

MINUTES OF: THE DEVELOPMENT CONTROL COMMITTEE

Date of Meeting: 16th March 2009

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

In Attendance: Stephen Stray, Planning Unit Manager
M. Sadiq, Planning Officer
Clare Birtwistle, Assistant Head of Legal
Noel Scanlon, Principal Legal Officer
Carolyn Sharples, Committee and Member Services Officer

Also Present: Councillors Cheetham, Neal and Robertson
Approximately 60 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) and Councillor Robertson (Councillor A. Barnes substituting)

2. MINUTES

Resolved:

That the minutes of the meeting held on 20th January 2009 and the Minutes of the meeting held on 16th February 2009 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

No declarations of interest were made.

PLANNING APPLICATIONS FOR CONSIDERATION

- 5. Application Number 2009/0040
Change of use of land from agriculture to the Storage of 148 Leisure Vehicles (mainly caravans)
At: Land off Blackburn Road, Edenfield**

The Planning Unit Manager introduced the report and informed the Committee that the application sought to change the use of the land from agricultural to the storage of 148 leisure vehicles (mainly caravans). The existing access

would be closed and a new access created further to the west, and the site would be enclosed by 2 metre high palisade fencing. Consultation had been undertaken and the comments received from various agencies were listed in the report.

The application had received a letter of support in addition to support of the Ward Councillors.

The Planning Unit Manager referred to the additional information in the Update Report and informed the Committee that the application was being recommended for refusal as it was inappropriate development and contrary to policy as listed in the report. In particular, the site was located within the Green Belt and development would only be warranted by proving very special circumstances which had not been done either individually or commutatively.

In accordance with the procedure for public speaking, Mr E Young spoke in favour of the application. Councillor Cheetham also spoke in favour of the application.

In determining the application the Committee discussed the following:

- Other caravan storage sites in Rossendale
- Other available sites
- Location previously being a refuse tip/ scrub land
- Visual impact
- Fly tipping
- Urban sprawl
- Improvement of site
- Agricultural/Green Belt designation
- Permanence of caravans
- Special circumstances

In response to queries from the Committee, the Planning Unit Manager clarified that although it had been a tip and had occasional use for storage, its current use was considered agriculture. The site and nearby sewage works were all included in the Green Belt. One of the purposes of Green belt was to prevent urban sprawl. He also clarified that the storage of caravans on site would have permanence.

A proposal was moved and seconded to refuse the application for the reasons set out in the report, including not being able to prove special circumstances for inappropriate development in the Green Belt.

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

FOR	AGAINST	ABSTENTION
5	2	0

Resolved:

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

**6. Application Number 2009/0042
Change of use of building to Youth Community Building
At: Former White House Inn, Edgeside Lane, Waterfoot**

The Planning Officer introduced the report and outlined the details of the application. He informed the Committee that the application was to change the use of a derelict Public House to a Youth Community Building with office and internet café. The Planning Officer noted that six objections had been received in response to the site notice and detailed the points raised.

The Planning Officer referred to the Update Report and the additional 35 representations which had been received together with a letter of support from the site owner and comments from Lancashire County Council Highways.

In accordance with the procedure for public speaking, Mr I Taylor spoke against the application. Miss R Bevan spoke in favour of the application. Councillor Neal spoke against the application and Councillor Robertson spoke in favour of the application.

In determining the application the Committee discussed the following:

- Previously a Public House
- Number of years derelict
- Membership of Youth Centre
- Number of Team Leaders
- Number of attendees
- Previous site applications
- Music events and sound proofing
- Changes made since the previous application
- Could it still be opened as a Public House if proposal not approved?
- Views on the siting of services for young people
- Enhancing through training, employment and support
- Police feedback on fall in crime
- Site visit and traffic on Edgeside Lane
- Supporting young people
- Opening hours/ time restrictions
- Noise and people hanging around
- Location of proposal
- Traffic, speed and congestion
- Lighting outside the building e.g. security lights

A proposal was moved to approve the application with conditions as listed in the report and Update Report in addition to an extra condition of opening until no later than 9pm in the evening 7 days a week. This proposal was not seconded.

A proposal was moved and seconded to approve the application, subject to the conditions as listed in the report and Update Report.

