

LATE ITEMS REPORT

FOR DEVELOPMENT CONTROL COMMITTEE MEETING OF 11 MARCH 2008

B1 – 2007/630 - Aldi

One letter of support from the Rawtenstall Chamber of Commerce.

A letter has been received from Hurstwood's dated 3rd March 2008 making the following comments in relation to the application:

- That the recommendation is one of positive refusal
- That they consider national policy supports their proposal – namely that there is a “presumption in favour” of their proposal
- That the proposal would create a significant number of jobs
- That the scheme would bring the Kwik Save building back into use without the need to create additional food retail floorspace
- That the application has been refused solely on the grounds of failing the sequential test
- A portion of PPG4 is quoted as supporting the development.

The officers would respond as follows:

- Whilst the decision may be finely balanced this does not represent a “positive refusal”
- It is unclear which government policy the “presumption in favour development” comes from. Where the applicant quotes PPG4, this guidance relates only to Industrial development; the correct PPS for the consideration of this scheme is PPS6 – Planning for Town Centres.
- There is only a presumption in favour of the development plan
- The number of jobs the developer claims will be created by the proposal is unsubstantiated
- It should be noted that the applicant currently has interest in occupying the former Kwik Save building.
- The application is recommended for refusal on 2 grounds rather than one.

B2 – 2007/ 665 Lidl

Environment Agency

Following receipt of a revised Flood Risk Assessment, it is satisfied that all of its previous concerns have been satisfied. Accordingly, its objection is withdrawn. It recommends that any approval is conditioned as follows :

CONDITION

No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water regulation system has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall be implemented prior to the construction of any impermeable surfaces draining to the system unless otherwise agreed in writing by the Local Planning Authority.

REASON

To prevent the increased risk of flooding.

CONDITION

No development approved by this permission shall be commenced until details of the existing and proposed floor levels have been submitted and approved by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved details.

REASON

To ensure that the development is subject to minimum risk of flooding.

CONDITION

No development approved by this permission shall be commenced until a scheme for the provision and implementation of a flood warning facility has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall be installed and implemented prior to the development being brought into operation.

REASON

To provide warnings in connection with the safe operation of the development.

It is recommended that the additional conditions are attached in accordance with this advice.

In addition the Environment Agency advises through byelaw control that no works may take place within 8 metres from the bank top of the watercourse without prior consent of the agency. Consent is also required under the Water

Resources Act 1991, for any works on, over or within the channel of the watercourse, including construction of surface water outfalls.

The environment agency also recommend soft landscaping maintenance not only encompasses the new planting, but also the existing planting along the corridor and that the maintenance regime be extended from the current 12 months to a minimum five year period to ensure all landscaping is maintained to a high standard and maximises the wildlife and aesthetic value in the locality. Finally it is suggested a native species element rather than a pure ornamental species is provided in the overall planting scheme.

Resident Representation

Letters of support have been received from a local resident at Cloughfold, a resident from Rosevale Street, Rawtenstall a couple from Bacup Road, Rawtenstall, another couple from Holme Bank, a resident from Schofield Road Rossendale on the basis the site needs developing and a couple from Holmeswood Park, Rawtenstall on the basis it will ensure a good competitive shopping opportunity. Also that the proposal would save people from having to travel outside of the Borough and that the Lidl store would sell items not found in other shops.

Objections

Two identical letters of objection have been received from two residents of Rawtenstall. The content of the letters appear to have been typed by an unknown third party, but signed by the residents. In summary the letter makes the following points each of which is responded to in turn.

Issue: Access

- Will bring significant traffic to a predominantly residential street, ie Bacup Road via Markcross Street an amended transport impact assessment has not been submitted or no copy is in place on the file, therefore a further 14 days of consultation should be undertaken
- The delivery vehicle will need to reverse directly into traffic entering the site which is dangerous
- Deliveries will conflict with residential amenity
- Transport Assessment needs to be updated to include the recently approved Valley centre redevelopment

Response: Lancashire County Council highways have considered the submitted information and revised details. Subject to condition they offer no objection to the proposal and have formally withdrawn their previous objection.

