

**MINUTES OF: DEVELOPMENT CONTROL COMMITTEE**

**Date of Meeting: Tuesday, 21<sup>st</sup> June 2005**

**PRESENT: Councillor S. Pawson (in the Chair);  
Councillors Crosta, Graham (substitute for L. Barnes),  
Hancock (substitute for Atkinson), Lamb, Nicholass  
(substitute for Entwistle), Robertson, Starkey  
(substitute for D. Barnes), Swain and Thorne**

**IN ATTENDANCE: Mr B S Sheasby, Team Manager Development Control  
Ms A Foster, Legal Services Manager  
Ms H Longworth, Planning Officer  
Mrs H Moore, Administrative Assistant  
Mrs E Newsome, Administrative Assistant**

**ALSO PRESENT: Councillors Driver, Ormerod, J. Pawson, Sandiford and  
P. Steen**

**APOLOGIES: Councillors Atkinson, D. Barnes, L. Barnes, Entwistle  
and Neal**

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**1. MINUTES**

**Resolved:**

That the Minutes of the meeting of the Committee held on the 28<sup>th</sup> April 2005 be signed by the Chair as a correct record subject to an amendment by way of the inclusion of Councillor J. Pawson being present at the meeting.

**2. 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 Swain declared a prejudicial interest in Minute Number 5 (Planning Application Number 2005/093) by virtue that the applicant was known to him.

Councillor Starkey declared a prejudicial interest in Minute Number 11 (Planning Application Number 2005/276) by virtue that he had fettered his discretion and therefore his ability to make a decision on this application as it appeared that he had pre-determined his view on the application.

**3. APPLICATION NUMBER 2004/858  
SINGLE STOREY SIDE EXTENSION  
AT: THE MOULDERS ARMS, BACUP ROAD, WATERFOOT**

No Councillors had been lobbied on this application.

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

In accordance with the procedure for public speaking Mr Ryan Godwin spoke against the application.

A proposal was moved and seconded to approve the application, subject to conditions.

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	✓		
Lamb	✓		
Hancock	✓		
Starkey	✓		
Graham	✓		
Crosta	✓		
Nicholass	✓		
Robertson	✓		
Thorne	✓		
<b>TOTALS</b>	10	0	0

**Resolved:**

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

**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 DC1 of the Rossendale District Local Plan. The proposed development is in a sustainable location and is within walking distance of a taxi rank and the town centre car parks.

**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 of the proposed development shall match those on the existing 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.

3. Fumes, vapours and odours shall be extracted and discharged from the premises in accordance with a scheme (which shall incorporate grease and carbon filters and discharge at roof ridge level with an internal stack) to be submitted to and approved in writing by the Local Planning Authority before the use is commenced. The approved scheme shall be fully implemented before the permitted use is first commenced and shall be maintained in perfect working order thereafter.

Reason: To prevent smell and fume nuisance to nearby neighbours and to ensure the visual appearance of the fume extraction system is acceptable, in accordance with Policy DC1 of the Rossendale District Local Plan.

4. A scheme for the sound insulation of ventilation equipment referred to in the condition set out above shall be submitted to the Local Planning Authority and no development shall commence until all sound insulation works have been carried out to the satisfaction of the Local Planning Authority. The sound insulation works shall be maintained thereafter to the satisfaction of the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of nearby residential properties, in accordance with Policy DC1 of the Rossendale District Local Plan.

5. No part of the extension shall be commenced until all the highway works have been constructed in accordance with a scheme which shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.

Reason: To enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users, in accordance with Policy T4 of the Rossendale District Local Plan.

6. No part of the extension hereby approved shall be occupied or opened for trading until the approved scheme; referred to in Condition 5 has been constructed and completed in accordance with the scheme details.

Reason: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works, in accordance with Policy T4 of the Rossendale District Local Plan.

