

MINUTES OF: THE DEVELOPMENT CONTROL COMMITTEE

Date of Meeting: 11th December 2007

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

In Attendance: Linda Fisher, Executive Director of Regulatory Services
Adrian Harding, Acting Development Control Team Manager
Jenni Cook, Committee Officer
Carolyn Law, Committee Officer

Also Present: Approximately 8 members of the public and 2 representatives
of the press

1. APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES

Apologies for absence were submitted on behalf of Councillor Lamb and Councillor Thorne (Councillor Steen substituting).

2. MINUTES OF THE LAST MEETING

Resolved:

That the minutes of the meeting held on 13th November 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 Numbers 9 and 10, application numbers 2007/667 and 2007/688, by virtue he was on the Housing Market Renewal Board.

Councillor Swain declared a personal and prejudicial interest in Minute Number 5, application number 2007/629 by virtue that the applicant was a business client.

4. URGENT ITEMS

There were no urgent items for consideration.

APPLICATIONS FOR CONSIDERATION

N.B: COUNCILLOR SWAIN LEFT THE ROOM BEFORE CONSIDERATION OF THE FOLLOWING ITEM.

- 5. APPLICATION NUMBER 2007/629
FULL APPLICATION FOR THE CHANGE OF USE OF THE FORMER KWIK
SAVE STORE FROM (A1) RETAIL TO (D2) HEALTH AND FITNESS CLUB
AND THE ERECTION OF A MEZZANINE FLOOR TOTALLING 2,900SQ M,
WITH ASSOCIATED EXTERNAL ALTERATION
AT: FORMER KWIK SAVE, NEW HALL HEY ROAD, RAWTENSTALL**

The Executive Director of Regulatory Services outlined the report and noted the main issues for consideration were whether the proposed uses would have a detrimental impact upon the vitality and viability of Rawtenstall and whether the proposals were in accordance with local, regional and national planning policy. Independent consultants had reported that there would be no impact on other local leisure facilities. The application was also in compliance with the Development Plan for Rossendale.

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

In response to questions from the Committee, the Executive Director of Regulatory Services reported that the applicant had requested a deferral until it could be considered alongside another application at the same site. In response the Executive Director of Regulatory Services requested that the Committee consider each application on its own merits. If application 2007/629 was approved the report would be attached to the other application and would form part of the planning history.

A proposal was moved and seconded to approve the application.

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

FOR	AGAINST	ABSTENTION
9	0	0

Resolved:

That the application be approved subject to the conditions as set out in the report.

- 6. APPLICATION NUMBER 2007/636
DEMOLITION OF EXISTING GARAGE BUILDING AND REDEVELOPMENT
WITH 3 STOREY BLOCK OF 12 APARTMENTS AND PARKING.
AT: PACK HORSE GARAGE, MARKET STREET, EDENFIELD**

The Acting Development Control Team Manager introduced the report and outlined the reason for the application being brought to the Committee. It was noted that the grounds for refusal related to the size of the development in relation to location, inadequate access for vehicles, and that other uses for the site should be considered first.

A letter of support for the development from Councillor Smith was brought to the Committee's attention as well as two emails from the applicant.

In accordance with the Procedure for Public Speaking Mr S. Hartley spoke in favour of the application.

In response to queries raised by Members, the Executive Director of Regulatory Services stated that if Members were minded to approve the application, a Section 106 agreement could be agreed to support the provision of Public Open Space.

Concerns were raised by Members in respect of the height of the development in relation to surroundings and location, in addition to concerns over refuse collection and storage facilities.

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
4	6	0

The motion was lost and it was resolved.

Resolved:

That the application be refused for the reasons identified in the report with particular reference to the following concerns raised by members of the Committee:

1. The height of the proposed building being inappropriate to its setting and detrimental to the visual amenities of the area.
2. The proposed layout does not make adequate provision for refuse collection and refuse storage facilities.

**7. APPLICATION NUMBER 2007/555
ERECTION OF ONE DETACHED DWELLING.
AT: FORMER SCOUT HUT, NEW LINE, BACUP.**

The Acting Development Control Team Manager introduced the report and referred to information relating to Greenlands Policy, landscape impact and excess of housing supply.

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

The Acting Development Control Team Manager stated that if Members were minded to approve the application then a Tree Preservation Order (TPO) could be explored. Notwithstanding other reasons, members were reminded of the previous appeal, which had been lost owing to the site being located in Greenlands.

In response to questions raised by the Committee, the Executive Director of Regulatory Services confirmed that the site was part of the Bacup Area Action Plan (AAP), however there were insufficient regeneration benefits and alternative uses for the site could be considered.

Concerns were raised by members in respect of finished floor levels, loss of trees, and open spaces.

A proposal was moved to approve the application for the following reasons:

- the site is within the Bacup Area Action Plan and the proposal will contribute to regeneration.
- the regeneration benefits of the area outweigh the Greenlands issue since the building is currently derelict and in state of repair.
- a landscaping scheme and the applicants commitment to preserve trees on the site.

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

FOR	AGAINST	ABSTENTION
7	3	0

Resolved:

That the application be approved subject to the following:

All conditions of approval be delegated to the Executive Director of Regulatory Services, to include and not be limited to details of finished floor levels, retaining structures, a landscaping scheme and other conditions.

**8. APPLICATION NUMBER 2007/612
ERECTION OF TWO STORAGE BUILDINGS
AT: VIKING TRAILERS LTD, FOUR ENDS ROAD, STACKSTEADS.**

The Acting Development Control Team Manager outlined the report and the reason for the report being brought before the Committee. The Acting Development Control Team Manager brought to members attention that a noise survey had been undertaken and it was found that following development the noise levels would not to be any higher than at present. However, conditions relating to hours when construction and development works could be undertaken would be applied.

There were no speakers for or against this application.

In response to members concerns the Developer would be requested to landscape and tidy up on the site of the development, as well as being subject to a condition of not lighting fires or burning rubbish.

The Chair of the Planning Committee requested that a condition be drafted requiring a noise survey to be undertaken to establish existing noise levels on the site and that future operations from the site be restricted to these levels.

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.

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	0	0

Resolved:

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

N.B: COUNCILLOR HAWORTH LEFT THE ROOM BEFORE CONSIDERATION OF THE FOLLOWING TWO ITEMS.

9. **APPLICATION NUMBER 2007/667
REFURBISHMENT OF BACK STREETS INCLUDING INSTALLATION OF
TIMBER RAISED BEDS AND PROVISION OF GATES.
AT: BACK OF BIRCH ST AND SHEPHERD ST/ ALBERT TERRACE,
BACUP**

The Executive Director of Regulatory Services introduced the report and proposal which seeks consent to carry out environmental improvement works to two unadopted streets which would comprise resurfacing of the street with tarmac and stone setts to the road edge, installation of timber raised beds and provision of gates at the eastern side of each access together with the provision surfacing and a central drainage channel. The works include the use of reclaimed stone setts to each end of the access and the provision of a gate and railings to provide a secure environment.

A proposal was moved to approve the application.

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

FOR	AGAINST	ABSTENTION
9	0	0

Resolved:

That the application be approved for the reasons detailed in the report and subject to the conditions set out in the report.

10. **APPLICATION NUMBER 2007/688
RESURFACE PAVEMENTS AND INSTALLATION OF RAILINGS AND
GATES, TIMBER RAISED BEDS.
AT: LAND AT MILL ST AND HOLMES LANE, BACUP.**

The Executive Director of Regulatory Services introduced the report and proposal which seeks consent to carry out environmental improvement works to two unadopted streets which would comprise resurfacing of the street with tarmac and stone setts to the road edge, installation of timber raised beds and provision of gates at the eastern side of each access together with the provision surfacing and a central drainage channel. The works include the use of reclaimed stone setts to each end of the access and the provision of a gate and railings to provide a secure environment.

A proposal was moved to approve the application.

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

FOR	AGAINST	ABSTENTION
9	0	0

Resolved:

That the application be approved for the reasons detailed in the report and subject to the conditions set out in the report.

The meeting commenced at 6.30pm and concluded at 8.50pm