

MINUTES OF: THE DEVELOPMENT CONTROL COMMITTEE

Date of Meeting: 21st MARCH 2011

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

In Attendance: Stephen Stray, Planning Manager
Rebecca Taylor, Planning Technician
Sian Roxborough, Head of Legal and Democratic Services
Michelle Hargreaves, Committee and Member Services Officer

Also Present: Approximately 26 members of the public

1. APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES

Apologies had been submitted on behalf of Councillor May (P Steen Sub).

2. MINUTES

Resolved:

That the minutes of the meeting held on 15th February 2011 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

Declarations of interest were submitted on behalf of Councillor Graham who declared a personal interest owing to her position of Chair on the Pool Committee. Councillor Stansfield also declared a personal interest as he had also served on the Pool Committee.

It was agreed that the order of the agenda would be changed and item B10 would be taken second. It was also noted that item B7 had been withdrawn from the agenda.

PLANNING APPLICATIONS

5. **Application Number 2010/646**
Excavation of vacant land to form hard standing for commercial vehicles with associated landscaping and fencing.
At: Land North Side of Kingsway, Haslingden.

The Planning Unit Manager introduced the application and update report and outlined details of the site and the nature of the current application, which was to seek permission to use the land to the north of Kingsway to construct a storage area for the commercial vehicles on the land to the north of Kingsway. The applicant stated that the proposed scheme would:

- Allow for the expansion of the business increasing employee numbers from 230 to 300.
- Allow an increase to the total capacity of commercial vehicles at the site to 270;
- Eliminate the constant movement of vehicles from and to the site from the storage depots.
- Allow some of the existing storage space to be set aside for employee parking (approximately 20 spaces) which would eliminate/ reduce parking along Kingsway;
- Allow the company to remain in situ without having to look to move outside of the Valley to allow for its expansion.

A number of consultation responses had been concluded within the report. LCC (Highways) had no objections to the amended plans submitted; LCC Ecology had some suggested conditions, the Environment Agency made comments to enhance condition 3 (wildlife conservation) and RBC (Drainage) commented on measures to reduce flooding. RBC (Environmental Health) and Contaminated Land Consultants had no objections, further details of which were highlighted in the report.

Responses had been received from a neighbour in an adjacent residential property. They advised that they had no objection in principle but wished for consideration to be taken into account of local residents as highlighted in the report.

Officer's recommendation was for approval of the application, subject to the conditions highlighted in the report.

Mr Hartley spoke in favour of the application and Councillor Evans also spoke on the application.

In determining the application the committee discussed the following:

- Changes to conditions 2, 3 and 6 in the update report.
- Welcomed improvement to valley and environment
- Hours of building work

The Planning Unit Manager clarified issues raised by the committee.

A proposal was moved and seconded to approve the application subject to the conditions highlighted in the report along with the additional condition regarding the standard hours of construction.

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

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

That the application be approved subject to the conditions highlighted in the report along with the additional condition regarding the standard hours of construction.

6. Application Number: 2010/667

Erection of 87 dwellings and associated garages, bridge over river, roads and landscaping.

At: Orama Mill, Hall Street Whitworth.

The Planning Unit Manager 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 for residential redevelopment of the site with 87 dwellings for layout, scale and access arrangements; only the matters of appearance and landscaping would be reserved for later consideration.

It was noted to the committee that the number of dwellings had now been reduced from 87 to 84.

The report indicated in respect of the 87 dwellings originally proposed, the house type mix would be.

- 10 x 2 bedroomed units
- 14 x 3 bedroomed units
- 55 x 4 bedroomed units
- 8 x 5 bedroomed units
- All of the houses would be 2 or 2 1/2-storeys in height, with 12 semi-detached and the rest detached.

Twelve of the units would be affordable which would be 14% of the total amount of units. The affordable housing was to be secured via a S.106 Agreement that ensures the first and subsequent sale was at 70% of open market value to families meeting a local needs test.

In relation to the consultation responses, the Environment Agency had withdrawn its objection to the application subject to conditions; further information on this matter was highlighted in the update report.

