

## **LATE ITEMS REPORT**

### **FOR DEVELOPMENT CONTROL COMMITTEE MEETING OF 1 JULY 2008**

#### **B1 – Various Applications: Land at New Hall Hey, Rawtenstall**

The Applicant welcomes the recommendation, but would like the following comments to be considered by committee:

(i) We would ask that the members resolve a specific timescale for the preparation of the amended/supplementary 106 agreement - our in house lawyer anticipates that the minor variation should take no more than a couple of hours work - we would suggest that an engrossed 106 agreement is therefore sent to Hurstwood within 10 days.

(ii) We would also ask that confirmation of "reasonable legal fees" is confirmed at the meeting as the Local Planning Authority are yet to issue a list of legal fees. A few hours work should not be in excess of a few hundred pounds.

#### **Response**

There are issues with KFC and Frankie & Bennys which are being discussed legally with Lancashire County Council. Hurstwoods are aware of the issues. Officers therefore do not agree to a deadline being imposed.

The issue of reasonable legal fees is a matter not for the Development Control Committee.

Hurstwoods have now formally applied to vary the phasing of the car park and this matter is before committee and supported by officers.

#### **B3 – 2008/83 : Land off Rockcliffe Road, Bacup**

Since the report appearing on the Agenda was written I have received:

1. a letter from Winfield Engineering Services Ltd, occupiers of the industrial premises at the end of River Street: &
2. an email from the agent acting for the Applicant

The letter from Winfield Engineering Services Ltd., makes two points. Firstly, it sets out details of the firms activities and hours of operation, not wishing future residents of the proposed houses to have cause for complaint: it explains that, whilst it seeks to operate 8am-6pm Monday to Saturday, it often has to operate on Sundays and occasionally outside these hours as it offers to other businesses a 24-hour service installing/maintaining their light and

heavy machinery. Secondly, it advises that it receives daily deliveries of steel by lorry and is concerned that the proposed development will add to the traffic on River Street.

The Agent has advised that whilst the adverse comments about the scheme conveyed to them are capable of being addressed, they do require revisions: to the application drawings, to change the siting and type of dwellings; to provide additional/amended details with regard to proposed levels and facing materials; for the treatment of open space; and to assess the impact of increased costs on viability. There is quite a large amount of work to be carried out in preparing these revisions. Accordingly, it is requested that the determination of the application be deferred to the next meeting of Committee to allow the changes to be properly considered and integrated into the scheme.

Officers remain of the view that the application should be refused for the three reasons set out in the report on the main agenda.

STEPHEN STRAY  
PLANNING UNIT MANAGER  
27/6/08