

**MINUTES OF: THE DEVELOPMENT CONTROL COMMITTEE**

**Date of Meeting: 21<sup>st</sup> August 2007**

**Present:** Councillor S Pawson (in the Chair)  
Councillors L Barnes, Cheetham, Haworth, Lamb, Neal, J  
Pawson, Robertson, Sandiford and Thorne

**In Attendance:** Linda Fisher, Head of Planning, Legal and Democratic Services  
Adrian Harding, Acting Development Control Team Manager  
Simon Bithell, Senior Solicitor  
Jenni Cook, Committee Officer

**Also Present:** Approximately 9 members of the public and 1 representative  
from the Press

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**MINUTES SILENCE**

The meeting observed a minutes silence as a mark of respect for the death of Councillor Peter Gill.

**1. APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES**

Apologies for absence were submitted on behalf of Councillor Eaton (Councillor Sandiford substituting) and Councillor Swain. Councillor Joyce Pawson substituted for the Conservative Group vacancy.

**2. MINUTES OF THE LAST MEETING**

**Resolved:**

That the minutes of the meeting held on 24<sup>th</sup> July 2007 be signed by the Chair and agreed as a correct record subject to the following amendment:

That Item 2 be amended to read: "That the Minutes of the meeting held on 26<sup>th</sup> June 2007 be 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. The following interests were declared.

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

Councillor Thorne declared a personal and prejudicial interest in minute number 6, Application Number 2007/447 by virtue that she had relatives living on Oaklands Drive.

Councillor Sandiford declared a personal interest in minute number 7, Application Number 2007/490 by virtue that she had been included in previous discussions about this matter, but had not expressed a view.

#### **4. URGENT ITEMS**

There were no urgent items for consideration.

#### **APPLICATIONS FOR CONSIDERATION**

#### **5. APPLICATION NUMBER 2007/330 RESIDENTIAL DEVELOPMENT COMPRISING 33 HOUSES AND 16 APARTMENTS AT: LAND ADJACENT TO DEANSGREAVE ROAD, OFF NEW LINE, BRITANNIA**

The Acting Development Control Team Manager introduced the report and outlined the application history.

The Acting Development Control Team Manager referred to additional representations which had been received since the publication of the report which comprised 16 further letters of objection from residents and a letter of objection from a commercial premises.

In accordance with the procedure for public speaking Ms Marilyn Darwen spoke against of the application.

Members expressed concerns in respect of the proximity of mounds of compacted soil to adjacent properties and the proximity of works being carried out near to a small cliff face. The Acting Development Control Team Manager stated that if Members were minded to refuse the application, these concerns could be dealt with by an informative note on the decision notice.

In response to questions by Members, the Head of Planning, Legal and Democratic Services informed the meeting that the outline permission had been granted for a development which contained a significant element of single storey house types, and the applicant had put forward single storey apartments.

A proposal was moved and seconded to refuse the application for the reasons set out in the report with the reasons for refusal as amended and added in the Late Items Report as below with an additional 5<sup>th</sup> reason for refusal and an informative to cover land stability:

3. Reason for refusal 3 be amended to read:  
The Applicant has not demonstrated to the satisfaction of the Council that the proposed development would not result in an unacceptable loss of amenity for the occupiers of existing neighbouring properties or for the future occupiers of the proposed dwellings, nor in terms of visual amenity in relation to its impact upon the character and appearance of the area by reason. The proposal therefore is contrary to PPS1, Policy 1 and 20 of the adopted Joint Lancashire Structure Plan and the criteria of Policy DC1 of the adopted Rossendale District Local Plan.

