

**MINUTES OF: DEVELOPMENT CONTROL COMMITTEE**

**Date of Meeting: Tuesday 2<sup>nd</sup> August 2005**

**PRESENT: Councillor S Pawson (in the Chair);  
Councillors: Atkinson, D Barnes, Crosta, Entwistle, Lamb,  
Neal, Robertson, Swain and Thorne**

**IN ATTENDANCE: Mr B Sheasby, Team Manager Development Control  
Mr N Birtles, Senior Planning Officer  
Mrs A Foster, Legal Services Manager  
Mr J Joinson, Democratic Services Manager**

**ALSO PRESENT: Councillors: Eaton and J Pawson**

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**110. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor L Barnes.

**111. MINUTES**

**Resolved:**

That the Minutes of the meeting of the Committee held on the 12<sup>th</sup> July 2005 be signed by the Chair as a correct record.

**112. DECLARATIONS OF INTEREST**

Councillor D Barnes declared an interest in Item B8 on the basis that he had fettered his discretion following his involvement as Chair of the Working Group.

Councillor Neal declared a personal interest in item B8 as a Whitworth councillor.

**113. APPLICATION NUMBER 2005/155  
CHANGE OF USE FROM RESIDENTIAL TO RETAIL SHOP (USE CLASS A1)  
AND THE INSTALLATION OF A NEW SHOP FRONT TOGETHER WITH THE  
INSTALLATION OF A ROLLER SHUTTER AT 22 NEWCHURCH ROAD,  
RAWTENSTALL**

No councillors had been lobbied on this item.

In accordance with the procedure for public speaking Mrs K Fishwick spoke against the application. Mr A Shahid spoke for the application.

A proposal was moved and seconded to approve the application, subject to the inclusion of an appropriate condition in respect of all external materials and finishes

being in-keeping with the conservation area. The following amendment was then moved and seconded:-

“That a further condition be attached to require any shutters used to be of an internal design”.

The amendment was carried and voting then took place on the substantive motion, the result of which was as follows:-

<b>COUNCILLOR</b>	<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
S Pawson	✓		
Swain		✓	
Atkinson	✓		
D Barnes	✓		
Crosta	✓		
Entwistle	✓		
Lamb	✓		
Neal	✓		
Robertson	✓		
Thorne	✓		
<b>TOTALS</b>	<b>9</b>	<b>1</b>	<b>0</b>

**Resolved:**

That planning permission be granted for the following reasons and subject to the under-mentioned conditions:-

The development permitted shall be begun before the expiration of five years from the date of this permission. Reason: The condition is required by virtue of Section 91 of the Town and Country Planning Act 1990.

Notwithstanding the information on the submitted plans, any roller shutter shall be installed internally. All the external materials and finishes to be used on the shop front and shutters of the proposed development shall be submitted to and approved in writing prior to the commencement of development. Reason: To ensure that the design and materials of the new shop front hereby permitted is in keeping with those in the vicinity and with the character or appearance of the Rawtenstall Town Centre Conservation Area existing and to accord with Policy DC4 and HP5 of the adopted Rossendale District Local Plan.

**REASONS**

The proposed development would not have a significantly adverse effect upon the amenity of neighbouring residents and subject to conditional control would not look out of place within the locality, thereby according with Policy 1 of the Adopted Joint Lancashire Structure Plan 2001-2016 and policies contained within the Rossendale District Local Plan. The proposed development is in a sustainable location and is

within walking distance of a town centre car park and, subject to the conditions, the design will reflect the designation of the area as a Conservation Area.

**114. APPLICATION NUMBER 2005/191  
ERECTION OF STABLES (OUTLINE) AT LAND ADJACENT TO 6 HARGREAVES  
FOLD LANE LUMB**

No councillors had been lobbied on this item.

The Team Manager Development Control submitted details of representations received since the preparation of the report.

In accordance with the procedure for public speaking Mrs B Veitch spoke against the application.

A proposal was moved and seconded to refuse the application.

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

<b>COUNCILLOR</b>	<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
S Pawson		✓	
Swain		✓	
Atkinson		✓	
D Barnes		✓	
Crosta		✓	
Entwistle		✓	
Lamb		✓	
Neal		✓	
Robertson		✓	
Thorne		✓	
<b>TOTALS</b>	0	10	0

**Resolved:**

That planning permission be refused for the following reasons:-

**REASONS**

Insufficient information has been provided by the applicant in respect of vehicular access to the site to demonstrate compliance with relevant highway requirements to ensure the safety and avoid inconvenience of other road users, in accordance with Policy 7 of the adopted Joint Lancashire Structure Plan and the criteria of Policy DC1 of the adopted Rossendale District Local Plan. Nor has sufficient information been submitted by the applicant to demonstrate that the proposed development will not give rise to additional run-off of (potentially polluted) surface-water to neighbouring properties, in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.

**115. APPLICATION NUMBER 2005/200  
ERECTION OF REPLACEMENT RESIDENTIAL CARE HOME, AT  
RAVENGARTH, LANCASTER AVENUE, HASLINGDEN**

No councillors had been lobbied on this item.

