

**PLANNING AND HIGHWAYS COMMITTEE**  
**18<sup>th</sup> JANUARY 2018**

**PRESENT** – Councillors; Dave Smith (in the Chair), Ali, Casey, Groves, Hardman, Hussain I, Jan-Virmani, Khan Z, Khonat, Mahmood Q (substitute for Cllr Brookfield), Murray, Nuttall, Oates, Riley and Slater (Ja)

**OFFICERS** – Ian Richardson (Director of Growth and Development), Gavin Prescott (Development Manager), Mark Aspin (Community Safety Services Manager), (Safina Alam (Highways Development Control Engineer), Paul Withington (Highway Inspections), Michael Green (Legal) and Wendy Bridson (Democratic Services).

**RESOLUTIONS**

**35    Welcome and Apologies**

The Chair welcomed everyone to the meeting. Apologies were received from Cllr Brookfield.

**36    Minutes of the last Meeting held on 21<sup>st</sup> December 2017**

**RESOLVED** – That the minutes of the last meeting held on 21<sup>st</sup> December 2017 were confirmed and signed as a correct record.

**37    Declarations of Interest**

Cllr Hardman declared an interest in Item 7 – Stopping Up of the Path between West Park Road and Dukes Brow, having children that attended Queen Elizabeth Grammar School.

**38    Planning Applications**

The Committee considered reports of the Director of Growth and Development 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>Applicati on No.</u>	<u>Applicant</u>	<u>Location and Description</u>	<u>Decision under Town and Country Planning Acts and Regulations</u>
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10-17-1271	Blackburn with Darwen Borough Council	Underpass on Laburnum Road – rear to 248 Whalley New Road and ahead of 166 Laburnum Road Blackburn  Full Planning Application (Retrospective) for Retention of alley gates  Cllr Shaukat Hussain (Ward Councillor) spoke against the application.	Approved.
10-17-1523	Ruttell Plant Holdings Ltd Lancaster House Ackhurst Road Chorley PR7 1NH	Land at Pole Lane Darwen  Variation of Legal Agreement / S106 for variation to Section 106 Planning Obligation for Planning Application 10/16/0789	Approve with conditions as detailed in the Director's report and the Update Report.

**39 Increase to existing Discretionary Planning Fees and Introduction of New Enhanced Services and fees to the Development Management Service – Growth Agenda**

A report was submitted to inform Members of the proposals to review existing discretionary planning related fees, and the introduction of new enhanced services / fees as part of the changes being introduced in the provision of the Development Management Services.

The Committee was advised that the new approach would increase efficiency, improve planning application determination dates, generate additional income, and reduce costs to the service and the applicants whilst also providing a Fast Track service for the customer from receipt of the planning application through to the decision.

The Committee were informed that a new “Fast Track” Charter would be drafted and published on the Council's website once the new enhanced services were implemented.

**RESOLVED** – That the Committee:-

1. Note the content of the report;
2. Endorse the increase to the discretionary fees and the introduction of the new enhanced services; and
3. Agree for the Charter and marketing of the services to be published on the planning webpages once they have been agreed by the Executive Member and the Cross Party Members Planning Working Group

**40 Petition regarding submission of Prior Notification of proposed change of use of No. 597 Bolton Road, Blackburn, BB2 4JP from retail (use class A1) to a café (use class A3)**

A report was submitted to inform Members of the Committee of the receipt of a petition on 8<sup>th</sup> December 2017, containing 32 signatories objecting to planning application 10/17/1338, proposed change of use of 597 Bolton Road, Blackburn from a retail use (A1) to a café / restaurant (A3).

It was reported that a public consultation letter regarding the application had been issued on 17<sup>th</sup> November 2017.

The grounds for objection to the application were outlined in the report.

The Committee was advised that the application was refused on 21<sup>st</sup> December 2017.

**RESOLVED** – That the Committee note the petition and that the lead petitioner be kept informed of the recommendation once made and the formal decision relating to the notification application.

**41 Stopping Up of ginnel between West Park Road and Dukes Brow**

A report was submitted requesting that Members authorise the Director of HR, Legal and Corporate Services to apply to the Magistrates' Court for the necessary Order for the Stopping Up of an adopted path which runs between West Park Road and Dukes Brow, Blackburn.

A formal request from Queens Elizabeth's Grammar School was received on 19<sup>th</sup> October 2017, the details of which were outlined in the report.

**RESOLVED** – That the Committee authorise the Director of HR, Legal and Corporate Services to progress with the closure of the path between West Park Road and Dukes Brow, Blackburn and if the Department believes there is a good chance that the application will be successful, to apply to the Magistrate's Court for the necessary Order.

**42 Stopping Up of the stepped path adjacent to Darwen Market Service Road**

A report was submitted requesting that Members authorise the Director of HR Legal and Corporate Services to apply to the Magistrate's Court for the necessary Order for the Stopping Up of an adopted stepped path adjacent to Darwen Market service road.

Background information and details relating to Darwen Market Redevelopment Scheme were outlined in the report.

**RESOLVED** – That the Committee authorise the Director of HR, Legal and Corporate Services to progress with the closure of the stepped path adjacent to Darwen Market service road and if the Department believes there is a good chance that the application will be successful, to apply to the Magistrate's Court for the necessary Order.

**43 Stopping Up of Alaska Street Site, Blackburn, Under Section 116 of the Highways Act 1980**

A report was submitted informing Members of the receipt of a request by Places for People for the Council to progress an Order for the Stopping Up of Alaska Street site to ask Members to authorise the Director of HR Legal and Corporate Services to apply to the Magistrates' Court for the necessary Order as per the plan attached to the report.

A formal request from Places for People was received on 28<sup>th</sup> November 2017, the details of which were outlined in the report.

The Committee were informed of a clerical error in the report and it was confirmed that the costs of implementing the change would be met by Places for People and not Twin Valley Homes.

**RESOLVED** – That the Committee authorise the Director of HR, Legal and Corporate Services to progress with the closure of Alaska Street and if the Department believes there is a good chance that the application will be successful, to apply to the Magistrate's Court for the necessary Order.

**44 Lower Fold Public Path Order Committee Report**

A report was submitted seeking approval from Members for a public path order under the Town & Country Planning Act 1990, Section 257 to divert part of public footpaths 30, 31, 32 and 33 Blackburn.

**RESOLVED** – That the Committee promote the order to divert part of public footpaths 30, 31, 32 and 33 Blackburn.

**45 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.

**46 Enforcement – Land Rear of 2 Hawshaw Avenue, Darwen**

The Director of Growth and Development submitted a report seeking authorisation to take enforcement action against all persons having an interest in land to the rear of No 2 Hawshaw Avenue, Darwen, BB3 1QZ.

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

**RESOLVED** - That authorisation be given to the proposed enforcement action to the rear of No 2 Hawshaw Avenue, Darwen, BB3 1QZ.

47 **Enforcement – Garage Site off Raven Road / Taunton Road, Blackburn**

The Director of Growth and Development submitted a report seeking authorisation to take enforcement action against all persons having an interest in land at Garage Site off Raven Road / Taunton Road, Blackburn.

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

**RESOLVED** - That authorisation be given to the proposed enforcement action at Garage Site off Raven Road / Taunton Road, Blackburn.

Signed: .....

Date: .....

Chair of the meeting  
at which the minutes were confirmed