

PLANNING AND HIGHWAYS COMMITTEE
21st January 2016

***PRESENT** – Councillors Dave Smith (in the Chair), Ali, Brookfield, Browne, Casey, Cottam, Groves, Khan Z Hussain I, Khonat S, Mahmood A, McKinlay, Oates, Slater Jacqueline and Whalley*

***OFFICERS** - David Proctor (Head of Service, Planning and Transport), Brian Bailey (Director of Growth & Prosperity), Gavin Prescott (Planning Manager) Asad Laher (Legal), Safina Alam (Capita), George Bell (Capita) and Christine Wood (Democratic Services)*

RESOLUTIONS

70 **Welcome and Apologies**

The Chair welcomed everyone to the meeting. No apologies had been received.

71 **Minutes of the last Meeting held on 17th December 2015**

RESOLVED – That the minutes of the last meeting held on 17th December 2015 were confirmed and signed as a correct record.

72 **Declarations of Interest**

There were no Declarations of Interest.

73 **Planning Applications**

The Committee considered reports of the Director of Prosperity and Growth detailing the planning applications listed overleaf.

In considering the applications, the Committee took into account representations or submissions provided by individuals with the officers answering points raised during discussion thereon.

RESOLVED – (1) That the following decisions be made on the applications set out below:

<u>Application No.</u>	<u>Applicant</u>	<u>Location and Description</u>	<u>Decision under Town and Country Planning Acts and Regulations</u>
10/14/1277	Eldon Road Mosque Committee	28-30 Shear Bank Road, Blackburn, BB1 8AZ Full planning application for demolition of existing building and erection of a two storey building for use as a Mosque and Madrassah together with car parking, landscaping and altered vehicular access <i>Mr Mohamed spoke regarding the proposed conditions.</i>	Permit with conditions as detailed in the Director's report with the removal of condition 17 as proposed at the meeting by Councillor Suleman Khonat and supported by Councillors Don McKinlay and Ashley Whalley due to the condition being considered to be too onerous upon the applicant
10/15/0923	Bank of Ireland	95 Whalley Range, Blackburn, BB1 6EE Full planning application for installation of Bank of Ireland ATM into shop front glazing left of entrance	Refused as proposed by Councillor Paul Browne and supported by Councillor Arshid Mahmood and agreed at the meeting due to concerns re public safety being compromised
10/15/0931	Mr Zarif Mohammed	45 Cheltenham Road, Blackburn, BB2 6HR Full planning application for erection of single storey extension to rear	Permit with conditions with a request that the site be monitored by the Council's Building Control/Planning/Enforcement Officers and that

<u>Application No.</u>	<u>Applicant</u>	<u>Location and Description</u>	<u>Decision under Town and Country Planning Acts and Regulations</u>
			a site meeting be arranged with Officers and Ward Councillors
10/15/1184	Mr S Oakes	Longworth Bank Farm, Blackburn Road, Turton, Bolton, BL7 0QF Full planning application (retrospective) for retrospective application for garage with office space above <i>Mr Oakes spoke in support of the application</i>	Permit with conditions

74 Petition regarding Full Planning Application (Retrospective) for change of use of no 53 from retail to café and installation of 3 no air con units to rear, installation of ventilation duct at no 51, new shop fronts to both properties at 51-53 Whalley Range, Blackburn, BB1 6EA (10/15/1402)

A report was submitted to advise the Committee of the receipt of a petition containing 20 signatures on 10th December 2015, objecting to planning application 10/15/1402 as detailed above.

Grounds for objection were outlined in the report.

The Committee was advised that the application was currently being assessed due to a request for further information. On receipt of further information, the application would be referred to the Chair of the Planning and Highways Committee to consider if the application would be determined by the Planning and Highways Committee or by use of the Council's adopted Scheme of Delegation.

RESOLVED –

1. That the Committee note the report; and
2. That the issues raised would inform assessment of the proposal; and
3. That the Lead Petitioner be informed following determination of the application.

A report was submitted to present Members with an update on the decided planning appeals by the Planning Inspectorate for the calendar year of 2015.

A list of all planning appeal decisions made by the Planning Inspectorate against Blackburn with Darwen's decision for the calendar year of 2015 was attached to the report for information.

RESOLVED – That the report be noted.

76 Petition – St James Court, Blackburn

A report was submitted to advise the Committee of the receipt of a petition containing 22 signatures from residents of St James Court, Blackburn requesting that the Council consider marking individual parking bays, extending double yellow lines and the reinstatement of a cul-de-sac sign or private street sign at the entrance from Oozebooth Terrace, Blackburn.

