

**MINUTES OF: THE DEVELOPMENT CONTROL COMMITTEE**

**Date of Meeting:** 16<sup>th</sup> February 2009

**Present:** Councillor Driver (in the Chair)  
Councillors L. Barnes, Lamb, C. Pilling (substitute for Nuttall),  
Robertson, Sandiford (substitute for May) and Stansfield

**In Attendance:** Stephen Stray, Planning Unit Manager  
Adrian Harding, Principal Planning Officer  
Clare Birtwistle, Assistant Head of Legal  
Heather Moore, Committee and Member Services Manager

**Also Present:** Councillors Eaton, P. Steen and Thorne  
Approximately 30 members of the public  
2 representatives from the press

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**1. APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES**

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

**2. MINUTES**

A concern was raised about information provided at the meeting concerning a particular planning point which differed to the advice given at the site visit.

The Committee and Member Services Manager advised the Committee that the Minutes should be considered in relation to accuracy only. She sought clarification on the points of accuracy however no amendments to the Minutes were put forward.

The Planning Unit Manager reported that he was investigating a complaint which had been received in respect of the Application.

**Resolved:**

That the minutes be not agreed pending the investigation by the Planning Unit Manager.

**3. URGENT ITEMS**

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

**4. DECLARATIONS OF INTEREST**

Councillor C. Pilling declared a personal and prejudicial interest in Minute Number 6 (Brighton House, Millar Barn Lane, Waterfoot) on the basis of pre-determination. Councillor C. Pilling withdrew from the meeting prior to consideration of the application.

## **PLANNING APPLICATIONS FOR CONSIDERATION**

**5. Application Number 2008/0797  
Revised plot layout and substitution of house types  
At: Land off Rochdale Road/East of Stack Lane, Bacup**

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

The Principal Planning Officer informed the Committee that the Application was a re-submission of Application 2008/114. There was no increase in the number of dwellings and the Application was to change the mix of house types.

In accordance with the procedure for public speaking, Mr Hudson spoke against the application. Councillor Peter Steen also spoke against the application.

In determining the application the Committee discussed the following:

- Ground levels and detriment that may be caused to residents
- That the Committee would wish to see the levels no higher than the current levels on site
- That full details of existing and proposed ground levels to be submitted to Committee for approval prior to commencement of the development.

A proposal was moved and seconded to approve the application subject to the conditions set out in the report and that full details of existing and proposed ground levels to be submitted to Committee for approval prior to commencement of the development.

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

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
7	0	0

**Resolved:**

That the application be approved subject to the conditions set out in the report and that full details of the existing and proposed ground levels to be submitted to Committee for approval prior to commencement of the development.

**N.B. Councillor Catherine Pilling was not present during consideration of the following item of business.**

**6. Application Number 2008/791  
Change of use of house to group/family children’s establishment on ground-floor and supported-living accommodation for young adults on first-floor (Retrospective)  
At: Brighton House, Millar Barn Lane, Waterfoot**

The Principal Planning Officer introduced the report and outlined the details of the application. He informed the Committee that the application was retrospective.

The Principal Planning Officer referred to the update report and the additional representations which had been received since the preparation of the report.

In accordance with the procedure for public speaking, Mr B Robertson spoke against the application. Inspector Brown, Lancashire Constabulary spoke against the application. Councillor J Pilling also spoke against the application.

In determining the application the Committee discussed the following:

- Neighbour Amenity.
- As it is a retrospective application there is robust evidence of unacceptable detriment to residents by way of the substantial increase in the number of incidents investigated by the police in terms of anti-social behaviour, noise and disturbance and criminal acts
- That there should be consultation with Lancashire County Council and Strategic Housing for applications of this type

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

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

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
6	0	0

**Resolved:**

That the application be refused for the reasons set out in the report.

**7. Application Number 2008/808  
Erection of raised decking (retrospective)  
At: 16 Lee Brook Close, Rawtenstall**

The Principal Planning Officer introduced the report and informed the Committee that the application was retrospective.

The Principal Planning Officer referred to the update report which included representations received since the preparation of the Committee report.

In accordance with the procedure for public speaking, Mr M Williams spoke against the application. Mr R Johnson spoke in support of the application.

In determining the application the Committee discussed the following:

- Height of decking and impact on residential amenity and visual amenity
- Whether the level on the decking could be lowered
- Height of proposed screening and planting. Concerns about the height of the screening and impact on residents
- Separation distances
- If the Committee were minded to approve, discussions took place on whether to amend condition 4 to include that the area be maintained as planting and screening and whether to stipulate semi-mature or mature trees to soften the screening

A proposal was moved and seconded to refuse the application due to the size, height and position of the decking as it was considered detrimental to the residential amenity and visual amenity of the street scene.

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

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
6	1	0

**Resolved:**

That the application be refused due to the size, height and position of the decking as it is considered detrimental to the residential amenity and visual amenity of the street scene.

**8. Application Number 2008/636  
Proposed alterations and extensions into adjoining building  
At: Old Clough Stables, Old Clough, Weir**

The Principal Planning Officer introduced the report and referred to the update report which included representations received since the preparation of the Committee report.

The Principal Planning Officer also referred to a representation from County Councillor Serridge in support of the application.

The Principal Planning Officer reported that the Applicant had submitted a revised scheme asking that this be considered as an amendment to the original proposal. However, as the proposed alterations changed the red edge site, this could not be treated as an amendment. Hence the application should be considered in its original form.

