

**MINUTES OF A MEETING OF
WEST CRAVEN COMMITTEE
HELD AT THE RAINHALL CENTRE,
BARNOLDSWICK
ON 5TH SEPTEMBER 2023**

PRESENT –

D. M. Whipp (Chair)

Councillors

*C. Church
S. Land
M. Strickland
T. Whipp*

Co-optees

*A. Inman, Earby Town Council
S. Ashley, Kelbrook and Sough Parish Council*

Officers Present

*D. Walker Assistant Director Operational Services and Area Co-ordinator
N. Watson Assistant Director Planning, Building Control and Regulatory Services
J. Eccles Committee Administrator*

(Apologies were received from Councillor R. E. Carroll.)

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

<i>Mr Ellison</i>	<i>23/0320/TDC – Technical details application: Erection of one dwelling and detached garage and the removal of existing garages and stables of Planning Permission 22/0697/PIP at Land in Field 7366, Manchester Road, Barnoldswick</i>	<i>Item No. 69(a)</i>
<i>P. Robinson</i>	<i>22/0577/FUL - Full: Major: Erection of 50 dwellings with associated access and landscaping, demolition of Brook Shed engine house, chimney stack and remaining sections of north elevation of the former weaving shed, boiler house and water tank at site of Former Brook Shed, New Road, Earby</i>	<i>Item No. 69(a)</i>

65.

DECLARATIONS OF INTEREST

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

66. PUBLIC QUESTION TIME

There were no questions from members of the public.

67. MINUTES

RESOLVED

That the Minutes of this Committee, at the meeting held on 1st August 2023, be approved as a correct record.

68. POLICE AND COMMUNITY SAFETY ISSUES

Crime statistics for August 2023 compared to the previous year had been submitted for information. They were broken down as follows –

	2022	2023
Burglary – Residential	1	1
Burglary – Commercial	0	0
Vehicle Crime	7	2
Hate Crime	0	0
Assaults	20	10
Theft	11	4
Criminal Damage	5	1
Other Crime	46	28
All Crime	90	46
Anti-Social Behaviour (ASB)	36	48

There was no Police representative available to attend the meeting.

The Chairman provided an update on his discussions with the Police and Crime Commissioner at a recent Community Safety Partnership meeting concerning Operation Centurion, a County scheme focussing on anti-social behaviour in hot spots, which was due to start in October. As mentioned at the last meeting, there was one hot spot in Colne. The Chairman had highlighted the possibility of displacement activity and said that this was something that the Committee should monitor.

RESOLVED

That the Police be asked to check the August statistics provided as the breakdown between crimes in Craven, Coates and Earby did not add up to the totals in 2 of the categories- Burglary Residential and ASB.

69. PLANNING APPLICATIONS

(a) Planning applications for determination

The Assistant Director Planning, Building Control and Regulatory Services submitted a report on the following planning applications for determination -

23/0291/OUT Outline (Major): Erection of 4 no. industrial units (Access, Layout, Scale) at Sough Bridge Mill, Colne Road, Kelbrook for AB Investments NW Ltd

It was noted that this planning application had been withdrawn at the applicant's request.

23/0320/TDC Technical details application: Erection of one dwelling and detached garage and the removal of existing garages and stables of Planning Permission 22/0697/PIP at Land in Field 7366, Manchester Road, Barnoldswick for Mr G. Ellison

RESOLVED

That the planning application 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: In order to comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (As Amended).

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan TS409-1, Proposed Elevation and Floor Plans w/w 500:2, Proposed Landscaping Plan (including Site Layout) TS109-1, Visibility Splay Plan TS409-5.

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

3. Prior to the commencement of development samples of all the external facing materials, boundary treatment and all hard surfacing, including parking areas and paving of the development hereby approved, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter at all times 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. Notwithstanding any indication on the approved plans and application form, prior to any external works commencing, samples of the external materials for the stone to match the existing stone wall along Manchester Road shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter times be carried out in strict accordance with the approved materials.

Reason: To ensure a satisfactory form of development in the interest of visual amenity of the area.

5. Prior to the commencement of development, a scheme of foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. 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.

6. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

7. The recommendations detailed in the Preliminary Ecological Appraisal shall be carried out prior to any above ground works at the site. Any further necessary mitigation measures identified should be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any further development.

The development shall subsequently be implemented entirely in accordance with the approved details. Thereafter, unless otherwise agreed in writing by the Local Planning Authority, the mitigation measures shall be permanently maintained and retained in accordance with the approved details.

Reason: To protect natural species and their habitats.

