

MINUTES OF: DEVELOPMENT CONTROL COMMITTEE

Date of Meeting: 7th February 2006

PRESENT: Councillor S Pawson (in the Chair)
Councillors Atkinson, D Barnes, L Barnes, Entwistle,
Lamb, J Pawson, Robertson, Swain, Thorne

IN ATTENDANCE: B Sheasby, Team Manager, Development Control
P Talbot, Planning Officer
S Harrison, Legal Officer
E Newsome, Committee Services Manager
J Cook, Committee Officer

ALSO PRESENT: Councillors Eaton, Neal, P Steen

1. APOLOGIES AND NOTIFICATION OF SUBSTITUTES

Apologies were received from Councillors Crosta (Councillor J Pawson substituting) and Young.

2. MINUTES OF THE LAST MEETING:

Resolved:

That the minutes of the meeting held on 10th January 2006 be agreed as a correct record subject to it being noted that Councillor Swain was present.

3. DECLARATIONS OF INTEREST:

There were no declarations of interest.

**4. APPLICATION 2005/526 & 2005/569LBC CONVERSION OF AGRICULTURAL BUILDINGS TO FIVE DWELLINGS AND ASSOCIATED OUTBUILDINGS
AT: COCK HALL, OFF WATER STREET, WHITWORTH**

Councillor S Pawson declared he had been lobbied on the application.

The Team Manager, Development Control outlined additional information in the form of a Late Items Report which had been provided following publication of the report to Committee.

In accordance with the public speaking procedure Mr Lonsdale spoke against the application.

In accordance with the public speaking procedure Mr S Drummond-Hay spoke in favour of the application.

Councillor Neal invoked his right as Councillor to speak on the application

A proposal was moved and seconded to approve the application.

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

COUNCILLOR	FOR	AGAINST	ABSTENTION
S. Pawson	✓		
Swain	✓		
Lamb	✓		
Atkinson			✓
D Barnes		✓	
L Barnes		✓	
J Pawson	✓		
Entwistle	✓		
Robertson		✓	
Thorne	✓		
TOTALS	6	3	1

Resolved:

That the application be granted subject to the following conditions:

Conditions

1. The development hereby permitted shall be begun before 31 December 2007.
Reason: To avoid further significant deterioration of buildings of heritage interest and to accord with Section 51 of the Planning and Compulsory Purchase Act 2004.

2. No works (other than those agreed with the Local Planning Authority in accordance with the Mason Gillibrand Method Statement of 28/11/05) shall take place until the applicant, or their agent or successors in title, has secured the making of a record of the buildings within the application site. This must be carried out by a professionally qualified archaeological/building recording consultant or organisation in accordance with a written scheme of investigation which shall first have been submitted to and agreed in writing by the Local Planning Authority. Upon completion the record shall be submitted to the Local Planning Authority.
Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the building/site, in accordance with Policy HP2 of the adopted Rossendale District Local Plan.

3. Prior to the commencement of development a scheme/timetable shall be submitted to and approved in writing by the Local Planning Authority in respect of the passing- places to be provided at points along the drive (for use by construction vehicles and future residents) and the measures to be taken to ensure construction vehicles do not do harm

to the length of highway (and sewers/services running beneath it) between the said drive and Hall Street.

Reason: In the interests of highway safety and to safeguard the amenities of nearby residents, in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.

4. Any construction works associated with the development hereby approved shall not take place except between the hours of 7:00 am and 7:00 pm Monday to Friday and 8:00 am and 1:00 pm on Saturdays. No construction shall take place on Sundays, Good Friday, Christmas Day or Bank Holidays.
Reason: To safeguard the amenities of nearby residential properties, in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.
5. The permission hereby granted does not imply or grant approval for any works of demolition and rebuilding of the buildings being converted to dwellings and to Barn A beyond those indicated on the approved drawings/in the report of Blackett-Ord of May 2005, unless otherwise first agreed in writing by the Local Planning Authority.
Reason: To define the permission and to prevent inappropriate loss of fabric/rebuilding of buildings of heritage interest, in accordance with Policy HP2 of the adopted Rossendale District Local Plan.
6. Notwithstanding any details shown on/in the submitted plan(s)/ specification(s), the development hereby permitted shall not commence until full details/samples of the colour, form and texture of materials to be incorporated in the existing buildings and to be used in the construction of the proposed building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved materials and methods.
Reason: To protect the character and appearance of buildings of heritage interest, in accordance with Policy HP2 of the adopted Rossendale District Local Plan.
7. No development shall take place until a scheme of landscaping/boundary treatment has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail which may have previously been submitted. The scheme shall indicate all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped, together with details of walls/fences to be erected to bound gardens &/or the site; and detail any changes of ground level or landform.
Reason: In the interests of the amenity of the area, in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.
8. All hard-surfaced areas/walls/fences forming part of the approved scheme of landscaping/boundary treatment shall be completed prior to

occupation of the dwelling to which they relate/are nearest, unless otherwise agreed in writing with the Local Planning Authority. All new planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following substantial completion of the building to which they relate/are nearest. Any trees or plants in the approved scheme of landscaping which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of the amenity of the area, in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (Schedule 2, Part 1, Classes A to H), or any Order amending or revoking and re-enacting that Order, no alterations or extensions shall be undertaken to the dwelling(s) hereby permitted, or any outbuilding or incidental development undertaken (other than those expressly authorised by this permission).

