

PLANNING AND HIGHWAYS COMMITTEE
15th December 2016

PRESENT – Councillors Dave Smith (*in the Chair*), Ali, Brookfield (*substitute for McKinlay*), Casey, Entwistle (*substitute for Groves*), Hardman, Jan-Virmani, (*substitute for Hussain F*) Khan Z, Khonat, Murray, Nuttall, Oates, Riley, Slater Julie (*substitute for Slater Ja*)

OFFICERS – Gavin Prescott (*Planning*), David Proctor (*Planning*), Brian Bailey (*Director of Planning & Prosperity*), Mike Cliffe (*Transport*) Asad Laher (*Legal*), Safina Alam and Christine Wood (*Democratic Services*)

RESOLUTIONS

66 **Welcome and Apologies**

The Chair welcomed everyone to the meeting. Apologies were received from Councillors Groves, Hussain F, Iftakhar I, McKinlay and Slater Ja.

67 **Minutes of the last Meeting held on 17th November 2016**

RESOLVED – That the minutes of the last meeting held on 17th November 2016 were confirmed and signed as a correct record.

68 **Declarations of Interest**

Councillor Keith Murray declared another interest in agenda item 4.1 (planning application 10/16/1132) (submitted letter outlining comments and concerns relating to the application) and left the room prior to discussion and determination on the item.

69 **Planning Applications**

The Committee considered reports of the Director of Planning and Prosperity 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>
At this point in the meeting prior to discussion and determination of planning application 10/16/1132, Councillor Keith Murray left the meeting.			
10/16/1132	Kingswood Homes UK Ltd	Land off Livesey Branch Road, Blackburn, BB2 5BX Full Planning Application for Erection of 167 no residential dwellings, new village green/public open space, provision for a future community building, new access junction to Livesey Branch Road, associated highway infrastructure and drainage attenuation measures forming Phase A of the wider Gib Lane Masterplan site.	Approve subject to: Delegated authority be given to the Head of Service for Planning and Infrastructure to approve planning permission subject to an agreement under Section 106 of the Town & Country Planning Act 1990, relating to the payment of a commuted sum of £451,000 towards: the design of a new vehicular access onto Livesey Branch Road; green travel planning initiatives; construction of the new vehicular access onto Livesey Branch Road; enhancements to Finnington Lane/Moulden Brow junction (to alleviate pressure on Preston Old Road/Livesey Branch Road junction); and upgrading of bus stops on Livesey Branch Road. <u>Should the Section 106 agreement not be completed within 6 months of the date of the planning application being received, the Head of Service for Planning and Infrastructure will have delegated powers to refuse the application</u> With conditions as stated in the Director's original report and also conditions as

<u>Application No.</u>	<u>Applicant</u>	<u>Location and Description</u>	<u>Decision under Town and Country Planning Acts and Regulations</u>
			detailed in the Director's update report
At this point in the meeting, following determination of planning application 10/16/1132, Councillor Keith Murray returned to the meeting.			
Each Member of the Committee confirmed that they had considered and understood any Equality Impact Assessments associated with the planning application 10/16/0975 as follows:			
10/16/0975	Mr John Loveridge	Former Lawnmower Specialists Site Full Planning Application for Change of use of land from commercial use for use as a private residential caravan site comprising of the siting of 1 x static caravan and 3 x touring caravans and the erection of an amenity building, following the demolition of the existing site building. Councillor John Slater spoke objecting to the application on behalf of local residents.	Approve subject to conditions as detailed in the Director's original report and also conditions as detailed in the Director's update report

70 Local List of Heritage Assets

A report was submitted to advise the Committee of the list of Heritage Assets for the Borough so as to have regards to their heritage significance when determining planning applications.

The Committee was advised that local listing was a means for a local community and a Local Authority to jointly decide what is in their area that they would recognise as a 'local Heritage asset'.

The Committee was also advised that the purpose of the list was to enable better protection for those parts of the historic environment that were valued by the local community, but not of national significance.

The assets were recognised as undesignated heritage assets which were different from designated heritage assets such as listed buildings.

It was reported that the selection criteria and scoring for local listing had been approved on 14th November 2011 by the Executive Member for Regeneration and nominations had been subsequently invited from the general public in January 2012. Local Plan Policy 39 on Heritage would form the basis for assessing applications which affected local heritage assets. Due to the large number of nominations received, a small selection had been considered for local listing to form the first stage with additional stages to follow in subsequent years. A copy of the Local list of heritage assets: First Stage Local List October 2014 was attached to the report for information.

It was further reported that the list included a higher concentration of buildings from Blackburn than Darwen due to the large number of nominations received from the Blackburn area. Members were advised that it had been proposed that a later update of the list should include more from the Darwen area and engage directly with the Darwen History Society for possible nominations. The list was considered to represent a good range of the most significant heritage assets that were valued by the local community.

RESOLVED – That the Planning and Highways Committee note the list of Locally Listed Heritage Assets.

71 Petition: Planning Application 10/16/0827 – 15 Devonport Road, Blackburn, BB2 1EG, Conversion of existing building to 20 no. residential apartments (C3) at Time House

A report was submitted to advise the Committee of the receipt a petition on 30th September 2016 containing 48 signatures objecting to planning application 10/16/0827 as detailed above.

Grounds for objection to the application were outlined in the report.

RESOLVED – That the Planning and Highways Committee

1. Note receipt of the petition; and
2. Note that the issues raised would inform the assessment of the proposal; and
3. That the Lead Petitioner be informed of the decision once made.

