

PLANNING AND HIGHWAYS COMMITTEE
Thursday, 20 June 2019

PRESENT – Councillors: Smith (Chair), Akhtar, Brookfield (substitute for Khonat), Casey, Davies (substitute for Browne), Hardman, Hussain, Jan-Virmani, Khan, Oates, Riley, Slater J, Slater N (substitute for Pearson).

OFFICERS - Gavin Prescott (Development Manager), Michael Green (Legal), Safina Alam (Highways) and Wendy Bridson (Democratic Services).

RESOLUTIONS

99 **Welcome and Apologies**

The Chair welcomed everyone to the meeting.

Apologies were received from Councillors Browne, Khonat and Pearson.

100 **Declaration of Interest**

Councillor Dave Smith declared an interest in agenda item 4.4 (planning application 10/19/0113) due to knowing the applicant and several of the objectors on a personal basis.

Councillor Stephanie Brookfield also declared an interest in agenda item 4.4 (planning application 10/19/0113) due to being Ward Councillor and having objected to the application.

Both Councillors left the room prior to discussion and determination of the item.

101 **Minutes of the Previous Meeting**

RESOLVED – That the minutes of the previous meeting held on 29th May 2019 be confirmed and signed as a correct record.

102 **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.

103 **Planning Application 10/18/1153**

Speakers – Rob Mackenzie (Agent), and Clare Starbuck (Objector)

Applicant – Ms G Lomax

Location and Proposed Development – Land adjoining Moorthorpe Cottage, Park Road, Darwen, BB3 2LQ

Outline planning application with all matters reserved except for access and layout; for erection of 9 dwellings with detached garages.

Decision under Town and Country Planning Acts and Regulations –

RESOLVED – Members were minded to refuse the application against Officer Recommendation for the following reason:

The proposal consisting of 9 dwellings and associated highway infrastructure in addition to the previously approved dwelling under planning application 10/16/1349, is considered to represent a scale of development that was disproportionately large, taking into account the local context, and transition with the countryside area. This was considered contrary to the requirements of Policy 28 of the Local Plan Part 2, which set out that residential development in the “Long Clough” allocation (28/10), shall be “very small scale, in the immediate vicinity of the existing dwelling” (Moorthorpe Cottage), ensuring “no loss of trees”.

104 Planning Application 10/19/0289

Speakers – Matthew Jackson (Applicant) and Councillor John Slater (Ward Councillor, seeking deferral)

Applicant – M Jackson

Location and Proposed Development – Hindle Arms, 18 Rakes Bridge, Blackburn, BB3 0QH

Full Planning Application for Change of use from public house to 7 apartments including parking and landscaping of the site and installation of roof lights to front and rear elevation.

Decision under Town and Country Planning Acts and Regulations –

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

105 Planning Application 10/18/0959

Applicant – Mr Sajid Patel

Location and Proposed Development – The Grand Venue, Harrison Street, Blackburn, BB2 2JN

Variation of Condition No. 5 pursuant to planning application 10/16/1208 – to amend the opening hours to Monday – Sunday 11:00 – 23:00.

Decision under Town and Country Planning Acts and Regulations –

RESOLVED - Approved subject to the conditions highlighted in the Director’s report. Members also noted the amendment to paragraph 2.5 in the Director’s report which was highlighted in the Update report.

106 Planning Application 10/18/1116

Speakers – Phil Robinson (Agent) and Councillor John Pearson (Ward Councillor, Objector)

Applicant – Pleasington Lakes Regeneration Ltd

Location and Proposed Development – Brokenstone Road, Blackburn, BB3 0LL

Full Planning Application/Outline Planning Application for Hybrid planning application seeking full planning permission for remediation and means of access, along with outline planning permission (with all matters reserved except access) for redevelopment of the site to include over 28ha of open space, paddocks and landscaping and up to 450 residential units (use class C3), along with any ancillary parking, amenity, and all other associated public, semi public and private realm, soft/hard landscaping, infrastructure and highway works, access and a new internal road network connecting with the existing road network.

Decision under Town and Country Planning Acts and Regulations –

RESOLVED – Approved subject to the conditions set out in the Director's report. The Committee noted the additional objection highlighted in the Update report and also that S106 negotiations had now been completed.

Should the S106 agreement not be completed within 6 months of the date of this resolution, the Head of Service for Planning will have delegated powers to refuse this application.

