

# PLANNING AND HIGHWAYS COMMITTEE

## Thursday, 21 October 2021

**PRESENT** – Councillors, David Smith (Chair), Akhtar, Casey, Khonat, Riley, Browne, Harling, Marrow, Baldwin, Brookfield, Liddle and Slater.

**OFFICERS** – Gavin Prescott, Michael Green, Safina Alam and Shannon Gardiner

### RESOLUTIONS

#### 32 **Welcome and Apologies**

The Chair welcomed everyone to the meeting.

Cllr John Slater noted that Cllr Stephanie Brookfield could not substitute for Cllr Yusuf Jan-Virmani as they represented different political parties. Therefore, Cllr Stephanie Brookfield substituted for Cllr Samim Desai.

As well as the apologies for Cllr Yusuf Jan-Virmani apologies were received from Cllr Zamir Khan who was substituted by Cllr Sylvia Liddle, Cllr Jacquie Slater who was substituted by Cllr John Slater, Cllr Samim Desai who was substituted by Cllr Stephanie Brookfield and Cllr Yusuf Jan-Virmani, no substitute as referred to above.

#### 33 **Minutes of the Previous Meeting**

**RESOLVED** – That the minutes of previous meeting held on 16<sup>th</sup> September 2021 be confirmed and signed as a correct record.

#### 34 **Declaration of Interest**

An Other Interest was declared from Councillor Paul Marrow in relation to Planning Application 10/18/1101 on the agenda that he was a trustee of Feniscowles and Pleasington Memorial Recreation Ground.

#### 35 **Committee Agenda**

The Committee considered reports of the Strategic Director of Place 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.

#### 35.1 **Planning Application 18/1101**

**Applicant** – Blackburn Waterside Regeneration Ltd.

**Location and Proposed Development** – Phase 3 Former Sappi Paper Mill, Livesey Branch Road, Feniscowles, Blackburn, BB2 5HX

Reserved Matters Application for Reserved Matters application (access within the site, landscape, layout, appearance, scale) pursuant to outline 10/15/0496 for Phase 3 comprising of 16,000 sq.ft Industrial Units (B2 Use Class) and associated infrastructure

**Decision under Town and Country Planning Acts and Regulations –**

**RESOLVED** – Approved subject to the conditions highlighted in the Director's report

**35.2 Planning Application 21/0568**

**Applicant** – Chaudrey Mohammed Yaseen

**Location and Proposed Development** – Old Fire Station Yaseen Enterprise Centre, Byrom Street, Blackburn, BB2 2LE.

Full Planning Application (Retrospective) for bespoke joinery works/manufacturing furniture - Change of use from class B8 to Class B2

**Decision under Town and Country Planning Acts and Regulations –**

**RESOLVED** – Approved subject to the conditions highlighted in the Director's report

**35.3 Planning Application 21/0597**

**Applicant** – Barnfield Blackburn Ltd.

**Location and Proposed Development** – Land at Greenback Terrace, Lower Darwen, Blackburn, BB3 0RN.

Reserved Matters Application for Approval of reserved matters for the appearance, layout, scale and landscaping of the employment units 1, 2 and 3, pursuant to permission 10/18/1149

**Decision under Town and Country Planning Acts and Regulations –**

**RESOLVED** – Approved subject to the conditions highlighted in the Director's report and the Update report:

No development approved by this reserved matters planning application relating to the employment units 1, 2 and 3, shall commence until such time as a revised flood risk assessment has been submitted to and approved in writing by the local planning authority. The report shall include the following details:

- Acknowledgement of the impact of the de-culverting of Davyfield Drain and the building of the spine road;
- Findings of the hydraulic model including the summary report for the watercourses approved under Discharge of Condition application 10/20/0627, for the wider site as a result of the de-culverting and construction of the new spine road. If compensatory storage is to be provided, details should be provided;

- Finished ground levels and proposed finished floor levels for Plots 1, 2 and 3 and indicate what other flood resilient measure are proposed;

**REASON:** To reduce the risk of flooding to the proposed development and future users by ensuring that there are no detrimental impacts to flood storage of flood flow routes in accordance with Policy 9 of the Blackburn with Darwen Borough Local Plan Part 2 (2015).

#### **35.4 Planning Application 21/0637**

**Applicant** – Mrs Sahdia Aslam

**Location and Proposed Development** – Priory Croft, Old Hall Lane, Pleasington, Blackburn, BB2 6RJ

Proposed covered terrace area to rear, roof terrace to western elevation, increase to ridge height, hip to gable roof alteration, front & rear dormers, a porch and alterations to existing elevations (retrospective).

It was noted that Officers will track the progress of the building work.

**Decision under Town and Country Planning Acts and Regulations –**

**RESOLVED** – Approved subject to the conditions highlighted in the Director's report

#### **35.5 Planning Application 21/0742**

**Applicant** – Mr Usman Shahid

**Location and Proposed Development** – 24 Beaumont Way, Darwen, BB3 3SG

Full Planning Application for proposed single storey at rear and conversion of garage into habitable room

**Decision under Town and Country Planning Acts and Regulations –**

**RESOLVED** – Approved subject to the conditions highlighted in the Director's report

#### **35.6 Planning Application 21/0747**

**Applicant** – Ms Patricia Da Silva

**Location and Proposed Development** – Ellerslie, Bury Fold Lane, Darwen, BB3 2QG

Minor Material Amendment: Variation of condition 5 pursuant to application 10/21/0090 'Variation of Condition No.5 pursuant to Reserved Matters application 10/19/0642 for the appearance, landscaping, layout and scale for 18 dwellings; pursuant to Outline Approval 10/15/1081 - to amend the design of the proposed houses and include a private access to plot 5 to include a basement floor at plot 5 and associated landscaping

