

MINUTES OF: THE DEVELOPMENT CONTROL COMMITTEE

Date of Meeting: 12th February 2013

Present: Councillor Robertson (in the Chair)
Councillors, Ashworth, Eaton, Morris, Oakes, Procter and Roberts.

In Attendance: Stephen Stray, Planning Manager
Neil Birtles, Principal Planning Officer
Lorna McShane, Legal and Democratic Services Manager
Michelle Hargreaves, Committee and Member Services Officer

Also Present: 30 members of the public
2 members of the press
Councillor Lamb
County Councillor Steen

1. APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES

No apologies had been submitted

2. MINUTES

Resolved:

That the minutes of the meeting held on 15th January 2013 be signed by the Chair and agreed as a correct record.

3. DECLARATIONS OF INTEREST

There were no declarations of interest.

4. URGENT ITEMS

There were no urgent items.

PLANNING APPLICATIONS

5. Application Number 2012/0539

Erection of 39 dwellings.

At: Site of Facit Mill, Market Street, Whitworth.

The Principal Planning Officer introduced the application, outlined details of the site and the relevant planning history, and the reasons for it being brought before the Development Control Committee. The application proposed the erection of 39 2-storey houses. All are to be provided as Affordable Housing for social-rent, 16 to be 2-bedroomed and the others 3-bedroomed.

In brief, the submitted layout proposed the following:

- Construction of a new cul-de-sac taking access from Market Street.
- A series of semi-detached houses were to be erected that face towards Market Street.

- A further 8 houses were proposed that would face towards Edward Street (occupying land formerly occupied by buildings) and 2 houses to face towards Grange Road.
- All of the dwellings would be constructed to achieve Level 3 of the Code for Sustainable Homes and to Lifetime Homes standards.
- The houses were to be constructed of brick with grey tiled roofs.

With regard to the Planning Statement the site was no longer required for employment use, the application was accompanied by a ground condition report, a design and access statement, noise report and a tree survey, details of these were outlined in the report.

The Principal Planning Officer outlined the main issues for the application, the site lies within the urban boundary of Whitworth and most of it was brownfield.

There was no flood risk as the site did not lie within a flood risk zone, the scheme however proposed replacement of a length of culvert. There was no objection from the Environment Agency or RBC (Environmental Health) in relation to contaminated land however some remediation work was required. This was included within the conditions.

With reference to housing policy, policy 4 of the core strategy indicated that on brownfield sites of more than 15 dwellings, 20% of the units must be affordable housing, in this application all of the units were proposed as affordable.

The facing materials were proposed to be brick; however officers had concerns about the dwellings facing Market Street and Edward Street being built in this material.

With regard to neighbour amenity, spacing distances between the dwellings accorded to spacing standards. A couple of the units had a distance of 19m rather than 20m, however officers felt that this would not be a detriment to neighbour amenity. Concerns had been raised in relation to parking as Edward Street was used in bad weather for residents that could not reach their own properties. LCC (Highways) had no objection to the application and were satisfied that there was sufficient parking on site. The only request was for a traffic regulation order to prevent parking and waiting on the highway.

Planning contributions were required, a total of £269,900. However for viability reasons, the applicant was proposing to make no contributions. RBC Housing Manager had looked at the scheme and confirmed that the scheme would not be viable without HCA contributions.

Officers recommendation was for approval subject to a Section 106 obligation along with the conditions.

The Principal Planning Officer referred to the update report in which further comments had been received from LCC (Archaeology) along with the applicant. Following these, officers had re worded condition 16. A further submission had been received since the update report with regard to the access to the construction compound; this had been covered in condition 12.

Mr Baker spoke against the application and Ms Nutt also spoke on the application. Ms Aspinall spoke in favour of the application and County Councillor Steen also spoke on the application.

In determining the application the committee discussed the following:

- Concerns plots 38/39
- Adequate parking spaces for properties

- Clarification of number of properties to be built
- Traffic movements on highways
- Style of house
- Concerns of no planning contributions
- Colour of the brick
- Unfortunate Calico and Greenvale Homes could not work together
- Impact of development on infrastructure
- Concerns of sufficient school places
- Materials to be delegated to Planning Officers in consultation with the Chair.
- Screening of plots

The Principal Planning Officer clarified issues raised by the committee.

A proposal was moved and seconded to approve the application subject to a section 106 obligation to secure payment of £1,500 to fund a traffic regulation order along with the conditions outlined in the update report, and with the amended wording of conditions 12 and 16 and that the decision on facing materials be delegated to the Planning Officers in consultation with the Chair.

