

MINUTES OF: THE DEVELOPMENT CONTROL COMMITTEE

Date of Meeting: 12th November 2024

Present: Councillor Procter (Chair)
Councillor Eaton (Vice Chair)
Councillor Ashworth
Councillor Hancock
Councillor Kenyon
Councillor Hodgkiss
Councillor Adshead

In Attendance: James Dalglish, Principal Planning Officer
Claire Bradley, Senior Planning Officer
Sattar Hussain, Legal Officer

Also Present: 9 members of the public
Councillor Looker

1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

2. MINUTES

Resolved:

That the minutes of the meetings held on the 8th October 2024 and 15th October 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 and Councillor Adshead declared an interest in relation to item B3 (minute 7) as she called in the application. Councillor Adshead and Ashworth also declared an interest in relation to item B3 (minute 7) as they spoke (Councillor Ashworth spoke previously) on the application with an objection.

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. 2023/0553 – Glen Top Works, Newchurch Road, The Glen, Stacksteads (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 outlined planning permission as detailed in the recommendations of the report and including conditions detailed in the report.

In determining the application, the Committee discussed the following:

- One-way system
- Inclusion of obscure-glazed screens to two rear balconies to protect privacy for neighbours

A proposal was moved and seconded to approve the application in line with the Officer's recommendation and the determination of the application hereafter be delegated to the Head of Planning, Chair and Vice Chair subject to the conditions detailed in the report and a suitable S.106 Agreement.

Moved: Councillor Eaton

Seconded: Councillor Kenyon

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

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

That Members be minded to grant planning permission (subject to the conditions contained in the report and that the determination of the application thereafter be delegated to the Head of Planning, Chair and Vice Chair of Committee as follows:

- (1) To complete a suitable Section 106 Agreement to secure:
 - A financial contribution of £33,796.00 towards public open space / playing pitch provision (final location of spending to be agreed).
 - A financial contribution of £5,000 to compensate for Green Belt release / development.
- (2) To carry out drafting amendments to, or delete, any planning condition, insert any other required planning conditions, and to carry out any further amendments, variations or alterations to the S.106 Agreement as required.
- (3) To have discretion to refuse planning permission in the circumstance that the Section 106 Agreement is not completed within six months of the resolution to grant planning permission.
- (4) That upon satisfactory completion of the above legal agreement that planning permission be granted subject to the conditions contained within this report or as amended by (2) above.

6. 2024/0063 – Land to rear of 19 Helmshore Road (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.

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

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

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

Councillor Looker also spoke on the application as a Ward member.

In determining the application, the Committee discussed the following:

- No mention of 16 trees in the report and difficulty to understand how 16 trees will fit in there
- The exterior appearance of the design
- The proposed application meets the density requirement
- The obligation to replace trees and to meet the planner's condition of planting 16 trees
- Access for HGVs to transport and deliver materials and the narrowness of the access route
- Access route not required to be widened
- The condition of the planting of trees applies to the application site and if the requirement is not met
- Pedestrian safety
- Passage is currently used by vehicular traffic
- Impact on conservation area

A proposal was moved and seconded to approve in line with the Officer's recommendation subject to the conditions detailed in the report and the additional condition detailed in the update report.

Moved: Councillor Procter

Seconded: Councillor Eaton

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

FOR	AGAINST	ABSTENTION
4	2	1

Resolved:

That planning permission be approved 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 received 19.02.2024 with revised Certificate received 24.04.2024

Revised Location Plan received 26.06.2024

Existing Site Plan received 19.02.2024

Proposed Site Plan received 19.06.2024

Proposed Plans and Elevations received 19.06.2024
Planning Statement received 19.02.2024
Proposed Rainwater Goods received 19.02.2024
Arboricultural Impact Assessment received 20.09.2024
Arboricultural Method Statement received 20.09.2024
Construction Management Statement received 03.10.2024
Landscaping and Boundary Treatment received 08.10.2024

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

3. Prior to development commencing samples of all proposed facing and roofing materials, and hard landscaping materials, shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented in full prior to first occupation of the dwelling.

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

4. All development shall be carried out in accordance with the approved Construction Management Statement submitted 03.10.2024.

