

MINUTES OF: THE DEVELOPMENT CONTROL COMMITTEE

Date of Meeting: 23rd May 2023

Present: Councillor Procter (Chair)
Councillors Driver, Eaton, Gill, Hodgkiss, Marriott and Morris

In Attendance: Mike Atherton, Head of Planning
James Dalglish, Principal Planning Officer
Claire Bradley, Senior Planning Officer
Yasmin Ahmed, Principal Legal Officer
Sattar Hussain, Legal Officer

Also Present: Councillors Whitehead and Johnson
7 members of public

1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

2. MINUTES

Resolved:

That the minutes of the meeting held on the 21st March 2023 be signed by the Chair and agreed as a correct record.

3. DECLARATIONS OF INTEREST

There were no declarations of interest.

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. 2022/0468 – PLOT 1, GARAGE SITE, NEW ROAD, WATERFOOT
CONCRETE GARAGE (ITEM B1)**

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

Members asked questions for clarification purposes only.

There were no registered speakers.

A proposal was moved and seconded to grant the application as per the officer's recommendation, subject to the conditions set out in the report.

Moved: Councillor Eaton
Seconded: Councillor Driver

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

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

The application was granted subject to the following conditions:

1. The proposed development must be begun not later than three years from the date of this permission.
Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby permitted shall be carried out in accordance with the following drawings, unless otherwise required by the conditions below:
 - Location Plan received 08.02.23
 - Garage Plan received 08.02.23
 - Specification received 23.01.23
 - Elevations and plan received 23.01.23

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

**6. APPLICATION NUMBER 2023/0168 – KASHMIR RESTAURANT, 264-266 BURNLEY ROAD, RAWTENSTALL
ADVERTISEMENT CONSENT: 2500 x 1250 FIXED SIGN ON TIMBER FRAME ADVERTISING THE PREMISES (ITEM B2)**

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

Members asked questions for clarification purposes only.

Mr Khan spoke for the application.

In determining the application, members discussed the following:

- Fitco signage situation.
- Clarification on enforcement procedure regarding erecting advertisement signage.
- Clarification on land ownership and planning regulations on advertisement consent.
- Support local businesses but allowing signage can set a precedent across the borough.
- Discussion on other ways to promote local businesses.

Clarification was provided on the points raised.

A proposal was moved and seconded to refuse the application as per the officer's recommendation, for the reason set out in the report.

Moved: Councillor Eaton

Seconded: Councillor Driver

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

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

The application was refused for the following reason:

1. The proposed advertisement would result in a clutter of signs and would be detrimental to the visual amenity of the area and would not result in a high quality of development in line with the requirements of Policy ENV 1 of the Rossendale Local Plan 2019-2036.

7. APPLICATION NUMBER 2023/0050 – BIRCHCLIFFE, TONACLIFFE ROAD, WHITWORTH HOUSEHOLDER: TWO STOREY EXTENSION TO REAR, SINGLE STOREY SIDE EXTENSION AND SINGLE STOREY PORCH EXTENSION TO FRONT (ITEM B3)

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

Neil Pike spoke in favour of the application.

Members asked questions for clarification purposes only.

In determining the application, members discussed the following:

- Size of extension.
- Visual amenity.
- The personal circumstances for the extension.
- Clarification on the procedure concerning personal circumstances.

Clarification was provided on the points raised.

A proposal was moved and seconded to refuse the application as per the officer's recommendation, for the reason set out in the report.

Moved: Councillor Marriott

Seconded: Councillor Eaton

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

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

The application was refused for the following reason:

1. The proposed development by reason of its scale, design and style, would have an incongruous relationship with the host dwelling and would appear as an unsympathetic and visually jarring

form of development in a visually prominent location. The development would significantly harm the character and appearance of the host dwelling and would detract from the character of the surrounding street scene. Therefore, the proposed scheme is contrary to Section 12 of the Framework, Policies HS9 and ENV1 of the Rossendale Local Plan 2019 – 2036 and the guidance contained within the Council’s Alterations and Extensions to Residential Properties SPD.

**8. APPLICATION NUMBER 2023/0048 – 15 QUARRY STREET, SHAWFORTH
CHANGE OF USE OF THE LAND TO USE AS GARDEN AREA INCLUDING CREATION OF
PATIO AREA, SHED, FENCE, ACCESS STEPS, AND PART RAISED DECK
(RETROSPECTIVE) (ITEM B4)**

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

Members asked questions for clarification purposes only.

Councillor Whitehead spoke on the application.

In determining the application, members discussed the following:

- Clarification of ownership of land below the area in question.
- No objections received from neighbouring properties.
- Height of decking.
- Sympathise with reasons for change of use.

