

MINUTES OF: THE DEVELOPMENT CONTROL COMMITTEE

Date of Meeting: 20th March 2012

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

In Attendance: Stephen Stray, Planning Manager
Neil Birtles, Principal Planning Officer
Sarah Doherty, Solicitor
Jenni Cook, Committee Officer

Also Present: 11 members of the public
1 member from the Press
Councillors Lamb and Wilkinson

1. APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES

All members of the Committee were present.

2. MINUTES

Resolved:

That the minutes of the meeting held on 21st February 2012 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 Roberts declared an interest in application numbers 2012/0004 and 2012/0005 in that he was on the Board of a business located in an adjacent building to the application but this was not prejudicial.

Councillor Oakes declared a personal and prejudicial interest in application number 2012/0043 in that she was on a Trustee of the Stacksteads Riverside Park Group.

PLANNING APPLICATIONS

- 5. Application Number: 2012/0004 and 2012/0005**
Change of use to vocational learning centre and associated works, including retention of garages for storage and welfare facilities, erection of poly-tunnel and parking provision.
At: Stubblelee Barn and land within Stubblelee Park, Stubblelee Lane, Bacup

The Principal Planning Officer introduced the application and outlined details of the site, the relevant planning history and the nature of the application which was to seek permission for a change of use to a vocational learning centre specialising in motor repair, horticulture and construction which would provide employment for 4 to 5 members of staff and places for 50 learners in 2012/13 rising to 100 in the following academic years. The application fell into 2 parts, which was planning permission for all elements of the scheme and then listed building consent which would be limited to the internal/external alterations to Stubblelee Barn. It was noted that the application site also located in the countryside designated as greenlands.

The proposal was outlined in detail which would be to convert Stubblelee Barn for classroom, workshop, storage and welfare facilities. The barn would have a new solid concrete floor, internal block walling and a new suspended ceiling. The land encompassing the enclosed yard on the north side of the barn would be part covered by a new hard surfacing to provide disabled parking with a portacabin providing welfare facilities for the students located within the courtyard along the western boundary. The land on the opposite side of Stubblelee Lane would be used for general construction operations with a 7m x 21m poly-tunnel with a height of 3m to be erected. The land to the areas of the annex building would be retained for use by the Council's Operations Team and the yard to the south east of the annex would instead be used for college parking of vehicles and bikes.

The Principal Planning Officer noted that revised plans had been received which would provide better disabled toilet facilities, improve the parking and relocate the waste/refuse to a better area, being behind the poly-tunnel.

Comments which had been received were set out in the main body of the report and the Principal Planning Officer outlined these. In particular, reference was drawn to the comments of the Council's Environmental Health Team who had recommended standard daytime operating hours of 9am-5pm be imposed on the application. The Council's Conservation Officer had raised the issue of the existing stone flags in the barn and expressed disappointment that these would be removed. In addition the Conservation Officer was satisfied that the internal block wall and false ceiling would not have a detrimental impact on the building.

The Principal Planning Officer noted that Lancashire County Council Highways had recommended approval subject to the imposition of conditions and legal agreements to secure funding to improve facilities on the site. It was noted that officers felt that £2,500 would be adequate to address accessibility/highway safety issues.

Mr Sylvester Dury spoke in favour of the application.

In determining the application the committee discussed the following:

- The removal, storage and reinstatement of the stone flags within the barn.
- Clarification was sought regarding the motor repair area and concerns were expressed regarding noise impact on the residents of Olive House.
- Concerns were expressed regarding the visual impact of portacabins on the site and how long they might remain.
- The synergy between the existing buildings and proposals was praised.
- The option to condition the working hours further and to consider a temporary permission for the on-site portacabins was discussed.
- The need for vocational training in this part of the valley, with minimal travel time and costs was noted.

The Principal Planning Officer clarified issues raised by the committee.

A proposal was moved and seconded to approve the two applications subject to the conditions listed in the committee report, with the amendment of condition 2 to reflect submission of amended plans.

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

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

That the applications be approved subject to amendment of condition 2 in the report to reflect submission of amended plans.

Councillor Oakes left the meeting during consideration of the following item.

6. Application Number 2012/0043

Creation of new boundary path and widening of foot bridge

At: Stacksteads Riverside Park, Off Blackwood Road, Stacksteads

The Principal Planning Officer introduced the application and outlined details of the site and the nature of the current application which was to create a new path running from west to east across the site. The path would be 2.5m wide and surfaced with coloured chippings to enable weathering down of the path. The existing footbridge would be widened and resurfaced to create a safer crossing point and ease access to the south side of the river.

The Principal Planning Officer noted that there were no objections or neighbour comments regarding this application and it had been brought before the Committee for the reason that it was on Council-owned land.

Reference was drawn to the update report which contained the Environment Agency's comments on the application. No objection in principle had been raised. In addition the

Principal Planning Officer indicated that Lancashire County Council's Rights of Way response had noted that it had received an application to record a number of public bridleways on the Definitive Map of Public Rights of Way, but it would be 'some time' before a decision was made in respect of this matter. However it was noted that should the bridleway claim be formalised, then the proposed collapsible bollards could not necessarily be retained. The Principal Planning Officer did not consider this to significantly affect his assessment of the application.

Ms Rachel Marsden spoke in favour of the application.

In determining the application the committee discussed the following:

- Discussion took place on the collapsible bollards and it was noted that the collapsible bollards in use at Healey Dell allowed access for horses and cyclists.

A proposal was moved and seconded to approve the application subject to the conditions set out in the report.

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

FOR	AGAINST	ABSTENTION
6	0	0

Resolved:

That the application be approved subject to the conditions set out in the report.

Councillor Oakes rejoined the meeting.

7. Application Number 2012/0060

**Increase in height of existing garage to create a first floor
At: 105 Northfield Road, Rising Bridge**

The Principal Planning Officer introduced the application and outlined details of the site, relevant planning history and the nature of the current application which was to extend the garage upwards to provide storage, raising the eaves height of the property by 1.5m to 3.9m and the ridge level by 1.5m to 5.4m. The application had been recommended for refusal and it was noted that the application site was situated in Green Belt. The application had been called in by Councillor Wilkinson.

The Principal Planning Officer noted that the applicant's Agent had referred to a 'fallback' position within their application - the building of a further outbuilding in the property's back garden under permitted development rights. The Principal Planning Officer noted that the proposed 'fallback' position would be different in size, height and prominence to the application proposal and was not considered to be a material

consideration that would outweigh the harm caused by the alteration to the existing garage being proposed.

Mr Steven Hartley spoke in favour of the application. Councillor Wilkinson also spoke on the application.

The Planning Manager and Principal Planning Officer clarified issues raised by the committee.

In determining the application the committee discussed the following:

- The fallback position and its relevance to the planning permission sought.
- The importance of protecting Green Belt land.
- The lack of special circumstances surrounding the application.

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

8. Delegation of Decisions by the Planning Manager

The Planning Manager introduced the report which sought the Committee's permission to delegate planning matters which could not currently be decided by the Planning Manager to the Planning Manager, in consultation with the Chair of the Development Control Committee and the Opposition Spokespersons for the period between the 17th April Committee meeting and the next Committee meeting. It was noted that this was required in order for the Council to maintain planning performance targets during the 'purdah' period. It was noted that during the period 18th April 2012 to 1st June 2012, no Development Control Committees had been scheduled.

Resolved:

That the planning matters outlined in the report be delegated to the Planning Manager in consultation with the Chair and Opposition Group Spokespersons for all applications/matters to be determined/decided for the period 18th April 2012 to 1st June 2012.

9. Appeals Update Report

The Planning Manager introduced the report which updated Members on planning appeal decisions since the last report presented to the Committee in October 2011. It was noted that 27 appeals had been received, 20 had been determined with 7 pending a decision. Of the 20 determined, 16 had been dismissed and 4 had been allowed, which equated to 80% of the appeals going with the Officers' recommendation.

The Planning Manager circulated Appendix 1 to the report and clarified some details of the individual appeals. It was noted that further information could be obtained from www.planningportal.gov.uk or directly from the Planning Manager.

Members noted that this was a positive report.

Resolved:

That the report is noted.

The meeting commenced at 6.30pm and concluded at 7.40pm

Signed:

(Chair)