

## Agenda Item 4

**Barrowford Parish Council**  
**Minutes of a meeting of the General Purposes Committee held at Holmefield House**  
**Gisburn Road Barrowford**  
**On Wednesday, the 5<sup>th</sup> June 2019**

**Present**

Cllr. S, Nike – Chairman in the Chair

Councillors

R. Oliver	K. Turner	A. Stringer	J. Gibson	T. Titchiner
A. Vickerman	M. Waddington	R. Windley		

Four members of the Public attended the meeting in relation to planning applications 19/0274/FUL

1. **Election of Chairman for the year 2019-20:** The Vice Chairman Cllr. Gibson having taken the Chair. It was proposed and seconded that Cllr. Nike be appointed Chairman for the forthcoming year and as there were no other nominations Cllr. Nike was elected unopposed.
2. **Declaration and Acceptance of Office:** Cllr. Nike signed the declaration and took the chair.
3. **Declaration of Interests:** None
4. **Apologies for absence:** Cllrs. A. Stringer, L. Peake, M. Iqbal
5. **Election of Vice Chairman:** Councillor J. Gibson was proposed and seconded as Vice Chairman for the forthcoming year and as there were no other nominations Cllr. Gibson was elected unopposed.
6. **Minutes of the meeting held on the 3rd April 2019:**  
**It was Resolved:** That the minutes of the last meeting held on the 3<sup>rd</sup> April 2019 minutes having been circulated be approved as a correct record.
7. **Planning and Other Matters:**  
Ms. L. Chang who lives in the flat above this application asked to address the meeting and at the Chairman's discretion addressed the Council regarding her concerns regarding the unauthorised change of use.

Number	Description	Comments
19/0274/FUL	Full: Change of use of a shop (A1) to a Bar (A4) and cafe (A3). Invalid - use and fee Unit 1A The Fountains Gisburn Road	<b>Appendix 1</b>
19/0274/FUL	Full: Extend use of a Bar (A4) and cafe (A3) to front outdoor area and extend existing opening hours. Unit 1A The Fountains Gisburn Road	<b>Appendix 1</b>
19/0361/FUL	Full: Conversion and extension of barn to form five dwelling houses. Park Hill Farm Gisburn Road	<b>Deferred to 19<sup>th</sup> June Council Meeting for Council</b>

## Agenda Item 4

	Barrowford.	Comment
19/0306/TPO <b>For Information</b>	Remove one branch and epicormic growth from a Lime Tree to the rear of the property. When the tree is in full leaf it is not symmetrical. 5 Lupton Drive Barrowford Nelson Lancashire BB9 6JT	
19/0387/TCA <b>For Information</b>	Cut back overhanging tree on the boundary of the properties Crowtrees Barn Foreside Barrowford Nelson Lancashire BB9 6AB	

8. **Works Report & Allotment Matters:** A report having previously been circulated; The Clerk reported that he had sent out a further 19 tenancies since the April meeting.  
**It was Resolved:** To note the report.
9. **Allotment Rent Collection Update:** A financial Outturn of rent collected site by site having previously been circulated.  
**It was Resolved:** To note the report.
10. **Report of the Clerk:** The Clerk reported:
- 1) **Devolvement of Services:** Mr Mousdale has contacted the Clerk regarding an invitation to a meeting on the 13<sup>th</sup> June to discuss devolvement of. Services, the Chair and Vice Chairman and the Clerk will be attending. As well as reviewing the existing programme, we would like to hear your views and suggestions on the potential next phase which might include for example the following:
    - Town centre sweeping
    - Local car parks
    - Cemeteries
    - Markets
    - Colne Municipal Hall
    - Sports pitches and playing fields
    - Picnic sites
    - Miscellaneous pieces of land

A report on the meeting will be given at the June Council Meeting.
  - 2) **Car Park:** The mitigations of the Conditions relating to the car park have been approved and will need to be carried out before the Conditions will be finally discharged. The mitigations submitted fall into four categories:
    - i. **Condition 3:** Alterations to the site access/exit radius curves at Lucy Street, H Bars and lining in the existing layby's as shown in the submitted plan. The Clerk has rang LCC on the number provided in the Grant of Permission and has received an email and a form relating to the application of a Section 278 Agreement which is needed before or we carry out the required work the Clerk was informed this may take up to 6 months.
    - ii. **Condition 4:** One way Signage Scheme the Clerk will order the recommended signage this week and install as soon as delivered. The cost of the signage will be approximately £520 + vat.