In accordance with the procedure for public speaking Mr A Wood spoke in favour of the application.

A proposal was moved and seconded to approve the application.

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

<b>COUNCILLOR</b>	<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
S Pawson	✓		
Swain	✓		
Atkinson	✓		
D Barnes	✓		
Crosta	✓		
Entwistle	✓		
Lamb	✓		
Neal	✓		
Robertson	✓		
Thorne	✓		
<b>TOTALS</b>	10	0	0

**Resolved:**

That planning permission be granted for the following reasons and subject to the undermentioned conditions:-

**REASONS**

The proposed development is in principle in accord with the Development Plan and, subject to the proposed conditions, is not considered likely to detract to an unacceptable extent from the amenities of neighbours, the townscape, highway safety or any other material consideration.

**CONDITIONS**

That permission be granted, subject to the following conditions :

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

Reason:- The condition is required by Section 91 of the Town & Country Planning Act 1990.

2. The development shall be carried out in accordance with the following drawings :
  - a. 1/4/05 Site Location Plan
  - b. 12/7/05 DPD/37/05A Site Plan
  - c. 12/7/05 DPB/37/01A Ground Floor Plan
  - d. 12/7/05 PDB/37/02A First Floor Plan
  - e. 1/4/05 PDB/37/03 2nd Floor Plan
  - f. 12/7/05 PDB/37/04A Elevations
  - g. 12/7/05 PDB/37/09A Cross Sections

Reason:- To define the permission and ensure a satisfactory form of Development.
  
3. The development shall not be commenced until full details, including representative samples, of the external materials of construction to be used on the roof and walls of the development have been submitted to and first approved in writing by the Local Planning Authority and shall thereafter be carried out in accordance with details.
 

Reason:- To ensure a satisfactory appearance to the development and to accord with Policy 1 of the adopted Joint Lancashire Structure Plan.
  
4. First-floor windows to stair-wells/corridors in the north & east elevations of the northern wing and the east elevation of the southern wing of the building hereby permitted shall be obscure –glazed and remain as such thereafter.
 

Reason:- To safeguard the amenities of occupiers of nearby residential properties and accord with PPS1.
  
5. The building hereby permitted shall not exceed the building slab level shown on the approved drawings unless otherwise agreed in writing by the Local Planning Authority.
 

Reason:- To define the permission and ensure a satisfactory form of development
  
6. Before the use of the premises hereby permitted is first commenced the car parking and vehicle manoeuvring areas shall be surfaced or paved, drained and marked out all in accordance with the approved plan. The car park and vehicle manoeuvring areas shall not thereafter be used for any purpose other than the parking and manoeuvring of vehicles.
 

Reason:- To ensure adequate on site provision of car parking and manoeuvring areas and in accordance with Policy 7 of the adopted Joint Lancashire Structure Plan.
  
7. Prior to first use of the building hereby permitted the existing vehicular access towards the southern end of the site frontage shall be physically closed-off and the footway/verge to Lancaster Avenue re-instated at the applicants expense.
 

Reason:- In the interests of highway safety and to accord with PPG13.

8. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, identify any to be retained and the measures for their protection in the course of development, and detail any changes in ground-level proposed and the materials to be used for proposed boundary fences/walls/gates and areas of hardstanding.

Reason:- In the interests of visual amenity and to accord with Policy 1 of the adopted Joint Lancashire Structure Plan.

9. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the substantial completion of the building hereby permitted, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason:- In the interests of visual amenity and to accord with Policy 1 of the adopted Joint Lancashire Structure Plan.

10. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas shall be passed through trapped gullies with an overall capacity compatible with the site being drained.

Reason:- To prevent pollution and to accord with Policy E9 of the adopted Rossendale District Local Plan.

**116. APPLICATION NUMBER 2005/274  
ERECTION OF TWO DWELLINGS (OUTLINE), FREEHOLD MILL, MARKET STREET, SHAWFORTH**

Councillors S Pawson, Swain, Atkinson, D Barnes, Crosta, Entwistle, Lamb, Neal, Robertson and Thorne declared that they had been lobbied on this item.

In accordance with the procedure for public speaking Mr J Cowpe spoke in favour of the application.

A proposal was moved and seconded to approve the application.

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

COUNCILLOR	FOR	AGAINST	ABSTENTION
S Pawson	✓		
Swain	✓		
Atkinson	✓		
D Barnes	✓		
Crosta	✓		

Entwistle	✓		
Lamb	✓		
Neal	✓		
Robertson	✓		
Thorne	✓		
<b>TOTALS</b>	10	0	0

**Resolved:**

That planning permission be granted for the following reasons and subject to the under-mentioned conditions:-

**REASONS**

Permission existing for erection of one dwelling on the site, the Council considers that the circumstances exist to warrant permitting the additional dwelling as an exception to Policy 12 of the adopted Joint Lancashire Structure Plan and, subject to the conditions, is satisfied the development will not result in significant detriment for neighbours, highway safety or any other material consideration.