8. Prior to the commencement of development a scheme for the construction of the site access shall be submitted to and approved in writing by the Local Planning Authority. All works shall be implemented in accordance with the approved scheme.

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

9. For the full period of construction, facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway.

The roads adjacent to the site shall be mechanically swept as required during the full construction period.

Reason: To prevent stones and mud being carried onto the highway to the detriment of road safety.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 there shall not at any time in connection with the development hereby permitted be erected or planted or allowed to remain upon the land hereinafter defined any building, wall, fence, hedge, tree, shrub or other device over 0.9m above the road level, within the visibility splays on Letcliffe Lane.

Reason: To ensure adequate visibility at each site access.

11. 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) Measures to control the emission of dust and dirt during construction
- vi) A scheme for recycling/disposing of waste resulting from demolition and construction works
- vii) Details of working hours

Reason: To minimise the impact and disruption to highway users

12. The garage hereby approved shall be kept available for the parking of vehicles ancillary to the enjoyment of the dwellings and shall not be used for any purpose that would preclude the ability of their use for the parking of private motor vehicles, whether or not permitted by the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any order amending or revoking and re-enacting that order.

Reason: To ensure that adequate parking provision is retained on site.

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

Reason: To encourage sustainable travel.

14. The car parking shown on the approved plans shall be constructed, laid out and surfaced in a bound porous material and made available prior to the first occupation of the dwelling. The spaces shall thereafter at all times be retained for the parking of cars associated with the occupants of the dwelling.

Reason: In order to ensure the site is provided with adequate off street parking in the interests of highway safety.

15. Notwithstanding the provisions of Article 3 and parts 1 and 2 of the second Schedule of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development as specified in Classes A, B, C, D and E of Part 1 and Classes A, B & C 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 in order to safeguard the significance of the heritage assets.

16. 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 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.

17. The development hereby approved shall be carried out in strict accordance with the arboricultural impact assessment, prepared by Tree Plan Arboricultural Consultants, dated 25 April 2023.

Reason: To protect the trees in the interest of the amenity of the area.

18. 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 accords with the Local Plan and National Planning Policy 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.

22/0577/FUL Full: Major: Erection of 50 dwellings with associated access and landscaping, demolition of Brook Shed engine house, chimney stack and remaining sections of north elevation of the former weaving shed, boiler house and water tank at site of Former Brook Shed, New Road, Earby for Gleeson

Determination of this planning application was deferred in June for further discussions with the applicant regarding the boiler house and the possibility of improvements to the junction of New Road.

The proposed development was originally for the erection of 48 dwellings with the partial retention of the chimney and wall fronting New Road and retention of the boiler house as a community building. To resolve issues with dwellings being located in flood zone 3b and the viability of retaining the chimney, boundary wall and engine house the development had been amended to include their demolition and the number of dwellings increased to 50.

An update circulated prior to the meeting reported additional public comments in response to the amended plans. It was the officer's view that the demolition of the building was acceptable when taking into account the public benefits of the development as detailed in the report. The Lead Local Flood Authority and LCC Highways had confirmed they had no objections to the revised development and recommended revised conditions to reflect the amended plans and details which had been incorporated. Therefore, the recommendation had changed from delegated approval to approval.

RESOLVED

That the Assistant Director Planning, Building Control and Regulatory Services be **delegated authority to grant consent** subject to condition 20 stating that the footpath must include the old entrance to the site and if possible, adding a footpath link to the south east side of the site to Mostyn Avenue; condition 23 including that the archaeological survey cover the air raid shelters; the addition of condition 30 to provide a feature/historical reference to the chimney and engine house; 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: 01 Rev J, 02 Rev C, 05 Rev E, 06 Rev C, Materials Schedule Rev C, P22-1812_01E, P22-1812_02E, P22-1812_03E, P22-1812_04E, 21-301-S-0001 Rev C04, 21-301-S-0301 Rev C03, 21-304-S-0001 Rev C02, 21-304-S-0301 Rev C03, 21-311-S-0001 Rev C03, 21-311-S-0301 Rev C03, 21-401-S-0001 Rev C04, 21-401-S-0301 C04, 21-201-U-0001 Rev C03, 21-201-U-0301 Rev C06, 21-301-U-0001 Rev C04, 21-301-U-0301 Rev C07, 21-304-U-0001 Rev C03, 21-304-U-0301 Rev C06, 21-311-U-0001 Rev C04, 21-311-U-0301 Rev C07, 21-313-U-0001 Rev C03, 21-313-U-0301 Rev C06, 21-314-U-0001 Rev C03, 21-314-U-0301 Rev C06, 21-337-U-0001 Rev C05, 21-337-U-0301 Rev C07, 21-401-U-0001 Rev C04, 21-401-U-0301 Rev C07, 21-403-U-0001 Rev C02, 21-403-U-0301 RevC05, BT_01, NSD251 Rev B, SD103 Rev 3, SD-125 Rev P01, SD1700 Rev C, SD1701 Rev C,

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, and notwithstanding any indication on the approved plans or forms, samples of external materials / finishes of the walls and roofs shall be submitted to and approved in writing by the Local Planning Authority, notwithstanding any induction on the approved plans, forms and documentation the materials of the roof shall be natural slate. The development shall thereafter be carried out in strict accordance with the approved materials.