United Utilities had no objection to the application in principle; Environmental Health had advised the application could be approved subject to conditions which were highlighted in the update report.

Further consultations were highlighted within the report.

Hallford United Reformed Church had raised concerns for the development which were stated within the report. Residents had also expressed concerns.

To accord with the Council's approved Open Space & Play Equipment Contributions SPD (2008) a sum of £118,842 should be paid by the Developer to enable the Council to provide/maintain (or improve access to) additional recreational facilities to meet the needs of residents of the proposed development. The Applicant had indicated that they were willing to pay the open space contribution required, which was confirmed by the Planning Unit Manager.

However, the officer's recommendation was still for refusal.

Mr Farrington spoke in favour of the application and Councillor Neal spoke on the application.

In determining the application the committee discussed the following:

- Clarification in relation to the Open Space and Play Equipment Contribution
- Cycle way grant
- Number of exits to and from the site
- Colour and type of brick/stone to be used
- Concerns over late information

A proposal was moved and seconded to defer the application in order to establish if design concerns could be overcome.

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

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

That the application be deferred in order to establish if design concerns could be overcome.

7. Application Number: 2011/83

Construction of 2 storey extension to east side of existing building, formation of five outdoor pitches on north side and altered/extended parking facilities on south side.

At: Marl Pits Swimming Pool, Newchurch Road, Rawtenstall.

The Planning Unit Manager introduced the application and outlined details of the site, the relevant planning history and the nature of the current application which was to seek full permission for the proposal above.

The submitted scheme differs from that previously granted Outline Permission as follows:

- Increase in the length of the 2-storey extension proposed by approximately 3m, resulting in its projection further forward (i.e. towards Newchurch Road).
- Reduction in the width of the extension by approximately 0.6m, thereby slightly increasing the extent to which it would stand away from the access road up to the Golf Driving Range.
- Changing the parking layout to include an increase in the number of parking spaces to 152, achieved principally by modifying the layout of existing/previously permitted parking areas, and extension of them approximately 8m nearer to the side boundary of 22 Marl Pits, whilst increasing the distance new parking would stand off the boundary of the several residential properties to the south by 8+m.
- Minor changes to the siting of the football pitches to the rear and omission of the lay-by intended between them and the access road up to the Golf Driving Range.

Consultation responses were highlighted within the report and further comments were stated in the update report.

A resident had indicated that, whilst they fully supported the project, the submitted drawings indicated for the full application differed slightly from amended plans received in respect of the approved outline application with regard to the boundary line for their property. The resident also wished for clarity in respect of ground levels so that the parking area did not impact on views from their property.

Officer's recommendation was for approval of the application. The Planning Manager confirmed that the parking area would be further away from the resident's property than the outline scheme, whilst the concern regarding the boundary and levels could be addressed via conditions attached to the report.

Mr Entwistle spoke against the application and Mr Ibbott spoke in favour of the item, Councillor Swain also spoke on the item.

In determining the application the committee discussed the following:

- Parking issues
- Bollards
- Thanks for work carried out in relation to the application
- Changing facilities when using football pitches
- Clarification of bike storage location
- Hours of construction

A proposal was moved and seconded to approve the application subject to the conditions highlighted in the report with additional reference in the conditions in respect of physical barriers to prevent parking on the pavement alongside the athletics club building, and that samples / materials be agreed with Chair and opposition spokes persons.

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

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

That the application be approved subject to the conditions highlighted in the report and with additional reference in the conditions in respect of physical barriers to prevent parking on the pavement alongside the athletics club building, and that samples / materials be agreed with Chair and opposition spokes persons.

8. Application Number 2011/81

Approval of details of appearance and landscaping pursuant to outline approval 2010/538 for construction of 2 storey extension of building and altered/extended parking facilities

At: Haslingden Sports Centre, Helmshore Road, Haslingden.

The Planning Unit Manager introduced the application and outlined details of the site, the relevant planning history and the nature of the current application which was to seek approval for the reserved matters in respect of 2010/538, namely appearance and landscaping.

- The building would have a mono-pitched roof rising upwards from the east until it meets a flat-roofed two-storey section, with plant room above.
- The external staircase on the northwest elevation would consist of a metal frame with mesh infill panels.

- Colours of the various elements have not been submitted.
- The parking areas would be finished in tarmac with delineated bays and pedestrian crossing points. Parent/child spaces and disabled parking spaces would be marked as such and sited close to the entrance to the extended building. Lighting columns to heights of 6-8 metres would be provided within and adjacent to the altered/extended parking areas. The recycling area and the electricity substation to the south east corner of the site are shown on the layout drawings.
- Trees that were required to be removed due to the alteration/extension of the car parking areas were to be replaced within the site, mainly within those areas closest to residential properties.
- At various points around the perimeter of the site timber close-boarded fencing was proposed, varying in height from 1.2 metres to 1.8 metres dependent on the specific location.
- Additional spaces and results in eight disabled parking spaces immediately adjacent the main entrance and seven parent-&-child spaces.

No objections had been received from LCC (Highways) and other consultation responses were highlighted in the report.

Two comments had been received, details of which were highlighted in the report and one objection had been received also.

In relation to the update report, there had been further comments received from Turfcote Nursing Home objecting to some aspects of the proposals including concerns of parking near their boundary.

Officer's recommendation was for approval.

In determining the application the Committee discussed the following:

- Footpath signage
- Thanks to work carried out in relation to the application
- Lighting onto neighbouring properties
- Hours of construction

A proposal was moved and seconded to approve the application subject to the conditions highlighted in the report and hours of construction to be as per the outline consent, and also the colours be agreed by chair and opposition spokespersons.

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

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

That the application be approved subject to the conditions highlighted in the report and hours of construction to be as per the outline consent, and also the colours be agreed by chair and opposition spokespersons.

9. Application Number 2011/78

Replacement of Tennis Club

At: Haslingden Sports Centre, Helmshore Road, Haslingden.

The Planning Unit Manager 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 for a replacement building.

The proposed building was to be located approximately 50 metres to the west of the existing building. It would contain a club room, kitchen, changing rooms, WC/shower and a tractor store.

There would be one window and a door in the elevation facing the tennis courts, and the same in the rear elevation. The window openings would include concealed roller shutters integrated into the lintels.

No objections had been received on the application and in relation to neighbour amenity the location of the club would be situated further away from residential properties than the current site.

Parking facilities would be incorporated with facilities at the main building.

Officer's recommendation was for approval.

In determining the application the Committee discussed the following:

- Positive visual aspect of the new building
- Footpath leading to the new building

A proposal was moved and seconded to approve the application subject to the conditions highlighted in the report along with the condition regarding hours of construction and also the requirement for a path to the facility.

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

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

That the application be approved subject to the conditions highlighted in the report along with the condition regarding hours of construction and also the requirement for a path to the facility.

**10 Application Number 2011/7
Demolition of agricultural building and erection of detached house
At: Broadclough Farm, Burnley Road, Bacup.**

This application had come to committee via a member call in.

The Planning Technician introduced the application and outlined details of the site, the relevant planning history and the nature of the current application which was to seek demolition of an existing farm building and erection of a 2-storey detached dwelling. The existing farm building/barn would be demolished and the proposed dwelling would be sited on the footprint of the old barn.

The dwelling would be a 5 bedroom detached with associated living space on two floors. The property would be a modern family home of coursed natural stone and slate construction.

The applicant had provided the following information to justify why the proposed dwelling would be an acceptable departure from the plan:

- It would enable the applicant to care for an elderly couple who currently live on the farm. This couple brought the applicant up.
- The house would have a number of renewable energy technologies.
- The design would complement the existing farm dwellings.

A petition of six names in support was also referenced in the highlight report.

The Planning Technician outlined that the site of the current application lay in the countryside, wherein new housing of this type and in the locations proposed would be contrary to the policies of the development plan.

