




PENDLE BOROUGH COUNCIL

Request to the Chairman and Group Spokespersons of the
Overview and Scrutiny Committee to call in a decision of the
Executive

Title of item: 141. PROPOSED KEIGHLEY ROAD CONSERVATION AREA		
Decision Taken on: 19th March 2026		
Call-in requested by: <i>(please see Note 2 below)</i>		
Signature <u></u> Print name <u>Sarah Cockburn-Price</u>	Signature <u></u> Print name <u>David Cockburn-Price</u>	Signature <u></u> Print name <u>Yvonne Tennant</u>

Reasons for seeking a Review of the Decision:

The Exec meeting listened to Cllr L Whipp read out an email sent to members of the Exec and several Officers received six weeks after the close of the consultation on 21st January from the Chair of the Trustees of the Peter Birtwistle Trust. This cited issues with website timeouts that he had encountered in trying to respond to the consultation and stated that the Trust “owned 47 out of 95 properties on Keighley Road” and he felt that the Keighley Road area was “pleasant and attractive” but not unique. He also noted that he was surprised that the consultation session at the Library was staffed by the Cllr who had supported the designation of the Conservation Area (“CA”).

As a token add-on, Cllr L Whipp noted concerns over the inclusion of the lower section of Carry Lane. Cllr L Whipp then recommended the matter be deferred for further consultation and a meeting with the Peter Birtwistle Trust as well as further consideration of the merits of designating the lower section of Carry Lane.

Highlighting facts that were not discussed nor responded to fully or at all during the meeting:

- The Trust only owns 23 properties in the proposed area (5 flats in the main Keighley Road building and 18 bungalows at Birtwistle Fold), with the 24 bungalows at Peter Birtwistle Close being **outside** the proposed CA. Hence, less than 10% of the properties in the proposed CA are owned by the Trust.
- The results of the consultation show there was strong overall support to designate the CA with 93% of 111 respondents fully in favour. A further 4.47% were in favour of designation with the removal of the area around Old Mill Drive, making 97.47% of residents in favour.
- The deadline for responses to the new CA was 21st January. How is it reasonable to consider one additional response outside the consultation period?
- The Planning Manager stated that there was no malfunction of the Pendle Council online form during this Consultation and explained that, as is standard, the form times out if it is left inactive for over 10 minutes.
- The public consultation process included a letter written to every house in the proposed area, events held at the Library and Cricket Club to explain/demystify CAs, and detailed supporting information and FAQs. This extensive scope was signed off by the Exec at the earlier deferral. It should be noted that appropriate championing of the proposed CA by three Colne Councillors was permitted by the Planning Manager, as this was a cause supported by Colne Area alongside refreshing other CA appraisals and Colne Town Council’s Neighbourhood Plan, and such Councillors were not entitled to a vote on the Exec, so no conflicts or registrable interests arise.
- The meeting did not address the local planning authority’s statutory duty under section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to consider which parts of the borough may have special architectural or historic interest. The report prepared by consultants from Growth Lancashire clearly shows that the Keighley Road / Carry Lane / Park area has historic and architectural merit, echoed by consultants advising on the updating of the Colne Neighbourhood Plan.
- Whilst there was very limited consideration about including the lower section of Carry Lane, the report to the Exec notes in para 3.13 that “on balance there is merit of including it” and this echoes its non-designated heritage asset status in the Colne Neighbourhood Plan. Despite much of it being ruinous, it is akin to Wycoller.

In light of the above, it is clear that the Exec did not address and consider the Keighley Road CA properly and hence the deferral decision is called in

Proposed Alternative Course of Action:

The evidence and the matters noted above should be reviewed by the Planning Manager, Neil Watson, with delegated consent to Approve the original recommendation to "Designate a new conservation area named the Keighley Road Conservation Area. This would include formally writing to all residents and to the Secretary of State."

(please continue on a separate sheet, if necessary)

Please return to: Committee Services, Town Hall, Nelson, Lancs. BB9 7LG
e-mail: dean.langton@pendle.gov.uk
cc. howard.culshaw@pendle.gov.uk and paul.preston@pendle.gov.uk

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NOTES:

1. Please insert title of item and date of Executive meeting.
2. The signatures of three non-Executive Members of the Council (representing at least two of the political groups) are required.
3. This form must be returned by 5.00pm on the third day after notification that the Executive meeting has taken the decision in question.