

MINUTES OF: THE DEVELOPMENT CONTROL COMMITTEE

Date of Meeting: 16th June, 2015

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

In Attendance: Stephen Stray, Planning Manager
Lauren Ashworth, Principal Planning Officer
Clare Birtwistle, Legal Services Manager
Abigail Wrench, Trainee Solicitor
Jenni Cook, Committee Officer

Also Present: 8 members of the public
1 member of press
Councillors A. Barnes, Haworth and Lamb

1. APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES

There were no apologies for absence.

2. MINUTES

Resolved:

That the minutes of the meeting held on 21st April, 2015 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

The Chair noted that the Planning Officers would be outlining the main points of the application and any relevant additional information. She noted that the Committee were given copies of all reports and plans in advance of the meeting and had had adequate time to read the same.

5. Application Number 2015/0037

**Conversion of existing buildings to 22 apartments and erection of 6 houses in the grounds
At: Waterfoot County Primary School, Thornfield Avenue, Waterfoot**

The Planning Manager introduced the application, outlined details of the site, the relevant planning history and the reason for it being brought to the Development Control Committee, being that it

was a major application.

The Planning Manager noted the previous reasons for refusal, being objections from the Environment Agency regarding flood risk and agreement on the contributions to be made. It was noted that condition 6 of the committee report addressed the works required to be carried out to the stone wall fronting Whitewell Brook to satisfy the concerns of the Environment Agency and the concerns of officers regarding the visual impact if the wall was to be lost.

Officers' recommendation was for approval, subject to the conditions and with issue of the decision notice not to take place until the Section 106 obligation to accompany it had been completed.

Mr Akhtar Hussain spoke in favour of the application. The Chair agreed to allow the Applicant's Architect to display a model of the proposed development, the suggested materials and to answer any technical queries that the Committee may have.

In determining the application, the committee discussed the following:

- It was determined that approximately 8 trees would be removed from the site with most of those trees being along the proposed access road. It was noted that the tree report suggested several other trees adjoining the proposed access were of poor health including 'ash die back' disease and whilst removal was not necessary to create the access were suggested for removal. Works to the latter would require the permission of the neighbouring land owner.
- The Applicant was willing to provide access holes in the stone wall fronting Whitewell Brook and provide Environment Agency access to the river bank via the provision of a gate.
- Concerns were raised regarding whether the footpath access into the site was adequate and it was noted that this was addressed in the committee report.
- LCC Highways had not provided any objections with regards to the gradient of the site access.
- The materials proposed would link the new and old buildings together.

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

A proposal was moved and seconded to approve the application subject to the conditions as set out in Section 10 of the committee report, with issue of the decision notice not to take place until the S106 obligation to accompany it had been completed. Members asked officers to note their preference for the wall to be retained and access holes to be created to allow surface run-off back into the brook.

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

| FOR | AGAINST | ABSTENTION |
|------------|----------------|-------------------|
| 6 | 0 | 1 |

Resolved:

That the application be approved subject to the conditions outlined within the committee report, with issue of the decision notice not to take place until the S106 obligations to accompany it has been completed.

6. Application Number 2015/0070

Erection of 3 dwellings with shared access Cowm Park Way South

At: Land between Milner Street and Cowm Park Way South, Whitworth

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, being that the site was, in part, Council-owned. It was noted that this was an outline application.

The Planning Manager noted that this was a re-submission of a previously refused application and that the applicant had address the matters which had led to that original refusal, being matters around tree cover on the site and potential impact on ecology. A tree survey had been supplied for this application and officers considered this to be satisfactory.

Officers' recommendation was for approval, subject to the conditions set out in section 10 of the committee report.

Mr Simpson spoke in favour of the application.

In determining the application, the committee discussed the following:

- It was noted that land stability had not been checked; this would form part of the pre-application discussions for the detailed application.
- No evidence of landslip was present on the site.
- Members noted that it was good to see applications coming back to the committee which had addressed refusal reasons and previous concerns.

