

**PLANNING AND HIGHWAYS COMMITTEE**  
**Thursday, 18 November 2022**

***PRESENT** – Councillors, David Smith (Chair), Akhtar H, Baldwin, Browne, Casey, Desai S, Floyd, Imtiaz, Khan, Liddle, Marrow, and Slater Jacq.*

***OFFICERS** – Gavin Prescott, Rabia Saghir, Saf Alam and Phil Llewellyn.*

**RESOLUTIONS**

**49**    **Welcome and Apologies**

The Chair welcomed everyone to the meeting.

Apologies were received from Cllr Quesir Mahmood and was substituted by Cllr Jackie Floyd.

**50**    **Minutes of the Previous Meeting**

**RESOLVED** – That the minutes of the previous meeting held on 20<sup>th</sup> October 2022 be agreed and signed as a correct record.

**51**    **Declaration of Interest**

**RESOLVED** – There were no Declarations of Interest received.

**52**    **Planning Applications for Determination**

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.

**53.1**    **Planning Application 22/0446**

**Applicant** – Euro Garages

**Location and Proposed Development** – Unit 3 and 6 Unity Trading Estate (Euro Grocers), Pearson Street, Blackburn BB2 2ES.

Full Planning Application (Retrospective) for Change of use to a food store (Use Class E (a)) with associated access and parking areas and parking areas and minor external alterations for the frontage (retrospective).

Members discussed the number of retrospective planning applications submitted by the applicant, and requested that the Development Management Manager again write to the Government again requesting that consideration be given to the introduction of increased fees for retrospective applications.

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

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

**53.2 Planning Application 22/0591**

**Applicant** – Yasran Yaseen

**Location and proposed Development** – Site of demolished Roe Lee Mill No.1, Whalley New Road, Blackburn BB1 9AA.

Full Planning Application for Change of Use of site to temporary car sales with 2 portacabins and erection of fencing around site with 2 7.5m wide sets of recessed gates.

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

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

**53.3 Planning Application 22/0593**

**Applicant** – Persimmon House

**Location and Proposed Development** – Land South of Spring Meadows, Darwen

Variation/Removal of Condition/Minor Material Amendment for Variation of Conditions No.2 and 14, pursuant to planning application 10/20/1258 "partial replan of development site known as Spring Meadows (approved under application reference 10/19/0317) involving 24 homes creating an additional 7 no. new homes" – update of house types to R21 range and amended materials schedule".

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

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

**53.4 Planning Application 22/0675**

**Applicant** – Tilia Homes

**Location and Proposed Development** -Land at Pole Lane, Darwen BB3 3FX

Variation/Removal of Condition/Minor Material Amendment for Variation of condition nos 4 and 6 pursuant to application 10/21/0278 to amend house types, proposed brick and boundary treatments.

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

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

**53.5**     **Planning Application 22/0722**

**Applicant** – Vistry Partnerships

**Location and Proposed Development** – Land to the South of Whalley Old Road, Blackburn

Reserved Matters Application (Regulation 4) for Approval of the reserved matters for the access, appearance, landscaping, layout and scale for the erection of 165 dwellings pursuant to outline application 10/20/0716.

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

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

**53.6**     **Planning Application 22/0740**

**Applicant** – Kingswood Homes

**Location and Proposed Development** – Former Hoddlesden Mill, Johnson New Road, Hoddlesden, BB3 3NT

Variation/Removal of Condition/Minor Material Amendment for Variation of Condition Nos 15 and 32 pursuant to Hybrid planning application 10/21/0008 comprising: a) full planning permission for demolition of buildings, remediation works including re-contouring of the site to form development platforms; and b) outline planning permission with all matters reserved, except for means of vehicular access from Johnson New Road, for residential development comprising up to 79 new dwellings - "remove Condition No 15 "reasonable avoidance measures method statement for the drawdown of Pond 3", and No.32 "technical details of culvert repair works".

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

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

**53.7**     **Planning Application 22/0897**

**Applicant** – Adventure Forest Limited

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

Full Planning Application (Regulation 4) for Construction of Go Ape high ropes course and replacement of disused container with reception office.

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

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

**53.8 Planning Application 22/0912**

**Applicant** – The Department of Education c/o BAM Construction

**Location and Proposed Development** – New Victoria Centre, Blackburn College, Blakey Moor, Blackburn BB2 1LH

Full Planning Application for Comprehensive refurbishment and partial remodelling to address minor changes to the elevations and roof and internal alterations.

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

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

**53.9 Planning Application 22/0913**

**Applicant** – The Department of Education c/o BAM Construction

**Location and Proposed Development** – New Victoria Centre, Blackburn College, Blakey Moor, Blackburn BB2 1LH

Listed Building Application for Comprehensive refurbishment and partial remodelling of the Grade II listed Victoria Building to address minor changes to the elevations and roof and internal alterations.