Issue: Objects to layout and considers the Area Action Plan aspirations are not met.

The letter reiterates points previously made on the application relating to

- not being a mixed use scheme,
- not orientated to the river Irwell,
- does not deliver the future bus inter-change,
- There has been no attempt to integrate the development with the Focus DIY store.

Response: As the points have previously been raised, they are dealt with in the Committee report.

Issue: The letter reiterates concerns that the proposal lacks basic information related to the sequential approach for retail proposals in respect of retail capacity and adverse impact on the vitality and viability of the town centre.

Response: The matter is dealt with in the committee report.

Issue: That the proposal is contrary to the Rossendale Employment Land study

Response: The matter is dealt with in the committee report

Issue: Concerns are raised over design and conservation matters in relation to design, standard landscaping scheme, turning its back on the River Irwell and does not take into account its conservation impact.

Response: These matters are dealt with in the committee report

Supports the use of natural stone

Response

Noted

Issue: Does not give an indication as to where the bus depot will be relocated to.

Response

A planning application to relocate the bus depot has been received and is being processed.

A petition with 1014 signatures has also been received from Mr Clive Balchin which states:

“We the undersigned are opposed to the application to demolish the bus station to erect a retail food store to be operated by Lidl Ltd.

It would be in the wrong place and is of poor design”.

Response

Matters of location and design are dealt with in the committee report.

Objection by Hurstwood Group

A detailed objection letter has been received from the Hurstwood Group. Members will be aware that the Hurstwood Group are the applicants for the other retail scheme which appears on this agenda. The objector has summarised their objections and reasons why they consider that this scheme should be refused. I have provided a response on each of the summary points made:

Issue: *“The application relates to a protected employment site allocated in the District Local Plan and is recognised as a ‘key’ employment site in the Council’s Employment Land Study adopted in late 2007. The release of this employment site for retail use would put at risk the development plan strategy in relation to employment land in the Borough and as such would be contrary to the relevant employment policies of the Local Plan and the Joint Lancashire Structure Plan”*

Response: Paragraphs 7.11.3 and 7.11.4 of the main report considers the provision of employment land.

Issue: *“The applicant has failed to demonstrate, either through a marketing exercise to the open market, viability study or through the provision of a commuted sum payment that the site is no longer required for employment generating uses or that its loss would be mitigated through a contribution towards alternative provision. The proposal would therefore be contrary to the relevant employment policies of the Local Plan, the JLSP and the recent Employment Land Study”*

Response: Given the assessment within paragraphs 7.11.3 and 7.11.4 of the main report it is not necessary for the applicant to consider the issues raised above.

Issue: *“The site is earmarked for a mix of uses under the emerging RTCAAP as part of a comprehensive redevelopment to provide a new state of the art transport interchange and mix of retail, residential and leisure uses. It was always understood that the state of the art bus interchange facility would occupy land currently used as a bus depot. Indeed the AAP states that “in order to facilitate the development of the Transport Interchange the bus depot to the south of the site will be demolished”. Keeping a bus shelter with wholly inadequate bus manoeuvrability onto Bacup Road does not amount to a new state of the art bus interchange facility. The proposal would result in a piecemeal form of development which would fail to deliver a comprehensive redevelopment of the site and as such would be contrary to the emerging RTCAAP”*

Response: The main report (paragraph 7.2.1) considers the weight that should be afforded the emerging Area Action Plan. Moreover, the Council

has obtained a legal opinion on the interpretation and weight which has been afforded to the AAP in the assessment of this proposal. The legal opinion confirms that the AAP has limited weight and the approach set out in appraisal of the main report.

Issue: “The proposal fails to include details of the location for a replacement bus depot. Members of the public have therefore been denied the opportunity to comment on full facts”

Response: Paragraph 2.2 of the main report informs members that an application for a replacement bus garage has been received and is currently pending consideration.

