

MINUTES OF: THE DEVELOPMENT CONTROL COMMITTEE

Date of Meeting: 2nd AUGUST 2011

Present: Councillor Robertson (in the Chair)
Councillors, Cheetham, Graham, Nuttall, Oakes, Roberts and Stansfield.

In Attendance: James Dalglish, Planning Technician
Stephen Stray, Planning Manager
Clare Birtwistle, Principal Legal Officer
Michelle Hargreaves, Committee and Member Services Officer

Also Present: Approximately 6 members of the public
2 members from the Press

1. APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES

Apologies had been submitted on behalf of Councillor L Barnes (Councillor Cheetham sub).

2. MINUTES

Resolved:

That the minutes of the meeting held on 12th July 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

There were no declarations of interest made at this point in the meeting however, Councillor Cheetham declared a personal interest on item B3 and abstained from voting.

PLANNING APPLICATIONS

5. Application Number: 2011/ 309

Construction of 1 – Storey extension to south and east sides of existing building, formation of 4 outdoor pitches on north side and altered/ extended parking facilities.

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

The Planning 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 the following:

- Construction of an L-shaped 1-storey extension, with pitched-roof, to the east side of the existing building and across part of its front elevation. This extension would increase the floor area of the existing building from 1,082 sq m to 1,694 sq m (a 56% increase), and would accommodate a fitness studio, fitness room, changing facilities, office accommodation and new reception area. It would have rendered walls and a pitched-roof clad with grey-coloured composite-panels, the extension would project from the existing building by 11m, with a front elevation of 30m in length and a side elevation of 36m in length.
- Provision to the rear of the existing building of 4 outdoor all-weather pitches, each to measure 20m x 30m and suitable for 5-a-side football.
- Extension / re-configuration of the existing 37-space car park to the front of the building to provide a car park capable of accommodating 126 cars (a 340% increase). It will include 11 spaces for disabled & parent-&-child parking), 4 spaces for motorbikes and 12 spaces for bicycles. The applicant advised that the large increase in parking provision was to both meet the approved Parking Standards in relation to the extended building & proposed pitches and also help address a shortfall in spaces for use by the adjacent Sports Club and Rugby Club.

The Planning Manager clarified that the actual amount of car parking spaces was 112 not 126 as stated in the report.

In relation to the consultation responses, LCC Highways had no objections to the application, however had required a condition for a Green Travel Plan to minimise the requirement for on-site parking, ensuring it took place in appropriate places and thereby enhance on-site pedestrian safety.

One objection had been received; reasons for this objection were outlined in the report.

Officers recommendation was for approval subject to conditions highlighted in the report.

Mr Entwistle spoke against the application.

In determining the application the Committee discussed the following:

- Emergency exit
- Solar panels
- Monitoring and reviewing travel plan
- Use of additional car park
- Bollards to prevent unwanted parking
- Turning circle for school bus
- Hours of work in relation to construction
- Speed of traffic through site

The Planning 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, with additional wording to conditions relating to traffic calming measures and with the amended wording of condition 5 to include reference to railings to prevent car parking on the roadside.

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 update report including additional wording to conditions relating to traffic calming measures and with the amended wording of condition 5 to include reference to railings to prevent car parking on the roadside.

**6. Application Number 2011/0291
Erection of Four 2 –Storey Dwellings.
At: Former Airtours Site, Helmshore.**

The Planning 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 the erection of four, two storey dwellings identical in size, height, position and design to those under application 2011/077. The area where the proposed bungalow would have been sited would now form part of the domestic curtilage of the south easterly house proposed.

Consultation responses had been received. The Environment Agency had withdrawn an original objection after amended plans had been submitted from the applicant. RBC (Environmental Health) had no objection to the application. LCC (Highways) had made comments, these were outlined in the report.

Two objections had been received and were covered in the report.

Since the publication of the report an objection had been received against the application and was outlined in the update report. A further objection had been received after the publication of the update report and the Planning Manager outlined the points raised in that objection to the committee.

Officers recommendation was for approval subject to conditions highlighted in the report.

In determining the application the Committee discussed the following:

- Good design

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

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.

Councillor Cheetham declared a personal interest on item B3 and abstained from voting.

**7. Application Number: 2011/0315
Proposed Conservatory to rear
At: 9 Heycrofts View, Edenfield.**

The Planning 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 conservatory to be added to the rear elevation. The structure would be L-shaped and formed from UVPC, and mounted on a stone plinth to match the existing house. The conservatory would be 4.5m in width and 4.6m in length, with a height of 3.4m. It was to possess windows in each side and a pair of sliding doors in the rear elevation.

It was noted that there would be no condition to provide any samples of material.

There had been no consultation responses and no representations.

Officers recommended approval subject to conditions outlined in the report.

In determining the application the Committee discussed the following:

- Drainage

A proposal was moved and seconded to approve the application with conditions highlighted in the report along with a letter to be sent out to the applicant to be mindful of addressing drainage matters.

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

FOR	AGAINST	ABSTENTION
6	0	1

Resolved:

That the application be approved subject to conditions highlighted in the report. It was also agreed that a letter would be sent to the applicant to be mindful of addressing the drainage matters discussed.

8. TPO Objection Report

At: Newchurch Road/ Higher Cloughfold TPO.

The Planning Manager introduced the report and outlined details of the site, the relevant back ground information and the purpose of the report was to inform Members that an objection had been received to a TPO recently made in respect of trees in the vicinity of 406-420 Newchurch Road.

The TPO was made in April 2011 to afford greater protection to 18 trees, of various species, located in the front gardens of the semi-detached houses 406-420 Newchurch Road and bounding the driveway running to the east side of the latter property.

Greenvale Homes had submitted the TPO objection based on the following reasons:

- Two of the trees afforded the protection of the TPO made by the Council in April 2011 lie within the curtilage of the house at 414 Newchurch Road.
- While Green Vale Homes was the freeholder, under the terms of the Tenancy Agreement the tenant had full responsibility for maintaining any and all trees within the curtilage of the property.
- Consequently, it was unreasonable and inappropriate to make an order against Green Vale Homes in respect of something for which it was not responsible and over which it was not able to exercise day to day control.

Officers advised that the TPO should remain as there was sufficient public visual amenity value to warrant the protection of a TPO. Nor had the objector sought to argue that it would be inappropriate to include these two trees in the TPO because of their poor physical condition or lack of public visual amenity.

Resolved:

That the TPO be confirmed without modification.

9. TPO Objection Report

At: Boarshead, Newchurch Road TPO.

The Planning Manager introduced the report and outlined details of the site, the relevant back ground information and the purpose of the report was to inform Members that an objection had been received to a TPO recently made in respect of two trees to the rear of the Boar's Head Public House, adjacent to Church Lane, Newchurch.

A planning application had previously been submitted for the erection of 8 houses on land to the rear of the Boars Head Pub. As part of the submitted scheme it was proposed to remove both of the mature ash trees at the site mentioned above. An arboricultural report included within the application stated the following:

- In respect of T1 (the northern most tree), that it was an integral part of the street scene, had good structure and vigour, would provide a significant contribution to the area for a minimum of 20-40 years and should be retained.
- In respect of T2 (the southern most tree), that it was an integral part of the street scene, had poor structure but good vigour, would provide a significant contribution to the street scene for a minimum of 10-20 years. The report recommended that it be felled to allow development.

The application was subsequently withdrawn following the case officer informing the applicant that it would be refused for a number of reasons. The applicant has since fenced off the site to the public and the Council was concerned that the trees could be felled at any time. The Council had made the Tree Preservation Order because it considers that it was expedient in the interests of amenity that both of the trees specified in the Order should be preserved.

As specified within the Order, the trees made a positive contribution to public visual amenity, forming a prominent and attractive feature of the street scene of Church Lane and the setting of St Nicholas's Church, a Grade II Listed Building located immediately opposite. Their removal or inappropriate pruning would have a significant impact on the local environment and its enjoyment by the public.

Officers advise that the TPO be confirmed without amendment.

Resolved:

That the TPO be confirmed without modification.

The meeting commenced at 6.30pm and concluded at 7.30pm

Signed:

(Chair)