

PLANNING AND HIGHWAYS COMMITTEE
18th February 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** - Brian Bailey (Director of Growth & Prosperity), Gavin Prescott (Planning Manager) Alastair Phillips (Planning) Asad Laher (Legal), Safina Alam (Capita), George Bell (Capita) and Christine Wood (Democratic Services)*

RESOLUTIONS

82 Welcome and Apologies

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

83 Minutes of the last Meeting held on 21st January 2016

RESOLVED – That the minutes of the last meeting held on 21st January 2016 were confirmed and signed as a correct record.

84 Declarations of Interest

There were no Declarations of Interest.

85 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 overleaf:

<u>Application No.</u>	<u>Applicant</u>	<u>Location and Description</u>	<u>Decision under Town and Country Planning Acts and Regulations</u>
10/15/0901	Wainhomes NW (Ltd)	<p>Land West of Gib Lane, Blackburn</p> <p>Full Planning Application for Residential development for 79 dwellings</p> <p><i>Councillors Konrad Tapp, John Pearson and Mr Keith Murray spoke against the application</i></p> <p><i>Mr Stephen Harris spoke in support of the application</i></p>	<p>Approved subject to the applicants first entering into a Section 106 Legal Agreement with the Council to provide a financial contribution towards off site highways works and affordable housing subject to the developer implementing the development within six months of planning permission being granted or the date of the last planning condition being discharged (whichever is the later) in addition to the conditions as detailed in the Director's report</p>
10/15/1238	Mr Joe Cooney	<p>Land between 21 & 23 Swan Farm Close, Lower Darwen, BB3 0QU</p> <p>Outline Planning Application for proposed construction of 1 no. detached dwelling</p> <p><i>Councillor John Slater spoke against the application</i></p>	<p>Approve subject to the applicant first entering into an agreement under S106 of the Town & Country Planning Act 190, relating to financial contribution toward the provision of</p>

<u>Application No.</u>	<u>Applicant</u>	<u>Location and Description</u>	<u>Decision under Town and Country Planning Acts and Regulations</u>
		<i>Mr Russell Woods spoke in support of the application</i>	affordable housing in the Borough and either enhancement of existing or new provision of public open space in the locality, or agreement is reach on any viability appraisal to show the development would not proceed if the commuted sum payment was made in addition to the conditions as detailed in the Director's report

86 Petition regarding Full Planning Application for change of use of no 151 Duckworth Street, Darwen, BB3 1AT to retail to hot food takeaway together with installation of external extraction flue to rear of building (10/15/1494)

A report was submitted to advise Members of the receipt of a petition on 20th January 2016 containing 161 signatures objecting to the above detailed planning application. Grounds for opposing the application were outlined in the report.

It was reported that a public consultation letter regarding the application had been issued on 16th December 2015. The report advised that the planning application was currently being assessed and would be determined in accordance with the Council's adopted Scheme of Delegation.

The Committee was advised that since publication of the report/agenda, the application had been approved under the Council's Scheme of Delegation.

RESOLVED –

1. That the Planning and Highways Committee note the petition.
2. That the Lead Petitioner be informed of the decision.

87 Petition regarding Full Planning Application for change of use of former care home to 14 self contained one bedroom flats and 6 self contained bungalows, refurbishment of caretakers flat at 73 Viewfield House, 73 Oozehead Lane, Blackburn, BB2 6NH (10/15/1231)

A report was submitted to advise the Committee of the receipt of a petition containing 52 signatures objecting to the above planning application.

Grounds for opposing the application were outlined in the report.

The Committee was advised that the application had not yet been determined.

RESOLVED – That the petition be noted.

88 Objection: Proposed Traffic Regulation, Shear Brow Review

A report was submitted to advise the Committee of the receipt of one letter of objection to proposed Traffic Regulation Orders (TRO) for Randal Street, Blackburn.

The Committee was advised that the proposal for Randal Street had been included as part of a batched order. Members were advised of a recent consultation process in relation to the Shear Brow review which had included Randal Street. Details of the consultation process were outlined in the report including comments from respondents.

The Committee was further advised that overall the results of the consultation had indicated that the majority of residents currently within the scheme were happy for the scheme to remain. The majority of residents outside of the scheme did not wish for it to be extended.

It was reported that following advertisement of the proposed TRO on 10th December 2015, an objection letter which had included a petition containing 101 signatures had been received in respect of the Randal Street element of the Batched Order. Photographs provided by the objector were attached to the report for information.

Grounds for objection to the order were outlined in the report. Grounds for implementing the proposed TRO were also outlined in the report.

RESOLVED – That the Executive Member for Regeneration supports the officer recommendations that:-

1. The objections be overruled.
2. That the proposed waiting restrictions be made as advertised
3. That the objectors be informed of the decision.

89 Objection: Proposed Traffic Regulation Order Batch 04 15

A report was submitted to advise the Committee of the receipt of one letter and one email of objection to the proposed restriction on Maricourt Avenue, Blackburn and one letter of objection to the proposed restriction on Thwaites Close, Blackburn. The proposals were part of a Batch Order 04-15 which had been approved for advertising in September 2015. The proposed restrictions had been advertised on 3rd December 2015.

Background to the proposed restrictions and grounds for objection to them were outlined in the report. Responses to the objections were also outlined in the report.

RESOLVED – That the Executive Member for Regeneration supports the officer recommendations that:-

1. The objections are upheld.
2. That the proposed waiting restrictions be abandoned and removed from the batch Traffic Regulation Order
3. That the objectors be informed of the decision.

90 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.

91 Alastair Phillips

The Chair congratulated Alastair Phillips, Planning Team Leader at Blackburn with Darwen who would shortly be leaving the Authority to take up a post with the Local Planning Inspectorate. The Chair remarked that Alastair had been an excellent officer during his time with the Authority and along with the Committee, wished Alastair every success in his new post.

92 Enforcement – Atlas Mill, Atlas Road, Darwen, BB3 3BY

A report was submitted requesting authorisation to take enforcement action against all persons having an interest in land at Atlas Mill, Atlas

Road, Darwen, BB3 3HY as outlined in the ordnance survey plan which was attached to the report for information.

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 consider the issuing of an enforcement notice, if ultimately necessary, to cease the unlawful residential use of the land at Atlas Mill, Atlas Road, Darwen, BB3 3BY

93 Enforcement – 8 New Bank Road, Blackburn, BB2 6JW

A report was submitted requesting authorisation to take enforcement action against all persons having an interest in land at 8 New Bank Road, Blackburn, BB2 6JW as outlined in the ordnance survey plan which was attached to the report for information.

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 removal of the unauthorised frontage of the property at 8 New Bank Road, Blackburn, BB2 6JW

94 Enforcement – Land at the rear of Sandy Lane, Lower Darwen

Included in the update, was a report requesting authorisation to take enforcement action against all persons having an interest in land at the rear of Sandy Lane, Lower Darwen as outlined on the ordnance survey plan which was attached to the report for information.

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 consider the issuing of an enforcement notice, if ultimately necessary, for removal of the caravan and return the land to its previous state at land at the rear of Sandy Lane, Lower Darwen.

Signed:

Date:

Chair of the meeting
at which the minutes were confirmed