

**MINUTES OF A MEETING OF
WEST CRAVEN COMMITTEE
HELD AT SALTERFORTH VILLAGE HALL
ON 31ST JANUARY 2023**

PRESENT –

Councillor R. E. Carroll – (Chairman, in the Chair)

Councillors	Co-optees	Police
<i>C. Church M. Goulthorp J. Purcell D. M. Whipp T. Whipp</i>	<i>P. Maskell, Kelbrook & Sough Parish Council K. Singleton, Salterforth Parish Council</i>	<i>Sgt J. Cooper PCSO M. Lunney</i>

(Apologies were received from A. Inman and J. Greaves.)



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

<i>Mr I. Swain</i>	<i>22/0413/FUL - Full: Major: Change of use of land from agricultural and engineering operations to form 61 caravan pitches and erection of new amenity block at Caravan Site, Lower Greenhill Farm, Kelbrook Road, Salterforth</i>	<i>Item 139(a)</i>
<i>Deborah Smith</i>	<i>22/0633/FUL - Full: Major: Erection of 10 dwellings with associated landscaping and infrastructure works at Land off Cob Lane and Old Stone Trough Lane, Kelbrook</i>	<i>Item 139(a)</i>
<i>Lisa Allison</i>	<i>22/0800/REM - Reserved Matters: Appearance, landscaping and layout for the erection of 14 houses at Land Opposite the Barn, Ben Lane, Barnoldswick</i>	<i>Item 139(a)</i>

135. DECLARATIONS OF INTEREST

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

136. PUBLIC QUESTION TIME

A resident from Kelbrook complained about the state of the road surface on Waterloo Road. It was resurfaced by Lancashire County Council (LCC) approximately 12 years ago but was already in desperate need of being replaced. Residents had complained to LCC but they had said that it did not meet the criteria for being resurfaced again. He asked if the Committee could look at the road and then request LCC to take appropriate action as soon as possible.

Members of the Committee were aware of the state of the road and agreed that remedial action was needed. The Chairman agreed that the Committee would contact LCC on behalf of residents and in the interests of highway safety.

137.

MINUTES

RESOLVED

That the Minutes of this Committee, at the meeting held on 3rd January 2023, be approved as a correct record.

138.

POLICE AND COMMUNITY SAFETY ISSUES

Sgt J. Cooper referred to the crime figures for January 2023 which had just become available and would be circulated shortly. The total number of crimes compared to the same period in the previous year had reduced. There were no patterns to the crimes committed. The 2 burglaries reported were from a shed and an abandoned property. The Police were working with young people, focusing on education and early stage interventions to combat anti-social behaviour. They were linking with schools and sometimes taking children home to talk to parents. They were also compiling lists of empty properties across Pendle so they could be monitored to prevent unlawful use. They agreed to add the Waterfalls and the Cemetery at Earby to the patrol they undertook each evening to hot spots in the area.

Issues of concern raised by Councillors included speeding cars on Gisburn Road and through Salterforth. Also cars parked on pavements, blocking access for wheelchair users or prams.

Sgt J. Cooper said he would refer the parking issue to the Parking Enforcement team. He could request the Camera Team to do some enforcement work, although he appreciated this was a temporary, not a permanent deterrent. He would also contact the Road Safety Partnership Team about their concerns.

139.

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 -

22/0413/FUL Full: Major: Change of use of land from agricultural and engineering operations to form 61 caravan pitches and erection of new amenity block at Caravan Site, Lower Greenhill Farm, Kelbrook Road, Salterforth for Mr and Mrs N. Hudson

(A site visit was carried out prior to the meeting.)

RESOLVED

That planning permission be **refused** for the following reasons –

Adverse impact/significant harm on the landscape and visual amenity.

22/0510/FUL Full: External alterations involved in conversion from bank to clinic including insertion of a new door & window and replacement of doors and windows at 2 Newtown, Barnoldswick for NHS Property Services Ltd

(Before the vote was taken, the Planning Economic Development and Regulatory Services Manager advised that should the application be refused there would be a significant risk of costs in the event of an appeal. The matter would therefore be referred to the Head of Legal Services and subject to his agreement the decision would stand referred to the Development Management Committee.)

RECOMMENDATION

That planning permission be **refused** due to inappropriate use and design.