**CONDITIONS**

1. The development hereby permitted shall be begun either before 10 October 2008 or within 2 years of the date of approval of the last of the reserved matters to be approved, whichever is the later. Application for approval of the reserved matters shall be made to the Local Planning Authority within 2 years of the date of this permission.  
Reason: The condition is required by virtue of Section 92 of the Town and Country Planning Act 1990.
  
2. Plans and particulars of the reserved matters referred to in condition 1 above, relating to the siting, design and external appearance of any buildings to be erected, and landscaping, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved. The proposed dwellings shall have the windows to habitable-rooms principally facing towards the north-east and south-west.  
Reason: The application is in outline only and not accompanied by detailed plans, and to protect the amenities of neighbours and the character and appearance of the area.
  
3. The first application for approval of reserved matters shall be accompanied by details of the existing and proposed ground-levels, and the slab-level of proposed buildings. The development shall be undertaken in accordance with approved details of levels.  
Reason: The applications is in outline only and not accompanied by detailed plans, and to protect the amenities of neighbours and the character and appearance of the area.

4. The first reserved matters application shall be accompanied by a Contaminated Land Phase One Report (to assess the actual/potential contamination risks at the site) and a Report Identifying Mineshafts and Other Coal Workings within & bounding the site. Should the Phase One Report or Mine Workings Report recommend that a Phase Two Investigation is required it shall be carried out and the results submitted to and approved in writing by the Local Planning Authority. Should the Phase Two Investigation indicate that remediation is necessary then a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The Remediation Scheme in the approved Remediation Statement shall then be carried out and, prior to first use of either of dwellings permitted, a Completion Report shall be submitted to the Local Planning Authority detailing the conclusions and actions taken at each stage of the works (to include validation works).  
Reason: To ensure the development is suitable for its end use and the wider environment in accordance with Policy E6 & E7 of the adopted Rossendale District Local Plan.

**117. APPLICATION NUMBER 2005/278  
 (OUTLINE) ERECTION OF 4 DWELLINGS (RESUBMISSION OF PLANNING APPLICATION 2005/010) AT GREENHILL GARAGE, ROCHDALE ROAD, BACUP**

Councillors S Pawson, Swain, Atkinson, Crosta, Entwistle, Lamb, Neal, Robertson and Thorne declared that they had been lobbied on this item.

In accordance with the procedure for public speaking Mr J Cowpe spoke in favour of the application. In addition, Councillor J Eaton spoke for the application.

A proposal was moved and seconded to approve the application.

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

<b>COUNCILLOR</b>	<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
S Pawson	✓		
Swain	✓		
Atkinson	✓		
D Barnes	✓		
Crosta	✓		
Entwistle	✓		
Lamb	✓		
Neal	✓		
Robertson	✓		
Thorne	✓		
<b>TOTALS</b>	10	0	0



**Resolved:**

That planning permission be granted for the following reasons and subject to the under-mentioned conditions:-

**CONDITIONS**

1. Approval of the details of the design and external appearance of the buildings, the means of access thereto and the landscaping of the site (hereinafter called the “reserved matters”) shall be obtained from the Local Planning authority in writing before any development is commenced.  
Reason:-The application is in outline only and not accompanied by detailed plans.
2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.  
Reason:-Required by Section 92 of the Town and Country Planning Act 1990.
3. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.  
Reason:-Required by Section 92 of the Town and Country Planning Act 1990.
4. Any construction works associated with the development hereby approved shall not take place except between the hours of 7:00am and 7:00pm Monday to Friday and 8:00am and 1:00pm on Saturdays. No construction shall take place on Sundays, Good Friday, Christmas Day or Bank Holidays.  
Reason:-To safeguard the amenities of nearby residential properties in accordance with Policy DC1 of the Rossendale District Local Plan.

**118. APPLICATION NUMBER 2005/279  
ALTERATION, CONVERSION & REHABILITATION OF FORMER COLLIERY  
BUILDINGS TO FORM A DWELLING HOUSE AT NABB COLLIERY, OFF DEAN  
LANE, WATER**

Councillors S Pawson, Swain, Atkinson, D Barnes, Crosta, Entwistle, Lamb, Neal, Robertson and Thorne declared that they had been lobbied on this item.

In accordance with the procedure for public speaking Mr J Cowpe spoke in favour of the application.

A proposal was moved and seconded to refuse the application.

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

<b>COUNCILLOR</b>	<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
S Pawson	✓		
Swain	✓		
Atkinson	✓		
D Barnes	✓		
Crosta	✓		
Entwistle	✓		
Lamb	✓		
Neal	✓		
Robertson	✓		
Thorne	✓		
<b>TOTALS</b>	<b>10</b>	<b>0</b>	<b>0</b>

**Resolved:**

That planning permission be refused for the following reasons:-

**REASONS**

1. The proposed building is not capable of conversion without alteration and extensions and it is considered that this would adversely affect the character and appearance of the buildings. Therefore, the proposed development will fail to accord with Policy C6 of the Rossendale District Local Plan.
2. The buildings, were last used for agricultural purposes and are defined as 'greenfield'. Therefore, their use for residential development does not accord with the sequential approach promoted in PPG3 (Housing) and Policy 1 of the Joint Lancashire Structure Plan.
3. The application does not perform well from a sustainability point of view and would encourage car dependency. For these reasons, the proposed development does not accord with Government guidance in the form of PPG3 (Housing) and PPG13 (Transport) and Policy 1 (b) of the Joint Lancashire Structure Plan.
4. It is considered that the development is not currently required to meet the housing requirements of the Borough. The proposal is therefore considered to be contrary to the provisions of Policy 12 of the Joint Lancashire Structure Plan 2001 – 2016.
5. The proposed development would result in the provision of a dwelling in a rural area, which is neither supportive of rural regeneration or relates to an identified local need and therefore does not comply with Policies 1 and 5 of the Joint Lancashire Structure Plan.