In accordance with the procedure for public speaking, Mr S Hartley spoke in support of the application. Councillor Eaton spoke against application.

In determining the application the Committee discussed the following:

- Size and scale of development
- If the Committee were minded to approve, it was important to retain the stables
- Imposing a condition relating to materials, should approval be given
- Whether the building could be re-clad with natural stone
- Concern that the site would be left to deteriorate if permission not granted
- Concern about Permitted Development Rights if approval given
- Whether to defer the application to enable further discussion between Officers and the Applicant

The Principal Planning Officer advised the Committee that checks would need to be undertaken on what could be accepted as an amendment and advice would need to be sought on changing the appearance of the building.

The Applicant's Agent confirmed that they would accept a condition relating to cladding the building with natural stone.

A proposal was moved and seconded to approve the application, subject to conditions to be delegated to Officers in consultation with the Chair, Vice Chair and Opposition Spokespersons.

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

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
5	2	0

**Resolved:**

That the application be approved, subject to conditions to be delegated to Officers in consultation with the Chair, Vice Chair and Opposition Spokespersons.

**9. Application Number 2008/761  
Demolition of dwelling and clinic and erection of 4 dwellings with associated access improvements and landscaping  
At: Cedar Lodge, 227 Bury Road, Rawtenstall**

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

The Principal Planning Officer informed the Committee that the proposal conformed to the requirements of the Supplementary Planning Document relating to the separation distance and protection of amenities and privacy.

There were no speakers on this application.

In considering the application the Committee discussed the following:

- Important to retain some trees and protect with a Tree Preservation Order
- The Committee noted the addition of a condition relating to boundary treatment and enquired about screening
- Parking and whether the plans are correct for Plots 2 and 3

A proposal was moved and seconded to approve the application, subject to the conditions set out in the report together with an arboricultural assessment to be undertaken to assess the trees' suitability to be retained under a Tree Preservation Order and a condition being included requiring trees to be retained.

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

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
7	0	0

**Resolved:**

That the application be approved, subject to the conditions set out in the report together with a Tree Preservation Order assessment being undertaken to see if any trees are suitable for retention and the necessary condition being included requiring trees to be retained.

**10. Application Number 2008/800  
Schemes of Environmental improvement (works including communal bin stores, gates, lighting column, planters and re-surfacing of back streets)  
At: Land at Dale Street, Fern Street Car Park, Baker Street, Lily Street, Rose Hill Street, Daisy Bank and Rose Street, Bacup**

The Principal Planning Officer introduced the report and referred to the update report which included additional information from the Applicant on alleygating proposals and parking provision.

A representative from Groundwork Pennine Lancashire was in attendance and provided details on the consultation undertaken together with details of the scheme of environmental improvement works that were proposed.

In determining the application the Committee discussed the following:

- Commended the consultation with residents
- Welcomed the proposals
- Whether the back streets would be adopted. It was noted that they would not become adopted highway but residents were willing to maintain and upkeep
- Lancashire Local Dale Street Scheme
- Conservation Area

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:

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
7	0	0

**Resolved:**

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

**11. Application Number 2008/747  
Reconfiguration, retention and erection of decking area at side and rear of garden  
At: Penny Lodge Lane, Loveclough**

The Principal Planning Officer introduced the report and reported that amended plans had been received demonstrating a reduction in the height of the decking within the rear garden.

The Chair permitted Mr M Percy to speak in support of the application.

In determining the application the Committee discussed the following:

- The reduction in height of the decking
- The existing decking to be removed within 6 weeks
- Concerns that two retrospective applications for decking had been heard at the Committee and a request that the Planning Team issue a press release/information in the Rossendale Alive newsletter to inform residents that planning permission was required for schemes of a similar type

A proposal was moved and seconded to approve the application as shown on drawing no, 1754.01, subject to the conditions as set out in the report and that enforcement action be taken to remove the existing decking should it not be removed within a period of 6 weeks from the date of this Committee.

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

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
7	0	0

**Resolved:**

That the application be approved as shown on drawing no, 1754.01, subject to the conditions as set out in the report and that enforcement action be taken to remove the existing decking should it not be removed within a period of 6 weeks from the date of this Committee.



**12. Application 2008/621 Land Adjoining Rising Bridge  
Consideration of Materials**

The Principal Planning Officer reported that further to the consideration of the application at the December meeting of the Committee, additional information regarding the roof pitch had come to light.

The Committee had previously agreed that the construction of the roof should be natural slate, however, owing to a miscalculation by the architect, in order for the roof to be water-tight, by using natural slate the ridge height would increase by up to 1 metre. The Committee, therefore, were asked to consider the acceptability of a reconstituted slate which would have less impact. The Committee were informed that the development could be constructed on a lower base, however, because there was a need to gain ramped access to accord with the Disability Discrimination Act this would limit the amount that could be sunk in.

The Committee were presented an example of the reconstituted slate and the natural stone frontage. It was noted that the reconstituted slate contained a high percentage of slate and that recycled material would be used.

The Applicant agreed that a sample panel would be constructed on the site, should the Committee wish to view it. Members indicated a wish for the reconstituted to be removed should it not weather in. The applicant indicated this could be done under agreement with the supplier.

**Resolved:**

That the material as presented be approved on the understanding that if the materials do not weather appropriately that these would be replaced by natural slate alternatives.

**The meeting commenced at 6.30pm and concluded at 9.50pm**

**Signed:** \_\_\_\_\_  
**(Chair)**