

MINUTES OF: DEVELOPMENT CONTROL COMMITTEE

Date of Meeting: Thursday, 17th March 2005

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

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

470. MINUTES

Resolved:

That the Minutes of the meeting of the Committee held on the 3rd February 2005 be signed by the Chair as a correct record.

471. 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 interest was declared:-

Councillor Swain declared a personal interest in Minute Number 476 (Planning Application Number 2004/851) by virtue that the application related to land which bordered a property owned by a friend.

**472. APPLICATION NUMBER 2004/792 AND 2004/793
DEMOLITION OF EXISTING DWELLING HOUSE AND EXTENSION TO
PRINCIPAL DWELLING TO CREATE A SWIMMING POOL, TRIPLE GARAGE
WITH FIRST FLOOR FLAT FOR OCCUPATION BY SECURITY STAFF
AT: SUNNYSIDE HOUSE, BURNLEY ROAD, CRAWSHAWBOOTH**

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

In accordance with the procedure for public speaking Mrs Kathy Fishwick spoke against the applications and Mr Philip Neville spoke in favour of the applications. Councillor Ormerod also spoke on the applications.

A proposal was moved and seconded to approve the applications, subject to conditions. Voting took place on the proposal, the result of which was as follows:-

COUNCILLOR	FOR	AGAINST	ABSTENTION
S. Pawson	✓		
Lamb	✓		
Atkinson	✓		
L. Barnes	✓		
Crosta	✓		
Entwistle	✓		
Neal	✓		
Robertson	✓		
Swain	✓		
Thorne	✓		
TOTALS	10	0	0

Resolved:

1. That in respect of Application Number 2004/792LB, Listed Building Consent be granted for the reason set out below and subject to the conditions set out below:-

REASON

It is considered that the development satisfies the requirements of policies DC.1,DC.4, C.1 and HP.2 of the Rossendale District Local Plan. It is considered that the extension will appear in keeping with, and will relate in a satisfactory manner to, this Grade II Listed Building.

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 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990
2. The external walls of the proposed extension shall be constructed of natural stone which shall match in type, colour, texture and course depth the stone used in the construction of the front (eastern facing) external wall of the existing dwelling.
Reason:- In order to safeguard the character and appearance of this Listed Building in accordance with the requirements of policies DC.1, DC.4, C.1 and HP.2 of the Rossendale District Local Plan.
3. The roof of the proposed extension shall be constructed of natural slate which shall match in type, colour and texture the slate used in the construction of the roof of the existing dwelling.

Reason:- In order to safeguard the character and appearance of this Listed Building in accordance with the requirements of policies DC.1, DC.4, C.1 and HP.2 of the Rossendale District Local Plan.

4. All new heads, cills, window and door surrounds shall be constructed of natural stone.

Reason:- In order to safeguard the character and appearance of this Listed Building in accordance with the requirements of policies DC.1, DC.4, C.1 and HP.2 of the Rossendale District Local Plan.

5. The windows and doors, to be installed within the approved extension, shall be constructed of timber. They shall be painted/stained to match the windows and doors within the existing dwelling within one month of their installation and shall thereafter be retained at all times.

Reason:- In order to safeguard the character and appearance of this Listed Building in accordance with the requirements of policies DC.1, C.1 and HP.2 of the Rossendale District Local Plan.

6. Details of the proposed design and location of all new rainwater goods shall be submitted to, and approved in writing by, the Local Planning Authority before development commences. The approved rainwater goods shall be installed in the approved positions before the extension hereby approved is first brought into use and shall thereafter be retained at all times.

Reason:- In order to safeguard the character and appearance of this Listed Building in accordance with the requirements of policies DC.1, C.1 and HP.2 of the Rossendale District Local Plan.

2. That in respect of Application Number 2004/793 planning permission be granted for the reasons set out below and subject to the conditions set out below:-

REASONS

It is considered that the development satisfies the requirements of policies DS.1, DS.5, DC.1, DC.4, C.1, HP.4, E.4 and T.4 of the Rossendale District Local Plan. It is considered that the extension will appear in keeping with, and will relate in a satisfactory manner to, this Grade II Listed Building. It is contended that the proposal will not lead to the loss of trees or buildings of any particular merit, nor will it give rise to any undue highway safety problems. Finally, it is considered that the proposal for the new flat will accord with adopted planning policy provided that its future occupancy is restricted such that it can only be occupied solely in conjunction with the existing dwelling.

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. The external walls of the proposed extension shall be constructed of natural stone which shall match in type, colour, texture and course depth the stone used in the construction of the front (eastern facing) external wall of the existing dwelling.
Reason:- In order to safeguard the character and appearance of this Listed Building and the appearance of the surrounding area, in accordance with the requirements of policies DC.1, DC.4, C.1 and HP.2 of the Rossendale District Local Plan.
3. The roof of the proposed extension shall be constructed of natural slate which shall match in type, colour and texture the slate used in the construction of the roof of the existing dwelling.
Reason:- In order to safeguard the character and appearance of this Listed Building and the appearance of the surrounding area, in accordance with the requirements of policies DC.1, DC.4, C.1 and HP.2 of the Rossendale District Local Plan.
4. All new heads, cills, window and door surrounds shall be constructed of natural stone.
Reason:- In order to safeguard the character and appearance of this Listed Building and the appearance of the surrounding area, in accordance with the requirements of policies DC.1, DC.4, C.1 and HP.2 of the Rossendale District Local Plan.
5. The windows and doors, to be installed within the approved extension, shall be constructed of timber. They shall be painted/stained to match the windows and doors within the existing dwelling within one month of their installation and shall thereafter be retained at all times.
Reason:- In order to safeguard the character and appearance of this Listed Building and the appearance of the surrounding area, in accordance with the requirements of policies DC.1, C.1 and HP.2 of the Rossendale District Local Plan.
6. Details of the proposed design and location of all new rainwater goods shall be submitted to, and approved in writing by, the Local Planning Authority before development commences. The approved rainwater goods shall be installed in the approved positions before the extension hereby approved is first brought into use and shall thereafter be retained at all times.
Reason:- In order to safeguard the character and appearance of this Listed Building and the appearance of the surrounding area, in accordance with the requirements of policies DC.1, C.1 and HP.2 of the Rossendale District Local Plan.

7. The flat, hereby approved, shall be occupied solely in conjunction with the existing dwelling and shall not, at any time, be used as a separate dwelling. Reason:- So as to ensure that the proposal accords with policies DS.1 and DS.5 of the Rossendale District Local Plan, policy 43 of the Lancashire Structure Plan 1991-2006, and policy 12 of the Joint Lancashire Structure Plan 2001-2016 Proposed Changes to Deposit Edition. The application has been submitted at a time when there is deemed to be no need for further housing in the Borough. Furthermore, the site lies within an area where planning permission for new residential properties would not normally be granted. This permission is granted solely because occupancy of the flat is to be tied to the existing dwelling and as such it will not represent an additional dwelling.
8. No trees, other than those shown on approved drawing number 2086/01, shall be lopped, topped or felled without the prior written approval of the Local Planning Authority.
Reason:- In the interests of visual amenity, in accordance with the requirements of policies DC.1 and E.4 of the Rossendale District Local Plan.
9. (a) Before any equipment, machinery, site cabins or materials are brought onto the site, fencing to protect the trees to be retained shall be erected in accordance with a detailed scheme for that purpose which shall be first submitted to and approved in writing by the Local Planning Authority. The scheme shall be drawn up in compliance with the relevant provisions of BS 5837 (1991);
(b) the said fencing shall be maintained until all the equipment, machinery, site cabins and surplus materials have been removed from the site;
(c) nothing shall be stored or placed in any area fenced in accordance with this condition, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.
Reason: To ensure adequate protection to prevent harm to trees which make a valuable contribution to the amenity of the area, in accordance with policies DC.1 and E.4 of the Rossendale District Local Plan.
10. 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 works 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.

**473. APPLICATION NUMBER 2004/822
CONVERSION OF VEHICLE REPAIR BUILDING TO DWELLING AND
HOLIDAY LET COTTAGE
AT: HIGHER BOARSGREAVE FARM, BOARSGREAVE LANE, COWPE**

Councillors S. Pawson, Lamb, Atkinson, Crosta, Entwistle, Neal, Robertson, Swain 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 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:-

COUNCILLOR	FOR	AGAINST	ABSTENTION
S. Pawson	✓		
Lamb	✓		
Atkinson	✓		
L. Barnes	✓		
Crosta	✓		
Entwistle	✓		
Neal	✓		
Robertson		✓	
Swain		✓	
Thorne	✓		
TOTALS	8	2	0

Resolved:

That no decision be made at the meeting and that consideration of the application be deferred to the next meeting to enable members of the Committee to undertake a site visit.

**474. APPLICATION NUMBER 2004/823
CONVERSION AND EXTENSION OF FORMER AGRICULTURAL BUILDINGS
TO FORM 3 DWELLINGS
AT: HONEY HOLE, STACKSTEADS, BACUP**

Councillors S. Pawson, Lamb, Atkinson, L. Barnes, Crosta, Entwistle, Neal, Robertson, Swain 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. Councillor Eaton also spoke on 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:-

COUNCILLOR	FOR	AGAINST	ABSTENTION
S. Pawson		✓	
Lamb	✓		
Atkinson	✓		
L. Barnes		✓	
Crosta	✓		
Entwistle	✓		
Neal	✓		
Robertson	✓		
Swain	✓		
Thorne		✓	
TOTALS	7	3	0

Resolved:

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

REASONS

It is considered that the development satisfies the requirements of policies DS.1, DS.5, DC.1, HP.4, C.1, C.6 and T.4 of the Rossendale District Local Plan. It is contended, notwithstanding the Council’s normal planning policy, that the creation of additional dwellings can be justified in this instance in the interests of the regeneration of the area. Furthermore, it is considered that the proposed conversion works will retain the character of the buildings and that the converted buildings will appear in keeping with, and relate in a satisfactory manner to, their surroundings. The proposal will not give rise to unacceptable overlooking of adjoining properties nor will it adversely affect the level of sunlight or daylight that those properties currently receive. Finally, it is considered that the proposal will be acceptable in highway safety terms.

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 new areas of external wall shall be constructed of natural stone. This shall match in type, colour, texture and course depth the stone used in the construction of the external walls of the existing buildings.

- Reason:- In order to ensure the satisfactory appearance of the development and to safeguard the character and appearance of this Countryside Area, in accordance with policies DC.1, C.1, C.6 and HP.4 of the Rossendale District Local Plan.
3. All new areas of roof shall be constructed of natural blue slate.
Reason:- In order to ensure the satisfactory appearance of the development and to safeguard the character and appearance of this Countryside Area, in accordance with policies DC.1, C.1, C.6 and HP.4 of the Rossendale District Local Plan.
 4. All new heads, cills, window and door surrounds shall be constructed of natural stone.
Reason:- In order to ensure the satisfactory appearance of the development and to safeguard the character and appearance of this Countryside Area, in accordance with policies DC.1, C.1, C.6 and HP.4 of the Rossendale District Local Plan.
 5. Details of all new windows and doors to be installed within the buildings shall be submitted to, and approved in writing by, the Local Planning Authority before development commences. The approved windows and doors shall be installed in the approved positions before any of the dwellings hereby approved are first occupied and shall thereafter be retained at all times.
Reason:- In order to ensure the satisfactory appearance of the development and to safeguard the character and appearance of this Countryside Area, in accordance with policies DC.1, C.1, C.6 and HP.4 of the Rossendale District Local Plan.
 6. No windows or other openings, other than those shown on the approved plans, shall, at any time, be formed within the buildings without the prior written approval of the Local Planning Authority.
Reason: :- In the interests of safeguarding the character and appearance of the buildings and the locality, and in the interests of safeguarding the amenity of surrounding local residents, in accordance with policies DC.1, C.1, C.6 and HP.4 of the Rossendale District Local Plan.
 7. The boundary treatment, shown on the approved plans, shall be completed before any of the dwellings hereby approved are first occupied and shall thereafter be retained at all times.
Reason:- In order to ensure the satisfactory appearance of the development and to safeguard the character and appearance of this Countryside Area, in accordance with policies DC.1, C.1, C.6 and HP.4 of the Rossendale District Local Plan.
 8. Notwithstanding the details given on the approved plans, this approval shall not extend to the use of tarmac unless otherwise agreed in writing by the Local Planning Authority. Details of an alternative means of surfacing

- and draining the main access track, of the means of surfacing and draining the hardstanding to Unit Three, and samples of the proposed artificial stone setts, shall be submitted to, and approved in writing by, the Local Planning Authority before development commences. The vehicular areas shall be surfaced, drained (and sealed where appropriate) in accordance with the approved details/using the approved materials, and laid out in the manner shown on the approved plans, before any of the dwellings are first occupied. These areas shall thereafter be retained at all times solely for the parking and turning of vehicles in conjunction with the development, and to allow such vehicles access to and from the site.
Reason:- In the interests of highway safety and in order to ensure the satisfactory appearance of the development and safeguard the character and appearance of this Countryside Area, in accordance with policies DC.1, C.1, C.6, HP.4 and T.4 of the Rossendale District Local Plan.
9. The site shall be landscaped in accordance with details which shall be submitted to, and approved in writing by, the Local Planning Authority before development commences. The submitted details shall include the location of all existing trees and hedgerows on the site and shall specify those that are to be retained and those that are to be removed.
Reason:- In the interests of visual amenity, in accordance with policy DC.1 of the Rossendale District Local Plan.
10. 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, in accordance with policy DC.1 of the Rossendale District Local Plan.
11. No tree on or adjacent to the site shall be lopped, topped or felled without the prior written approval of the Local Planning Authority.
Reason:- In the interests of visual amenity, in accordance with policy DC.1 of the Rossendale District Local Plan.
12. (a) Before any equipment, machinery or materials are brought onto the site, fencing to protect the safeguarded trees within or on the boundaries of the site shall be erected in accordance with a detailed scheme for that purpose which shall be first submitted to and approved in writing by the Local Planning Authority. The scheme shall be drawn up in compliance with the relevant provisions of BS 5837 (1991);
(b) the said fencing shall be maintained until all the equipment, machinery and surplus materials have been removed from the site;

- (c) nothing shall be stored or placed in any area fenced in accordance with this condition, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

Reason: To ensure adequate protection to prevent harm to trees which make a valuable contribution to the amenity of the area, in accordance with policy DC.1 of the Rossendale District Local Plan.

13. Prior to the development commencing:-

- a) a contaminated land Phase One report to assess the actual/potential contamination risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority (LPA),
- b) Should the Phase One report recommend that a Phase Two investigation is required, a Phase Two investigation shall be carried out and the results submitted to, and approved in writing by, the Local Planning Authority
- c) Should the Phase Two investigations indicate that remediation is necessary then a Remediation Statement shall be submitted to, and approved in writing by, the Local Planning Authority. The remedial scheme in the approved Remediation Statement shall then be carried out.

Should remediation be required, a Site Completion Report detailing the conclusions and actions taken at each stage of the works, including validation works, shall be submitted to, and approved in writing by, the Local Planning Authority prior to the first use or occupation of any part of the development hereby approved.

Reason: To ensure the development is suitable for its end use and the wider environment in accordance with policy DC.1 of the Rossendale District Local Plan.

14. Development shall not commence until a scheme for the disposal of foul drainage has been submitted to, and approved in writing by, the Local Planning Authority. The dwellings shall not be occupied until the approved scheme for the disposal of foul drainage has been completed.

Reason:- To prevent pollution of the water environment, in accordance with policy DC.1 of the Rossendale District Local Plan.

15. No works shall take place on the site until the applicant, or their agent or successors in title, has secured the implementation of a programme of building recording and analysis. This must be carried 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:- In the interests of recording matters of archaeological and/or historical importance associated with the buildings and site, in accordance with policy DC.1 of the Rossendale District Local Plan.

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order) no development contained within Classes A, B, C, D, E, F, G and H of Part One, Schedule Two and Classes A, B and C of Part Two, Schedule Two of that Order shall be carried out without the prior written approval of the Local Planning Authority.

Reason:- So as to enable the Local Planning Authority to retain a degree of control over the development in the interests of safeguarding the character of the buildings and the appearance of this Countryside Area, in accordance with policies DS.5, C.1 and DC.1 of the Rossendale District Local Plan.

17. 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 works 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.

**475. APPLICATION NUMBER 2004/826
OUTLINE APPLICATION FOR THE ERECTION OF THREE BUILDINGS
HOUSING 15 FLATS
AT: LAND OFF HEALD LANE/OFFICE ROAD, WEIR, BACUP**

No Councillors had been lobbied on this application.

In accordance with the procedure for public speaking Councillor Eaton 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:-

COUNCILLOR	FOR	AGAINST	ABSTENTION
S. Pawson	✓		
Lamb	✓		
Atkinson	✓		
L. Barnes	✓		
Crosta	✓		
Entwistle	✓		
Neal	✓		
Robertson	✓		
Swain	✓		
Thorne	✓		
TOTALS	10	0	0

Resolved:

That planning permission be refused for the following reason:-

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 43 of the Lancashire Structure Plan 1991 - 2006 and policy 12 of the Proposed Changes (Deposit Edition) Joint Lancashire Structure Plan 2001 – 2016.

**476. APPLICATION NUMBER 2004/843
CONVERSION OF FORMER CHURCH INTO TEN APARTMENTS WITH TEN
PARKING SPACES
AT: BEULAH METHODIST CHURCH, NEW LINE, BACUP**

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

In accordance with the procedure for public speaking Mr John Pearson 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:-

COUNCILLOR	FOR	AGAINST	ABSTENTION
S. Pawson	✓		
Lamb	✓		
Atkinson	✓		
L. Barnes	✓		
Crosta	✓		
Entwistle	✓		
Neal	✓		
Robertson	✓		
Swain	✓		
Thorne	✓		
TOTALS	10	0	0

Resolved:

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

REASONS

It is considered that the development satisfies the requirements of policy DS.1,DC.1, DC.4, HP.4 and T.4 of the Rossendale District Local Plan. It is contended, notwithstanding the Council's normal planning policy, that the

creation of additional dwellings can be justified in this instance in the interests of retaining this attractive building, securing a more compatible use for it, and improving the appearance of this prominent site. Furthermore, it is considered that the proposed conversion works will retain the character of the building and that the converted building will appear in keeping with, and relate in a satisfactory manner to, its surroundings. The proposal will not give rise to unacceptable overlooking of adjoining properties nor will it adversely affect the level of sunlight or daylight that those properties currently receive. Finally, it is considered that the proposal will be acceptable in highway safety terms.

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 new areas of external wall and roof shall be constructed of natural stone and natural blue slate. These materials shall match in type, colour, texture
(and course depth in the case of the stonework) those used in the construction of the external walls and roof of the existing building.
Reason:- In the interests of safeguarding the character and appearance of the building and the locality, in accordance with policies DC.1, DC.4, and HP.4 of the Rossendale District Local Plan.
3. All new heads, cills, window and door surrounds shall be constructed of natural ashlar stone. This shall match in type, colour and texture the stone used in the construction of the existing window and door surrounds.
Reason:- In the interests of safeguarding the character and appearance of the building and the locality, in accordance with policies DC.1, DC.4 and HP.4 of the Rossendale District Local Plan.
4. Details of the design and proposed location of all new windows and doors to be installed within the building shall be submitted to, and approved in writing by, the Local Planning Authority before development commences. The approved windows and doors shall be installed in the approved positions before any of the flats hereby approved are first occupied and shall thereafter be retained at all times.
Reason:- In the interests of safeguarding the character and appearance of the building and the locality, in accordance with policies DC.1, DC.4 and HP.4 of the Rossendale District Local Plan.
5. No window or other openings, other than those shown on the approved plans, shall, at any time, be formed within the building without the prior written approval of the Local Planning Authority.

Reason: :- In the interests of safeguarding the character and appearance of the building and the locality, in accordance with policies DC.1, DC.4 and HP.4 of the Rossendale District Local Plan.

6. The stone boundary walls enclosing the site shall be retained at all times at their current height except where they are required to be lowered as required by condition 7 below, and removed in order to form the new vehicular access.

Reason:- In order to ensure the satisfactory appearance of the development and safeguard the setting of the building, in accordance with policies DC.1, DC.4 and HP.4 of the Rossendale District Local Plan.

7. The walls marked A-A,B-B,C-C and D-D on approved drawing number CLWY-07 shall be reduced to a height of one metre, measured from the level of the adjoining carriageway (New Line), before any of the flats, hereby approved, are first occupied. These walls shall thereafter be retained at this height at all times.

Reason: In order to ensure the provision of satisfactory visibility at the new site access in the interests of highway safety, and in order to ensure the satisfactory appearance of the development and safeguard the setting of the building, in accordance with policies DC.1, DC.4 and HP.4 of the Rossendale District Local Plan.

8. Details of the proposed means of surfacing, sealing and draining of all areas to be used by vehicles shall be submitted to, and approved in writing by, the Local Planning Authority before development commences. The vehicular areas shall be surfaced, sealed and drained in accordance with the approved details, and laid out in the manner shown on approved drawing number CLWY-07 (as amended by the requirements of condition 9 below) before any of the approved flats are first occupied. These areas shall thereafter be retained at all times solely for the parking and turning of vehicles in conjunction with the development.

Reason:- In the interests of highway safety and in order to ensure the satisfactory appearance of the development and safeguard the setting of the building, in accordance with policies DC.1, HP4 and T.4 of the Rossendale District Local Plan.

9. Notwithstanding the details given on approved drawing number CLWY-07, car parking spaces 1 and 10 shall not be provided. The land on which these spaces were to be located shall be landscaped in accordance with details which shall be submitted to, and approved in writing by, the Local Planning Authority before development commences. 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 completion of the development; and any 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 order to ensure the provision of satisfactory visibility at the new site access, in order to ensure that there is satisfactory space within the site for the manoeuvring of vehicles, and in the interests of visual amenity, in accordance with policies DC.1 and HP.4 of the Rossendale District Local Plan.

10. Visibility splays of 4.5 metres x 70 metres shall be provided on either side of the proposed vehicular access before any of the flats, hereby approved, are first occupied. Thereafter nothing that exceeds one metre in height, measured from the level of the adjoining carriageway (New Line) shall, at any time, be erected or planted within those splays.

Reason:- In order to ensure the provision of satisfactory visibility at the new site access in the interests of pedestrian and highway safety, in accordance with policy DC.1 of the Rossendale District Local Plan.

11. The gradient of the car parking area and access shall not exceed 1 in 10.
Reason: In the interests of highway safety in accordance with policy DC.1 of the Rossendale District Local Plan.

12. 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 works 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.

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

Reason: To prevent pollution of the water environment in accordance with policy DC.1 of the Rossendale District Local Plan.

**477. APPLICATION NUMBER 2004/851
ERECTION OF ONE 10 METRE HIGH WIND TURBINE WITHIN FENCED
COMPOUND
AT: LAND ADJOINING 4 SWINSHAW COTTAGES, LOVECLOUGH**

The Team Manager Development Control informed the Committee of a further representation objecting to the application which was received since the preparation of his report.

Councillor Swain declared that he 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:-

COUNCILLOR	FOR	AGAINST	ABSTENTION
S. Pawson	✓		
Lamb	✓		
Atkinson	✓		
L. Barnes	✓		
Crosta	✓		
Entwistle	✓		
Neal	✓		
Robertson	✓		
Swain	✓		
Thorne	✓		
TOTALS	10	0	0

Resolved:

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

REASONS

It is considered that the development satisfies the requirements of policies DS.1, DS.5, C.1, DC.1, DC.9 and E.12 of the Rossendale District Local Plan. It is considered to represent an appropriate form of development to locate within this Countryside Area; it will not detract from the appearance of the locality, and it will not give rise to any undue disturbance of nearby local residents subject to the imposition of a condition limiting noise emissions.

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. The shaft, blades and head of the turbine shall be painted/stove enamelled/colour coated matt black unless otherwise agreed in writing with by Local Planning Authority. The shaft, blades and head shall be painted that colour within one month of the erection of the turbine, or stove enamelled/colour coated that colour prior to it being erected, and shall thereafter be retained at all times.
Reason: In the interests of visual amenity, and in order to accord with the requirements of policies C.1, DC.1 and DC.9 of the Rossendale District Local Plan.

3. Details of the height, design and position of the proposed fenced compound shall be submitted to, and approved in writing by, the Local

Planning Authority before development commences. The approved compound shall be constructed in accordance with the approved details and in the approved position, and shall thereafter be retained at all times. Reason: In the interests of visual amenity, and in order to accord with the requirements of policies C.1, DC.1 and DC.9 of the Rossendale District Local Plan.

4. The turbine hereby approved shall be installed, maintained and operated such that the level of noise that it emits does not at any time exceed 35 dB (A) LA90 10 min at wind speeds of 10m/s when measured one metre from the gable of 4 Swinshaw Cottages.

Reason: In order to safeguard the amenities of nearby residents, and in order to accord with the requirements of policies DC.1 and E.12 of the Rossendale District Local Plan.

**478. APPLICATION NUMBER 2004/877
 OUTLINE APPLICATION FOR THE ERECTION OF TWO STOREY
 RESIDENTIAL DEVELOPMENT COMPRISING 16 NO. TWO BEDROOM
 APARTMENTS IN THREE BLOCKS
 AT: LAND TO SIDE AND REAR OF EXISTING PETROL STATION,
 MANCHESTER ROAD, HASLINGDEN**

No Councillors had been lobbied on this application.

A proposal was moved and seconded to refuse the application.

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

COUNCILLOR	FOR	AGAINST	ABSTENTION
S. Pawson	✓		
Lamb	✓		
Atkinson	✓		
L. Barnes	✓		
Crosta	✓		
Entwistle	✓		
Neal	✓		
Robertson	✓		
Swain	✓		
Thorne	✓		
TOTALS	10	0	0

Resolved:

That planning permission be refused for the following reason:-

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 43 of the Lancashire Structure Plan 1991 - 2006 and

policy 12 of the Proposed Changes (Deposit Edition) Joint Lancashire Structure Plan 2001 – 2016.

**479. APPLICATION NUMBER 2004/882
CHANGE OF USE FROM PRIVATE RESIDENTIAL DWELLING TO HOT FOOD
OUTLET
AT: 545 MARKET STREET, WHITWORTH**

Councillor L. Barnes declared that she had been lobbied on this application.

In accordance with the procedure for public speaking Ms Sandra Howler spoke against the application. Councillor D. Barnes 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:-

COUNCILLOR	FOR	AGAINST	ABSTENTION
S. Pawson	✓		
Lamb	✓		
Atkinson	✓		
L. Barnes	✓		
Crosta	✓		
Entwistle	✓		
Neal	✓		
Robertson	✓		
Swain	✓		
Thorne	✓		
TOTALS	10	0	0

Resolved:

That planning permission be refused for the following reason:-

It is considered that the noise and odour, that would be generated by the proposed hot food outlet, would unduly disturb and be likely to have an adverse impact upon the amenities of the occupiers of surrounding residential properties. The proposal is therefore considered to be contrary to the provisions of policy S4 of the Rossendale District Local Plan.

**480. APPLICATION NUMBER 2005/007
CHANGE OF USE OF WORKSHOP TO DWELLING INCLUDING THE
REMOVAL OF A CARAVAN CURRENTLY USED FOR RESIDENTIAL
PURPOSES
AT: LAND TO THE REAR OF FORMER SIGNAL BOX, HELMSHORE ROAD,
HELMSHORE**

No Councillors had been lobbied on this application.

In accordance with the procedure for public speaking Mr Peter Beetham spoke against the application and Mr Colin Struthers 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:-

COUNCILLOR	FOR	AGAINST	ABSTENTION
S. Pawson	✓		
Lamb	✓		
Atkinson	✓		
L. Barnes	✓		
Crosta	✓		
Entwistle	✓		
Neal	✓		
Robertson	✓		
Swain	✓		
Thorne	✓		
TOTALS	10		0

Resolved:

That no decision be made at the meeting and that consideration of the application be deferred to the next meeting to enable members of the Committee to undertake a site visit and to enable officers to explore the appropriateness of applying a personal condition.

**481. APPLICATION NUMBER 2005/008
CHANGE OF USE FROM GRASSED AREA TO 5 CAR PARKING BAYS
AT: LAND AT NEW GARDEN FIELDS, LUMB**

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:-

COUNCILLOR	FOR	AGAINST	ABSTENTION
S. Pawson	✓		
Lamb	✓		
Atkinson	✓		
L. Barnes	✓		
Crosta	✓		
Entwistle	✓		

Neal	✓		
Robertson	✓		
Swain	✓		
Thorne	✓		
TOTALS	10	0	0

Resolved:

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

REASONS

It is contended that the proposal satisfies the requirements of policies DS.5, DC.1 and T.4 of the Rossendale District Local Plan. It is considered that because the proposed development will be relatively small in scale and will occupy a relatively secluded location, it will not harm the openness of this Countryside Area. It is also contended that the proposal will not give rise to undue disturbance of adjoining residents or to any undue highway safety problems. Finally, the proposal is considered to be acceptable in design terms.

CONDITION

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.

**482. APPLICATION NUMBER 2005/016
USE OF BUILDING FOR THE RELIGIOUS TEACHING OF CHILDREN
AT: 44 BURY ROAD, HASLINGDEN**

No Councillors had been lobbied on this 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:-

COUNCILLOR	FOR	AGAINST	ABSTENTION
S. Pawson	✓		
Lamb	✓		
Atkinson	✓		
L. Barnes	✓		
Crosta	✓		
Entwistle	✓		
Neal	✓		

Robertson		✓	
Swain	✓		
Thorne	✓		
TOTALS	9	1	0

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 enter into discussions with the highway authority and the applicant in respect of pedestrian safety.

**483. APPLICATION NUMBER 2005/019
TWO STOREY EXTENSION TO SIDE OF DWELLING
AT: 459 HELMSHORE ROAD, HELMSHORE**

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

Notwithstanding notice of his intention to speak not having been received in accordance with the procedure for public speaking Mr Derek Duckworth spoke against the 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.

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

COUNCILLOR	FOR	AGAINST	ABSTENTION
S. Pawson	✓		
Lamb	✓		
Atkinson	✓		
L. Barnes	✓		
Crosta	✓		
Entwistle	✓		
Neal		✓	
Robertson		✓	
Swain	✓		
Thorne		✓	
TOTALS	7	3	0

Resolved:

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

REASON

The approval of planning permission in this instance would not lead to an overbearing impact and loss of enjoyment to the residential amenity of neighbouring properties and therefore accords with Policy DC1 in terms of visual appearance and relation to surroundings.

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

**484. APPLICATION NUMBER 2005/025
CHANGE OF HOUSETYPE TO A 7 NO. BEDROOM DWELLING WITH
FACILITIES FOR MOBILITY IMPAIRED DEPENDANT RELATIVES
AT: LAND OFF CO-OPERATION STREET, RAWTENSTALL**

Councillors S. Pawson, L. Barnes, Crosta, Entwistle, Neal, Robertson, Swain and Thorne declared that they had been lobbied on this 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:-

COUNCILLOR	FOR	AGAINST	ABSTENTION
S. Pawson	✓		
Lamb	✓		
Atkinson	✓		
L. Barnes	✓		
Crosta	✓		
Entwistle	✓		
Neal	✓		
Robertson	✓		
Swain	✓		
Thorne	✓		
TOTALS	10	0	0

Resolved:

That no decision be made at the meeting and that consideration of the application be deferred to the next meeting as it appears to the Committee that

the certificate of ownership is incorrect and that accordingly the application as it stands is not valid.

**485. PLANNING APPEAL DECISION
APPLICATION NUMBER 2004/239
AT: 15 ST JAMES STREET, BACUP**

The Team Manager Development Control submitted a report notifying Members of an appeal decision in respect of Planning Application Number 2004/239 which was an application for the change of use from shop (Class A1) to hot food takeaway (Class A3) at 15 St James Street, Bacup.

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 upheld the appeal and granted planning consent, subject to conditions.

Resolved:

That the appeal decision be noted.

**486. PLANNING APPEAL DECISION
APPLICATION NUMBER 2004/282
AT: LAND OFF HOLLAND AVENUE, RAWTENSTALL**

The Team Manager Development Control submitted a report notifying Members of an appeal decision in respect of Planning Application Number 2004/282 which was an outline application for the erection of 2 dwellings at land off Holland Avenue, Rawtenstall.

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 dismissed the appeal.

Resolved:

That the appeal decision be noted.

**487. PLANNING APPEAL DECISION
APPLICATION NUMBER 2004/318
AT: UNIT 9, THE SIDINGS, NEW LINE, BACUP**

The Team Manager Development Control submitted a report notifying Members of an appeal decision in respect of Planning Application Number 2004/318 which was for the continued use of an industrial unit/site for combined use as a road

haulage garage and storage/distribution depot based on 24 hours a day, 7 days a week operations at Unit 9, The Sidings, New Line, Bacup.

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 dismissed the appeal.

Resolved:

That the appeal decision be noted.

**488. PLANNING APPEAL DECISION
APPLICATION NUMBER 2004/335
AT: LAND REAR OF 84/86 MARKET STREET, SHAWFORTH**

The Team Manager Development Control submitted a report notifying Members of an appeal decision in respect of Planning Application Number 2004/335 which was an outline application for the erection of a single storey dwelling at land rear of 84/86 Market Street, Shawforth.

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 dismissed the appeal.

Resolved:

That the appeal decision be noted.

(The meeting commenced at 6.30pm and closed at 10.00pm)

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