107 Planning Application 10/19/0113

Councillor Smith and Councillor Brookfield left the room during discussion and deliberation of this item. Councillor Akhtar was in the Chair.

Speaker – Russell Woods (Agent)

Applicant – Mr A Shorrocks

Location and Proposed Development – Land at Fountain Street, Darwen, BB3 2NL

Full Planning Application for Construction of 10 no.semi-detached dwellings.

Decision under Town and Country Planning Acts and Regulations –

RESOLVED – Approved subject to the conditions set out in the Director's report and Section 106 Agreement relating to the provision of off-site affordable housing and off-site Green Infrastructure. The additional representation set out in the Update report was noted.

Should the Section 106 agreement not be completed within 6 months of the date of the planning application being received, the Director of Growth and Development will have delegated powers to refuse this application.

108 Petition Report relating to Planning Application 10/19/0443

A report was submitted informing the Committee of the receipt of two petitions relating to Planning Application 10/19/0443, the grounds for which were outlined in the report submitted.

Two petitions containing 21 signatures against the proposal were received on 2nd June 2019.

The Committee was advised that the application had not yet been determined.

RESOLVED – That the Committee note the receipt of the petitions.

109 Five Year Housing Supply Statement 1st April 2019 - 31st March 2024

Members were presented with an update on the recently published five year housing supply statement 1st April 2019 – 31st March 2024, which had been revised in February of this year.

In line with the National Planning Policy Framework (NPPF) (2019), the Local Authority were required to identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing.

The Five Year Housing Supply Statement 1st April 2019 – 31st March 2024 replaced the June 2018 Housing Land Supply Position Statement and had been published on the Council's website on 5th June 2019.

Members were informed that the Local Housing Need figure using the 2014 based household growth projections along with the updated house-price to earnings affordability data resulted in the Council having a local housing need figure of 157 dwelling per annum.

Further to this, Paragraph 73(a) of the NPPF stated that there should be at least a 5% buffer on top of the 5 year housing requirement. Members were advised that the level of the buffer was now determined through the Housing Delivery Test, the result of which identified that Blackburn with Darwen delivered 72% of the housing requirement in 2018. As this was below the NPPF's housing requirement of 85%, Blackburn with Darwen Borough Council were required to include a 20% buffer to its' five year housing land supply position. Table 2 within the report identified that the Council's five year local housing need was 942 dwellings which equated to 188 dwellings per annum.

Table 3 of the report summarised that the Council had a 9.9 year supply of deliverable housing over the period of 2019-2024, based on an annual requirement of 188 dwellings.

RESOLVED – That the Committee note the content of the report.

110 Developer Contributions Annual Report 2017/18

Members were presented with an update on the Developer Contributions Annual Report 2017/18 for Blackburn with Darwen Borough Council, which had been published on the 4th June 2019 on the Councils' website. The Committee heard that all local planning authorities were required to publish their developer contributions data on a regular basis.

Members were informed that as at 31st March 2018, there was a net total of £686,606 in S106 contributions which was available to spend on affordable housing, public open space and highways projects in the Borough.

Appendix A of the report reported on where the contribution monies had been spent over the last 10 years and Appendix B summarised the S106 contributions that had been secured for future years.

RESOLVED – That the Committee note the content of the report.

111 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 Schedule 12A to the Local Government Act 1972.

112 Enforcement Report

A report was submitted seeking authorisation to take enforcement action against all persons having an interest in land at 604 Bolton Road, Blackburn, BB2 4LA.

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

RESOLVED – That authorisation be given to the proposed enforcement action at 604 Bolton Road, Blackburn, BB2 4LA.

113 Enforcement Report

A report was submitted seeking authorisation to take enforcement action against all persons having an interest in land at 7 Mavis Road, Blackburn, BB2 6SW.

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

RESOLVED – That authorisation be given to the proposed enforcement action at 7 Mavis Road, Blackburn, BB2 6SW.

114 Enforcement Report

A report was submitted seeking authorisation to take enforcement action against all persons having an interest in land at EP Properties Ltd, School Lane, Guide, Blackburn, BB1 2HQ.

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

RESOLVED – That authorisation be given to the proposed enforcement action at EP Properties Ltd, School Lane, Guide, Blackburn, BB1 2HQ.

Signed:

Date:

Chair of the meeting
at which the minutes were confirmed