

MINUTES OF: THE DEVELOPMENT CONTROL COMMITTEE

Date of Meeting: 20th January 2009

Present: Councillor Driver (in the Chair)
Councillors L.Barnes (for part of the meeting), Lamb, Nuttall,
Robertson, Sandiford (substitute for May) and Stansfield

In Attendance: Linda Fisher, Executive Director – Business
Neil Birtles, Principal Planning Officer
Carolyn Sharples, Committee and Member Services Officer

Also Present: Councillors Challinor, Eaton and Neal
Approximately 23 members of the public
2 representatives from the press

1. APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES

Apologies for absence were submitted on behalf of Councillor May (Councillor Sandiford substituting).

2. MINUTES

Resolved:

That the minutes of the previous meeting held on 8th December 2008 be signed by the Chair and agreed as a correct record.

3. URGENT ITEMS

The Chair reported that there were no urgent items of business.

4. DECLARATIONS OF INTEREST

It was noted that Councillor L.Barnes would not be present for the first 2 items of business. No declarations of interest were made.

PLANNING APPLICATIONS FOR CONSIDERATION

- 5. Application Number 2008/0747
Reconfiguration, retention and erection of decking area at side and rear of garden.
At: 2 Penny Lodge Lane, Rawtenstall**

The Principal Planning Officer explained that the application was before the committee as it was an application by a Councillor. The Committee were requested to note the information in the Update Report which stated that the applicant would be willing to reduce the level of the decking but had not had time to submit revised plans for this Committee. For this reason the applicant had requested that the application be deferred to the next meeting.

The Executive Director – Business informed the Committee that under the Code of Good Practice an agent **would normally bring the report to Committee in cases in which it's a councillors own planning application.** By deferring the application it would allow the applicant to be represented by an agent in line with the Code of Good Practice.

A proposal was moved and seconded to defer the item.

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

FOR	AGAINST	ABSTENTION
6	0	0

Resolved:

That the application be deferred.

- 6. Application Number 2008/0779
Use of former mill and retail establishment as fudge factory, with space for craft-based businesses and associated retail/ café/ visitor attraction space (Retrospective).
At: The Fudge Factory, Spring Place, Millfold, Whitworth**

The Principal Planning Officer introduced the report and outlined the relevant planning history.

The Principal Planning Officer updated the Committee with additional information in the Update Report concerning the comments from LCC Highways with regard to parking, and Condition 4 with regard to opening hours. He also made reference to the Green Travel Plan and periodic reviews of parking arrangements.

In accordance with the procedure for public speaking, Councillor Neal and Councillor Eaton spoke in support of the application.

In determining the application the Committee discussed the following:

- Function space
- Events and demonstrations
- Highways concerns
- Employment
- Manufacturing
- Opening hours - Condition 4
- Variations to the application
- Consultation information
- Green Travel Plan

The Executive Director – Business confirmed that the hours of opening being considered were the same as those stated in the application. If the applicant would like to extend the hours it would require a new application. Alternatively we would need to reconsult.

The Committee was asked to consider an amendment to condition 4 for clarification of the condition, the amendment would be the removal of “to the public”.

A proposal was moved and seconded to approve the application with conditions as detailed in the report with the addition of a Traffic Regulation Order (provisions to remedy parking problems) as part of Condition 2, in addition to the deletion of “to the public” in Condition 4.

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

FOR	AGAINST	ABSTENTION
6	0	0

Resolved:

That the application be approved subject to the conditions listed in the report (exact details of which to be agreed by the Executive Director – Business) together with an amendment to the provisions to remedy parking problems in Condition 2 to refer to such as a Traffic Regulation Order and that the words “to the public” be removed from Condition 4.

N.B. Councillor L.Barnes entered the meeting for the remainder of the items.

**7. Application Number 2008/0764
Erection of indoor riding arena over existing sand paddock
At: Land adjacent 250 Burnley Road, Weir.**

The Principal Planning Officer introduced the report and outlined the proposal including the site details, relevant planning history and additional information in the Update Report.

The Principal Planning Officer noted that this was a re-submission of an application that was previously refused. The current proposal was still contrary to government guidance and referred the Committee to the appropriate policies and strategies.

In accordance with the procedure for public speaking, Mrs C.Ryan spoke in support of the application. Councillors Eaton and Challinor also spoke in support of the application.

In determining the application the Committee discussed the following:

- Asset of animals in the Countryside
- Exercise facilities
- Pylons close to the site
- Would the decision go to Government Office?
- Commercial use/ future use of buildings
- Employment and local business
- Planning rules and regulations

- Large buildings/structures in the Countryside

A proposal was moved and seconded to refuse the application for the reasons outlined in the report.

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

FOR	AGAINST	ABSTENTION
4	2	1

Resolved:

That the application be refused for the reasons detailed in the report.

**8. Application Number 2008/0752
Log-cabin summer house/ garden store and wildlife pond
At: Land adj 16 Graver Weir Terrace, Burnley Road East, Waterfoot**

The Principal Planning Officer introduced the report and referred to the relevant planning history and the current proposal for a log-cabin on the site and a wildlife pond to the south-east side of the brook. He noted that the application was before the Committee owing to a number of objections received, however the conditions identified in the report would remedy the concerns raised.