Reason: To allow the Local Planning Authority to control the external appearance of the development to protect the significance of the Conservation Area.

4. Notwithstanding any indication on the approved plans or forms, the windows and doors in the front elevations of the plots fronting New Road shall be of timber construction, details of the windows and doors including paint colours shall have been submitted to and approved in writing by the Local Planning Authority prior to their installation. Thereafter the windows and doors shall be maintained in accordance with the approved details and any replacement windows or doors shall be in accordance with the approved details.

Reason: To allow the Local Planning Authority to control the external appearance of the development to protect the significance of the Conservation Area.

5. Notwithstanding any indication on the approved plans or forms, the roof verges of the plots fronting New Road shall not use uPVC verge caps, prior to their installation details of the verge, soffit and fascia materials and finishes of those plots shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter they shall be maintained in accordance with the approved details and any replacement shall be in accordance with the approved details.

Reason: To allow the Local Planning Authority to control the external appearance of the development to protect the significance of the Conservation Area.

6. 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 70mm.

Reason: To ensure the continuation of a satisfactory appearance to the development.

7. The landscaping scheme (P22-1812_01E, P22-1812_02E, P22-1812_03E, P22-1812_04E), or an alternative scheme which has been submitted to and approved in writing by the Local Planning Authority, 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.

8. Prior to the occupation of the first dwelling details of the long term management and maintenance of the areas of landscaped areas shall have been submitted to and approved in writing by the Local Planning Authority. The landscaped areas shall thereafter at all times be managed and maintained as such in accordance with the approved details.

Reason: To ensure the landscaped areas are adequately managed and maintained in the interest of the visual amenity of the area and to protect the significance of the Conservation Area.

9. 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:
- a) The parking of vehicles of site operatives and visitors
 - b) The loading and unloading of plant and materials
 - c) The storage of plant and materials used in constructing the development
 - d) The erection and maintenance of security hoarding
 - e) Wheel washing facilities
 - f) Measures to control the emission of dust and dirt during construction
 - g) Measures to control noise and vibration
 - h) A scheme for recycling/disposing of waste resulting from demolition and construction works
 - i) Details of working hours
 - j) Routing of delivery vehicles to/from site
 - k) Timing of deliveries
 - l) Measures to ensure that construction and delivery vehicles do not impede access to neighbouring properties.
 - m) Control of burning onsite

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

10. The development shall be carried out in strict accordance with the recommendations of the Preliminary Ecological Appraisal May 2022 and Bat Activity Survey Results Report June 2022, a scheme of ecological mitigation, including implementation timescales, shall have been submitted to and approved in writing by the Local Planning Authority prior to the occupation of the first dwelling and thereafter implemented in accordance with the approved timescale.

Reason: To ensure that the development acceptably preserves or enhances the ecology of the site and does not result in unacceptable harm to protected species.

11. Prior to the commencement of development the applicant shall have submitted to and have agreed in writing by the Local Planning Authority a method statement which sets out in detail the method, standards and timing for the investigation and subsequent remediation of any contamination which may be present on site. The method statement shall detail how:-

a) an investigation and assessment to identify the types, nature and extent of land contamination affecting the application site together with the risks to receptors and potential for migration within and beyond the site will be carried out by an appropriately qualified geotechnical professional (in accordance with a methodology for investigations and assessments which shall comply with BS 10175:2001) will be carried out and the method of reporting this to the Local Planning Authority; and

b) a comprehensive remediation scheme which shall include an implementation timetable, details of future monitoring and a verification methodology (which shall include a sampling and analysis programme to confirm the adequacy of land decontamination) will be submitted to and approved in writing by the Local Planning Authority.

All agreed remediation measures shall thereafter be carried out in accordance with the approved implementation timetable under the supervision of a geotechnical professional and shall be completed in full accordance with the agreed measures and timings, unless otherwise agreed in writing by the Local Planning Authority.

