

MINUTES OF: DEVELOPMENT CONTROL COMMITTEE

Date of Meeting: 25th July 2006

Present: Councillor Pawson (in the Chair)
Councillors D. Barnes, L. Barnes, Crosta, Eaton, Lamb,
Neal, Robertson, Swain and Thorne (substitute for
Entwistle)

In Attendance: B Sheasby, Team Manager Development Control
L Fisher, Head of Legal and Democratic Services
H Moore, Committee Services Manager
P Couch, Scrutiny Officer

Also Present: Councillors Entwistle, Essex, Gill and Lynskey
Approximately 50 members of the public
1 representative from the press

1. APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES

Apologies for absence were submitted on behalf of Councillors Entwistle (Thorne substituting) and Haworth.

2. MINUTES OF THE LAST MEETING:

Resolved:

That the Minutes of the meeting held on 27th June 2006 be signed by the Chair as a correct record.

3. DECLARATIONS OF INTEREST:

Members of the Committee were asked to consider whether they had an interest in any matters to be discussed at the meeting and the following interests were declared:-

Councillor S. Pawson declared a personal and prejudicial interest in Application Number 2006/229 (Laneside Road, Haslingden) by virtue that a family member lived adjacent to the proposed development. Councillor S. Pawson vacated the Chair and the meeting during the discussion on and consideration of the application.

Councillor Swain declared a personal and prejudicial interest in Application Number 2006/301 (Former Snowking Factory, 270 Grane Road, Haslingden) by virtue that the applicant was a business client.

Councillor Lamb declared a personal and prejudicial interest in Application Number 2006/310 by virtue that she was a Director at the Activity Centre at 316 Newchurch Road.

Councillor Neal declared a personal interest in Appeal Decision number 2004/087 as he had spoken on the matter at the Planning Appeal Hearing.

**4. APPLICATION NUMBER 2005/588
ERECTION OF THREE BEDROOM SPLIT LEVEL HOUSE WITH INTEGRAL GARAGE.
AT: THE GARDEN AREA OF 4 LOWER CRIBDEN AVENUE, RAWTENSTALL**

The Team Manager Development Control presented the report and referred to the additional representations received since the preparation of his report.

In accordance with the procedure for public speaking Mr John Wishart spoke against the application. Councillor Entwistle also spoke on the application.

A proposal was moved and seconded to defer consideration of the application.

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

COUNCILLOR	FOR	AGAINST	ABSTENTION
Pawson	1		
D Barnes		1	
Crosta	1		
Eaton		1	
Lamb		1	
Neal		1	
Robertson		1	
Swain		1	
Thorne	1		
TOTALS	3	6	

The Chair declared that the proposal was lost.

A proposal was moved and seconded to refuse the application.

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

COUNCILLOR	FOR	AGAINST	ABSTENTION
Pawson	1		
D Barnes	1		
Crosta	1		
Eaton	1		
Lamb	1		
Neal	1		
Robertson	1		
Swain	1		
Thorne	1		
TOTALS	9		

Resolved:

That the application be refused for the following reasons.

1. By reason of its elevated position and height the proposed dwelling will create a visually incongruous and dominating presence within the street scene, particularly in relation to number 29 Union Road, and would thereby be contrary to Policy 1 of the adopted Joint Lancashire Structure Plan and the criteria of Policy DC1 of the adopted Rossendale District Local Plan.
2. The proposed access by way of its position on this steep section and sharp bend of Union Road would be detrimental to highway safety which is contrary to the criteria of Policy DC1 of the adopted Rossendale District Local Plan.
3. The proposed development is not required to meet the identified housing provision for the Borough, and therefore does not comply with Policy 12 of the adopted Joint Lancashire Structure Plan 2001-2016 or the Council's Housing Position Statement.

**5. APPLICATION NUMBER 2006/128
ERECTION OF ANCILLARY BUILDING TO INCORPORATE GARDEN
STORE AND PLAYROOM
AT: 23 CURVEN EDGE, HELMSHORE**

The Team Manager Development Control presented the report and referred to the additional representations received since the preparation of his report.

In accordance with the procedure for public speaking Mrs Hamilton spoke against the application and Mr Andrew Lord spoke in favour of the application.

A proposal was moved and seconded to approve the application, subject to conditions.

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

COUNCILLOR	FOR	AGAINST	ABSTENTION
Pawson	1		
D Barnes	1		
L Barnes	1		
Crosta	1		
Eaton	1		
Lamb	1		
Neal	1		
Robertson	1		
Swain	1		
Thorne	1		
TOTALS	10		

Resolved:

That the application be approved, subject to the conditions set out in the report.

