

Colne & District Committee Update Report 07th August 2025

25/0233/FUL 8 Cumberland Street, Colne

Additional Public Comments

Responses received in objection:

- Odour impact of uPVC window manufacture use
- Privacy impact of windows in amended plans
- The proposed materials would look out of place
- Insufficient gap between the proposed building and No.6
- Responsibility for maintenance
- Impact of foundations
- The back door would have steps down which are on the pavement
- Potential parking on the back street
- Lack of details relating to use
- Lack of confirmation that hours, employees and parking will remain the same

Responses received in support:

- The old building was run down, collapsing and did not add to the area
- The building would improve the look of the street
- The old building was dangerous
- There are light industrial units in residential areas across the country and if rules are followed I can't see any problem

Officer Comments

Amended plans have been submitted, these now propose a detached single storey building with a pitched roof with gables at the ends rather than sides. The roof would be lower overall than the previously existing building and the section adjacent to the rear yard of No. 6 Cumberland Street would be 0.9m lower than the main roof. This would significantly reduce the potential impact on that property, both from noise due to the building being detached and would provide more light to the rear than the previous building.

It has also been confirmed by the application that the proposed use is for a workshop where only hand tools will be used. It would not be necessary or reasonable to restrict the use of the building to a specific use within Class E(iii) for the reasons given in the committee report, that any use within that class would be compatible with a residential area in terms of noise and odour impacts.

The plans show a pedestrian access door to the east side which would be straight onto the back lane. One of the plans shows that this would be elevated and shows steps down, which would be outside of the application site. Revision are required to address this. This has been requested and it is recommended that the approval of the application is delegated subject to acceptable amended plans resolving that issue.

Concerns have been raised that the door would lead to parking on the back street. If there were parking on the back street which obstructed it that would be a matter under the control of the relevant authorities LCC / Police.

Concerns have been raised in relation to there being an insufficient gap between No.6 and the proposed building, responsibility for maintenance of the gap between and impact of foundations. These matters are not material to the determination of the planning application, they are matters of civil law and/or for building regulations.

It is recommended that the approval of the application be delegated to the Assistant Director Planning, Building Control and Regulatory Services subject to the receipt of acceptable amended plans removing the steps from the footway.

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 accords with Local Planning Policy and 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.

RECOMMENDATION: Delegated Grant Consent

Subject to the following conditions:

1. The proposed development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

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

3. All materials to be used in the elevations of the proposed development shall be as stated on the application form and approved drawings and shall not be varied without the prior written permission of the Local Planning Authority.

Reason: These materials are appropriate to the locality and in order to allow the Local Planning Authority to control the external appearance of the development.

4. The use of the building hereby approved shall be limited to Class E(g)(ii) and (iii) of the Town and Country Planning (Use Classes) Order 1987 (as amended) and

office use ancillary to those uses, the building shall not be used for any other use falling with Class E.

Reason: In order to protect the vitality and viability of Colne town centre.

5. The use of the building hereby approved shall not operate outside of the hours of 8am to 5pm weekdays, 10am to 2pm Saturdays and shall not operate on Sundays or bank holidays.

Reason: In the interest of residential amenity.

6. Prior to the commencement of the development details of the proposed foul and surface water drainage arrangement shall have been submitted to and approved in writing by the Local Planning Authority. The drainage shall have been completed and be operational prior to the commencement of the use of the building and maintained in accordance with the approved details thereafter.

Reason: In order to address risks of flooding and pollution.

Notes:

All construction work shall be carried out only within the hours of 8am – 6pm Monday – Friday, 9am – 1pm Saturday and no working Sundays and Bank holidays. Failure to work within these hours may result in a service of a notice under the Control of Pollution Act 1974, and potentially prosecution thereafter.

25/0359/FUL Land to the North of 47 Townley Street, Colne

The incorrect application reference is given in the report for this application (25/0062/OUT), the correct reference is 25/0359/FUL.