

MINUTES OF: DEVELOPMENT CONTROL COMMITTEE

Date of Meeting: Tuesday, 11th October 2005

**PRESENT: Councillor S. Pawson (in the Chair);
Councillors Atkinson, D Barnes, L Barnes, Crosta,
Entwistle, Lamb, Robertson, Swain and Thorne**

**IN ATTENDANCE: Mr N Birtles, Senior Planning Officer
Mrs S Harrison, Legal Advisor
Mrs E Newsome, Committee Services Manager**

ALSO PRESENT: Councillors Neal and Ruddick

1. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Crosta (Nicholass substituting) and Young.

2. MINUTES

Resolved:

That the Minutes of the meeting of the Committee held on the 6th September 2005 be signed by the Chair as a correct record.

3. DECLARATIONS OF INTEREST

Councillor Atkinson declared a personal interest in item B6 by virtue of his membership of the East Lancashire Railway Association.

**4. APPLICATION NUMBER 2005/090/091
ERECTION OF 1 STOREY SIDE EXTENSION, ENCLOSURE OF EXTERNAL
STAIR TO REAR, FORMATION OF PAVED TERRACE AND BOUNDARY
WALL TO FRONT
AT: LOWER CHAPEL HILL FARM, HURST LANE, RAWTENSTALL**

Councillors D Barnes, L Barnes, Entwistle, Lamb Nicholass, Pawson, Robertson, Swain and Thorne declared that they had been lobbied on this application.

In accordance with the procedure for public speaking Mr John Cowpe spoke in favour. Councillor Neal spoke in accordance with his right as an elected Member.

A proposal was moved and seconded to approve the application, subject to conditions.

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

COUNCILLOR	FOR	AGAINST	ABSTENTION
S. Pawson	✓		
Swain	✓		
Lamb	✓		
Atkinson	✓		
D Barnes	✓		
L Barnes	✓		
Crosta	✓		
Entwistle	✓		
Robertson	✓		
Thorne	✓		
TOTALS	10	0	0

Resolved:

1. That planning permission be granted subject to the following conditions :
 - a. The development permitted shall be begun before the expiration of three years from the date of this consent.
Reason: The condition is required by virtue of Section 91 of the Town and Country Planning Act 1990 (as amended).
 - b. The development hereby permitted shall be carried out in accordance with the amended drawings :

Location Plan	10/2/05
Proposed Site Plan	12/9/05
Proposed Plans & Elevations	12/9/05

 Reason: To define the permission and ensure a satisfactory form of development.
 - c. No works shall take place until the applicant, or their agent or successors in title, have secured the implementation of a programme of building recording and analysis. This must be carried out by a professionally qualified archaeological/building recording consultant or organisation in accordance with a written scheme of investigation which shall first have been submitted to and agreed in writing by the Local Planning Authority. Upon completion of the programme of building recording and analysis it shall be submitted to the Local Planning Authority.
Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historic importance associated with the building, in accordance with the advice of LCC(Archaeology) and Policy 21 of the adopted Joint Lancashire Structure Plan .

2. That listed building consent be granted subject to the following conditions :
- a. The development permitted shall be begun before the expiration of three years from the date of this consent.
Reason: The condition is required by virtue of Section 18 of the Planning (Listed Buildings & Conservation Areas) Act 1990 (as amended).
 - b. The development hereby permitted shall be carried out in accordance with the amended drawings :

Location Plan	10/2/05
Proposed Site Plan	12/9/05
Proposed Plans & Elevations	12/9/05

Reason: To define the permission and ensure a satisfactory form of development.
 - c. Before the development commences, full details of the treatment of all the proposed windows and doors shall have been submitted to and been approved in writing by the Local Planning Authority. The submitted details shall include the proposed method of construction, the materials to be used, fixing details (including cross sections) and their external finish including any surrounds, cills or lintels.
Reason: In the interests of the character and appearance of the building and in accordance with Policy HP2 of the adopted Rossendale District Local Plan.
 - d. Before the development commences, full details of the proposed rainwater goods, including the eaves detail, to be used on the building shall have been submitted to and been approved in writing by the Local Planning Authority.
Reason: In the interests of the character and appearance of the building and in accordance with Policy HP2 of the adopted Rossendale District Local Plan.
 - e. Notwithstanding the details already submitted, this consent relates to the use of 'flush' fitting roof lights, only in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The details shall include the model/make, exact dimensions and the fixing detail (including a cross section) of the roof light(s) to be used.
Reason: To protect the character and appearance of the building and in accordance with Policy HP2 of the adopted Rossendale District Local Plan.
 - f. Before work commences, full details shall be submitted to and approved in writing by the Local Planning Authority in relation to the type of mortar to be used on the building. The required details shall include the ratio of the materials to be used in the mortar, its colour and the proposed finished profile of the pointing.