Issue: “The applicant has failed to demonstrate a quantitative need for the proposed development and that the scheme would not have an adverse impact on the vitality and viability of the main town centre. As such the proposal would be contrary to the policies contained in the emerging RTCAAP and advice contained in PPS 6 on planning for town centres”

Response: Given that the AAP has limited weight the proposal has been assessed against the provisions of PPS6. Where the site is within the town centre the applicant does not have to demonstrate ‘need’ for the proposal. This point is clearly set out in section 7.2 and 7.3 of the main report.

Issue: “The proposed development, by reason of its scale, siting, design and use of materials fails to protect or enhance the views into and out of the adjacent Conservation Area (and its character) and fails to take advantage of the sites location in relation to the adjacent river. The proposal is based on a standard Lidl store format instead of being informed by surrounding buildings and the character and appearance of the conservation area. Indeed there was no public consultation prior to the application being submitted. The scheme would have an adverse impact on the character, appearance and visual amenities of the surrounding area and as such will be contrary to the relevant policies of the Local Plan and the Rawtenstall Town Centre Area Action Plan”

Response: Section 7.4 of the main report considers in detail the design and layout of the proposal. The view of the objector is not supported by in the recommendation to this committee.

Issue: *“The access and servicing arrangements for the proposed development would have an adverse impact on vehicular and pedestrian safety on adjacent local highways and in particular on the residential amenities currently enjoyed by the occupiers of properties on Markross Street. The scheme fails to encourage improved accessibility arrangements to and from the site by means of transport other than the car”*

Response: Lancashire County Council highway engineers have considered the amendments made to the scheme and have no objection subject to the use of conditions. This is considered in detail in section 7.6 of the main report. The site is located adjacent to the existing bus interchange and the applicant has also agreed to safeguard additional land for a new bus interchange in the future. Therefore, I consider that the relationship to the neighbouring public transport facility will encourage alternative means of transport other than the car and is considered a sustainable site.

Issue: *“The submitted bat and ecology survey is deficient in that it does not adequately demonstrate whether the building is or has been used for roosting of bats. An additional survey cannot be undertaken until May of this year and the potential for mitigation cannot legally be addressed through the use of planning conditions in such circumstances. The proposal would therefore be contrary to advice contained in PPS 9 and approval of planning permission at this time would be unlawful”*

Response: The advice of Natural England has been copied to the applicant and they are aware that additional surveys will be required prior to the commencement of development and that those surveys can only be undertaken within limited times of the year.

Issue: *“The amended plans submitted on the 18th February 2008 are significant (amended siting, elevations, height etc) and in line with Committee decisions recently (as advised by the Director of Regulatory Services) such as for Pack Horse Garage, Edenfield amount to a new application which would require the submission of a further planning fee/planning application. The LPA needs to be consistent and fair about its approach to dealing with this application. Members of the public have not been given enough time to assess what is in essence a new application. As such the assessment/decision should be based on the original plans submitted”*

Response: It is not considered that the amendments have significantly altered the principles of what is sought. Moreover, residents have been notified of the amendments by letter and their views incorporated in to the main report and this late items report.

Issue: *“The Transport Assessment submitted with the application makes no account of committed or planned development within the vicinity of the site and trip generation assessments are incorrect. LCC have commented that “we consider that the current proposals do not fully complement the proposals for the bus station...we object to the current proposals on this issue”*

Response: Lancashire County Council highways have assessed the amendments and have withdrawn their initial objection to the scheme. There is no highway objection to the current proposal.

Issue: “An Environmental Impact Assessment screening opinion does not appear to have been adopted by the Council. There is a legal requirement to do this within 21 days of receipt of an application. This should not be done retrospectively”

Response: A screening opinion has been undertaken.

Issue: “There appears to be no energy statement submitted with the application. Applicants are routinely asked for this sort of information up front”

Response: Within the Planning Statement a number of Environmental Principles are set out, those include:

- *“Lidl’s environmental concerns drive forward their choice of store heating systems highly efficient condensing boilers are used to recover waste heat from the combustion process;*
- *Sustainable development: neighbourhood food stores reduce the need to travel and so reduce car emissions; sensorised lighting within the store means that lights are not left on unnecessarily;*
- *A building management system and lux sensors power the external lighting. This means that lights are only on during dark hours and ensures that lights do not remain on later than 1 hour after the store closes;*
- *Lidl utilise a cold roof system which ensures that heat from the store does not escape into the roof area and waste energy;*
- *Manual dock leveller systems makes for quieter operation with no energy costs; and*
- *Lidl recycles waste, which is both ecologically and environmentally friendly.”*

Issue: “The landscaping scheme includes no sections.”

Response: I am satisfied that the amended details and use of conditions is sufficient to ensure that the landscaping proposals will be of an appropriate standard.

Issue: *“The application as originally submitted includes no Statement of Community Involvement document. The Local Planning Authority requires SCI work to be completed prior to the submission of applications. The Council should ensure that it adopts a fair and equitable approach in this instance”*

Response: The applicant has undertaken two public consultations exercises during the period of the application.

Issue: *“Adequate street-scene details have not been submitted with the application. As such it is not possible to assess the impact of the proposal on the wider area including neighbouring buildings and the conservation area. This level of detail has recently been requested for a similar site adjacent to a conservation area (ie Accrington and Rossendale College)”*

Response: The applicant has provided perspectives of the proposal from Bolcholt Way and from adjacent to the Heritage Arcade. Those images will be displayed during the committee meeting and have been attached to the published committee report.

Issue: *“There appears to have been no up to date contaminated land survey submitted with the application. The survey was completed in 2005 and related to office use for the site. Who knows what has happened since 2005. The current bus station used to be the tram shed. It was built with voids underneath. In the 1930's it was converted into the bus depot with a new concrete floor laid over the voids. In order to get rid of oil etc from the buses they drilled holes into the concrete floor and let it soak into the voids. This is one of the most polluted areas in Rawtenstall. A full and up to date site investigation should be assessed as part of the determination of the application to ensure that a building can be erected on this site safely”*

Response: The applicant has submitted a desk top study and condition 12 has been attached regarding the need for a full contaminated land assessment.

Issue: *“There are no bin storage details submitted with this application – applicants have recently had to submit new applications on the basis of not showing bin stores on plans (eg Pack Horse Garage, Edenfield). It is not clear at all how refuse vehicles will manoeuvre within the site. It is important that bin stores and their location/usage are assessed up front as this is an important site next to the conservation area and where vehicular/pedestrian conflict is very likely”*

Response: The applicant has confirmed that the deliveries and storage would be located within the building. Moreover, condition 6 requires specific details to be provided on this issue.

Issue: *“There appears to be no Section 106 heads of terms. Land originally earmarked to be offered to Lancashire County Council or Rossendale Borough Council is now a car park/access road. The application should be offering S106 financial contributions relating matters such as the loss of employment land, for public transport improvements and for public art. A detailed Section 106 agreement should include free use of the car park for town centre shoppers and a travel plan and car parking management plan. Members of the public have been denied the opportunity to examine and thereby comment on Section 106 heads of terms”*

Response: Section 7.8 of the report considers planning obligations that also includes the appropriate Heads of Terms for the legal agreement that would accompany the decision.

B4 – 2007/763 : Land rear of Holly Mount House, Rawtenstall

Since the report appearing on the Agenda was written a letter of support for the proposal has been received from Cllr J Forshaw (a copy of which is appended) and a further letter of support has also been received from the occupier of a house fronting Haslingden Old Road. The latter makes the following points :

1. This is a suitable site for housing, having formed part of the Lower Mill complex, and is currently of unsatisfactory appearance/impacts on the security of their property.
2. The proposed houses are of a good size and a design/materials in-keeping with the surrounding properties.
3. Minor landscaping changes have been made by the Applicant to address their representations and they are now satisfied that the development proposed will not affect their views or light in a substantial way.
4. The development as a whole, and especially the planting scheme, will provide a much-needed and attractive backdrop to the ASDA store.
5. Being in close proximity to the town centre the proposal will be of benefit from an economic standpoint in terms of the regeneration of Rawtenstall.
6. The development now proposed would bring an end to the speculation/uncertainty that has surrounded this site for several years.
7. Their one concern is that of the Council's policy on affordable homes on new developments.

The Applicant has submitted a lengthy letter responding to the various issues covered in the report appearing on the Agenda, concluding that Officer's should change their recommendation from 'Refusal' to 'Approval' subject to Conditions and a S.106 Agreement to cover the affordable housing and open space contributions they have proposed.

In summary, in respect of the various issues it states :

Principle

The site is undoubtedly previously-developed land as defined in PPS3 as it fell within the curtilage of the former Lower Mill site and was occupied in part by buildings and physical structures, evidenced by title plans, photographs and former site layout plans it has submitted. LCC(Planning) concurs with its view upon this matter.

Response : The Council has considered the title plans, photographs and former site layout plans referred to but they do not prove conclusively all of the site of the current application to constitute previously-developed land.

Whilst it is the case that not all previously-developed land is necessarily suitable for housing - particularly where heavily contaminated, liable to flood, next to incompatible uses or in an unsustainable location - this site is not affected by such constraints, thereby meeting the criteria contained in PPS3.

Response : That the site is not heavily contaminated, liable to flood, next to incompatible uses or in an unsustainable location does not of itself mean that the site should be granted permission for residential development.

Since its acquisition Hurstwoods has considered this land to provide a suitable opportunity for residential re-development and it has not performed an alternative function in terms of recreational open space.

Response : Whilst this may be the case, the site does not benefit from a permission to develop it for housing or, indeed, any other form of built-development.

Whilst it is the case that Planning Permission 2006/320 requires the landscaping of the site of the current application the scheme of planting it has put forward to fulfil this requirement proposes a strong landscaped buffer along the backs of Schofield Close/Haslingden Old Road properties, as too does the current application proposal.

Response : Development in the manner now proposed will not result, even in the long-term, in the site appearing as 'green'/softly-landscaped as it did prior to felling of the trees/shrubs which occupied it until they were felled by the Applicant 2-3 years ago or will result from implementation of a

suitable scheme of landscaping as required by Planning Permission 2006/320.

Housing Oversupply/Affordables/Viability

In reporting that LCC(Planning) considers the offer of affordable housing it has put forward as too small to be classed as an 'essential contribution' under Policy 12 of the Structure Plan the report is somewhat misleading : what LCC(Planning) actually says is, firstly, that the offer falls below that contained in this Council's RIHPS and, secondly, that this Council should satisfy itself that the level of affordables is sufficient to justify an approval under Policy 12. Furthermore LCC(Planning) has confirmed that issues of viability could be taken into account in determining the affordable offer being put forward.

Response : The report appearing on the Agenda accurately and fully reflects the views of LCC(Planning). In short, it does not consider the application to propose adequate affordable housing to constitute an 'essential contribution'. Accordingly, it recommends refusal of the application as being contrary to Policy 12. It goes on to say that the proposal does not appear to be providing adequate affordable housing to meet this Council's RIHPS either. It concludes that this Council should therefore satisfy itself that the level of affordable housing proposed is sufficient to override the oversupply objection to the proposal. The report appearing on the Agenda considers this.

It is appropriate to consider whether for reasons of viability there is a case for permitting a residential scheme that does not propose the full affordable housing contribution to justify being made an exception to Policy 12 and accord with the Council's own RIHPS criteria. However, it is not the case that any scheme of residential development for a site otherwise appropriate for development as such should be permitted if for reasons of viability it cannot deliver the 'essential contribution' of affordable housing referred to by the Structure Plan or meet the requirement of the Council's RIHPS in full. It is appropriate to look at how close the proposal comes to making that contribution of affordable housing and whether by reason of this, and other benefits the overall scheme will deliver, there is still a case for granting a permission which will contribute to housing oversupply. In this instance your Officers were not satisfied that the affordable housing offer made by the Applicant, and the other benefits, provided justification for overriding Structure Plan Policy 12 or this Council's RIHPS. Officers remain of this view.

Whilst the report to Committee recognises that it has put forward issues of viability as to why it cannot more in respect of affordable housing, the report does not make clear how the outcome of the independent assessment of the submitted figures would be taken into account or affect the Officer recommendation. It cannot see how the Council can substantiate refusal on the

grounds that it has not demonstrated that an increased affordable offer would render the scheme unviable when the results from the independent assessment have not been received. It remains of the view that it cannot provide more affordable homes due to viability and that the offer it has made makes an essential contribution to the need for affordable family dwellings.

Response : Officers have received further advice from the consultants employed to carry out the independent assessment of the Applicants submission on viability. They consider the model used by the Applicant to assess the viability of the proposal broadly appropriate, but say that the Applicant has not submitted the information requested of them in respect of building costs and sales price for comparable developments. Accordingly, the Applicant is not considered to have substantiated the figures they have advanced in respect of viability. Officers will report verbally to the meeting on any additional submission from the Applicants and the Council's own consultant in respect of this matter.

Public Transport Contribution

The report states that an offer of £18,000 to reduce reliance on the motor car has not been made. However, neither the report or reason for refusal substantiate why this financial contribution is necessary, reasonable and how it relates in both scale and in kind to the proposed scheme. As a consequence the reason for refusal in respect of this matter fails the tests of Circular 05/05.

The report pays no regard to the locational characteristics of the site - it is within walking/cycling distance of the town centre and transport nodes - and cycle storage facilities are proposed for each dwelling. The contribution sought appears to have been worked out on the basis of LCC's calculator, LCC(Planning) having arrived at an accessibility score lower than their own primarily because of deletion of the pedestrian/cycle link from the site to Haslingden Road which was shown on Application 2007/524. This link was deleted from the current application at the behest of the Council and as a result of concerns expressed by local residents. This being the case, and having regard also to the issue of viability, it is unreasonable that this sum is being sought.

A contribution was not required by the Planning Permission for development of the lower site and it is not aware that there has been any material change in circumstances regarding accessibility issues since that approval.

Response : Since the consideration of Planning Application of 2006/320 both the County Council and this Council have endorsed the LPOS Planning Obligations Policy Paper. The request for the sum of approximately £18,000 has been calculated having regard to the accessibility score of this particular site and the sum would be used to enhance the likelihood of residents and visitors to the site making use of modes of travel other than the private car. It is not correct to say that the

pedestrian/cycleway link from the site was deleted at the wishes of the Officers of this Council; it is the case that residents of Haslingden Old Road had voiced some concern about Application 2007/524 because of it and the Highway Authority had likewise indicated that the submitted layout showing it did not work and it would not be adopted/maintained by it.

Visual Impact/Heritage Interest/Landscaping

The site is located a considerable distance away from the Listed Building and Conservation Area and the Council's Conservation Officer accepts that the on-going development to the rear of Holly Mount House will to a degree mask views of the proposed development. It considers the report to attach too great an importance to the impact of the proposed development as viewed from the ASDA car park, it being of functional appearance/not a public meeting point or central to the Conservation Area.

With respect to concerns about the prominence/appearance of retaining walls and other structures to face the main estate approach road, it points out that they are to be of limited length and far smaller in scale than those adjacent to the ASDA access road. Dense planting is proposed towards this corner of the site, which will help reduce the impact of the retaining walls. And other structures once mature. Deletion of the pedestrian/cycleway link to Haslingden Old Road proposed in Application 2007/524 has reduced the area of hardstanding proposed.

The report over-estimates the impact which loss of existing trees will have - only 6 of the remaining trees are to be removed and will be more than compensated for by planting of about 35 trees. Its own tree consultants have concluded that a number of the trees within the group to the rear of Schofield Close are of limited value in amenity terms.

With respect to the planting now proposed adjacent to neighbouring boundaries, there is no evidence to support the Council's view that if this planting matures there will be requests from neighbours for its removal. The neighbouring houses are at a higher level and have relatively long gardens. It considers the existing residents will benefit from increased privacy and screening from the new development as a result of the proposed planting, effectively re-establishing the green feel to this part of the site. Nevertheless it has asked its landscape architect to provide specific comments in this respect prior to the Committee meeting.

Response : Officers remain concerned about the way in which the proposal will impact upon the character and appearance of the area, by reason of the harm to existing trees/shrubs and the form of new works, which the proposed planting (even with time) will not fully address. Officers will report verbally to the meeting on any additional submission from the Applicants landscape architect.

Highway Safety

In terms of the matters of detail of concern to the Highway Authority : it has asked its architect to look at how the steps in the footways may be deleted; the parking spaces adjacent to the turning-head can be re-sited; and the Layout Plan will be further amended to increase the length of parking spaces fronting the footways.

Response : Officers will report verbally to the meeting on any additional submission from the Applicants and the comments of the Highway Authority upon it.

Ecology Issues

Since the Bat Survey was undertaken it has been determined that some additional trees on the site will need to be felled. However, it is now proposing more compensatory planting. Consequently, it does not consider the circumstances to have materially altered since the survey was undertaken. Nevertheless, it has instructed its ecologist to re-visit the site and, prior to the Committee meeting, respond specifically about the implications of this change and look for other ecological interest presently on the site.

Response : Officers will report verbally to the meeting on any additional submission from the Applicants ecologist.

CONCLUSION : Your Officers remain of the view that this application should be refused for the reasons set out in the report appearing on the Agenda.

B6 – 2008/036 : Land between 5 Yorkshire St & The Library, Bacup

Since the report was prepared, the views of the Conservation Officer have been received. He confirms that he has no objection to the proposal. Additionally, the applicant's agent has submitted more details in relation to the style of gate that is proposed. This is considered to be acceptable.

B9 – 2008/0079 - The Fudge Factory, Spring Place, Whitworth

An objection has been received from a resident who lives at the corner of Market Street and Edward Street. They are concerned about what they say is poor access to the site due to parked vehicles which will be made worse by the activities associated with the business which may become a large tourist attraction. Food waste may increase the rat problem. There may be loss of privacy and problems associated with late night opening and licensing in a residential area.

The objection will be taken into account. The applicant's agent has been asked to supply more information about estimated visitor numbers, access and parking.

Attention MR. NEIL BIRTLES.
PLANNING OFFICER.
Rossendale Borough Council.

3rd March 2008.

Application 2007/0763

Dear Mr. Birtles.



I wish to have the following letter read out at the Planning Meeting on the 11th of March.

I know that the development company have spoken at length to the residents nearby and outlined their plans, indeed, they have changed some details about the landscaping after the consultation. I agree with the residents that the development as a whole and especially the tree planting scheme would provide a much needed and attractive backdrop to the controversial Asda store so close to the centre of town, a conservation area. The site used to include a building occupied by Barnes Transport on the Lower Mill site and had a secondary access from Haslingden Old Rd.

These houses will provide a bit of variety in the housing market, good family houses, a welcome addition to the neighbourhood giving our residents a choice to suit all their needs living in the centre of town.

I hope the Planning Committee will approve this application.

Councillor June Forshaw.
Holmefield House, Burnley rd.,
Rawtenstall, Rossendale, BB4 8EW



STEPHEN STRAY
PLANNING UNIT MANAGER
07/03/2008