MINUTES OF: **THE DEVELOPMENT CONTROL COMMITTEE**

Date of Meeting: 27th August 2019

Present: Councillor Procter (Chair)
Councillors Fletcher, Johnson (subbing for Cllr Adshead), Cllr MacNae (subbing for Cllr Marriott), Kenyon, Haslam-Jones, Eaton, Kempson and Roberts.

In Attendance: Mike Atherton, Planning Manager
Joanna Wood, Committee and Member Services Officer
Abigail Wrench, Legal Services
Yasmin Ahmed, Legal Services
James Dalgleish, Senior Planning Officer

Also Present: Cllr Stansfield, Cllr Haworth, Cllr Oakes, Cllr Lythgoe and 26 members of the public and 1 press.

1. APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES

Cllr Adshead (Cllr Johnson subbing), Cllr Marriott (Cllr MacNae subbing)

2. MINUTES

Resolved:
That the minutes of the meeting held on the 23rd July 2019 be signed by the Chair and agreed as a correct record.

3. DECLARATIONS OF INTEREST

Cllr Procter declared an interest on Item B1.
Cllr Haslam-Jones declared an interest on Item B6.
Cllr Johnson declared an interest on Item B3 and Item B4.

4. URGENT ITEMS OF BUSINESS

There were no urgent items of business.

PLANNING APPLICATIONS

The Chair noted that the planning officers would be outlining the main points of the application and any relevant additional information. She noted that the committee were given copies of all reports and plans in advance of the meeting, which they had adequate time to read.

Cllr Procter left the room and Cllr Fletcher Chaired item B1.

5. Application Number 2019/0284 (Agenda Item B1) – Garage Plots 2 and 3, South Shore Street, Haslingden.

The Senior Planning Officer outlined the application as detailed in the report.

The application site comprises two adjoining oblong shaped plots of land, known as Plots 2 and 3, which cover an area of approximately 26 and 20 square metres respectively. They are currently overgrown but form part of a Council owned garage site.

Planning permission was sought to erect a freestanding single domestic garage on each of these plots.

The Officer's recommendation was for planning permission to be granted subject to the conditions set out in Section 10.

There was nobody registered to speak for or against the application.

A proposal was moved and seconded to grant the application in line with the officer's recommendation and the conditions set out in section 10 of the report.

Voting took place on the proposal; the result of which was as follows:

FOR	AGAINST	ABSTENTION
8	0	0

Resolved:
That planning permission was granted subject to the conditions set out in Section 10.

Cllr Procter returned to the Council Chamber and continued to chair the rest of the meeting.

6. Application Number 2019/0141 (Agenda Item B2) – Orient One, New Hall Hey Road, Rawtenstall, BB4 6AJ.

The Senior Planning Officer outlined the application as detailed in the report.

The application relates to a substantial two storey building of stone construction, located to the north side of New Hall Hey Road in Rawtenstall. The building is currently vacant, and it is understood that it was last used as a retail store, with offices located in the eastern wing at ground and first floor levels.

The building is surrounded by a large car park on its south and east sides. To the west there is a yard and a further area of hard standing which appears to have been formerly used as a builder's yard. To the north of the site runs the East Lancashire Railway.

Previous planning application 2018/0201 was refused by Committee for three reasons, relating to the following:

- The living conditions of the occupants of Railway Terrace, with particular regard to noise and disturbance;
- Highway safety; and
- The character and appearance of the area.

However, only one reason for refusal (impact on living conditions of the occupants of Railway Terrace) was upheld by the Inspector when determining the appeal against the refusal of application 2018/0201.

The Inspector concluded that *"the development would result in a discernible increase in noise and disturbance directly behind the dwellings that would differ significantly from existing sources".*

Following refusal (and subsequent dismissal at appeal) of application 2018/0201, the applicant again seeks planning permission for the change of use of the majority of the building from its current use class (A1 retail) to a mixed use of restaurant, wedding venue and events venue.

With regards to neighbour amenity, the applicant has amended the scheme since application 2018/0201, to omit the proposed car park extension to the south of the site directly behind residential properties on New Hall Hey Road. The two coach parking spaces have not been omitted or relocated; they remain in the same location as in the original application which is approximately 15 metres from 1 Railway Terrace.

Initially, the proposed scheme included the construction of a new mezzanine floor within the main hall of the building, to allow the accommodation of a greater number of guests. There were also to be two separate function rooms.

However, following discussions between the case officer, LCC Highways and the applicant's agent, the mezzanine floor has now been omitted and no new floor space would now be created. The new plans show one function room and one ante room as opposed to the two function rooms as per the original application. The applicant's agent has indicated that the maximum capacity of the venue would likely be around 600 guests.

The Officer's recommendation was for planning permission to be granted subject to the conditions set out in Section 11.

Mr Wilcock spoke against the application.

Mr Gilbert spoke in favour of the application.

Cllr Procter read out statements from Cllr Stevens and Cllr Hughes.

In determining the application members discussed the following:

- Parking
- Traffic in the area
- Capacity of the venue
- Noise/disturbance
- Floor area of the venue
- Monitoring capacity of people using the venue.

