#### **RESOLVED**

That consideration of this application be **deferred** to allow the applicant further time to submit the details requested in relation to the viability appraisal.

22/0350/FUL Full: Erection of six new dwellings with associated works, including new car park and access at land adjacent to 37 Hollin Hall, Trawden for Mark Yates Projects Ltd

An update had been circulated prior to the meeting reporting that an amendment was required to the condition regarding the public car parking area, to ensure that the work was undertaken, prior to the occupation of the dwellings. It also reported receipt of the ecological survey which had raised no concerns, but did identify the potential to create enhancements for biodiversity. A revised list of conditions was set out for consideration.

#### **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:
  - Location Plan 6407
  - Elevation & Floor Plan Type 1 6407-P03 Rev C
  - Elevation & Floor Plan Type 2 6407-P04 Rev C
  - Proposed Lower Ground Site Plan 6407-P01 Rev D
  - Proposed Ground Floor Site Plan 6407-P02 Rev D
  - Street Scene Plan and Sections 6407-P05 Rev D

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

3. Samples of materials including descriptions, name of source/quarry shall be submitted to the Local Planning Authority for written approval prior to commencement of work on the site. The development shall be carried out using only the agreed materials.

**Reason:** In order that the Local Planning Authority can assess the materials in the interest of the visual amenity of the area.

- 4. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:
  - (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365:
  - (ii) No Surface water will be permitted to discharge to the public sewer network unless otherwise stated by the LPA;
  - (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD:
  - (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
  - (v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

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

- 5. Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:
  - a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
  - b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

**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.

**6.** All windows shall be set back from the external face of the walls by a minimum of 70mm.

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

- 7. 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 including the replacement trees for those which have been removed, 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 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.

**8.** No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site highway works has been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Highway Authority.

**Reason:** In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site.

**9.** No part of the development hereby approved shall be occupied until all the highway works have been constructed and completed in accordance with the scheme approved under Condition 8.

**Reason:** In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.

- **10.** No development shall take place, including any works of clearance, until a Construction Method Statement including site plan 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) The erection and maintenance of security hoarding
  - v) Wheel washing facilities and means of mechanical road sweeping
  - vi) Measures to control the emission of dust and dirt during construction
  - vii) A scheme for recycling/disposing of waste resulting from demolition and construction works
  - viii) Details of working hours

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- ix) Timing of deliveries to avoid peak traffic on the surrounding highway network
- x) Measures to ensure that construction and delivery vehicles do not impede access to neighbouring properties.

**Reason:** In the interest of highway safety.

11. Prior to occupation of the development herby approved a visibility splays measuring 2.4m back from the centre line of the access from Hollin Hall and extending 25m to the nearside carriageway edge in both directions have been provided at the access, as shown on the approved plans. Nothing shall be erected, retained, planted and/or allowed to grow at or above a height of 0.9m above the nearside carriageway level which would obstruct the visibility splays. The visibility splays shall be maintained free from obstruction at all times thereafter for the lifetime of the development.

**Reason:** In the interest of highway safety to ensure adequate inter-visibility between highway users at the site access.

12. The proposed development should not be brought into use unless and until the parking and manoeuvring areas shown on the approved plans have 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 dwellings and the manoeuvring areas retained free from obstructions.

**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.

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

**Reason:** To ensure that the development provides the infrastructure for sustainable forms of transport.

14. Prior to first occupation of the dwellings hereby approved, details of the proposed arrangements for the future management and maintenance of the public car parking areas within the development shall be submitted to and approved in writing by the local planning authority. The public car parking areas shall thereafter be maintained in accordance with the approved management and maintenance details until such a time as a private management and maintenance company has been established or similar legal agreement made.

**Reason:** To ensure that the public car parking areas are completed and thereafter maintained to an acceptable standard in the interest of residential and highway safety.

**15.** Before any dwelling unit is occupied waste containers shall be provided and shall be stored within the car port of the property.

