

PLANNING AND HIGHWAYS COMMITTEE

Thursday, 18 October 2018

PRESENT – Councillors: Smith, Akhtar, Khan, Khonat, Davies, Hardman, Richards, Jan-Virmani, Oates, Riley, Groves (substitute for Casey) and Marrow (substitute for Daley).

OFFICERS - Gavin Prescott (Development Manager) and Sian Roxborough (Council Solicitor), Wendy Bridson (Democratic Services).

RESOLUTIONS

29 **Welcome and Apologies**

The Chair welcomed everyone to the meeting. Apologies were received from Councillors Casey, Daley and Slater.

30 **Minutes of the Previous Meeting**

RESOLVED – That the minutes of the last meeting held on 20th September 2018 be confirmed and signed as a correct record.

31 **Declaration of Interest**

There were no Declarations of Interest received.

32 **Planning Application Summary**

The Committee considered reports of the Director of Growth and Development detailing the planning applications.

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 – That the following decisions be made on the applications:

32.1 **Planning Application 10-18-0075 School Lane, Guide**

Applicant – Wainhomes (North West) Ltd & Bowsall Ltd

Proposed Development – Full Planning Application for Full application for 45 dwellings with associated new access, landscaping and parking and associated works.

Decision under Town and Country Planning Acts and Regulations – Approved subject to delegated authority being given to the Head of Service for Planning to approve planning permission subject to an agreement under Section 106 of the Town and Country Planning Act 1990, relating to the payment of financial contributions which relate to matters highlighted in the Director's Report.

Should the s106 agreement not be completed within 6 months of the date of this resolution, the Head of Service for Planning will have delegated powers to refuse the application.

With conditions as detailed in the original Director's Report including two revised conditions as detailed in the Director's Report. The Committee was advised that the revised conditions had been agreed in writing by the applicant in accordance with the Town & Country Planning (Pre-commencement conditions) Regulations 2018, which came into force on the 1st October 2018.

32.2 Planning Application 10-18-0230 Old School Grounds, Edgworth

Applicant – Mr Shaun Readey

Proposed Development – Full Planning Application for Erection of a single dwellinghouse (C3 Use Class) with associated access, parking and landscaping (resubmission of 10/17/0278)

Decision under Town and Country Planning Acts and Regulations – Approved subject to the conditions highlighted in the Director's Report. The Committee was advised that the conditions had been agreed in writing by the applicant in accordance with the Town & Country Planning (Pre-commencement conditions) Regulations 2018, which came into force on the 1st October 2018.

32.3 Planning Application 10-18-0764 Ashleigh Primary School

Applicant – Mr Ian Matthews

Proposed Development – Full Planning Application (Regulation 4) for Replacement of windows to main school hall of primary school

Decision under Town and Country Planning Acts and Regulations – Approved subject to the conditions highlighted in the Director's Report.

33 Appeals Monitoring Report

Members were presented with an update of recently decided appeals within the last twelve calendar months. The report showed that 18 appeals in total were determined during the period 5th October 2017 to 5th October 2018, with 12 appeals that had been dismissed, 5 appeals allowed and one appeal with a split decision.

The update was also presented to the Cross Party Working Member Group on 16th October 2018.

RESOLVED – That the report be noted.

34 National Planning Performance Tables Report

Further to a report that was submitted to the August 2018 meeting of the Committee which informed Members of the Planning Service's current performance in processing planning applications, Members were presented

with an update on the recently published National Planning Performance Tables.

The latest national planning performance statistics (from July 2016 to June 2016) showed how far Blackburn with Darwen Borough Council had progressed since the Planning Services had introduced the Improvement Plan in the autumn of 2015.

On behalf of the Committee, the Chair expressed thanks to Officers for their hard work and efforts.

RESOLVED – That the Committee note the content of the report.

35 Response to MHCLG Consultation to Introduce Permitted Development Rights of Shale Gas Exploration

Members were informed of the Council's response and views on the Government's proposal to amend the Town & Country Planning Order to extend the permitted development rights to cover non-hydraulic fracturing shale gas exploration sites, together with amending the 2008 Planning Act for NSIP to deal with all major shale gas production projects.

The Planning Manager informed the Committee that the proposals set out by the Government would potentially reduce the Council's involvement in determining applications for shale gas production and that the Council would lose the fee income that would normally be received for such planning applications however would still have a significant workload in terms of responding to the Nationally Significant Infrastructure Projects application.

The Committee was reminded that the consultation exercise that was undertaken at the start of Summer 2018 was due to expire on the 25th October 2018 and that any response should be submitted prior to the consultation expiring.

Members were asked to authorise the Planning Manager to submit a response on behalf of the Council to the Government consultation setting out the concerns outlined in the report. Members of the Committee shared the same views as outlined in report.

The Chair asked for the Council's response to be circulated to Members of the Committee once it had been submitted.

RESOLVED –

- (i) That Members of the Committee note the issues outlined in the report; and
- (ii) That the Committee endorse and recommend that Officers be instructed to respond to the consultation as set out in the report before the consultation expiry date of the 25th October 2018.

36 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.

37 **Enforcement Update Report**

A report was presented to Members with an overview on Planning Enforcement matters. The list of cases included in the report was in the main, a list of cases where formal enforcement action was being taken and was not a list of every case, complaint or enquiry being dealt with.

RESOLVED – That the Committee note the report.

Signed:

Date:

Chair of the meeting
at which the minutes were confirmed