**119. APPLICATION NUMBER 2005/320  
DEMOLITION OF EXISTING CONSERVATORY AND (OUTLINE) ERECTION OF  
TWO SEMI-DETACHED HOUSES ON LAND ADJACENT TO 1 PARROCK DENE,  
TODMORDEN ROAD, SHARNEYFORD**

No councillors had been lobbied on this item.

The Team Manager Development Control reported that the applicant had requested that the matter be deferred, due to the fact that a Member who had offered to speak on behalf of the applicant was unable to attend the meeting because of the funeral arrangements of Joe Connolly, Freeman of the Borough.

**Resolved:**

That the application be deferred to enable the applicant's speaker to attend a future meeting.

**120. APPLICATION NUMBER 2005/324  
OUTLINE APPLICATION FOR THE ERECTION OF A 4 BEDROOM DETACHED  
DWELLING AT LAND ADJACENT TO 136 MARKET STREET, EDENFIELD,  
ROSSENDALE**

Councillors S Pawson, Swain, Crosta, Entwistle, Lamb and Neal declared that they had been lobbied on this item.

The Team Manager Development Control submitted details of information in support of the proposal which had been received from the applicant's representative, Atherton's, since the preparation of the report. A copy of the letter was circulated at the meeting. The letter supported the agricultural enterprise in respect of the site. However, in view of the recent submission of this information the Council had not been in a position to seek the views of the County land agent who was a statutory consultee in these matters. Accordingly, the Committee would first need to consider whether the application constituted a private dwelling house (with some agricultural use), or whether it was principally an agricultural dwelling house. In the later case, officers advised that it would be necessary to defer the application in order to consult the County Council.

In accordance with the procedure for public speaking Mr Nuttall spoke in favour of the application and expressed his view that the application was on the basis of a private dwelling house. In addition, Councillor J Eaton spoke for the application.

A proposal was moved and seconded to consider the application on the basis of a private dwelling house and to approve the application.

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

<b>COUNCILLOR</b>	<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
S Pawson		✓	
Swain	✓		
Atkinson			✓
D Barnes	✓		
Crosta	✓		
Entwistle	✓		
Lamb	✓		
Neal	✓		
Robertson			✓
Thorne			✓
<b>TOTALS</b>	<b>6</b>	<b>1</b>	<b>3</b>

**Resolved:**

That planning permission be granted for the following reasons and subject to the under-mentioned conditions:-

**REASONS**

The proposed dwelling would occupy a road frontage site within the village envelope of Edenfield and is well related to public transport and community facilities and its development would not impact to any significant degree upon the housing oversupply of the Borough.

**CONDITIONS**

1. Approval of the details of the siting, design and external appearance of the building(s), the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced. Reason: The application is in outline only and not accompanied by detailed plans.
2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. Reason: Required by Section 92 of the Town and Country Planning Act 1990
3. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later. Reason: Required by Section 92 of the Town and Country Planning Act 1990
4. Any construction works associated with the development hereby approved shall not take place except between the hours of 7:00 am and 7:00 pm Monday to Friday and 8:00 am and 1:00 pm on Saturdays. No construction shall take place on Sundays, Good Friday, Christmas Day or Bank Holidays. Reason: To

safeguard the amenities of nearby residential properties in accordance with policy DC.1 of the Rossendale District Local Plan.

**121. APPLICATION NUMBER 2005/337  
CHANGE OF USE FROM RESIDENTIAL HOME FOR THE ELDERLY TO  
PRIVATE DWELLING, TOGETHER WITH THE ERECTION OF A DETACHED  
GARAGE, CLOSURE OF EXISTING ENTRANCE AND FORMATION OF NEW  
DRIVEWAY AT THE GRANGE 525 NEWCHURCH ROAD, ROSSENDALE**

Councillors S Pawson, Swain, Atkinson, Crosta, Entwistle, Lamb, Neal, Robertson and Thorne declared that they had been lobbied on this item.

The Team Manager Development Control advised the Committee of an amendment to the Relevant Planning History section of the report, which should have indicated that the property had been a private dwelling until its conversion to a residential care home in the 1980s.

In accordance with the procedure for public speaking Mr F Bromley spoke in favour of the application.

A proposal was moved and seconded to approve the application.

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

<b>COUNCILLOR</b>	<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
S Pawson	✓		
Swain	✓		
Atkinson	✓		
D Barnes	✓		
Crosta	✓		
Entwistle	✓		
Lamb	✓		
Neal	✓		
Robertson	✓		
Thorne	✓		
<b>TOTALS</b>	<b>10</b>	<b>0</b>	<b>0</b>

**Resolved:**

That planning permission be granted for the following reasons and subject to the under-mentioned conditions:-

**Conditions**

1. The development permitted shall be begun before the expiration of five years from the date of this permission. Reason: The condition is required by virtue of Section 91 of the Town and Country Planning Act 1990.

2. All the external materials and finishes to be used on the roof and elevations of the proposed garage shall match those on the existing dwelling in terms of type, size, shape, thickness, colour and texture. Reason: To ensure that the materials are in keeping with those existing and to accord with Policy DC4 of the Rossendale District Local Plan.
3. No development shall take place until a scheme indicating the revised access arrangements has been submitted to and approved in writing by the Local Planning Authority. The approved Scheme shall be implemented prior to first use of the dwelling hereby permitted. Reason: In the interests of highway safety and to accord with Policy DC1 of the Rossendale District Local Plan.

**122. APPLICATION NUMBER 2005/355  
DEMOLITION OF EXISTING OUTBUILDINGS AND ERECTION OF 13 ONE  
BEDROOM BUNGALOWS (SITE AREA 0.33HA) ON LAND ADJACENT TO  
GARDEN COTTAGE, WALLBANK DRIVE WHITWORTH**

Councillors S Pawson, Swain, Atkinson, D Barnes, Crosta, Entwistle, Lamb, Neal, Robertson and Thorne declared that they had been lobbied on this application.

In accordance with the procedure for public speaking Mr S Richardson spoke in favour of the application.

A proposal was moved and seconded to approve the application.

Voting took place which was as follows:-

<b>COUNCILLOR</b>	<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
S Pawson	✓		
Swain	✓		
Atkinson	✓		
D Barnes	✓		
Crosta	✓		
Entwistle	✓		
Lamb	✓		
Neal	✓		
Robertson	✓		
Thorne	✓		
<b>TOTALS</b>	<b>10</b>	<b>0</b>	<b>0</b>

**Resolved:**

That planning permission be granted for the following reasons and subject to the conditions set out below:-

## **REASONS**

Notwithstanding Policies 1, 5 and 12 of the Joint Lancashire Structure Plan, the Council considered the erection of the proposed dwellings to be justified in the interests of the particular needs of the locality for housing of this type for vulnerable groups. It considered that, subject to the proposed conditions, the development would not result in significant detriment for neighbours, highway safety, the character and appearance of the area, trees of particular visual amenity value or any other material consideration.

## **CONDITIONS**

1. Approval of the Landscaping of the site (hereinafter called “the reserved matters”) shall be obtained from the Local Planning Authority in writing before any development is commenced, and shall include details of boundary treatment and the finishes for hard-surfaced external areas.  
Reason:- The application is in outline only and not accompanied by detailed plans.
2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission  
Reason:- Required by Section 92 of the Town and Country Planning Act 1990.
3. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.  
Reason:- Required by Section 92 of the Town and Country Planning Act 1990.
4. Any construction works associated with the development hereby approved shall not take place except between the hours of 7:00am and 7:00 pm Monday to Friday and 8:00am and 1:00pm on Saturdays. No construction shall take place on Sundays, Good Friday, Christmas Day or Bank Holidays.  
Reason:- To safeguard the amenities of nearby residential properties in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.
5. The first reserved matters application shall be accompanied by a Contaminated Land Phase I Report to assess the actual/potential contamination risks at the site. Should the Phase 1 Report recommend that a Phase II Investigation is required, a Phase II Investigation shall be carried out and the results submitted to, and approved in writing by, the LPA. Should the Phase II Investigation indicate that remediation is necessary, then a Remediation Statement shall be submitted to, and approved in writing by, the LPA before commencement of construction of any dwelling. The remedial scheme in the approved Remediation Statement shall then be carried out and a Site Completion Report (detailing the conclusions and actions taken at each stage of the works,

including validation works) shall be submitted to the LPA prior to first occupation of any dwelling.

Reason:- To ensure the development is suitable for its end use and the wider environment, and does not create undue risks to site users or neighbours during the course of the development, and to accord with Policy E7 of the adopted Rossendale District Local Plan.

6. Notwithstanding any indication on the approved plans or application forms, no development shall be commenced until full details of the external materials to be used on the roof and the walls of the development have been submitted to and first approved in writing by the Local Planning Authority. The development shall thereafter not be carried out otherwise than in complete accordance with the approved details.

Reason:- To ensure a satisfactory appearance to the development and to accord with Policy DC4 of the adopted Rossendale District Local Plan.

7. No development approved by this permission shall be commenced until a scheme for the provision and implementation, of a surface water regulation system has been approved by the Local Planning Authority. The scheme shall be completed in accordance with the approved plans.

Reason:- To reduce the risk of flooding, in accordance with PPG25.

8. None of the dwellings hereby permitted shall be occupied until the means of access to it has been constructed in accordance with the approved plans.

