

**MINUTES OF:            DEVELOPMENT CONTROL COMMITTEE**

**Date of Meeting:        Thursday, 15<sup>th</sup> July 2004**

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

**IN ATTENDANCE:      Mr B S Sheasby, Development Control Manager  
Mr R W Lester, Head of Legal Services  
Mr D Hartley, Principal Planning Officer  
Mrs H Moore, Administrative Assistant**

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**58.        MINUTES**

**Resolved:**

That the Minutes of the meeting of the Committee held on the 27<sup>th</sup> May 2004 be signed by the Chair as a correct record.

**59.        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 Driver - personal interest in Minute Number 67 (Planning Application Number 2004/277).

Councillor Wadsworth – prejudicial interest in Minute Number 68 (Planning Application Number 2004/279) by virtue of his position as Local Authority Governor at Bacup and Rawtenstall Grammar School. Councillor Wadsworth vacated the Chair and the meeting during the discussion on and consideration of the application.

Councillor Pawson – prejudicial interest in Minute Number 60 (Planning Application Number 2004/319) by virtue that his family resided on Powys Close. Councillor Pawson vacated the meeting during the discussion on and consideration of the application.

**60. APPLICATION NUMBER 2004/319  
ERECTION OF FIRST FLOOR TO FORM TWO STOREY DWELLING  
AT: 10 POWYS CLOSE, HASLINGDEN**

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

In accordance with the procedure for public speaking Ms Olive Stanworth spoke against the application and Mr Mike Illsley (Agent) 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>
Atkinson	✓		
L. Barnes	✓		
Crosta	✓		
Driver	✓		
Entwistle	✓		
Lamb	✓		
Neal	✓		
Robertson	✓		
Thorne	✓		
Wadsworth	✓		
<b>TOTALS</b>	10	0	0

**Resolved:**

That planning permission be refused for the following reasons:-

The proposed first floor extension of the present single storey dwelling would by reason of its height, mass, spatial relationship and close proximity to the principal rear elevation and habitable rooms of the single storey dwelling No 6 Powys Close result in an unacceptable loss of outlook and amenity to the occupiers of that property contrary to the provisions of Policy DC.1 Development Criteria of the Rossendale District Local Plan.

**61. APPLICATION NUMBER 2004/372  
APPLICATION FOR THE REMOVAL OF CONDITIONS 3, 4 AND 5 ATTACHED  
TO PLANNING APPLICATION NUMBER 2003/600  
AT: 592 AND 596 BURNLEY ROAD, CRAWSHAWBOOTH**

Councillors L. Barnes, Crosta, Driver, Neal, S. Pawson and Wadsworth declared that they 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 Ms Brenda Wilkinson spoke against the application and Ms Louise Roberts (Director of Applicant) spoke in favour of the application. Councillor A. Barnes, in her capacity as ward member, also spoke on the application.

A proposal was moved and seconded to defer consideration of 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>
Atkinson	✓		
L. Barnes	✓		
Crosta	✓		
Driver	✓		
Entwistle	✓		
Lamb	✓		
Neal	✓		
S. Pawson	✓		
Robertson	✓		
Thorne	✓		
Wadsworth			✓
<b>TOTALS</b>	10	0	1

**Resolved:**

That no decision be made at the meeting and that consideration of the application be deferred to the meeting in September to enable officers to address the issues raised in respect of the legality of the planning application and to further consult with the applicant regarding parking provision.

**62. APPLICATION NUMBER 2004/134  
RESIDENTIAL DEVELOPMENT (OUTLINE WITH MEANS OF ACCESS – 4.03  
HECTARES)  
AT: LAND TO SOUTH OF GRANE ROAD/EAST OF HOLCOMBE ROAD,  
HASLINGDEN**

Councillors L. Barnes, Crosta, Driver, Entwistle, Lamb, Neal, S. Pawson, Robertson, Thorne and Wadsworth declared that they 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
Atkinson	✓		
L. Barnes	✓		
Crosta	✓		
Driver	✓		
Entwistle	✓		
Lamb	✓		
Neal	✓		
S. Pawson	✓		
Robertson	✓		
Thorne	✓		
Wadsworth			✓
<b>TOTALS</b>	10	0	1

**Resolved:**

That planning permission be refused for the following reasons:

1. The proposed development does not accord with Policy DS1 of the Rossendale District Local Plan which states *“the Council will seek to locate most new development within a defined urban boundary – the urban boundary – and will resist development beyond it unless it complies with policies DS3 and DS5”*. The proposed development does not accord with Policy DS5 (Development Outside the Urban Boundary and in Green Belt) of the Rossendale District Local Plan in that it is not needed for the purposes of agriculture, forestry or any other use appropriate to this rural area.
2. The applicant has not raised any special circumstances for overriding the loss of a defined employment site. For these reasons the proposed development does not accord with Policy J3 of the Rossendale District Local Plan that states *“in existing and proposed employment areas the needs of industry and commerce will usually be given priority over housing, specifically in the determination of planning applications”*.
3. Having regard to Government guidance in the form of PPG 3 (Housing), PPG 13 (Transport) and Policy 1 of the Proposed Changes Deposit Edition Joint Lancashire Structure Plan the application site does not perform well in respect of sustainability criteria having regard to the fact that (i) part of the site is greenfield and (ii) the site is not well served by a choice of means of non-car transport (poor accessibility) and is not in close proximity to local schools or a town centre and would therefore encourage car dependency.
4. There are sufficient residential planning permissions to meet the Borough Council's housing requirement to 2006 having regard to the Proposed Changes to the Draft Joint Lancashire Structure Plan (Policy 12) with provision for meeting the Borough's 5 year housing supply.

**63. APPLICATION NUMBER 2004/145  
CONSTRUCTION OF RIDING ARENA (RETROSPECTIVE), EXTENSION TO  
RIDING ARENA AND ERECTION OF TWO ADDITIONAL STABLES  
AT: 10 TURNHILL FARM, DEAN LANE, WATER**

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

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>
Atkinson	✓		
L. Barnes	✓		
Crosta	✓		
Driver	✓		
Entwistle	✓		
Lamb	✓		
Neal	✓		
S. Pawson	✓		
Robertson	✓		
Thorne	✓		
Wadsworth	✓		
<b>TOTALS</b>	11	0	0

**Resolved:**

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

**REASONS**

The use of land for horse related activities is acceptable in principle and accords with PPG7, policy DS.5 of the Rossendale District Local Plan and Policy 1 of the adopted Lancashire Structure Plan. The scale of the development, if controlled, is in scale and keeping with the character of the landscape as required by policy C.1 of the Rossendale District Local Plan.

**CONDITIONS**

1. The erection of stables and extension of riding arena hereby permitted shall both 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. Within one month from the date of this permission a scheme for the containment and storage of manure shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be implemented in full within one month of the written approval and retained in place thereafter.

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

3. The stables and the riding arena (including any extension thereof) shall at no time be used for commercial or business purposes.

Reason: In the interests of residential amenity and the character of the countryside having regard to Policy DC1 and C1 of the Rossendale District Local Plan

**64. APPLICATION NUMBER 2004/147  
ERECTION OF RETAINING WALLS AND TWO STOREY DETACHED  
PROPERTY  
ACCESSED FROM THORNFIELD AVENUE, WATERFOOT**

Councillor Robertson declared that she 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 Mrs Janet Weeks spoke against the application and Mr Keith Smith (Architect) spoke in favour of the application. Councillor Hancock, 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>
Atkinson	✓		
L. Barnes	✓		
Crosta	✓		
Driver	✓		
Entwistle	✓		
Lamb	✓		
Neal			✓
S. Pawson		✓	
Robertson	✓		
Thorne	✓		
Wadsworth	✓		
<b>TOTALS</b>	<b>9</b>	<b>1</b>	<b>1</b>

**Resolved:**

That the application be refused for the following reasons:-

1. The proposed development would represent a cramped form of development appearing out of character and scale in the locality and having a materially overbearing and enclosing impact on neighbouring properties to the detriment of visual and residential amenity. For these reasons the proposed is considered contrary to the provisions of Policy DC.1 (Development Criteria) of the adopted Rossendale District Local Plan which states, inter alia, that development proposals should not "*be detrimental to existing conditions in the surrounding area*".
2. The development by virtue of the positioning of the proposed access would give rise to further vehicular movements and conflict in an already congested area to the detriment of highway safety and residential amenity. For these reasons the proposed development does not accord with Policy DC1 of the Rossendale District Local Plan.

**65. APPLICATION NUMBER 2004/262  
ERECTION OF 2 HOUSES AND 1 BUNGALOW. PHYSICAL ALTERATIONS  
TO EXISTING BUNGALOW WITH INCREASE FROM SINGLE STOREY TO  
TWO STOREY DWELLING  
AT: 35 TONACLIFFE ROAD AND LAND TO REAR, WHITWORTH**

Councillor Eaton spoke on this application.

