

MINUTES OF: THE DEVELOPMENT CONTROL COMMITTEE

Date of Meeting: 23rd FEBRUARY, 2016

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
Bethan Frost, Conservation Officer
Clare Birtwistle, Legal Services Manager
Abigail Wrench, Trainee Solicitor
Michelle Hargreaves, Committee and Member Services Officer

Also Present: 35 members of the public
1 member of press
Councillors A Barnes, Cheetham, De Souza, Haworth and Neal.

1. APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES

There were no apologies received.

2. MINUTES

Resolved:

That the minutes of the meeting held on 19th January, 2016 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.

For Item B1, the Chair agreed to amend the speaking procedure to allow up to two people to speak against the application and two people to speak in favour. As there was only one person registered to speak in favour, the equivalent time of 6 minutes was allowed.

The order of the agenda was amended and item B3 was taken first followed by B2 then B1.

5. Application Number 2015/0450

Front, side and rear single storey extension.

At: 9 Holden Place, Haslingden, BB4 4PU.

The Principal Planning Officer 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 three or more objections had been received.

The applicant proposed to erect a single storey front, side and rear extension to accommodate a porch to the front; a garage, store room, WC and extended kitchen to the side, and a sun lounge to the rear. The extension would have a mono-pitch/hipped roof with 2 roof lights in its side facing roof slope.

It was noted that the materials used would be matching and in keeping with the rest of the property. The site was located within the urban boundary and would be constructed on existing hardstanding.

With regard to statutory consultees, no objections had been received.

There were three letters of objection in relation to the application; concern was raised particularly to the loss of light. Officers had considered this in full and it was confirmed the separation distances accorded to policy.

The Officer's recommendation was for approval, subject to the conditions outlined within the report.

In determining the application, the committee discussed the following:

- Site visit, location of proposed development was nice and quiet.
- Concern raised in relation to loss of light but it was noted that separation distances accorded to the relevant policy.

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.

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.

6. Application Number 2015/0108

Erection of two dwellings.

At: Land adj 14 Millfold, Facit, Whitworth.

The Principal Planning Officer 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 three or more objections had been received.

Permission was sought for the construction of two 3 bedroomed detached houses, to be constructed with a floor level of 231.2m AOD in order to meet the Environment Agency's previously-stated requirement for flood-mitigation. Each of the houses was to be of natural stone/slate construction, with a 2 storey gable to the front and a 1 storey to the rear and it would also accommodate off street parking for two cars.

It was noted that the applicant had submitted an amended plan to move the house nearest 14 Millfold away from the sycamore situated just beyond the southern boundary of the site to make it less likely for the occupiers to prune back this tree.

The site was located within the urban boundary and was also on previously developed land.

The application was acceptable in principle and there had been no objection from statutory consultees, subject to conditions.

The Officer's recommendation was for approval, subject to the conditions outlined within the report.

Mr Hartley spoke in favour of the application.

In determining the application, the committee discussed the following:

- Clarification in relation to the flood risk and drainage conditions. Officers explained why conditions 3 and 6 were required in order to make the development acceptable.
- The size of the site being small.
- Condition 9 to remain which was with regard to samples of stone and slate to be provided. The Principal Planning Officer explained that there are a wide range of types of natural stone and slate and therefore it is essential that samples are provided on site to ensure they are suitable.

The Planning Manager and Principal Planning Officer 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

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

7. Application Number 2015/0476

**The redevelopment of the site for a bus station and retail/café units (Use classes A1,A2,A3,A4,A5 or B1), including associated facilities, car parking and landscaping, demolition of former police station, town hall annex, public toilets and part demolition and works to the old town Hall, within the Rawtenstall Conservation Area
At: Rossendale Borough Council Offices/Bus Station/Police Station, Bacup Road, Rawtenstall**

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 three or more objections had been received and also the application was on Council Land and it was a major application.

A full application which had been submitted on behalf of the RTB partnership was for the redevelopment of the site for a bus station and retail / café units use classes A1, A2, A3, A4, A5 or B1 along with associated car parking and landscaping. The proposals would require the demolition of the former police station, town hall annex, public toilets and partial demolition and works to the old town hall.

It was noted that this application was phase one of two phases.

