

MINUTES OF: THE DEVELOPMENT CONTROL COMMITTEE

Date of Meeting: 8th October 2024

Present: Councillor Procter (Chair)
Councillors Eaton, Hancock, Payne (sub), Hodgkiss, Driver (sub) and Gill (sub)

In Attendance: Mike Atherton, Head of Planning
James Dalglish, Principal Planning Officer
Storm Grimshaw, Senior Planning Officer
Claire Bradley, Senior Planning Officer
Chris Dobson, Planning Officer
Ian Lunn, Planning Consultant
Sattar Hussain, Legal Officer

Also Present: 18 members of the public
Councillors McInnes, Adshead, Harris and Ashworth

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Kenyon (Councillor Driver sub), Councillor Ashworth (Councillor Gill sub), Councillor Adshead (Councillor Payne sub).

2. MINUTES

Resolved:

That the minutes of the meeting held on the 3rd September 2024 be signed by the Chair and agreed as a correct record.

3. DECLARATIONS OF INTEREST

Councillor Hancock declared a pecuniary interest in relation to item B5 (minute 9) as he was the agent.

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 applications 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. 2022/0318 – Land at Lane End Road, Bacup (ITEM B1)

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

The Officer's recommendation was for Members to be minded to approve outline planning permission as detailed in the recommendation of the report and including conditions detailed in the report.

Mr Hartley spoke in favour of the application. Members asked questions for clarification purposes only.

In determining the application, the Committee discussed the following:

- Route of access of the highway
- Proximity of the development to a primary school
- Narrowness of the highway in its entirety and single track access
- Condition of the highway
- No heritage statement submitted with the application
- In mitigation, the Local Highways Authority may restrict parking on the side of the highway, but this will be considered further at Reserved Matters stage

A proposal was moved and seconded to approve the application.

Moved: Councillor Procter

Seconded: Councillor Hancock

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

FOR	AGAINST	ABSTENTION
4	3	0

Resolved:

That Members resolve that they would be minded to grant outline planning permission and that the determination of the application hereafter be delegated to the Head of Planning as follows:

(1) To complete a suitable Section 106 Agreement to secure:

- 30% affordable housing provision on site (8 x social / affordable rent and 4 x affordable home ownership, with at least 3 of these affordable home ownership units made up of First Homes).
- £2414 per dwelling towards the improvement of existing open spaces located outside of the site and improvement of playing pitches in the local area (inclusive of maintenance fee).
- Current Rossendale Borough Council S.106 monitoring and recording fees.
- Management and maintenance of on-site landscaping, public open space and communal areas.
- Any education contribution requested by the Local Education Authority until the date the S.106 agreement is signed.
- Any other reasonable and necessary contributions required.

(2) To carry out drafting amendments and alterations to any planning condition or S.106 Agreement, and to insert any other required planning conditions.

(3) To have discretion to refuse planning permission if the S.106 Agreement is not completed within a reasonable timescale.

(4) That upon satisfactory completion of the above legal agreement that planning permission be granted subject to the conditions contained within the report or as amended by the above.

6. 2024/0274 Rawtenstall Market Redevelopment (ITEM B2)

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

Following the update report, the Officer's recommendation was to delegate to the Chair, Vice Chair and Head of Planning to approve the application subject to highways related matters being resolved and subject to the conditions contained within the report (as amended by the update report) and any other amendments required to the conditions that may be suggested by LCC Highways.

Mr Crowley spoke against the application. Members asked questions for clarification purposes only.

Mr Hayhoe spoke in favour of the application. Members asked questions for clarification purposes only.

In determining the application, the Committee discussed the following:

- Market traders do not want an indoor food hall
- Inaccuracies in the report regarding residential dwellings
- Meetings with market management
- Dilapidation of stalls and meetings to rectify this
- The appearance and architecture of the building and stonework
- The location of the bike store and the blend of it in the area from a visual aspect
- The number of indoor and outdoor food outlets
- The continuation of the consultation with the traders and clarity on what is inside and outside
- Traders' objections to being relocated indoors
- Pre-application consultation and the location of the food stalls within the site are not material planning considerations. The application is for the adaptation to the existing building and replacement of existing stalls
- Reconfiguration of the car park to facilitate parking for traders and visitors to the market
- Operational aspect of the market cannot be controlled under planning
- Condition relating to the materials and the appropriateness of the same – Members requested that consideration is given to warmer tones where grey is currently proposed – this will be dealt with as a discharge of condition

A proposal was moved and seconded to approve the application.

Moved: Councillor Procter

Seconded: Councillor Eaton

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

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

That authority is delegated to Chair, Vice Chair and Head of Planning to approve the application subject to highways related matters being resolved and subject to the conditions contained within the report (as amended by the update report) and any other amendments required to the conditions that may be suggested by LCC Highways.

7. 2024/0160 – Land Adjacent 117 and 119 Booth Road (ITEM B3)

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

The Officer’s recommendation was to refuse the application for the reasons detailed in the report.

Mr Edmonson spoke in favour of the application. Members asked questions for clarification purposes only.

Cllr Adshead also spoke on the application as a Ward member.

In determining the application, the Committee discussed the following:

- Japanese Knotweed and measures to remove it
- Existing footpath will be marked and maintained
- National policy on greenbelt land
- Previous sites approved in greenbelt land
- Natural planting and biodiversity net gain
- Car parking spaces

Officers advised that Members needed to consider whether the development was inappropriate development in the Green Belt, or whether they considered that it qualified as an exception; or whether there were any very special circumstances in this case to warrant approval of inappropriate development within the Green Belt.