## **Agenda Item 4**

- iii. **Condition 5:** Layout and construction these have been met as per the condition wording and can be discharged.
- iv. **Condition 6:** Landscaping Scheme, a scheme has been submitted and approved including 8 fruit trees to the northern end of the site. Unfortunately the planting scheme had to include the intended varieties and given the protracted process of the agreement many of the varieties are not available until late 2019 early 2020. The Clerk proposes that the work is carried out when tree varieties are available either this autumn or early spring.

**11. Date & Time of Next Meeting:** To be held at Holmefield House at 7pm on the 4<sup>th</sup> September 2019

## Agenda Item 4

### Appendix 1

- 19/0274/FUL Full: Change of use of a shop (A1) to a Bar (A4) and cafe (A3). Invalid - use and fee Unit 1A The Fountains Gisburn Road.
- 19/0274/FUL Full: Extend use of a Bar (A4) and cafe (A3) to front outdoor area and extend existing opening hours. Unit 1A The Fountains Gisburn Road

Members of the public including residents of the flats above the shops at the Fountains attended Barrowford Parish Councils GP Meeting on the 5<sup>th</sup> June and their spokesperson highlighted several serious concerns regarding the unauthorised change of use of Unit 1a The Fountains and its adverse impact on their residential amenity. The main concerns are:

1. Inadequate internal noise filtering through the ceiling, especially after 11pm.
2. Smells from the newly installed kitchen which is exacerbated by the fire door being opened and left open in close proximity of the entrance to the flats.
3. This outward opening fire door opens across a footway used by flat owners and is currently solid giving no visual clue to either the footpath user or person inside when it is safe to open the door. Near accidents have occurred when the door has been opened into the path of a resident and presents health and safety issues.
4. Seating being provided outside to the front of the premises which are used until closing time causing noise nuisance in the above flats.
5. Taxi nuisance to the frontage at closing time, and general parking problems caused by patrons parking on the grassed area to the side and parking overnight in the reserved parking bays in the rear car park.
6. The use of the front entrance and side fire escape as delivery points including kegs of beer.

Unit 1A previously formed half of the original Unit 1 and was previously used as a self-contained Spar Shop with a defined service area to the rear located in the car park. Planning permission was obtained to divide this large unit into two smaller retail units, but at the time no change of use was mentioned.

The division was carried out and the property let. The subsequent internal alterations made by the applicant preclude the creation or use of an existing service entrance/exit onto the car park to service both the kitchen and bar area. The removal of all suspended ceilings and wall claddings have reduced the sound barrier to the flats upstairs and have left a cavernous space with hard surfaces and floors that do not either deaden or absorb the noise generated by a crowded low ceilinged room. The use of the outside area under the canopy was not part of the unit's former use.

If a Change of Use had been applied for prior to conversion, then the current format and layout would not have been supported by Barrowford Parish Council. Problems that have arisen, particularly to the flats above, from this unauthorised use, must not be ignored when considering this application. The conditions applied to the Change of Use granted to the Lounge Bar across the road less than 50m away should be considered and applied to this retrospective application along with others that protect the amenity and enjoyment of both flat holders and local residents.

The Conditions which Barrowford Parish Council would ask request conditions be imposed to alleviate the current problems and would address the following:

## **Agenda Item 4**

1. The installation of an adequate level of sound insulation to the ceiling to protect the enjoyment and amenity of flat owners. (A similar condition was applied to The Lounge for the protection of amenity of the abutting house.)
2. The creation of a designated service entrance to the kitchen/bar cellar spirits storage area from the loading bay in the car park to the rear would have been preferable to the current use of the fire escape door to the side.
3. The kitchen having been installed without the Change of Use may not meet the increased standards for commercial kitchens (the installation of the correct extraction/filtration system required in a commercial kitchen of that scale). This would remove the need to leave the fire door open as a method of both air conditioning and fume removal, improving the enjoyment and amenity to both flat holders and the wider residential area. (The recently approved application at 121 Gisburn Road included an extraction system).
4. That outdoor seating, although not a problem during the day, can become a nuisance if allowed unrestricted in the evenings in a semi residential area. This was managed at The Lounge by hours of use and measures to enforce that it is not used outside those hours being included in the conditions.
5. All approved opening hours should accord with the opening hours approved at The Lounge.
6. Taxis servicing customers should be conditioned to reduce the loss of enjoyment and amenity to residents.