**6. APPLICATION NUMBER 2006/147
REMOVAL OF EXISTING CONSERVATORY AND ERECTION OF TWO
STOREY AND SINGLE STOREY EXTENSION TO REAR INCLUDING
ELEVATIONAL ALTERATIONS
AT: 118 HASLINGDEN OLD ROAD, RAWTENSTALL**

The Team Manager Development Control presented the report and referred to the additional representations received since the preparation of his report. He informed the Committee that the applicant and objector had requested that the application be deferred from consideration as they were on holiday.

A proposal was moved and seconded to defer the application until the next meeting of the Committee.

Resolved:

That no decision be made and the application be deferred to the next meeting of the Committee.

**7. APPLICATION NUMBER 2006/234
ERECTION OF A TWO STOREY SIDE EXTENSION
AT: LEA BROOK HOUSE, 2 WARCOCK LANE, BACUP**

The Team Manager Development Control presented the report and referred to the additional representations received since the preparation of his report.

In accordance with the procedure for public speaking Mr Worswick spoke against the application and Mr Lee Blythe spoke in favour of the application.

A proposal was moved and seconded to approve the application, subject to conditions.

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

COUNCILLOR	FOR	AGAINST	ABSTENTION
Pawson	1		
D Barnes	1		
L Barnes	1		
Crosta	1		
Eaton	1		
Lamb	1		
Neal	1		
Robertson	1		
Swain	1		
Thorne	1		
TOTALS	10		

Resolved:

That the application be approved, subject to the conditions set out in the report.

**8. APPLICATION NUMBER 2006/256
ERECTION OF BUILDING FOR CLASS B1/B2 USE (BUSINESS/GENERAL/
INDUSTRIAL)
AT: PLOT 3, FUTURES PARK, NEWCHURCH ROAD, BACUP**

The Team Manager Development Control presented the report and referred to the additional representations received since the preparation of his report.

In accordance with the procedure for public speaking Mr John Boys spoke in favour of the application. Councillor Entwistle also spoke on the application.

A proposal was moved and seconded to approve the application.

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

COUNCILLOR	FOR	AGAINST	ABSTENTION
Pawson	1		
D Barnes	1		
L Barnes	1		
Crosta	1		
Eaton	1		
Lamb	1		
Neal	1		
Robertson	1		
Swain	1		
Thorne	1		
TOTALS	10		

Resolved:

That the application be approved, subject to the conditions set out in the report.

**9. APPLICATION NUMBER 2006/261
CONSTRUCTION OF AN INDOOR POOL FACILITY
AT: MICKLEDORE BARN, HASLINGDEN OLD ROAD, RAWTENSTALL**

The Team Manager Development Control presented the report and referred to the additional representations received since the preparation of his report.

In accordance with the procedure for public speaking Mrs Rose Bloomfield spoke against the application.

A proposal was moved and seconded to refuse the application.

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

COUNCILLOR	FOR	AGAINST	ABSTENTION
Pawson	1		
D Barnes	1		
L Barnes	1		
Crosta	1		
Eaton	1		
Lamb	1		
Neal	1		
Robertson	1		
Swain	1		
Thorne	1		
TOTALS	10		

Resolved:

That the application be refused for the following reasons.

1. The operation of the proposed indoor swimming pool has the potential to adversely affect public water supplies in the locality to the detriment of the amenities of neighbours and would thereby be contrary to Policy 1 of the Adopted Joint Lancashire Structure Plan and the criteria of Policy DC1 of the adopted Rossendale District Local Plan.
2. The proposed extension situated in the Green Belt, would be contrary to national planning policy in that it would result in a disproportionate addition to the dwelling house and as such fails to accord with adopted national planning policy and also Policy DS3 of the adopted Rossendale District Local Plan.

**10. APPLICATION NUMBER 2006/278
DEMOLITION OF EXISTING SUPERMARKET AND ERECTION OF SIX
NON-FOOD RETAIL UNITS WITH ASSOCIATED PARKING
AT: ASDA SITE, BOCHOLT WAY, RAWTENSTALL**

The Team Manager Development Control presented the report and referred to the additional representations received since the preparation of his report.

In accordance with the procedure for public speaking Councillor Entwistle spoke on the application.

A proposal was moved and seconded to defer consideration of the application.

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

COUNCILLOR	FOR	AGAINST	ABSTENTION
Pawson	1		
D Barnes	1		
L Barnes	1		
Crosta	1		

Eaton	1		
Lamb	1		
Neal	1		
Robertson		1	
Swain		1	
Thorne	1		
TOTALS	8	2	

Resolved:

That no decision be made and that consideration of the application be deferred to the next meeting of the Committee to enable officers to enter discussions with the applicant in respect of materials, landscaping and a Section 106 agreement.

