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# PLANNING COMMITTEE

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**Wednesday, 19th February, 2025**

**Present:** Councillor Dave Parkins (in the Chair), Councillors Joyce Plummer, Heather Anderson, Loraine Cox, Clare Pritchard, Ethan Rawcliffe, Bernard Dawson MBE (Vice Chair), Judith Addison, Peter Edwards, Scott Brerton, Bernard Dawson and Zak Khan

**Apologies:** Councillors Kath Pratt

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**331 Apologies for Absence, Substitutions, Declarations of Interest and Dispensations**

Apologies were submitted by Councillor Kathleen Pratt with Councillor Zak Khan substituting.

**332 Minutes of the Last Meeting**

The minutes for the last Planning Committee held on the 13<sup>th</sup> of November 2024 were submitted for approval as a correct record.

**Resolved – That the minutes be received and approved as a correct record.**

**333 Town and Country Planning Act 1990- Planning Applications for Determination**

The Head of Planning and Transportation submitted reports setting out recommended action on the following Planning applications.

**a 11/24/0498 - 148 Richmond Road, Accrington, Lancashire, BB5 0JN**

Mr Adam Birkett Head of Planning and Transportation presented the report to the committee.

The application related to the erection of an outbuilding (referred to as a 'winter room' within the application) to the front of a two storey semi-detached property located on Richmond Road, Accrington.

Mr Birkett gave a description of the proposed building which comprised of the following details: The building would measure approximately 5.4m x 2.6m, with a maximum height of 2.5m. The outbuilding would be topped with a flat roof. The elevations of the building would be finished with a render to match the main house, with the rear elevation proposed to feature a black composite door and a white uPVC window.

Mr Birkett informed the committee that the base of the outbuilding had already been laid.

No Objections had been received from Lancashire County Council Highways Team or Neighbouring Properties.

No consultation response was received from Hyndburn Borough Councils Environmental Health Team.

The application was recommended for refusal by officers due to; the proposal resulting in a poorly designed and incongruous form of development that fails to respond positively to, or enhance the immediate context, or being of detriment to the visual amenity of the area contrary to Policy DM26 of the Hyndburn Development Management Plan

Document, Policy Env6 of the Hyndburn Core Strategy, Design Guidance 14 of the Householder Design Guide SPD and National Planning Policy Framework.

Members of the committee discussed the application and gave consideration to the points raised by the applicant as to the purpose of the outbuilding.

While the committee emphasised the need to follow officer guidance and for applications to be in accordance with planning policy they also considered the extenuating circumstances facing the family in question and the impact refusing the application would have on the lives of the children which the application proposes to support.

**Resolved – The committee went against officer recommendations and voted to Approve the application with delegated authority given to the Head of Planning and Transportation to impose appropriate conditions.**

N.B – 1. Tariq Hussain – Spoke in favour of the application.

- Emphasised the purpose of the outbuilding as a solution to his child accessing education in a calm and stimulating space free of the challenges posed by standard schooling.
- Gave details of the health conditions which impact his child accessing traditional learning.
- Explained that the outbuilding is a financially viable solution to the family's challenges in ensuring their child receives the educational support needed.
- Informed that considerations have been made to minimise disruption to neighbouring properties and the gradient of the property reduces the visibility of the proposed site from the road.
- Stated that they are prepared to remove the outbuilding should circumstances change and it is no longer needed.

2. Councillor Munsif Dad BEM JP – Spoke in favour of the application.

- Supported the statement from Mr Hussain in regards to the position of the outbuilding in relation to the highway and its reduced visibility due to the site sloping downwards towards the house.
- Emphasised that the building would be a great help to the family who are currently struggling to meet their child's educational needs while trying to reduce the risk to the child's existing health conditions.

**b 11/24/0502 - 19 Pendle View, Burnley Road, Altham, BB5 5UY**

Mr Adam Birkett Head of Planning and Transportation presented the report to the committee.

The application set out a change of use from a Dwelling house (C3) to a residential children's care home (C2) for the accommodation of 2 children with 1 sleep in staff member.

