

**MINUTES OF A MEETING OF THE
COLNE AND DISTRICT COMMITTEE
HELD AT COLNE TOWN HALL
ON 7TH NOVEMBER 2024**

PRESENT –

Councillor D. Cockburn-Price (Chair)

Councillors

*S. Cockburn-Price
D. Lord
K. McGladdery
R. O'Connor
T. Ormerod
K. Salter
A. Sutcliffe*

Co-optees

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

Officers in attendance

*Neil Watson Assistant Director, Planning, Building Control and Regulatory Services
Lynne Rowland Committee Administrator*

(Apologies for absence were received from Councillor N. Butterworth and A. McGladdery (Colne BID).)



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

<i>Paul Foxley</i>	<i>24/0536/FUL Full: Erection of 5 no. detached dwellings with associated infrastructure including new vehicular accesses from Keighley Road and 15 no. parking spaces at land to the SE of the junction with Vernon Road/Keighley Road, Laneshaw Bridge</i>	<i>Minute No.129(a)</i>
<i>Brian Whitfield</i>	<i>24/0546/HHO Full: Erection of a replacement first floor balcony to the rear at 1 Hollin Hall, Trawden</i>	<i>Minute No.129(a)</i>
<i>Greg Horn</i>	<i>24/0557/CEA Certificate of Lawful Use (S.192 Proposed Development): Use of residential curtilage as a recreational campsite at Piked Edge Farm, Skipton Old Road, Colne</i>	<i>Minute No.129(a)</i>

124.

DECLARATION OF INTERESTS

Members were reminded of the requirements of the Member Code of Conduct concerning the declaration of interests. The following persons declared a pecuniary interest in the item indicated –

Councillor D. Cockburn-Price
Councillor S. Cockburn-Price

Colne Youth Action Group

Minute No.137

Councillors D. Cockburn-Price and S. Cockburn-Price had each been granted a dispensation by the Council's Monitoring Officer to speak and vote on Colne Youth Action Group (CYAG) matters.

125. PUBLIC QUESTION TIME

There were no questions from members of the public.

126. MINUTES

RESOLVED

That the Minutes of the meeting held on 10th October 2024 be approved as a correct record and signed by the Chair.

127. PROGRESS REPORT

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

In a verbal update the Committee was advised that progress had been made with Brsk following correspondence from this Committee; the Keighley Road Conservation Area Appraisal consultation would begin next week; and designs and costings for restoring the junior football pitch at King George V Playing Field, and for the construction of a set of stairs/cut and fill ramps between the various levels on site, were expected to be presented to the next meeting.

128. COMMUNITY SAFETY ISSUES AND POLICE MATTERS

The Chair provided a brief update following his attendance at the earlier Community Safety Partnership meeting.

129. 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 -

24/0306/FUL Full: Major: Erection of 11 no. dwellings at land to the north of Hargreaves Street, Colne for Mr S. Hilton

RESOLVED

That consideration of this application be **deferred** to allow for further information in relation to objections raised by United Utilities and for further discussions with the applicant with regard to the design.

24/0536/FUL Full: Erection of 5 no. detached dwellings with associated infrastructure including new vehicular accesses from Keighley Road and 15 no. parking

**spaces at land to the SE of the junction with Vernon Road/Keighley Road,
Laneshaw Bridge for Mr J. Driver**

The Assistant Director, Planning, Building Control and Regulatory Services submitted an update which reported receipt of amended plans moving the four units back into the site by 3m. The levels had not changed. The recommendation to approve the application remained the same.

RESOLVED

That –

- (1) the applicant be asked to consider amending the scheme to address the landscape impact and massing of the proposed units;
- (2) if amended plans are received, they be put to this Committee for further consideration;
- (3) should no amendments be submitted, the Assistant Director, Planning, Building Control and Regulatory Services be delegated authority to **refuse consent**.

REASON

The location of the proposed dwellings will cause an overbearing presence on the surrounding area and are not in keeping with the street scene.

**24/0546/HHO Full: Erection of a replacement first floor balcony to the rear at 1 Hollin Hall,
Trawden for Mr A. and Dr V. O'Neill**

The Assistant Director, Planning, Building Control and Regulatory Services submitted an update which reported receipt of amended plans. It was now recommended that the application be approved.

RESOLVED

That the Assistant Director, Planning, Building Control and Regulatory Services be delegated authority to **grant consent** subject to the applicant being asked to reduce the size of the proposed balcony.

REASON

- (1) ***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 housing development would accord with Local Planning Policy and would be compliant with the guidance set out in the Framework, subject to compliance with planning conditions. 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.***
- (2) ***To ensure the development is no larger than the original so that it does not have a greater impact on the privacy of the neighbours.***

24/0557/CEA Certificate of Lawful Use (S.192 Proposed Development): Use of residential curtilage as a recreational campsite at Piked Edge Farm, Skipton Old Road, Colne for Mr Stuart Swales

RESOLVED

That a Lawful Development Certificate be **granted**.