**11. APPLICATION NUMBER 2006/301
ERECTION OF LIGHT INDUSTRIAL UNITS (USE CLASS B1)
AT: FORMER SNOWKING FACTORY, 270 GRANE ROAD, HASLINGDEN**

The Team Manager Development Control presented the report and referred to the additional representations received since the preparation of his report. In accordance with the procedure for public speaking Mr Michael Murray spoke against the application and Mr Daniel Hartley spoke in favour of the application.

A proposal was moved and seconded to approve the application, subject to conditions.

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

COUNCILLOR	FOR	AGAINST	ABSTENTION
Pawson	1		
D Barnes	1		
L Barnes	1		
Crosta	1		
Eaton	1		
Lamb	1		
Neal	1		
Robertson	1		
Thorne	1		
TOTALS	9		

Resolved:

That the Committee be minded to grant permission subject to the conditions set out in the report and subject to the signing of a Section 106 Agreement to deliver the £15,000 necessary to fund the speed-activated sign, bus-shelters, white-lining on Grane Road, Haslingden, such to be delegated to the Head of Legal and Democratic Services.

**12. APPLICATION NUMBER 2006/321
ERECTION OF 1 NO. DWELLING
AT: LAND AT PLANTATION HOUSE, OFF DOBBIN LANE, CLOUGHFOLD,
RAWTENSTALL**

The Team Manager Development Control presented the report and referred to the additional representations received since the preparation of his report.

In accordance with the procedure for public speaking Mrs Chris Holt spoke in favour of the application and Mr Shadlock spoke against the application. Councillors Gill and Entwistle also spoke on the application.

A proposal was moved and seconded to refuse the application.

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

COUNCILLOR	FOR	AGAINST	ABSTENTION
Pawson	1		
D Barnes	1		
L Barnes	1		
Crosta	1		
Eaton	1		
Lamb	1		
Neal	1		
Robertson	1		
Swain	1		
Thorne	1		
TOTALS	10		

Resolved:

That the application be refused for the reason set out below.

It is considered that the development is not currently required to meet the housing requirements of the Borough. The proposal is therefore considered to be contrary to the provisions of Policy 12 of the Joint Lancashire Structure Plan 2001 – 2016 and the Housing Policy Position Statement.

**13. APPLICATION NUMBER 2006/326
CHANGE OF USE OF LAND TO GARDEN AREA AND PRIVATE PARKING
FOR VEHICLE. ERECTION OF A FENCE BORDERING THE RIVER BANK
AND A GARDEN SHED
AT: 2 LEE ROAD, BACUP**

The Team Manager Development Control presented the report.

In accordance with the procedure for public speaking Councillor Lynskey spoke on the application.

A proposal was moved and seconded to refuse the application.

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

COUNCILLOR	FOR	AGAINST	ABSTENTION
Pawson		1	
D Barnes	1		
L Barnes	1		
Crosta	1		
Eaton	1		
Lamb		1	
Neal	1		
Robertson		1	
Swain		1	
Thorne	1		
TOTALS	6	4	

Resolved:

That the application be refused for the reason set out below.

1. The proposed development would detract to an unacceptable extent from the residential amenities neighbours could reasonably expect to enjoy, most particularly by reason of loss of privacy and public amenity. Therefore, the proposed development is contrary to Policy 1 of the adopted Joint Lancashire Structure Plan and the criteria of Policy DC1 of the adopted Rossendale District Local Plan.

**14. APPLICATION NUMBER 2006/344
CHANGE OF USE FROM BUILDERS STORE TO DWELLING
AT: 1032 BURNLEY ROAD EAST, LUMB**

The Team Manager Development Control presented the report.

In accordance with the procedure for public speaking Mr Steven Hartley spoke in favour of the application.

A proposal was moved and seconded to approve the application, subject to conditions.

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

COUNCILLOR	FOR	AGAINST	ABSTENTION
Pawson		1	
D Barnes	1		
L Barnes		1	
Crosta	1		
Eaton	1		
Lamb	1		
Neal	1		
Robertson	1		
Swain	1		
Thorne		1	
TOTALS	7	3	

Resolved:

That the application be approved for the reason set out below and subject to the conditions set out below.

REASON

The Council considers that circumstances exist to warrant permitting the proposed residential development as an exception to Policy 12 of the Joint Lancashire Structure Plan by reason of its regenerative impact, the recent appeal decision in the locality and, subject to conditions, is satisfied the development will not result in significant detriment to neighbours, highway safety or in respect to any other material planning consideration.