Reason: To protect the character and appearance of buildings of heritage interest, in accordance with Policy HP2 of the adopted Rossendale District Local Plan.

10. No development shall take place until details of the proposed surface water drainage arrangements have been submitted to and approved by the Local Planning Authority in writing. No part of the development shall be occupied until the approved surface water drainage arrangements have been fully implemented.

Reason: To secure proper drainage and to prevent flooding, in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.

11. Before the development hereby permitted is first commenced full details of the means of foul water drainage/disposal shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the works for foul water drainage/disposal have been completed in accordance with the approved details.

Reason: To ensure proper drainage and prevent pollution, in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.

12. Prior to commencement of the development hereby permitted the length of highway from Hallfold to the point at which the drive up to Cock Hall Farm is presently gated (but excluding the cobbled section in the vicinity of Barnside Cottages) shall be constructed to base-course level in accordance with the specification set out in Rural Business Homes letter of 26/01/06, unless the Local Planning Authority has first agreed in writing to any variation; for the purpose of this condition

'development' does not include the erection of scaffolding to prevent further deterioration of the buildings to be converted or works first agreed in writing with the Local Planning Authority in accordance with Condition 2. Prior to first occupation of any of the dwellings hereby permitted a wearing-course shall be applied to the aforesaid length of highway in accordance with Rural Business Homes letter of 26/01/06, unless the Local Planning Authority has first agreed in writing to any variation.

Reason: In the interests of highway safety and to safeguard the amenities of nearby residents, in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.

**5. APPLICATION 2005/715 ERECTION OF DWELLING AND DETACHED DOUBLE GARAGE
AT: LAND ADJACENT TO BROOK HOUSE, COAL PIT LANE, BACUP**

No Councillors had been lobbied on this application.

The Team Manager, Development Control outlined additional information which had been provided following publication of the report to Committee.

In accordance with the public speaking procedure Mr Macguire spoke in favour of the application.

Councillors Eaton and P Steen invoked their rights as Councillors to speak on the application

A proposal was moved and seconded to approve the application.

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

COUNCILLOR	FOR	AGAINST	ABSTENTION
S. Pawson		✓	
Swain	✓		
Lamb	✓		
Atkinson	✓		
D Barnes	✓		
L Barnes	✓		
J Pawson	✓		
Entwistle	✓		
Robertson	✓		
Thorne	✓		
TOTALS	9	1	0

Resolved:

That the application be granted to permit the proposed residential development as an exception to Policy 12 of the adopted Joint Lancashire Structure Plan and, subject to conditions listed below, is satisfied the development will not result in significant detriment for neighbours, highway safety or any other material.

Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: Required by Section 51 of the Planning and Compulsory Purchase 2004 Act.
2. Any construction works associated with the development hereby approved shall not take place except between the hours of 7:00 am and 7:00 pm Monday to Friday and 8:00 am and 1:00 pm on Saturdays. No construction shall take place on Sundays, Good Friday, Christmas Day or Bank Holidays.
Reason: To safeguard the amenities of nearby residential properties in accordance with policy DC.1 of the Rossendale District Local Plan.
3. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any order revoking and re-enacting that Order) the garage shall not be used for any purpose which would preclude its use for the parking of a motor car.
Reason: The retention of the parking space within the site is important in terms of amenity and highway safety.
4. Notwithstanding any indication on the approved plans or application forms, no development shall be commenced until full details of the external materials to be used on the roof and the walls of the development have been submitted to and first approved in writing by the Local Planning Authority. The development shall thereafter not be carried out otherwise than in complete accordance with the approved details.
Reason: To ensure a satisfactory appearance to the development and to accord with Policy DC4 of the Rossendale District Local Plan
5. Before the development is commenced and during the course of the construction period, temporary fencing shall be erected along Greave Clough Brook. Details of the type of protective fencing to be used shall be submitted and approved by the Local Planning Authority before it is erected.
Reason: To protect the stream corridor and prevent debris and construction material from encroaching into this area and adjoining greenspace area.
6. No works shall take place on the site until the applicant, or their agent or successors in title, has secured the implementation of a programme of building recording and analysis. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.
Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance with the site.

6. APPLICATION 2005/724 ERECTION OF YOUTH SHELTER AT: LAND OFF DARK LANE, STAGHILLS, RAWTENSTALL

No Councillors had been lobbied in respect of this application.

Councillor Neal invoked his right has Councillor to speak on the application.

A proposal was moved and seconded to approve the application.

