

**MINUTES OF A MEETING OF THE
COLNE AND DISTRICT COMMITTEE
HELD AT COLNE TOWN HALL
ON 3RD AUGUST, 2023**

PRESENT –

Councillor D. Cockburn-Price (Chair)

Councillors

*S. Cockburn-Price
D. Lord
K. McGladdery
K. Salter*

Co-optees

*M. Thomas (Colne Town Council)
R. Bucknell (Laneshaw Bridge Parish Council)
E. Jolley (Trawden Forest Parish Council)*

Officers in attendance

*Neil Watson Assistant Director, Planning, Building Control and Regulatory Services
Jane Watson Democratic Services Manager*

(Apologies for absence were received from Councillors D. Albin, N. Butterworth, A. Sutcliffe and A. McGladdery (Colne BID)).



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

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|--|--|-------------------------|
| <i>Ian Pawson</i> | <i>23/0278/HHO Full: Erection of a two-storey side extension at Barn Cottage, 32 Colne Road, Trawden</i> | <i>Minute No. 71(a)</i> |
| <i>Emma Reed Paul Wilson Jason Chipchase</i> | <i>23/0323/FUL Full: 4 visitor accommodation pods and associated facilities, parking and landscape at Parson Lee Farm, Wycoller Road, Trawden.</i> | <i>Minute No. 71(a)</i> |
| <i>Mark Stubbins</i> | <i>Enforcement/Unauthorised Uses</i> | <i>Minute No. 72</i> |

67. DECLARATION OF INTERESTS

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

68. PUBLIC QUESTION TIME

There were no questions from members of the public.

69. MINUTES

RESOLVED

That the Minutes of the meeting held on 6th July, 2023 be approved as a correct record and signed by the Chair.

70. PROGRESS REPORT

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

71. PLANNING APPLICATIONS

(a) Applications to be determined

The Assistant Director, Planning, Building Control and Regulatory Services submitted a report of the following planning applications to be determined -

23/0177/FUL Full: Siting of 6 static park homes at Prospect Farm Caravan Site, Lenches Road, Colne for Mr. Culligan

The Assistant Director Planning, Building Control and Regulatory Services circulated an update at the meeting advising that an additional objection had been received and the agent's response to those objections. An additional condition was proposed to address the colour and design of the proposed caravans.

RESOLVED

That planning permission be **granted** subject to the following conditions and reason:

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: GA 3368-PPE-001, GA 3368-LP-001B and GA3368-PSP-001A.

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. Prior to first occupation of any approved static home two car parking spaces shall be provided and retained for the lifetime of the development

Reason: To ensure that an adequate level of off-road parking is provided.

5. Prior to first occupation of any approved static home an electric vehicle charging point shall be provided in accordance with a scheme to be approved by the Local Planning Authority. Charge points must have a minimum power rating output of 7kW and be fitted with a universal socket that can charge all types of electric vehicle currently available.

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

6. Prior to the commencement of development, details of a sustainable surface water drainage scheme and 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) A restricted rate of discharge of surface water agreed with the Local Planning Authority (if it is agreed that infiltration is discounted by the investigations).
 - (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.
 - (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.

7. 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.

8. 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 paving's, 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.

9. The caravans hereby approved will match the existing caravans on the site in design and colour.

Reason: To preserve visual amenity.

Informative Note

Coal Authority

The proposed development lies within a area that has been defined by the Coal Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits), shallow coal workings, geological features (fissures and break lines) mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website: www.gov.uk/government/organisations/the-coal-authority

REASON FOR DECISION

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 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.

23/0278/HHO Full: Erection of a two-storey side extension at Barn Cottage, 32 Colne Road, Trawden for Mr. & Mrs. Hanslip

RESOLVED

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

1. The proposed development by virtue of its position on a prominent elevation of the building, which forms a simple traditional semi-detached form, would result in over-development of the building and loss of garden area. The extension would introduce a built form into an area which has been identified for its special character and contribution to the townscape and Conservation Area. This would result in less than substantial harm to the character and appearance of the Conservation Area which is not outweighed by any public benefits. This is contrary to paragraph 202 of the Framework, Policy ENV1 of the Local Plan, the Trawden Forest Neighbourhood Plan and the Conservation Area Design and Development SPD.
2. The proposed 5-bedroom development would require 3 parking spaces, the existing garage is sub-standard in size as identified in Appendix 4 of the Trawden Forest Neighbourhood Plan. The proposal would have insufficient parking space and would be contrary to Policy 31 of the Replacement Pendle Local Plan and Policy 4 of the Trawden Forest Neighbourhood Plan.

23/0323/FUL Full: 4 No. visitor accommodation pods and associated facilities, parking and landscape at Parson Lee Farm, Wycoller Road, Trawden for Mr. Jason Chipchase

The Assistant Director Planning, Building Control and Regulatory Services circulated an update at the meeting which provided a response from the agent to objections received in relation to highway access and the landscape character and visibility within the landscape.

RESOLVED

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

1. The proposed development would by virtue of its poor design adversely impact the visual amenity and landscape character of the surrounding area thus failing to accord with policy ENV1, ENV2 of the adopted Pendle Part 1 Local Plan, paragraph 134 of the National Planning Policy Framework and the adopted Pendle Design Principles Supplementary Planning Document.

23/0355/FUL Full: Erection of 1 No. 2 bedroom dormer bungalow within the grounds of the existing dwellinghouse at 49 Penrith Crescent, Colne for Mr. Joe Riley

RESOLVED

That planning permission be **granted** subject to the following conditions and reasons:

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 Ref: A1000, Proposed Site Plan Distances Ref: 1006, Proposed Elevations Ref: 1005 and Proposed Floor Plans Ref: 1003.