Reason: To mitigate the impact of the construction traffic on the highway network.

5. Construction-related 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.

6. Prior to first occupation of the approved development an electric vehicle charging point shall be provided in accordance with a scheme to be approved by the Local Planning Authority. Charge points must have a minimum power rating output of 7kW and be fitted with a universal socket that can charge all types of electric vehicle currently available.

Reason: To ensure that the development provides the infrastructure for sustainable forms of transport.

7. The parking areas shown on the approved plans shall always remain available for the parking of domestic vehicles associated with the existing dwelling and approved dwelling.

Reason: In order to ensure satisfactory levels of off-street parking are achieved within the site to prevent parking on the highway to the detriment of highway safety.

8. The turning area provision included on the approved plan shall always remain so that all vehicles can enter, turn and exit onto Ryefield Avenue West in forward gear.

Reason: Vehicles reversing to and from the highway are a hazard to other road users

9. No demolition or tree or shrub clearance shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to works and written confirmation provided that no active bird nests are

present, which has been agreed in writing by the local planning authority.

Reason: In the interests of the ecology and biodiversity of the site

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

Monday to Friday 08:00 to 18:00

Saturday 08:00 to 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.

An additional condition was noted within the update report to be added to any approval as follows:

11. During the first available planting season following the felling of the trees hereby granted, they shall be replaced on a 1:2 ratio with a "light standard" tree(s) in accordance with British Standard 3936: Part 1: 1992 (Specification for Nursery Stock Part 1:Trees and Shrubs) and shall have a clear stem height from the ground of 1.5m, a minimum overall height from the ground of 2m, a minimum circumference of stem at 1m from the ground of 6cm and the tree(s) shall be root balled.

If the replacement trees die or are removed within 5 years of planting, they shall be replaced within 12 months of removal or death, to the satisfaction of the Local Planning Authority.

N.B. Councillor Adshead and Councillor Ashworth left the committee and did not sit on the following item.

7. 2024/0315 – 318A Newchurch Road, Stacksteads (ITEM B3)

The Planning Officer introduced the application as detailed in the report, the previous report and consultation responses.

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

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

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

In determining the application, the Committee discussed the following:

- Noise from rooms and the depth of the walls / insulation between rooms
- The number of bathrooms and the number of occupants
- Environmental health will be responsible for enforcing the HMO Licence and related occupancy limits
- The suitability of the design
- Parking provision

A proposal was moved and seconded to approve in line with the Officer's recommendation subject to the conditions detailed in the report.

Moved: Councillor Hancock
Seconded: Councillor Eaton

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

FOR	AGAINST	ABSTENTION
4	0	1

Resolved:

That planning permission be approved 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 the requirements of Section 91 of the Town and Country Planning Act 1990.

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

Drawing No: 24NP506_01_001 - Location Plan received 25.07.2024

Drawing No: 24NP506_01_002 - Existing Site Plan received 25.07.2024

Drawing No: 24NP506_01_004 - Existing Elevations received 25.07.2024

Drawing No: 24NP506_01_005 - Proposed Elevations received 25.07.2024

Drawing No: 24NP506_01_006 - Existing Floor Plans received 25.07.2024

Drawing No: 24NP506_01_007 - Proposed Floor Plans received 25.07.2024

Drawing: Stair Bike Ramp received 13.09.2024

Drawing No: 24NP506_01_003 - Proposed Site Plan received 13.09.2024

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

3. 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.
- 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.
- Measures to deal with dirt, debris, mud, or loose material deposited on the highway because 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.

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 and to minimise the impact of construction on residents and pedestrians during the construction phases.

4. Space shall be provided for a minimum of 4 bicycles to be stored within the development as detailed on the approved plans prior to first occupation of the building.

Reason: To allow for the promotion of sustainable forms of transport and aid social inclusion.

5. Construction works shall not take place outside the following hours-

Monday to Friday 08:00 to 18:00

Saturday 08:00 to 13:00

Construction works 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.

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.

6. Any vegetation clearance including trees, shrubs and undergrowth (eg bramble) should avoid the bird nesting / breeding season (March- August inclusive) unless it has first been demonstrated (through the submission of a suitable report prepared by a qualified ecologist to the Local Planning Authority) that there is no nesting activity present.

