

PLANNING AND HIGHWAYS COMMITTEE

Thursday, 19 August 2021

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

OFFICERS – Gavin Prescott, Rabia Saghir, Safina Alam & Shannon Gardiner

RESOLUTIONS

18 **Welcome and Apologies**

The Chair welcomed everyone to the meeting.

There were no apologies received

19 **Minutes of the Previous Meeting**

RESOLVED – That the minutes of the previous meeting held on 15th July 2021 be confirmed and signed as a correct record.

20 **Declaration of Interest**

RESOLVED – There were no Declarations of Interest received.

21 **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.

21.1 **Planning Application 21/0099**

Applicant – Mr Marc Robson

Location and Proposed Development – Land to the rear of 21 Dover Street, Lower Darwen, BB3 0QR

Full Planning Application for Change of use to land to Use Class C3 as an extension to existing garden

Decision under Town and Country Planning Acts and Regulations –

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

21.2 **Planning Application 21/0559**

Applicant – Blackburn with Darwen Borough Council

Location and Proposed Development – Whitedove Industrial Unit Davyfield Road Blackburn BB1 2LX

Full Planning Application (Regulation 3) for Installation of Solar photo voltaic (SPV) arrays to North and South facing roof slopes

Decision under Town and Country Planning Acts and Regulations –

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

21.3 Planning Application 21/0564

Applicant – Blackburn with Darwen Borough Council

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

Solar Panels Non-domestic Buildings for Installation of Solar Photo Voltaic (SPV) arrays to South facing roof slope

Decision under Town and Country Planning Acts and Regulations –

RESOLVED – Approved

21.4 Planning Application 21/0566

Applicant – Blackburn with Darwen Borough Council

Location and Proposed Development – Witton Sports Arena Witton Country Park Preston Old Road Blackburn BB2 2TP

Prior Approval - Solar Panels Non-domestic Buildings for Installation of Solar Photo Voltaic (SPV) arrays to roof of the building

Decision under Town and Country Planning Acts and Regulations –

RESOLVED – Approved

21.5 Planning Application 21/0649

Applicant – Countryside Properties and Together Housing Group

Location and Proposed Development – Land to the North and South of Fishmoor Drive and Land to the East of Roman Road, Blackburn

Variation of Condition / Minor Material Amendment for Variation of Condition's 2, 3, 4, 14 and 28 pursuant to planning application 10/20/0934 'Demolition of one substation building and the erection of 383 dwellings and associated works' to amend the approved layout of parcel 3 (to include reduction of units to 377), and to vary the materials schedule.

Decision under Town and Country Planning Acts and Regulations –

RESOLVED – Approved subject to the conditions highlighted in the Director’s Report and Section 106 to the Town and Country Planning Act 1990, relating to the payment of £395,000; plus a monitoring fee of £3950. Payments to be phased as follows:

- £199, 475 is to be paid prior to commencement of the development (£197,500 for education and £1,975 monitoring fee); and
- £199,475 is to be paid within 12 months after commencement (£197,500 for education and £1,975 monitoring fee).

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.

21.6 Planning Application 21/0675

Applicant – Mr Djemel Salah-Bay-Carr

Location and Proposed Development – Hob Lane Farm Barns Blackburn Road Turton Bolton BL7 0PU

Variation/Removal of Condition/Minor Material Amendment for Variation of Condition no.2 (external materials), no.16 (lighting scheme) no.21 (approved plans) to include repositioning of rooflights and re1opening of existing window on South Facing Elevation and alterations to Western Elevation pursuant to application 10/20/0996 "Change of use of 2 x barns at Hob Lane Farm to a single attached dwelling with integral garage, including building works"

Decision under Town and Country Planning Acts and Regulations –

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

22 Petition Report

Members were informed of the receipt of two petitions in relation to a current planning application (ref. 10/21/0568) for change of use from class B8 to Class B2 (retrospective application) at Old Fire Station, Yaseen Enterprise Centre, Byrom Street, Blackburn. One of the petitions is in support of the application, and the other is objecting to the application.

The planning application was received by the Local Planning Authority (LPA) on 1st June 2021. Neighbour consultation letters were sent out on 11th June 2021 to 99 addresses local to the application site. In addition, a site notice was displayed on 9th June 2021, and a press notice was published in the Lancashire Telegraph on 23rd June 2021.

Both the Petitions subject of this report were received by the LPA on 28th June 2021. The (retrospective) planning application relates to the proposed change of use of one of the authorised B8 units lying within the enclosed former Fire Station site, where various B1 and B8 units were approved under planning ref 10/18/1093.

The old Fire Station site is bounded on 3 sides by the rear yards of residential premises, separated only by boundary walls and an alleyway. This (retrospective) application for a change of use of this particular unit was submitted further to enforcement investigations that were carried out relating to a 2 breach in planning control and complaints of excessive noise from neighbouring residents

The petition in support contained 32 signatures (from 30 different addresses), largely from residents on Harrison Street, Sumner Street and Canterbury Street, which directly adjoin the application site. It also includes signatures from occupiers of some of the adjacent business units.

The petition objecting contained 18 signatures, which are again predominantly from residents on Harrison Street, Sumner Street and Canterbury Street, which directly adjoin the application site.

RESOLVED - That the petition be noted.

23 Infrastructure Funding Statement 2020/21

Members were presented with an update on the recently published Infrastructure Funding Statement for 2020/21, for Blackburn with Darwen Borough Council.

The Community Infrastructure Levy (Amendment)(England)(No.2) Regulations 2019 now requires authorities (from December 2020) to prepare an Infrastructure Funding Statement (IFS) to set out their annual income and expenditure relating to section 106 agreements.

Blackburn with Darwen's 2020/21 IFS provides a summary of financial contributions the Council has secured through section 106 agreements from new developments for off-site infrastructure works and affordable housing, in addition to highway works completed as part of new developments through section 278 agreements within the 2019-20 monitoring period. It also includes information on the infrastructure works funded through s106 contributions.

In summary, the report provides:

- an overview of s106 and s278 agreements;
- the Council's internal process relating to s106 contributions;
- information on the introduction of monitoring fees;
- the s106 contributions paid to the Council in the 2020/21 monitoring period;
- s106 contributions and s278 works estimated for future years; and
- projects delivered in the Borough via s106 and s278 agreements in the 2020/21 monitoring period.

The information included in the report is updated annually and published on the Council's website. This will ensure the most up to date information on the amount of developer contributions received from new developments, in addition to information on where these monies have been spent is readily available to members of the public and other interested parties.

The report does not include information on the infrastructure delivered on site as part of new developments in the borough.

RESOLVED – That the report be noted.

24 **Enforcement Report**

A report was submitted seeking authorisation to take enforcement action against all persons having an interest in land at 301 Preston Old Road, Blackburn.

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

RESOLVED – Authorisation was given to the proposed enforcement action at 301 Preston Old Road, Blackburn.

25 **Enforcement Report**

A report was submitted seeking authorisation to take enforcement action against all persons having an interest in land at 38 Lynthorpe Road, Blackburn.

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

RESOLVED – Authorisation was given to the proposed enforcement action at 38 Lynthorpe Road, Blackburn.

Signed:

Date:

Chair of the meeting
at which the minutes were confirmed