

**MINUTES OF: THE DEVELOPMENT CONTROL COMMITTEE**

**Date of Meeting:** 7<sup>th</sup> October, 2014

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

**In Attendance:** Stephen Stray, Planning Manager  
Neil Birtles, Planning Officer  
Richard Bingham, Legal Officer  
Jenni Cook, Committee Officer

**Also Present:** 11 members of the public  
1 member of press  
Councillor Lamb

**1. APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES**

No apologies have been submitted.

**2. MINUTES**

**Resolved:**

That the minutes of the meeting held on 2<sup>nd</sup> September 2014 be signed by the Chair and agreed as a correct record.

**3. DECLARATIONS OF INTEREST**

Councillor Fletcher declared an interest in minute item 5 referred to below in that she knew the owners of the adjoining house, who had raised objections.

Councillor Oakes declared an interest in minute item 6 in that she was a Trustee of Stacksteads Riverside Park Group.

**4. URGENT ITEMS**

There were no urgent items.

**PLANNING APPLICATIONS**

**Note: Councillor Fletcher left the Chamber for the duration of Item 5..**

**5. Application Number 2014/0233**

**Conversion of former Court Building to 11 apartments, including provision of rooflights.  
At: Magistrates Court, Oakley Road, Rawtenstall**

The Planning Officer introduced the application, outlined details of the site, site history and the

reason for it being brought to the Development Control Committee, being that the application had received 3 or more objections.

The Planning Officer outlined the application and site details and stated that the application related to a substantial two-storey building which was previously the Magistrates Court until 2011. It was noted that the building was not listed, however the adjoining building, St Mary's Chambers, to the south side was Grade II listed. The building is located within the Rawtenstall Town Centre Conservation Area and contributes to it. It was noted that neither the application building nor St Mary's Chambers had much in the way of external grounds or off-street parking of their own. It was noted that to the opposite side of Oakley Road was a narrow, adopted road with semi-detached houses with in-curtilage parking.

The Planning Officer noted that the site currently had planning permission for 9 apartments under planning permission 2013/516 and that the current application sought to increase this to 11 apartments.

In relation to consultation responses, Lancashire County Council Highways had previously required one parking space per apartment and it was noted that there were currently 28 public spaces available on Haslingden Road with no restrictions for on-street parking. The consultation response to the current application would require an increase to 13 parking spaces. The applicant had contacted the Church of the Latter Day Saints and the Masonic Hall to discuss leasing/purchasing spaces.

Comments had been received from neighbouring properties, Ashdale Lea Lodge raising concerns regarding the installation of the roof lights and also raising concerns about parking. In addition Boys, the owners of the St Mary's Chambers site, had raised concerns regarding parking matters and the effects on users of their building. Comments had been received from the Rawtenstall and District Senior Citizens Association raising concerns to the parking matters.

In terms of assessment of the current application, the Planning Officer stated that the scheme of conversion would entail significant internal works, but little works to the external fabric of the building. It was not considered that the works would not unacceptably detract from the character and appearance of the building itself or its surroundings. In terms of neighbour amenity, the Planning Officer noted that there would not be a significant loss of privacy in terms of the proposed rooflights.

Officers' recommendation was for approval, subject to the conditions outlined within the report.

Ms Catherine Wilkinson spoke against the application and Mr David Hancock spoke in favour of the application.

In determining the application, the committee discussed the following:

- It was noted that Boys had been leaving signs on residents cars and the Legal Officer clarified that this car park was not owned by Boys and that investigations were ongoing with Lancashire County Council to establish the ownership status of land and whether a highway on which the car park has been laid out has been formally closed.
- Clarification was given of the properties that had been notified and the Planning Officer noted

that the Council had gone above and beyond the statutory requirements.

- It was noted that secure parking for bikes had been identified within the plans.
- Discussion took place with regard to parking matters and whether a parking survey had been carried out. It was noted that not every resident may have a vehicle. Concerns were raised with regards to the effect that additional vehicles may have on the surrounding areas.
- Discussion took place on the need to bring the building back into use / into a useable state. The application proposed a good use of a currently empty building and it was noted that it currently had a D1 Use Class which covered a variety of potential other uses that could take place without the need for planning consent and the potential parking issues that could arise associated with such uses.
- It was noted that should permission be granted there was a 3-year period during which works needed to start. This would allow the applicant time to continue negotiations with nearby organisations regarding acquiring use of additional land to provide further parking spaces.