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 Section 106 obligation to secure payment of £1,500 to fund a traffic regulation order along with the conditions outlined in the update report, with the amended wording of condition 12 and 16 and that the decision on facing materials be delegated to the Planning Officers in consultation with the Chair.

**6. Application Number 2012/0599
Construction of cycle rack.
At: Land adj Futures Park, Newchurch Road, Bacup.**

The Principal Planning Officer introduced the application, outlined details of the site and planning history and the current application which sought permission to construct a bicycle rack on land forming part of the grassed verge adjacent to the footway near to the junction with Futures Park/Newchurch Rd. The structure would be 7.5m in length, 3.3m wide and 2.5m in height. It was to be constructed in galvanised steel and painted grey with a lime green with orange detailing to match the adjacent signage. The finish was intended to create a tough surface to resist any damage during its use.

LCC (Highways) had no objection to the proposal.

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

In determining the application the committee discussed the following:

- Design of cycle rack
- Comparison to Angel of the North as a symbolic image
- Potential use for café customers

- Wrong description- more sculpture than cycle rack

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

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

FOR	AGAINST	ABSTENTION
5	2	0

Resolved:

That the application be approved subject to the conditions outlined in the report.

7. Application Number 2013/0007

Extension of time for implementation of planning permission 2010/0052 for the change of use from a dwelling to a residential home (Class C2) for up to and including thirteen elderly residents as a home for the elderly and up to and including six children as a children's home.

At: 2 Rising Bridge Road, Haslingden.

The Planning Manager 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 time extension to commence implement Permission 2010/0052.

With regard to consultation, no objection had been received from LCC (Highways) and 5 neighbours were notified by letter on 20th December 2012. A late objection had been received; this was detailed in the update report.

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

Mr Hartley spoke in favour of the application.

In determining the application the committee discussed the following:

- Reason work had not been commenced prior to this application
- Possibility of condition to enforce work to be done in a shorter time period
- Current state of area
- Number of times application could be submitted for time extensions

The Principal Planning Officer clarified issues raised by the committee.

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

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

FOR	AGAINST	ABSTENTION
6	0	1

Resolved:

That decision on the application be approved subject to the conditions outlined in the report.

8. Application Number 2012/0485

Erection of dwelling.

At: Land off Sowclough Road, Stacksteads, Bacup

The Principal 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 for the erection of a detached dwelling. The submitted scheme proposed erection of the dwelling on the footprint of the ruinous barn and also entailed the demolition of the flat-roofed buildings to the rear.

The site was within the countryside and the National Planning Policy Framework (NPPF) stated that isolated homes within the countryside should be avoided unless there were special circumstances, therefore the scheme was unacceptable in principle. The proposed house was of significant size and would form a prominent feature within the countryside.

With regard to neighbour amenity the scheme was considered acceptable. LCC (Highways) also had no objection to the proposal.

Officers recommendation was for refusal for reasons set out in the report.

Mr Edmundson spoke in favour of the application.

In determining the application the committee discussed the following:

- What was in place of the sheds behind the building
- Reason applicant want to build dwelling
- Change to 2m high fencing proposed around the boundary
- Regeneration of the site would improve and enhance appearance
- Application was over existing footprint of original building
- Public footpath running through the site
- Add value to the area
- Exchange fencing for other curtilage
- Dwelling would not affect openness of countryside
- Wait to see urban boundary change

A proposal was moved and seconded to approve the application, contrary to the officers recommendation as the development would regenerate the area.

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

FOR	AGAINST	ABSTENTION
6	1	0

Resolved:

That the application be approved subject as the development would regenerate the area.

9. Planning Enforcement Policy

The Planning Manager introduced the item and outlined the purpose of the report which was to brief members on the intended purpose of the Planning Enforcement Policy, and seek the recommendation by the Development Control Committee that the policy be adopted by Cabinet, and that all future minor amendments to the policy be delegated to the Director of Business in consultation with the Portfolio Holder.

Upon hearing the item the committee discussed the following:

- Department capacity when dealing with these types of enforcement matters

Resolved:

- That the committee recommend the adoption of the policy by Cabinet.
- That the committee recommend that all future minor amendments to the policy be delegated to the Director of Business in consultation with the Portfolio Holder.

The meeting commenced at 6.30pm and concluded at 8.30pm

Signed:

(Chair)