In accordance with the procedure for public speaking, Mr E.Gandy spoke against the application and Miss H.Kane spoke in support of the application.

In determining the application the Committee discussed the following:

- The number of cabins on the site
- The intended use of the log cabin – incidental to residential use
- Hawthorne hedge
- Water for the pond
- Re-instatement of roadway and time limits?
- Planting and landscaping scheme

A proposal was moved and seconded to approve the application with conditions as detailed in the report.

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

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

That the application be approved subject to the conditions listed in the report (exact details of which to be agreed by the Executive Director – Business).

**9. Application Number 2008/0706
Erection of a detached dwelling
At: Land adjacent to 101 Tonacliffe Road, Whitworth**

The Principal Planning Officer introduced the report and informed the Committee that permission had previously been granted which was still 'live' but the applicant was seeking to extend the permission as there was still an intention to develop the site. The proposal was for a four-bedroomed split-level house, to be constructed in natural stone, under a slate roof.

The Principal Planning Officer informed the Committee that no objections had been received and there were no objections from the Highways Authority.

In accordance with the procedure for public speaking, Mr J. Stoner spoke in support of the application. Councillor Neal also spoke on the application.

In determining the application the Committee discussed the following:

- It was on a narrow point of Tonacliffe Road
- Parking provision off road
- Parking spaces provided
- Accidents in the area
- Ground plan of pavements
- Previous permission

The Principal Planning Officer advised that a condition could be added to have a footway constructed and also a condition on the materials of the retaining wall.

A proposal was moved and seconded to approve the application, subject to the conditions set out in the report in addition to a condition of having a footway constructed, and a condition on the materials of the retaining wall.

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

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

That the application be approved subject to the conditions set out in the report (exact details of which to be agreed by the Executive Director – Business) with the addition of amendments to condition 2 and 5 as detailed below:

Condition 2 - Prior to the commencement of development samples of the facing materials to be used in the elevations and roof of the proposed dwelling, and for retaining walls, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved materials and shall not be varied without the prior written permission of the Local Planning Authority.

Condition 5 - Prior to the commencement of development a scheme of landscaping/boundary treatment shall be submitted to and approved in writing by the Local Planning Authority before development commences. The submitted details shall include the location of all existing trees and hedgerows on the site and shall specify those that are to be retained and the measures to be taken to protect them during construction of the development; the planting proposed; the areas to be hard-surfaced (and shall provide for the construction of a footway along the site frontage); the fences/walls/gates to be erected and any changes of ground-level proposed.

10. Application Number 2008/0604
Retrospective application for the replacement amenity building, creation of new pond, new footbridge, increase in parking facilities and improvements to access track.
At: Existing fishing lodges, off Dunnockshaw

The Principal Planning Officer introduced the report and referred to the relevant planning history and the current proposal. The works would include improvements to the access road and 2 car parks, one at the upper level and one close to Limy Water. A new building would contain toilets and brewing facilities, plus a disabled toilet at the lower level. A new pond would be excavated on the flat area of the site near to the river to accommodate disabled and junior anglers.

The Principal Planning Officer also referred the Committee to the Update Report and noted that an ecological report had been submitted.

There were no speakers on this item.

In considering the item members discussed the following:

- Buildings and landscaping
- Signage
- Parking area close to lodges
- Extension of leisure activity
- Contribute to wellbeing
- Landscaping using native species
- Narrowness of Commercial Street
- Water sources

A proposal was moved and seconded to approve the application, subject to the conditions set out in the report.

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

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

That the application be approved subject to the conditions listed in the report (exact details of which to be agreed by the Executive Director – Business).

**11. Application Number 2008/0604
Proposed rear extension and alterations, detached garage and parking provision and means of access.
At: Land rear of 192 Burnley Road, Weir**

The Principal Planning Officer introduced the report and detailed the site and current proposal to construct a detached double garage and a single storey rear extension to provide an enlarged kitchen.

The Principal Planning Officer highlighted the objections received and made reference to the conditions in the report.

There were no speakers on this item.

In considering the item members discussed the following:

- Condition 3 prevented commercial use
- Loft conversion
- Retain dry stone wall
- Permeable hard standing

A proposal was moved and seconded to approve the application, subject to the conditions set out in the report in addition to an amendment to Condition 5 to include a permeable hardstanding.

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

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

That the application be approved subject to the conditions set out in the report (exact details of which to be agreed by the Executive Director – Business) with the addition of an amendment to Condition 5 as detailed below:

Condition 5 - Prior to first use of the garage, a hardstanding to the front of it as shown on the approved drawing shall be formed with a hard permeable surface and thereafter kept freely available for use for the parking and turning of vehicles.

12. Consultation on revised circular on the award of costs in planning appeals.

The Executive Director – Business informed the Committee of the consultation on the revised circular on the award of costs in planning appeals. She informed the Committee that the Planning Inspectorate would inform authorities how they wanted to run appeals, and would also be able to make minor changes to conditions. The Planning Inspectorate would now be required to issue decisions within set time frames.

The focus was now on performance with the customer in mind. The Inspectorate would also be able to award costs on written representations; this would change how applicants would liaise with the planning authority.

The Executive Director – Business asked the Committee to note the consultation report.

Resolved:

- That the report be noted.

The meeting commenced at 6.30pm and concluded at 9.10pm