In addition, prior to commencing construction of any building, the developer shall first submit to and obtain written approval from the Local Planning Authority a report to confirm that all the agreed remediation measures have been carried out fully in accordance with the agreed details, providing results of the verification programme of post-remediation sampling and monitoring and including future monitoring proposals for the site.

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 prevent contamination of the controlled waters.

12. The development shall be carried out in accordance with the submitted flood risk assessment ("Flood Risk and Drainage Assessment – New Road, Earby ref 30581/FRA/SRG – Rev B dated August 2023, compiled by Gleeson) and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 133.90 metres above Ordnance Datum (AOD)
- Compensatory storage shall be provided as per the latest drawings of Proposed Flood Mitigation (drawing number: 30581/102 – Rev C) and Flood Mitigation Detailed Section (drawing number: 30581/104 – Rev B) - dated Aug 2023, and shall be implemented prior to any other development or land raising on site.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above 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 prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided

13. The development hereby permitted must not be commenced until such time as a maintenance scheme to ensure the functioning of the compensatory storage for the lifetime

of the development has been submitted to, and approved in writing by, the local planning authority.

Reason To prevent flooding elsewhere by ensuring that compensatory storage of flood water is maintained.

14. The development permitted by this planning permission shall be carried out in accordance with the principles set out within the site-specific flood risk assessment (August 2023/30581/FRA/SRG – revision B/Gleeson).

The measures shall be fully implemented prior to occupation of the development and in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority in consultation with the Lead Local Flood Authority.

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site.

- 15: No development shall commence in any phase until a detailed, final surface water sustainable drainage strategy for the site has been submitted to, and approved in writing by, the Local Planning Authority.

The detailed surface water sustainable drainage strategy shall be based upon the site specific flood risk assessment and indicative surface water sustainable drainage strategy submitted (“Flood Risk and Drainage Assessment – New Road, Earby” ref “30581/FRA/SRG” Rev B, dated August 2023, compiled by Gleeson) and sustainable drainage principles and requirements set out in the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems. No surface water shall be allowed to discharge to the public foul sewer(s), directly or indirectly and shall be limited to a maximum peak flow rate of 12l/s.

The details of the drainage strategy to be submitted for approval shall include, as a minimum;

- a) Sustainable drainage calculations for peak flow control and volume control for the:
- i. 100% (1 in 1-year) annual exceedance probability event;
 - ii. 3.3% (1 in 30-year) annual exceedance probability event + 45% climate change allowance, with an allowance for urban creep;
 - iii. 1% (1 in 100-year) annual exceedance probability event + 50% climate change allowance, with an allowance for urban creep

Calculations must be provided for the whole site, including all existing and proposed surface water drainage systems.

- b) Final sustainable drainage plans appropriately labelled to include, as a minimum:
- i. Site plan showing all permeable and impermeable areas that contribute to the drainage network either directly or indirectly, including surface water flows from outside the curtilage as necessary

- ii. Sustainable drainage system layout showing all pipe and structure references, dimensions and design levels; to include all existing and proposed surface water drainage systems up to and including the final outfall;
- iii. Details of all sustainable drainage components, including landscape drawings showing topography and slope gradient as appropriate;
- iv. Drainage plan showing flood water exceedance routes in accordance with Defra Technical Standards for Sustainable Drainage Systems;
- v. Finished Floor Levels (FFL) in AOD with adjacent ground levels for all sides of each building and connecting cover levels to confirm minimum 150 mm+ difference for FFL;
- vi. Details of proposals to collect and mitigate surface water runoff from the development boundary;
- vii. Measures taken to manage the quality of the surface water runoff to prevent pollution, protect groundwater and surface waters, and delivers suitably clean water to sustainable drainage components;

c) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates and groundwater levels in accordance with BRE 365.

d) Evidence that a free-flowing outfall can be achieved. If this is not possible, evidence of a surcharged outfall applied to the sustainable drainage calculations will be required.

e) Evidence of the final drainage layout with the flood levels and depths overlaid. The sustainable drainage strategy shall be implemented in accordance with the approved details

Reason To ensure satisfactory sustainable drainage facilities are provided to serve the site.

16. No development shall commence until a Construction Surface Water Management Plan, detailing how surface water and stormwater will be managed on the site during construction, including demolition and site clearance operations, has been submitted to and approved in writing by the Local Planning Authority.

The details of the plan to be submitted for approval shall include method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include for each phase, as a minimum:

a) Measures taken to ensure surface water flows are retained on-site during the construction phase(s), including temporary drainage systems, and, if surface water flows are to be discharged, they are done so at a restricted rate that must not exceed the equivalent greenfield runoff rate from the site.

b) Measures taken to prevent siltation and pollutants from the site entering any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance.

