

MINUTES OF: THE DEVELOPMENT CONTROL COMMITTEE

Date of Meeting: 12th November 2013

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

In Attendance: Stephen Stray, Planning Manager
Neil Birtles, Principal Planning Officer
Clare Birtwistle, Legal Services Manager
Michelle Hargreaves, Committee and Member Services Officer

Also Present: 25 members of the public
2 members of press
Councillors Barnes, Jackson, Lamb and MacNae

1. APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES

No apologies had been submitted.

2. MINUTES

Resolved:

That the minutes of the meeting held on 9th October 2013 be signed by the Chair and agreed as a correct record.

3. DECLARATIONS OF INTEREST

Councillor Procter declared an interest on agenda item B1 as she was a member of the Green Vale Homes Board.

4. URGENT ITEMS

There were no urgent items.

PLANNING APPLICATIONS

5. Application Number 2013/0455

Erection of 20 affordable housing units and associated roads.

At: Land adj Bacup Hub, Burnley Road, Bacup.

The Principal Planning Officer introduced the application, outlined details of the site and the reasons for it being brought before the Development Control Committee. It was noted that this application had previously been to committee in July 2013 where the committee refused the application as the site was located in the countryside and there would be a loss of open space, amongst other matters outlined in the report.

The current application was a re-submission of the previous scheme, however the applicant had responded to the four main issues for refusal from the previous application and these were outlined in the report.

In relation to consultation responses, RBC (Environmental Health) had no objection to the application and LCC (Highways) had no objection, subject to conditions which were included in the report. There had been a significant amount of objections received and details of the concerns were set out within the report.

The Principal Planning Officer stated that in principle the application was mostly located within the urban boundary, the site also included a small strip of land which was located within the countryside it was noted that around 4% of the development would be in the countryside. It was clarified that the site was not a designated area for open space which had been stated in some of the objections received. The site was to provide 100% affordable housing and therefore the scheme was considered appropriate in terms of housing policy.

In relation to neighbouring properties, the scheme accords with the spacing standards. It was noted that a few of the proposed houses fell short of these standards with each other but not so significantly as to cause concern in relation to the development.

RBC (Environmental Health) had looked at noise issues that could potentially be caused from events at the Bacup Hub. It was stated that additional protection from noise/disturbance had been addressed within the application. The Principal Planning Officer clarified that the Agent had indicated that windows could be fitted with acoustic glazing if required by a further noise assessment and had submitted a scheme for treatment of the party-boundary with Bacup Hub (acoustic fencing) that would provide suitable protection without compromising visibility of drivers of vehicles on Burnley Road & exiting the vehicular access to Bacup Hub.

In relation to traffic, the Highway Authority was satisfied that the local highway network could accommodate the additional traffic however it requested that permission be granted subject to a Traffic Regulation Order (TRO) to ensure parking on Burnley Road did not interfere with visibility.

The Principal Planning Officer stated that the applicant had agreed to pay an open spaces contribution of £27,320 which would be used locally for additional play space. With regard to education a contribution of £23,761 had been requested however officers had decided that it was not appropriate to seek this contribution as well or instead of the open spaces/TRO contributions.

Officers recommendation was for approval subject to the conditions outlined within the report along with a legal agreement to secure the payment of the open space/TRO contribution.

Mr Helm spoke against the application and Mr Grice spoke in favour of the application. Councillor

MacNae also spoke on the application.

In determining the application, the committee discussed the following:

- Previous parking issues caused from events held at the Bacup Hub
- Number of user groups that use the open space
- Concern regarding a culvert and how this was to be dealt with
- Concern if acoustic fencing would be sufficient
- Issues raised from last committee answered by applicant
- 100% affordable housing to be provided
- Efforts of locating alternative site to spend open spaces contribution
- Small part of site still remained within the countryside
- Concerns development would affect local businesses due to traffic/loss of parking spaces
- Extra properties would create trade to local shops

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

A proposal was moved and seconded to approve the application subject to the conditions outlined in the report along with a legal agreement to secure the payment of the open space/TRO contribution.

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 subject to the conditions outlined in the report along with a legal agreement to secure the payment of the open space/TRO contribution.

6. Application Number 2013/0128

Change of use of land and associated buildings from agriculture with stabling to use as a petting farm and creation of vehicular passing point on Newchurch Old Road and associated works (retrospective).

At: Animal Quackers, Huttock Top Farm, Newchurch Old Road, Bacup.

The Planning Manager introduced the application, outlined details of the site, the relevant planning history and the reasons for it being brought before the Development Control Committee. The application site was currently used in part as a petting farm ('Animal Quackers') without the benefit of planning permission.

This application had therefore been submitted seeking retrospective approval for the development.

Approval was sought:

- to continue using the south western portion of the site, and the buildings within the farmyard, in conjunction both with the agricultural holding and the petting farm
- to alter one of the farmyard buildings to provide ancillary visitor facilities for the latter (namely a café, toilets and a teaching and activity area) to create a vehicular passing point on Newchurch Old Road, and
- to create a visitor parking area within the site.

Some of these works had commenced.

The applicant had submitted a Design and Access Statement, a Traffic Management Plan and a Supporting Statement in support of their application and these were detailed within the report.