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

- **16.** A Construction Method Statement shall be submitted to and be approved in writing by the Local Planning Authority prior to commencement of development. The Method statement must cover the topics detailed below, including:
  - Parking of vehicles of site-operatives and visitors
  - Loading and unloading of plant and materials
  - Storage of plant and materials used in constructing the development

- The erection and maintenance of security hoardings including decorative displays, where appropriate
- Hours of operation
- Construction site noise and vibration
- Control of Dust
- Wheel washing facilities
- A scheme for re-cycling / disposing of waste resulting from demolition and construction works

The development shall proceed strictly in accordance with that method

**Reason:** To protect the amenities of occupiers of adjoining and nearby properties and in the interests of highway safety.

17. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must then be undertaken, which shall be submitted to and approve in writing by the Local Planning Authority. The site shall then be remediated in strict accordance with the approved scheme.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

**Reason:** To identify contamination from previous uses, ensure any remediation is undertaken and safeguard future uses, occupiers and the environment beyond

18. The side elevation windows (closest to No. 37 Hollin Hall) of the development hereby permitted 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 window shall be hung in such a way as to prevent the effect of the obscure glazing being negated by way of opening.

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

19. Prior to the commencement of any above ground works detailed proposals for the incorporation of features into the scheme including all recommended mitigation and ecological enhancement measures and those suitable for use by breeding birds and roosting bats, as detailed in the Preliminary Ecological Assessment dated 26/07/2022 by Batworker Ecological Consultancy, shall be submitted to and agreed in writing with the local planning authority. The agreed measures shall be permanently installed in accordance with approved details prior to the first occupation of the development hereby approved and retained thereafter.

**Reason:** In the interests of providing biodiversity enhancements

20. All works involving excavation of soil, including foundations and the laying of services, within the recommended distance calculated under the BS 5837 (2005) 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 protect the trees in the interest of the amenity of the area.

21. Unless approved in writing by the Local Planning Authority no ground clearance, demolition, or construction work shall commence until protective fencing, to BS 5837: 2005 at least 1.25 metres high securely mounted on timber posts firmly driven into the ground 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. The fencing shall be located at least 1.00 metre beyond the protected area detailed in BS 5837. 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.

**Reason:** To prevent trees from being damaged during building works.

#### Informative

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 would accord with Local Planning Policy and would be compliant with the guidance set out in the Framework. The development therefore complies with the development plan. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

#### (b) Planning appeals

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

#### 67. ENFORCEMENT/UNAUTHORISED USES

#### **Enforcement action**

The Head of Legal Services submitted a report which gave the up-to-date position on prosecutions. The Planning, Economic Development and Regulatory Services Manager gave a further update at the meeting.

#### **RESOLVED**

That, following receipt of a new planning application for works at Land at 104 Green Road, Colne, this enforcement case be removed from the list.

#### 68. CAPITAL PROGRAMME 2022/23

The Housing, Health and Engineering Services Manager submitted a report on the Committee's 2022/23 capital programme.

There was a discussion about whether there was still a need for the Wycoller footpath schemes included in the capital programme. Also, on the amount of funding in the capital programme still unallocated, or allocated but unspent.

#### **RESOLVED**

- (1) That the Countryside Access Officer be asked to report back on his views on works necessary to improve Laneshaw Bridge to Wycoller footpath (Scheme 30) and the Wycoller Beck Footpath Stabilisation project (Scheme 43), and if the works were not required that the funding for the two schemes be deallocated.
- (2) That the Housing, Health and Engineering Services Manager be asked to bring an update to the next meeting on the uncommitted element of the Capital Programme and funds allocated to projects but unspent which were at risk of being cancelled due to excess slippage.

#### REASON

- 1. To improve the footpath in Wycoller if required, or allow funding to be reallocated for another scheme.
- 2. To allocate the Committee's capital programme effectively for projects in the Colne area by March 2023.