Reason: In the interests of the character and appearance of the Listed Building and in accordance with Policy HP2 of the adopted Rossendale District Local Plan.

**4. (OUTLINE)APPLICATION NUMBER 2005/157
ERECTION OF NEW WAREHOUSE & WATER STORAGE TANKS, RE-
ROOFING OF EXISTING BUILDINGS AND ASSOCIATED ALTERATIONS
AT: BACUP SHOE CO LTD, RAILWAY STREET, STACKSTEADS**

All Councillors declared that they had been lobbied on this application.

The Senior Planning Officer submitted details of representations made on the application from surrounding residents and business associations

In accordance with the procedure for public speaking Mrs Christine Farnsworth spoke against the application. Councillor Neal invoked his right as Councillor to speak on the application

A proposal was moved and seconded to defer the application.

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

COUNCILLOR	FOR	AGAINST	ABSTENTION
S. Pawson	✓		
Swain	✓		
Lamb	✓		
Atkinson	✓		
D Barnes	✓		
L Barnes	✓		
Nicholass	✓		
Entwistle	✓		
Robertson	✓		
Thorne	✓		
TOTALS	10	0	0

Resolved:

That the application be deferred for further consultation with Lancashire County Council Highways Department most particularly in relation to Heavy Goods Vehicles over-running the pavements at the junction of Baldwin Street and Newchurch Street, thereby damaging pavements and endangering pedestrians.

5. APPLICATION NUMBER 2005/328 - ERECTION OF PANOPTICON, RECLAMATION OF DERELICT LAND AND ASSOCIATED WORKS TO FACILITATE INFORMAL RECREATIONAL USE AT: LAND AT TOP O' SLATE & DUCKWORTH CLOUGH, HASLINGDEN

All Councillors declared that they had been lobbied on this application.

The Senior Planning Officer outlined the details contained in the application

In accordance with the procedure for public speaking Mrs Lord spoke against the application and Mrs Dew spoke in support of the application.

A proposal was moved and seconded to approve the application.

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

COUNCILLOR	FOR	AGAINST	ABSTENTION
S. Pawson	✓		
Swain	✓		
Lamb	✓		
Atkinson	✓		
D Barnes		✓	
L Barnes		✓	
Nicholass	✓		
Entwistle	✓		
Robertson	✓		
Thorne	✓		
TOTALS	8	2	0

Resolved:

That permission be granted, subject to the following conditions

1. The development permitted shall be begun before the expiration of three years from the date of this consent.
Reason :The condition is required by virtue of Section 91 of the Town and Country Planning Act 1990 (as amended).
2. Construction of the Halo structure shall not be commenced until such time as its foundation design has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented, unless otherwise agreed in writing by the Local Planning Authority.
Reason : To prevent the pollution of groundwater, in accordance with the advice of the Environment Agency and Policy E10 of the adopted Rossendale District Local Plan.
3. Construction of the Halo structure shall not be commenced until such time as details of the system of illumination to be installed, and means by which

it will be powered, have been submitted to and approved in writing by the Local Planning Authority. . The approved scheme shall be implemented, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To prevent light pollution and detriment to wildlife, in accordance with the advice of the Wildlife Trust for Lancashire, Manchester & North Merseyside and PPS1 and PPS7.

4. No materials shall be brought onto the application sites for the purpose of re-profiling /re-grading the land unless first agreed in writing with the Local Planning Authority.
Reason: To prevent the pollution of groundwater, in accordance with the advice of the Environment Agency and Policy E10 of the adopted Rossendale District Local Plan.
5. The works hereby permitted on the application sites shall not be commenced until such time as full details of their form and materials, together with a method statement and timetable, have been submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of the appearance/wildlife interest of the area, in accordance with Policy 20 & 21 of the adopted Joint Lancashire Structure Plan.
6. No development shall take place until a scheme of landscaping/timetable has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail which may have previously been submitted. The scheme shall indicate all existing trees and areas of heather/heath planting; detail any to be retained, together with measures for their protection in the course of development; indicate the types/numbers and areas of tree/shrub planting to be undertaken, their distribution and means of protection until established; and those areas to be seeded.
Reason: In the interests of the appearance/wildlife interest of the area, in accordance with Policy 20 & 21 of the adopted Joint Lancashire Structure Plan.
7. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with the agreed timetable, unless otherwise agreed in writing by the Local Planning Authority, and any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
Reason: In the interests of the appearance/wildlife interest of the area, in accordance with Policy 20 & 21 of the adopted Joint Lancashire Structure Plan.