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

COUNCILLOR	FOR	AGAINST	ABSTENTION
S. Pawson	✓		
Swain	✓		
Lamb	✓		
Atkinson	✓		
D Barnes	✓		
L Barnes	✓		
J Pawson	✓		
Entwistle	✓		
Robertson	✓		
Thorne	✓		
TOTALS	10	0	0

Resolved:

That the application be granted subject to the following conditions:

Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: Required by Section 51 of the Planning and Compulsory Purchase 2004 Act
2. Any construction works associated with the development hereby approved shall not take place except between the hours of 7:00 am and 7:00 pm Monday to Friday and 8:00 am and 1:00 pm on Saturdays. No construction shall take place on Sundays, Good Friday, Christmas Day or Bank Holidays.
Reason: To safeguard the amenities of nearby residential properties in accordance with policy DC.1 of the Rossendale District Local Plan.
3. All materials to be used in the elevations and roof of the proposed development shall be as stated on the application form and approved drawings and shall not be varied without the prior written permission of the Local Planning Authority.
Reason: To ensure that the development will be of satisfactory appearance.

The Committee requested that their concerns regarding suitable lighting of the shelter be noted.

**7. APPLICATION 2005/733 (OUTLINE) ERECTION OF FOUR BUNGALOWS
(SITE AREA 0.135 HA)
AT: GARAGE LAND FRONTING INDUSTRY STREET AND MILLFOLD,
WHITWORTH**

Councillors S Pawson, Swain, Lamb, Atkinson, D Barnes, L Barnes, Entwistle and Robertson declared that they had been lobbied on this application.

In accordance with the public speaking procedures Mr R Pickup spoke in favour of the application.

Councillor Neal invoked his right as Council to speak on the application.

A proposal was moved and seconded to grant the application.

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

COUNCILLOR	FOR	AGAINST	ABSTENTION
S. Pawson		✓	
Swain	✓		
Lamb	✓		
Atkinson	✓		
D Barnes	✓		
L Barnes	✓		
J Pawson	✓		
Entwistle	✓		
Robertson	✓		
Thorne	✓		
TOTALS	9	1	0

Resolved:

That Outline permission be granted as an exception to Policy 12 of the adopted Joint Lancashire Structure Plan and is satisfied that the development will not result in significant detriment for neighbours, highway safety or any other material consideration subject to the following conditions:

Conditions

1. Approval of the details of the design and external appearance of the building(s), the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
Reason: Required by Section 51 of the Planning and Compulsory Purchase 2004 Act
2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of two years from the date of this permission.

Reason: Required by Section 51 of the Planning & Compulsory Purchase Act 2004.

3. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of one year from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: Required by Section 51 of the Planning & Compulsory Purchase Act 2004.

4. Any construction works associated with the development hereby approved shall not take place except between the hours of 7:00 am and 7:00 pm Monday to Friday and 8:00 am and 1:00 pm on Saturdays. No construction shall take place on Sundays, Good Friday, Christmas Day or Bank Holidays.

Reason: To safeguard the amenities of nearby residential properties in accordance with policy DC.1 of the Rossendale District Local Plan.

5. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any order revoking and re-enacting that Order) the garage shall not be used for any purpose which would preclude its use for the parking of a motor car.

Reason: The retention of the parking space within the site is important in terms of amenity and highway safety.

6. Notwithstanding any indication on the approved plans or application forms, no development shall be commenced until full details of the external materials to be used on the roof and the walls of the development have been submitted to and first approved in writing by the Local Planning Authority. The development shall thereafter not be carried out otherwise than in complete accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and to accord with Policy DC4 of the Rossendale District Local Plan

7. A scheme for the provision of 12 residents' parking spaces within the application site, shall be submitted to and approved in writing by the Local Planning Authority, before development commences. The approved scheme shall be completed prior to construction of the dwellings, hereby approved.

Reason: in the interests of highways safety and to accord with Policy DC1 of the Rossendale District Local Plan.

8. APPLICATION 2005/726 ERECTION OF SINGLE STOREY REAR EXTENSION AND FIRST FLOOR SIDE EXTENSION AT: 10 RIDGEWAYS, HASLINGDEN, ROSSENDALE

No Councillors had been lobbied in respect of this application.

A proposal was moved and seconded to grant the application.

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

COUNCILLOR	FOR	AGAINST	ABSTENTION
S. Pawson	✓		
Swain	✓		
Lamb	✓		
Atkinson	✓		
D Barnes	✓		
L Barnes	✓		
J Pawson	✓		
Entwistle	✓		
Robertson	✓		
Thorne	✓		
TOTALS	10		0

Resolved:

That outline permission be granted subject to the following conditions:

Conditions

1. The development permitted shall be begun before the expiration of three years from the date of this permission.
Reason: The condition is required by virtue of Section 91 of the Town and Country Planning Act 1990.

2. All external materials and finishes to be used on the roof and elevations of the development shall match those of the existing dwelling in terms of type, size, shape, thickness, colour and texture.
Reason: To ensure that the materials are in keeping with those existing and to accord with Policy DC1 of the Rossendale District Local Plan

The Meeting commenced at 6.30pm and closed at 8.30pm