CONDITION

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: Required by Section 51 of the Planning and Compulsory Purchase 2004 Act

**15. APPLICATION NUMBER 2006/370
CONVERSION OF A 3 STOREY EMPTY COMMERCIAL PREMISES TO
ONE DWELLING
AT: 352 BURNLEY ROAD EAST, WATERFOOT**

The Team Manager Development Control presented the report and referred to the additional representations received since the preparation of his report.

In accordance with the procedure for public speaking Mr Steven Hartley spoke in favour of the application.

A proposal was moved and seconded to refuse the application.

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

COUNCILLOR	FOR	AGAINST	ABSTENTION
Pawson	1		
D Barnes	1		
L Barnes	1		
Crosta	1		
Eaton	1		
Lamb		1	
Neal	1		
Robertson		1	
Swain		1	
Thorne	1		
TOTALS	7	3	

Resolved:

That the application be refused for the reason set out below.

It is considered that the development is not currently required to meet the housing requirements of the Borough. The proposal is therefore considered to be contrary to the provisions of Policy 12 of the Joint Lancashire Structure Plan 2001 – 2016 and the Housing Position Statement.

N.B. COUNCILLOR SWAIN IN THE CHAIR

**16. APPLICATION NUMBER 2006/229
OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT
AT: LAND OFF LANESIDE ROAD, HASLINGDEN**

The Team Manager Development Control presented the report.

In accordance with the procedure for public speaking Mr Jim Metcalf spoke in favour of the application.

A proposal was moved and seconded to approve the application, subject to conditions.

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

COUNCILLOR	FOR	AGAINST	ABSTENTION
D Barnes	1		
L Barnes	1		
Crosta	1		
Eaton	1		
Lamb	1		
Neal	1		
Robertson	1		
Swain	1		
Thorne	1		
TOTALS	9		

Resolved:

That the application be approved, subject to the conditions set out in the report.

N.B. COUNCILLOR S. PAWSON IN THE CHAIR

**17. APPLICATION NUMBER 2006/279
CHANGE OF USE FROM RESIDENTIAL (C3) TO OFFICE USE (B1)
AT: BURNLEY ROAD EAST, WATERFOOT**

The Team Manager Development Control presented the report.

A proposal was moved and seconded to approve the application, subject to conditions.

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

COUNCILLOR	FOR	AGAINST	ABSTENTION
Pawson	1		
D Barnes	1		
L Barnes		1	
Crosta	1		
Eaton	1		
Lamb	1		
Neal		1	
Robertson	1		
Swain	1		
Thorne	1		
TOTALS	8	2	

Resolved:

That the application be approved subject to the conditions set out in the report.

**18. APPLICATION NUMBER 2006/310
CHANGE OF USE FROM SHOP (A1) TO HOT FOOD TAKEAWAY (A5)
AT: 316A NEWCHURCH ROAD, BACUP**

The Chair reported that this item had been withdrawn from the Agenda and consideration of the application would be deferred.

**19. PLANNING APPEAL DECISION
APPLICATION NUMBER 2004/087
OUTLINE APPLICATION (SITING, DESIGN, MEANS OF ACCESS AND
EXTERNAL APPEARANCE) FOR THE ERECTION OF A 1,147 SQ M
INDOOR MÉNAGE INCORPORATING 8 LOOSE BOXES AND TACK
ROOM
AT: LAND AT PISGAH FARM, IVY BANK, WHITWORTH**

The Team Manager Development Control submitted a report notifying Members of an appeal decision in respect of Planning Application Number 2004/08 which was an outline application for the erection of a 1,147 sq m indoor ménage incorporating 8 loose boxes and tack room at Land at Pisgah Farm, Ivy Bank, Whitworth.

He informed the Committee that the application had been considered by the Development Control Committee on 27 May 2004 which had determined that the riding talent/ambitions of the applicant's daughter were sufficient to outweigh the harm by reason of inappropriateness and detriment to the open and rural character of the area of Green Belt.

Accordingly, an inquiry was held on 31 January 2006 and the Inspector refused Outline Permission for the proposed building.

The Team Manager Development Control circulated a copy of the Inspector's decision letter, for the consideration of the Committee.

Resolved:

That the report be noted.

20. DURATION OF MEETING

The Committee resolved in accordance with Committee Procedure Rule 4.1 of the Council's Constitution to continue the meeting after 9.30pm.

The Meeting commenced at 6.30pm and closed at 11.15pm