8. Prior to substantial completion of the works a manual shall be produced and submitted to the Local Planning Authority detailing the future maintenance regime to be followed in respect of both of the application sites.
Reason: In the interests of the appearance/wildlife interest of the area, in accordance with Policy 20 & 21 of the adopted Joint Lancashire Structure Plan.
9. One year after substantial completion of the works the manner in which the site is being used shall be recorded and a report submitted to the Local Planning Authority detailing the remedial measures to be taken, and a timetable for them, to ensure the appropriate balance is maintained between recreational use of the application sites and the wildlife interest
Reason: In the interests of the appearance/wildlife interest of the area, in accordance with Policy 20 & 21 of the adopted Joint Lancashire Structure Plan.
10. Six months after substantial completion of the works a parking/visitor survey shall be undertaken and a report submitted to the Local Planning Authority detailing the remedial measures to be taken to address any problems identified on the application sites or in the surrounding area.
Reason: In the interests of the appearance/wildlife interest of the area, in accordance with Policy 20 & 21 of the adopted Joint Lancashire Structure Plan.

**6. APPLICATION NUMBER 2005/420
EXTENSION OF EXISTING GARAGE AND RETROSPECTIVE CONSENT FOR THE CONVERSION OF A POOL TO GRANNY FLAT WITHOUT COMPLIANCE WITH CONDITION 3 OF PLANNING PERMISSION 2000/018
AT: THE POOL HOUSE, LAUND SLACK FARM, CRIBDEN END LANE, HASLINGDEN**

No Councillors had been lobbied on this application.

In accordance with the procedure for public speaking, Mrs J Douglas spoke in favour of the application. Councillor Neal spoke on the application in accordance with his right as an elected Member.

A proposal was moved and seconded that the application be refused

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

COUNCILLOR	FOR	AGAINST	ABSTENTION
S. Pawson	✓		
Swain	✓		
Lamb	✓		
Atkinson	✓		
D Barnes	✓		

L Barnes	✓		
Nicholass	✓		
Entwistle	✓		
Robertson	✓		
Thorne	✓		
TOTALS	10	0	0

Resolved:

That planning permission be refused for the following reasons:

1. The removal of condition 3 on planning application 2000/018 would, if approved, lead to the creation of an additional dwellinghouse in the Countryside which would be contrary to Policy DS1 of the Rossendale District Local Plan which seeks to locate new development within a defined urban boundary.
2. The proposed development would contribute towards an inappropriate excess in housing-supply provision which would be contrary to Policy 12 of the adopted Joint Lancashire Structure Plan. No or insufficient justification has been advanced to otherwise warrant the grant of permission for the proposed development.

**7. APPLICATION NUMBER 2005/453
ERECTION OF EXTENSION TO WORKSHOP AND ASSOCIATED STORAGE
YARD AND CAR PARK
AT: LAND ADJACENT TO SOLOMON COMMERCIALS LTD, KINGSWAY,
HOLDEN VALE, HASLINGDEN**

No Councillors had been lobbied on this application.

Councillor Neal spoke in accordance with his right as an Elected Member.

A proposal was moved and seconded to grant the application.

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

COUNCILLOR	FOR	AGAINST	ABSTENTION
S. Pawson	✓		
Swain	✓		
Lamb	✓		
Atkinson	✓		
D Barnes	✓		
L Barnes	✓		
Nicholass	✓		
Entwistle	✓		
Robertson	✓		
Thorne	✓		

TOTALS	10	0	0
---------------	----	---	---

Resolved:

That planning permission be granted for the reasons set out below and subject to the conditions set out below:-

1. The development permitted shall be begun before the expiration of three years from the date of this consent.
Reason :The condition is required by virtue of Section 91 of the Town and Country Planning Act 1990 (as amended).
2. The materials to be used for the roof and external walls shall match in colour, form and texture those on the existing building, and the roller-shutter doors shall be painted a colour first agreed in writing with the Local Planning Authority prior to first use of the extension.
Reason: In the interests of the visual amenity of the area in general and the existing building in particular and in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.
3. The roller-shutter doors in the west and south elevations of the extension hereby permitted shall only be opened for the purpose of allowing people, materials and vehicles to enter/exit and shall not be allowed to remain open at other times.
Reason : To prevent noise disturbance for residential neighbours, in accordance with the criteria of Policy DC1 and Policy E12 of the adopted Rossendale District Local Plan.
4. No industrial activities shall take place on the premises as hereby extended other than inside a building.
Reason: In the interests of the amenity of residential neighbours, in accordance with the criteria of Policy DC1 and Policy E12 of the adopted Rossendale District Local Plan.
5. No system of external illumination shall be erected or installed without the prior written consent of the Local planning Authority.
Reason: In the interests of the amenity of residential neighbours, in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.
6. No development shall take place until details of the proposed foul and surface water drainage arrangements have been submitted to and approved by the Local Planning Authority in writing. No part of the development shall be occupied until the approved drainage arrangements have been fully implemented.
Reason: To secure proper drainage and to prevent flooding, in accordance with the criteria of Policy DC1 and Policy E9 of the adopted Rossendale District Local Plan.

7. Notwithstanding what is shown on the submitted drawing, a turning-head (with 1.8m wide footway surrounding it) shall be provided to adoptable standard at the east end of Kingsway prior to first use of the extension hereby permitted and shall thereafter be kept freely available for public use.
Reason : In the interests of highway safety and to accord with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.
8. Before the extension hereby permitted is first occupied the car park and vehicle manoeuvring areas shall be surfaced or paved, drained and marked out all in accordance with the approved plan, and shall not thereafter be used for any other purpose.
Reason: To ensure adequate on site provision of car parking and manoeuvring areas, in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.
9. No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority in respect of the land-edged-red and the land-edged-blue, notwithstanding any such detail which may have previously been submitted. The scheme shall indicate all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform. The submitted scheme shall also provide for the landscaping of that area hatched in green on the Proposed Site Plan, unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of the amenity of the area, in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.
10. All new planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following substantial completion of the building, and any trees or plants in the approved details of landscaping which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
Reason: In the interests of the amenity of the area, in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.

**8. APPLICATION NUMBER 2005/481
DEMOLITION OF EXISTING CLOSK TOWER AND THE ERECTION OF A
BESPOKE GRP CLOCK TOWER
AT: RAWTENSTALL STATION, BURY ROAD, RAWTENSTALL**

No Councillors had been lobbied on this application.

A proposal was moved and seconded to approve the application, subject to conditions.

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

COUNCILLOR	FOR	AGAINST	ABSTENTION
S. Pawson	✓		
Swain	✓		
Lamb	✓		
Atkinson	✓		
D Barnes	✓		
L Barnes	✓		
Nicholass	✓		
Entwistle	✓		
Robertson	✓		
Thorne	✓		
TOTALS	10	0	0

Resolved:

That planning permission be granted for the reasons set out below and subject to the conditions set out below:

The development permitted shall be begun before the expiration of three years from the date of this permission.

Reason: The condition is required by virtue of Section 51 of the Town and Country Planning Compulsory Purchase Act 2004.

**9. PLANNING APPEAL DECISION
APPLICATION NUMBER 2004/585
AT: 956 BURNLEY ROAD, LOVECLOUGH**

The Senior Planning Officer submitted a report notifying Members of an appeal decision in respect of Planning Application Number 2004/585 which was an application for the Retrospective Change of use from a dwelling house to use as dwelling house and motorcycle riding training school and the Erection of a detached garage for motorcycle storage.

The Senior Planning Officer circulated a copy of the Inspector's decision letter, for the consideration of the Committee.

He informed Members that the Planning Inspectorate dismissed the appeal the decision of the Development Control Committee, being that of refusal, was upheld.

Resolved:

That the appeal decision be noted.

**10. PLANNING APPEAL DECISION
APPLICATION NUMBER 2004/570
AT: HEALEY CONSERVATIVE CLUB, MARKET STREET, WHITWORTH**

The Senior Planning Officer submitted a report notifying Members of an appeal decision in respect of Planning Application Number 2004/570 which was an application for the creation of a unit of residential accommodation above Healey Conservative Club by way of conversion/extension of the upper floor and roof-void.

The Senior Planning Officer circulated a copy of the Inspector's decision letter, for the consideration of the Committee.

He informed Members that the Planning Inspectorate dismissed the appeal.

Resolved:

That the report be noted.

(The meeting commenced at 6.30pm and closed at 8.10pm)