A proposal was moved and seconded to defer consideration of 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>
Atkinson	✓		
L. Barnes	✓		
Crosta	✓		
Driver	✓		
Entwistle	✓		
Lamb	✓		
Neal	✓		
S. Pawson	✓		
Robertson	✓		
Thorne	✓		
Wadsworth	✓		
<b>TOTALS</b>	11	0	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 to undertake a site visit.

**66. APPLICATION NUMBER 2004/272  
MIXED USE RESIDENTIAL AND OFFICE DEVELOPMENT  
AT: HOLMEFIELD HOUSE, HOLCOMBE ROAD, HELMSHORE**

Councillors Atkinson, L. Barnes, Crosta, Driver, Entwistle, Lamb, Neal, S. Pawson, Robertson, Thorne and Wadsworth declared that they 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 Ms Joan Lambourne spoke against the application and Mr Daniel Kershaw (Land Manager for Bellway and representing both applicants) spoke in favour of the application.

A proposal was moved and seconded to defer consideration of 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>
Atkinson	✓		
L. Barnes	✓		
Crosta	✓		
Driver	✓		
Entwistle	✓		
Lamb	✓		
Neal	✓		
S. Pawson		✓	
Robertson		✓	
Thorne		✓	
Wadsworth	✓		
<b>TOTALS</b>	<b>8</b>	<b>3</b>	<b>0</b>

**Resolved:**

That no decision be made at the meeting and that consideration of the application be deferred to the meeting in September to facilitate the consideration of amended plans.



**67. APPLICATION NUMBER 2004/277  
ERECTION OF 20 THREE STOREY TOWN HOUSES  
AT: PENDLE AVENUE, BACUP**

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

In accordance with the procedure for public speaking Ms Caroline Greenhalgh spoke against the application and Mr Wilf Cooper (Agent) spoke in favour of the application.

A proposal was moved and seconded to defer consideration of 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>
Atkinson	✓		
L. Barnes	✓		
Crosta	✓		
Driver			✓
Entwistle	✓		
Lamb	✓		
Neal		✓	
S. Pawson	✓		
Robertson	✓		
Thorne	✓		
Wadsworth		✓	
<b>TOTALS</b>	8	2	1

**Resolved:**

That no decision be made at the meeting and that consideration of the application be deferred to the next meeting for further consultation to be undertaken and to enable additional representations to be submitted.

**(COUNCILLOR DRIVER IN THE CHAIR)**

**68. APPLICATION NUMBER 2004/279  
OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT ACCESSED  
FROM BOOTH ROAD  
AT: LAND BETWEEN BOOTH ROAD AND MOUNT AVENUE, WATERFOOT**

In accordance with the procedure for public speaking Mr Mike Ellison spoke against the application. Councillor Hancock, 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>
Atkinson	✓		
L. Barnes	✓		
Crosta	✓		
Driver	✓		
Entwistle	✓		
Lamb	✓		
Neal	✓		
S. Pawson	✓		
Robertson	✓		
Thorne	✓		
<b>TOTALS</b>	10	0	0

**Resolved:**

That planning permission be refused for the following reasons:-

1. The proposed vehicular access has restricted width and fails to provide acceptable visibility. For these reasons the proposed development is contrary to Policy DC1 of the Rossendale District Local Plan.

**(COUNCILLOR WADSWORTH IN THE CHAIR)**

**69. APPLICATION NUMBER 2004/280  
OUTLINE APPLICATION FOR TWO DETACHED DWELLINGS WITH  
DETACHED GARAGES AND ASSOCIATED CAR PARKING ACCESSED  
FROM GREENSNOOK TERRACE  
AT: LAND BOUNDED BY TODMORDEN ROAD AND GREENSNOOK  
TERRACE AND SOUTH OF CLOVER HILL, BACUP**

Councillors L. Barnes, Crosta, Driver, Entwistle, Lamb, Neal, Robertson and Wadsworth declared that they 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 John Ashworth spoke against the application.