72 Petition: Planning Application 10/16/0907 – Kirk Scaffolding, Greenbank Works, Gorse Street, Blackburn, BB1 3EU, Change of use from B2 General Industrial to coach park facility including the erection of 2 no prefabricated workshop buildings and 1 no prefabricated office cabin

A report was submitted to advise the Committee of the receipt of a petition on 18th October 2016 containing 17 signatures objecting to planning application 10/16/0907 as detailed above.

Grounds for objection were outlined in the report.

RESOLVED – That the Planning and Highways Committee

1. Note receipt of the petition; and
2. Note that the issues raised would inform the assessment of the proposal; and
3. That the Lead Petitioner be informed of the decision once made.

73 **Petition: Planning Application 10/16/1124 – 45 Railway Road, Darwen, BB3 2RJ – Change of use from former public house into Islamic Education Centre and Mosque with ancillary living accommodation and erection of single storey rear extension**

A report was submitted to advise the Committee of the receipt of a petition on 18th November 2016 containing 395 signatures supporting planning application 10/16/1124 as detailed above.

Grounds for supporting the application were outlined in the report.

RESOLVED – That the Planning and Highways Committee note the petition.

74 **Petition regarding the withdrawal of Public Transport by Transdev from Queen’s Park/Audley Area**

Councillor Phil Riley (Executive Member for Regeneration) provided an update on a petition that had recently been received by the Council containing 377 signatures from residents of Audley, Queens Park and North Road areas who had stated that they “are extremely disappointed that buses which run through Audley Range are going to be no longer available” and for the Council to “look into this issue as a matter of urgency as this new bus route is going to have a negative impact on many people’s lives”.

Councillor Riley advised that the decision to re-route the Shadsworth Shuttle bus service away from Audley and North Road had been taken on a commercial basis by local bus operator Transdev Lancashire United. Since 1986 when local bus services had been deregulated, bus companies had been free to register, cancel or vary routes with the Traffic Commissioner at eight weeks’ notice. Unfortunately the Council’s scope for stepping into areas such as Audley Range and

directly subsidising replacement bus services when they were commercially withdrawn was becoming more limited, given the financial position it has been faced with since 2010.

The Committee was updated on actions taken by the Council since the service had been de-registered in the Summer of 2016 as follows:

- Considered carefully whether to step in and subsidise the vacated route
- Liaised with Transdev over the deregistration and whether a less frequent service could be provided commercially
- Liaised with other local bus companies in relation to whether it could be incorporated into other bus routes
- Discussed options with Members, Community Officers and not-for-profit Community Transport companies.

- A 2 sided leaflet had been produced with the assistance of Travel Assist and Dial A Ride to advertise alternative transport provision, and that a bookable / ring-up door to door service was available on Mondays / Wednesdays and Fridays from the North Road / Queens Park / Audley area to go to shops etc. This was a chargeable service with fares ranging from £2 to £5 return.

- 1600 leaflets had been produced and delivered to residents with the help of Ward Councillors / Neighbourhood teams / RSLs / Transport Officers.

- Neighbourhood teams had worked with other agencies to identify vulnerable residents and drum up interest for an alternative service, and to identify clusters of people - where people could possibly gather around a community centre and then make their way together to the shops i.e. buddy up / friendship clubs etc - information then shared with Travel Assist and Dial A Ride.

- Care Network had assisted in the circulation of leaflets and Dial A Ride application forms on an ongoing basis and at the Your Support Your Choice event on 1st December 2016.

It was also reported that the Council had received a registration from Travel Assist who had registered a fixed route service (called the TA05) from Royal Blackburn Hospital - North Road - Romney Walk - Queens Road - Audley Range - Church Street (Markets) doing 3 return trips a

day, three days a week Monday, Wednesday and Friday. NoWCARDs would be accepted on this route which would be trialled for a 6 month period. Travel Assist were planning to start the route on the 19th December 2016.

RESOLVED – That the Planning and Highways Committee

1. Note receipt of the petition; and
2. Note the update from the Executive Member for Regeneration; and
3. That the Lead Petitioner be advised of the update.

75 Natural England Notification of West Pennine Moors Site of Special Scientific Interest (SSSI)

A report was submitted to advise the Committee that Natural England had reviewed the SSSI boundary, White Coppice Flush SSSI to include more land of special interest, including much of the land previously notified as Oak Field SSSI and Longworth Clough SSSI. A copy of the the notification of SSSI document from received from Natural England was attached to the report for information.

The Committee was advised that the enlarged site was now known as West Pennine Moors SSSI with immediate effect. Background to the notification was outlined in the report.

It was reported that Natural England had stated that the SSSI notification would stimulate sustainable conservation within the upland landscape and encourage the widest possible collective commitment to safeguard the function and services provided by the West Pennine Moors, in particular, wildlife and water provision along with recreational and economic interests. Notification provided formal recognition of the site's national importance which would help all those with an interest to realise the landscape's potential for people and wildlife.

The Committee was advised that Natural England has informed the Council of the legal right to make objections and representations about this notification and that any representations, including those supporting the notification, or objections should be made in writing to Natural England's Cheshire, Greater Manchester, Merseyside and Lancashire Area Team by 17th March 2017.

The Committee was also advised that an assessment of all current and future planning applications within the extended SSSI would need to take the designation into account as a material planning consideration.

RESOLVED – That the Planning and Highways Committee note the designation.

76 **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.

77 **Enforcement: The Ennis, Halley Road, Darwen, BB3 1JB**

A report was submitted requesting authorisation to take enforcement action against all persons having an interest in land known as The Ennis, Halley Road, Darwen BB3 1JB. A copy of the Ordnance Survey Plan 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 Planning and Prosperity to issue an enforcement notice to secure the removal/reduction of the unauthorised fencing of the property that was adjacent to the highway.

Signed:

Date:

Chair of the meeting
at which the minutes were confirmed