Reason:- In the interests of highway safety, and to accord with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.

9. Prior to the commencement of construction of any of the dwellings hereby permitted a sum of £5,000 shall be paid to the Local Planning Authority, to be expended on the extension of the existing '20mph Zone' on Wallbank Drive/Hall Street.

Reason:- In the interests of highway safety, and to accord with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.

10. Prior to first occupation of any of the dwellings hereby permitted land to each side of the site access shall be cleared of any fences, walls or other obstructions above 1m in height (other than trees/planting forming part of the approved Landscaping Scheme) and thereafter shall be retained as such. The land concerned lies in front of a line drawn from a point on the centre-line of the proposed access 2.4m back from the carriageway of Wallbank Drive to points measured 33m in each direction along the edge of the carriageway of Wallbank Drive from the centre-line of the proposed access.

Reason:- In the interests of highway safety, and to accord with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.

11. The first reserved matters application shall be accompanied by a detailed Arboricultural Survey and Report, prepared by a qualified arboricultural consultant, to guidance provided in BS5337 (1991) Trees in Relation to



Construction), and shall include details of the measures to be taken to safeguard during the period of construction those trees to be retained.

Reason:- To safeguard trees of visual amenity value, in accordance with Policy E4 of the adopted Rossendale District Local Plan.

12. The first reserved matters application shall be accompanied by full details of existing and proposed ground levels and proposed building slab levels (all relative to ground levels adjoining the site), together with details of the position and form of construction of any retaining walls or structures, notwithstanding any such detail shown on previously submitted plan(s).

Reason:- To protect the amenities of neighbours and safeguard trees of visual amenity value, in accordance with the criteria of Policy DC1 and Policy E4 of the adopted Rossendale District Local Plan.

### 123. DURATION OF MEETING

In accordance with Paragraph 4.1, of the Committee Procedure Rules at Part 4 (Rules of Procedure) of the Council's Constitution, the Chair asked Members if they wished for the meeting to continue beyond 9.30pm in order to transact the remainder of its business.

#### **Resolved:**

That approval be given to the meeting continuing, following an adjournment of five minutes.

The meeting stood adjourned at 9.35pm and resumed at 9.40pm.

### 124. APPLICATION NUMBER 2005/360 CONVERSION OF EXISTING BARN TO FORM A TWO STOREY DWELLING AT RAVENSHORE BARN, RAVENSHORE, HOLCOME ROAD, HELMSHORE

Councillors S Pawson, Atkinson, D Barnes, Crosta, Entwistle, Lamb, Neal, Robertson and Thorne declared that they had been lobbied on this item.

In accordance with the procedure for public speaking Mr R Priest spoke in favour of the application. He also indicated that at page 99 of the report should refer to the "the additional 2 storey single dwelling" not "the additional 2 dwellings". In addition, Councillor J Pawson spoke for the application.

A proposal was moved and seconded to approve the application.

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

<b>COUNCILLOR</b>	<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
S Pawson	✓		
Swain	✓		
Atkinson	✓		

D Barnes	✓		
Crosta	✓		
Entwistle	✓		
Lamb	✓		
Neal	✓		
Robertson	✓		
Thorne	✓		
<b>TOTALS</b>	10	0	0

**Resolved:**

That planning permission be granted for the following reasons and subject to the under-mentioned conditions:-

**REASONS**

The proposed development is located on the urban fringe and is an addition to a small hamlet of 6 dwellings. The proposed development is of an appropriate design and will not impact adversely on the character of the barn. The proposed development will ensure a building of archaeological merit is maintained.

**CONDITIONS**

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.  
Reason:- The condition is required by virtue of Section 91 of the Town and Country Planning Act 1990.
2. The development shall be carried out in accordance with plan numbered:  
GV.666/01 received on 18<sup>th</sup> June 2005  
GV.666/02 REV A received on 22<sup>nd</sup> July 2005  
Reason:- To ensure the development complies with the approved plans and for the avoidance of doubt.
3. Any construction works associated with the development hereby approved shall not take place except between the hours of 7:00am and 7:00pm Monday to Friday and 8:00am and 1:00pm on Saturdays. No construction shall take place on Sundays, Good Friday, Christmas Day or Bank Holidays.  
Reason:- To safeguard the amenities of nearby residential properties in accordance with Policy Dc1 of the Rossendale District Local Plan.
4. Before the commencement of any building works, passing places shall be provided along Ravenshore Lane in accordance with scheme details to be first submitted to and approved in writing by the Local Planning Authority.  
Reason:- To ensure the free flow of traffic, in the interests of highway safety
5. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping, which shall

include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development.

Reason:- In the interests of residential amenity.

6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason:- In the interests of visual amenity.

7. All the external materials and finishes to be used on the roof and elevations of the development shall match those on the existing [dwelling/building] in terms of type, size, shape, thickness, colour and texture.

Reason:- To ensure that the materials are in keeping with those existing and to accord with Policy DC4 of the Rossendale District Local Plan.

8. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any order revoking and re-enacting that order with or without modification) no development shall be carried out on the site within the terms of classes A-E of Part 1 of Schedule 2 of the Order, without the prior consent of the Local Planning Authority.

Reason:- For the avoidance of doubt and to accord with Policy DC1 of the Rossendale District Local Plan.

9. No works shall take place on the site until the applicant or their agent or successors in title has secure the implementation of a programme of building recording and analysis. This must be carried out in accordance with a written scheme of investigation which shall first have been submitted to and agreed in writing by the Local Planning Authority.

Reason:- To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the building/site. Specifications and a list of professionally qualified archaeological/building recording consultants who could carry out the appropriate archaeological works can be obtained from the Lancashire Archaeology Service

Lancashire County Council  
Environment Directorate  
P O Box 9  
Guild House  
Cross Street  
Preston  
PR1 8RD (Tel. 01772 531734)

10. No development approved by this permission shall be commenced until a scheme for the conveyance of foul drainage to a private treatment plant has been submitted to and approved by the Local Planning Authority. No part of the development shall be brought into use until such treatment plant has been constructed and completed in accordance with the approved plans.

Reason:- To prevent pollution of the water environment and to accord with Policy DC1 of the Rossendale District Local Plan.

NOTES: The developer should be aware that the building lies within an area frequented by barn owls. Barn owls are a protected species under the Wildlife and Countryside Act 1981. It is an offence to kill or injure protected species or their young, to intentionally damage, destroy or obstruct their places of shelter or disturb breeding owls, their nests or eggs. All species of bats are similarly protected.

You are advised to employ a suitably qualified person to carry out a full survey of the building before commencing any work to establish whether barn owls or bats are present.

Further details on such qualified persons and measures that would need to be taken in the event of barn owls or bats being present can be gained from:

Lancashire Wildlife Trust, Cuerden Park Wildlife Centre, Shay Lane, Bamber Bridge, Preston, PR5 6AU. Telephone: 01772 324129

And

The Royal Society for the Protection of Birds, Westleigh Mews, Wakefield Road, Denby Dale, Huddersfield, HD8 8QD. Telephone: 01484 861148.

**125. APPLICATION NUMBER 2005/322  
ERECTION OF A MULTI-FUNCTION ASSEMBLY BUILDING, INCLUDING A LOCAL COUNCIL CHAMBER AND CAR PARK**

Councillor S Pawson declared that he had been lobbied on this item.

A proposal was moved and seconded to approve the application.

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

COUNCILLOR	FOR	AGAINST	ABSTENTION
S Pawson	✓		
Swain	✓		
Atkinson	✓		
Crosta	✓		
Entwistle	✓		
Lamb	✓		
Neal	✓		
Robertson	✓		
Thorne	✓		
<b>TOTALS</b>	<b>9</b>	<b>0</b>	<b>0</b>

## **Resolved:**

That planning permission be granted for the following reasons and subject to the under-mentioned conditions:-

## **REASONS**

Subject to the proposed conditions, the development accords with the provisions of the Development Plan and is not likely to result in the loss of trees of significant visual amenity value or detract to an unacceptable extent from the townscape, the amenities of neighbours, highway safety or any other material consideration.

## **CONDITIONS**

1. The development permitted shall be begun before the expiration of five years from the date of this permission.  
Reason:- The condition is required by Section 91 of the Town & Country Planning Act 1990.
2. The development shall not be commenced until full details, including representative samples, of the external materials of construction to be used on the roof and walls of the development have been submitted to and first approved in writing by the Local Planning Authority and shall thereafter be carried out in accordance with details approved. Nor shall external shutters to windows or doors be fitted without the prior written consent of the Local Planning Authority.  
Reason:- To ensure a satisfactory appearance to the development and to accord with Policy 1 of the adopted Joint Lancashire Structure Plan.
3. Prior to the commencement of development details of the external doors, windows and mechanical ventilation systems to be fitted shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first use of the building and thereafter maintained. Nor shall any system of external illumination be installed without the prior written consent of the Local Planning Authority.  
Reason:- To protect the amenities residents of neighbouring properties could reasonably expect to enjoy, and to accord with PPS1 and Policy E12 of the adopted Rossendale District Local Plan.
4. Prior to the commencement of development details of the intended slab-level for the proposed building shall be submitted to and approved in writing by the Local Planning Authority.  
Reason:- To reduce the risk of flooding, and to accord with PPG25.
5. Prior to first use of the building hereby permitted:-
  - a) the vehicular access midway along the site frontage shall be widened and improved in accordance with the approved Site Plan;

- b) the pedestrian-refuge in Market Street shall be re-positioned at the applicants expense; and
- c) the existing access/egress to the car park from Industry Street gated in accordance with a scheme first agreed in writing with the Local Planning Authority and thereafter kept closed except in the event of an emergency, unless otherwise agreed in writing by the Local Planning Authority.

Reason:- To ensure the provision of adequate off-street parking and secure a sustainable form of development, in accordance with PPG13, Policy 1 of the adopted Joint Lancashire Structure Plan and the Council's approved Parking Standards..