A proposal was moved and seconded to refuse the application. An amendment was moved and seconded to defer the application. Voting took place on the amendment, the result of which was as follows:-

COUNCILLOR	FOR	AGAINST	ABSTENTION
Atkinson		✓	
L. Barnes		✓	
Crosta		✓	
Driver	✓		
Entwistle	✓		
Lamb	✓		
Neal		✓	
S. Pawson		✓	
Robertson		✓	
Thorne		✓	
Wadsworth	✓		
<b>TOTALS</b>	4	7	0

The amendment was lost and the Chair then called for a further vote on the original proposal, the result of which was as follows:-

COUNCILLOR	FOR	AGAINST	ABSTENTION
Atkinson	✓		
L. Barnes	✓		
Crosta	✓		
Driver	✓		
Entwistle		✓	
Lamb	✓		
Neal	✓		
S. Pawson	✓		
Robertson	✓		
Thorne	✓		
Wadsworth		✓	
<b>TOTALS</b>	9	2	0

**Resolved:**

That planning permission be refused for the following reasons:-

1. The access to the proposed development by way of Greensnook Terrace is of insufficient width having regard to the current regime of residents' parking, particularly from the proposed entrance to the development site. For this reason the development does not accord with Policy DC1 of the Rossendale District Local Plan as the arrangements for access are unsatisfactory.
2. Use of this greenfield site (i.e. allotment garden) for residential purposes would not accord with national planning policy in the form of PPG 3 which states that brownfield sites should be developed before greenfield sites.

**70. APPLICATION NUMBER 2004/349  
ERECTION OF TWO NEW BUILDINGS WITH ASSOCIATED ACCESS AND  
PARKING  
AT: BELMONT SCHOOL, HASLINGDEN ROAD, RAWTENSTALL**

Councillors Driver and Entwistle declared that they 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 Ken MacEwan (Principal of the school) 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>
Atkinson	✓		
L. Barnes	✓		
Crosta	✓		
Driver	✓		
Entwistle	✓		
Lamb	✓		
Neal	✓		
S. Pawson	✓		
Robertson	✓		
Thorne	✓		
Wadsworth	✓		
<b>TOTALS</b>	11	0	0

**Resolved:**

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

**REASONS**

The application site falls within the defined Urban Boundary. The principle of developing this site for school purposes accords with policy DS.1 of the Rossendale District Local Plan. On balance it is considered that the design of the proposed buildings will not be detrimental to the setting of the original school which, whilst not listed, does have some architectural merit. The separation distances, existing land form and planting, proposed planting and the proposed height of the buildings will prevent material harm to the occupiers of the existing

residential properties in accordance with policy DC.1 of the Rossendale District Local Plan. Having regard to policy E.4 of the Rossendale District Local Plan there would be no unnecessary harm or destruction of existing trees.

### **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 development shall be carried out in accordance with plans numbered 296 – 1A and 296 -2A received on 14<sup>th</sup> June, 2004.  
Reason: To ensure the development complies with the approved plans and for the avoidance of doubt.
3. Any 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 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.
4. The development shall not be commenced until details of the visibility splay, which should be 2.5 metres by 20 metres at the junction of the access to the administration block with the driveway, have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.  
Reason: In the interests of highway safety and in accordance with policy DC.1 of the Rossendale District Local Plan.
5. The development shall not be commenced until full details, including representative samples, of the external construction to be used on the roof and walls of the development have been submitted to and first approved in writing by the Local Planning Authority and shall thereafter be carried out in accordance with the approved details.  
Reason: In the interests of visual amenity in accordance with policy DC.1 of the Rossendale District Local Plan.
6. The protection of the trees to be retained as detailed on drawing reference 296-1A received by the Local Planning Authority on 14<sup>th</sup> June, 2004(“the retained trees”) shall be achieved as follows:

- (a) no retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped otherwise than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).
- (b) if any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.
- (c) the erection of fencing for the protection of any retained tree shall be undertaken in accordance with plans and particulars which shall have been previously approved in writing by the local planning authority, before any equipment, machinery or materials are brought onto the site for the purposes of the development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. 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, nor any fire lit, without the written consent of the local planning authority.
- (d) Paragraphs (a) and (b) above shall have effect until the expiration of one year from the date of first occupation of the buildings for their permitted use.

Reason: In the interests of visual amenity having regard to policies E4 and DC1 of the Rossendale District Local Plan.

7. No development shall take place until there has been submitted to and approved by the Local Planning Authority a detailed scheme of landscaping, which shall include details of the number, type and location of the plants.

Reason: In the interests of residential amenity and in accordance with policy DC.1 of the Rossendale District Local Plan.

8. 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 first 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 residential amenity and in accordance with policy DC.1 of the Rossendale District Local Plan.

9. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas shall be passed through trapped gullies with an overall capacity compatible with the site being drained the details of which shall be first submitted to and approved in writing by the Local Planning Authority.  
Reason: To prevent pollution of the water environment in accordance with policy DC.1 of the Rossendale District Local Plan.

**71. APPLICATION NUMBER 2004/290  
 CONVERSION OF EXISTING FARMHOUSE AND BARN INTO 3 SELF  
 CONTAINED DWELLINGS  
 AT: LORD BARN FARM, PLANTATION VIEW, BACUP**

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

In accordance with the procedure for public speaking Mr Gary Gregory (Applicant's son) spoke in favour of the application.

A proposal was moved and seconded to approve 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>
Atkinson	✓		
L. Barnes	✓		
Crosta	✓		
Driver	✓		
Entwistle	✓		
Lamb	✓		
Neal	✓		
S. Pawson	✓		
Robertson	✓		
Thorne	✓		
Wadsworth	✓		
<b>TOTALS</b>	11	0	0

**Resolved:**

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

**REASONS**

Having regard to the personal circumstances of the applicant it is considered in this case that the proposed development would not seriously prejudice the aims and objectives of Policies 1 and 5 of the Proposed Changes Draft Joint Lancashire Structure Plan or Government guidance in the form of PPG 3.

## **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 development shall not be commenced until full details, including representative samples, of the external construction to be used on the roof and walls of the development (i.e. natural stone and blue slate roofs) have been submitted to and first approved in writing by the Local Planning Authority and shall thereafter be carried out in accordance with the approved details.  
Reason: In the interests of visual amenity in accordance with policies DC.1 and 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 development shall be carried out on the site within the terms of classes A, B, C, D and E of Part 1 of Schedule 2 to the Order without the prior consent of the Local Planning Authority.  
Reason: In the interests of visual amenity having regard to Policies C1 and DC1 of the Rossendale District Local Plan

**72. APPLICATION NUMBER 2004/320  
OUTLINE APPLICATION FOR THE ERECTION OF DETACHED BUNGALOW  
AND GARAGE ACCESSED FROM MINNIE STREET. THE PROPOSED  
DEVELOPMENT WOULD AFFECT FOOTPATH NO. 129  
AT: LAND AT FIVE OAKS, LONGACRES DRIVE, WHITWORTH**

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>
Atkinson	✓		
L. Barnes	✓		
Crosta	✓		
Driver	✓		
Entwistle	✓		
Lamb	✓		
Neal	✓		
S. Pawson	✓		
Robertson	✓		
Thorne	✓		
Wadsworth	✓		
<b>TOTALS</b>	11	0	0



## **Resolved:**

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

## **REASONS**

The proposal is in accordance with Policies DC1 and DS1 of the Rossendale District Local Plan, would not have an adverse impact on highway safety and does not need to have an adverse impact upon residential amenity. The development suitably accords with Government guidance in the form of PPG 3 (Housing). Having regard to the number of dwellings proposed it is not considered that the proposal would significantly compromise the aims and objectives of Policy 12 of the Proposed Changes Joint Lancashire Structure Plan.

## **CONDITIONS**

1. Approval of the details of the siting, design and external appearance of the building, and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.  
Reason: The application is in outline only and not accompanied by detailed plans.
2. Plans and particulars of the reserved matters referred to in condition 1 above, relating to the siting, design and external appearance of any buildings to be erected, and the landscaping of the site shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.  
Reason: The application is in outline only and not accompanied by full and detailed plans.
3. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.  
Reason: Required by Section 92 of the Town and Country Planning Act 1990.
4. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.  
Reason: Required by Section 92 of the Town and Country Planning Act 1990.

5. The development shall not be commenced until full details, including representative samples, of the external materials of construction to be used on the roof and walls of the development have been submitted to and first approved in writing by the Local Planning Authority and shall thereafter be carried out in accordance with details approved.

Reason: To ensure a satisfactory appearance to the development and to accord with Policy DC4 of the Rossendale District Local Plan.

6. No development shall be commenced until a scheme for the proposed driveway from Minnie Street including gradient, drainage and surfacing materials, has been submitted to and approved in writing by the local planning authority. The approved scheme shall thereafter be carried out in accordance with the approved details before the dwelling hereby approved is first occupied.

Reason: In the interests of highway safety in accordance with policy DC.1 of the Rossendale District Local Plan.