Background information and grounds for the request were outlined in the report.

RESOLVED –

1. That the Committee support the officer recommendations to progress an extension to the double yellow lines at the entrance to St James Court, Blackburn; and
2. That the Committee support the officer recommendation to reject the request to number individual parking bays and allocate them to properties; and
3. That the Committee note the provision of a cul-de-sac sign; and
4. That the Lead Petitioner be informed of the decisions

77 Objection – Proposed Traffic Regulation Order, Back New Park Street, Blackburn

A report was submitted to advise the Committee of the receipt of one letter of objection to proposed Traffic Regulation Orders at Raynor Street (Back New Park Street), Blackburn.

The Committee was advised of a consultation process undertaken following a number of complaints received regarding the parking situation at Raynor Street, the back street behind New Park Street. Details and grounds for complaints received were outlined in the report.

It was reported that all responses received to the consultation had indicated that Residents Only Parking was the preference.

RESOLVED – That the Planning and Highways Committee recommends that the Executive Member for Regeneration support the officer recommendations that:

1. The objections be overruled; and
2. That the proposed Traffic Regulation Order be made as detailed in the schedule; and
3. That the objector be informed of the decision.

78 Rights of Way Improvement Plan (ROWIP) 2015-2025

A report was submitted to present the 2015-2025 Lancashire Rights of Way Improvement Plan (RoWIP) and to request that the Committee make a decision to recommend to the Council's Executive Board to approve or to reject the plan.

The Committee was reminded that the first Lancashire Way Improvement Plan had been produced in 2005 in response to the Countryside and Rights of Way Act 2000 which had placed a duty on Blackburn with Darwen Borough Council, as a highway authority, to set out a strategy for improving its network of Public Rights of Way and wider access.

It was reported that in line with statute, plans must be reviewed no longer than ten years following publication and work had been underway on the preparation of a revised draft for consultation. A copy of the Rights of Way Improvement Plan was attached to the report for Members to consider. A copy of the ROWIP Consultation report was also attached to the report at Appendix B.

RESOLVED – That the Planning and Highways Committee recommend approval of the Lancashire Rights of Way Improvement Plan 2015-2025 to the Council's Executive Board.

79 Petition – Blackburn Street Residents' Parking

A report was submitted to advise the Committee of the receipt of a petition on 3rd December 2015 containing 11 signatures from residents of Blackburn Street, Blackburn regarding Residents Only Parking.

The petition stated that the residents of the bottom part of Blackburn Street, from number 1-19 had requested, demanded and required residential parking for their part of the street for an initial period, on a temporary basis, as had previously been implemented for the bottom part of Bicknell Street, Blackburn.

The petition had also referred to previous petitions that had been forwarded to the Council with similar requests.

Grounds for the request were outlined in the report. Grounds for refusal of the request were also outlined in the report with a recommendation that the request for Residents Only Parking on Blackburn Street be refused.

A discussion took place in which it was suggested and agreed that prior to a decision on the issue, a meeting should be arranged with residents, Council/Capita Officers and Ward Councillors.

RESOLVED –

1. That the petition be noted; and
2. Prior to a decision regarding the request for introduction of Residents Only Parking, a meeting be arranged with local residents, Capita/Council Officers and Ward Councillors to consider the issue.

80 Exclusion of the Press and Public

RESOLVED – That the press and public be excluded from the meeting during consideration of the following item in view of the fact that the business to be transacted is exempt by virtue of paragraph 5 of Schedule 12A to the Local Government Act 1972.

81 Enforcement – Land at rear of St James Street, Blackburn

A report was submitted requesting authorisation to take enforcement action against the owner/occupier of land at the rear of St James Street, Blackburn (as outlined on the plan that was attached to the report) in respect of the unauthorised residential use of the land by reason of the stationing of a caravan on the land for residential use.

Each Member of the Committee confirmed that they had considered and understood any Equality Impact Assessments associated with the report (as attached to the update report).

Grounds for the request were outlined in the report.

RESOLVED – That the Planning and Highways Committee authorise the Director of HR and Legal Services, in consultation with the Director of Growth and Prosperity, to issue an enforcement notice to secure the cessation of the residential use of a caravan on the land at St James Street, Blackburn.

Signed:

Date:

Chair of the meeting
at which the minutes were confirmed