

MINUTES OF: THE DEVELOPMENT CONTROL COMMITTEE

Date of Meeting: 3rd NOVEMBER, 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
Richard Bingham, Legal Officer
Abigail Wrench, Trainee Solicitor
Michelle Hargreaves, Committee and Member Services Officer

Also Present: 45 members of the public
0 member of press
Councillors Ashworth, Haworth, Lamb and Steen

1. APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES

There were no apologies received.

2. MINUTES

Resolved:

That the minutes of the meeting held on 6th October, 2015 be signed by the Chair and agreed as a correct record.

3. DECLARATIONS OF INTEREST

Councillor Kempson declared an interest on agenda item B2 and left the room whilst this item was heard.

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.

The Chair informed the committee that the order of agenda would be as follows, item B2 would be taken first, followed by items B1, B3, B4 and C1.

NB. Councillor Kempson left the room in order for agenda item B2 to be heard.

5. Application Number 2015/0244

Erection of 1 no. wind turbine with a maximum height of 68 metres to tip, and associated infrastructure, including turbine foundations, crane hardstanding area, access tracks, (new and upgraded) electrical control buildings and underground cabling.

At: Land to north of Mitchell’s House Reservoirs, East of the A56, Off Kings Highway, Haslingden.

The Principal Planning Officer referred to the recent update report which referenced a request from the applicant’s agent that members defer the application to enable more time for discussions with the Ministry of Defence (MOD) who had objected to the proposal. Details of this objection were outlined within the committee report.

Officers considered the request to allow further time for negotiations to take place with the MOD to be reasonable and appropriate. It was noted the applicant had agreed to a formal extension of time for determination of the application until 22nd January, 2016, which would allow the application to be heard at committee in either December 2015 or January 2016.

Officers’ recommendation was for deferral, for the reasons outlined in the update report.

A proposal was moved and seconded to defer the application in accordance with the officer’s recommendation due to the reasons outlined within the update report.

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

FOR	AGAINST	ABSTENTION
6	0	0

Resolved:

That the application be deferred for the reasons outlined within the update report

NB. Councillor Kempson returned to the room in order to determine the remaining items.

6. Application Number 2015/0358

Erection of 33 no. dwellings and associated works and landscaping.

At: Land to rear of 32 Greensnook Lane, Bacup, Lancashire, OL13 9DQ.

Prior to discussion, Councillor Eaton requested clarification on the difference between Greenfield and Greenbelt land after the application was discussed.

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 and more than three objections had been received.

The applicant sought planning permission to construct 33 new dwellings on the land, with associated gardens, access roads and landscaping. The development would take the form of two cul-de-sacs, with access taken via two new vehicular junctions off Greensnook Lane.

The new dwellings would comprise 10 three-bedroom properties and 23 four-bedroom properties. The dwellings would be a mixture of two and three-storey design. However, the three-storey units would have their third storey incorporated into the roof void resulting in an appearance closer to that of a two-storey dwelling. The dwellings would also have pitched roof design and dormers.

Several trees on the site were proposed to be removed to facilitate the development. It was noted that two of the trees to be removed were covered by a TPO, which were shown on the submitted 'Tree Retention Removals and Protection' drawing. Several other trees were to be retained, and a proposed landscape layout had been submitted.

The Planning Manager informed the committee that off street parking spaces would be provided for each dwelling, and the applicant had proposed to gift a portion of the site which included 9 parking spaces as part of a Section 106 Agreement.

With regard to consultation responses, no objections had been received on the application, however comments and conditions from consultees were outlined within the officer's report.

In relation to notification responses, the Planning Manager referred to the update report which included additional comments on the proposed development from a member of public who expressed concern that the development would add further surface run off water. These comments were accompanied by a video clip of heavy rain. The Planning Manager noted that a screenshot from the video had been included in the members' pack which demonstrated the flooding issues.

Following the site notices published, 12 objections had been received against the proposal. Details of the issues raised were outlined in the officer's report.

The Planning Manager informed the committee of a minor correction within the report, Policy 16 – Preserving and Enhancing Rossendale's Built Environment, should have been included within the Development Plan Policies on page 3 of the report.

The Planning Manager briefly outlined the main considerations in relation to assessment. The proposal was located within the urban boundary and was acceptable in principle. The development would contribute to the delivery of the borough's housing target, in line with Policy 2 of the adopted Core Strategy. It was acknowledged that the proposal was on an unallocated Greenfield site, but was considered justified when the benefits were taken into account as referenced in the report having regard to the other criteria of policy 2, alongside the other policies it accorded with such as policy 1 and policy 3.

With regard to visual amenity, it was noted that there were existing residential developments on nearly on all sides of the proposal and would not cause undue harm to the landscape character. However, officers considered appropriate to impose a condition to ensure that the proposed facing materials (particularly the stone used in construction of the elevations and the roofing materials) were submitted and approved prior to the commencement of development to ensure visual compatibility with its surrounding.

The separation distances between the properties were considered acceptable with regard to

neighbour amenity. A construction method statement would be submitted prior to development to protect neighbour amenity whilst the development took place.