22/0551/FUL Full (Major): Change of use of land from storage and dismantling of vehicles to a mixed use of storage and dismantling of vehicles and a 5 plot Travelling Showpeople's Site comprising the siting of 5 static residential caravans, 5 touring residential caravans, equipment and associated vehicle storage, vehicle and equipment maintenance and gated access alterations on Moor Lane at Salterforth Quarry, Moor Lane, Salterforth for Mr Frank Lee

(A site visit was carried out prior to the meeting.)

It was reported that a request had been received from the applicant seeking a deferral to allow additional information on noise and highways to be considered.

RESOLVED

That planning permission be **deferred** to the next meeting at the applicant's request.

22/0633/FUL Full: Major: Erection of 10 dwellings with associated landscaping and infrastructure works at Land off Cob Lane and Old Stone Trough Lane, Kelbrook for YLBD Ltd

An update had been circulated prior to the meeting stating that in the Planning History section of the Committee report it incorrectly stated that application 21/0399/PIP Permission in Principle: Erection of up to 9 No. Dwellings was undetermined. However, that Permission in Principle was approved on 13th January 2022.

(Before the vote was taken, the Planning Economic Development and Regulatory Services Manager advised that should the application be refused there would be a significant risk of costs in the event of an appeal. The matter would therefore be referred to the Head of Legal Services and subject to his agreement the decision would stand referred to the Development Management Committee.)

RECOMMENDATION

That planning permission be **refused** due to an inadequate foraging corridor for bats and the density of the scheme.

22/0652/FUL *Full: Major: Erection of a vertical concrete panel circular slurry storage tower with a UPVC membrane conical cover at New House Farm, Bracewell Lane, Bracewell for DW & BL Mattinson T/a T C Mattinson*

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: TS392-4, Proposed Site Plan: TS392-3, Proposed Elevation Plan, Roof Plan & Floor Plan: TS392-1

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

3. All materials to be used in the elevations and roof of the proposed development shall be as stated on the application form and approved drawings and shall not be varied without the prior written permission of the Local Planning Authority.

Reason: These materials are appropriate to the locality and in order to allow the Local Planning Authority to control the external appearance of the development.

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 scale and visual amenity, thereby complying with Local Plan policies. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

22/0800/REM *Reserved Matters: Appearance, landscaping and layout for the erection of 14 houses at Land Opposite the Barn, Ben Lane, Barnoldswick for Simpson Homes Limited*

RESOLVED

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

1. This notice constitutes an approval of matters reserved under Condition 1 of Planning Permission 18/0821/RES and does not by itself constitute a planning permission.

Reason: The application relates to matters reserved by Planning Permission 18/0821/RES.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 01, 14 Rev C, 15, 16, 17, 18, 19 Rev A, 20, 24, 26, 27, 28, 29, 30, 31, 21107-PWA-00-XX-DR-C-2000 P02, 21107-PWA-02-XX-DR-C-1000 P02, 21107-PWA-02-XX-DR-C-1001 P03, 21107-PWA-02-XX-DR-C-1002 P02, 21107-PWA-02-XX-DR-C-1003 P02, 21107-PWA-00-XX-DR-C-6100 P02, 21107-PWA-00-XX-DR-C-6101 P02, 21107-PWA-00-XX-DR-C-6102 P01, 21107-PWA-00-XX-DR-C-6103 P01, GL 1675 01B, Tree Protection Plan Rev A.

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 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, together with details of proposals for the reuse of existing materials, shall have been submitted to and approved in writing by the Local Planning Authority. The development shall 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 window openings shall be set back from the external face of the wall. Unless otherwise agreed in writing by the Local Planning Authority, 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. Notwithstanding the provisions of Article 3 and parts 1 and 2 of the second Schedule of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development as specified in Classes A, B & C of Part 1 and Class A of Part 2 of Schedule 2 of that Order shall be carried out without express planning permission first being obtained from the Local Planning Authority.

Reason: To enable the Local Planning Authority to control any future development on the site to safeguard the character and visual amenity of the area, impacts on neighbouring properties and in order to ensure the protected trees on the site are not adversely affected.

6. Plots 11 and 12 shall not be occupied unless and until the upper floor windows in the rear elevations have been obscure glazed to a minimum of Pilkington Level 4 (or equivalent) and shall at all times be hung in such a way that prevents the obscure glazing being negated by opening. Any replacement glazing shall be of Pilkington Level 4 (or equivalent).