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

3. All the external materials to be used in the elevations and roof of the development hereby permitted shall be as stated on the application form and approved plans and there shall be no variation without the prior written consent 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 dwelling shall not be occupied unless and until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority and has been fully installed and completed in accordance with the approved details.

- (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) A restricted rate of discharge of surface water agreed with the Local Planning Authority (if it is agreed that infiltration is discounted by the investigations).
- (iii) A timetable for its implementation.
- (iv) Details of how foul and surface water will be disposed of. The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

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

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

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

6. 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 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 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.

7. The proposed development should not be brought into use unless and until the parking area shown on the approved plans has been constructed, laid out and surfaced in bound porous materials. The parking area shall thereafter always remain available for the parking of domestic vehicles associated with the dwelling.

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. Notwithstanding the provisions of Article 3 and Parts 1 and 2 of the second Schedule of the Town and 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 and D of Part 1 of that Order shall be carried out without express planning permission first being obtained from the Local Planning Authority.

Reason: To enable the Local Planning Authority to control any future development on the site in order to safeguard the residential amenity.

9. Before any dwelling unit is occupied waste containers shall be provided and shall be stored to the rear of the property.

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

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

- (i) The parking of vehicles of site operatives and visitors.
- (ii) The loading and unloading of plant and materials.
- (iii) The storage of plant and materials used in constructing the development.
- (iv) The erection and maintenance of security hoarding.
- (v) Wheel washing facilities.
- (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.
- (ix) Routing of delivery vehicles to/from the site.

Reason: To protect the amenities of occupiers of adjoining and nearby properties.

11. The boundary treatment along Penrith Crescent shall be provided and maintained below 1m high at all times. There shall be no change to the boundary treatment without the prior written consent of the Local Planning Authority.

Reason: In the interests of highway safety.

Informative

This consent requires the construction, improvement, or alteration of an access to the public highway. All newly requested vehicle crossings will be approved by Lancashire County Council through the application process. A list of approved contractors will be supplied to applicants with an approved vehicle crossing application. Approved contractors will be under agreement with Lancashire County Council to ensure the use of appropriate materials and workmanship, the safety of any walking surfaces and the protection of pipes and cables under the footway from damage. This will be under a Section 171 license which your contractor will need to apply for when they are ready to carry out the works. Applications are made online: www.lancashire.gov.uk/roadsparking-and-travel/roads/vehcile-crossings/ or customers can email: lhsvehcilecrossing@lancashire.gov.uk for a paper copy of the application form.

(b) Planning appeals

The Assistant Director, Planning, Building Control and Regulatory Services submitted a report on planning appeals.

72. ENFORCEMENT/UNAUTHORISED USES

Enforcement Action

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

73. AREA COMMITTEE BUDGET 2023/24

The Director of Place submitted a report on the Committee's budget for 2023/24. The remaining balance for this period was £40,610.

74. 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 6th July, 2023 were submitted for information.

The Chair also provided a brief update on community safety issues and police matters following his attendance at the earlier Colne Community Safety Partnership meeting.

It was noted that the Office of the Police and Crime Commissioner for Lancashire had forwarded the Committee's concerns over the way in which crime figures for the area were reported, to Lancashire Constabulary for reply.

75. COLNE YOUTH ACTION GROUP

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

An application was being prepared for submission to the Million Hours Fund which was required to be spent during the current and future school holidays. Catering sessions, provided by Tubbs and focusing on 15-year-olds were planned; as were more forest school sessions.

Improvements to the kitchen were scheduled for later this month along with solar panels being installed on the building and remodelling of internal offices.

76. LEVELLING UP FUNDED PROJECTS

An update on progress with the Colne Levelling Up Fund (LUF) projects had been circulated prior to the meeting. The projects consisted of the Heritage Quarter (the Muni Theatre, Little Theatre, and Pendle Hippodrome) and Colne Market.

In relation to Colne Market the Committee were unhappy with the proposed location of the lavatories; that the optician was not a market stall and was taking up space at the front of the market; that some of the trees at the front may be removed; and that several outside developments were being parked for a Phase 2 that may not be pursued.

77. COLNE BID

It was reported that, unfortunately, the flowerpot festival had been vandalised which was disappointing although the recent food festival had been a great success, particularly making use of the bus station.

78. COLNE NEIGHBOURHOOD PLAN

On behalf of the Committee the Chairman congratulated Colne Town Council on the successful referendum for the Colne Neighbourhood Plan.

79. PROVISION OF LITTER/DOG WASTE BINS

The Committee noted that due to wear, damage, or a reduced need for the facility 7 bins had been replaced/removed by Operational Services in Quarter 1 for the period April to June 2023.

80. OUTSTANDING ITEMS

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

- (a) Town Boundary Signs
- (b) Re-siting of the Stone Spheres at Hartley Square, Colne

The Committee also raised concerns having seen the recent sales specification in relation to the Cemetery Lodge at Colne Cemetery and felt it needed amending to reflect the Policy and Resources decision 16th December, 2021 and the decision from the Colne and District Committee on 11th May, 2023.

RESOLVED

That the Director of Place be requested to review the sales specification in relation to the Cemetery Lodge at Colne Cemetery and for it to be amended where appropriate.

REASON

To reflect the Council's decision for the property.

81. 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.

82. OUTSTANDING ENFORCEMENTS

The Assistant Director, Planning, Building Control and Regulatory Services 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.

86. ENVIRONMENTAL CRIME

The Assistant Director, Operational Services submitted a report which informed Members of the enforcement actions taken during the period between 1st April to 30th June 2023, within Colne and District, and provided annual totals for 2023/24.

87. NUISANCE VEHICLES

The Head of Policy and Commissioning submitted a report on nuisance vehicles in Colne and District.

CHAIR _____