The following additional reasons be included:

4. The applicant has provided inadequate information in relation to bin storage and cycle parking within the development, renewable energy and efficiency measures. The proposal thereby conflicts with PPS1 and PPS22, Policy 1 of the Joint Lancashire Structure Plan and Policy DC1 of the Rossendale District Local Plan.
5. The proposed development does not include a significant element of single storey dwellings which would not reflect the existing dwellings opposite the site and does not accord with Condition 10 of outline consent No. 2004/555 which required single storey dwellings to provide for an identified house need. The proposed development would be detrimental to the visual amenity of the surrounding area and would not meet an identified housing need within the Borough. As such the proposed development conflicts with PPS1 – Delivering Sustainable Development, PPS3 – Housing, Policies 1 and 12 of the Joint Lancashire Structure Plan and Policy DC 1 of the Rossendale District Local Plan.

The informative should highlight to the applicant that the Council has concerns over earth works to site and that material appears not to have been removed, that there is an element of banking on the site which appears unstable which may lead to slippage and piling of the site may also lead to material falling on to a nearby Bridleway. The Council would therefore expect that a statement covering PPG14 considerations be submitted with any future applications to develop this site.

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

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
10	0	0

**Resolved:**

1. That the application be refused for the reasons in the officer report, Late Items Report and the additional reasons outlined above.
2. That Members' concerns in respect of compacted soil adjacent to neighbouring properties and the proximity of works to the small cliff face and bridleway be noted and conveyed to the applicant.

**NB: COUNCILLOR THORNE LEFT THE MEETING PRIOR TO CONSIDERATION OF THE FOLLOWING ITEM**

6. **APPLICATION NUMBER 2007/447  
VARIATION OF CONDITION NO. 3 ON PLANNING PERMISSION 2007/016  
AT: LAND OFF OAKLANDS DRIVE AND LOWER CRIBDEN AVENUE,  
RAWTENSTALL**

The Acting Development Control Team Manager introduced the report and referred to additional representations which had been received since publication of the report. Reference was made to an email from the applicant however the Officer recommendation remained one of refusal.

Samples of the artificial roof slates and artificial stone which had been applied for were shown to the Committee.

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

The Acting Development Control Team Manager provided Members with guidance on the need to give more weight to the most current Central Government Policy in respect of the increased emphasis on good design and need to emphasise local distinctiveness in the construction of dwellings, being the use of natural stone and slate within Rossendale.

The Head of Planning, Legal and Democratic Services noted that the applicant's email referred to an artificial stone development at Anvil Street in Stacksteads. The Head of Planning, Legal and Democratic Services advised Members that this statement was incorrect.

Councillor Neal expressed disappointment that Daniel Hartley for the applicant had agreed to a natural stone when asked by Committee about the imposition of a natural stone condition when permission was granted and that now the applicant was changing their position having obtained consent.

A proposal was moved and seconded to refuse the application for the reason set out in the report.

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

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
9	0	0

**Resolved:**

That the application be refused for the reasons set out in the report.

**7. APPLICATION NUMBER 2007/490  
LAYING OF HARDCORE TRACK AND PROVISION OF A CONTAINER  
FOR USE AS A CHANGING ROOM  
AT: LAND OFF ST PETER'S AVENUE, HASLINGDEN**

The Acting Development Control Team Manager introduced the report which was a revision of application number 2006/367.

In response to a query by Members, the Head of Planning, Legal and Democratic Services confirmed that residents had objected to the original application and reminded Members that cost was not a material planning consideration.

A proposal was moved and seconded to approve the application subject to the conditions in the report with an additional condition as follows:

The steel container hereby approved within 6 months of ceasing to be used as a changing room and storage shall be removed from the site.

Reason: In the interests of visual amenity.

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

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
9	1	0

**Resolved:**

That the application be approved subject to the conditions contained within the report and the additional condition stated above.

**OPERATIONAL MATTERS**

**8. APPEALS UPDATE REPORT**

The Head of Planning, Legal and Democratic Services presented a report which summarised Appeal activity since March 2007.

The Head of Planning, Legal and Democratic Services informed Members that confidence should be gained from the outcomes of the majority of the Appeals as a number of Appeals were dismissed by the Planning Inspectorate.

**Resolved:**

That the report be noted.

**The meeting commenced at 6.30pm and concluded at 7.35pm**