Reason: To preserve the privacy of adjacent properties.

Plots 10 and 11 shall not be occupied unless and until a solid fence with a minimum height of 1.8m has been erected to their rear boundary and maintained at all times thereafter.

Reason: To preserve the privacy of adjacent properties.

7. The car parking areas shall be surfaced or paved in accordance with a scheme to be approved by the Local Planning Authority and the car parking spaces and manoeuvring areas marked out in accordance with the approved plan, before the dwellinghouses are occupied.

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

8. Notwithstanding the provisions of the Town and Country Planning (General Development Procedure) Order 2015 and the Town or any subsequent Orders or statutory provision re-enacting the provisions of these Orders, all garages shown on the approved plan shall be retained as such and shall not be used for any other purpose other than for the storage of motor vehicles 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.

9. The occupation of the development shall not be permitted until a site-specific Operation and Maintenance Manual for the lifetime of the development, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority.

The details of the manual to be submitted for approval shall include, as a minimum

- a) A timetable for its implementation;
- b) Details of SuDS components and connecting drainage structures, including watercourses and their ownership, and maintenance, operational and access requirement for each component;
- c) Pro-forma to allow the recording of each inspection and maintenance activity, as well as allowing any faults to be recorded and actions taken to rectify issues;
- d) The arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme in perpetuity;
- e) Details of financial management including arrangements for the replacement of major components at the end of the manufacturer's recommended design life;
- f) Details of whom to contact if pollution is seen in the system or if it is not working correctly; and
- g) Means of access for maintenance and easements.

Thereafter the drainage system shall be retained, managed, and maintained in accordance with the approved details.

Reason: To ensure that surface water flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property, and ecological systems, and to ensure that the sustainable drainage system is subsequently maintained.

10. The occupation of the development shall not be permitted until a site-specific verification report, pertaining to the surface water sustainable drainage system, and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority.

The verification report must, as a minimum, demonstrate that the surface water sustainable drainage system has been constructed in accordance with the approved drawing(s) (or detail any minor variations) and is fit for purpose. The report shall contain information and evidence, including photographs, of details and locations (including national grid references) of critical drainage infrastructure (including inlets, outlets, and control structures) and full as-built drawings. The scheme shall thereafter be maintained in perpetuity.

Reason: To ensure that surface water flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property, and ecological systems.

11. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Foul & Surface Water Drainage Design Drawing 21107 PWA P02 XX DR C 1001, Rev P03 - Dated 22/11/2022 which was prepared by PWA. No surface water will be permitted to drain directly or indirectly into the public sewer. 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 ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

12. The approved landscaping 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.

13. No ground clearance, demolition, changes of level or development or development-related work shall commence until protective fencing, in full accordance with BS 5837 : 2012 has been erected around each tree/tree group or hedge to be preserved on the site or on immediately adjoining land, in accordance with Tree Protection Plan Rev A 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 the Tree Protection Plan. Within the areas so fenced, the existing ground level shall be neither raised nor lowered. Roots with a diameter of more than 25 millimetres shall be left unsevered. There shall be no construction work, development or development-related activity of any description, including the deposit of spoil or the storage of materials within the fenced areas. The protective fencing shall thereafter be maintained during the period of construction. All works involving excavation of soil, including foundations and the laying of services, within the recommended distance calculated under the BS 5837 (2012) of the trees to be retained on the site, shall be dug by hand and in accordance with a scheme of works which has been submitted to and approved by the Local Planning Authority, prior to the commencement of works.

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

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 details submitted for reserved matters of appearance, scale and landscaping 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.

(b) Planning Appeals

The Planning, Economic Development and Regulatory Services Manager submitted a report on outstanding planning appeals for information. It was noted that the second appeal on the list had been withdrawn.

140. ENFORCEMENT ACTION

The Head of Legal Services submitted a report giving the up-to-date position on prosecutions for information. There was a discussion about the lack of progress with works required at Land on the south east side of Long Ing Lane, Barnoldwick which was causing problems for residents.

RESOLVED

That a separate, more detailed report on Land on the south east side of Long Ing Lane, Barnoldwick be requested for the next meeting.

141. AREA COMMITTEE BUDGET 2022/23

The Chief Executive submitted a report on the Committee's Budget for 2022/23. The remaining allocation was £1,401, which was all in the Earby and Coates Councillors' allocation.