With regards to the design and appearance, the proposed house was considered not to share any affinity with its countryside setting.

Consultation responses had been received and were highlighted within the report. One comment had been submitted by a neighbour in relation to the safe removal of the asbestos building.

Officer's recommendation was for refusal.

Mr Middleton spoke in favour of the application and Councillor Driver also spoke on the application. The Chair read a written submission on behalf of Councillor Challinor.

In determining the application the Committee discussed the following:

- Likelihood of other agricultural buildings built
- The application in relation to policies
- Appearance of new build in comparison

A proposal was moved and seconded to approve the application contrary officer's recommendation on the basis that the proposal would enhance the appearance of the area by removing a derelict and unattractive building, and the specific family reasons advanced by the applicant in relation to the need for the proposal.

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 contrary officers recommendation on the basis that the proposal would enhance the appearance of the area by removing a derelict and unattractive building, and the specific family reasons advanced by the applicant in relation to the need for the proposal. Appropriate conditions for the consent were to be attached.

- 11. Application Number 2011/24**
Change of use from retail shop (use class A1) to hot food takeaway (use class 5) including extraction duct to rear.
At: 1a Bank Street, Rawtenstall

This application had come to committee via a member call in.

The Planning Unit Manager introduced the application and outlined details of the site, the relevant planning history and the nature of the current application which was to seek planning permission for change of use of the premises from a retail shop to a hot food takeaway on the ground floor.

Proposed opening hours were 11.00 – 23.00 Monday to Sunday, also opening on Bank Holidays.

The shop front was to largely remain as existing, however there were to be some internal alterations to accommodate a food preparation, storage and service area. An

extraction canopy would be fitted internally, which would connect to an external 250mm diameter stainless steel flue fitted to the rear of the property.

Space for bin storage was provided within the rear yard of the property.

Consultations had taken place and LCC (Highways) had objected to the proposal as potential customers may be tempted to park in the left hand filter lane of the A682.

In relation to responses, two comments had been received in objection to the application these of which were outlined in the report.

Officers recommend refusal for this application.

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

In determining the application the Committee discussed the following:

- Where the applicants other business were situated
- Roller shutters
- Parking

A proposal was moved and seconded to refuse the application with an additional reason for refusal to that in the committee report, having regard to policies HFTA 1,3,9 and 10 of the Interim Hot Food Takeaway Policy.

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, with an additional reason for refusal to that in the committee report, having regard to policies HFTA 1,3,9 and 10 of the Interim Hot Food Takeaway Policy.

**12. Application Number 2011/667
Erection of open fronted shelter
At: Scrap Yard, Dean Lane, Water**

The Planning Unit Manager introduced the application and outlined details of the site, the relevant planning history and the nature of the current application which was to seek planning permission for the erection of an open fronted shelter within the existing site to be used for car dismantling and salvage works.

The shelter would be attached to the existing container to the south west of the site and would measure 8 metres in depth with a width of 8.2 metres rising up in height from the height of the existing container to approximately 4.2 metres. The shelter would be constructed on a concrete slab base and would have a dwarf concrete block wall to a height of 1.6 metres with softwood vertical boarding above under a dark green coloured metal sheet roof. The west elevation of the shelter would be open. Proposed opening hours were 10am-6pm Monday to Sunday. However as stated within the update report, the applicant had now requested the hours of use for the proposal to be from 8am to 8pm which reflects the hours of the Lawful Development Certificate.

Four letters of objection had been received, details of these were detailed in the report. One letter in favour of the application had also been received and highlighted in the update report.

Officer's recommendation was for approval.

Mr Manock spoke against the item and Mr Ilyas spoke in favour of the item.

In determining the application the Committee discussed the following:

- Contamination issues
- Working hours

A proposal was moved and seconded to approve the application subject to the conditions highlighted in the report along with the informative on contamination in the update report to be provided as a condition instead.

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 highlighted in the report along with the informative on contamination in the update report to be provided as a condition instead.

The meeting commenced at 6.30pm and concluded at 9.20pm

Signed:

(Chair)