

PLANNING AND HIGHWAYS COMMITTEE
Thursday, 15 November 2018

PRESENT – Councillors: Smith (in the Chair), Akhtar, Brookfield (substitute for Khan), Casey, Daley, Davies, Jan-Virmani, Khonat, Marrow (substitute for Hardman) Oates, Richards, Riley and Slater Ja.

OFFICERS - Gavin Prescott (Development Manager), Rabia Saghir and Safina Alam (Highways), Lorraine Mellodey (Capita), Paul Withington (Capita) and Firoza Hafeji (Democratic Services).

RESOLUTIONS

38 **Welcome and Apologies**

The Chair welcomed everyone to the meeting. Apologies were received from Councillors Hardman and Khan.

39 **Minutes of the Previous Meeting**

RESOLVED – That the minutes of the last meeting held on 18th October 2018 be confirmed and signed as a correct record.

40 **Declaration of Interest**

RESOLVED – There were no Declarations of Interest received.

41 **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.

RESOLVED – That the following decisions be made on the applications:

42 **Planning Application 10-18-0154**

Applicant – Mr Matthew Garnett

Proposed Development – Full Planning Application for construction of a stable block for up to 6 horses with storage and tack room. Menage area and timber boundary fence (resubmission of 10/15/0912).

Decision under Town and Country Planning Acts and Regulations – Approved subject to the conditions highlighted in the Director’s Report.

43 **Planning Application 10-18-0290**

Applicant – Blackburn Waterside Regeneration Ltd

Proposed Development – Reserved Matters application (access within the site, landscape, layout, appearance, scale) pursuant to outline application 10/15/0496 for Phase 1a comprising of 95 dwellings and associated infrastructure.

Decision under Town and Country Planning Acts and Regulations – Approved subject to the conditions highlighted in the Director’s Report.

44 **Planning Application 10-18-0317**

Applicant – Blackburn Waterside Regeneration Ltd

Proposed Development – Variation of conditions 2, 6, 14, 15, 16, 18, 19, 22, 29, 32, 33, 36, 37, 38, 40, 41, 43 and 44 pursuant to planning application 10/15/0496 relating to outline planning permission with all matters reserved save for access for a mixed use development of a maximum if the following: 500 dwellings, 3,224m² of B1a employment use, 9,192m² of B1c employment use, 333m² of A1 commercial use, 1,110m² community building, structural planting and landscaping, informal open space and associated ancillary works, to facilitate a phased development.

Decision under Town and Country Planning Acts and Regulations – Approved subject to all conditions imposed upon the extant permission 10/15/0496 being reapplied and amending the conditions in line with the details set out in section 3.5 of the Director’s Report.

45 **Planning Application 10-18-0740**

Applicant – Blackburn Waterside Regeneration Ltd

Proposed Development – Variation of Legal Agreement / S106 for Variation to Section 106 Planning Obligation for Planning Application 10/15/0496.

Decision under Town and Country Planning Acts and Regulations – Approved the variation of the S106 Agreement pursuant to Planning Application 10/15/0496, which now included a revised commuted sum payment and a clause relating to the Developer constructing a spine road as highlighted in the Director’s Report.

46 **Planning Application 10-18-0963**

Applicant – Blackburn with Darwen Borough Council

Proposed Development – Full Planning Application for refurbishment of two existing AGPs (Artificial Grass Pitches) with replacement artificial grass pitch surfaces, floodlights, ball stop fencing and hard standing areas.

Decision under Town and Country Planning Acts and Regulations – Approved subject to the conditions highlighted in the Director’s Report and additional condition in the Update Report.

47 **Diversion of Public Footpath**

A report was submitted seeking approval for a public path order under the Highways Act 1980, Section 119 to divert part of public footpath 209 Darwen, around Jacks Key reservoir. In summarising the report the PROW Officer highlighted that the affected Ward should have read Darwen South.

The Committee was advised that on 3rd May 2016 an application to divert a section of footpath 209 was received. The applicant had advised that the existing route across the earth dam had become partially unsafe.

A consultation has been undertaken with a range of users and interest groups in the area and no objections had been received.

The Committee was informed that the cost of the new path would be met by the Applicant.

RESOLVED – That the Public Path Order be approved.

48 **Diversion of Public Footpath**

A report was submitted seeking approval for a public path order under the Highways Act 1980, Section 119 to divert part of public footpath 1 Livesey at the entrance of the development from Livesey Branch Road in Blackburn.

The Committee was informed that following the erection of 167 residential units with associated vehicular access and car parking, the alignment of the public footpath had been impacted.

The Committee was advised that on 2nd January 2017 an application to divert a section of footpath 209 was received.

RESOLVED – That the Public Path Order be approved.

49 **Petition**

A report was submitted to advise the Committee of the receipt of a petition from residents of Brookfield Street, Blackburn regarding their request to make Brookfield Street One Way from Whalley Street down to its junction with Carr Street.

The petition was received on 30th May 2018 and contained 27 signatories.

The grounds of the petition were highlighted in the Director's Report.

RESOLVED –

- 1) That the Committee support the Officer recommendations that the request for the introduction of a one-way system on Brookfield Street is rejected; and
- 2) That Lead Petitioner be informed of the decision

50 **Objection Report**

With the agreement of the Committee, this item was withdrawn from the Agenda.

51 Exclusion of the Press and Public

RESOLVED – That the press and public be excluded from the meeting during consideration of the following item in view of the fact that the business to be transacted is exempt by virtue of paragraph 5 of Schedule 12A to the Local Government Act 1972.

52 Enforcement Report

A report was submitted seeking authorisation to take enforcement action against all persons having an interest in land at the east side of Bennington Street, Blackburn as outlined in the location plan contained within the Director’s Report.

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

RESOLVED - That authorisation be given to the proposed enforcement action.

Signed:

Date:

Chair of the meeting
at which the minutes were confirmed