Reason: To ensure that there is no harm to nesting birds which are protected by the Wildlife and Countryside Act 1981.

N.B. Councillor Adshead and Councillor Ashworth came back to sit on the committee.

8. 2024/0138 – 44 Manchester Road, Haslingden (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.

In determining the application, the Committee discussed the following:

- Bin storage

A proposal was moved and seconded to approve in line with the Officer's recommendation to the conditions detailed in the report.

Moved: Councillor Eaton

Seconded: Councillor Kenyon

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

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

That planning permission be approved 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 the requirements of Section 91 of the Town and Country Planning Act 1990.

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

Drawing No: 546ROS-100 - Location Plan received 08.04.2024
Drawing No: 546ROS-101 - Existing and Proposed Roof Plan received 08.04.2024
Drawing No: 546ROS-102 - Existing Plans received 08.04.2024
Drawing No: FF_006_100 - Existing Elevations received 03.10.2024
Drawing No: FF_006_101 - Proposed Elevations received 03.10.2024
Drawing No: FF_006_102 – Proposed Plans received 24.10.2024
Design and Access Statement received 08.04.2024
Heritage Statement received 19.08.2024

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

3. The rear dormer forming part of the scheme hereby approved shall be constructed with a natural slate roof to match that of the existing building.

Reason: In the interests of visual amenity.

4. Prior to first use of the HMO hereby approved, the access from the back street into the rear yard of the property shall be provided with a ramp and shall not be stepped. The ramp shall be retained at all times thereafter.

Reason: To facilitate the collection of waste bins from the rear of the property.

N.B. Councillor Hancock left the Chamber for the following item.

9. 2024/0351 – 2 Peter Street, Rawtenstall (ITEM B5)

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.

In determining the application, the Committee discussed the following:

- Double yellow lines – Parking and access issues

A proposal was moved and seconded to refuse the application in line with the Officer's recommendation subject to the conditions detailed in the report.

Moved: Councillor Eaton
Seconded: Councillor Procter

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

FOR	AGAINST	ABSTENTION
6	0	0

Resolved:

To refuse for the following reasons:

- 1) Due to an intensification of the use of the site, and the lack of sufficient off street parking at the site, the proposed development will have an unacceptable adverse impact on the access to the site and adjoining dwellings, and on highway safety in the vicinity of the site contrary to Paragraph 115 of the National Planning Policy Framework.
- 2) It is considered that the proposed external changes to the side elevation, located in this very prominent position in the Conservation Area, would appear out of keeping with the building and its surrounding context. As such it is considered that the development would fail to preserve and enhance the character and appearance of the Rawtenstall Conservation Area within which it would be located without, in the view of the Local Planning Authority, any significant public benefits having been demonstrated to outweigh that harm. The proposal is therefore considered to be contrary to the provisions of Policies ENV1, and ENV2 of the adopted Rossendale Local Plan 2019 to 2036, and Sections 12, and 16 of the National Planning Policy Framework.

N.B. Councillor Hancock returned to the Chamber for the remaining item.

10. 2024/0117 – Longacres View, Minnie Street, Whitworth, OL12 8JX (ITEM B6)

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

A proposal was moved and seconded to approve in line with the Officer’s recommendation subject to the conditions detailed in the report.

Moved: Councillor Kenyon
Seconded: Councillor Ashworth

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

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

That planning permission be approved 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 submitted planning application form and the following drawings and documentation unless otherwise required by the conditions below:

- Location Plan 2 (received 08/05/2024)
- Plans and Elevation 3 (received 24/10/2024)

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

- 3) The following external materials shall be used in the construction of the garage:

- Natural coursed stone to be used on the elevations
- Natural blue slate to be used on the roof

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

- 4) The garage hereby approved shall be kept available for the parking of vehicles ancillary to the enjoyment of the household and shall not be used for any use that would preclude the ability of its use for the parking of private motor vehicles, whether or not permitted by the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any order amending or revoking and re-enacting that order.

Reason: To ensure that adequate parking provision is retained on site

The meeting concluded at 7:43pm

**Signed:
(Chair)**

Date:
