

MINUTES OF: THE DEVELOPMENT CONTROL COMMITTEE

Date of Meeting: 15th January 2008

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

In Attendance: Linda Fisher, Executive Director of Regulatory Services
Neil Birtles, Senior Planning Officer
Carolyn Law, Committee and Member Services Officer

Also Present: Approximately 13 members of the public and 1 representative
of the press

1. APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES

Apologies for absence were submitted on behalf of Councillor Haworth and Councillor Driver (Councillor Swain substituting).

2. MINUTES OF PREVIOUS MEETINGS

Resolved:

That the minutes of the meeting held on 28th November 2007 and 11th December 2007 be signed by the Chair and agreed as a correct record.

3. URGENT ITEMS

There were no urgent items for consideration.

4. 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. However, no interests were declared.

APPLICATIONS FOR CONSIDERATION

**5. APPLICATION NUMBER 2007/604
VARIATION OF CONDITION 2 OF PLANNING PERMISSION 2004/012 AND
LISTED BUILDING CONSENT 2004/013LB TO ALLOW RETENTION OF
UPVC WINDOWS (RETROSPECTIVE)
AT: FORMER CHAPEL, OFF YORK STREET, CRAWSHAWBOOTH**

The Executive Director of Regulatory Services outlined the reasons why the application had been brought before the Committee, and noted that the main issues for consideration were that the scheme of conversion had been carried out without regard to the window details shown on the approved plans. Members attention was drawn to Planning Policy Guidance 15, Paragraphs B11, C40 and Paragraph 49, in addition to a letter from the Rossendale Civic Trust in the Late Items Report.

The applicant was now seeking consent to vary condition 2 of Planning Permission 2004/012 and Listed Building Consent 2004/013 LB to enable the retention of UPVC window frames and associated panels.

In accordance with the procedure for public speaking, Ms Kathy Fishwick spoke against the application and Mr Alan Kinder spoke in favour of the application. Councillor Farrington also spoke on the application.

In response to questions from the Committee, the Executive Director of Regulatory Services confirmed that it was the proposal of retaining the UPVC windows that was being considered, and any alterations to these proposals would warrant a new planning application.

In response to questions from the Committee the Senior Planning Officer confirmed that consideration should be given to the detrimental effect on this building and the attached Listed Building of retaining the UPVC frames and associated panels.

A proposal was moved and seconded to refuse the application and authorise enforcement action for the reasons as set out in the report.

A new proposal was moved and seconded to defer the application. Voting took place on the proposal to defer the application, 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 against deferral of the application.

The motion was lost and the original proposal to refuse the application and authorise enforcement action was voted on, the result of which was as follows:

FOR	AGAINST	ABSTENTION
5	4	1

Resolved:

That the application be refused and enforcement action authorised for the reasons as set out in the report.

**APPLICATION NUMBER 2007/645
REMOVAL OF CONDITION FROM PLANNING APPLICATION 13/3/4689
TO PROVIDE ACCESS TO DWELLING FROM MILL ROW
AT: LAND AT FOXHILL, LIME TREE GROVE, RAWTENSTALL**

The Senior Planning Officer introduced the report and outlined the reason for the application being brought to the Committee. Reference was made to the amended plan in the Late Items Report in order to meet the requirements of Lancashire County Council (Highways).

The applicant was seeking the removal of Condition 3 to allow a vehicular access to the property to be created from Mill Row.

In accordance with the procedure for public speaking, Mr Brian Pickering spoke against the application and Mr Clive Roberts spoke in favour of the application. Members attention was drawn to a letter from Councillor Gill regarding the application.

In response to queries raised by Members, the Senior Planning Officer confirmed that since the permission for Fox Hill other applications had been approved for housing in the area that had added to traffic using Mill Row.

Members raised concerns relating to water drainage issues, loss of residential amenity and highway safety owing to the close proximity of the children's play area and Cadets building.

A proposal was moved and seconded to refuse the application for the reasons identified by Members regarding highway safety, loss of residential amenity, and water drainage issues.

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

FOR	AGAINST	ABSTENTION
6	4	0

Resolved:

That the application be refused for the following reasons:

The proposed development would add to traffic seeking to make use of Mill Row and thereby detract unacceptably from highway safety and the amenities of occupiers of the residential properties neighbouring it. Furthermore, the proposed development is likely to exacerbate problems with flooding in the vicinity of the junction of Mill Row and Park View Close. The proposal is therefore contrary to the criteria of Policy DC1 of the adopted Rossendale District Local Plan.

The meeting commenced at 6.30pm and concluded at 8.20pm