

MINUTES OF: THE DEVELOPMENT CONTROL COMMITTEE

Date of Meeting: 25th July 2023

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

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

Also Present: Councillor B.Ashworth, Councillor D.Ashworth, Councillor Barnes, Councillor Foxcroft,
Councillor McInnes and Councillor Neal
Sean O'Hagan, LUF Programme Manager
16 members of the public

1. APOLOGIES FOR ABSENCE

Apologies were noted for Councillor Hodgkiss. Councillor Cheetham was acting as substitute.

2. MINUTES

Resolved:

That the minutes of the meeting held on the 27th June 2023 be signed by the Chair and agreed as a correct record.

3. DECLARATIONS OF INTEREST

Councillor Cheetham declared a non-pecuniary interest in relation to B1 (minute 5) as she was appointed to Lancashire County Council's Regulatory Committee.

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. The committee were given copies of all reports and plans in advance of the meeting, which they had adequate time to read.

5. 2023/0142 - LAND WEST OF 1162 BURNLEY ROAD, LOVECLOUGH - OUTLINE APPLICATION (INCLUDING ACCESS ONLY) FOR RESIDENTIAL DEVELOPMENT OF UP TO 40 DWELLINGS (ITEM B1)

The 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.

Matthew Symons spoke in favour of the application and members asked questions for clarification purposes only. Councillors Foxcroft and A. Barnes also spoke in relation to the application.

In determining the application, members discussed the following:

- Management of affordable houses
- Parking and highway concerns
- School capacity and education facilities
- Number of dwellings and type of dwellings
- Harm and impact on the character of the countryside and local and general amenities
- Flood risk
- Clarification on public open space
- Boundary clarification

Clarification was provided on the points raised.

A proposal was moved and seconded to refuse the application contrary to the officer's recommendation for approval.

Reasons for refusal concerned highway capacity issues (the development would contribute to increased congestion on the A682), harm to the character of the countryside and visual amenity (through encroachment of urban development), pressure on local education facilities and increased off-site flood risk.

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:

To refuse the application contrary to the officer's recommendation for approval. Reasons for refusal concerned parking and highway issues, harm and impact on the character of the countryside and visual amenity, pressure on education facilities and increased on and off-site flooding risk.

6. 2023/0231 - BACUP FC SPORTS CLUB, WEST VIEW FOOTBALL GROUND, COWTOOT LANE, BACUP, OL13 8EE - PARTIAL DEMOLITION OF EXISTING CLUB HOUSE AND REBUILD INCREASING FOOTPRINT. (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.

There were no registered speakers.

In determining the application, members discussed the following:

- Supported application and proposal
- Use of the site

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 and an amendment to Condition 6.

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 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:
Reason: To ensure the development complies with the approved plans and submitted details.
3. No materials shall be used on the external elevations or roofs of 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.
4. No development shall take place, including any works of demolition or site clearance, until a Construction Management Plan (CMP) or Construction Method Statement (CMS) has been submitted to, and approved in writing by the local planning authority. The approved plan / statement shall provide:
 - 24 Hour emergency contact number;
 - Details of the parking of vehicles of site operatives and visitors;
 - Details of loading and unloading of plant and materials;
 - Arrangements for turning of vehicles within the site;
 - Swept path analysis showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available and maintained, including any necessary temporary traffic management measures;
 - Measures to protect vulnerable road users (pedestrians and cyclists);
 - The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - Wheel washing facilities;
 - Measures to deal with dirt, debris, mud or loose material deposited on the highway as a result of construction;
 - Measures to control the emission of dust and dirt during construction;
 - Details of a scheme for recycling/disposing of waste resulting from demolition and construction works;
 - Construction vehicle routing;
 - Delivery, demolition and construction working hours.

The approved Construction Management Plan or Construction Method Statement shall be adhered to throughout the construction period for the development.

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

Reason: In the interests of highway safety.

5. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:
 - (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
 - (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
 - (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
 - (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
 - (v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Prior to the bringing into use of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

6. Construction works shall not take place outside the following hours:

Monday to Friday **09:30 to 14:30**

Saturday 08:00 to 13:00

Construction shall not take place on Sundays or Bank or Public Holidays.

Access and egress for delivery vehicles shall be restricted to the working hours indicated above.

Construction deliveries shall only be accepted between the hours of (9.30am) and (2.30pm)

Monday – Friday, to avoid peak traffic on the surrounding highway network.

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.

7. Deliveries to the approved development shall only be accepted between the hours of (9.30am) and (2.30pm) Monday – Friday, to avoid peak traffic on the surrounding highway network.

Reason: In the interest of highway safety.

7. 2023/0240 - LAND OFF HALL STREET, HALL FOLD, WHITWORTH - REPLACEMENT STABLE PLUS OPEN SIDED FOOD STORE (RETROSPECTIVE) (ITEM B3)

The 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.

Steven Hartley spoke in favour of the application and members asked questions for clarification purposes only. Councillor Neal also spoke in relation to the application.

In determining the application, members discussed the following:

- Impact on visual amenity of the site
- Concern of the location of site
- Environmental impact

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 detailed in the report.

Moved: Councillor Eaton

Seconded: Councillor Marriott

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 reasons:

1. The development represents and intensification of built form that has a detrimental impact on the openness of the Green Belt. It is therefore inappropriate development in the Green Belt. No very special circumstances have been demonstrated which would outweigh the resulting harm. As such, the development is contrary to Section 13 of the National Planning Policy Framework and Policies SD2 and ENV1 of the Rossendale Local Plan.
2. The intensification of the built form and the use of inappropriate materials impacts harmfully on the visual amenity of the site and the wider area. As such the development would not accord with Section 15 of the National Planning Policy Framework and Policies ENV1 and ENV3 of the Rossendale Local Plan.

8. 2023/0276 - 12 MARKET STREET, BACUP OL13 8HA - PROPOSAL TO DEMOLISH 12 MARKET STREET (ITEM B4)

The 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.

Sean O'Hagan spoke in favour of the application and members asked questions for clarification purposes only.

In determining the application, members discussed the following:

- Impact of the demolition on businesses in the vicinity and their safety
- Demolition procedure
- Notice to businesses regarding demolition times and dates

Clarification was provided on the points raised.

A proposal was moved and seconded that members be minded to approve 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
5	1	1

Resolved:

That the Committee was minded to approve subject to the conditions outlined; and also delegate authority to the Chair of the Development Control Committee and Head of Planning to consider any public representations received prior to the expiry of the advert placed in the Rossendale Free Press publicising the application, and subsequently determine the application upon the expiry of the publicity period, taking into account any representations received.

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 strict accordance with the following drawings and documents unless required by the conditions below:
 - Application form signed 31 May 2023.
 - Site Location Plan drawing no. 001 and dated 13 April 2023.
 - Method Statement prepared by Lee Ashworth Excavation Ltd.
 - Preliminary Survey & Assessment in respect of Bat Species and Nesting Birds prepared by Echo Calls Bat Surveys and dated 22 May 2023.
 - Arboricultural Impact Assessment, Tree Protection Plan, Method Statement prepared by Cumbria Tree Surveys and dated May 2023.Reason: To define the permission and in the interests of the proper development of the site.
3. Activity and works associated to the approved demolition of the building shall not take place outside the following hours:
Monday to Friday: 08:00 – 18:00
Saturday: 08:00 – 13:00
Construction works shall not take place on Sundays or Bank or Public Holidays.
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.
4. No development shall take place, including any works of demolition or site clearance, until a Construction Management Plan (CMP) or Construction Method Statement (CMS), accompanied by a drawing for relevant details, has been submitted to, and approved in writing by the local planning authority. The approved plan / statement shall provide:
 - 24 Hour emergency contact number;

- Details of temporary site access arrangements, and arrangements to ensure that the highway and any related highway structures are suitably protected during works;
- Details of the parking of vehicles of site operatives and visitors;
- Details of loading and unloading of plant and materials;
- Details of where skips and scaffold will be located, shown on a plan;
- Arrangements for turning of vehicles within the site;
- Swept path analysis showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available and maintained, including any necessary temporary traffic management measures (including the use of the layby for demolition vehicles);
- Measures to protect vulnerable road users (pedestrians and cyclists), including any necessary temporary walkway arrangements;
- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate, shown on a plan;
- Wheel washing facilities;
- Measures to deal with dirt, debris, mud or loose material deposited on the highway as a result of construction;
- Measures to control the emission of dust and dirt during construction;
- Details of a scheme for recycling/disposing of waste resulting from demolition and construction works;
- Construction vehicle routing.

Reason: In the interests of the safe operation of the adopted highway during the demolition and to ensure highway and pedestrian safety in general.

5. Deliveries in connection with the approved demolition of the building shall only be accepted between the hours of 09:30 to 14:30 Monday to Friday.

Reason: In the interest of highway safety.

6. The development hereby approved shall be carried out in accordance with the submitted Arboricultural Impact Assessment, Tree Protection Plan, Method Statement prepared by Cumbria Tree Surveys (dated May 2023).

Reason: To protect nearby trees.

9. 2022/0391 - CRIBDEN FLATTS FARM, CRIBDEN END LANE, HASLINGDEN, BB4 8UB - FULL: APPLICATION FOR AN AGRICULTURAL BUILDING (INC. BIOMASS BOILER) (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.

Anthony Atkinson spoke against the application, Steven Hartley spoke in favour of the application and members asked questions for clarification purposes only.

In determining the application, members discussed the following:

- Type of agricultural facilities
- Agricultural holding of land
- Installation of biomass boiler
- Location of agricultural building and distance from farm
- Clarification on conditioning agricultural use of the building for the keeping of rare sheep

- Location of agricultural building and effect on visual amenity
- Concerns around the size of the agricultural building

Clarification was provided on the points raised.

A proposal was moved and seconded to defer the application. Reasons to defer the application were to allow officers to have further discussions with the applicant regarding the location of the agricultural building and its size, address concerns regarding visual amenity, and the necessity of the biomass boiler.

Moved: Councillor Eaton
 Seconded: Councillor Gill

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

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

To defer the application to allow officers to have further discussions regarding the location, size of land, address concerns regarding visual amenity, type of agriculture and the necessity of the biomass boiler.

The meeting concluded at 8.30pm.

Signed:
(Chair)

Date:
