
PLANNING COMMITTEE

Wednesday, 9th October, 2019

Present: Councillor Dave Parkins (Vice-Chair in the Chair), Councillors Judith Addison, Jean Battle, Loraine Cox, Stewart Eaves, Abdul Khan, Patrick McGinley, Bernadette Parkinson, Miles Parkinson OBE, Kath Pratt, Paddy Short and Kate Walsh

Apologies: Councillors Eamonn Higgins, Diane Fielding and Melissa Fisher

Absent: Councillor Stephen Button

136 Apologies for Absence, Substitutions, Declarations of Interest and Dispensations

Apologies for absence were submitted from Councillors Eamonn Higgins (Chair), Diane Fielding and Melissa Fisher.

Councillors Loraine Cox, Bernadette Parkinson and Miles Parkinson acted as substitute representatives for Councillors Fielding, Higgins and Fisher respectively.

Councillor Patrick McGinley declared a personal interest in Agenda Item 3C (Planning Application 11/19/0264: Hyannis, Hindle Fold Lane, Great Harwood, BB6 7PT), as he knew the applicant's neighbour and had submitted some photographs of the area to illustrate the likely impact of the development. However, he had made no pre-determination of this matter and was satisfied that he had an open mind and could speak and vote on the matter.

There were no reported dispensations under this item.

137 Minutes of the Last Meeting

The minutes of the last Planning Committee held on the 10th July 2019, were submitted for approval as a correct record.

Resolved - **That, subject to:**

- (i) the inclusion of the words "Abdul Khan," after "Stewart Eaves," in the details for Apologies set out in the attendance information of the header section and in the first sentence at Minute 53; and**
- (ii) the deletion of the second sentence at Minute 53, namely "There was no apology for absence submitted by Councillor Abdul Khan",**

the Minutes be received and approved as a correct record.

138 Town and Country Planning Act 1990 and Planning (Hazardous Substances) Act 1990- Planning Applications for Determination

The Chief Planning and Transportation Officer submitted a report setting out recommended action on the following applications.

Resolved

- (1) That the following application for hazardous substance consent be approved in accordance with the requirements of the Planning (Hazardous Substances) Act 1990 and the Planning (Hazardous Substances) Regulations 2015, subject to:**
- (i) no objection being raised by the Health and Safety Executive, and**
 - (ii) any conditions recommended by the Health and Safety Executive in their response, and**
 - (iii) appropriate conditions to ensure that the consent is in line with the details in the application, and**
 - (iv) a s.106 agreement under the Town and Country Planning Act being entered into between the applicant and the Council which will contain the following obligations:**
 - a. a list of chemicals that have not been managed at the site for the past 5 years;**
 - b. that the applicant / company will not seek compensation from the Council arising from the revocation of old hazardous substance consents, and**
 - c. that the applicant / company will not oppose the revocation of the old hazardous substance consents.**
 - d. that the applicant will operate the site in accordance with the new consent and not the older hazardous substance consents to be revoked.**

11/19/0159: William Blythe Ltd, Bridge Street, Church, Accrington, Lancs BB5 4PD
Hazardous Substance Consent: Changes to the location and quantity of a number of substances including transport to and from the site and in the site.

Resolved

- (2) That the following planning application be refused for the reasons set out below:**

- (i) The proposed development is in an unattractive, enclosed location on back streets to the rear of terraced properties that is not appropriate as a location for supported living units (Class C2) contrary to Policy DM29 of the Development Management DPD.**
- (ii) The proposed development would give rise to an increase in volume of traffic using a substandard access which would result in an unacceptable impact on highway safety contrary to Policy Env7 of the Hyndburn Core Strategy, Policy DM32 of the Development Management DPD and the provisions of the National Planning Policy Framework.**

11/19/0211: Land Adjacent to Back Owen Street, Accrington
Erection of 6 no supported living (C2) units with associated parking and communal area.

