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## PLANNING COMMITTEE

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**Wednesday, 17th April, 2024**

**Present:** Councillor Judith Addison (in the Chair), Councillors Paul Cox, Bernard Dawson, Susan Hayes, Terry Hurn (Vice Chair), Caroline Montague, Danny Cassidy, Peter Edwards, Kath Pratt, Scott Brerton, Steve Button, Abdul Khan and Dave Parkins

**Apologies:** Councillors

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

There were no apologies for absence, substitutions, declarations of interest or dispensations.

**387 Minutes of the Last Meeting**

The Minutes of the last Planning Committee held on the 20<sup>th</sup> March 2024 were submitted for approval as a correct record.

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

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

**3A. 11/24/0130 – 104 Maden Street, Church, BB5 4JA**

Mr Simon Prideaux, Chief Planning and Transportation Officer presented the report to the Committee.

The application was brought to Committee at a request of Councillor Loraine Cox.

It was an application for a Certificate of Lawful Development for the proposed change of use of a two bedroom mid terrace dwelling house (Use Class C3) to a small HMO for up to 4 single occupants (Use Class C4).

The effect of the application is that the Council is asked to confirm or otherwise whether the proposed change of use would be in accordance with planning law.

The report finds that it would be lawful and as such, Section 192 (2) requires that a certificate be issued.

A petition was received signed by 13 people, however due to the law this cannot be considered.

**Resolved – That the Certificate of Lawful Use be approved.**

**3B. 11/23/0468 – Altham Business Park, Altham Lane, Altham, BB5 5UR**

Mr Adam Birkett, Planning Manager presented the report to the Committee.

An update sheet was issued out at the meeting.

The application was to vary conditions 1, 2, 9 & 12 pursuant of the permission 11/20/0318 for the erection of a B8 (storage and distribution) warehouse and associated works.

The application was submitted under Section 73 of the Town and Country Planning Act 1990, this takes effect as a new, independent permission to carry out development of the same description as previously permitted subject to new or amended conditions. The new permission would sit alongside the original permission, which remains intact and unamended.

The application sought an amendment of a reduction of the footprint of the building to 6,865sqm, revised servicing and car parking arrangements and amendments to the building design and materials.

There was a discussion on the proposed development located in Green Belt however, the economic benefits outweigh the land to remain as is and this is classed as very special circumstances.

Members of Planning Committee spoke in support of the proposed changes, recognising the importance of supporting successful local businesses.

**Resolved – That the application be approved with the conditions set out in the report subject to not being called in by the Secretary of State.**

**And; That delegated authority be given to the Chief Planning and Transportation Officer to modify the wording of the conditions as necessary.**

N.B - 1. Mr Miles Parkinson, Altham Parish Council spoke in favour of the application.  
2. Mr Edward James, Agent spoke in favour of the application.

### **3C. 11/23/0525 – 1 Heys Lane, Great Harwood, BB6 7UA**

Mr Simon Prideaux presented the report to the Committee.

The application was presented to Members due to the number of objections received from the public.

Planning permission was sought for the erection of a drive thru coffee shop (Class E/Sui Generis) to be occupied by Starbucks. The application site is situated across from the Aldi Supermarket Store; the same access will be used from Heys Lane and shared car parking.

A site sequential assessment took place to identify town centre or edge of town centre sites, none of the 18 sites available were suitable for this proposed development and therefore the site sequential test was satisfactorily passed.

An additional condition would be added for the opening hours Monday to Sunday 6am-10pm.

It was agreed that the site is very overgrown and even though the wall will be retained, the height of the wall will be lowered.

Members agreed the site had been vacant for a while so would be happy to endorse this application to improve the area and create employment.

**Resolved – That the application be approved subject to the conditions in the report including the condition regarding opening hours.**

**And; That delegated authority be given to the Chief Transportation Officer to modify the wording of conditions as necessary.**

N.B – 1. Mr Matthew Gray, Associate spoke in favour of the application.

**3D. 11/22/0435 – Frontier Park, Frontier Avenue/Land north of Blackburn Road, Rishton, BB1 3AL**

Mr Adam Birkett presented the report to the Committee.

An update sheet was handed out at the meeting.

Full planning permission was requested for the erection of a new M&S Food retail store with associated car parking, servicing and landscaping at the address above.

The site is located within the wider development of Frontier Park, which includes a number of large employment units as well as roadside services with drive-thru restaurants and coffee shop, and a hotel.

The proposed operator for the unit was announced as M&S, who recently announced the impending closure of their Blackburn town centre store at King William Street.

2 letters of objection had been received.

The application was supported by a Retail Impact Assessment which includes a Sequential test and Impact test.

The Council had sought specialist advice from a retail planning consultant, Urban Agile, to review the assessments. All town centre sites should be looked at first before out of centre sites, the applicant advised there were no alternative sites however, the Council's specialist consultant advised there were 2 suitable sites for this application in Blackburn.

Officers advised the application should be refused due to sequentially preferable sites being available for the proposed development under Policy DM3 of the Hyndburn Development Management DPD and paragraphs 90-95 of the National Planning Policy Framework.

Members discussed the benefits the store would bring to Hyndburn and relocating staff from the Blackburn store.

**Resolved – That the application be approved due to the economic benefits that would arise from this application which would outweigh the outcome of the sequential test.**

**And; That the Chief Planning and Transportation Officer given delegated power to draft conditions for the approval.**

N.B – 1. Mr Miles Parkinson spoke in favour of the application.

- 2. Ms Lynne Scott, M&S spoke in favour of the application.
- 3. Mr Matthew Wyatt spoke in favour of the application.

The Chair thanked the following Councillors whose term was coming to an end, for their service on the committee and wished them good luck in the future, Councillors Susan Hayes, Abdul Khan and Caroline Montague.

Signed:.....

Date: .....

Chair of the meeting  
At which the minutes were confirmed