Clarification was given on the above points raised.

A proposal was moved and seconded to refuse the application contrary to the officer's recommendation for the following reasons:

- Highway safety / insufficient parking

- Noise /disturbance / unsociable hours
- Light pollution

Voting took place on the proposal; the result of which was as follows:

FOR	AGAINST	ABSTENTION
8	1	0

Resolved:
That planning permission was refused.

7. Application Number 2019/0263 (Agenda Item B5) – Land at Folly Clough, off Goodshaw Lane, Crawshawbooth.

The Senior Planning Officer outlined the application as detailed in the report.

The application relates to land designated as Countryside to the NE of Crawshawbooth; it is approximately 750m from the centre of Crawshawbooth. It is accessed via a narrow unpaved lane extending E from Goodshaw Lane for approximately 200m. Public Footpath No. 341 runs over the lane and then through the site.

The application was previously refused on the 3rd August 2018 and appeal was dismissed on the 2nd May 2019 due to issues of badgers.

The current application seeks Permission for the same scheme of development as proposed under Application 2018/0286.

However, besides the Arboricultural Impact Assessment and the Landscaping Layout/Soft Landscape Specification previously submitted, the current application is accompanied by a series of Ecology Reports, including one relating specifically to impact of the proposal upon Badgers.

The Officer's recommendation was for planning permission to be granted subject to the conditions set out in Section 10 of the report.

Mr Lewis spoke in favour of the application.

A proposal was moved and seconded to grant the application in line with the officer's recommendation and the conditions listed in section 10 of the report.

Voting took place on the proposal; the result of which was as follows:

FOR	AGAINST	ABSTENTION
9	0	0

Resolved:
That planning permission was granted in line with officer's recommendation, subject to conditions.

Cllr Haslam-Jones left the room.

8. Application Number 2019/0198 (Agenda Item B6) – Heath Hill, Booth Road, Stacksteads.

The Senior Planning Officer outlined the application as detailed in the report.

Planning permission is sought to change the use of the premises from a dwelling to a family residential assessment home (as defined by Class C2 of the Use Classes Order). The intention is to provide care for, and assessment of, up to five families at any one time to ascertain their suitability as parents for their children. Families will be resident on the premises at all times during the assessment period, which is expected to be approximately 12 weeks, but will otherwise have a separate home address. Two fully trained members of staff will also be present on the premises at any one time.

The Officer's recommendation was for planning permission to be granted subject to the conditions set out in Section 10 of the report.

Cllr Oakes spoke in favour of the application.

A proposal was moved and seconded to grant the application in line with the officer's recommendation and subject to the conditions listed in section 10 of the report.

Voting took place on the proposal; the result of which was as follows:

FOR	AGAINST	ABSTENTION
8	0	0

Resolved:
That planning permission was granted in line with officer's recommendation, subject to conditions.

Cllr Haslam-Jones returned to the meeting.

9. Application Number 2019/0101 (Agenda Item B7) – Village Pine, Glen Top Works, Newchurch Road, Stacksteads, OL13 0NW.

The Senior Planning Officer outlined the application as detailed in the report.

The application relates to a substantial two-storey commercial building of natural stone construction (with an attached lower two-storey element of artificial stone construction), which is accessed directly off Newchurch Road.

It is understood that most of the building itself has unused for several years, through its forecourt has until recently been host to a car wash business.

Planning permission is sought for the conversion of the existing buildings on site into a 14 no. new one-bedroom apartments.

The Officer's recommendation was for planning permission to be granted subject to the conditions set out in Section 11 of the report.

Mr Hartley spoke in favour of the application.

In determining the application members discussed the following:

- Entry and Exit to the site/premises.

Clarification was given on the above point raised.

A proposal was moved and seconded to grant the application in line with the officer's recommendation, the conditions in section 11 of the report and a Section 106 Agreement.

Voting took place on the proposal; the result of which was as follows:

FOR	AGAINST	ABSTENTION
9	0	0

Resolved:
That planning permission was granted in line with officer's recommendation subject to the conditions set out in the Report, and subject to a Section 106 Agreement to secure the payment of the necessary planning contributions.

Cllr Johnson left the room.

10. Application Number 2018/0574 (Agenda Item B3) – Land at Hurst Platt, Waingate Road, Rawtenstall.

The Senior Planning Officer outlined the application as detailed in the report.

The application relates to a substantial parcel of land located to the north of Newchurch Road in Rawtenstall, accessed via Green Street.

The land has been partially developed; two pairs of semi-detached three-storey stone dwellings have been constructed on the western portion of the site. Excavations have taken place toward the eastern end of the site, extending into the slope to the north, and retaining structures have been constructed at the foot of the slope. Foundations have been partially constructed for an additional pair of semi-detached dwellings.

Since obtaining planning approval for the construction of 8 no. dwellings on the site (together with land stability, drainage and other related works), it became apparent that the proposed original route of surface water drainage outflow from the site (which was to be through a drain underneath the garden of No. 16 Hurst Platt, which stands adjacent to the site) was not feasible as an agreement could not be reached with the relevant land owner to allow surface water drainage to pass beneath the land in question.