REASON

On the balance of probabilities, the proposed temporary recreational campsite would meet the requirements of Schedule 2, Part 4, Class BC of the Town and Country Planning (General Permitted Development) (England) Order 2015. The proposed crushed stone surface to the drive, the replacement of the lean-to roof, and the toilet facilities within the lean-to would not constitute development to the land and to the building as stated in Section 55 of the Town and Country Planning Act 1990.

24/0608/HHO Full: Demolition of single garage and the erection of a double garage, widening of vehicle access, formation of a larger drive area and associated works at 35 Windermere Avenue, Colne for Mr Stephen and Mrs Susan Haygarth

RESOLVED

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

1. The development hereby permitted shall be carried out in accordance with the following approved plans:

- Location Plan (received 06.09.24)
- Site Plan (received 06.09.24)
- DG03 Site Layout Plan (received 06.09.24)
- DG04 Propose Elevations (received 09.09.24)
- DG06 Existing and Proposed Roof Plans (received 09.09.24)
- DG08 Existing and Proposed highway and Drive Plans (received 30.09.24)
- DG09 Driveway Access Details. (received 30.09.24)

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

2. 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 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.

3. 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 material. The parking areas (including garage) shown on the approved plans 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.

4. No part of the development hereby permitted shall be commenced/brought into use until the land between the existing highway boundary and the visibility splays indicated on the submitted/attached plan (drawing no. DG09 submitted on 30 September 2024 has been cleared of all obstructions exceeding 1 metre in height. The land shall be so maintained thereafter at all times that the proposed development is in use/operation.

Reason: In the interest of pedestrian and highway safety.

5. The development hereby permitted shall not be used unless and until details of the drainage from the driveway have been submitted to, approved in writing by the Local Planning Authority and installed. The drainage shall thereafter at all times be retained.

Reason: In the interest of highway safety.

6. The garage door shall be of a type that enables a car to pull clear of the carriageway whilst the door is opened/closed. Details of the garage door shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. The garage door shall be installed and maintained thereafter in accordance with the approved details.

Reason: In the interest of highway safety.

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 housing development would accord with Local Planning Policy and would be compliant with the guidance set out in the Framework, subject to compliance with planning conditions. 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 a report on planning appeals.

130. ENFORCEMENT/UNAUTHORISED USES

Enforcement Action

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

131. PROPOSED DIVERSION OF PART OF PUBLIC FOOTPATH FP1304189 AT LENCHES FOLD, COLNE

The Assistant Director, Operational Services submitted a report for Members to consider the making of a public path diversion order. It was proposed that a section of public footpath

FP1304189 be diverted at Lenches Fold, Colne. A map of the proposals was included as an appendix to the report, along with a location map.

RESOLVED

- (1) That the Head of Legal and Democratic Services be authorised to make an order under the Highways Act 1980, Section 119 to divert part of public footpath FP1304189 at Lenches Fold, Colne.
- (2) That the order be confirmed if there are no objections, or if any objections are later withdrawn.
- (3) In the event of objections which are not withdrawn, that the order be sent to Department of Environment, Food and Rural Affairs (DEFRA) to be decided.

REASON

- (1) ***The diversion of the footpath would have the effect of resolving issues with the existing footpath which are set out in the body of the report.***
- (2) ***The proposed diversion appears to satisfy all legislative requirements meaning that the Council is empowered to confirm an order if there are no objections.***
- (3) ***If we receive objections then the legislation means that a decision on confirming a diversion order cannot be made by the Council, but we may send the relevant documents to the Planning Inspectorate for an independent inspector to make a decision on behalf of the Secretary of State at DEFRA.***

132. AREA COMMITTEE BUDGET 2024/25

The Head of Housing and Environmental Health submitted a report which advised Members on the Committee's 2024/25 area committee budget.

The following new bids were submitted for consideration –

- Holt House Height Barrier - £1,500
- Dementia Positive Pendle (DPP) Christmas Party - £500

RESOLVED

- (1) That funding of £1,500 be allocated towards the installation of a lockable and openable height barrier at the entrance to Holt House playing fields with corresponding bollards alongside.
- (2) That the bid for funding for a Dementia Positive Pendle (DPP) Christmas Party be refused.

REASON

- (1) ***To reduce access for caravans, but continue to allow access for deliveries and coaches etc.***
- (2) ***The funding of a Christmas Party, open to Pendle residents, would not be an effective use of the Committee's budget.***

133. TRAFFIC LIAISON MEETING

The minutes of the Traffic Liaison meeting held on 3rd September 2024 were submitted for information.

134. LAND TO THE REAR OF RED LANE, COLNE

Further to this item being deferred at the last meeting, the Director of Resources re-submitted a report for Members to consider a request to declare land to the rear of No.s 34 and 36 Red Lane and land adjacent to No. 1 Lynwood Close, Colne as surplus, with the purpose of selling the land to the residents in the respective properties, and make a recommendation to the Executive.