The plan shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water during each construction phase(s) so it does not pose an undue surface water flood risk on-site or elsewhere during any construction phase.

17. 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 the maintenance, operational and access requirement for all SuDS components and connecting drainage structures, including all watercourses and their ownership;
- 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.

18. 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.

19. No dwelling hereby approved shall be occupied unless and until a scheme for flood resilience measures has been submitted to and approved in writing by the Local Planning Authority and the scheme has been implemented.

Reason: To ensure that adequate flood resilience measures are in place to mitigate the risk of flooding to occupants of the development.

20. Within 3 months of commencement of the development a scheme for the construction of the site access and the off-site works of highway mitigation has been submitted to, and approved by, the Local Planning Authority. Works shall include, but not be exclusive to the following and shall be constructed prior to the first occupation of any dwelling:

- the construction of the access to New Road to an appropriate standard, including a minimum width of 5.5m and radius kerbs
- buff coloured tactile paved dropped pedestrian crossings both sides of the access,
- construction of 2m wide footways both sides of the access to tie in with the existing footway network
- re-location of the highway gully out of the access
- a street lighting assessment
- the introduction of a Traffic Regulation Order for No Waiting At Any Time (double yellow lines) to the East of access for a distance of 48m from the centre line of the access
- construction of a dropped pedestrian crossing with buff coloured tactile paving on the North side of New Road opposite the new access to aid pedestrian movements to/from local facilities and amenities
- construction of vehicular crossings on New Road to Plots 5 & 6
- reinstatement of footway on New Road, including full height kerbs, to the East of Plot 1 (approx 48m)
- construction and provision of physical traffic calming features on New Road
- pedestrian enhancements on the upper section of New Road leading to Green End Road
- reinstatement of footway, including full height kerbs, outside 21a New Road (approx 8m)
- upgrade existing pedestrian crossings on the corner of Brook Street with New Road to include buff coloured tactile paving
- upgrades to the existing bus stop outside 25-29 Colne Road (Jade Palace) to include raised bus borders and a new bus shelter.

Reason: In order to satisfy the Local Planning Authority that the final details of the highway scheme/works are acceptable before work commences on site in the interests of highway safety and pedestrian and cycle accessibility.

21. Within 3 months of commencement of the development full engineering, drainage, street lighting and constructional details of the road and footways have been submitted to and approved in writing by the Local Planning Authority. The development shall, thereafter, be constructed in accordance with the approved details, unless otherwise agreed in writing with the local planning authority.

Reason: In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway.

22. Within 3 months of commencement of the development details of the proposed arrangements for future management and maintenance of the proposed estate road and footways within the development have been submitted to and approved by the local planning authority.

The estate road and footways shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a private management and maintenance company has been established.

Reason: In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the users of the highway and the visual amenities of the locality.

23. The internal estate roads shall be constructed in accordance with the approved engineering details and to at least base course level prior to first occupation of any dwelling, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the estate road is acceptably constructed in the interest of highway safety.

24. Prior to occupation of the first dwelling visibility splays measuring 2.4m back from the centre line of the access and extending 48.8m Eastbound and 47.9m Westbound on the nearside carriageway edge shall be provided at the new access onto New Road, 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 splay. 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.

25. Prior to first occupation of the dwellings on Plots 1 to 6 the highway boundary wall fronting onto New Road shall be reduced and permanently maintained at a height not greater than 0.9m above the nearside carriageway level.

Reason: To ensure adequate visibility for the drivers of vehicles entering and leaving Plots 5 and 6.

26. Prior to first occupation of any dwelling the driveways shall be constructed in a porous bound material and the garages constructed and shall thereafter always remain available for the parking of domestic vehicles associated with the dwelling.

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.

27. Prior to first occupation of each dwelling secure, covered cycle storage shall be provided at a ratio of two cycle spaces per dwelling in accordance with the approved plans and maintained thereafter.

Reason: To ensure adequate provision for sustainable transport.

28. Prior to the first occupation each dwelling shall have an electric vehicle charging point. Charge points must have a minimum power rating output of 7kW, be fitted with a universal socket that can charge all types of electric vehicle currently available.

Reason: To ensure adequate provision for sustainable transport.

29. Prior to demolition commencing a scheme for archaeological recording of the chimney and engine house shall be undertaken by a professional qualified person and submitted to and approved in writing by the Local Planning Department. The recording shall then be undertaken in strict accordance with the agreed details.

Reason: In order to provide an appropriate record of the chimney and engine house.

