

**MINUTES OF A MEETING OF
WEST CRAVEN COMMITTEE
HELD AT MOUNT ZION BAPTIST CHAPEL, EARBY
ON 3RD DECEMBER 2024**

*PRESENT –
Councillor D. M. Whipp (Chair)*

Councillors

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

Co-optees

*A. Mayers, Kelbrook and Sough Parish Council
C. Pollard, Salterforth Parish Council*

Officers Present

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



The following people attended and spoke on the item indicated -

<i>Kay Munton Sam Richardson</i>	<i>24/0305/OUT - Outline Application (Major): Demolition of existing 2 no. B2 industrial buildings and erection of 3 no. buildings (Access, Layout, Scale) for storage and distribution use (Use Class B8) at Sough Bridge Mill, Colne Road, Kelbrook</i>	<i>Minute 119(a)</i>
<i>Garry Wilson</i>	<i>Future Maintenance of Earby Memorial Park</i>	<i>Minute 122</i>

115. DECLARATIONS OF INTEREST

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

116. PUBLIC QUESTION TIME

There were no questions from members of the public.

117. MINUTES

RESOLVED

That the Minutes of the meeting held on 5th November 2024, be approved as a correct record.

118. POLICE AND COMMUNITY SAFETY ISSUES

The crime statistics for November 2024 would be circulated when they became available. The Chair reported that Sergeant C. Emmett had moved out of the area for a temporary Inspector's position and been replaced by Sergeant R. Duerdan, who had given her apologies for the meeting and been unable to send another officer. There was disappointment that there was no Police representative present to discuss issues of concern with members of the Committee and local residents.

PCSO R. Riley had started work in the area and was making himself known. However, there was still no replacement for the Community Beat Manager. The Chair had met Chief Constable S. Hatchett at a meeting the previous day and she had agreed to visit the area and look at resources.

With regards community safety issues, it was reported that there had been several deliberate fires in the area including outside the Civic Hall, and Victory Park. A particular individual was suspected of starting them. There was concern that this sort of crime could escalate and become a bigger problem with risk to life. This had been flagged up with the Police.

There was mention of scrap metal and other objects being taken from people's yards/gardens without permission. Young people had also been seen hanging onto the back of buses on route.

It was emphasised how important it was for members of the public to report all crimes no matter how small, as they helped to build up a picture of crime in the area. Whilst people were being alerted via Facebook and other social media, crimes were not necessarily being reported to the Police. This meant that these crimes would not be recorded and therefore not included in any case being made for additional resources.

RESOLVED

- (1) That the Committee's disappointment at the continued lack of police presence in the area be conveyed to Sergeant R. Duerdan.
- (2) That the issues of community safety be reported to the Police, and they be asked to attend future meetings.

119. 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 -

24/0305/OUT *Outline Application (Major): Demolition of existing 2 no. B2 industrial buildings and erection of 3 no. buildings (Access, Layout, Scale) for storage and distribution use (Use Class B8) at Sough Bridge Mill, Colne Road, Kelbrook for AB Investments NW Ltd*

At the last meeting Members agreed to defer consideration of the application to see if the gates into the site could be set back and to look at parking at the gym.

The report stated that the applicant had set the gates back into the site to deal with one of the reasons for referral. There were no adverse issues arising from this. There had been no proposals for the gym. Members were advised that this was a separate matter and was not material to the determination of this application.

RESOLVED

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

1. An application for approval of the reserved matters (namely the appearance and landscaping of the site) shall be submitted in writing to the Local Planning authority before the expiration of three years from the date of this permission and the development hereby permitted must be begun two years from the date of approval of the land of the reserved matters to be approved.

Reason: This condition is required to be imposed by the provisions of Article 3(1) of the Town & Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Details of the appearance and landscaping (hereinafter called the 'reserved matters') shall be submitted and approved in writing by the Local Planning authority before any development begins and the development shall be carried out as approved.

