

PLANNING AND HIGHWAYS COMMITTEE
Thursday, 18 June 2020

PRESENT – Councillors, Councillor David Smith (Chair), Akhtar, Casey, Khan, Khonat, Hardman, Slater, Jan-Virmani, Oates, Riley, Browne, Harling and Marrow.

OFFICERS - Gavin Prescott (Development Manager), Rabia Saghir and Safina Alam, Shannon Gardiner and Phil Llewellyn

RESOLUTIONS

91 **Welcome and Apologies**

The Chair welcomed everyone to the virtual meeting.

There were no apologies received.

92 **Minutes of the Previous Meeting**

RESOLVED – That the minutes of the previous meeting held on 20th February 2020 be confirmed and signed as a correct record.

93 **Declaration of Interest**

RESOLVED – There were no Declarations of Interest received.

94 **Planning Applications for Determination**

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

In considering the applications, the Committee took into account representations or submissions provided by individuals with the Officers answering points raised during discussion thereon.

94.1 **Planning Application 10/19/0662**

Speakers – Mr Darren Marsden (Objector – via MS Teams)
 Mr Paul Jones (Applicant – via MS Teams)

Applicant – Kingswood Homes & Rule Five Land LTD

Location and Proposed Development – Land off Moorland Drive, Blackburn

Hybrid planning application seeking full planning permission for residential development of 155 dwellings and outline planning permission with all matters reserved except for access for residential development for up to 280 dwellings

Decision under Town and Country Planning Acts and Regulations –

RESOLVED – Approved subject to delegated authority is 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 £1,000,000 and the provision of 1.6 Hectares of fully serviced land as a site for a new primary school.

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.

94.2 Planning Application 10/20/0265

*Speakers – Mr Andrew Darbyshire (Applicant – Written Statement)
Mr Tayyab Shafi (Objector – Written Statement)*

Applicant – Landway Properties Ltd

Location and Proposed Development – Land off Ramsgreave Drive, Blackburn

Full planning application - Construction of 63 dwellings and associated infrastructure.

Decision under Town and Country Planning Acts and Regulations –

RESOLVED - Approved subject to 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 & Country Planning Act 1990, relating to the payment of a commuted sum of £450,000 towards: off-site highway improvements; contribution towards off-site affordable housing provision; and contribution towards education infrastructure 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 and Infrastructure will have delegated powers to refuse the application

94.3 Planning Application 10/20/0332

Speakers – Mr Dave Kirkpatrick (Objector – Written Statement)

Applicant – Mr A Hussain

Location and Proposed Development – 32 Eden Park, Blackburn

Discharge of planning condition for Discharge of Condition No.1 pursuant to planning application 10/19/1232

Decision under Town and Country Planning Acts and Regulations –

RESOLVED - The proposed landscaping condition attached to 10/19/1232 is approved, with the planting to be implemented during the first available planting season, and be thereafter retained to the satisfaction of the local planning authority.

95 **Extension to Construction Hours on Development Sites - Blackburn
With Darwen BC Approach**

Members were informed of the guidance published by the Government in relation to local planning authorities adopting a flexible approach to allow developers to extend their construction working hours on development sites.

The Government announced through their Written Ministerial Statement on the 13th May, that “Our Plan to Rebuild: the UK Government’s COVID-19 recovery strategy” published by the Government on Monday 11th May, makes clear that construction work can be undertaken across England providing sites are able to operate safely in line with the new COVID-19 Secure guidelines.

A number of developers have already announced plans to restart work on sites. The purpose of this Written Ministerial Statement is to make clear that, with immediate effect, local planning authorities should take a swift and positive approach to requests from developers and site operators for greater flexibility around construction site working hours. This is to ensure that, where appropriate, planning conditions are not a barrier to allowing developers the flexibility necessary to facilitate the safe operation of construction sites during the response to the COVID-19 pandemic and to proceed at pace with work otherwise delayed as a result of COVID-19.

Developers should expect their local planning authority to grant temporary changes to construction working hours until 9pm or later, 6 days a week, wherever possible and where construction working hours are controlled by planning condition. This flexibility is in relation to controls imposed by the planning system only.

RESOLVED –

- That the Committee noted the issues described in the report.
- That the Committee endorsed and approved the proposed approach in relation to extending the hours of construction.

96 **Proposed Stopping Up Path Off Shorrocks Lane, Blackburn**

Members were informed of a request received from Tyson Construction Ltd to formally stop-up a path off Shorrocks Lane Blackburn (as per the attached plan) and to ask Members to authorise the Director of HR, Legal and Governance to apply to the Magistrates’ Court to obtain the necessary Order.

Blackburn with Darwen Highways received a formal request on 21st February 2020 from Tyson Construction Ltd, for the Stopping Up and an undertaking to bear all costs in obtaining the Stopping Up Order as described in the Council’s fees and charges list.

Tyson Construction’s client, Great Places Housing Group have obtained planning approval for a development of 16 new houses on land adjacent to Shorrocks Lane. The footpath proposed for permanent closure lies within the curtilage of the site and is no longer required as part of the proposed development. It is reasonable to take the view that the path will have no role as a public highway and is therefore eligible to be stopped up under the terms of S 116 of the Highways Act 1980.

RESOLVED - That Committee authorised the Director of HR, Legal and governance to progress with the Order.

97 Petition Report - Planning Application 10/19/1229

A report was submitted informing the Committee of the receipt of a petition relating to Planning Application 10/19/1229, the grounds for which were outlined in the report submitted.

A planning application for the above development was received on 30 December 2019 and was registered on the 05 February 2020.

One petition containing 19 names and addresses against the proposal was received on 25 February 2020.

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

RESOLVED – That the Committee note the receipt of the petitions.

98 Petition Report - 3 Vincent Court

A report was submitted informing the Committee of the receipt of a petition relating to Planning Application 10/20/0337, the grounds for which were outlined in the report submitted.

A planning application for full planning permission for a single storey extension to each side of the existing property to form two separate self-contained supported living spaces and a new detached outbuilding to the rear to form gym for service user use at No. 3 Vincent Court, Blackburn. The application was received on 26th March 2020.

A petition containing 9 individual names was received on 27th April 2020, objecting, not to the proposed development, but to the existing parking and access issues experienced by the street and the need to address them to avoid their being exacerbated by the proposed business at No. 3. None of the named people have signed the petition owing to the COVID-19 lockdown.

RESOLVED - That the Committee note the receipt of the petition.

99 Petition Report - 35 Baywood Street

A report was submitted informing the Committee of the receipt of a petition relating to Planning Application 10/19/0891, the grounds for which were outlined in the report submitted.

A planning application for full planning permission for a residential development comprising of 4no. apartments at No. 35 Baywood Street, Blackburn. The application was received on 17th September 2019. The initial proposal was to develop the site for six apartments.

A petition containing seven individual addresses was received on 8th April 2020, objecting to the proposed development as set out in the amended plans.

RESOLVED – That the Committee note the receipt of the petition.

Signed:

Date:

Chair of the meeting
at which the minutes were confirmed