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

FOR	AGAINST	ABSTENTION
5	2	0

Resolved:

That the application be approved subject to the conditions listed in the report and the addition of Condition 8 as listed in the Update Report:

Condition 8

The building shall not be occupied until the proposed parking/turning area has been constructed, drained, surfaced and laid out in accordance with details to be first submitted to and approved in writing by the Local Planning Authority; the parking area shall not therefore be used for any purposes other than the parking of vehicles.

**7. Application Number 2009/0025
Change of use to Leisure / After School Club
At: 1 Waterside Mill, Bacup**

The Planning Officer introduced the report and informed the Committee that the application proposed a change of use of the rear half of the first floor from manufacturing to childcare/leisure to be used in conjunction with the existing children's play facility at the front half of the first floor.

The Planning Officer referred to the points raised in the 4 objection letters, which had been signed by 23 residents. He also informed the Committee that no objections had been received from Lancashire County Council - Highways, the Environment Agency or the Council's Environmental Health Section.

In accordance with the procedure for public speaking, Mr K Weir spoke against the application. Mrs M Golden spoke in favour of the application.

In determining the application the Committee discussed the following:

- Parking issues and a Travel Plan
- Opening times
- Ages of children
- Numbers of staff and whether full-time or part-time
- Existing business and previous planning permission
- Room layout
- Fire escape
- No parking restrictions on the main road.
- Congestion
- Healthy eating status
- Smoking box/bin
- Noise

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

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

FOR	AGAINST	ABSTENTION
4	3	0

Resolved:

That the application be approved subject to the conditions listed in the report.

**8. Application Number 2009/0021
Erection of Three Dwellings
At: Fox Hill, Lime Tree Grove, Rawtenstall**

The Planning Unit Manager introduced the report and informed the Committee that the application proposed the erection of 3 detached houses within the garden area to the east of Fox Hill with access from Mill Row. He referred to the planning history and Update Report which included a statement by Councillor Gill and also detailed some minor amendments to the wording of the proposed recommendation and conditions.

The Planning Unit Manager also referred to consultations with Lancashire County Council - Highways and Rossendale Borough Council Land Drainage. There had also been 14 letters of objection received and 2 letters of support.

The Chair allowed photos submitted by one of the objectors to be viewed by the Committee and the applicant.

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

In determining the application the Committee discussed the following:

- The gas main
- The status of Mill Road
- Access from Mill Road to the unadopted road
- Access for collection of refuse and construction vehicles
- Turning facilities
- Previous application decision and appeal
- Road construction and specifications
- Access to the park by children
- Neighbour amenity
- Noise
- Traffic concerns
- Planting
- Impact of size and structure of houses

A proposal was moved and seconded to refuse the application for the following reasons: Neighbour Amenity; Highway Safety; Public Safety in relation to the location and issues concerning the gas main, access, and also the impact of the structure and size of the houses.

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

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

That the application be refused for the following reasons:

- Neighbour Amenity
- Highway Safety
- Public Safety
- Access
- Design, relating to the impact of the size and structure of the houses.

9. Appeals Update Report

The Planning Unit Manager introduced the report and informed Committee Members of the appeals decisions received since September 2008. He informed that two of the applications refused by previous Development Control Committees were subsequently allowed on appeal. Members could request a breakdown of specific decisions if required. Current figures were conforming with national figures, and year end figures would be available in due course.

Resolved:

That the report be noted.

10. Enforcement Action

The Planning Unit Manager introduced the report which provided members with an update of the current position with regard to planning enforcement actions. He informed members that the court hearing for the first item listed in the appendix had been moved from 6th March at Burnley County Court to 17th March at Blackpool.

Resolved:

That the report be noted.

11. Consideration of Materials - Lidl

The Planning Unit Manager presented sample materials proposed for use on the Lidl development. High Moor stone would be used for all main elevations, natural slate for the roof, and rib-roof for shallow pitch roofs (where natural slate would be too heavy).

Resolved:

That the materials presented be approved with the following exception:

That the developers be requested to use re-constituted slate for shallow pitch roofs, however, if this is not possible to consider a tile with more of a matt finish.

12. Consideration of Materials – Albion Mill

The Planning Unit Manager presented sample materials proposed for use on the Albion Mill development. Stone for elevations, window detailing for heads/sills, blacked out windows for ground floor level, roof surround tiles and paving for outside the building were discussed.

Resolved:

That the materials presented be approved with the following exceptions:

That the developers be requested to use a tile with more of a matt finish, and that additional samples for outside the building be provided.

The meeting commenced at 6.30pm and concluded at 9.45pm

Signed: _____
(Chair)