Reason: In order to comply with the requirements of Section 95 of the Town & Country Planning Act 1990.

3. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan LU266-P01A, Proposed site Plan LU266-P03G, Proposed Unit 1 Plans LU266-P05A, Proposed Unit 2 plans LU266-P06A, Proposed Unit 3 plans LU266-P07A.

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

4. No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:
 1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site
 2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those offsite.
 3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 180 of the National Planning Policy Framework. To prevent deterioration of a water quality element to a lower status class in the underlying principle aquifer and the adjacent water course.

5. The development shall be carried out in accordance with the details shown on the submitted Flood Risk Assessment and Drainage Strategy prepared by Reford Consulting Engineers, dated March 2024, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interest of satisfactory and sustainable drainage.

6. No operation shall take place outside the following hours:

07:00 – 22:00 Monday – Saturdays

07:00 – 22:00 Sundays

Reason: To control the hours that customers remain on the premises in the interests of residential amenity.

7. Prior to occupation of the development hereby approved details of the noise barrier recommended in the noise assessment by Clement Acoustics, along the northern boundary of the site shall be submitted to and approved in writing by the Local Planning Authority. The noise barrier shall be installed in accordance with the approved details and shall remain in place thereafter unless agreed in writing by the Local Planning Authority.

Reason: In the interests of residential amenity.

8. The development hereby approved shall be carried out in strict accordance with the Preliminary Ecological Survey, prepared by Pennine Ecology dated 20/03/2024. Prior to commencement of development the Bat Emergence Assessments recommended within the preliminary assessment shall be carried out during the appropriate surveying season and details of these shall be submitted to and approved in writing by the Local Planning Authority and there shall be no variation without the prior written approval of the Local Planning Authority.

Reason: In order to safeguard a protected species.

9. No part of the development shall commence unless and until a Planning Obligation pursuant to section 106 of the Town & 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 minimum 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.

10. 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 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.

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 + 40% climate change allowance;

- iii. 1% (1 in 100-year) annual exceedance probability event + 45% climate change allowance. 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 deliver suitably clean water to sustainable drainage components;

c) 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.

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 in accordance with Paragraphs 173 and 175 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.

11. 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 in accordance with Paragraph 173 of the National Planning Policy Framework.

12. The commencement of use 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 pursuant to the requirements of Paragraph 175 of the National Planning Policy Framework.

13. The commencement of use 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, and to ensure that the development as constructed is compliant with the requirements of Paragraphs 173 and 175 of the National Planning Policy Framework.

14. 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) Wheel washing facilities
- vi) Measures to control the emission of dust and dirt during construction
- vii) A scheme for recycling/disposing of waste resulting from demolition and construction works
- viii) Details of working hours
- ix) Routing of delivery vehicles to/from site

Reason: To mitigate the impact of the construction traffic on the highway network

15. The area shown on the swept path analysis for a 9m long goods/service vehicle shall be kept clear at all times for the purposes of turning large vehicles.

Reason: For highway safety

16. No goods or service vehicles exceeding 9m long shall be accepted to site.

Reason: For highway safety.

17. The car and cycle parking shown on the approved plan shall be provided and maintained thereafter for that purpose.

Reason: For highway safety to prevent overspill parking.

18. The development may not be begun unless—

- (i) a biodiversity gain plan has been submitted to the planning authority and
- (ii) the planning authority has approved the plan

Phase plan

- (b) the first and each subsequent phase of development may not be begun unless—

- (i) a biodiversity gain plan for that phase has been submitted to the planning authority and
- (ii) the 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

Informative notes

1. Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist. If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

2. The applicant will require an environmental permit from the Environment Agency to discharge to the main river. Information on environmental permits is available at:

<https://www.gov.uk/topic/environmental-management/environmental-permits>

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 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.