Members considered that there were very special circumstances in this case, and a proposal was moved and seconded to approve the application contrary to the officer’s recommendation for the reasons stated by the committee.

Moved: Councillor Eaton

Seconded: Councillor Driver

It was confirmed that conditions would be required and that these would be agreed should members decide to approve the application.

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

FOR	AGAINST	ABSTENTION
5	1	1

Resolved:

To approve the application, subject to conditions being agreed, for the following reasons:

- The harm to the objectives of green belt policy would be moderate.
- The site has previously contained buildings and hard standing within it.
- The site needs tidying up.
- The condition of the site attracts anti-social behaviour.
- The proposed development is in keeping with the ribbon development along Booth Road and the local character of the area.

Members continued to discuss the conditions.

The biodiversity net gain assessment for offsite measures would need to be dealt with via a s106 agreement. It was proposed that the wording of the planning conditions would be delegated to the Head of Planning, the Chair and Vice Chair.

Moved: Councillor Procter
Seconded: Councillor Eaton

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

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

To approve the application subject to a section 106 agreement (if required to enable the delivery of off site Biodiversity Net Gain) and conditions for the following reasons:

- The harm to the objectives of green belt policy would be moderate.
- The site has previously contained buildings and hardstanding within it.
- The site needs tidying up.
- The condition of the site attracts anti-social behaviour.
- The proposed development is in keeping with the ribbon development along Booth Road and the local character of the area.

The wording of the planning conditions is delegated to the Head of Planning, the Chair and Vice Chair.

The biodiversity net gain assessment for offsite measures would need to be dealt with via a s106 agreement.

8. 2024/0315 318A Newchurch Road, Stacksteads (ITEM B4)

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

The Officer's recommendation was to approve the application subject to the conditions detailed in the report.

Mr Dawson spoke against the application. Members asked questions for clarification purposes only.

Mr Howden spoke in favour of the application. Members asked questions for clarification purposes only.

Cllr Adshead also spoke on the application as a Ward member.

In determining the application, the Committee discussed the following:

- Turnover of people of moving in and out of the properties
- Limited parking spaces

- Number of bedroom and the en-suite on the lower ground floor
- The number of people living in the property at any one time (maximum 13 bedrooms, 13 residents)
- Lack of bathroom facilities
- The monitoring and management of the number of residents in the building
- Noise due the neighbours in the adjoining bedrooms and compliance with the regulations
- Adequacy of the bathrooms will be picked up by Environment Health
- The conditioning of the number of residents and bathrooms

A proposal was moved and seconded to defer the application due to the issues regarding the adequacy of the toilet and bathroom facilities and the highway issues raised including the lack of parking spaces. More detailed information to be provided by Environment Health and Highways in respect of the same.

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:

That planning permission be deferred for Environment Health and Highways to confirm their position in respect of the points raised as aforementioned.

Councillor Hancock left the room for the remainder of the meeting.

9. 2024/0277 318 Newchurch Road, Stacksteads, Bacup (ITEM B5)

The Planning Officer introduced the application as detailed in the report including the proposal, site details, representations and consultation responses received.

The Officer's recommendation was to delegate the decision on the application to the Head of Planning along with the Chair and Vice Chair to grant planning permission following the expiration of the publicity period subject to the conditions detailed in the report.

A proposal was moved and seconded to defer the application.

Moved: Councillor Driver

Seconded: Councillor Eaton

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

FOR	AGAINST	ABSTENTION
6	0	0

Resolved:

That Members delegate the decision on this application to the Head of Planning along with the Chair and Vice Chair to grant planning permission following the expiration of the publicity period subject:

- a) to the conditions listed below, and
- b) to no substantial additional representations being received in respect of the scheme.

Conditions

1. The development hereby permitted shall be carried out in accordance with the following drawings, unless otherwise required by the conditions below:

<u>Drawing</u>	<u>Drawing No.</u>	<u>Date Received</u>
Location Plan	#00910156-BC4E4C	26/07/24
Existing Floor Plans and Elevation	16023.1	26/07/24
Proposed Ground Floor Plan and Elevation	16023.2a	23/08/24

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development, in accordance with the requirements of Policies SD1, SD2, ENV1 and ENV2 of the Council's adopted Rossendale Local Plan 2019 to 2036 and Sections 12, 15 and 16 of the National Planning Policy Framework.

2. The new door surround shall be constructed of natural stone. The stone used shall match in type, colour and texture that used in the construction of the surround to the adjoining entrance door serving 318 Newchurch Road.

Reason: In the interests of visual amenity and safeguarding the setting of the adjoining listed buildings, in accordance with the requirements of Policies SD1, SD2, ENV1 and ENV2 of the Council's adopted Rossendale Local Plan 2019 to 2036 and Sections 12, 15 and 16 of the National Planning Policy Framework.

3. The works hereby approved shall be completed within six months of the date of this approval and shall thereafter be satisfactorily retained at all times.

Reason: In the interests of visual amenity and safeguarding the setting of the adjoining listed buildings, in accordance with the requirements of Policies SD1, SD2, ENV1 and ENV2 of the Council's adopted Rossendale Local Plan 2019 to 2036 and Sections 12, 15 and 16 of the National Planning Policy Framework.

The meeting concluded at 21:00pm

**Signed:
(Chair)**

Date:
