

MINUTES OF: THE DEVELOPMENT CONTROL COMMITTEE

Date of Meeting: 26th June 2007

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

In Attendance: Linda Fisher, Head of Planning, Legal and Democratic Services
Neil Birtles, Senior Planning Officer
Simon Bithell, Senior Solicitor
Heather Moore, Committee and Member Services Manager

Also Present: Councillor P Gill
Approximately 15 members of the public

1. APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES

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

2. MINUTES OF THE LAST MEETING

Resolved:

That the minutes of the meeting held on 22nd May 2007 be signed by the Chair and agreed as a correct record.

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 Swain declared a personal and prejudicial interest in Minute Number 7, Application Number 2007/249 (Holly Mount, St Mary's Way, Rawtenstall) by virtue that the applicant was a business client.

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

There were no urgent items for consideration.

APPLICATIONS FOR CONSIDERATION

5. APPLICATION NUMBER 2007/210 ERECTION OF BOARDING KENNELS TO ACCOMMODATE 27 DOGS AT: HIGHER BRIDGE CLOUGH HOUSE, COAL PIT LANE, WATERFOOT

The Senior Planning Officer introduced the report and referred to the additional representations which had been received since the publication of the report.

In accordance with the procedure for public speaking Mr Graham Dixon spoke against the application and Mrs Marson spoke in favour of the application. Councillor P Gill spoke in his capacity as an Elected Member and objected to the application.

The Senior Planning Officer highlighted that Environmental Health had recommended to acoustically control the building between the hours of 8.00pm and 8.00am and Lancashire County Council's Highways had raised no objection in relation to the traffic issues. The Senior Planning Officer advised that matters relating to animal welfare were regulated through a separate licence issued by Environmental Health.

The Committee discussed the water supply to the property and the Head of Planning, Legal and Democratic Services indicated that there was no evidence available at the meeting as to whether the supply was independent from other properties.

A proposal was moved and seconded to refuse the application for reasons relating to loss of residential amenity (contrary to DC 12 of the Local Plan), run off water in locality, noise, countryside, contrary to DS5 of the Local Plan, details relating to drainage not acceptable.

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

FOR	AGAINST	ABSTENTION
8	2	0

Resolved:

That the application be refused for the reasons set out below.

1. The applicant has not demonstrated to the satisfaction of the Council that the proposed development would not unduly detract from the amenities residents of nearby properties could reasonably expect by reason of the noise associated with the keeping of dogs. Furthermore the scheme does not include acceptable details of drainage and disposal of foul effluent including animal faeces. The proposal is therefore contrary to the criteria of Policy DC12 of the adopted Rossendale District Local Plan.
2. The building to be erected is not intended for the purposes of agriculture, forestry or another use appropriate to a rural area. The proposal is therefore contrary to Policy DC12 of the adopted

Rossendale District Local plan and no satisfactory arguments have been put forward to warrant an exception to this policy.

**6. APPLICATION NUMBER 2007/242
ELEVATIONAL CHANGES FOR PREVIOUSLY APPROVED DWELLING
FOR APPLICATION NUMBER 2006/248
AT: VALLEY VIEW, HIGHER TUNSTEAD, BACUP**

The Senior Planning Officer introduced the report and referred to the additional representations which had been received since the publication of the report.

The Senior Planning Officer informed the Committee that planning permission for the conversion of the building into a dwelling was granted by the Committee on 6 July 2006 (2006/248) and rather than implementing that scheme, the applicant was seeking permission for changes to the elevations, greater utilisation of the roof space and construction of a single storey extension at the western elevation and a porch at the southern elevation.

In accordance with the procedure for public speaking Mrs Irene Parkinson spoke in favour of the application.

In response to a discussion about protecting trees, the Senior Planning Officer indicated that the trees on the application site were not something which the Council would look to protect. The Committee confirmed that they did not wish officers to look at Tree Preservation Orders.

In response to a question relating to the transfer of conditions which had previously been granted relating to hours, landscaping and materials, the Senior Planning Officer confirmed that these would be carried over should permission be granted.