Forward Planning had noted that the policy context for this site was provided by relevant policies of the National Planning Policy Framework (NPPF). It was noted that site lay within the urban boundary where policy 1 sought most development to be located. Policy APV4 set out the vision for Rawtenstall and it noted that the policy aimed for the redevelopment of the Valley Centre as a mixed use project that would complement its Conservation Area setting, enhance Rawtenstall's Townscape and provide accessible, attractive new streets and spaces for all users, particularly pedestrians. In relation to accessibility and community facilities, Rawtenstall bus station would be rebuilt to provide high quality passenger facilities and a landmark new development in the town centre.

Officers were mindful of paragraph 134 of the NPPF which sets out that in a Conservation Area, where proposals would lead to less than substantial harm, any harm must be weighed against public benefits of the proposal. It was noted that Historic England and the Conservation Officer both considered the proposal would cause less than substantial harm. The Planning Manager then went on to outline the public benefits referred to in the report.

With regard to visual amenity, it was confirmed that various consultation exercises had been undertaken and several designs were considered and the proposal chosen was considered the most suitable.

The Planning Manager outlined that the scheme had also been reviewed by Tom Lonsdale of Placecraft and formerly of Places Matter. It was noted his comments were broadly positive in terms of access and design arrangements and in the use of materials proposed. He was supportive of improvements of the previous scheme in relation to the public realm arrangements and their relationship to the wider conservation area.

Officers noted that the proposals as submitted were acceptable in relation to meeting the requirements of 'Secured by Design'.

In relation to neighbour amenity, consideration had been given for those nearby and for users of the facility. Due to the location of the proposal, it was confirmed that there were no residential properties in immediate proximity to the bus interchange. The updating and refurbishment of the old town hall was required to make the building an attractive and acceptable environment for future occupiers and employees. It was noted that RBC (Environmental Health) had not objected to the proposal.

LCC (Highways) had requested a Section 278 requirement and conditions if the application was to be approved.

The Officer's recommendation was to approve the application, subject to the conditions outlined within the report along with the conditions included within the update report.

Mr Wood and Mr Balchin spoke in against the application; both speakers were reminded of the procedure for public speaking and of their conduct when addressing the committee.

Mr Hayhoe spoke in favour of the application.

In determining the application, the Planning Manager clarified the matters which constitute material planning considerations and those which were not.

The committee then discussed the following:

- LCC (Highways) had mitigated any concern for highway safety.
- Buses that currently use Bank Street – if they would use the proposed development. The Planning Manager reiterated the matters which constitute material planning considerations and those which were not.
- Concern in relation to conflict of interest raised by a speaker – would the council be liable for challenge? The Legal Manager clarified that declarations of interest were published on the Council's website for members of the public to view; the particular councillors referred to had been appointed to these bodies by the Council and therefore would have no personal, prejudicial or pecuniary interest in the application.
- Concern in relation to financial viability and sustainable viability of the proposal. The Planning Manager reiterated the matters which constitute material planning considerations and those which were not.
- Previous submissions of the development and how these had developed – better visual perspective.

- Proposed materials were more in keeping with the area.
- Good work with Historic England.
- Concern with regard to servicing cables under Lord Street. The Planning Manager had advised that he had received advice from LCC highways that indicated these issues could be managed by the timing of works, phasing and how it is undertaken. Eg working at night.
- Whether the substation would be relocated. It was noted that this would stay and would be located near the proposed bin / cycle store areas on St James Street.
- Pre –submission consultation – no mention of bus companies being included in it. It was confirmed by the Planning Manager that the bus companies were not a statutory consultee for the planning application, but that the applicant was aware of the need for discussions outside of the planning process.
- Whether commercial vehicles entering Annie Street would have a fob access.
- Parking availability for taxis and disabled parking in the new proposals.
- Concern flags may become slippery when wet. The Conservation Officer stated that there were several finishes that could be applied with a good standard of finish to omit them becoming a slip hazard.
- Interest of developer to make this scheme viable.
- Coach tours – option of these companies using the bus interchange.
- The proposal would work well.

The Planning Manager and the Conservation Officer 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 conditions included within the update report.

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 report along with the conditions included within the update report.

The meeting commenced at 6.30pm and concluded at 7.40pm

Signed: (Chair)