The Planning Manager responded to matters of clarification raised by the committee. Most particularly that the supporting documentation from the applicant indicated that land stability had been considered in the layout design and would be dealt with in detail at the reserved matters stage and through building control regulations.

A proposal was moved and seconded to approve the application subject to the conditions set out in section 10 of the committee 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 approved subject to the conditions set out in the section 10 of the committee report.

7. Application Number 2015/0085

Conversion of Former Conservative Club to 4 apartments

At: Bacup Conservative Club, Irwell Terrace, Bacup

The Planning Manager introduced the application, outlined details of the site and the reasons for it being brought before the Development Control Committee, being that three or more objections to the application had been received.

The Planning Manager informed members that that the application had originally been for 5 units of residential accommodation (bedsit and 4 2-bedroomed flats). The applicant had been informed that that the bedsit did not comply with the minimum size in the 'Technical Housing Standards – Nationally Described Space Standards'. The application had been amended to 4 2-bedroom flats with the bedsit space to be sub-divided into storage space for the 2 first floor apartments.

It was noted that the building was not part of Bacup's primary shopping area and that no objections had been received from LCC Highways.

The Planning Manager noted that an additional objection had been received and that this was set out in the update report.

Officers' recommendation was for approval, subject to the conditions set out in Section 11 of the committee report.

Mr Peter Wood spoke against the application.

In determining the application, the committee discussed the following:

- The building had been empty for some time.
- The building was registered as a community asset. Marketing of the building was discussed and it was noted the 6 month moratorium on the building had expired, leaving 18 months for the current owner to dispose of, or develop the property if they wished.
- The building had not been accepted onto the Bacup THI bid scheme.
- There were currently empty properties in Bacup that had not been successfully let out.
- Policy 7 of the Core Strategy and whether it was relevant in this case.

The Planning Manager and Legal Services Manager responded to matters of clarification raised by the committee.

A proposal was moved and seconded to refuse the application on the grounds that it contravened Policy 7 of the Core Strategy.

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

| FOR | AGAINST | ABSTENTION |
|------------|----------------|-------------------|
| 3 | 4 | 0 |

The motion failed and the Chair asked for any other proposals. A proposal was moved and seconded to approve the application subject to the conditions outlined within the report.

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

| FOR | AGAINST | ABSTENTION |
|------------|----------------|-------------------|
| 4 | 3 | 0 |

The Chair declared a majority vote in favour of granting this item.

Resolved:

That the application be approved, subject to the conditions outlined within the committee report.

8. Application Number: 2015/0124

Construction of Warehouse/Wholesale Unit (2 units in one building) Use Class B8

At: Former Cloughfold Dairy, Bacup Road, Cloughfold

The Principal Planning Officer introduced the application, outlined details of the site and the reasons for it being brought before the Development Control Committee, being that three or more objections to the application had been received.

The Principal Planning Officer referenced the Update Report and noted that agreement on condition 14 for a delivery management plan appeared close having regard to discussions with agent.

Officers' recommendation was for approval, subject to the conditions set out in Section 11 of the committee report.

Mr Peter Wood spoke against the application and Mr Stephen Hartley spoke in favour of the application.

In determining the application, the committee discussed the following:

- Delivery times, site access for HGVs and customer flow.
- It was noted that this was a speculative application and it was unknown who the final users would be.
- LCC Highways had not requested widening of the access for users approaching from the Bacup side of the site.
- Environmental Health had not objected to the proposed hours of business.

The Planning Manager, Planning Officer and Legal Services Manager responded to matters of clarification raised by the committee.

A proposal was moved and seconded to approve the application subject to the conditions outlined within the report, with the removal of condition 14 having regard to the agent's revised position set out at the meeting by him.

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 within the committee report with the removal of condition 14.

The meeting commenced at 6.30pm and concluded at 7.55pm

Signed: (Chair)