The Committee was advised that, should it wish to recommend that the land be retained within the Council's ownership, the residents concerned would be interested in entering into a garden tenancy agreement.

A site visit had been carried out prior to the meeting.

It was recognised that the Committee's discussion could lead to the potential disclosure of exempt information and it was therefore agreed to consider this item later in the meeting.

135. POTENTIAL ASSET TRANSFER

The Director of Resources submitted a report which advised on a request from Laneshaw Bridge Parish Council for the transfer of the Kingsley Road Garage Site, Laneshaw Bridge to the Parish Council. The Committee was invited to consider the request and make recommendations to the Executive.

As the garage site generated an income of £1,760 per annum and may have future development potential it was recommended that the site not be transferred.

RECOMMENDATION

That the Executive be recommended to transfer the Kingsley Road Garage Site, Laneshaw Bridge to Laneshaw Bridge Parish Council, using the same principle as with the garage site transfer to Trawden Parish Council, subject to the garages being used to house cars.

REASON

The site is not currently being maintained, is an eyesore and is not serving its function as garages.

136. PARKING POLICY AND STRATEGIES UPDATE

The Head of Economic Growth submitted a report, for information, on the development of a parking strategy for Pendle. This was to include five area-specific parking policies for Nelson, Brierfield, Barnoldswick, Earby and Colne.

At the July meeting, the Committee had appointed members to a working group to establish Members' concerns and requirements for the strategy. The report provided feedback from the working group site visits and a summary of the issues considered. It was noted that surveys would be required to inform the strategy and five area-specific policies.

137. COLNE YOUTH ACTION GROUP

(Councillors D. Cockburn-Price and S. Cockburn-Price declared a pecuniary interest in this item but had been granted a dispensation by the Council's Monitoring Officer to speak and vote on Colne Youth Action Group matters.)

An update was provided on the work of the Colne Youth Action Group (CYAG) and information was provided on funding and grants received.

138. LEVELLING UP FUNDED PROJECTS

The Chair gave a verbal update on progress with the Colne Market development.

It was noted that, following completion of the strip out phase and enabling works, the next phase of works was underway, with commencement of the 'Shell Phase'.

This phase of works would renew the roof, external cladding and elevations and other external works and was due to complete at the end of February, prior to the final fit-out phase commencing.

To date, the majority of existing roof panels had been removed and around 60% of the framework to accept the new roof sheets was already in place. External cladding had been removed from the walls in preparation for receiving the new cladding.

139. COLNE BID

It was reported that an Arts Council grant had been approved for the light festival which was going ahead in February.

140. LITTER/DOG WASTE BINS AND SUBSTATION SITES

The Assistant Director, Operational Services reported on the spend on litter/dog waste bins in Quarter 2 for the period July to September 2024.

It was noted that, of the funding allocated by this Committee in June 2024, £182.08 had been carried forward to Quarter 2. Following a further allocation of £2000, and the installation of one litter bin at a cost of £326.12, a balance of £1,855.96 remained.

In addition, due to wear, damage or a reduced need for the facility, 11 bins had been replaced/removed/repaired by Operational Services.

141. VACANT HOUSES

The Head of Housing and Environmental Health submitted a report which advised on the position regarding vacant houses in Colne and District.

It was noted that the Overview and Scrutiny work programme included a piece of work on empty homes in Pendle.

142. OUTSTANDING ITEMS

The following items had been requested by the Committee. Reports/updates would be submitted to a future meeting.

- (a) Colne Market – Consultant’s report on future operation
- (b) King George V Playing Field
- (c) Keighley Road Conservation Area Appraisal – results of the consultation

143. 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.

144. LAND TO THE REAR OF RED LANE, COLNE

The Director of Resources submitted a report for Members to consider a request to declare land to the rear of No.s 34 and 36 Red Lane and land adjacent to No. 1 Lynwood Close, Colne as surplus (see minute 134).

RESOLVED

That consideration of this item be deferred.

REASON

To allow for further information.

145. 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 discussion was held on a number of cases on the list.

146. PROBLEM SITES

The Assistant Director, Planning, Building Control and Regulatory Services submitted a report on problems sites in the Colne and District area. A verbal update was also provided.

147. ENVIRONMENTAL CRIME

The Assistant Director, Operational Services submitted a report which informed Members of the enforcement actions taken during the period between 1st July to 30th September 2024 within Colne and District and provided annual totals for 2024/25.

148. VACANT HOUSES

Details of vacant properties were submitted for information.

The Committee felt that it was important to know the condition of the vacant properties in order to prioritise any action required. Members agreed to survey their own wards to gather the necessary information.

149.

NUISANCE VEHICLES

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

RESOLVED

That the two vehicles reported on page one of the report be removed from the list.

REASON

The vehicles are no longer considered to be a nuisance.

CHAIR _____