

MINUTES OF: THE DEVELOPMENT CONTROL COMMITTEE

Date of Meeting: 15th November 2022

Present: Councillor Procter (Chair)

Councillors Eaton, Kenyon, McInnes, Marriott, Smith, Pendlebury, Woods and Morris.

In Attendance: Mike Atherton, Head of Planning
Lauren Ashworth, Principal Planning Officer
Caroline Callow, Senior Planning Officer
Clare Birtwistle, Head of Legal (Monitoring Officer)
Sattar Hussain, Legal Officer

Also Present: 2 members of the public
Cllrs Oakes, S Barnes and McMahon

1. APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES

Cllr Steen – Cllr Morris subbing.

2. MINUTES

Resolved:

That the minutes of the meeting held on the 6th September 2022 be signed by the Chair and agreed as a correct record.

3. DECLARATIONS OF INTEREST

None.

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.

5. Application Number (Agenda Item B1) 2022/0280 – Chapel Hill Lodge, Hurst Lane, Rawtenstall, Rossendale, Lancashire, BB4 8TB: Demolition of annexe and construction of a new dwelling.

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.

Mr Mulderigg spoke in favour of the application.

Members asked questions for clarification purposes only.

Cllr S Barnes spoke on the application.

Cllr A McMahon spoke on the application.

In determining the application, members discussed the following:

- The residents needs versus policy and local plan
- A revised scheme could be considered and explored thoroughly to achieve an appropriate level of development.
- Application brought prematurely and would have benefited from more conversation with the officers
- Officers take in to account the evidence provided by the applicant
- Letters of support

Clarification was given on the above points.

A proposal was moved and seconded to approve the application contrary to the officer's recommendation having regards to the very special needs of the family subject to conditions.

The Senior Planning Officer outlined the following conditions for consideration by members subject to final wording:

1. 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.
2. The development shall be carried out with the materials shown on the submitted drawings and in full accordance with the following unless otherwise indicated by the conditions below:
Planning application forms signed and dated 25/05/22
Location Plan PM230522.A received 25/05/22
Proposed floor Plan and elevations PM-23-05-22-C received 25/05/22
Proposed Site Plan PM-23-05-22-B received 25/05/22
Reason: To define the permission and in the interests of the proper development of the site.
3. Notwithstanding Schedule 2 Part 1 Class A, B, C, D, E, and F, and Part 2 Class A or B of the Town and Country Planning (General Permitted Development) Order 2015 or any subsequent re-enactment thereof no extensions or alterations to the dwelling, outbuildings (including sheds, garages, and greenhouses), walls and fences, or any other works permitted by the aforementioned classes shall be constructed or erected other than those expressly authorised by this permission..
Reason: In the interests of the openness of the countryside and controlling development outside of the Urban boundary.
4. The development shall be carried out in strict accordance with the Construction Management Plan submitted on 25/05/22.
Reason: In the interests of the safe operation of the adopted highway during demolition and construction phases.

- Notwithstanding details in Construction Management Plan: Construction works shall not be permitted outside the following hours-
Monday to Friday 08:00 to 18:00 and Saturday 08:00 to 13:00

Construction hours shall not be permitted on Sundays or Bank or Public Holidays. Access and egress for delivery vehicles shall be restricted to the working hours indicated above.

Reason: To ensure that site working only takes place during normal working hours in order to restrict the times during which any disturbance and nuisance may arise.

- The development shall be carried out strictly in accordance with the Conclusion and Recommendations section of the bat report submitted on 20/09/22.

Reason: In the interests of the protection of bats.

- The development shall be carried out strictly in accordance with the Conclusions and recommendations of the Bird Survey submitted on 16/11/22.

Reason: In the interests of the protection of birds.

- Notwithstanding the details of the submitted drawings the landscaping shall be carried out in accordance with the Landscaping and boundary treatment document submitted on 25/05/22.

Reason: In the interests of the appearance of the development and the biodiversity of the site.

- The development hereby approved must not be brought into use unless and until the parking area proposed on the approved site plan PM-23-05-22-B has first been constructed, laid out and surfaced in a bound porous material. The parking spaces shall thereafter remain free from obstruction and be available for parking of vehicles associated with the occupants of the dwelling.

Reason: To provide adequate off-road parking and in the interest of highway safety to prevent loose surface material from being carried on to the public highway.

- The proposed dwelling/ parking area shall be provided with an electrical supply suitable for charging an electric motor vehicle. It shall have a minimum power rating output of 7kW and be fitted with a universal socket that can charge all types of electric vehicle.

Reason: To support sustainable transport objectives and to contribute to a reduction in harmful vehicle emissions

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

FOR	AGAINST	ABSTENTION
5	2	2

Resolved:

The application was approved contrary to the officer's recommendation with the following conditions:

- 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.

2. The development shall be carried out with the materials shown on the submitted drawings and in full accordance with the following unless otherwise indicated by the conditions below:

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Reason: To define the permission and in the interests of the proper development of the site.

3. Notwithstanding Schedule 2 Part 1 Class A, B, C, D, E, and F, and Part 2 Class A or B of the Town and Country Planning (General Permitted Development) Order 2015 or any subsequent re-enactment thereof no extensions or alterations to the dwelling, outbuildings (including sheds, garages, and greenhouses), walls and fences, or any other works permitted by the aforementioned classes shall be constructed or erected other than those expressly authorised by this permission.

Reason: In the interests of the openness of the countryside and controlling development outside of the Urban boundary.

4. The development shall be carried out in strict accordance with the Construction Management Plan submitted on 25/05/22.

Reason: In the interests of the safe operation of the adopted highway during demolition and construction phases.

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Construction hours shall not be permitted on Sundays or Bank or Public Holidays. Access and egress for delivery vehicles shall be restricted to the working hours indicated above.

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6. The development shall be carried out strictly in accordance with the Conclusion and Recommendations section of the bat report submitted on 20/09/22.

Reason: In the interests of the protection of bats.

7. The development shall be carried out strictly in accordance with the Conclusions and recommendations of the Bird Survey submitted on 16/11/22.

Reason: In the interests of the protection of birds.

8. Notwithstanding the details of the submitted drawings the landscaping shall be carried out in accordance with the Landscaping and boundary treatment document submitted on 25/05/22.

Reason: In the interests of the appearance of the development and the biodiversity of the site.

9. The development hereby approved must not be brought into use unless and until the parking area proposed on the approved site plan PM-23-05-22-B has first been constructed, laid out and surfaced in a bound porous material. The parking spaces shall thereafter remain free from

obstruction and be available for parking of vehicles associated with the occupants of the dwelling.

Reason: To provide adequate off-road parking and in the interest of highway safety to prevent loose surface material from being carried on to the public highway.

10. The proposed dwelling/ parking area shall be provided with an electrical supply suitable for charging an electric motor vehicle. It shall have a minimum power rating output of 7kW and be fitted with a universal socket that can charge all types of electric vehicle.

Reason: To support sustainable transport objectives and to contribute to a reduction in harmful vehicle emissions

The meeting commenced at 6.30pm and concluded at 7.16pm.

Signed:

(Chair)