No external changes to the building or to the external areas were presented and the 2 existing car parking spaces retained.

Objections had been received from 7 neighbouring properties along with Altham Parish Council.

Hyndburn Borough Council's Environmental Health Team recommended to refuse the application due to the high volume of noise complaints received from premises which would identify as planning use class C2.

Lancashire County Council Highways and the Senior Commissioning Manager raised no objections.

The application was recommended for approval subject to the conditions listed in the report.

The members of the committee discussed the application and noted the proposed property as a semi-detached house. Members considered the impact of the home on the attached neighbour in reference to the existing complaints received by the Environmental Health team.

The committee emphasised that they have always made decisions that they felt were right for Hyndburn and while they understand the importance of having these homes they needed to be in appropriate properties in appropriate areas.

**Resolved – Members voted against the officer recommendation and Refused the application due to:**

- 1) the property's changed character and intensity of use, specifically; the increased likelihood of noise and disturbance arising from the comings and goings of vehicles; intensified levels of activity including movement of staff and visits by healthcare practitioners/other support services, having an unacceptable impact on the residential amenity of neighbouring dwellings, and
- 2) the property's location on a busy main road, resulting in an unacceptable risk to the resident(s) of the care home,

**With delegated authority given to the Head of Planning and Transportation to finalise the wording of the reasons for refusal.**

N.B 1. Altham Parish Councillor Rennie Pinder – Spoke against the application.

- As per the report there are already 2 operational children's care homes under 1 mile away from the site. Stated that this changes the character of the area especially considering the lack of local children being placed in these homes.
- Notes that other children's homes in Hyndburn have already been highlighted to the Environmental Health Team due to noise disturbances.
- Explained that while Lancashire County Council Highways may have no objections, speed surveys conducted by Altham Parish Council show a max speed recorded on 55MPH on a 40MPH road. Showcasing the dangers of the location.

2. Janice Ralph – Spoke against the application.

- As a neighbouring resident stated that the properties themselves have very thin walls which allow for the travel of noise to enter into the attached property.
- Doesn't agree that the model replicates that of a family situation.
- States that the majority of residents have lived in these properties for 20+ years and the introduction of the care home would dramatically change the profile of the area.

**c 11/24/0499 - The Hollins, Hollins Lane, Accrington, BB5 2QY**

Mr Adam Birkett Head of Planning and Transportation presented the report to the committee.

The application presented a Proposed Lighting Installation to an Existing Hard-Surfaced Sports Court/Pitch located at the Hollins, Hollins Lane, Accrington, BB5 2QY.

The application proposed 6, 10 metre high lighting columns, with 14 lights in total. The 4 corner columns will each have 2 lights at the top, and the 2 central columns will each have 3 lights at the top. The lighting design was included with the report.

11 Objections have been received by neighbours.

No objections had been received by Lancashire County Council Highways or Hyndburn Borough Councils Environmental Health Team or the Ecology Advisor.

The application was recommended for approval subject to the conditions laid out in the report by officers.

Members discussed the application and commented on the existing use of the site. Most members agreed that the cut off time of 10pm was too late and agreed that 8 or 9 pm would be more appropriate.

The committee commented that activities which promote health and wellbeing are important and that having another site where these forms of activities can be carried out is a positive addition to the area.

Members of the committee were uncertain on the profile of the site and how visible the lights would be to the neighbouring residents.

**Resolved – Members moved to defer the application pending a site visit.**

N.B – 1. Stephen Lambert – Spoke against the application.

- Representing the neighbours and resident of Hollins Lane.
- States they are not against the development of the pitch but the impact of the lighting proposed would be the equivalent of having 167 candles on his windowsill when the current view is complete darkness.
- The school regularly holds events which impacts neighbours due to visitors taking up existing parking along Hollins Lane and Royds Avenue. The addition of the lights would mean that this problem would extend even further into the evenings.
- Notes that there are 4 other lit pitches in the neighbouring area and questions the need for another.
- Proposed that early curfews would make residents more amenable. Suggested 8pm during the week and no bank holidays.