#### 69. TOWN BOUNDARY SIGNS

Information submitted to the last meeting showing the location and condition of the town boundary signs in the Colne and District area were resubmitted for consideration. Taking into account the relevant guidance, the Committee was asked to consider whether it felt an update to the current town boundary signs were needed. Members were reminded that LCC approval would be needed for any changes to the signs and funding would also need to be identified.

In response to a request at the last meeting, the Committee was advised that it would cost £420 to replace the missing Town Centre Sign 09.

#### **RESOLVED**

- (1) That the Housing, Health and Engineering Services Manager be asked to
  - Request LCC to return Town Centre Sign 09 which appeared to have been replaced by a roundabout sign or to cover the cost of a replacement Town Centre sign;
  - Realign Town Boundary Sign 04 at Skipton Road and Town Centre Sign 06 at Byron Road; and
  - Provide costings for replacing the Town Centre Signs with ones that provided additional information, similar to the rectangular black ones at the bottom of the Town Boundary signs which currently said Winners of Britain in Bloom.
- (2) That members of the Committee give consideration to a new strap line for use on Boundary and Town Centre signs and for ideas to be discussed at the next meeting.

#### REASON

To provide prominent, informative and enhanced signage on the approach to and in the Town Centre.

#### 70. PROVISION OF LITTER/DOG WASTE BINS

The Environmental Services Manager reported that due to wear, damage or a reduced need for the facility, 9 bins had been replaced/removed by Environmental Services in the period April to June, 2022. It was noted that the dog bin at the bottom of Red Lane opposite No 36 had been removed, possibly following complaints by residents about it not being emptied.

#### **RESOLVED**

That the Environmental Services Manager be asked for more detail on why the dog bin at the bottom of Red Lane had been removed and if it was possible to reinstate it there or at a nearby location and make sure that it was emptied on a regular basis.

#### REASON

This was a popular walking route for dog walkers and the bin would be well used.

#### 71. COLNE YOUTH ACTION GROUP

An update was provided on the work and activities of the Colne Youth Action Group (CYAG).

After 19 months, the Group had signed the lease and been given the keys to the Byron Road building. They had spent £6k kitting out the kitchen, bought table tennis, table football and pool and snooker equipment and it was now in use, providing healthy meals and activities for some very happy children as part of the four week HAF programme. They were finalising the purchase of a minibus which was being branded and would be serviced every 3 months by David Fishwick. They were awaiting delivery of tree whips from the Woodland Trust to repair and continue the hedging project and were also expecting £30k from the Lancashire Environmental Fund to feed into capital works. They would then be seeking quotes for the building work required. Connections with local businesses and organisations were being established, and had resulted in some of the teenagers gaining part-time job placements and the chance to work with inspirational adults.

### 72. COLNE AND DISTRICT WORKING GROUP OF THE COLNE COMMUNITY SAFETY PARTNERSHIP

The minutes of the above Working Group held on 7<sup>th</sup> July, 2022 were submitted for information.

#### 73. OUTSTANDING ITEMS

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

- (a) Improvements to Public Footpath 31 Capital Programme Bid (07.07.2022)
- (b) Wheel Park, Vivary Way, Colne update (07.07.2022)
- (c) Premises Improvement Grants clarification (07.07.2022)

#### 74. 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 items 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.

#### 75. 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.

#### **RESOLVED**

That the Planning, Economic Development and Regulatory Services Manager speak to the Enforcement Officer about adding a building that was mentioned at the meeting; look into a development that should already be on the list that was causing a lot of problems for other businesses and shoppers in Colne in terms of access and parking; and email Councillors with an update on PLE/22/0647.

#### 76. ENVIRONMENTAL CRIME

The Environmental Services Manager submitted a report on enforcement actions taken within Colne and District during the period 1<sup>st</sup> April to 30<sup>th</sup> June 2022 and provided annual totals for 2022.