

# PLANNING AND HIGHWAYS COMMITTEE

## Thursday, 13 July 2023

**PRESENT** – Councillors, David Smith (Chair), Akhtar, Casey, Slater, Marrow, Baldwin, Desai, Imtiaz, Mahmood, McCaughran, Patel, Khonat (substitute for Khan) and Shaw (substitute for Jackson).

**OFFICERS** – Gavin Prescott, Saf Alam, Michael Green & Shannon Gardiner

### RESOLUTIONS

#### 13 **Welcome and Apologies**

The Chair welcomed everyone to the meeting.

Apologies were received from Cllr Zamir Khan who was substituted by Cllr Suleman Khonat, and Cllr Matthew Jackson who was substituted by Cllr Anthony Shaw.

#### 14 **Minutes of the Previous Meeting**

**RESOLVED** – That the minutes of the previous meeting held on 15<sup>th</sup> June be agreed and signed as a correct record.

#### 15 **Declaration of Interest**

A Declaration of Interest was received from Cllr Suleman Khonat in relation to Item 5, Petition regarding Full Planning Application (Retrospective) for Rear dormer (retrospective) (amendments following planning refusal App No: 10/23/0076), and that the petitioner was his nephew.

#### 16 **Planning Applications to be Determined**

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.

#### 16.1 **Planning Application 22/1223**

*Speaker – Mr Richard Gee (Agent)*

**Applicant** – Mr Lee Buckley

**Location and Proposed Development** – Barn adjacent to Longshaw Head Farm, Crowthorn Road, Edgworth, BL7 0JX

Full Planning Application for Conversion / re-use and alteration of barn to form two dwellings, with associated garden curtilage, parking, bin storage, hard and soft landscaping and retaining structures

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

**RESOLVED** – Approved subject to the conditions highlighted in the Directors Report and the additional condition recommended in the Update Report:

Additional condition -

12: Notwithstanding the provisions of Article 3 and Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), no development of the type specified in Classes A, B, C, D, E and F of Part 1 and Class A of Part 2 of that Schedule shall be carried out unless planning permission has been granted first.

**REASON:** Due to the restricted nature of the site, whilst the dwelling as approved is acceptable, any further extensions or alterations normally permitted under the above provisions may in this case conflict with the interests of adjacent properties or the amenity of the area generally in accordance with Policy 8 of the Blackburn with Darwen Borough Local Plan Part 2.

### **16.2 Planning Application 23/0374**

**Applicant** – Mr Mohammed Kais Ali

**Location and Proposed Development** – Land at Wainwright Way/Freckleton Street, Blackburn, BB2 2HL

Construction of a new health centre providing services for dental care, opticians and hearing assistance (E(e)) including the formation of a new site access, associated landscaping and car parking.

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

**RESOLVED** – Approved subject to the conditions highlighted in the Director's Report and subject to an agreement under Section 106 of the Town and Country Planning Act (1990) relating to the payment of £20,000 towards off-site highway works relating to new kerbing and tactile surfacing on Freckleton Street, Weir Street and St Peter Street.

### **16.3 Planning Application 23/0412**

**Applicant** – Mr K Baxter

**Location and Proposed Development** – 13 Willis Road, Blackburn, BB2 2UA

Replacement of existing cement based spar dash render with new pearl coloured silicone based self-coloured smooth render

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

**RESOLVED** – Approved subject to the conditions highlighted in the Director’s Report.

*Abstained – Cllrs Marrow, J Slater & Baldwin*

**16.4 Planning Application 23/0414**

**Applicant** – Hollins Park Limited

**Location and Proposed Development** – Hollins Business Park, Hollins Grove Street, Darwen, BB3 1HG

Full Planning Application for Erection of 11 No. industrial units (Use Classes B2/B8/E(g)) with 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 and the additional conditions in the Update Report:

Additional conditions -

23. Notwithstanding the submitted details, prior to first occupation of any of the units hereby approved, a revised site plan/parking layout shall be submitted to and approved in writing by the Local Planning Authority. The revised plan shall include improved disabled parking spaces, to include 1.2m on each side of all disabled spaces. Thereafter the approved parking layout shall be installed and retained in accordance with the approved details.

**REASON:** To ensure acceptable parking provision for all disabled users, in accordance with Policy 10 of the Blackburn with Darwen Borough Local Plan Part 2 and the BwD Parking Standard

24. The works hereby approved shall be carried out fully in accordance with the recommendations of the ECOLOGICAL SURVEY AND ASSESSMENT by ERAP (Consultant Ecologists) Ltd Reference: 2023-097, dated June 2023.

**REASON:** In order to minimise harm to local ecological populations, and to comply with the requirements of Policy 9 of the Blackburn with Darwen Borough Council Local Plan Part 2, Site Allocations and Development Management Policies (Adopted 2015), and the National Planning Policy Framework.

**16.5 Planning Application 23/0437**

**Applicant** – Adventure Forest Ltd

**Location and Proposed Development** – Witton Country Park, Pavilion Witton Country Park, Preston Old Road, Blackburn, BB2 2TP

Full Planning Application for Alteration of zip wire anchor location and installation of wooden pole.

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

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

**16.6 Planning Application 23/0445**

**Applicant** – Blackburn with Darwen Borough Council

**Location and Proposed Development** – Shadsworth Leisure Centre, Shadsworth Road, Blackburn, BB1 2HT

Demolition of two-storey Shadsworth Leisure Centre.

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

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

**16.7 Planning Application 23/0455**

*Speaker – Irfan Mulla*

**Applicant** – Irfan Mulla

**Location and Proposed Development** – 6 Bargee Close, Blackburn, BB1 1BW

Full Planning Application (Retrospective) for Amendment to Approved Plans 10/21/1060 - 'Double storey side extension, double and single storey rear extension and front extension including porch' - Garage conversion, minor rear amendment to extend up to the boundary line by 100mm and pier removed between the two patio doors to create one large opening

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

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

**16.8 Planning Application 23/0501**

**Applicant** – Blackburn with Darwen Borough Council

**Location and Proposed Development** – Blackburn Town Hall, King William Street, Blackburn, BB1 7DY

Proposed creation of entrance hatch and counter following removal of an existing opening and creation of ground floor room with erection of a timber stud wall and installation of double doors

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

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

### **17 Petition**

*Cllr Khonat left the meeting due to declaring an interest in this item.*

Members were informed of a petition supporting a current planning application relating to Full Planning Application (Retrospective) for Rear dormer (retrospective) (amendments following planning refusal App No: 10/23/0076) which was submitted by Mr Yasin Khonat.

The petition was received by the LPA on 21st June 2023. The lead petitioner is the applicant of the current planning application. The petition has been submitted specifically in support of dormer extensions to dwellinghouses within the Conservation Area (CA) with specific reference made to the wards Corporation Park.

The petition contains 53 signatures, directly from nearby addresses on Brantfell Road, Langham Road, and East Park Road. Signatures from residents outside of the Shear Brow & Corporation Park ward are also within the petition. Members were advised that the petition received is identical to the petition received relating to the previous planning application 10/23/0076, and which was reported to the Committee at their meeting on the 16th March 2023.

Members were advised that all material issues that must be considered in the decision making process are being currently assessed with the planning application, and this takes into account the previously refused planning applications for similar proposals (10/21/1266 & 10/23/0076), and in particular the subsequent appeal decision for the first application as this is a fundamental material planning consideration that forms an important part of the assessment of this application. In addition, the Committee authorised enforcement action to be taken for the removal of the dormer extension at their meeting on the 21st April 2022 (ref: 2021E0370). The Enforcement Notice was served on the 7th December 2022, which took effect on 20th January 2023, having a compliance period of 6 months. The notice is currently the subject of an appeal.

**RESOLVED** – That the petition be noted.

### **18 Enforcement**

A report was submitted to obtain authorisation for enforcement on the land V10 Polymers, at land known formerly as Rockcliffe Works, North of Paterson Street and Mosley Street Blackburn. BB2 3SP.

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

**RESOLVED** – Authorisation was granted for the enforcement to be undertaken.

Signed: .....

Date: .....

Chair of the meeting  
at which the minutes were confirmed