

MINUTES OF: THE DEVELOPMENT CONTROL COMMITTEE

Date of Meeting: 5th December 2006

Present: Councillor S Pawson (in the Chair)
Councillors Crosta, Eaton, Haworth, Lamb, Neal, J
Pawson, Robertson, Starkey, Thorne and Swain.

In Attendance: Linda Fisher, Head of Planning, Legal and Democratic
Services
Brian Sheasby, Team Manager Development Control
Jenni Cook, Committee Officer

Also Present: Councillor Entwistle, 2 members of the public and 1
representative from the press

1. APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES

Apologies for absence were submitted on behalf of Councillor D Barnes (Councillor Starkey substituting) and Councillor L Barnes (Councillor J Pawson substituting).

2. MINUTES OF THE LAST MEETING

Resolved:

That the minutes of the meeting held on 7th November 2006 be agreed as a correct record subject to the following amendment:

Minute Number 4, Application Number 2006/485 – that the record shows that Members did not view the 1992 plans.

3. DECLARATIONS OF INTEREST

Members of the Committee were asked to consider whether they had an interest in any matters to be discussed at the meeting and the following interests were declared:

Councillor Lamb declared a personal and prejudicial interest in Minute Number 7, Application Number 2006/565 by virtue that she was a Director of the Stacksteads Riverside Park Group. Councillor Lamb left the meeting during consideration of this item.

Councillor Haworth declared a personal interest in all applications on the agenda by virtue of his employment with a builder's merchant.

4. URGENT ITEMS

By Virtue of Section 100(4)(b) of the Local Government Act 1972 the Chair agreed that the following item of business be dealt with at the meeting as a matter of urgency as the report would be presented to Cabinet on 13th December 2006:

- Minute Number 12 Lancashire County Council Policy Paper.

APPLICATIONS FOR CONSIDERATION

5. APPLICATION NUMBER 2006/590 DEMOLITION OF EXISTING PROPERTY AND ERECTION OF TWO DWELLINGS AT: 12 GARTH EDGE, WHITWORTH

The Team Manager Development Control outlined the application.

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

A proposal was moved and seconded to refuse the application.

An amendment was moved and seconded that the Committee be minded to approve the application.

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

FOR	AGAINST	ABSTENTION
9	2	0

The amendment was carried and the substantive motion was put to the meeting, the result of which was as follows:

FOR	AGAINST	ABSTENTION
9	2	0

Resolved:

1. That the application be granted for the following reasons:

That circumstances exist to warrant permitting the proposed residential development as an exception to Policy 12 of the adopted Joint Lancashire Structure Plan 2001 – 2016 and the Council's Housing Position Statement by virtue of the site being both brownfield and sustainably located and by reason of its contribution to the regeneration of the locality.

2. That the Team Manager Development Control be given delegated authority to attached conditions to the consent.

6. APPLICATION NUMBER 2006/548 CHANGE OF USE FROM RESIDENTIAL (C3) TO AN OFFICE (B1), WITH A PHOTOGRAPHIC ROOM AND ASSOCIATED STORAGE AT: 564 BACUP ROAD, WATERFOOT

The Team Manager Development Control introduced the report.

A proposal was moved and seconded to approve the application.

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

FOR	AGAINST	ABSTENTION
11	0	0

Resolved:

That the application be granted subject to the conditions set out in the report.

NB: COUNCILLOR LAMB VACATED THE ROOM DURING CONSIDERATION OF THE FOLLOWING ITEM.

**7. APPLICATION NUMBER 2006/565
ERECTION OF COMMUNITY CENTRE, ASSOCIATED GARAGE AND CAR
PARK
AT: LAND TO REAR OF 23-33 BLACKWOOD COURT, STACKSTEADS**

The Team Manager Development Control introduced the report.

A proposal was moved to approve the application.

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

FOR	AGAINST	ABSTENTION
10	0	0

Resolved:

That the application be granted subject to the conditions set out in the report.

OPERATIONAL MATTERS

8. ENFORCEMENT UPDATE REPORT

The Committee considered the report of the Head of Planning, Legal and Democratic Services which outlined the current position of the Council's enforcement service.

The Head of Planning, Legal and Democratic Services reported that it is important that Members were made aware of enforcement action taken and she requested Members' views on the frequency of reporting arrangements to Committee.

The Head of Planning, Legal and Democratic Services further reported on the number of enforcement matters, the state of the enforcement action and details of any appeals/court hearings pending.

The Committee expressed thanks to the Development Control Department for producing this piece of work and requested that this be minuted.

Resolved:

1. That the report be noted.
2. That an Enforcement Update Report be submitted to the Development Control Committee on a quarterly basis including outcomes of enforcement action.

9. APPEAL UPDATE REPORT

The Head of Planning, Legal and Democratic Services outlined the report and asked the members to consider the frequency with which they wished to see the report.

The Committee expressed thanks to the Development Control Department for producing this piece of work and requested that this thanks be minuted.

Resolved:

1. That the report be noted.
2. That an Appeal Update Report be submitted to the Development Control Committee on a quarterly basis.
3. That the report not be submitted to the same committee as the Enforcement Update Report.

10. VALIDATION POLICY

The Committee considered the report of the Head of Planning, Legal and Democratic Services which outlined proposals to adopt the Validation Policy.

The Head of Planning, Legal and Democratic Services reported that the Cabinet would be asked to consider adopting the Policy at its meeting on 13th December 2006.

The Head of Planning, Legal and Democratic Services informed the meeting that the Policy was intended to provide guidance to all users of the Development Control Services, to people wishing to submit development applications under the provisions of the Town and Country Planning Acts and to improve the quality of information provided. The Policy also provided information on how the Council would deal with pre-application discussions/the timetable for dealing with major applications and S106 agreements.

Resolved:

1. That members consider the policy and provide comments to the Head of Planning, Legal and Democratic Services by Friday 8th December 2006.
2. That the Chair of the Development Control Committee and the Lead Spokesperson for the opposition party agree the wording of the representation to the Cabinet and inform the HPLDS.

11. AFFORDABLE HOUSING INTERIM POLICY

The Head of Planning, Legal and Democratic Services asked members to note that this report would be amended and presented to the Development Control Committee on 9th January 2007 due to the release of PPS3 by the Government. It was noted that a report on PPS3 would be presented to the Cabinet on Wednesday 13th December 2006 and the Cabinet would be asked to apply PPS3 with immediate effect.

Resolved:

1. That the comments of the Head of Planning, Legal and Democratic Services be noted.
2. That members consider PPS3 and provide comments to the Head of Planning, Legal and Democratic Services by Friday 8th December 2006.

12. LANCASHIRE COUNTY COUNCIL POLICY PAPER

The Head of Planning, Legal and Democratic Services outlined the report and asked the members to note that the report would be considered by the Cabinet at its meeting on Wednesday 13th December 2006. Members were asked to note that the Cabinet would be asked to adopt the Lancashire County Council Policy Paper on Planning Obligations with immediate effect and to delegate the amendment of the protocol for the working relationship between the districts to the Head of Planning, Legal and Democratic Services.

Resolved:

1. That members consider the policy and provide comments to the Head of Planning, Legal and Democratic Services by Friday 8th December 2006.
2. That the Chair of the Development Control Committee and the Lead Spokesperson for the opposition party agree the wording of the representation to the Cabinet and inform the HPLDS.
3. That the Head of Planning, Legal and Democratic Services would clarify to members the input that Rossendale Borough Council had with respect to formulation of the policy.

The meeting commenced at 6.30pm and concluded at 8pm