**d 11/24/0508 - 316 Willows Lane, Accrington, BB5 0NJ**

Mr Adam Birkett Head of Planning and Transportation presented the report to the committee.

The application set out a change of use from a C3 dwelling house to a C2 residential institution to operate as a children's home for one child aged 8 to 17.

16 Objections had been received from neighbouring residents which were summarised in the report.

A petition was also received bearing 45 signatures.

Lancashire County Councils Senior Commissioning Manager objected to the application, this is included in the report.

Lancashire County Council raised no objections.

Hyndburn Borough Councils Environmental Health Team raised no objections due to the fact that the home was for a singular child and therefore less likely to produce the same amount of noise.

The application was recommended for approval subject to the conditions listed in the report.

Members of the committee considered the similarities to the previous care home application on the agenda and found the proposals similar in both location and property type. Similar to the previous application members of the committee felt that the type of property and the location of the property was not suitable for a children's home due to negative impacts on neighbouring residents and the risk posed by the road.

**Resolved – Members voted against the officer recommendation and Refused the application due to:**

**1) the property's changed character and intensity of use, specifically; the increased likelihood of noise and disturbance arising from the comings and goings of vehicles; intensified levels of activity including movement of staff and visits by healthcare**

**practitioners/other support services, having an unacceptable impact on the residential amenity of neighbouring dwellings, and**

**2) the property's location on a busy main road, resulting in an unacceptable risk to the resident(s) of the care home,**

**With delegated authority given to the Head of Planning and Transportation to finalise the wording of the reasons for refusal.**

N.B 1. Zohel Ali – Spoke against the application.

- Stated that the care home will significantly change the profile of the area.
- As per the report there are already 4 children's care homes under 1 mile away.
- Noted that the backyard of the property is not secure as it backs on to a low fence to St Oswald's School which could easily be scaled. Posing a risk to the child housed in the property and those part of the school.
- Feels that the home is likely to increase anti-social behaviour or increase disturbances on what is a quiet street.
- The road sees frequent accidents every year and this is a concern for residents with children. Additional care needed with a child who is not familiar with the area.

2. Councillor Munsif Dad BEM JP – Spoke against the application.

- Agreed that the road sees quite a few serious accidents which the highways team haven't considered in their feedback.
- Noted that in his time as councillor for this area he had never seen so many signatures on a petition and feels this should be considered due to the volume of residents who are concerned.
- Emphasised the committee's responsibility to be consistent with decisions considering the previous applications refusal for similar reasons.

3. Ahsan Ahrif – Spoke in favour of the application.

- Stated that looked after young people are not violent nor will they be left unattended in the property.
- Staff members are highly trained to handle any outbursts and make the environment as calm and as productive to the child's development as they can.
- All visits will be conducted off site to prevent additional stress on parking.
- 48hr shift rotation will minimise disruption as handovers will likely be during the day when roads are quieter.
- The home will provide a space for 1 child and 2 staff members who will be with the child as they access the community and engage with local resources like schools and social spaces.

### **334 Enforcement Update**

Mr Adam Birkett Head of Planning and Transportation presented the Enforcement Update to the committee.

The report updated members on the work of the Planning Enforcement Service in clearing historic cases and the existing backlog of cases.

Mr Birkett informed the committee that it can take 12-24 months for cases to get decisions if they are appealed.

**Resolved – The committee noted the report.**

### **335 Local List of Validation Requirements for Planning Applications**

Mr Adam Birkett Head of Planning and Transportation presented the Local List of Validation Requirements for Planning Applications to the committee.

Members clarified what documents are currently requested by planning officers and what the national requirements comprised of.

**Resolved – The committee approved by unanimous decision to go ahead with the consultation period of 4 weeks and to delegate authority to the Head of Planning and Transportation to adopt the list with or without modifications following consideration of the public consultation responses.**

Signed:.....

Date: .....

Chair of the meeting  
At which the minutes were confirmed