

**MINUTES OF A MEETING OF  
BARROWFORD AND WESTERN PARISHES COMMITTEE  
HELD ON 10<sup>TH</sup> JULY, 2024  
AT HOLMEFIELD HOUSE**

*PRESENT*

*Councillor N. Ahmed (Chair)*

**Councillors**

*D. Gallear  
B. Newman  
M. Stone*

**Co-optees**

*D. Goldsbrough - Barley with Wheatley Booth Parish Council  
R. Oliver – Barrowford Parish Council  
R. Fewster - Blacko Parish Council  
K. Wilkinson – Goldshaw Booth Parish Council  
D. Perrin - Higham with West Close Booth Parish Council  
M. Schofield - Roughlee Booth Parish Council*

**Officers in Attendance**

*D. Walker  
L. Barnes  
J. Watson*

*Assistant Director Operational Services (Area Co-ordinator)  
Senior Planning Officer  
Democratic Services Manager*

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

<i>Zara Moon</i>	<i>24/0262/CEA - Certificate of Lawfulness (S.192 Proposed Development): Erection of a single storey rear extension, insertion of rooflights and various changes to existing openings at Far Banks Farm, Cross Lane, Barley</i>	<i>Minute No. 35a</i>
<i>David Poole</i>	<i>24/0232/FUL - Full: Conversion of existing barn and outbuilding into 5 no. dwellings at Park Hill Barn, Gisburn Road, Barrowford</i>	

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**31. DECLARATION OF INTERESTS**

Members were reminded of the legal requirements concerning the declaration of interests. There were no declarations of interest.

**32. PUBLIC QUESTION TIME**

There were no questions from members of the public.

**33. MINUTES**

**RESOLVED**

That the Minutes of this Committee, at the meeting held on 5<sup>th</sup> June, 2024, be approved as a correct record and signed by the Chair.

**34. POLICE MATTERS AND COMMUNITY SAFETY ISSUES**

The crime statistics for June 2024 compared to the same period in the previous year was circulated at the meeting. The Police were not able to attend. However, it was noted that there was an increase in burglaries – residential, vehicle crime, assaults, thefts, all recordable crime and all recordable crime (year to date).

**35. PLANNING APPLICATIONS**

**(a) Planning applications for determination**

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

**24/0247/VAR Variation of Condition: Vary Condition 2 (Plans) of Planning Permission 22/0197/FUL on Land to the North East of Saint Thomas Church, Wheatley Lane Road, Barrowford for McDermott Homes Ltd.**

Determination of this application had been deferred from the last meeting of this Committee.

*(Before the vote was taken, the Principal Planning Officer advised that a decision to approve the application would represent a significant risk of costs. The matter would therefore be referred to the Head of Legal and Democratic Services and subject to his agreement the decision would stand referred to the Development Management Committee.)*

**RECOMMENDATION**

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

- (1) Plot 1 being closer than 21m from an existing dwelling (Oaklands Lodge) – it is 20m away.
- (2) Impact on heritage and the “additional less than substantial harm” to the character and appearance of the Conservation Area.

**24/0262/CEA Certificate of Lawfulness (S.192 Proposed Development): Erection of a single storey rear extension, insertion of rooflights and various changes to existing openings at Far Banks Farm, Cross Lane, Barley for Mr. Mark Platt**

The Committee were advised that amended plans had been received which reduced the size of one of the windows.

## RESOLVED

- (1) That a Lawful Development Certificate be approved.
- (2) That the Assistant Director Planning, Building Control and Regulatory Services be requested to submit a report to a future meeting on the possible introduction of an Article 4 Directive in relation to preserving development in the AONB in the Barrowford and Western Parishes Area.

