

**MINUTES OF A MEETING OF THE
COLNE AND DISTRICT COMMITTEE
HELD AT COLNE TOWN HALL
ON 2ND FEBRUARY, 2023**

PRESENT –

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

Councillors

*D. Albin
S. Cockburn-Price
K. McGladdery
K. Salter
A. Sutcliffe*

Co-optees

*M. Thomas
B. Hodgson*

Officers in attendance

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| <i>Neil Watson</i> | <i>Planning, Economic Development and Regulatory Services Manager</i> |
| <i>Tom Partridge</i> | <i>Countryside Access Officer</i> |
| <i>Lynne Rowland</i> | <i>Committee Administrator</i> |

(Apologies for absence were received from Councillors N. Butterworth, D. Lord and P. McGladdery and R. Bucknell (Laneshaw Bridge Parish Council) and A. McGladdery (Colne BID).)



The following persons attended the meeting and spoke on the items indicated –

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| <i>Tom Ormerod</i> | <i>22/0815/FUL Full: Insertion of larger dormer window to front, alterations to front elevation and erection of two storey extension to the rear at 120 Burnley Road, Colne</i> | <i>Minute No.160(a)</i> |
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| <i>Alan Bedford Helen Clegg John Birchenough Liz Hurley Mark Rogers Sharon Dale John Hartley Elizabeth Lane</i> | <i>22/0790/OUT Outline (Major): Development of 150 new homes; refurbishment and extension of an existing pump house building and its change of use to a Class E or Class F community use; formation of a new means of access onto Windermere Avenue; alterations to an existing means of access onto Castle Road; and other associated works (Access only) at land off Windermere Avenue, Colne</i> | <i>Minute No.160(b)</i> |
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155.

DECLARATION OF INTERESTS

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

156.

PUBLIC QUESTION TIME

There were no questions from members of the public.

157.

MINUTES

RESOLVED

That the Minutes of the meeting held on 5th January, 2023 be approved as a correct record and signed by the Chairman.

158.

PROGRESS REPORT

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

Reference was made to the resolution regarding abandoned vehicles, discussed under community safety issues and police matters. It was noted that a meeting had taken place and that a partnership approach was being taken to deal with the issue. However, Members felt that more action was required and asked that the resolution from the last meeting of the Committee be implemented.

159.

COMMUNITY SAFETY ISSUES AND POLICE MATTERS

Draft minutes of a meeting of the Colne and District Working Group of the Colne Community Safety Partnership held on 5th January, 2023 were submitted for information.

160.

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 -

22/0750/FUL Full: Change of use and erection of single storey extensions to the front and rear to convert former stables to two holiday cottages at Higher Ball Grove Farm, Skipton Old Road, Colne for Mr M Smith

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

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: received on 02/11/2022, Proposed Site Layout: Drawing number 03A, Proposed Floor & Elevation Plans: Drawing number 04.

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.

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

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

5. The proposed development should not be brought into use unless and until the parking area shown on the approved plan (Drawing No 03A) has been constructed and laid out. The parking area shall thereafter always remain available for the parking of vehicles associated with the development.

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

6. The side elevation window closest to Higher Ball Grove Farm (serving the bedroom) 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.

7. The development hereby approved shall not be sold off separately to the main dwelling "Higher Ball Grove Farm" and shall not be changed from holiday accommodation to permanent residential accommodation.

Reason: In the interests of residential amenity.

8. Prior to occupation of the development hereby approved, the hedge at the entrance to the development which is bound by Skipton Old Road shall be maintained and trimmed to ensure visibility is maximised, for the lifetime of the development.

Reason: In the interests of highway safety.

Informative Note

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 the 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. An enquiry about permanently diverting or closing the footpath may be made to Pendle Council.

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.

22/0815/FUL Full: Insertion of a larger dormer window to front, alterations to front elevation and erection of two storey extension to the rear at 120 Burnley Road, Colne for Mr Tom Ormerod

The Planning, Economic Development and Regulatory Services Manager submitted an update report which advised that the agent had confirmed that the applicant would replace the front dormer, keeping it exactly the same size, using the same materials as existing. This would be a like for like replacement as the existing dormer was in a state of disrepair.

RESOLVED

That the Planning, Economic Development and Regulatory Services Manager be delegated authority to **grant consent** subject to receipt of satisfactory amended plans to reflect the replacement of the front dormer at exactly the same size, using the same materials as existing.

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 extension is acceptable in terms of design and materials and would not unduly impact on amenity. 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.

22/0856/FUL Full: Siting of a static caravan to be used as a permanent dwelling with associated landscaping at Green End Smallholding, Lenches Road, Colne for Mr Herbert Taylor

The Planning, Economic Development and Regulatory Services Manager submitted an update which reported receipt of photos of an inspection chamber for a foul sewer, water and electricity supply to the site.

RESOLVED

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

23/0018/PNT Prior Approval Notification (Telecoms): Installation of 18m pole inc. antennas, ground based apparatus and ancillary development at Hyde Park, Spring Lane, Colne for CK Hutchison Networks (UK) Ltd

RESOLVED

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

1. The proposed telecommunications mast and ground based apparatus would conflict with the residential character of the area and thus result in unacceptable harm to visual amenity. The proposed development is therefore contrary to Policies ENV1 and ENV2 of the Local Plan Part 1: Core Strategy, Policy 38 of the Replacement Pendle Local Plan and Paragraph 130 of the National Planning Policy Framework.