Clarification was provided on the points raised.

A proposal was moved and seconded to refuse the application as per the officer’s recommendation, for the reason set out in the report.

Moved: Councillor Marriott
Seconded: Councillor Eaton

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

FOR	AGAINST	ABSTENTION
6	0	1

Resolved:

The application was refused for the following reason:

1. The proposal would be detrimental to the residential amenity of Nos 1 and 2 The Manse, and Crespen, by reason of impact on privacy and would be contrary to policy ENV1 of the Rossendale Local Plan 2019-2036.

**9. APPLICATION NUMBER 2023/0072 – GREENHILL GARAGE SITE, BACUP
FULL: CONSTRUCTION OF A REINFORCED CONCRETE BASE SLAB AND BUILD A
CONCRETE BOLT TOGETHER SECTIONAL DOUBLE GARAGE (ITEM B5)**

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

There were no registered speakers.

In determining the application, members discussed the following:

- Clarification on service of site notice.
- Clarification on mains electricity to site.
- Site to be used for domestic purposes.

Clarification was provided on the points raised.

A proposal was moved and seconded to grant the application as per the officer's recommendation, subject to the conditions set out in the report.

Moved: Councillor Marriott

Seconded: Councillor Eaton

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

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

The application was granted subject to the following conditions:

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 in accordance with the following plans and documents unless otherwise required by the conditions below:
 - Application form signed and dated 10/02/2023
 - Location Plan (22-55-01) received 30/03/2023
 - Proposed Elevations received 30/03/2023Reason: To ensure the development complies with the approved plans and submitted details.
3. The garage hereby permitted shall only be used for domestic purposes and the garage shall not be used for any trade or business purposes.
Reason: In order to safeguard the residential amenity and character of the area.

10. APPLICATION NUMBER 2023/0124 – HEMPSTEAD MEMORIAL GARDENS, BACUP IMPROVEMENTS TO CENOTAPH AND GARDENS INCLUDING PROVISION OF UPLIGHTERS, CLEANING OF COLUMN, DAIS AND SURROUNDING SURFACE AND STONE REPAIRS AND REPOINTING WHERE NECESSARY (ITEM B6)

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

There were no registered speakers.

In determining the application, members discussed the following:

- Where the lights will be placed and if they will be safe.

Clarification was provided on the point raised.

A proposal was moved and seconded to grant the application as per the officer's recommendation, subject to the conditions set out in the report.

Moved: Councillor Driver

Seconded: Councillor Eaton

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

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

The application was granted subject to the following conditions:

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

Reason: To accord with Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out in accordance with the following:

- Application form signed and dated 15.03.2023
- Location Plan LAN129326 received 15.03.2023
- Drawing No 3480-106-C Received 04.04.2023
- Uplighter details received 04.04.2023

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

3. No materials shall be used on the proposed development other than those referred to on the approved plans.

Reason: In the interests of visual amenity of the area and ensuring that the appearance of the development is acceptable.

11. APPLICATION NUMBER 2023/0144 – HAWTHORNE HOUSE, ROCHDALE ROAD, EDENFIELD PROPOSED 2 STOREY DWELLING HOUSE AND REMODELLING OF EXISTING OUTBUILDING TO FORM NEW GARAGE (ITEM B7)

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

Mrs Partington spoke against the application.

Mr Thompson spoke for the application.

Councillor Johnson spoke on the application.

Members asked questions for clarification purposes only.

In determining the application, members discussed the following:

- Residential amenity.
- Clarification on site plan.
- The parking issues.
- Clarification of the position of the trees.

Clarification was provided on the points raised.

A proposal was moved and seconded to refuse the application as per the officer's recommendation, for the reasons set out in the report.

Moved: Councillor Eaton

Seconded: Councillor Driver

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

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

The application was refused subject to the following reasons:

1. The development includes features that are incongruous within the overall streetscene. The proposal is contrary to the NPPF and contrary to Policy ENV1 of the Rossendale Local Plan in respect of visual amenity.
2. The proposals will not safeguard the residential amenities currently enjoyed by the occupiers of the neighbouring property. The proposed development does not satisfy the requirements of Policies ENV1, and ENV6 of the Rossendale Local Plan.
3. The proposals cannot demonstrate that there will not be harm to protected species, and in addition, there will be a net loss in biodiversity on the site due to the loss of mature trees. The proposed development is contrary to Policy ENV3 of the Rossendale Local Plan and paragraph 174 of the NPPF.
4. The loss of the trees would have a significant detrimental impact on the visual amenity of the area. This is contrary to Policy ENV10 of the Rossendale Local Plan.

The meeting concluded at 19:45

Signed:
(Chair)

Date:
