

PLANNING AND HIGHWAYS COMMITTEE
Thursday, 18 April 2024

PRESENT – Councillors, David Smith (Chair), Casey, Khan Z, Slater Jacq, Marrow, Imtiaz, Mahmood, McCaughran, Jackson, Patel S, Khonat and Shorrocks.

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

RESOLUTIONS

78 **Welcome and Apologies**

The Chair welcomed everyone to the meeting.

Apologies were received from Cllr Jon Baldwin.

79 **Minutes of the Previous Meeting**

RESOLVED – That the minutes of the previous meeting held on 21st March 2024 be approved and signed as a correct record.

80 **Declaration of Interest**

RESOLVED – There were no Declarations of Interest received.

81 **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.

81.1 **Planning Application 23/0595**

Applicant – KMWS Kokni Muslim Welfare Society

Location and Proposed Development – Land at Ash Street, Blackburn, BB1 6LX

Full Planning Application for Erection of new community and funeral centre comprising community hall, mortuary, and ancillary facilities (Use Class F2, (b))

Decision under Town and Country Planning Acts and Regulations –

RESOLVED – Approved subject to the conditions highlighted in the Directors Report.

81.2 Planning Application 23/1096

Applicant – Blackburn with Darwen Borough Council

Location and Proposed Development – Roe Lee Park Primary School, Emerald Avenue, Blackburn, BB1 9RP

Full Planning Application (Regulation 3) for Replacement of existing 1m high wrought iron fence with a 1.8m mesh panel fencing including 1 No. singular pedestrian gate and 1 No double pedestrian gate.

Decision under Town and Country Planning Acts and Regulations –

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

81.3 Planning Application 24/0069

Applicant – Mr Sergio Arnone

Location and Proposed Development – Newlands, 61 Manor Road, Darwen, BB3 2SN

Full Planning Application (Retrospective) for Change of use of land to residential garden (C3) (retrospective)

Decision under Town and Country Planning Acts and Regulations –

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

81.4 Planning Application 24/0219

Deferred

Applicant – Blackburn with Darwen Borough Council

Location and Proposed Development – Land at Cathedral Square, Blackburn, BB1 1FB

Full Planning Application (Regulation 3) for Relocation of free-standing bronze statue of Barbara Castle from Jubilee Square to the land on Cathedral Square

Decision under Town and Country Planning Acts and Regulations –

RESOLVED – That the application be deferred.

81.5 Planning Application 24/0232

Applicant – Mr Sajid Patel

Location and Proposed Development – The Grand Venue, Unit 2 Harrison Street Trade Parks, Harrison Street, Blackburn, BB2 2JE

Removal of Condition / Minor Material Amendment: Removal of condition 2 "temporary permission" pursuant to planning application 10/21/1320 to allow permanent opening between the hours of 11:00 to 23:00 (retrospective).

Decision under Town and Country Planning Acts and Regulations –

RESOLVED – Approved subject to the conditions highlighted in the Director's Report and the variation/addition in the update report:

10. The submitted amended 'Noise Management Plan' produced by Miller Goodhall, dated 19th January 2022 (Version 2), shall be implemented with immediate effect, and retained for the duration of the approved operational use.

REASON: To safeguard the amenities of nearby residential premises and the area generally in accordance with Policy DM02 of the Blackburn with Darwen Borough Local Plan 2021 - 2037.

81.6 Planning Application 24/0259 & 24/0261

Applicant – Blackburn with Darwen Borough Council

Location and Proposed Development – Imperial Mill, Gorse Street, Blackburn, BB1 3EU

Full Planning Permission and Listed Building Consent: Works to Imperial Mill to solely consist of the demolition of the boiler house, engine room extension, masonry annex and steel structure.

Decision under Town and Country Planning Acts and Regulations –

RESOLVED – Approved subject to the conditions highlighted in the Directors Report and the Update Report:

The recommended condition for the Full Planning Application as referred to in paragraph in 5.1.6, and for the Listed Building Consent application as referred to in paragraph 5.2.3, is proposed to be amended to the following:

The applicant, or their agent or successors in title, shall secure the implementation of a programme of building recording, analysis and reporting work in accordance with the Rocket Heritage & Archaeology's, Written Scheme of Investigation: Level 2 Building Recording (April 2024), received on the 9th April 2024. The programme of works in particular must be in accordance with Section 8 "Methodology", Section 9 "Reporting", Section 10 "Publication and Dissemination", Section 11 "Archival", and Section 15 "Monitoring", of the submitted Written Scheme of Investigation, and should comprise the creation of a Level 1-2 record as set out in "Understanding Historic Buildings" (Historic England 2016). The work must be undertaken by an appropriately qualified and experienced professional contractor to the standards and guidance of the Chartered Institute for Archaeologists. A copy

of this record shall be submitted to the Local Planning Authority and the Lancashire Historic Environment Record.

REASON: In order to ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site and to comply with the requirements of Policies CP7 and DM26 of the Blackburn with Darwen Borough Council Local Plan 2021-2037.

With regards to the comments received by the relating to the Full Planning Application 10/24/0259, it is recommended that the proposed condition as referred to in paragraph 5.1.4 of the main report, be amended to include the criteria set out in the Trust's response. The revised condition is as follows:

No development/demolition shall commence on site unless and until, a Demolition/Construction Environmental Method Statement has first been submitted to and approved in writing by the Local Planning Authority, which shall provide for but not be exclusively limited to the following:

- a) The parking of vehicles of site operatives and visitors;
- b) The loading and unloading of plant and materials;
- c) A plan showing the siting of temporary protective fencing to be erected to prevent plant, machinery or material being stored or tracking to close to the canal embankment.
- d) A plan showing the areas of storage of plant, scaffolding, fuel/chemicals and stockpiles, and operational cranes, where relevant.
- e) Measures to control the emissions of dust and dirt, where relevant;
- f) Measures to control noise and vibrations, where relevant;
- g) Details of wheel washing facilities, where relevant;
- h) Details of the environmental pollution incident emergency response;
- i) Method statement relating to the demolition, in particular dealing with the asbestos;
- j) A scheme for the recycling/disposing of waste;
- k) Details of any required security hoardings;
- l) Details of the location of temporary stockpiles and the covering of these;
- m) Details setting out how dust and debris would be contained within the site boundary;
- n) Details of the type, position and height of any required external lighting where relevant;
- o) A compound plan showing the location/arrangement of the above provisions; p) Details specifying how the waterway corridor and its users would be protected during the works and include any details of proposed protective fencing/netting to be erected to safeguard the waterway infrastructure during site clearance, and
- q) An assessment of the vehicle movements generated as a consequence of the materials taken on/off site (for demolition), together with a programme/duration of works and routes into and out of the site.

The development shall thereafter be implemented in strict accordance with all of the measures detailed within the approved Demolition/Construction Method Statement.

REASON: In order to control the logistics of the demolition/construction phase, in the interests of residential amenity and highway safety, together with safeguarding the stability of the Canal embankment, and to comply with the

requirements of Policy DM2 of the Blackburn With Darwen Borough Local Plan 2021-2037.

In addition to the demolition works to comply with the submitted Written Scheme of Investigation as referred to above and assessed by LCC Archaeology, it is also considered prudent to impose a further condition to the Full Planning and Listed Building Consent applications to address the concerns raised by Historic England in relation to a methodology statement to provide a scheme to salvage some elements of the former boiler house to be retained where practicable. As such, the proposed condition is as follows:

No development/demolition shall commence on site unless and until, a Methodology Statement relating to precise works of demolition has first been submitted to and approved in writing by the Local Planning Authority, which shall provide for but not be exclusively limited to the following:

- As far as possible, columns and the louvres associated with the former boiler house, will be retained and stored in a safe place.

The works shall be undertaken in accordance with the agreed scheme.

REASON: In order to ensure and retain the elements of the structures of historical importance associated with the site and to comply with the requirements of Policies CP7 and DM26 of the Blackburn with Darwen Borough Council Local Plan 2021-2037.

82 Proposed Stopping Up of part Blakey Moor o/s 11-19 to facilitate disabled access ramp provision to new building

A report was submitted to seek approval to progress an Order for the Stopping Up of a small section of highway at Blakey Moor, Blackburn which was required to facilitate disabled access ramp provision to a new building. Members were requested to authorise the Deputy Director, Legal & Governance to progress the necessary legal order and to apply to the Magistrates' Court to confirm the stopping ups.

RESOLVED – That the proposed stopping up be approved and authorise the Deputy Director, Legal & Governance to progress the necessary legal order and to apply to the Magistrates' Court to confirm the stopping ups.

83 Traffic Regulation Order (TRO)

A report was submitted to advise the Committee of the receipt of one letter of objection to the proposed Traffic Regulation Order (TRO) to support new Electric Vehicle parking bays.

Following the Executive Member decision to authorise the advertising of the proposed TRO for the Blackburn with Darwen Electric Vehicle Charge Point - Parking Places (Pilot 1) on Lambeth St. Blackburn, Pringle St. Blackburn and Progress St. Darwen, a press advertisement was arranged, and the site notices displayed.

One letter of objection to the proposed TRO was received from a resident who lived on Progress St., Darwen. There have been no other objections received.

RESOLVED – That the report be noted and for offices to continue with the Traffic Regulation Order.

84 Enforcement

A report was submitted to obtain authorisation for enforcement action against all persons having an interest in the land at 7 Ingleby Close, Blackburn. Background information including grounds for the request were outlined in the report.

RESOLVED – Authorisation was granted for the enforcement to be undertaken at 7 Ingleby Close, Blackburn.

Signed:

Date:

Chair of the meeting
at which the minutes were confirmed