(b) Application for comment

The Planning, Economic Development and Regulatory Services Manager submitted a report which invited comments on the following planning application –

22/0790/OUT Outline: Major: Development of 150 new homes; refurbishment and extension of an existing pump house building and its change of use to a Class E or Class F community use; formation of a new means of access onto Windermere Avenue; alterations to an existing means of access onto Castle Road; and other associated works (Access only) at land off Windermere Avenue, Colne for Accrue Capital Limited

(Councillors D. Cockburn-Price and S Cockburn-Price both declared a non-pecuniary interest in this item which was not a disclosable pecuniary interest as defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 but was such that they considered that in view of the principles set out in the Council's Code of Conduct they should not vote on the matter. Councillor D. Cockburn-Price vacated the Chair for this item only.)

Councillor A. Sutcliffe – Vice-Chairman (In the Chair)

RECOMMENDATION

That the Development Management Committee be recommended to **refuse** planning permission for the following reasons –

- Highways issues
- Impact in and on the Conservation Area
- Impact on red listed birds; ecology; biodiversity
- Impact on significant and long-range views
- Impact on public rights of way
- In contravention of planning policies SPD2; LIV1/LIV2; ENV1; and ENV4
- Conflicts with the Colne Neighbourhood Plan, in particular CNDP4, 7, 13 and 14.

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

(c) Planning appeals

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

A verbal update was given in which it was reported that an appeal against an Enforcement Notice relating to Former Corporation Farm, Corporation Street, Colne had been withdrawn; an appeal

against refusal to issue a Certificate of Lawfulness relating to Hague House, Old Stone Trough Lane, Kelbrook had also been withdrawn; and an appeal against change of use of an existing dwelling at 11A Skipton Road, Colne had been dismissed.

161. ENFORCEMENT/UNAUTHORISED USES

Enforcement Action

The Head of Legal Services submitted a report which gave the up-to-date position on prosecutions.

162. AREA COMMITTEE BUDGET 2022/23

The Chief Executive submitted a report which advised Members on the Committee's 2022/23 area committee budget. The report included one bid for consideration.

The Committee was also asked to consider a bid of £500 from Colne Market Traders for a World Book Day display.

RESOLVED

- (1) That funding of £3,000 be awarded from the Committee's central area committee budget towards Colne Light Festival.
- (2) That £500 be allocated towards the World Book Day project to be funded from Councillor A. Sutcliffe's individual allocation from the area committee budget.
- (3) That the underspend of £249 detailed in paragraph 8 of the report be de-allocated and returned equally (£83 each) to the individual pots of the three current Boulsworth and Foulridge ward councillors.

REASON

To allocate the Committee's budget effectively.

163. COLLAPSE OF PUBLIC FOOTPATH 211 TRAWDEN AT WYCOLLER COUNTRY PARK

At the last meeting of this Committee, Members received a report for information, which provided an update on progress towards reopening public footpath 211, Trawden following its collapse. At the request of the Committee, the Council's Countryside Access Officer attended this meeting and provided further clarification on the matter.

The report considered at the last meeting was resubmitted for information.

164. TOWN BOUNDARY SIGNS

Further to a request from this Committee, the Chief Executive submitted a report which demonstrated how proposed town boundary sign slogans would look and provided costings for the works. At the time of writing the report a response was awaited from Lancashire County Council (LCC) regarding the acceptability of the proposals.

The Committee was advised that a response had now been received and that the proposals would

not comply with current regulations and would therefore not receive LCC approval.

RESOLVED

That written clarification be sought on what signage would be permissible, along with costings.

REASON

To agree ways in which the town boundary signs can be enhanced.

165. COLNE TOWN CENTRE LITTER BINS

The Environmental Services Manager submitted a report which provided a list of litter bins within Colne Town Centre, a note on their current condition and details on costings to refresh/repair/replace the bins as required.

RESOLVED

- (1) That, taking into account that “We’re Jammin” is not permissible as a town boundary sign slogan (see minute 164) the Chairman agrees to contact Hartley’s Jam Company to see if, with this slogan, there would be any interest in sponsoring the 7 freestanding bins and 9 waste bins as detailed in the report.
- (2) That, should there be no sponsorship, the funding required to replace the 7 freestanding bins (£2,303) and 9 waste bins (£810), including reinstatement of paving as required, be de-allocated from scheme 3 of the Committee’s budget (Premises Improvement Grants) and re-allocated for this purpose.
- (3) That a further £276 be de-allocated from scheme 3 of the Committee’s budget to fund the replacement of 2 post mounted bins.
- (4) That the Environmental Services Manager be asked to obtain an estimate to sandblast the 21 freestanding cast iron litterbins, either in situ, or off site and in doing so request a sample be provided.

REASON

To improve the litter bin provision in Colne Town Centre.

166. COLNE YOUTH ACTION GROUP

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

167. OUTSTANDING ITEMS

The following item had been requested by the Committee. A report would be submitted to a future meeting.

- (a) Wheel Park, Vivary Way, Colne – design plan and specification

Reference was made to a previous decision of this Committee to fund the commissioning of Growth Lancashire to scope the creation of new conservation areas in Colne and District. The

Committee wanted an update on this, together with a cost estimate to update all the existing conservation area appraisals in the Colne and District area, and it was therefore requested that this be placed on the list of outstanding items.

168. EXCLUSION OF THE 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.

169. 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 verbal update was given on a number of cases on the list.

170. ENVIRONMENTAL CRIME

The Environmental Services Manager submitted a report which informed Members of the enforcement action taken during the period between 1st October to 31st December, 2022 within Colne and District and provided annual totals for 2022.

CHAIRMAN _____