

MINUTES OF: THE DEVELOPMENT CONTROL COMMITTEE

Date of Meeting: 8th February 2010

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

In Attendance: Stephen Stray, Planning Manager
Adrian Harding, Principal Planner
Sarah Blackwell, Trainee Solicitor
Philip Debidin, Temporary Solicitor
Michelle Hargreaves, Committee Officer

Also in Attendance: Councillor Swain

Also Present: Approximately 19 members of the public
1 representative of the press

1. APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES

There were no apologies submitted.

2. MINUTES

Resolved:

That the minutes of the meeting held on 14th December 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

Councillor May declared an interest on item B4 and left the committee on the item.

Councillor Driver declared that she would be speaking on Item B2 as Ward Councillor and would therefore pass the Chair to Councillor L Barnes (Vice Chair) and not take part in the vote on this item.

Planning Applications

- 5. Application Number 2009/562 & 2009/568 LBC
Conversion to provide 16 apartments and construction to west side of 12 apartments.
At: Old Market Hall, Bank Street, Bacup**

The Principal Planning Officer introduced the application and outlined details of the site, the relevant planning history, and the nature of the current

application which was to convert the old market hall to 16 apartments, four of these to have 1 bedroom and the others to have 2 bedrooms and, to demolish the red brick building added on the west side of the market hall in order to construct a 3 storey J – shaped building to accommodate 12 apartments, half of which would have 1 bedroom and the other half 2 bedrooms.

The Principal Planning Officer outlined that consultations had been made and it was noted that parking availability was not sufficient from LCC Highways and a financial contribution of £13,440 would be sought for waste management. It was noted in the Update Report that St Trinity Baptist Church had no objection to the application however, it requested that any permission to preclude construction traffic from using Bankhouse Lane.

Ms Fishwick spoke against the application.

In determining the application, the committee discussed the following:

- Parking
- Location and size of building
- How sympathetic the design of the proposal was to the existing building.
- Waste Management

A proposal was moved and seconded in relation to 2009/562 to refuse the application as detailed in the report in addition with a covering letter to be sent to the applicants.

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

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

The application was refused as detailed in the report with an additional covering letter to be sent to the applicants.

In relation to the application number 2009/568LBC, a proposal was moved and seconded to refuse the application 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:

The application was refused as detailed in the report.

NB. Councillor Driver handed the Chair to Councillor Barnes in order to speak on the following application.

**6. Application Number 2009/641
Revised plot layout & substitution of house types for 11 plots.
At: Pendle Avenue, Bacup**

The Principal Planning Officer introduced the application and outlined details of the site, the relevant planning history, and the nature of the current application which was to seek new permission to amend the design of the remaining 11 houses rather than completing them in accordance with permission 2004/277.

The Principal Planning Officer highlighted the main changes to the committee which were as follows:

- No integral garage.
- Two storeys in height, with no dormers.
- 17 off street parking spaces.
- Amendments in relation to refuse storage.

Consultations had taken place and LCC Highways noted the removal of the garages and preferred parking provisions to be a target of 2 per dwelling, but was willing to accept the allocation of 1.5 per dwelling so reducing the current allocation from 22 to 17.

It was noted that there had been 4 letters of objection received, 2 from Pendle Avenue and 2 from Coniston Way. A further 2 objections had been received which were highlighted in the update report. Since the update report another letter of objection had been received.

Ms Sautejeau spoke against the application and Councillor Driver also spoke on the application.

The Legal representative clarified the Section 106 agreement to the committee and stated committee needed to make a decision based on the information given in the report.

In determining the application, the committee discussed the following:

- Parking
- Refuse collections
- Access for Emergency Services

A proposal was moved and seconded to grant the application as detailed in the report with a possibility of seeking an increase in parking provisions.

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

FOR	AGAINST	ABSTENTION
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4	2	0
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Resolved:

That the application was granted as detailed in the report with Officers if possible to seek an increase in parking provision.

NB. Councillor Driver returned to chair the following items.

- 7. Application Number 2009/546
Change of use from shop with living accommodation above to Hot Food Takeaway and restaurant with storage and living accommodation over, new shop front, and flue to rear.
At: 8 Bury Road, Rawtenstall**

The Principal Planning Officer introduced the application and outlined details of the site, the relevant planning history which had established the proposed uses as being acceptable on the site and the nature of the current application which was to seek consent for the change of use of the building from a Class A1 shop to a mixed use of Class A3 Restaurant and a Class A5 Hot Food Takeaway.

It was noted that the application proposed to extend the hours to open during the day. Consultations had taken place and no objections had been received from consultees. Five letters of objection had been received from neighbours.

The Update Report included a response received from RBC Environmental Health making further reference to the flue ensuring that it was constructed as per the specification.

Mr Miah spoke in favour of the application and Councillor Swain also spoke on the application.

In determining the application, the committee discussed the following:

- Shutters
- Parking
- Materials for the shop front
- Toilets
- Disabled access
- Wording of condition 2

A proposal was moved and seconded to approve the application as detailed in the report with the addition of condition 2 to be re-worded by the Chair and Officer.

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

FOR	AGAINST	ABSTENTION
6	0	1

Resolved:

The application was approved as detailed in the report with condition 2 delegated to the Chair and Officer to be re-worded.

**8. RBC Tree Preservation Order No 2009/1
At: Baron Street, Rawtenstall**

The Principal Planning Officer introduced the application and outlined details of the site, the relevant planning history and the nature of the current application which was to amend the TPO to exclude T3-T5 and A1.

The TPO confirmed the retention of 3 trees, deletion of 3 trees and the remainder to be replaced on site.

Two objections had been received against the application.

The legal representative clarified to the committee that the focus must remain as recommended in the report.

In determining the application, the committee discussed the following:

- Access
- T1 and T2
- Timescale of TPO

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

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

FOR	AGAINST	ABSTENTION
6	0	1

Resolved:

The application was approved as detailed in the report.

NB. Councillor May was not present during the consideration on the following item of business.

**9. Application Number 2009/458
Alterations and extension to building converted to 4 dwellings; part retrospective and part proposed.
At: Commercial Street, Loveclough.**

The Principal Planning Officer introduced the application and outlined details of the site, the relevant planning history, and the nature of the current application which was to apply for retrospective consent for a number of unauthorised alterations together with some other minor works to improve the scheme.

Consultations had taken place and no objections from these had been submitted. Five letters of objection had been received from neighbours. In the Update Report stated that one further letter and one further email had been received since the report was published.

In the Update Report, the Countryside Service had confirmed that there was no recorded public right of way running through the application site.

Dr Hemsall spoke in favour of the application.

The Principal Planning Officer confirmed there had been 1 application but the wrong set of plans had been consulted on, but this had been addressed by further consultation.

In determining the application, the committee discussed the following:

- Plans
- Parking
- Water supply

A proposal was moved and seconded to approve the application as recommended in the report with the inclusion of the amended condition 8 as per the update report and to include an informative notice.

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

FOR	AGAINST	ABSTENTION
6	0	0

Resolved:

The application was approved with the inclusion of the amended condition 8 as per the Update Report and to include an informative notice.

The meeting commenced at 6.30pm and concluded at 9.00pm

Signed: _____
(Chair)