**73. APPLICATION NUMBER 2004/335  
OUTLINE APPLICATION FOR THE ERECTION OF A BUNGALOW  
AT: LAND REAR OF 84/86 MARKET STREET, SHAWFORTH**

In accordance with the procedure for public speaking Ms Elizabeth Bower 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>
Atkinson	✓		
L. Barnes	✓		
Crosta	✓		
Driver	✓		
Entwistle	✓		
Lamb	✓		
Neal	✓		
S. Pawson	✓		
Robertson	✓		
Thorne	✓		
Wadsworth		✓	
<b>TOTALS</b>	10	1	0

**Resolved:**

That this application be refused for the following reasons:-

1. By virtue of the close proximity of terraces to the north west and south east of the application site, the proposed development would have a materially overbearing and enclosing impact on neighbouring properties to the detriment of residential amenity.
2. By virtue of reason 1 above, the proposal is considered contrary to the provisions of Policy DC.1 (Development Criteria) of the adopted Rossendale District Local Plan which states, inter alia, that development proposals should not be detrimental to existing conditions in the surrounding area.
3. The proposed development would lead to an unacceptable cumulative use of an unadopted road to the detriment of residential amenity and highway safety. To this extent the proposed development does not accord with Policy DC1 of the Rossendale District Local Plan.

**74. APPLICATION NUMBER 2004/344  
CONVERSION OF FORMER BUS SHELTER TO OFFICE  
AT: 596 BURNLEY ROAD, CRAWSHAWBOOTH**

Councillors Crosta, Driver and Wadsworth declared that they had been lobbied on this application.

In accordance with the procedure for public speaking Mr Peter Roberts 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>
Atkinson	✓		
L. Barnes	✓		
Crosta	✓		
Driver		✓	
Entwistle	✓		
Lamb	✓		
Neal	✓		
S. Pawson	✓		
Robertson	✓		
Thorne	✓		
Wadsworth			✓
<b>TOTALS</b>	9	1	1

**Resolved:**

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

## **REASONS**

The application site falls within the defined Urban Boundary. The principle of developing this site for offices accords with policy DS.1 of the Rossendale District Local Plan. The conversion of an existing building accords with policy 1a and 1f of the proposed changes Joint Lancashire Structure Plan. It is not considered that there would be material harm to privacy following the conversion as required by policy DC.1 of the Rossendale District Local Plan. Given the situation of the building in the centre of Crawshawbooth the offices would be accessible by public transport, walking and cycling in accordance with policy 1b of the Rossendale District Local Plan and PPG13. As no on site parking would be provided the requirements of policy T.4 of the Rossendale District Local Plan will not be achieved. However, it is considered that that the application accords with more up to date guidance in the form of PPG13.

## **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 development shall be carried out in accordance with the plan received on 23<sup>rd</sup> June, 2004.  
Reason: To ensure the development complies with the approved plans and for the avoidance of doubt.
3. Any 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 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.
4. No development shall be commenced until details of the storage area for bins adjacent to 604 Burnley Road have been submitted to and approved in writing by the Local Planning Authority. The premises shall not be used as an office unless such bin storage area is and remains available for use in connection therewith in accordance with such details and no container for refuse associated with use of the premises as an office shall be stored outside such office except in such storage area or for a period not exceeding two hours before and one hour after its collection for emptying.  
Reason: To ensure suitable provision for bin storage so there is no detrimental impact on the existing conditions in the area in accordance with policy DC.1 of the Rossendale District Local Plan.

5. All the external materials and finishes to be used on the Burnley Road elevation of the development shall match those on the existing building in terms of type, size, shape, thickness, colour and texture.  
Reason: In the interests of visual amenity having regard to Policies DC1 and DC4 of the Rossendale District Local Plan
  
6. The windows in the rear elevation of the proposed development shall not at any time be glazed other than with opaque glass of a type and degree of opacity to be first agreed in writing by the Local planning Authority. Any replacement window frame shall be fixed and unopenable and be fitted with opaque glass of an equal degree of opacity to that which was first approved.  
Reason: In the interests of residential amenity having regard to Policy DC1 of the Rossendale District Local Plan.
  
7. The premises shall be used as an office and for no other purpose including any other purpose in Class A2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.  
Reason: In order to control any future change of use having regard to car parking provision and impact upon residential amenity having regard to Policy DC1 of the Rossendale District Local Plan.

**(The meeting commenced at 6.30pm and closed at 10.26pm  
The Committee resolved in accordance with Committee Procedure Rule 4.1,  
to continue the meeting after 10.00pm)**