30. Prior to the occupation of the first dwelling a scheme should be undertaken to provide a historic record of the former mill and chimney on site. The scheme shall include details of the proposed onsite feature to be provided and the timing of the provision. The development shall thereafter be carried out in strict accordance with the approved scheme.

Reason: In order to provide an appropriate record of the chimney and engine house as an archaeological record

Note:

The grant of planning permission will require the applicant to enter into an appropriate legal agreement (Section 278), with Lancashire County Council as the Highway Authority prior to the start of any development. For the avoidance of doubt works shall include, but not be exclusive to the works outlined in Condition 2. The applicant should contact the county council for further information by telephoning the Development Control Section (Area East) on 0300 123 6780 or by email on developer@lancashire.gov.uk, in the first instance to ascertain the details of such an agreement and the information to be provided, quoting the relevant planning application reference number.

The use of flood resistance and resilience measures is recommended.

Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage. To find out which measures will be effective for this development, please contact the building control department. If you'd like to find out more about reducing flood damage, visit the Flood Risk and Coastal Change pages of the planning practice guidance. Further guidance on flood resistance and resilience measures can also be found in:

- Government guidance on flood resilient construction
<https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings>
- CIRIA Code of Practice for property flood resilience
https://www.ciria.org/Research/Projects_underway2/Code_of_Practice_and_guidance_for_property_flood_resilience.aspx
- British Standard 85500 – Flood resistant and resilient construction
<https://shop.bsigroup.com/ProductDetail/?pid=00000000030299686>

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

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 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 Assistant Director Planning, Building Control and Regulatory Services reported that there was one outstanding planning appeal.

70. ENFORCEMENT ACTION

The Legal Services Manager submitted a report giving the up-to-date position on prosecutions for information.

RESOLVED

That the planning application expected in relation to the unauthorised development at 6 Cavendish Street, Barnoldswick be determined by this Committee in due course.

71. AREA COMMITTEE BUDGET 2023/24

The Director of Place reported that the current balance for the Committee's budget for 2023/24 was £25,227.

72. PROPOSED DIVERSION OF PUBLIC FOOTPATHS 20 AND 57 AT RAIKES WOOD CLOSE AND VICTORIA ROAD, BARNOLDSWICK

As requested at the 5th July meeting the Countryside Access Manager submitted a report seeking a decision on the public path diversion order for public footpaths 20 and 57 at Raikes Wood Close and Victoria Road, Barnoldswick.

RESOLVED

- (1) That the Head of Legal and Democratic Services be authorised to make a public path order under Section 119 of the Highways Act 1980 to divert parts of public footpath 20 and public footpath 57 Barnoldswick as shown on the attached map.

- (2) That the Head of Legal and Democratic Services be authorised to confirm the order if there are no duly made objections, or in the case of objections being made and not withdrawn to send the order to the Secretary of State to be decided.
- (3) In the event that a Highways Act 1980 Section 38 Agreement has been completed at the time of making the proposed diversion order, that the Head of Legal and Democratic Services be authorised to make, and in the case of no objections, confirm an Extinguishment Order under Section 118 of the Highways Act 1980, in place of the diversion order for the section of footpath 57 not on the highway between points D and E, and alter the diversion proposals accordingly.

REASON

- (1) ***The proposed diversion order will resolve the issues associated with housing having been built over footpath 57 and it will improve the convenience of the public for footpath 20.***
- (2) ***The order must be confirmed before it can come into operation. In the event of any duly made objections the decision on confirming the order can only be made by an inspector appointed by the Secretary of State for the Department for Environment Food and Rural Affairs.***
- (3) ***If Raikes Hill and Raikes Wood Close are adopted as public highways then there is established case law that we cannot divert a footpath onto them. But we can extinguish rights of way which are not needed for public use, and this would be the correct way to proceed to achieve the same outcome.***

**73. PARKING PROBLEMS – WEST CRAVEN SPORTS CENTRE/BARNOLDSWICK
CofE PRIMARY SCHOOL**

(a) Footpath improvements

The Head of Economic Growth submitted a plan and costings for footpath improvements from Myrtle Grove across the fields to Barnoldswick Church of England Primary School. However, it had been reconfirmed recently that LCC would not allow part of the land adjacent to Myrtle Grove to be used as it was reserved for educational use only.

RESOLVED

- (1) That Lancashire County Council be asked to arrange for the unmarked but well used footpaths in this location to be added to the Definitive Map.
- (2) That County Councillors M. Goulthorp and J. Purcell be invited to the next meeting to discuss the proposed footpath improvements and LCC's position.