Planning contributions totalling £125,000 had been sought following independent viability advice and details of where this money would be spent were detailed within the report. Officer's recommendation was for approval, subject to the conditions outlined within the report along with a Section 106 obligation to secure payment of contributions and the insertion of Development Plan Policy 16 in the reason for approval.

The Planning Manager outlined the difference between Greenfield and Greenbelt, as requested.

Ms McGuinley spoke against the application and Ms Moss spoke in favour of the application. Councillor Steen also spoke on the application.

In determining the application, the committee discussed the following:

- The reason for two cul-de-sacs
- Type of surfacing to be used on driveways
- Parking concern raised, particularly in bad weather
- Clarification from the agent as to where there would be an additional 4 parking spaces to the 9 proposed within the report
- Option of footpaths to connect to other estates surrounding the site
- Drawings did not reflect amended spaces as requested by LCC (Highways). The Planning Manager clarified that since publication, the applicant had amended the plans to reflect LCC (Highways) requests.
- Clarification the driveway on Plot 16 had been altered to reflect the changes; the report did not reference this. The Planning Manager noted the amended plans had reflected this change
- Preference of natural stone to be used on the dwellings
- Concern contributions had not been requested for additional school places
- Difficult to make a case for refusal – need to accord to planning policy
- Current surface flooding issues – but that the proposal should not exacerbate any current problems.
- Traffic movement on and off the site – possible issues with additional weight of traffic
- Wheel wash for construction traffic. It was noted that this was included in Condition 3 of the report

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

A proposal was moved and seconded to approve the application in accordance with the officer's recommendation subject to the conditions outlined within the report along with the S.106 Obligation and the insertion of Development Plan Policy 16 in the reason for approval.

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

FOR	AGAINST	ABSTENTION
5	1	1

Resolved:

That the application be approved, subject to the conditions outlined within the report along with the S.106 Obligation and the insertion of Development Plan Policy 16.

7. Application Number 2015/0341

Variation of conditions 2 (list of approved drawings) and 3 (materials) for application 2014/0296.

At: Ski Rossendale, Haslingden Old Road, Rawtenstall, Rossendale, Lancashire, BB4 8RR.

The Principal Planning Officer introduced the application, outlined details of the site, the relevant planning history for the application site and the reasons for this proposal being brought before the Development Control Committee, being that the application was on Council owned land.

Permission was sought for a number of amendments to planning permission 2014/0296 by varying conditions 2 and 3. The amendments were as follows:

1. Replace the proposed white rendered walls to the extension with natural stone.
2. Join the two terraces together to form one i.e. to extend the glazed balustrade.
3. Introduction of a void between the retaining wall and the building to allow natural ventilation of the ground floor toilets and shower.
4. Installation of a timber door at the first floor and staircase to serve the new kitchen

With regard to notification and consultation responses, none had been received.

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

In determining the application, the committee discussed the following:

- Natural stone was welcomed

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
7	0	0

Resolved:

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

8. Application Number: 2015/0353

Demolition of existing garage and erection of new garage.

At: Garage Plot 5, Clowes Road, Rawtenstall, BB4 6EN

The Principal Planning Officer introduced the application, outlined details of the site and the reasons for this proposal being brought before the Development Control Committee, being that the proposal was on Council owned land.

The applicant proposed to demolish the existing garage and erect a new garage in its place. The garage would have an 'up and over' steel door and would have a galvanised steel mono-pitch roof with a maximum ridge height of 2.25m. Its walls would be constructed from concrete panels. This structure would largely match the new adjacent garage to the east.

The Principal Planning Officer suggested the colour of the garage door be brown which would be a more sympathetic colour that would be in keeping with the other adjacent garages.

No objections had been received and the proposal accorded to the relevant policies.

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

A proposal was moved and seconded to approve the application subject to the conditions outlined within the report along with the request of the garage door be brown in colour.

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 outlined within the report along with the request of the garage door be brown in colour.

9. RBC Tree Preservation Order No 2

At: 390 Bury Road, Rawtenstall.

The Principal Planning Officer introduced the report and outlined the background information which informed the committee that a TPO was made on 29th May 2015 to afford protection to trees of various species including Holly, Sycamore, Ash, Purple-leaf Maple and Sycamore, located on land within the garden curtilage of 390 Bury Road.

Officers considered it appropriate to make the TPO as an application (2015/0017) had been received to erect a dwelling within the garden curtilage of 390 Bury Road. It was considered that the development would cause the unnecessary and unacceptable loss of three trees of public visual amenity value. The application was refused by the Council on 25th March, 2015 and was subsequently the subject of a planning appeal. The Planning Inspector dismissed the appeal on 22nd September 2015 and had referenced the significance of the trees in the decision.

An objection to the order had been received and details of this objection were highlighted within the report. Having given consideration to this, officers were in the view that the TPO should be confirmed without modification.

Officers' recommendation was to confirm the TPO without modification.

A proposal was moved and seconded to confirm the TPO without modification.

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

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

That the TPO be confirmed without modification.

The Planning Manager updated the committee on a temporary stop notice that had been served at Kearns Mill which would last up to 28 days. It was noted that an appeals and enforcement update would be provided for members at the next committee meeting in December.

The meeting commenced at 6.30pm and concluded at 7.50pm

Signed: (Chair)