The Planning Officer responded to the matters of clarification raised by the committee.

A proposal was moved and seconded to approve the application in accordance with the officers' recommendation, subject to the conditions outlined within the report. The Planning Manager and the Legal Officer provided advice on voting matters.

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

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
4	2	0

**Resolved:**

That the application be approved as outlined in the report.

**Note: Councillor Fletcher returned to the meeting.**

**Councillor Oakes left the meeting for the duration of Item 6.**

**6. Application Number 2014/0281**

**Resurfacing of kick-about area and erection of fencing to two sides in varying height between 1.5m-4m, installation of piece of junior play equipment and pruning of protected trees.**

**At: Western Park, Western Road, Stacksteads**

The Planning Officer introduced the application, outlined details of the site and the reasons for it being brought before the Development Control Committee, being that this was Council-owned land. The site was approximately 0.6 hectares in area, bounded to the north by Western Road, to the south by Newchurch Road/Heath Hill Drive and to the west and east by residential properties.

The application sought to install appropriate drainage beneath the pitch area, lay a new sand-filled carpet kickabout surface, provide a new 1.5m wide path to the pitch and move the existing 1.2m high steel fence from the south of the pitch to the west. The application also sought to install a new fence on two sides of the pitch to prevent the ball rolling onto nearby streets, crown-lifting

some trees away from the temporary access track and if budget permitted, a new piece of junior play equipment would be installed. Wildflower seeds would also be sown in the spring, which would reduce maintenance costs of the site.

In terms of consultation responses, the Rossendale Borough Council Communities Team had indicated support for the proposed works and noted that the existing pitch surface was in a state of repair. No comment or objections had been received with regard to notification responses.

Officers' recommendation was for approval.

Ms Rachel Gildert spoke in favour of the application.

In determining the application, the committee discussed the following:

- Support for youth facilities in the Valley.
- The benefits of working with partners.

A proposal was moved and seconded to support the officer's recommendation as outlined in the committee report.

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

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
6	0	0

**Resolved:**

That the application be approved as outlined in the report.

**Note: Councillor Oakes returned to the meeting.**

**BUSINESS MATTERS**

**7. Planning Appeals Update**

The Planning Manager outlined the report which advised members on the scale of appeal activity and decisions from the Planning Inspectorate since the beginning of June 2014. At the time of the report being written there were 4 appeals lodged and awaiting decisions, 2 of which had been carried forward from the previous report, being 2013/0490 and 2013/099. The two recently received appeals were regarding 2014/0261 and 2014/0155.

It was noted that since the last update, 8 appeals had been determined by the Planning Inspectorate. Of the appeals, 7 had been dismissed and 1 had been allowed. The Planning Officer clarified that no cost claim had been made with regard to the allowed appeal and that the only cost borne was officer time in compiling the report.

Members thanked officers for their work on this matter.

**Resolved:**

That the report was noted.

**8. Q2 (14/15) Enforcement Report**

The Planning Manager outlined the report which updated members on current planning enforcement action from 1<sup>st</sup> July 2014 to 30<sup>th</sup> September 2014. It was noted that during this period 35 new complaints with regard to possible planning breaches had been received.

During the period 4 enforcement notices had been issued which were detailed at Appendix A of the report, being Bankside House, Bankside Hall and Bankside Cottage – Bacup and Land adjacent to Shawclough Works, Edgeside, Waterfoot.

The Legal Officer noted that with regards to the properties at Bankside, a compliance period of 12 months had been given, due to the scale and cost of works required.

Members enquired whether the bungalow at Shawclough Works could apply for retrospective permission and the Planning Manager confirmed that planning permission could be applied for, or alternatively, the notice could be appealed provided the appeal was made in time , ie by the 9<sup>th</sup> October 2014.

**Resolved**

That the report was noted.

**The meeting commenced at 6.30pm and concluded at 7.45pm**

**Signed:**

**(Chair)**