## REASON FOR DECISION

- (1) ***On the balance of probability, the proposed development does accord with the limits and conditions the Town and Country Planning (General Permitted Development) (England) Order 2015 and therefore would be permitted development.***
- (2) ***To protect the AONB.***

**24/0232/FUL Full: Conversion of existing barn and outbuilding into 5 no. dwellings. at Park Hill Barn, Gisburn Road, Barrowford for Mr. Evans**

There had been a typing error on the Agenda and also in the Planning Applications report, the application number was 24/0232/FUL and not 24/0323/FUL.

## 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 received 19.04.2024, Proposed Site Plan Evan/02-Dwg 04C, Proposed Floor and Elevation Plan (Unit 5) Evan/02-Dwg03C and Proposed floor and Elevation Plan Evan/02-Dwg02C.

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

3. Prior to the commencement of development samples of the materials to be used to create the additional openings and details of any rainwater disposal system to be used, shall be submitted to the Local Planning Authority for prior written approval. The development shall be carried out only using the agreed materials.

**Reason:** To ensure 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 commencement of the development hereby approved, details of the necessary bat boxes recommended in the Bat Report titled Reasonable Avoidance and Mitigation

Measures (March 2024) shall be submitted to and approved in writing by the Local Planning Authority. These shall be installed in accordance with the approved details prior to works commencing in order that a suitable alternative habitat has been installed before and potential disturbance works are undertaken.

**Reason:** To ensure there is a replacement habitat for the species in question prior to and during construction/disturbance which will be carried out.

5. No works to the application building(s) including any clearance/demolition or preparation works shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of building recording as set out in '@Understanding Historic Buildings' (Historic England 2016). This must be carried out by an appropriately qualified and experienced professional contractor to the standards set out by the Chartered Institute for Archaeologists and in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority. These works shall result in the compilation and deposition of a formal report on the works undertaken and the results obtained. The development shall be carried out in accordance with the agreed details.

**Reason:** To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the buildings/site.

6. The development hereby permitted shall not be commenced until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be submitted at a scale of 1:200 and shall include the following:
- (a) the exact location and species of all existing trees and other planting to be retained;
  - (b) all proposals for new planting including the replacement trees for those which have been removed, and turfing indicating the location, arrangement, species, sizes, specifications, numbers and planting densities;
  - (c) an outline specification for ground preparation.
  - (d) all proposed boundary treatments with supporting elevations and construction details including the location of walls, details of their coursing, any tooled finishes, railings, copings or capping and the type of stone (including a physical sample);
  - (e) all proposed hard landscape elements and paving, 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 trees 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. 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 and D of Schedule 2 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 impacts on neighbour properties.

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 additional openings shall be inserted into the gable elevation of unit 4 at any time whatsoever.

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

9. No development approved by this permission shall be commenced unless and until a scheme for the disposal of foul and surface water has been submitted to and approved by the Local Planning Authority. Such a scheme shall be constructed and completed in accordance with the approved plans.

**Reason:** To ensure a satisfactory means of drainage.

10. The first-floor gable elevation window (servicing the bedroom of unit 4) 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.

11. The proposed development shall not be brought into use unless and until the car parking spaces and turning areas have been constructed, surfaced and made available for use in accordance with the approved site plan. The parking spaces and turning area shall thereafter always remain unobstructed and available for parking and turning purposes.

**Reason:** In order to provide sufficient off street parking for the development in the interests of highway safety.

12. No development shall take place, unless and until a construction traffic management plan and 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:

- The parking of vehicles of site operatives and visitors.
- The loading and unloading of plant and materials.
- The storage of plant and materials used in constructing the development.
- Details of working hours.
- Routing of vehicles to/from site.
- Measures to ensure that construction and delivery vehicles do not impede access to neighbouring properties.

**Reason:** In the interests of amenity and to control the construction process.

13. No part of the development hereby approved shall be commenced unless and until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to and approved in writing by the Local Planning Authority. The works must be completed prior to occupation of the first dwelling.

**Reason:** In the interests of traffic flow and highway safety.

14. Prior to occupation of the first dwelling, any internal access from the site to the livery yard shall be physically and permanently closed.

**Reason:** To limit the number of access points to and from the highway.

15. Before the access is first used for vehicular purposes, that part of the access extending from the highway boundary for a minimum distance of 5m into the site shall be appropriately paved in bound porous materials.

**Reason:** In the interest of highway safety to prevent loose surface material from being carried on to the public highway.

16. Prior to first occupation each dwelling shall have a secure, covered cycle store for at least two cycles.

**Reason:** To ensure that the development supports sustainable transport modes.

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

**Reason:** To ensure that the development supports sustainable transport modes.

18. The development may not be begun unless:

- A biodiversity gain plan has been submitted to the Planning Authority; and
- The Planning Authority has approved the plan.

Phase plan:

- The first and each subsequent phase of development may not be begun unless:
  - (a) a biodiversity gain plan for that phase has been submitted to the Local Planning Authority; and
  - (b) the Local Planning Authority has approved that plan.

**Reason:** In order to fulfil the obligations for Biodiversity Net Gain, in accordance with the Environment Act 2021, Schedule 14.

19. No part of the development commences unless and until a Planning Obligation pursuant to Section 106 of the Town and Country Planning Act 1990 (or any subsequent provision equivalent to that section) has been made with the Local Planning Authority. The said obligation shall provide for monitoring of Biodiversity Net Gain over a 30-year period.

**Reason:** To ensure that the proposed development makes provision to enhance biodiversity on the site and that this can be monitored for a period no less than 30 years following completion of the development.

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

**(b) Planning Appeals**

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

**36. ENFORCEMENT ACTION**

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

**37. AREA COMMITTEE BUDGET 2024/25**

The Head of Housing and Environmental Health submitted a report on the Committee's Budget for 2024/25.

**RESOLVED**

- (1) That the Budget, as committed and the remaining £311 uncommitted be noted.
- (2) That the approved schemes, listed in Appendix 1, attached to the report, and the financial requirements stipulated in paragraph 4 of the report be noted.

**REASON**

***To enable the budget to be allocated effectively.***

**38. LAND TO THE REAR OF 2-24 CHURCH STREET, BARROWFORD**

The Director of Place reported that a Property Services Officer had met with three residents who were interested in taking on individual plots of land to the rear of 2-24 Church Street, Barrowford and had agreed the boundaries with them and had had various discussions about what could be planted and the position of the drain.

Members noted that instructions had since been sent to the Council's Legal Department who were now drafting the tenancy agreements to be issued for signature.

**39. FLOODING ISSUES/RISKS**

The following updates were reported for information.

**Flooding Issue on Noggarth Road, Fence**

This issue was reported to Lancashire County Council (LCC) via the Love Clean Streets website following the last meeting. LCC had since advised that, following assessment by their Inspector, no works had been identified as being required at that time but that they would continue to monitor the situation at the location.

**Sinkhole (Void) near Stepping Stones, Roughlee**

Pendle Borough Council Engineers had attended the site on 13<sup>th</sup> June, 2024 and they suspected that the area had been washed out by water from a defective drain within the void. The defective drain could either be draining highway gullies or an old field drain that ran under the road.

The road was not currently showing any sign of collapse although it might do in time as the area was offering some support to the road.

The matter had since been referred to Lancashire County Council and the Environment Agency for further investigation.

**39. OUTSTANDING ISSUES**

It was noted that the following items had been requested and updates or reports would be provided to a future meeting:-

- a. Flooding Issue on Clough Springs, Barrowford (27/3/2024)
- b. Flooding Issue on Beverley Road, Blacko (27/3/2024)
- c. Flooding Issue on Blacko Bar Road, Roughlee (8/5/2024)

**40. EXCLUSION OF 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.

**41. PROBLEM SITES**

The Assistant Director Planning, Building Control and Regulatory Services submitted, for information, a report on problem sites in the Barrowford and Western Parishes area.

Chair \_\_\_\_\_