**4. APPLICATION NUMBER 2005/066  
RESIDENTIAL DEVELOPMENT OF 55 UNITS  
AT: LAND OFF GREENSNOOK LANE, BACUP**

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

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

In accordance with the procedure for public speaking Mr Alan Johnson spoke against the application. Councillor Driver in her capacity as ward member also spoke on 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	✓		
Lamb	✓		
Hancock	✓		
Starkey	✓		
Graham	✓		
Crosta	✓		
Nicholass			✓
Robertson	✓		
Thorne	✓		
<b>TOTALS</b>	9	0	1

**Resolved:**

That planning permission be refused for the following reasons:-

1. 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.
2. It is considered that the dwellings to be erected on plots 50 to 53, because of their design and position, would look at close quarters directly over the rear garden of 32 Greensnook Lane to the detriment of the amenities currently enjoyed by the occupiers of that dwelling. The proposal is therefore considered to be contrary to the provisions of policy DC.1 of the Rossendale District Local Plan.
3. It is considered that the proposal would likely lead to the reversing of vehicles from plots 54 and 55 onto and/or off the new access road in close

proximity to a 'blind' bend. This would not be in the best interests of highway safety in the area. The proposal is therefore considered to be contrary to the provisions of policy DC.1 of the Rossendale District Local Plan.

4. The development of this Greenfield site would prejudice the development of sequentially preferable brownfield sites contrary to the provisions of PPG3: Housing.

**5. APPLICATION NUMBER 2005/093  
ERECTION OF 4 TOWN HOUSES  
AT: LAND AT HILL END LANE, RAWTENSTALL**

Councillors S. Pawson, Lamb, Starkey, Graham, Crosta, Robertson and Thorne declared that they had been lobbied on this application.

In accordance with the procedure for public speaking Mr Sheldon Walsh 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	✓		
Lamb	✓		
Hancock	✓		
Starkey		✓	
Graham	✓		
Crosta	✓		
Nicholass	✓		
Robertson	✓		
Thorne	✓		
<b>TOTALS</b>	8	1	

**Resolved:**

That planning permission be refused for the following reasons:-

1. The proposed development is not required to meet the identified housing provision for the borough, and therefore does not comply with Policy 12 of the Adopted Joint Lancashire Structure Plan 2001-2016.
2. The proposed residential development would be contrary to Policy J3 of the Rossendale District Local Plan in that the site is designated for employment purposes and the proposed development would result in the loss of employment land to an inappropriate form of development

**6. 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**

Councillor Graham declared that she had been lobbied on this application.

In accordance with the procedure for public speaking Mr Bracewell spoke against the application and Mr Shahid spoke in favour of the application.

A proposal was moved and seconded that no decision should be made at the meeting and that consideration of the application be deferred until the next meeting of the Committee.

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	✓		
Lamb	✓		
Hancock	✓		
Starkey	✓		
Graham	✓		
Crosta	✓		
Nicholass	✓		
Robertson		✓	
Thorne	✓		
<b>TOTALS</b>	9	1	

**Resolved:**

That no decision be made at the meeting and that consideration of the application be deferred to the next meeting to enable officers to consider the precise use of the application and to obtain the views of the appropriate service areas in respect of the disposal of trade waste.

**7. APPLICATION NUMBER 2005/163  
OUTLINE APPLICATION FOR THE ERECTION OF 12 DWELLINGS  
AT: LAND OFF BACUP ROAD, HAREHOLME, RAWTENSTALL**

Councillor Starkey declared that he had been lobbied on this application.

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

In accordance with the procedure for public speaking Mr Simon Wood 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	✓		
Lamb	✓		
Hancock	✓		
Starkey	✓		
Graham	✓		
Crosta	✓		
Nicholass	✓		
Robertson	✓		
Thorne	✓		
<b>TOTALS</b>	10	0	0

**Resolved:**

That planning permission be refused for the following reasons:-

1. 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.
2. It is considered that having regard to the substandard visibility that would be available on either side of the proposed access, vehicles would be unable to enter Bacup Road from the site without detriment to their own safety or that of other vehicular and pedestrian users of that highway. The proposal is therefore considered to be contrary to the provisions of policy DC.1 of the Rossendale District Local Plan.

**8. APPLICATION NUMBER 2005/227  
ERECTION OF DETACHED SINGLE GARAGE AND INSTALLATION OF  
DORMER WINDOWS TO DWELLING HOUSE  
AT: 20 GOODSHAW LANE, CRAWSHAWBOOTH**

No Councillors had been lobbied on this application.

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

A proposal was moved and seconded to approve the application, subject to conditions.

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	✓		
Lamb	✓		
Hancock	✓		
Starkey	✓		
Graham	✓		
Crosta	✓		
Nicholass	✓		
Robertson	✓		
Thorne	✓		
<b>TOTALS</b>	10	0	0

**Resolved:**

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

**REASONS**

The proposed extension is considered acceptable and accords with Policy DC6 of the Rossendale District Local Plan. In view of the Highway Officer's comments, the criteria under Policy T4 is also met.

**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 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.

**9. APPLICATION NUMBER 2005/232  
CHANGE OF USE TO GARAGE FOR VEHICULAR REPAIRS  
AT: GLEN TOP WORKS, NEWCHURCH ROAD, STACKSTEADS**

Councillors S. Pawson, Swain, Lamb, Hancock, Crosta, Robertson and Thorne declared that they had been lobbied on this application.

In accordance with the procedure for public speaking Mr Ian Swingewood 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	✓		
Lamb	✓		
Hancock	✓		
Starkey	✓		
Graham	✓		
Crosta	✓		
Nicholass	✓		
Robertson	✓		
Thorne	✓		
<b>TOTALS</b>	10	0	0

**Resolved:**

That planning permission be refused for the following reasons:-

1. The proposed development will have a significant adverse impact upon the amenity of the neighbouring properties in terms of noise, and loss of visual amenity. Therefore the proposed development is contrary to Policies DC1, E12 and E13 of the Rossendale District Local Plan.
2. The proposed development is not appropriate in the proposed location as it is in close proximity to a food storage business and therefore, is detrimental to existing conditions and is contrary to Policies DC1 and J3 of the Rossendale District Local Plan.
3. The proposed development would result in an increase in pollution and fumes, which would be detrimental to the amenity of the neighbouring residents and is not appropriate in close proximity to a food storage business. Therefore the proposed development is contrary to Policy DC1 of the Rossendale District Local Plan.

**10. APPLICATION NUMBER 2005/275  
OUTLINE APPLICATION FOR THE ERECTION OF 3 DWELLINGS  
AT: LAND TO REAR AND GARDEN AREA OF 27 HELMSHORE ROAD,  
HASLINGDEN**

Councillors S. Pawson, Swain, Lamb, Robertson and Thorne declared that they had been lobbied on this application.

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

A proposal was moved and seconded to approve the application, subject to conditions and to give delegated authority to the Team Manager Development Control in consultation with the Chair to impose appropriate conditions relative thereto.

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	✓		
Lamb	✓		
Hancock	✓		
Starkey	✓		
Graham	✓		
Crosta	✓		
Nicholass		✓	
Robertson	✓		
Thorne		✓	
<b>TOTALS</b>	<b>7</b>	<b>3</b>	<b>0</b>

**Resolved:**

That planning permission be granted for this application, subject to conditions, and the Team Manager Development Control be given delegated authority to impose appropriate conditions relative thereto in consultation with the Chair.

**11. APPLICATION NUMBER 2005/276  
OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT ON THE SITE  
OF THE EXISTING INDUSTRIAL BUILDINGS TO ACHIEVE A MINIMUM  
DEVELOPMENT DENSITY OF 30 DWELLINGS PER HECTARE  
AT: LAND OFF ST PETERS AVENUE AND HALL STREET, HASLINGDEN**

Councillors S. Pawson, Swain, Lamb and Graham declared that they had been lobbied on this application.

In accordance with the procedure for public speaking Mr Street spoke in favour of the application. Councillor Sandiford in her capacity as ward member also spoke on the application.

A proposal was moved and seconded to approve the application, subject to conditions and to give delegated authority to the Team Manager Development Control in consultation with the Chair to impose appropriate conditions relative thereto.

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	✓		
Lamb	✓		
Hancock		✓	
Graham	✓		
Crosta	✓		
Nicholass	✓		
Robertson		✓	
Thorne		✓	
<b>TOTALS</b>	5	4	0

**Resolved:**

That planning permission be granted for this application, subject to conditions and the Team Manager Development Control be given delegated authority to impose appropriate conditions relative thereto in consultation with the Chair.

**12. APPLICATION NUMBER 2005/277  
CONVERSION AND EXTENSION OF GARAGE OUTBUILDING TO FORM  
DWELLING  
AT: LAND ADJOINING 3 BROAD ING HOUSE, OFF BURNLEY ROAD,  
LOVECLOUGH**

Councillors S. Pawson, Swain, Lamb, Robertson and Thorne declared that they had been lobbied on this application.

In accordance with the procedure for public speaking Mrs Isherwood spoke in favour of the application. Councillor Ormerod in his capacity as ward member also spoke on 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	✓		
Lamb		✓	
Hancock	✓		
Starkey	✓		
Graham	✓		
Crosta	✓		
Nicholass			✓
Robertson		✓	
Thorne	✓		
<b>TOTALS</b>	7	2	1

**Resolved:**

That planning permission be refused for the following reasons:-

1. It is considered that the proposed dwelling 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.
2. Having regard to the extent to which the building is to be extended it is contended that the proposed development would amount to a newly built dwelling. This would be located within a Countryside Area outside of the defined Urban Boundary and the Green Belt and would, it is contended, be unrelated to agriculture, forestry or any other use deemed appropriate to a rural area. Furthermore, in the view of the Local Planning Authority, there is no proven overriding need for the development. The proposal is therefore considered to be contrary to the provisions of policies DS.1, DS.5 and C.6 of the Rossendale District Local Plan, and Policy 5 of the Joint Lancashire Structure Plan 2001 – 2016.

**13. APPLICATION NUMBER 2005/295  
ERECTION OF SINGLE STOREY EXTENSION TO REAR OF DWELLING  
AT: 18 CLOVER STREET, BACUP**

No Councillors had been lobbied on this application.

A proposal was moved and seconded to approve the application, subject to conditions.

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	✓		
Lamb	✓		
Hancock	✓		
Starkey	✓		
Graham	✓		
Crosta	✓		
Nicholass	✓		
Robertson	✓		
Thorne	✓		
<b>TOTALS</b>	10	0	0

**Resolved:**

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

**REASONS**

The proposed development is located within the urban boundary and will have no adverse impact upon the amenity of the neighbouring residents. The proposed development will not look out of place within the locality, subject to conditional control. Therefore the proposed development is in accordance with Policies DS1 and DC1 of the Rossendale District Local Plan.

### **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 development 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. 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 windows or other openings shall at any time be formed within the elevation of the habitable room, facing No. 37 Windermere Road, hereby permitted, without prior written approval of the Local Planning Authority.  
Reason: To ensure that any development of the site has due regard to the amenities of the surrounding area.

#### **14. PLANNING APPEAL DECISION APPLICATION NUMBER 2004/897 AT: 1034 BURNLEY ROAD EAST, LUMB**

The Team Manager Development Control submitted a report notifying Members of an appeal decision in respect of Planning Application Number 2004/897 which was an application for the change of use from an unused storeroom to a first floor flat at 1034 Burnley Road East, Lumb.

The Team Manager Development Control circulated a copy of the Inspector's decision letter, for the consideration of the Committee.

He informed Members that the Planning Inspectorate allowed the appeal and granted planning consent, subject to conditions.

#### **Resolved:**

That the appeal decision be noted.

**15. PLANNING APPEAL DECISION  
APPLICATION NUMBER 2004/840  
AT: 10 BAYTREE WALK, WHITWORTH**

The Team Manager Development Control submitted a report notifying Members of an appeal decision in respect of Planning Application Number 2004/840 which was an application for a single garage and parking area and conservatory.

The Team Manager Development Control circulated a copy of the Inspector's decision letter, for the consideration of the Committee.

He informed Members that the Planning Inspectorate allowed the appeal in respect of single garage and parking area, subject to conditions, and dismissed the appeal in respect of the conservatory.

**Resolved:**

That the appeal decision be noted.

**(The meeting commenced at 6.30pm and closed at 9.52pm)**

**N.B. The Committee resolved in accordance with Committee Procedure Rule 4.1 to continue the meeting after 9.30pm)**