A new bid had been received from the Salterforth Fun Day Committee seeking £800 for the hire of tea tent, table and chairs.

RESOLVED

That £800 be allocated from the Earby and Coates Councillors' allocation from the 2022/23 Area Committee Budget for the hire of tea tent, table and chairs at Salterforth Fun Day.

REASON

To enable the area committee budget to be allocated efficiently and effectively.

142. SKIPTON ROAD, BARNOLDSWICK NEAR JUNCTION OF COATES LANE

An update was given following a Teams meeting earlier in the day with officers from LCC and PBC's Engineering Team on the options for possible highway improvements at this junction.

Councillors were disappointed that very little work had been done on developing the various options since they were last discussed at 1st November meeting. They noted that the option of building out the junction into Skipton Road which would allow vehicles to emerge further and slowing down traffic on Skipton Road would require a safety audit report.

There had been discussion between Pendle Council and LCC about who owned the interactive signs which were not working properly for some time. However, it was agreed that the signs had been installed following a Safe Route to School Initiative which was funded by LCC and so were their responsibility.

RESOLVED

That the Engineering Manager be requested to report back on costings for the safety audit report by traffic consultants and the various highway improvement schemes, and LCC be asked to arrange for the repair of the interactive signs on Skipton Road.

REASON

In the interests of highway and pedestrian safety.

143. BARNOLDSWICK AND EARBY TOWN CENTRES – UK SHARED PROSPERITY FUND PROJECTS

The Chief Executive submitted a report about options to improve traffic flow and pedestrian areas in Barnoldswick town centre and the re-flagging of Victoria Road, Earby, both projects being funded by the UK Shared Prosperity Fund.

RESOLVED

- (1) That the report be noted.
- (2) That with regard to the Barnoldswick town centre scheme -
 - Approval in principle be given to the improvements to the footways outside Nos 3 and 5 and 7 to 9 Newtown as part of Year 1 of the UKSPF project.
 - That the public be consulted on the various options for Year 2 funding to improve traffic flow and pedestrian areas for Barnoldswick Town Centre, including town users, residents and Barnoldswick Town Council.
 - That a drop-off area for the GP surgery on Rainhall Road be included in the final scheme and the footway crossovers on Garden Street and Market Street, be built out.
- (3) That Years 2 and 3 Funding for the schemes be agreed so that works can be put in place.

REASON

1. ***To enable the design of the improvements to Barnoldswick Town Centre to be progressed and for further engagement with Lancashire County Council.***

2. To improve traffic flow and pedestrian accessibility for the benefit of users of the town centre.

144. OPEN SPACE AT CORNMILL PLACE

The Head of Legal Services reported that the Duchy Solicitor had been requested that the land within the dissolved company's title at Cornmill Place be transferred at nil cost, in accordance with the original intention of the Section 106 Agreement. The Duchy Solicitor had said that it was willing to transfer the land to the Council for the sum of £1,000.

RESOLVED

That the Duchy's Solicitors be asked again to transfer the land to the Council at nil cost.

REASON

The land should have been transferred to Pendle Council in accordance with the agreement with the developer.

145. OUTSTANDING ITEMS

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

- (a) Possible Transfer of Northolme Community Centre to Earby Town Council
- (b) Land adjoining 24 Tysley Grove, Earby
- (c) Meeting requested with LCC – parking problems at West Craven High School
- (d) Meeting requested with Transdev/LCC – anti-social behaviour on bus services
- (e) Drainage issues at Wentcliffe Drive, Earby

RESOLVED

- (1) That in respect of (c) the Engineering Manager be asked to write to LCC's Asset Management Team seeking urgent remedial action on the very large potholes outside West Craven High School.
- (2) That in respect of (e) the Head of Legal Services be asked to submit a report to Policy and Resources Committee on the options for taking legal action in respect of the drainage issues at Wentcliffe Drive, Earby and the Engineering Manager be asked to request Together Housing meet Council officers and Members of the Committee to discuss the problems being encountered by residents.

146. EXCLUSION OF THE 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 or any action to be taken in connection with the prevention, investigation or prosecution of a crime.

147.

OUTSTANDING ENFORCEMENTS

The Planning, Economic Development and Regulatory Services Manager submitted a report on outstanding enforcements which was noted.

Chairman.....