

PLANNING AND HIGHWAYS COMMITTEE

Thursday, 20 December 2018

PRESENT – Councillors; Smith (in the Chair), Akhtar, Brookfield (substitute for Richards), Casey, Davies, Hardman, Jan-Virmani, Khan, Khonat, Marrow (substitute for Daley), Oates, Riley and Slater.

OFFICERS - Gavin Prescott (Development Manager), Michael Green (Legal) and Safina Alam (Highways) and Wendy Bridson (Democratic Services).

RESOLUTIONS

53 **Welcome and Apologies**

The Chair welcomed everyone to the meeting. Apologies were received from Councillors Daley and Richards.

54 **Minutes of the Previous Meeting**

RESOLVED – That the minutes of the last meeting held on 15th November 2018 be confirmed and signed as a correct record.

55 **Declaration of Interest**

RESOLVED – There were no Declarations of Interest received.

56 **Planning Applications for Determination**

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:

57 **Planning Application 10-18-0317**

Applicant – Blackburn Waterside Regeneration Ltd

Location and Proposed Development – Former Sappi Paper Mill, Livesey Branch Road, Blackburn, BB2 5HX

Variation of conditions 2, 6, 14, 15, 16, 18, 19, 22, 29, 32, 33, 36, 37, 38, 40, 41, 43 and 44 pursuant to planning application 10/15/0496 relating to outline planning permission with all matters reserved save for access for a mixed use development of a maximum of the following: 500 dwellings, 3,224m² of B1a employment use, 9,192m² of B1c employment use, 333m² of A1 commercial use, 1,110m² community building, structural planting and landscaping, informal open space and associated ancillary works, to facilitate a phased development.

Decision under Town and Country Planning Acts and Regulations – Approved, subject to reapplying all conditions imposed upon the extant permission 10/15/0496 (as amended); and including the additional condition referred to in paragraph 2.5 of the Directors Report.

Should the Deed of Variation to the S106 Agreement not be completed within 6 months of the date of this resolution (or within an agreed extension of time confirmed in writing by the Head of Service for Planning), the Head of Service for Planning will have delegated powers to refuse the application.

58 Planning Application 10-18-0740

Applicant – Blackburn Waterside Regeneration Ltd

Location and Proposed Development – Sappi Paper Mill, Livesey Branch Road, Blackburn, BB2 5HX

Variation of Legal Agreement / S106 for Variation to Section 106 Planning Obligation for Planning Application 10/15/0496.

Decision under Town and Country Planning Acts and Regulations – Approved variation of the S106 Agreement pursuant to Planning Application 10/15/0496. Should the Deed of Variation to the S106 Agreement not be completed within 6 months of the date of this resolution (or within an agreed extension of time confirmed in writing by the Head of Service for Planning), the Head of Service for Planning will have delegated powers to refuse the application.

59 Planning Application 10-18-0895

Applicant – Persimmon Homes Lancashire

Location and Proposed Development – Land at Roe Lee, Off Ramsgreave Drive, Blackburn

Full Planning Application (Regulation 3) for Development of 155 dwellings and associated landscaping and highways works.

Decision under Town and Country Planning Acts and Regulations – Approved subject to the recommended conditions highlighted in the Director's report and the pre-commencement conditions set out in the Update Report subject to the applicants agreeing to them in accordance with the provisions of paragraph 55 of the NPPF and the Town and Country Planning (Pre Commencement Conditions) Regulation 2018.

In the event that there is no agreement with the wording of the pre-commencement conditions, delegated authority shall be given to the Head of the Planning Service to agree the revised wording of the conditions.

Delegated authority is given to the Head of Service for Growth and Development 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 in line with the following;

- (a) £500,000 as a contribution towards off-site highway works, including junction improvements at Brownhill Roundabout, gateway features in North Blackburn, road markings, signage, removal of crash barriers and reinstatement of central reservation;
- (b) £181,000 as a contribution towards the provision of off-site affordable housing; and
- (c) £500,000 as a contribution towards the cost of provision, expansion or other improvement of primary educational facilities in the North Blackburn locality.

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 will have delegated powers to refuse the application.

60 Planning Application 10-18-0957

Applicant – Maple Grove Developments

Location and Proposed Development – Cathedral Square, Blackburn

Full Planning Application (Regulation 3) for Erection of a six storey building comprising ground floor commercial uses A1, A3 and A4 with offices above and area of open space.

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

61 Planning Application 10-18-1054

Applicant – Blackburn with Darwen Borough Council

Location and Proposed Development – Land linking Richmond Terrace to Barbara Castle Way, Blackburn

Full Planning Application (Regulation 4) for New link road connecting Richmond Terrace to Barbara Castle Way.

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

62 Petition Objecting to Planning Application 10-18-1097

Members were informed of the receipt of a petition objecting to planning application 10/18/1097 regarding Reserved Matters Application seeking consent for the access within the site, landscape, layout, appearance, scale pursuant to outline planning application 10/15/0496 for Phase 1b at the former Sappi Paper Mill, Livesey Branch Road, Blackburn, BB2 5HX, comprising of 150 dwellings and associated infrastructure.

Following consultation letters issued to the public on 15th November, 6 individual objections to the proposal had been received. The Petition was received on the 4th December 2018 and contained 20 signatories. Details of the objections raised in the petition were summarised in the report.

Members were advised that the application was still being considered by officers.

RESOLVED – That the Committee note the petition, that the issues raised will inform the assessment of the proposal and that the lead petitioner be informed of the decision once made.

63 **Petition - Grand Venue, Harrison Street, Blackburn**

Members were informed of the receipt of a petition objecting to noise nuisance caused to residential properties as a consequence of unauthorised late night opening at the Grand Venue, Harrison Street, Blackburn.

The Committee was informed that planning permission had been granted subject to a number of conditions, on 20th October 2017, under delegated powers for a change of use from industrial premises to a banqueting suite.

The Committee heard that following complaints made to the Council, alleging late night opening and parking problems with associated noise nuisance, a Breach of Condition Notice had been issued.

The Petition was received on the 5th October 2018 and contained 28 signatories.

The conditions were currently being addressed and the Committee was informed that ultimate failure to comply may lead to enforcement action.

RESOLVED – That the Committee note the petition and that the lead petitioner be informed of any decision taken, including the outcome of the current application to seek extended opening hours and any subsequent enforcement proceedings.

64 **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.

65 **Enforcement Report**

A report was submitted seeking authorisation to take enforcement action against all persons having an interest in land at 3 Gibraltar Street, Blackburn, BB1 8DF.

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

RESOLVED – That authorisation be given to the proposed enforcement action at 3 Gibraltar Street, Blackburn, BB1 8DF.

Signed:

Date:

Chair of the meeting
at which the minutes were confirmed