

**MINUTES OF: THE DEVELOPMENT CONTROL COMMITTEE**

**Date of Meeting:** 6<sup>th</sup> September 2022

**Present:** Councillor Procter (Chair)

Councillors Kenyon, McInnes, Marriott, Johnson, Steen, Rigby and Snowden.

**In Attendance:** Michael Atherton, Head of Planning and Building Control  
Lauren Ashworth, Principal Planning Officer  
James Dalglish, Senior Planning Officer  
Storm Grimshaw, Senior Planning Officer  
Yasmin Ahmed, Principal Legal Officer  
Sattar Hussain, Legal Officer

**Also Present:** 8 members of the public in attendance, 2 joined remotely and Cllr Oakes and Cllr Neal

**1. APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES**

Cllr Margaret Pendlebury – Cllr Caroline Snowdon (subbing)  
Cllr Alan Woods – Cllr Jenny Rigby (subbing)  
Cllr Michelle Smith – Cllr Janice Johnson (subbing)  
Cllr Eaton – no sub

**2. MINUTES**

**Resolved:**

That the minutes of the meeting held on the 26<sup>th</sup> July 2022 be signed by the Chair and agreed as a correct record.

**3. DECLARATIONS OF INTEREST**

Cllr Johnson registered to speak on B1.

**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 Johnson left the Committee for item B1 as she was registered to speak on the item.

**5. Application Number (Agenda Item B1) 2022/0231 – Ground and First Floor Rear of 38-42 Market Street, Edenfield - Variation of condition 2 of planning permission no. 2018/0177 (opening hours of outdoor eating area) to allow opening between 09:00 and 19:00 hours (Monday to Wednesday), 09:00 to 22:00 hours (Thursday to Saturday), and 09:00 to 20:00 hours on Sundays (Re-submission of application number 2021/0388)**

The Principal Planning Officer outlined the application as detailed in the report and the update report, including the site details, planning history, the proposal, consultation responses, and notification responses received.

The Principal Planning Officer read out a statement from J Rostron.

S Hartley spoke in favour of the application.

Members asked questions for clarification purposes only.

Cllr Johnson spoke on the application.

In determining the application, members discussed the following:

- Noise assessment report
- Customer capacity
- Closure time

Clarification was given on the above points.

A proposal was moved and seconded to refuse the application as per the officer's recommendation.

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

FOR	AGAINST	ABSTENTION
4	3	0

**Resolved:**

Planning permission was refused as per the officer's recommendation.

Cllr Johnson returned to the Committee.

**6. Application Number (Agenda Item B2) 2022/0084 – Land to the West and South of 54 Tonacliffe Road, Whitworth – Full: Erection of 1 no.2 bedroom dwelling.**

The Senior Planning Officer outlined the application as detailed in the report, including the site details, planning history, the proposal, consultation responses and notification responses received.

R Marland spoke in favour of the application.

Members asked questions for clarification purposes only.

Cllr Neal spoke on the application.

In determining the application, members discussed the following:

- Clarification on the separation distances and the Council's SPD
- Privacy concerns and garden/amenity issue
- Adequacy of the proposed garden area
- Late submission of a bat survey

Clarification was given on the above points.

A proposal was moved and seconded to defer the application to carry out a site visit to assess the privacy issues and the garden space.

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
4	4	0

The Chair gave a casting vote against the deferral of the application and the proposal to defer was not upheld.

A proposal was moved and seconded to refuse the application as per the officer's recommendation.

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

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
4	4	0

The Chair gave a casting vote against the proposal to refuse the application as per the officer's recommendation and the proposal to refuse was not upheld.

A proposal was moved and seconded to approve the application contrary to the officer's recommendation and subject to conditions relating to the following:

- Ecology
- Landscaping
- Land stability
- Tree protection
- Highway issues
- Building and surfacing materials
- Conditions following review of the bat survey
- Drainage
- Withdraw permitted development rights
- Contaminated land
- Obscure glazed window(s)

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

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
5	3	0

**Resolved:**

Planning permission was approved contrary to the officer's recommendation and subject to conditions relating to the following:

- Ecology
- Landscaping
- Land stability
- Tree protection
- Highway issues
- Building and surfacing materials
- Conditions following review of the bat survey
- Drainage
- Withdraw permitted development rights
- Contaminated land
- Obscure glazed window(s)

**7. Application Number (Agenda Item B3) 2022/0165 – Land Adjacent Cliffe Bank Hamlet, Burnley Road East, Waterfoot – Full: Construction of 2 no. dwellings with associated access, and works.**

The Senior Planning Officer outlined the application as detailed in the report and update report, including the site details, planning history, the proposal, consultation responses and notification responses received.

S Hartley spoke in favour of the application.

Members asked questions for clarification purposed only.

In determining the application, members discussed the following:

- Flooding and drainage comments in the report
- Proposed contamination and drainage conditions in the report
- Contamination reports received

Clarification was given on the above points.

A proposal was moved and seconded to approve the application as per the officer’s recommendation and the conditions in the report and the update report.

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

FOR	AGAINST	ABSTENTION
8	0	0

**Resolved:**

Planning permission was granted as per the officer’s recommendation and the conditions within in the report and the update report.

**8. Application Number (Agenda Item B4) 2022/0342 – Land off Goodshaw Lane/Gib Hill Stables. Full: demolition of existing structures and erection of a single storey self-build passivhaus dwelling with associated garage, parking and manoeuvring space, refuse storage, garden area, hard and soft landscaping, to be accessed via Goodshaw Lane.**

The Senior Planning Officer outlined the application as detailed in the report, including the site details, planning history, the proposal, consultation responses and notification responses received.

Mr R Gee spoke in favour of the application.

Members asked questions for clarification purposed only.

In determining the application, members discussed the following:

- Clarification on design of dwellings
- Site location and suitability of proposal
- Setting a precedent
- Urban boundary

Clarification was given on the above points.

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

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

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
6	0	2

**Resolved:**

Planning permission was granted as per the officer's recommendation and the conditions within in the report.

**The meeting commenced at 6.30pm and concluded at 7.50pm**

**Signed:**

**(Chair)**