6. Notwithstanding the details shown on the submitted drawing, the development shall not be commenced until a scheme has been submitted to and approved in writing by the Local Planning Authority in respect of the surfacing, draining and marking out of all areas to be used for the parking and manoeuvring of vehicles; 10% of car parking spaces shall be to mobility-standard and half of these allocated for parent-and-child parking, with an additional 4% of spaces for motorcycles and 10% of spaces for cycle parking in secure/covered facilities. The submitted scheme shall also provide for the construction of the Tarmac Pathway further from the trees to be retained on the north side of the site frontage. The approved scheme shall be fully implemented prior to first use of any of the building hereby permitted (or as otherwise agreed in writing by the Local Planning Authority), and the facilities thereby provided shall be kept available for use as such thereafter.

Reason:- To ensure the provision of adequate off-street parking and secure a sustainable form of development, in accordance with PPG13, Policy 1 of the adopted Joint Lancashire Structure Plan and the Council's approved Parking Standards.

7. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas shall be passed through trapped gullies with an overall capacity compatible with the site being drained.

Reason:- To prevent pollution and to accord with Policy E9 of the adopted Rossendale District Local Plan.

8. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, identify any to be retained and the measures for their protection in the course of development, and detail any changes in ground-level proposed and the materials to be used for proposed boundary fences/walls/gates and areas of hardstanding.

Reason:- In the interests of visual amenity and to accord with Policy 1 of the adopted Joint Lancashire Structure Plan.

9. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the substantial completion of the building hereby permitted, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason:- In the interests of visual amenity and to accord with Policy 1 of the adopted Joint Lancashire Structure Plan.

Prior to the commencement of construction of the building hereby permitted an equipped childrens play area shall be provided, in accordance with a scheme first submitted to and approved in writing by the Local Planning Authority, unless the Local Planning Authority gives written consent to any variation in the timetable.

*Reason : To ensure the provision of an equipped childrens play area of an equivalent or enhanced standard, and in a convenient location to serve the same catchment-area, as that being displaced and thereby accord with Policy E2 of the adopted Rossendale District Local Plan.*

**Note:** In respect of the above item of business Councillor D Barnes left the room and took no part in the discussions or vote.

**126. PLANNING APPEAL RESULT  
APPLICATION NUMBER 2004/167  
WOODTOP GARAGE, BURY ROAD, RAWTENSTALL, ROSSENDALE**

The Committee considered a report on the outcome of an appeal in respect of the above application, indicating that the Planning Inspectorate had dismissed the appeal.

**Resolved:**

That the report be noted.

**127. PLANNING APPEAL RESULT  
APPLICATION NUMBER 2004/181  
7 KIRKHILL AVENUE, HASLINGDEN, ROSSENDALE, BB4 6UB**

The Committee considered a report on the outcome of an appeal in respect of the above application, indicating that the Planning Inspectorate had dismissed the appeal.

**Resolved:**

That the report be noted.

**128. PLANNING APPEAL RESULT  
APPLICATION NUMBER 2004/319  
10 POWYS CLOSE, HASLINGDEN, ROSSENDALE**

The Committee considered a report on the outcome of an appeal in respect of the above application, indicating that the Planning Inspectorate had dismissed the appeal.

**Resolved:**

That the report be noted.

**129. PLANNING APPEAL RESULT  
APPLICATION NUMBER 2004/598  
459 HELMSHORE ROAD, HELMSHORE, ROSSENDALE**

The Committee considered a report on the outcome of an appeal in respect of the above application, indicating that the Planning Inspectorate had received notification that the appeal had been withdrawn.

**Resolved:**

That the report be noted.

**130. PLANNING APPEAL RESULT  
APPLICATION NUMBER 2004/613  
THE WOOLPACK, 488 MANCHESTER ROAD HASLINGDEN**

The Committee considered a report on the outcome of an appeal in respect of the above application, indicating that the Planning Inspectorate had received notification that the appeal had been withdrawn.

**Resolved:**

That the report be noted.

**131. PLANNING APPEAL RESULT  
APPLICATION NUMBER 2004/631  
THE WOOLPACK, 488 MANCHESTER ROAD HASLINGDEN**

The Committee considered a report on the outcome of an appeal in respect of the above application, indicating that the Planning Inspectorate had received notification that the appeal had been withdrawn.

**Resolved:**



That the report be noted.

**132. PLANNING APPEAL RESULT  
APPLICATION NUMBER 2004/643  
WOODTOP GARAGE, BURY ROAD, RAWTENSTALL, ROSSENDALE**

The Committee considered a report on the outcome of an appeal in respect of the above application, indicating that the Planning Inspectorate had received notification that the appeal had been withdrawn.

**Resolved:**

That the report be noted.

**133. PLANNING APPEAL RESULT  
APPLICATION NUMBER 2004/799  
LAND ADJACENT TO 136 MARKET STREET EDENFIELD**

The Committee considered a report on the outcome of an appeal in respect of the above application, indicating that the Planning Inspectorate had received notification that the appeal had been withdrawn.

**Resolved:**

That the report be noted.

**(The meeting commenced at 6.30pm and closed at 10.25pm)**