**Decision under Town and Country Planning Acts and Regulations –**

**RESOLVED** – Approved subject to the conditions highlighted in the Director's report

**35.7 Planning Application 21/0825**

**Applicant** – McDermott Homes Ltd

**Location and Proposed Development** – Land off Lomond Gardens, Blackburn

Minor Material Amendment: Removal of Condition No.7 - "CS2 gas protection measures shall be incorporated into the development hereby approved, in accordance with the details specified in the Phase 3 'Environmental Investigation Risk Assessment and Remediation Strategy', Ref. LKC 19 1398, dated December 2019" - pursuant to planning application 10/21/0277 - "Residential development consisting of 30 dwellings and associated infrastructure works."

**Decision under Town and Country Planning Acts and Regulations –**

**RESOLVED** – Approved subject to a Section 106 Agreement of £515,000, relating to Affordable Housing, Green Infrastructure / Public Open Space provision / enhancement, education provision; and conditions set out at paragraph 4.1 (including removal of condition no.7 attached to the original permission).

**35.8 Planning Application 21/0879**

*This item was moved to the first item on the agenda*

Speakers – Mr Phil Heaton (In Support)  
Mr Thomas Farran (Objector)

**Applicant** – Mr Nadeem Sadiq

**Location and Proposed Development** – Basement 75B East Park Road, Blackburn, BB1 8DW.

Variation/Removal of Condition/Minor Material Amendment for Variation of Condition No 3 pursuant to planning application 10/12/0158 "Change of use of basement to Internet Cafe (class A1), formation of self-contained flat at first floor and alterations to the eastern elevation" - to increase opening hours to 9am to 10pm Monday to Sunday, and removal of Condition no.4 to allow for any use within Use Class E.

**Decision under Town and Country Planning Acts and Regulations –**

**RESOLVED** – Approved subject to the conditions highlighted in the Director's report

**35.9 Planning Application 21/0880**

*This item was moved to the second item on the agenda*

Speakers – Mr Phil Heaton (In Support)  
Mr Thomas Farran (Objector)

**Applicant** – NA-AM Enterprises Ltd.

**Location and Proposed Development** – 213 Shear Brow, Blackburn, BB1 8DU

Variation/Removal of Condition/Minor Material Amendment for Variation of Condition No 2 pursuant to planning application 10/12/0487 "Change of use from beauticians to hairdressers" - to increase opening hours to 11am to 11pm Monday to Sunday – Please note current use of the property is a dessert parlous (Use Class E)

**Decision under Town and Country Planning Acts and Regulations –**

**RESOLVED** – Approved subject to the conditions highlighted in the Director's report

**35.10 Planning Application 21/1005**

**Applicant** – Applethwaite Limited

**Location and Proposed Development** – Davyfield Farm (former Wellybobs Limited) Roman Road, Eccleshil, Darwen, BB3 3PJ

Variation/Removal of Condition/Minor Material Amendment for Variation of Condition No.2 pursuant to planning application 10/20/1036: "The erection of 19 no. dwellings, with associated infrastructure and landscaping works" - to introduce natural stone to side and rear elevations previously showing render

**Decision under Town and Country Planning Acts and Regulations –**

**RESOLVED** – Approved subject to the conditions highlighted in the Director's report

**35.11 Planning Application 21/1078**

**Applicant** – Blackburn with Darwen Borough Council

**Location and Proposed Development** – Blackburn Technology Management Centre, 2 Challenge Way, Blackburn, BB1 5QB

Installation single Air Source Heat Pump (ASHP) to consist of one single ASPH within an enclosure, adjoining plant house and additional landscaping to north boundary

**Decision under Town and Country Planning Acts and Regulations –**

**RESOLVED** – Approved subject to the conditions highlighted in the Director's report

**36 Diversion of Public Footpath 9 Eccleshill**

A report was submitted to seek approval for a public path order under the Town & Country Planning Act 1990, Section 257 to divert Public Footpath 9, Eccleshill

On the 30th July 2021, the Council granted planning permission for the erection of 19 no. dwellings, with associated infrastructure and landscaping works on land at Davy Field Farm, Roman Road, Eccleshill, BB3 3PJ. (Application 10/20/1036)

Public Footpath 9 Eccleshill passes through the proposed development site crossing the line of several properties. In order that the development can be implemented as per the planning approval, it is necessary that this section of PF 9 Eccleshill is diverted. In this respect, the Council has received an application from the developer to divert the section of the footpath affected.

Under the Council’s Constitution this Committee has ‘The power to create, divert, stop up, extinguish and reclassify footpaths and bridleways and the power to make orders and enter agreements in relation to the same’

The Committee therefore has to consider whether, or not, to promote the Order requested by the applicant. In order to assist members in making this decision, officers have prepared a detailed report with the necessary information to enable an informed decision to be made.

**RESOLVED** - To Promote the Order and authorise the Strategic Heads of HR Legal & Governance to progress the necessary legal orders

**37 Enforcement - 3 Belvedere Close, Blackburn**

A report was submitted seeking authorisation to take enforcement action against all persons having an interest in land at 3 Belvedere Close, Blackburn.

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

**RESOLVED** - Authorisation was given to the proposed enforcement action at 3 Belvedere Close, Blackburn

Signed: .....

Date: .....

Chair of the meeting  
at which the minutes were confirmed