24/0743/PNT Proposal: Prior Approval Notification (Telecoms): Installation of a 20m high EE monopole supporting 6no. antennas including 1 no. wrap around cabinet with 2 no. 0.3m transmission dishes, 3 no. ground-based equipment cabinets and ancillary equipment and cabling at Rainhall Road Car Park, Rainhall Road, Barnoldswick

Members discussed this application and agreed that the proposal should be refused for the following reasons –

- Visual appearance due to the mast needing to be positioned higher than ground level due to the railway cutting
- Loss of car parking spaces in a protected well-used car park
- Walk to School scheme from this car park was being promoted as part of improving pedestrian access to Barnoldswick C of E Primary School.

RESOLVED

The Borough Council of Pendle hereby give notice that approval has been refused in respect of the details referred to in Part 1 above.

(b) Planning Appeals

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

120. ENFORCEMENT ACTION

The Legal Services Manager submitted a report giving the up-to-date position on prosecutions which was noted.

121. AREA COMMITTEE BUDGET

The Head of Economic Growth reported that the balance on the Committee's area committee budget for 2024/25 was £16,615.29.

Members considered a bid from the Bancroft Mill Engine Museum, Barnoldswick applying for £1,620 for the installation of audio/visual display equipment to enable them to present archive material which was otherwise unseen and give illustrated talks on the Mill and textile history of Pendle.

RESOLVED

That £1,620 be paid to Bancroft Mill Engine Museum for the installation of audio/visual display equipment.

REASON

To enable the area committee budget to be allocated efficiently and effectively.

122. FUTURE MAINTENANCE OF EARBY MEMORIAL PARK

The note of a meeting held on 7th November to discuss various issues around the future maintenance of Earby Memorial Park was considered.

The Green Spaces Manager had presented three options of potential maintenance options for the park based on bare minimum, acceptable and ideal alternatives and the costs associated with each.

Those present had been reminded about the town and parish transfer scheme. It was acknowledged that most other town and parish councils now maintained their parks or paid Pendle Council to do the work for them. The maintenance carried out to date by Earby Bowling Club and Kelbrook Phoenix Football Club and their commitment to continue this work was also acknowledged.

It was suggested that if this Committee provided approximately £6/7k from their 2025/26 Area Committee Budget and the same amount was provided by both Earby Town Council and Kelbrook and Sough Parish Council this would be sufficient to fund the medium works schedule and a reasonable level of maintenance, including works around the cenotaph.

RESOLVED

That Earby Town Council be asked if they would be willing to match fund contributions from this Committee's Area Committee Budget and Kelbrook and Sough Parish Council (subject to 2025/26 budgets being confirmed) to enable a reasonable level of maintenance at Earby Memorial Park next year.

REASON

To maintain Earby Memorial Park including the cenotaph, at a reasonable level for the benefit of local residents.

123. PUBLIC SPACES PROTECTION ORDERS – PARKS AND SPORTS GROUNDS

The Head of Policy and Commissioning submitted a report on proposals and options for the extension of the Public Spaces Protection Orders in relation to parks and sports grounds.

RESOLVED

That this item be deferred to the next meeting to allow the West Craven town and parish councils time to submit their comments on the proposals.

REASON

To ensure the views of the town and parish councils are taken into account.

124. BARNOLDSWICK TOWN BUS SERVICE

A Teams meeting was held on 11th November with representatives from Pilkington Bus and LCC to discuss revising the town bus service, and in particular the proposal to extend the service to Dales View Park.

A note of the meeting was submitted and outlined why it was not possible for the town bus service to pick up customers at Dales View Park for the reasons outlined. Since the meeting residents had approached LCC's Community Transport to see if they were able to help, but this had been declined. Members considered the next steps.

RESOLVED

That a survey be carried out to see if residents had any other suggestions for improving the Barnoldswick Town Bus Service.

REASON

To provide a good bus service in and around Barnoldswick for local residents.

