

MINUTES OF: THE DEVELOPMENT CONTROL COMMITTEE

Date of Meeting: 13th November 2007

Present: Councillor S Pawson (in the Chair)
Councillors Cheetham, L.Barnes, Eaton, Haworth, Lamb,
Neal, Nuttall, Robertson, Swain, Thorne

In Attendance: Linda Fisher, Executive Director of Regulatory Services
Neil Birtles, Senior Planning Officer
Simon Bithell, Senior Solicitor
Mandy Graham, Enforcement Officer
Brian Taylor, Senior Enforcement Officer
Jenni Cook, Committee Officer
Carolyn Law, Committee Officer

Also Present: Councillor Smith and approximately 7 members of the public

1. APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES

There were no apologies for absence.

2. MINUTES OF THE LAST MEETING

Resolved:

That the minutes of the meeting held on 16th October 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. 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. He also declared a personal and prejudicial interest in Minute Number 7, application number 2007/559 by virtue that he lives close to the proposed development.

Councillor Cheetham declared a personal and prejudicial interest in Minute Number 5, application number 2007/598 by virtue that she lives near to the proposed site.

4. URGENT ITEMS

There were no urgent items for consideration.

APPLICATIONS FOR CONSIDERATION

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

**5. APPLICATION NUMBER 2007/598
ERECTION OF DWELLING FOR AGRICULTURAL WORKER
AT: LAND OFF MICHAEL WIFE LANE/GINCROFT LANE, EDENFIELD**

The Senior Planning Officer introduced the report and outlined the reason for the application being brought to the Committee. To support the evidence in the report the Executive Director of Regulatory Services confirmed that according to government guidelines permission for a permanent dwelling cannot be granted based on an intended enterprise. To grant permission for a permanent dwelling the enterprise must be existing and be able to prove financial viability. The beef enterprise was not existing and no substantial financial accounts had been submitted to support the application. It was noted that the previous application was currently the subject of an appeal. The Executive Director of Regulatory Services asked whether the item should be deferred until the outcome of the appeal. The Committee agreed to continue with the new application.

In accordance with the Procedure for Public Speaking Mr Hartley spoke in favour of the application. Mr Hartley referred to a supporting letter from the Girl Guides which referred to alleviating vandalism in the area. Mr Hartley also referred to an email from the Environmental Health Officer which recorded 3 visits to the site and the need to deal with the fly tipping. Mr Hartley indicated that the Environmental Health Officer had stated that a farmhouse on this site would alleviate fly tipping problems.

The Executive Director of Regulatory Services noted that the Environmental Health Officer was not qualified on planning matters and the email should not add any weight to the application.

Councillor Smith spoke in favour of the application. He reported that he had canvassed opinion in Edenfield and there were no objections. He asked the Committee to consider the need for a workers dwelling in order to tend to livestock and noted that he believed this would also have a positive impact on the village by reducing crime.

The Executive Director of Regulatory Services reminded the panel that the location was countryside and subject to protection regulations. The Senior Planning Officer confirmed that there were other dwellings in the village that could be considered suitable for the applicant rather than planning a new build. The Executive Director of Regulatory Services confirmed that the required policy tests had not been met and looking into existing dwellings available in the area was one of the policy tests. In addition to this the required permission for livestock buildings had not been sought.

A proposal was moved and seconded to refuse the application.

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

FOR	AGAINST	ABSTENTION
5	5	0

In accordance with the Council's Constitution the Chair had the casting vote which was for the Officers recommendations to refuse the application.

Resolved:

That the application be refused for the reasons set out in the report, with specific reference to the following items:

1. The application for the proposed development cannot adequately demonstrate that there is a need for an agricultural worker's dwelling for this farm in this location. The application therefore conflicts with PPS7 Sustainable Development in Rural Areas and Policy 5 of the Joint Lancashire Structure Plan, the Council's Revised Interim Housing Position Statement, and the criteria of Policy DC1 of the adopted Rossendale District Local Plan.
2. There is insufficient information regarding design and layout to properly assess the impact of the dwelling on the impact on the openness of the Green Belt and visual amenity. The application therefore conflicts with the criteria of PPS 7 Sustainable Development in Rural Areas, Policy DS3 & DS5 and the criteria of Policy DC1 of the adopted Rossendale District Local Plan.

**6. APPLICATION NUMBER 2007/601
TWO STOREY EXTENSION AND DORMER (AMENDED SCHEME FROM
2004/082)
AT: 9 FOLLY TERRACE, GOODSHAW**

The Senior Planning Officer introduced the report and outlined the reasons for the report being brought to the committee. The Senior Planning Officer noted that this was an amended planning application, to extend the extension nearer to the party boundary.

In accordance with the procedure for public speaking Mr Spurr spoke against the application. Mr Spurr reported that the second floor extension would result in loss of light from this property. In response to questions from the panel Mr Spurr confirmed that there were no other second floor extensions on the row.

The Senior Planning Officer confirmed that the original application 2004/082 was still extant and could be implemented up to 2009.

Councillor Neal requested that if the plan was approved a condition that natural materials in keeping with the existing dwellings be added.

A proposal was moved to approve the application.

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

FOR	AGAINST	ABSTENTION
10	1	0

Resolved:

That the application be approved subject to the conditions set out in the report and the amended materials condition set out below:

Notwithstanding the information submitted, the external walls of the extension hereby permitted shall be rendered and painted to match the colour of the rear elevation of the existing dwelling and the roof & dormer cheeks shall be of slate matching the roof of the existing dwelling.

Reason : In the interests of the amenity of the area, in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.

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

**7. APPLICATION NUMBER 2007/559
CHANGE OF HOUSE TYPES, PLOTS 47, 135, 136, 139, 144-149, 151, 154
AT: WOODLAND GRANGE, OFF DOUGLAS ROAD, BACUP**

The Senior Planning Officer outlined the report and the reason for the report being brought before the committee.

There were no speakers for or against this application.

In response to Councillors concerns the Developer would be requested to clear polystyrene from the site and for early implementation of buffer landscaping between Tong Lane and the new development.

A proposal was moved and seconded to approve the application subject to the conditions as set out in the report and the Committee's request above.

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

FOR	AGAINST	ABSTENTION
10	0	0

Resolved:

That the application be approved subject to the conditions contained within the report and the Committee's request set out above.

OPERATIONAL ITEMS

8. ENFORCEMENT ACTION UPDATE

The Chair and Committee thanked Officers for their hard work on enforcement matters. Councillor Eaton also expressed appreciation of the work of the Enforcement Officer. The Executive Director of Regulatory Services outlined the report which provided members with an update of the current position with regard to planning enforcement actions.

An update on the steel stanchions and garage at Corporation Street was requested. The Enforcement Officer reported they were currently measuring the garage and checking current developments. The Committee expressed dissatisfaction with the unauthorised works at Corporation Street, and wished Officers to give a high priority to the resolution of the matter.

Councillor Cheetham asked for pressure to be kept up at Whitehalls Farm and High Hope.

Councillor Neal asked for pressure to be kept up at Lee Road.

Resolved:

That the report be noted.

The meeting commenced at 6.30pm and concluded at 8.15pm