REASON

To try to improve pedestrian access and highway safety in the vicinity of the school.

(b) West Craven Sports Centre Car Park options

Members discussed possible car park improvements the Pendle Leisure Trust had considered installing for West Craven Sports Centre car park which included ANPR parking with members having to key in registration on arrival; barriers at the top of Kelbrook Road; and permit parking.

RESOLVED

That a meeting be arranged to explore the possibility of introducing ANPR parking at West Craven Sports Centre Car Park with Pendle Leisure Trust, Barnoldswick Church of England Primary School and County Councillors.

REASON

To find a reasonable and affordable solution to parking problems in the vicinity.

74. PUBLIC SPACES PROTECTION ORDER FOR ALCOHOL CONTROL

The Director of Resources submitted a report on the review of the Public Spaces Protection Order (PSPO) in relation to alcohol control in Pendle.

RESOLVED

- (1) That the Public Spaces Protection Order for Alcohol Control be extended for a further three years in West Craven.
- (2) That the Memorial Gardens in Kelbrook Road Barnoldswick be added to the Barnoldswick plan and the weekend of the Bands on the Square event be excluded.

REASON

To enable the Council and its partners to respond to concerns regarding alcohol related behaviour that is detrimental to the quality of life in Barnoldswick and Earby including enforcement action.

75. BUS SHELTERS IN WEST CRAVEN

A note of the Teams meeting held on 17th August with PBC and LCC officers to discuss improvements to bus shelters in West Craven was submitted for information. Also submitted for consideration was a plan showing the proposed changes to the siting of the Primesite bus shelter in Kelbrook.

It was noted that real time information boards were to be installed at main stops in Barnoldswick and Earby. It was possible that some additional stops could be provided with displays, depending on the Levelling Up Fund programme, but that there was the potential for parish/town councils to add to the funds so that more information boards could be installed.

At that meeting it was also agreed that LCC would consider replacing the shelters on the Quality Bus Route that they had previously provided.

RESOLVED

- (1) That LCC officers be thanked for attending the recent meeting on improvements to bus shelters in West Craven and their plan for the proposed changes to the siting of the Primesite bus shelter in Kelbrook be welcomed.
- (2) That Parish and Town Councils be asked to identify which bus shelters in their area would benefit from having real time information boards, and if there was insufficient funding from LCC to provide them whether they would be willing to pay for their installation.
- (3) That LCC be asked for an update on their position in respect of bus shelters they had previously provided and whether LCC would support parish/town councils to maintain them.

REASON

To improve the bus service for residents.

76. ENVIRONMENTAL BLIGHT

The Head of Economic Growth submitted a report on environmental blight cases in West Craven. A new site at Clayton Street, Barnoldswick had been added to the list in view of the state of the fence. It's location and some photos showing the condition of the fence were included in the report.

RESOLVED

That the Engineering Team be asked to obtain quotes for repairing or replacing the fence at the back of the parking area at Clayton Street, Barnoldswick.

REASON

In the interests of visual amenity.

77. ACCESS TO CASH

At the last meeting it was reported that LINK, the UK's Cash machine (ATM) network had been asked to undertake a Community Access to Cash Review for both Barnoldswick and Earby. Unfortunately, LINK had said that they were not able to provide a new free-to-use ATM in the area. However, they had been in contact with the owners of the ATMs at the Post Office and Co-op in Barnoldswick to raise some of the issues that Members had highlighted.

Following further discussions with the company dealing with the Banking Hub in Barnoldswick, it was hoped that this would be established by January 2024. They were in the process of arranging a lease at a suitable property. Several possible locations had been suggested.

78. CORNMILL PLACE, BARNOLDSWICK

At a previous meeting, following representations by local residents, Members asked if the Council's Legal Team could request that the Duchy Solicitor transfer to the Council the public space at Cornmill Place that they owned, but which should have been transferred to the Council when the land was developed. The Duchy Solicitor agreed to this request at a cost of £1,000. This

Committee further requested that they be asked to reconsider the transfer at nil cost. The Duchy Solicitor agreed to this request but pointed out that the transfer would include all the land in that title within the red edge apart from the areas coloured green on the attached plan.

Members agreed that it would not be in the Council's interest to take on all the liability of the land shown in the map which included the hard landscaping and road shown red on the map.

RESOLVED

- (1) That the Legal Services Manager be asked to inform the Duchy Solicitor that they did not wish to proceed with the transfer of land in title number LA931725 shown as within the red edge apart from the areas coloured green on the plan.
- (2) That the Engineering Team be asked to look at the adopted status of the road at Cornmill Place and to report back.