125. IMPROVING PEDESTRIAN ACCESS TO BARNOLDSWICK C OF E PRIMARY SCHOOL

A meeting was held on 11th November to discuss the promotion of walking to Barnoldswick C of E Primary School and trying to find a safe route. Representatives of the School, members of this Committee, Pendle Council's Engineering Manager and 8 residents from nearby streets had attended. A note of the meeting was submitted which summarised the discussions and suggested improvements which required further information or discussion with other organisations.

RESOLVED

- (1) That the Property and Engineering Services Manager be asked to confirm whether the steps on the green in front of Harrison Street, Barnoldswick were owned by Pendle Council or Lancashire County Council.
- (2) That the Engineering Manager be asked to take forward the actions summarised in the note of the meeting, liaising with the School, Pendle Leisure Trust and Lancashire County Council, and a report come back to Committee in due course.

REASON

To improve highway safety for pedestrians.

126. CONFIRMATION OF TREE PRESERVATION ORDER TPO/NO2/2024 – EARBY ROAD, SALTERFORTH

The Assistant Director Planning, Building Control and Regulatory Services Manager submitted a report requesting Members to consider an objection and to confirm Tree Preservation Order, TPO/No2/2024 – Earby Road, Salterforth, Barnoldswick.

RESOLVED

That Tree Preservation Order, TPO/No2/2024 – Earby Road, Salterforth, Barnoldswick be confirmed with modifications.

REASONS

- (1) *It is understood that plans for possible development of the land have been prepared and consultations have taken place regarding the development of the site.***
- (2) *A design layout of the site showed no regard for the mature trees across the site which contribute to the visual and landscape amenity of the area.***
- (3) *The tree evaluation system used to determine suitability for a Tree Preservation Order found the trees to be suitable for protection.***

127.

ENVIRONMENTAL BLIGHT

The Head of Economic Growth submitted a report about environmental blight sites in West Craven which was noted.

128.

STREET WORKS IN BARNOLDSWICK TOWN CENTRE

A meeting was held on 28th November attended by some members of the Committee, Virgin Media representatives, Lancashire County Council and Pendle Council's Engineering Manager to discuss the company's proposals to lay ducting in Barnoldswick Town Centre. The Chair reported that it had been worthwhile and said there was a willingness for all parties to work together on the proposed works.

The programme of works and what this entailed was discussed. LCC had registered newly paved areas as high amenity which meant they would need to be reinstated to the same specification. Virgin Media had been unaware of the enhanced construction undertaken to preserve the lifetime of the pavement stones. Virgin Media had agreed to avoid programmed town council events on 25th January, 22nd February and 29th March.

It was noted that works were due to start on Ellis Street, Barnoldswick on 16th December with the rest of the work continuing in the New Year.

RESOLVED

- (1) That the outcome of the meeting with Virgin Media and LCC on 28th November be noted.**
- (2) That the Engineering Manager be asked to reiterate the request to Virgin Media not to dig up Albert Road and Frank Street to lay ducting but to find a practical alternative.**

REASON

To protect and preserve the newly laid pavements in Barnoldswick Town Centre.

129.

OUTSTANDING ITEMS

An update had been requested from the Canal & River Trust on repairs to the leaks found at the Coates and Long Ing canal bridges in Barnoldswick. It was reported that it was hoped to start the works at Roundell Road before Christmas, otherwise the work would start in January.

130.

EXCLUSION OF THE PUBLIC AND PRESS

Members agreed to exclude the public and press from the meeting during the following items 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.

131.

OUTSTANDING ENFORCEMENTS

The Assistant Director Planning, Building Control and Regulatory Services submitted a report on outstanding enforcements and answered a number of questions.

RESOLVED

That the Assistant Director Planning, Building Control and Regulatory Services be asked to take appropriate enforcement action in respect of PLE/24/1471 and ask the owner of PLE/23/1716 what their intentions were.

Chair.....