The Planning Manager confirmed to the committee that there was currently an enforcement notice issued in respect of Huttock Top Farm of an alleged breach of planning control.

The Planning Manager outlined that the alleged breach related to:

- Change of use of the land from agriculture to petting farm, provision of visitor facilities and entertainment use
- Unauthorised siting of static caravan on the land and its use for residential purposes

An appeal had been lodged against this notice.

As the site was located within the countryside it was considered that it needed to be judged initially against the requirements of the core strategy in relation to development in the countryside. The proposal was considered acceptable.

With regard to visual amenity, the associated visitor facilities were not considered to be ideal being clad using metal sheeting. However, these materials already existed within other buildings located onsite and there was no proposal to alter the size or design. It was considered refusal of the proposal on either design or scale grounds alone could not reasonably be sustained.

In relation to neighbour amenity, the site was located near to residents on Bankside Lane however activities were to be held away from properties. The applicant had also indicated that operation hours would not extend beyond 5pm and officers considered this acceptable subject to conditions that the use was solely for a petting farm.

It was clarified that there would be 21 parking spaces and 5 further spaces be available for use for farm vehicles. Vehicular access to the site was via Bankside Lane and Newchurch Old Road, a traffic passing-place had been part constructed. LCC (Highways) had requested that it be conditioned to secure completion of the passing place.

The Planning Manager referred to the update report stating that in conjunction with the conditions set out in the report, a further request had been received from the applicant to vary the conditions as the Petting Farm was now closed until March next year and to extend the opening hours as the intended Christmas grotto during December was to open until 7.30pm and their Halloween event was open until 9.30pm.

Mr Schofield spoke against the application and Mr Bork spoke in favour of the application.

In determining the application the committee discussed the following:

- If a licence would be required for the additional requested events
- The finish time of Halloween event that happened recently and which had ran for several nights
- What animals were kept within the farm and who looked after them
- Confusion regarding open times
- Noise concerns
- Concern of location of farm for proposed use
- Park and ride arrangement not ideal and clear (use of Morrisons car park for Recent Halloween event)
- Concerns of general organisation
- Traffic concerns on Bankside Lane, especially during weekends
- Methods of transport to be used from schools
- The farm being DDA compliant – if this standard had been reached

A proposal was moved and seconded to refuse the application contrary to the officers' recommendation due to the applicant having indicated that he could not operate and did not intend to operate within the hours stated on the application form or solely as a petting farm, and due highway health and safety concerns and neighbour amenity.

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, the applicant having indicated that he could not operate and did not intend to operate within the hours stated on the application form or solely as a petting farm, and due to highway, health & safety and neighbour amenity concerns.

**7. Application Number 2013/0450
 Contruction of Trail Centre Building associated with Lee Quarry Bike Trails, comprising of shop, café, showers, workshop, classroom/function space and parking.
 At: Land to South of the Business Centre, Futures Park, Bacup.**

The Principal Planning Officer introduced the application, outlined details of the site, the relevant

planning history and the current application.

The applicant sought permission to construct a building to be associated with Lee Quarry Mountain Bike Trails, with a Shop, Cafe, Showers, Workshop, Classroom/Function Space, and Associated Parking.

It would be a 2-storey building and would be sited in the south east corner of the plot. It would be constructed with walls in a mix of stone and aluminium cladding coloured grey and blue, with glazing panels to the north and west elevations, under a powder-coated aluminium sheet roof. There would also be an outdoor first-floor terrace.

The submitted drawings show that there would be 141 car parking spaces, 14 motorcycle spaces and 50 cycle parking spaces. Forty one of the car spaces were to be used only by those visiting the building. The additional parking was for general parking for events and other users of the area for leisure purposes. A bike washing facility would also be provided along with additional landscaping.

It was noted that the proposal would create 7 full-time and 7 part-time jobs.

The Environment Agency, United Utilities and Electricity North West had no objection to the scheme and no comments had been received from neighbours.

Officers recommendation was to approve application subject to the conditions outlined in the report.

Councillor MacNae spoke on the application.

In determining the application the committee discussed the following:

- Excellent location
- Asset to Rossendale
- Concern with building design
- Flood concerns and safety for children

The Principal Planning Officer clarified issues raised by the committee.

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

Voting took place on the original proposal to approve the application:

FOR	AGAINST	ABSTENTION
6	1	0

Resolved:

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

8. Application Number 2013/0480

Demolition of existing tennis club building and erection of new building to the side of existing tennis courts.

At: Haslingden Sports Centre, Helmshore Road, Haslingden.

The Principal Planning Officer introduced the application, outlined details of the site, the relevant planning history and the current application.

Rather than implement the scheme previously approved, permission was sought to erect a new tennis club building to be sited approximately 30 m to the west of the existing building.

The proposed building would contain a club room, kitchen, changing rooms, WC/shower and a tractor store. The building would also have a pitched asphalt roof and rendered blockwork walls.

No objections had been received for this application.

Officers recommendation was to approve application subject to the conditions outlined in the report.

In determining the application the committee discussed the following:

- Location of sink
- Clarification between plans provided

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

Voting took place on the original proposal to approve the application:

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

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

The meeting commenced at 6.30pm and concluded at 8.30pm

Signed:

(Chair)