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
10	0	0

Resolved:

That permission be granted for the scheme of conversion now proposed, subject to amendment of the Conditions of Planning Permission 2006/248 as follows:

1. The development hereby permitted shall be begun before 6 July 2009.
REASON: Required by Section 51 of the Planning and Compulsory Purchase 2004 Act.
2. The development shall be carried out in accordance with plans numbered AA -01 and AA -02 received on 13 April 2007.
REASON: To ensure the development complies with the approved plans and for the avoidance of doubt.

3. Notwithstanding what is shown on the approved drawings, the door and window frames shall be of timber construction, and the rooflights shall be of the flush-fitting type, unless otherwise first agreed in writing by the Local Planning Authority.
REASON: To ensure that the development will be of satisfactory appearance, in accordance with the Agent's letter of 11/5/07, Policy 1 of the adopted Joint Lancashire Structure Plan and the criteria of Policy DC1 of the adopted Rossendale District Local Plan.

N.B. Councillor Swain left the meeting during the discussion on and consideration of the following item of business.

**7. APPLICATION NUMBER 2007/249
INCLUSION OF LIFTS WITHIN APARTMENT BLOCKS, ENTAILING
RAISING ROOF
AT: HOLLY MOUNT, ST MARY'S WAY, RAWTENSTALL**

The Senior Planning Officer introduced the report and referred to amended drawings which had been received that proposed the provision of lifts in the apartment blocks. He indicated that the resulting bodylines would differ little from those permitted by Planning Permission 2006/320 and would result in no increase in the complexity in roof-shape or the number of protrusions.

The Senior Planning Officer further reported that he recommended permission be granted for the scheme as now amended, subject to conditions consistent with those of Planning Permission 2006/320.

The Senior Planning Officer informed the Committee that the period of re-consultation with neighbours had not yet expired and he asked the Committee to consider delegating authority to determine the application, in consultation with the Chair, upon expiry of that period.

In accordance with the procedure for public speaking Ms Lynne Symons spoke in favour of the application.

In response to a question from a Member, the Senior Planning Officer confirmed that the previous conditions relating to hours of operation and materials would be carried over.

A proposal was moved and seconded that the Committee be minded to approve the application, subject to conditions and that authority be delegated to the Head of Planning, Legal and Democratic Services to determine the application, in consultation with the Chair, upon the expiry of the re-consultation period. The Committee requested that the Head of Planning, Legal and Democratic Services ensure that conditions relating to hours of operation and materials including natural stone and slate be included in the permission.

The Committee were asked to confirm the Plan Numbers to which permission would be granted:

7030P19
P14A

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

FOR	AGAINST	ABSTENTION
9	0	0

Resolved:

That the Committee is minded to approve the application, subject to conditions and that authority to determine the application is delegated to the Head of Planning, Legal and Democratic Services, in consultation with the Chair, upon the expiry of the re-consultation period. The Committee requested that the Head of Planning, Legal and Democratic Services ensure that conditions relating to hours of operation and materials including natural stone and slate be included in the planning permission.

8. AMENDMENTS TO MINUTES OF PREVIOUS COMMITTEE RELATING TO SLAUGHTERHOUSE APPLICATION 2006/696

The Committee considered the report of the Head of Planning, Legal and Democratic Services which recommended an amendment to the Minutes of the meeting of a previous meeting of the Committee in respect of Application 2006/296.

It was noted that a complaint had been received by the Agent that the Minutes and Decision Notice were not the same.

The Head of Planning, Legal and Democratic Services informed the Committee that processes were in place to improve the verification of minutes and decisions as a result of the complaint.

The Committee confirmed that 10% contribution by the developer in relation to renewable energy was acceptable and the Committee asked the Head of Planning, Legal and Democratic Services to discuss this with the applicant.

Resolved:

1. That the Minutes are agreed as a correct record and that the decision notice is re-worded as per the Minutes.
2. That the Head of Planning, Legal and Democratic Services be given delegated authority to discuss 10% renewable energy contribution with the developer.

N.B. Councillor Cheetham abstained from voting on the above item as she did not attend the previous meeting.

The meeting commenced at 6.30pm and concluded at 7.50pm