REASON

1. ***The area of land that was originally intended for transfer was the open space, so the landscaping could be maintained.***
2. ***The road at Cornmill Place was expected to have been adopted by LCC.***

79. ITEMS FOR DISCUSSION

Members had requested that the following items be discussed -

(a) Cancellation of the mammography unit at Butts Clinic Car Park

The mammography unit due to be located at Butts Clinic (a trailer in the car park) had been cancelled. Appointments were being offered at Burnley but people were cancelling screening due to having to travel there. It was felt that this was unacceptable as there were other locations in West Craven that could be used if the NHS had deemed Butts Clinic unsuitable.

RESOLVED

That the Head of Policy and Commissioning write to the NHS asking them to reconsider locating the mammography unit in Butts Clinic car park, but if this was not possible then to explore the options of locating the mammography unit in Victory Park, Barnoldswick using the Pavilion facilities there; in the car park at the front of the Parish Rooms in Earby; or an offer from Senior Aerospace Weston to locate the unit and provide facilities at their site at West Craven Business Park.

REASON

To improve access to health screening for local residents.

(b) Consider possible improvements to the condition of prominent back streets in the town centre for both aesthetic and public safety reasons.

Following complaints raised by Members of this Committee about the condition of prominent back streets in Barnoldswick town centre, in particular Back Frank Street and Back Albert Road, PBC's

Chief Executive and Director of Place had met LCC Highway Managers on site to see if the highway authority would resurface these back streets. It was pointed out that as well as aesthetic reasons, there was a safety aspect to carrying out the necessary work as there were trip hazards to residents and pedestrians. LCC officers in attendance felt that resurfacing these roads was not a key priority and said that this would be confirmed in writing.

RESOLVED

That the County Councillors for West Craven be invited to the next meeting to discuss this issue with Members.

REASON

To try to bring the whole of Barnoldswick town centre up to the same high standards and in the interests of public safety.

(c) To consider Openreach repairs taking too long

A number of locations were given as examples where Openreach repairs had taken many months to complete. These included Coates Lane and Rainhall Road in Barnoldswick and on the main road in Sough.

RESOLVED

That Openreach be asked to try to improve the speed of repairing their assets.

REASON

Long delays inconvenienced local residents and highway users.

(d) Problems accessing New Road Community Centre, Earby

Members discussed the difficulties in booking New Road Community Centre. The contact details were not on social media or online. Members of the public or organisations wanting to use/hire the Centre could not phone anyone or book online.

RESOLVED

That the group managing the Community Centre be contacted and asked to meet with the Committee to discuss ways of improving access for members of the public and groups/ organisations wanting to use the facility.

REASON

To promote and increase the use of this public facility.

(e) Problems with old 'Pipe' cables coming loose above roads and pavements

Attention was drawn to the overhead "pipe" cables coming loose above roads and pavements in Barnoldswick Town Centre. Main roads affected were Frank Street, Rainhall Road and Albert

Road. On Frank Street the cable was resting on an Openreach cable. It was noted that there was a similar problem on Gisburn Road in Barrowford.

RECOMMENDATION

That this issue be referred to the Executive, as it was a borough wide problem.

REASON

In the interests of public and highway safety.

80. 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) Costings for Coates Lane/Skipton Road highway improvements
- (b) Meeting with Transdev to discuss bus services

At a previous meeting LCC's attention had been drawn to the condition of the layby outside West Craven High School. It was due to have been resurfaced in the summer but no works had been undertaken.

RESOLVED

That West Craven High School be contacted about the timetable for works to be undertaken on the layby outside the School and for this item to go back on the outstanding list.

81. 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.

82. OUTSTANDING ENFORCEMENTS

The Assistant Director Planning, Building Control and Regulatory Services submitted a report on outstanding enforcements and gave a verbal update at the meeting.

RESOLVED

That the Assistant Director Planning, Building Control and Regulatory Services be asked to contact Yorkshire Water and the developer about a site not shown on the list and to arrange a site visit to one of the sites to view the dilapidation of the building and abandoned vehicles on the verge.

REASON

In the interests of visual amenity.

83.

PROBLEM SITES

The Assistant Director Operational Services submitted a report on problem sites in West Craven and gave a verbal update at the meeting on one of the sites which were both noted.

84.

DANGEROUS WALL – REAR OF GISBURN STREET

The Assistant Director Planning, Building Control and Regulatory Services informed Members about the condition of a wall at the rear of Gisburn Street, Barnoldswick. There was an issue of ownership which was being looked at and advice being sought in order that repairs could be undertaken or sought as soon as possible.

Chairman