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

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

**53.10 Planning Application 22/0921**

**Applicant** – The Department of Education c/o BAM Construction

**Location and Proposed Development** – Blackburn College, Blakey Moor Blackburn BB2 1LH

Full Planning Application for temporary siting of modular accommodation for education use during period of works for refurbishment of the Victoria Building.

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

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

### **53.11 Planning Application 22/0956**

**Applicant** – Barratt Homes & Taylor Wimpey

**Location and Proposed Development** – Land at Brokenstone Road Blackburn BB3 0LL

Variation of Legal Agreement/S106 for Proposed development: Variation to S106 Agreement pursuant to planning application 10/18/1116 - to: - amend the payment phasing to allow for the off-site Green Infrastructure contribution to be received in full as part of the first instalment on development commencement; - specify that the Green Infrastructure commuted sum will contribute towards works to enhance the Witton Park Play Areas; and - remove the requirement for a contribution towards off-site highway works on Stockclough Lane.

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

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

### **53.12 Planning Application 22/0972**

**Applicant** – Amenbury Watermills Ltd

**Location and Proposed Development** – Star Paper Mill (former Sappi Site) Livesey Branch Road Blackburn BB2 5FD.

Variation of Legal Agreement/S106 for Variation to S106 Agreement pursuant to planning application 10/18/0317 to: - Amend schedule 6 paragraph 1.3.2 to allow the developer a further 2 years to complete the spine road construction by December 2024.

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

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

### **54 Petition**

Members were informed of the receipt of a petition objecting to a full planning application for "Change of use from residential dwelling to non-residential educational facility (Use Class F1) as a Madressa at 40 Leach Street, Blackburn BB2 3SE" (ref: 10/22/0933).

The application was submitted by Mr Shazad Ali.

The planning application – reference 10/22/0933 - was received by the Local Planning Authority (LPA) on 29th September 2022. 22 neighbourhood letters of consultation were sent on 5th October 2022 and site notices were displayed. The statutory 21 day consultation period expired on 11th November 2022. 2.2 The Petition was received by the LPA on 26th October 2022. It

contained 73 signatures, from residents local to the application site. In summary, the petition objected to the application on the grounds of increased traffic, congestion, lack of dropping off points, lack of off-street parking, children's safety and other pedestrians and general hazards generated by additional footfall. The petition was appended to the report.

Members were advised that assessment of the planning application was ongoing and that all material matters that must be considered in the decision making process will be addressed. These included highway and noise / nuisance and safety impacts arising from the proposed use, though assessment was not necessarily limited to these issues. An officer recommendation would be available in due course. 2 2.5 The statutory 8 week determination period expired 30th November 2022, determination may, however, fall outside of this timescale. If so, an extension of time could be mutually agreed.

**RESOLVED** - That the petition be noted by Members and that the lead petitioner be informed of any decision taken, including the outcome of the current planning application.

## **55**      **Petition**

Members were informed of the receipt of a petition objecting to a planning application for full planning permission for "Change of use existing vacant former working men's club into mix use including restaurant, functions, wedding hall and conference centre including insertion of extractor flues, at Former Cob Wall Working Mens Club, Daisy Lane, Blackburn", reference: (10/22/0888).

The application was submitted by Mr Ahmed W A Begum.

The planning application – reference 10/22/0888 - was received by the Local Planning Authority (LPA) on 8 th September 2022. 5 neighbourhood letters of consultation were sent on 16th August 2022. Consultation was otherwise carried out by display of site notices. The statutory 21 day consultation period expired 11th October 2022. It should, however, be recognised that comments could be received beyond this date

The Petition was received by the LPA on 26th October 2022. It contained 112 signatures, from residents of St Albans Court, St Michaels Court and Trinity Court. The petition objected to the application on the grounds of 'parking, excessive noise of cars, and disruption to the peace and quality of life'. Access for emergency services at the stated addresses is also referenced as a concern, due to the demographic of the resident population, who are all stated as being over the age of 50. The petition was appended to the report.

Member's were advised that assessment of the planning application was ongoing and that all material matters that must be considered in the decision making process would be addressed. These included highway and noise / nuisance impacts arising from the proposed use. In this context, the LPA currently awaited submission of Transport and Noises Assessments. Assessment was not necessarily limited to these issues. An officer

recommendation would be available in due course. 2.5 The statutory 8 week determination period expired on 4th November 2022. Determination would however, fall outside of this timescale due to the LPA awaiting receipt from the applicant of the aforementioned assessments and the need for these to be peer reviewed. An extension of time would be mutually agreed.

**RESOLVED** – That the petition be noted by Members and that the lead petitioner be informed of any decision taken, including the outcome of the current planning application.

Signed: .....

Date: .....

Chair of the meeting  
at which the minutes were confirmed