As such, the route of surface water drainage outflow approved as part of planning permission 2016/0630 cannot be implemented.

In response, the applicant has submitted the current application which proposes an alternative route of surface water drainage outflow – according to the applicant this is through pipework beneath Green Street, leading west to adjoin sewerage assets in United Utilities' ownership.

Accordingly, the applicant seeks to vary condition 2 (approved plans) of planning permission 2016/0630 to substitute a revised site plan showing the new route of surface water drainage outflow, in place of the old plan showing the previously proposed drain beneath the garden of the adjacent property.

All other aspects of the proposed scheme in relation to surface water drainage remain the same as approved under 2016/0630.

The Officer's recommendation was for planning permission to be granted subject to the conditions set out in Section 11 of the report.

Mr Stansfield spoke against the application.

Mr Kiely was registered to speak in favour of the application but did not attend.

Cllr Procter read out a statement from Cllr Marriott.

In determining the application members discussed the following:

- Volume of water
- Pipe work and tanks
- Ownership of the land
- The design of the drainage

Clarification was given on the above points raised, and officers reiterated that land ownership matters are not a material planning consideration.

A proposal was moved and seconded to defer the application to allow the applicant to provide an amended plan showing clearly the proposed route of surface water drainage outflow along Green Street, and showing the position of the drainage tanks associated with that system.

Voting took place on the proposal; the result of which was as follows:

FOR	AGAINST	ABSTENTION
8	0	0

Resolved:
That planning permission was deferred until the next available meeting.

A comfort break was taken.

11. Application Number 2019/0307 (Agenda Item B4) – Land at Green Street/Hurst Platt, Rawtenstall.

The Senior Planning Officer outlined the application as detailed in the report.

The application relates to the completion of a retaining wall on the southern part of a piece of land on which planning permission has been previously granted for the erection of eight dwellings (ref: 2016/0630).

The development which has taken place in respect of the retaining wall to the south of the site does not accord with the plans approved under 2016/0630 (in terms of its location and construction) and 2018/0330 (in terms of its construction).

Rather than following the curve of the southern edge of the access road (as approved under 2016/0630), a retaining wall has been constructed along the southern edge of the site in an almost straight line.

Planning permission was sought for the retaining wall in question (as constructed, and topped with a 0.9m high timber fence) under 2018/0330. The application was approved in August 2018 by the Council's Development Control Committee.

However, it became apparent that the approved plans under 2018/0330 did not reflect the exact form of construction for the wall that the applicant wished to implement. As such, the applicant now seeks planning permission to regularise the wall in its current position and for approval of drawings showing the finalised form of construction that they wish to implement in respect of the wall.

The Officer's recommendation was for planning permission to be granted subject to the conditions set out in the report.

Mr Stansfield spoke against the application.

Mr Kiely was registered to speak in favour of the application but did not attend.

In determining the application members discussed the following:

- Inspection of the wall
- Enforcement
- Quality of work so far
- Positioning of the wall

Clarification was given on the above points raised.

A proposal was moved and seconded to grant planning permission subject to the conditions set out in the report.

Voting took place on the proposal; the result of which was as follows:

FOR	AGAINST	ABSTENTION
4	4	0

Resolved:

The Chair used her casting vote and voted for the proposal. Planning permission was granted subject to the conditions in the report.

Cllr Johnson re-entered the meeting.

12. Application Number 2019/0266 (Agenda Item B8) – Former Bus Depot, Knowsley Park Way, Haslingden.

The Senior Planning Officer outlined the application as detailed in the report.

The application relates to the site fronting Knowsley Park Way formerly occupied by Rossendale Transport Ltd (and before this by Camfil).

The site is occupied by a substantial building (45m x 95m) of 2-storeys in height, incorporating offices at that end facing towards Knowsley Park Way. The offices are fronted by a car park. A separate vehicular access gives access to a service yard to the south-west side of the building; there are a series of bay doors in the elevation of the building facing the yard.

Foremost Furniture Limited wishes to relocate to the application site, which is occupied by a more modern building, intending to retain as offices that part of the building previously used as such and split almost equally the rest of the space within the building between manufacturing and storage.

It anticipates employing 70 people full-time and 10 part-time, with operating hours of 8am-5pm Monday-Friday and 8am-1pm on Weekends/Bank Holidays.

It proposes no changes to the layout of the 50-space car park or service yard.

The Officer's recommendation was for planning permission to be granted subject to the conditions set out in Section 11 of the report.

There was nobody registered to speak in favour or against the application.

A proposal was moved and seconded to approve the application as per the officer's recommendation, subject to the conditions in Section 11 of the report.

Voting took place on the proposal; the result of which was as follows:

FOR	AGAINST	ABSTENTION
9	0	0

Resolved:
That planning permission was granted as per the officer's recommendation and subject to the conditions set out in Section 11 of the report.

The meeting commenced at 6.40pm and concluded at 9.18pm.

Signed: (Chair)