

PLANNING AND HIGHWAYS COMMITTEE

Thursday, 18 November 2021

PRESENT – Councillors, David Smith (Chair), Casey, Slater, Jan-Virmani, Riley, Browne, Harling, Marrow, Baldwin, Liddle and Sidat.

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

RESOLUTIONS

38 Welcome and Apologies

The Chair welcomed everyone to the meeting.

Apologies were received from Cllr Akhtar Hussain who was substituted by Cllr Sylvia Liddle, Cllr Suleman Khonat who was substituted by Cllr Salim Sidat, Cllr Zamir Khan and Cllr Samim Desai.

39 Minutes of the Previous Meeting

RESOLVED – That the minutes of the previous meeting held on 21st October 2021 be confirmed and signed as a correct record.

40 Declaration of Interest

Declarations of Interest were received from Cllrs David Smith, Phil Riley and Dave Harling in relation to application 10/21/0919 on the agenda that they were members of the Co-operative and had a store card/membership card.

41 Committee Agenda

The Committee considered reports of the Strategic Director of Place 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.

41.1 Planning Application 21/0636

*Speakers – Matthew Wyatt (In support)
Paul Parkinson (Objecting)*

Applicant – Applethwaite Homes Ltd.

Location and Proposed Development – Land to the North of Ramsgreave Drive, Ramsgreave Drive, Blackburn, BB1 8NB.

Demolition of existing dwelling and erection of 47no. dwellings, with associated access, landscaping and infrastructure

Decision under Town and Country Planning Acts and Regulations –

RESOLVED – Approved subject to the conditions highlighted in the Director's Report and Section 106 of the Town and Country Planning Act 1990, relating to the payment of £312,922; including a monitoring fee of £3,098 as follows:

	Green Infrastructure	Education	Highways	Monitoring Fee	Total
6 months after commencement		£100,000		£1000	£101,000
12 months after commencement	£53,000	£48,144		£1,011	£102,155
18 months after commencement	£13,082		£95,598	£1,087	£109,767
Totals	£66,082	£148,144	£95,598	£3,098	£312,922

Should the S106 agreement not be completed with 6 months of the date of the planning application being received, the Strategic Director of Place will have delegated powers to refuse the application.

41.2 Planning Application 21/0790

Applicant – Greenland Properties

Location and Proposed Development – Former Apex Mill, Bold Street, Blackburn, BB1 7EL

Full Planning Application for Demolition of disused mill and erection of a new retail development - Use Class E(a).

Decision under Town and Country Planning Acts and Regulations –

RESOLVED – Approved subject to the conditions highlighted in the Director's Report and the additional conditions in the Update Report:

It is considered necessary and reasonable to impose a restrictive condition relating to the use of the building, in order to safeguard the amenities of the adjoining residential properties, and businesses, together with ensuring highway safety is not compromised. The proposed condition is:

The development hereby approved shall only be used for the display or retail sale of goods, other than hot food, in accordance with Use Class E(a). It shall not be used for any other purposes including any other purposes within Use Class E (Commercial, Business and Service) of the Town and Country Planning (Use Classes) Order 1987 (as amended) nor any change of use permitted under the town and Country Planning (General Permitted Development) Order 2015 (as amended) or in any provision equivalent to that Class in any statutory instruments revoking or re-enacting these orders.

REASON: In the interests of safeguarding the viability of the District Centre, safeguarding residential amenity and so as not to prejudice highway safety and efficiency, in accordance with Policies 26, 8 and 10 of the Blackburn with

41.3 Planning Application 21/0919

Speaker – Mike Moss (In Support)

Applicant – Thistlewood Properties

Location and Proposed Development – Former Hollins Grove Liberal Club, Falcon Avenue, Darwen, BB3 1QX.

Variation of Condition / Minor Material Amendment: Variation of Condition No.8 pursuant to planning application 10/21/0148 "Erection of Use Class E Convenience Store with Staff/Storage at First Floor and 16 Customer Parking Spaces and Delivery Area" - to amend approved opening hours from 07:00 - 22:00, to 07:00 - 23:00 daily.

Decision under Town and Country Planning Acts and Regulations –

RESOLVED – Refused as the proposed extended trading hours would result in an unacceptable loss of residential amenity to neighbouring properties along Falcon Avenue, by reason of increased levels of noise and general activity beyond that reasonably expected between the hours of 10pm and 11pm; contrary to Policy 8 of the Blackburn with Darwen Borough Local Plan Part 2 and the National Planning Policy Framework.

41.4 Planning Application 21/1016

Applicant – Jangeer Yaseen

Location and Proposed Development – Area to the East of Farthings Public House and to the North of Rosewood Avenue, Blackburn

Full Planning Application (Retrospective) for Retention of 2m high fencing to west and south of the site with entrance gates from Rosewood Avenue

Decision under Town and Country Planning Acts and Regulations –

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

41.5 Planning Application 21/1022

Applicant – Kingswood Homes

Location and Proposed Development – Phases 7-11 "Green Hills Residential Development" Land off Broken Stone Road / Livesey Branch Road (Land within the Gib Lane Masterplan Area) Blackburn

Reserved Matters Application: Approval of the matters reserved by the Outline (hybrid) planning permission ref: 10/21/0343 (Appearance, Landscaping, Scale and Layout) for the erection of 280 dwellings.

Decision under Town and Country Planning Acts and Regulations –

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

41.6 Planning Application 21/1048

Applicant – Mr Farouk Yusuf

Location and Proposed Development – 95 Shear Brow, Blackburn, BB1 8EA

Full Planning Application for Roof lift to create additional floor

Decision under Town and Country Planning Acts and Regulations –

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

41.7 Planning Application 21/1112

Applicant – Barnfield Blackburn Ltd. c/o Barnfield Construction Ltd.

Location and Proposed Development – Greenbank Terrace, Lower Darwen, Blackburn, BB3 ORN

Full Planning Application for formation of additional car parking and landscaping

Decision under Town and Country Planning Acts and Regulations –

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

42 Petition

Members were informed of the receipt of a petition objecting to a current application for prior approval (ref. 10/21/1096) relating to a proposed 15m telegraph pole mast, antennas and ground based apparatus at land to the north of Dingle Farm, Blackburn Road, Edgworth, Bolton, BL7 0QE. The application was submitted by EE Ltd.

The application for prior approval was received by the Local Planning Authority (LPA) on 25th September 2021. Neighbourhood consultation letters were sent out on 1st October 2021, to 6 addresses local to the application site. In addition, a site notice was displayed adjacent to the application site's access point, on Blackburn Road. A second wider consultation by letter was undertaken on 13th October 2021, to a further 4 addresses, at 1-4 Longworth Bank Cottages.

The Petition subject of this report was received by the LPA on 2nd November 2021. The Petition objects to the proposed development in relation to its siting

and appearance together with the potential for adverse impacts on the aesthetical character of the immediate area and wider landscape.

The petition contains 50 signatures from 37 homes local to the application site. Representations have been received from residents at Longworth Bank Cottages, Hob Lane, School Lane, Edgworth View, Blackburn Road, Holly Bank, and a number of surrounding farmsteads.

Members were advised that assessment of the application for prior approval is ongoing and that all material issues that must be considered in the decision making process will be wholly addressed. For clarity, assessments for this type of application are limited to the siting and appearance of the proposed development. The lead petitioner and Ward Cllrs will be informed of the application's outcome once it has been determined. The current position of the LPA is that prior approval is required for the proposed development.

RESOLVED – That the petition be noted.

Signed:

Date:

Chair of the meeting
at which the minutes were confirmed