- N.B.
1. Ms Janette Talbot, a local resident, spoke at the Committee in objection to the above planning application and against the Officer's recommendation to approve planning permission.
 2. Mr Peter Hitchen, the applicant's agent, spoke at the Committee in support of the above planning application and in favour of the Officer's recommendation to approve planning permission.
 3. Mr Victor Beardmore, representing a neighbouring business, spoke at the Committee in support of the above planning application and in favour of the Officer's recommendation to approve planning permission.
 4. Milnshaw Ward Councillor Paul Cox spoke at the Committee in objection to the above planning application and against the Officer's recommendation to approve planning permission.
 5. The Chief Planning and Transportation Officer advised Planning Committee that the recent appeal decision on this site formed an important material consideration and that refusal of the planning application may invite an application for an award of costs against the Council should the applicant appeal a second time.

Councillor Abdul Khan declared a personal interest in the following application, as he knew the applicant personally, and took no part in the discussions regarding this case and did not vote.

Resolved (3) That the following planning application be refused for the reasons set out in the report, as follows:

The overall height and scale of the extension would result in the gable end of Hyannis becoming over-bearing and resulting in over-shadowing and a loss of light for a number of hours during the afternoon for the neighbouring property known as the Cobbles to the detriment of their amenity. For this reason the proposed development fails to comply with Policy Env7 of the Hyndburn Core Strategy, Policy DM29 of the Development Management DPD and National Planning Policy Framework.

11/19/0264: Hyannis, Hindle Fold Lane, Great Harwood, BB6 7PT
Erection of 2-storey extension to replace existing garage building with new hipped roof above existing 2-storey front extension (resubmission 11/18/0491).

- N.B. 1. Mr Ian Wilkinson, a local resident, spoke at the Committee in objection to the above planning application and in favour of the Officer's recommendation to refuse planning permission.
2. Councillor Munsif Dad, representing the applicant, spoke at the Committee in support of the above planning application and against the Officer's recommendation to refuse planning permission.

The following item is submitted as urgent business with the Chair's agreement in accordance with Section 100B(4) of the Local Government Act 1972, the reason being to enable to application to be determined as soon as possible in order to meet relevant planning performance targets.

- Resolved** **(4) That the following planning application be approved, subject to:**
- (i) A legal agreement securing the following:**
- £5,750 – Bin provision
 - £15,000 – Public open space
 - £30,000 – Ecology
- (ii) The conditions as per the report, with the exception of condition 9, in respect of which approval be given to the Chief Planning and Transportation Officer to amend the wording as necessary to reflect the fact that the developers intend to use an approved gravel material in accordance with the gravel plan approved under condition 2**

11/19/0141: Land off Miller Fold Avenue, Miller Fold Avenue, Accrington

Major Full: Residential development to create 46 no dwellings (16 x 2 bed and 30 x 3 bed 2 storey buildings)

- N.B. 1. Mr John Neary, Senior Land Manager (Greater Manchester) at Gleeson Homes, spoke at the Committee in support of the above planning application and in favour of the Officer's recommendation to approve planning permission.
2. Spring Hill Ward Councillor Munsif Dad, spoke at the Committee in support of the above planning application and in favour of the Officer's recommendation to approve planning permission. He also requested that consideration be given to the inclusion of a zebra crossing on Willows Lane as a condition.

The following item is submitted as urgent business with the Chair's agreement in accordance with Section 100B(4) of the Local Government Act 1972, the reason being to provide Members with the up to date position with regard to planning appeals lodged.

139 Planning Appeals

The Chief Planning and Transportation Officer submitted a report updating the Committee on planning appeals that have been determined in the Borough and those pending.

A summary of the appeals determined is as follows:

Land at Back Owen Street, Accrington	19 th December 2018	Dismissed
21 Cannon Street, Accrington	8 th April 2019	Dismissed
21 Cannon Street, Accrington	9 th April 2019	Dismissed
Spring View, Great Harwood	9 th April 2019	Allowed
1 Owl Hall, Plantation Road, Accrington	1 st May 2019	Dismissed
59 Plantation Street, Accrington	13 th May 2019	Dismissed
Land at Kirkhams Garage, Oswaldtwistle	15 th May 2019	Dismissed
11 Church Street, Great Harwood	19 th July 2019	Dismissed

The following appeals are pending:

- Black Abbey Street;
- Devine Fisheries;
- Smithacres, Baxenden.

Resolved - To note the update report on Planning Appeals.

Signed:.....

Date:

Chair of the meeting
At which the minutes were confirmed