

**MINUTES OF: THE DEVELOPMENT CONTROL COMMITTEE**

**Date of Meeting: 8<sup>th</sup> November 2010**

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

**In Attendance:** Stephen Stray, Planning Manager  
Neil Birtles, Principal Planning Officer  
Clare Birtwistle, Principal Legal Officer  
Michelle Hargreaves, Committee and Member Services Officer  
Councillor Essex  
Councillor Thorne

**Also Present:** Approximately 9 members of the public

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

There were no apologies submitted.

**2. MINUTES**

**Resolved:**

That the minutes of the meeting held on 18<sup>th</sup> October 2010 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**

There were no declarations of interest

**With regards to item B3, the Chair asked the Committee whether they would like to hear the item as it was called in by a member who was not in the ward of the application. It was agreed that the item would be heard.**

**Planning Applications**

**5. Application Number 2010/428**

**Internal and external alterations to partly completed building to create 37 apartments with 68 car parking spaces and associated crossings of Alden Brook and landscaping.**

## **At: Land off Free Lane, Helmshore.**

The 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 permission to complete the development in an amended form. It was now proposed that the building be completed without extension, but with internal sub-divisions that increases the number of apartments from 30 to 37 and with various external alterations.

The main amendments would be as follows:

- Ground floor level would now create 2 one bedroomed apartments and would enable provision of 38 car parking spaces and secure cycle lockers.
- First and second floor levels would both create 2 additional apartments.
- The third floor level would also create 1 additional apartment.
- The forth floor apartment would be provided with a small roof terrace.
- Additional/extended balconies to the Sunny Bank Road elevation.
- Alteration to car park to provide 32 spaces.
- Completion of bridge with the loss of 3 trees.

There was no objection from LCC (Highways), however a Section 106 Obligation was requested to secure funding for a Traffic Regulation Order and associated works. The Environment Agency had also been consulted and again had no objections subject to conditions which were highlighted in the report.

The Principal Planning Officer also highlighted the minor error in the report in relation to the site being in Whitworth.

In relation to affordable housing, it was not considered appropriate for affordable units to be sought as the permission granted with application 2003/25 did not require any affordable units. Also, application 2003/25 was accompanied by a section 106 obligation which required payment to the Council of £1000 per apartment for expenditure on children's play equipment on Helmshore Park. The Officers considered that the same principal should apply to the 7 extra dwelling units created.

Mr Ian Scales spoke in favour of the application and also Councillor Essex spoke on the application.

In determining the application the Committee discussed the following:

- Parking of contractor vehicles
- Footway leading from Sunnybank Road to Holcombe Road
- Expenditure of the extra £7000 from the seven properties

A proposal was moved and seconded to approve the application subject to the Section 106 Obligation and conditions highlighted in the report, with the additional requirement

that improvement of the footway leading from Sunnybank Road to Holcombe Road be sought (if necessary, utilising of the extra £7000).

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 subject to the Section 106 Obligation and conditions highlighted in the report., with the additional requirement that improvement of the footway leading from Sunnybank Road to Holcombe Road be sought (if necessary, utilising of the extra £7000).

**6. Application Number 2010/458  
Outline application for residential redevelopment of industrial site of approximately 0.25ha  
At: Land off Station Road, Whitworth.**

The 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 outline permission to redevelop the site for residential purposes. At this stage the only matter of detail for which approval was sought was the Means of Access.

The matters in relation to the layout/scale and appearance had been reserved for later consideration; however the Design and Access Statement indicated the site was to be developed in the following manner:

- Erection of a terrace of 7 houses.
- Vehicular access would be shared with the neighbouring industrial/commercial premises.
- Two short terraces of bungalows, seven in total.

Consultations had taken place and Whitworth Town Council had objected to the application with reasons highlighted in the report. LCC (Highways) had originally objected to the application due to the fact the shared access road had not been included in the application and consequently conditions requiring it to be constructed to an adoptable standard could not be imposed. The applicant had since submitted a new location plan which extended the application site and indicated that a footway would be formed down the side of the access road. With this information LCC (Highways) had now withdrawn its objection.

No comments had been received on behalf of neighbours.

Mr Mike Illsey spoke in favour of the application and Whitworth Town Councillor David Chorlton had sent a written submission in which the Chair read to the Committee.

In determining the application the Committee discussed the following:

- Flood risk
- Whitworth Town Council comments
- Access road into site
- Affordable housing

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

**7. Application Number 2010/484 & 486LBC**

**One Storey rear extension**

**At: Carter Place Cottage, Hall Park, Haslingden.**

The Planning Officer brought to the Committee's attention that the application was a member call in.

The Planning Officer introduced the application and outlined details of the site, the relevant planning history and the nature of the current application which was for the erection of a 1-storey extension to the rear. The extension would project to a similar extent as the existing 2-storey rear extension.

It would have a lean-to roof to a height of 4.5 metres reducing to 3.5 metres at eaves level, with a depth of 3.3 metres and a width of 4 metres. Patio-doors would be sited in its rear elevation and a rooflight was proposed in the roof of the extension. The existing openings in the original rear elevation where the extension would be sited would be retained. The extension would be natural stone walls and natural blue slate roof, with UPVC patio doors and a conservation-style rooflight.

The building was a Grade 2 listed building.

Officers had concerns in relation to the proposed design in that they did not feel it was in keeping with the listed building. The proposal should protect the character and features of the building.

No objections had been received by neighbours on the application.

Mr Malcolm Percy spoke in favour of the application and Councillor Thorne also spoke on the application.

In determining the application the committee discussed the following:

- Listed building
- Consideration for the applicants family
- When the building became listed
- Carter Hall
- Removal of roof light
- Discussion between applicant and officers regarding design

A proposal was moved and seconded to approve the application in principle giving delegation to officers in relation to the design, contrary to the officer's recommendation.

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

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
4	3	0

**Resolved:**

That decision upon the application be deferred but Officers authorised to approve it in the event that amended drawings are received that: turn the roof pitch through 90 degrees, delete the roof light, alter the material to be used for the patio doors to timber and avoid external handrails that extend away from the extension, in principle with a delegation to officers in relation to the design of the extension.

**8. Appeals Report**

The Planning Manager outlined the report to the Committee which was to provide elected members with an update on the appeals received since the last report in July 2010.

There had been 8 appeals received since the last report. Thirteen appeals had been determined by the Planning Inspectorate, out of this 2 were allowed, ten were dismissed and one was withdrawn; 83% of the appeals determined had gone with the Officers recommendation.

The Planning Manager and Principal Planning Officer, then summarised the key findings from some of the appeal decisions attached to the report. This included reference to:

- Greens Lane, Bacup: Significant weight being given to the Interim Housing Policy May 2010 by Inspectors since the revocation of Regional Spatial Strategies in the

dismissal of proposals for a subdivision of a property into 2 houses in the Countryside

- 23 Manchester Rd, Haslingden: Solid shuttering was not in accordance with Saved Policy DC1 and the presence of other shops with solid shuttering was not a sufficient reason to allow solid shutters to be retained. Instead these are separate cases requiring investigation.
- Lower Stack Fm: That where proposed residential development conflicts with Countryside policy, would have some visual impact and there were access issues, these considerations should not be overridden having regard to the Council's evidence of housing land supply provision.
- Hey Head Farm: That there were limits to farm diversification and therefore the proposals at Hey Head Farm were unacceptable due its expansion and encroachment and visual impact in the Countryside and its potential adverse impact of residents nearby.
- Scar End Farm: Again there were limits to farm diversification. If evidence was not provided to support viability arguments and the goods to be sold appear unrelated to the use of the farm, the venture would not be well conceived or necessary to support the agricultural enterprise
- The Hollies, 2 Rising Bridge Rd. The Inspector ruled he did not consider its use for 2 adults and 6 children in care as different to it being a large family residence. The Planning Manager expressed his surprise and disappointment with this reasoning.

In determining the application the committee discussed the following:

- Praise in relation to the appeals determined.

**Resolved:**

That the report be noted.

## **9. Enforcement Report**

The Planning Manager outlined the report to the Committee which was to provide elected members with an update on current enforcement activity.

The report focused on updating members with details relating to the current number of open planning enforcement files, the different stages of any enforcement action paying particular attention to any details relating to enforcement notices issued, appeals and details of any court hearings pending for the second quarter of this year.

Following this information, members discussed the following:

- Cost of Officer time
- Number of Enforcement Staff Officers

**Resolved:**

That the report be noted.

**The meeting commenced at 6.30pm and concluded at 8.05pm**

**Signed:**

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**(Chair)**