

MINUTES OF: DEVELOPMENT CONTROL COMMITTEE

Date of Meeting: 8th March 2006

PRESENT: Councillor S Pawson (in the Chair)
Councillors Atkinson, Crosta, Eaton, Entwistle, Hancock,
J Pawson, Robertson, P Starkey, Thorne

IN ATTENDANCE: N Birtles, Senior Planning Officer
P Talbot, Planning Officer
S Harrison, Legal Officer
J Cook, Committee Officer
E Newsome, Committee Services Manager

ALSO PRESENT: Councillors Farquharson, Neal, P Steen

1. APOLOGIES AND NOTIFICATION OF SUBSTITUTES

Apologies were received from Councillors D Barnes (P Starkey substituting), L Barnes (J Pawson substituting), Lamb (Hancock substituting), Swain (Eaton substituting) and Young.

2. MINUTES OF THE LAST MEETING:

Resolved:

That the minutes of the meeting held on 7th February 2006 be agreed as a correct record.

3. DECLARATIONS OF INTEREST:

There were no declarations of interest.

4. APPLICATION 2005/602 – REVISED PLOT LAYOUT AND SUBSTITUTION OF HOUSE TYPES AND ASSOCIATED GARAGES AT: PLOTS 62-116, LAND BETWEEN DOUGLAS ROAD AND TONG LANE, BACUP

Councillors S Pawson, Eaton, Atkinson, J Pawson, Crosta, Entwistle, Robertson and Thorne declared they had been lobbied on the application.

The Senior Planning Officer outlined the report and history of the application.

In accordance with the public speaking procedure Mr Simon Dawson spoke against the application.

Councillors Farquharson and P Steen invoked their rights as Councillor to speak on the application.

A proposal was moved and seconded to refuse the application.

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

COUNCILLOR	FOR	AGAINST	ABSTENTION
S. Pawson	✓		
Eaton	✓		
Hancock	✓		
Atkinson	✓		
P Starkey	✓		
J Pawson	✓		
Crosta	✓		
Entwistle	✓		
Robertson	✓		
Thorne	✓		
TOTALS	10	0	0

Resolved:

That the application be refused on the following grounds:

1. The proposed development would detract to an unacceptable extent from the amenities that occupiers of 14-24 Ronaldsway Close could reasonably expect to enjoy, most particularly in terms of loss of privacy as a consequence of the orientation and elevation of the proposed dwellings.

**5. APPLICATION 2006/041 – CHANGE OF USE FROM SHOP (A1) TO HOT FOOD TAKEAWAY (A5)
AT: 361 ROCHDALE ROAD, BRITANNIA, BACUP**

Councillors S Pawson, Atkinson, J Pawson, Crosta, Entwistle and Robertson declared that they had been lobbied on the application.

In accordance with the public speaking procedure Mr Berg spoke in favour of the application.

Councillors Farquharson and P Steen invoked their rights as Councillors to speak on the application.

A proposal was moved and seconded to approve the application.

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

COUNCILLOR	FOR	AGAINST	ABSTENTION
S. Pawson	✓		
Eaton	✓		
Hancock	✓		

Atkinson		✓	
P Starkey	✓		
J Pawson	✓		
Crosta	✓		
Entwistle	✓		
Robertson	✓		
Thorne	✓		
TOTALS	9	1	0

Resolved:

That the application be granted to permit the proposed development as an exception to Policy DC.1 and S.4 of the Rossendale District Local Plan, subject to conditions listed below:

Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: The condition is required by virtue of Section 91 of the Town and Country Planning Act 1990.
2. The use hereby permitted shall be restricted to the hours between 8am and 11pm.
Reason: To safeguard the amenities of the local residents and to accord with Policy S4 of the adopted Rossendale District Local Plan.
3. Before the use hereby permitted is first commenced a scheme for the extraction and ventilation of cooking smells and odours shall be submitted to an approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to first use of the premises as hereby permitted and shall be maintained in full working order thereafter.
Reason: To safeguard the amenities of local residents and in accordance with Policy S4 of the adopted Rossendale District Local Plan.

6. APPLICATION 2006/20 – ERECTION OF 2 NO. AGRICULTURAL BUILDINGS WITH ASSOCIATED SILAGE CLAMP, YARD AND ACCESS AT: HEY HEAD FARM, ROCHDALE ROAD, BACUP

No Councillors had been lobbied on this application.

In accordance with the public speaking procedure Mr Derek Armistead spoke against the application.

Councillor Neal invoked his right as Councillor to speak on the application

A proposal was moved and seconded to approve the application.

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

COUNCILLOR	FOR	AGAINST	ABSTENTION
S. Pawson	✓		
Eaton	✓		
Hancock	✓		
Atkinson	✓		
P Starkey	✓		
J Pawson	✓		
Crosta	✓		
Entwistle	✓		
Robertson	✓		
Thorne	✓		
TOTALS	10	0	0

Resolved:

That the application be granted subject to the following conditions and a request from Members that the Officers ensure compliance with conditions:

Conditions

1. Neither the two buildings hereby permitted or the existing agricultural buildings shall be used other than for the purposes of agriculture within the unit.
Reason: To protect the character and appearance of this Countryside Area from inappropriate uses and levels of activity, to accord with Policy C7 of the adopted Rossendale District Local Plan.
2. The yard hereby permitted shall not be used other than for the purposes of agriculture within the unit or incidental residential purposes associated with the dwellings at Hey Head Farm.
Reason: To protect the character and appearance of this Countryside Area from inappropriate uses and levels of activity, to accord with Policy C7 of the adopted Rossendale District Local Plan.
3. Notwithstanding what is shown on the submitted drawing, the size/design of the silage-clamp to be constructed shall be submitted to and approved in writing prior to its construction.
Reason: To prevent pollution and protect the character and appearance of this Countryside Area from inappropriate uses and levels of activity, to accord with Policies E10 and C7 of the adopted Rossendale District Local Plan.
4. A scheme of landscaping shall be submitted to and approved in writing by the Local Planning Authority within 3 months of the date of this permission. The scheme shall indicate the trees and shrubs to be planted to screen the buildings/yard hereby permitted, and detail the measures to be undertaken for their protection until established.
Reason: In the interests of the amenity of the area, to accord with the criteria of Policy C7 of the adopted Rossendale District Local Plan.

5. The approved scheme of landscaping shall be carried out within 9 months of the date of this permission, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of the amenity of the area, to accord with the criteria of Policy C7 of the adopted Rossendale District Local Plan.

7. APPLICATION 2006/045 – CHANGE OF USE FROM DWELLING TO CHILDREN’S DAY CARE NURSERY (USE CLASS D1) AT: 409 HELMSHORE ROAD, HELMSHORE

Councillors J Pawson, Crosta, Entwistle, Robertson and Thorne declared that they had been lobbied on this application.

In accordance with the public speaking procedure Mr Neary spoke against the application.

In accordance with the public speaking procedure Ms Bernadette Cliffe spoke in favour of the application.

Councillor Neal invoked his right as Council to speak on the application.

A proposal was moved and seconded to grant the application.

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

COUNCILLOR	FOR	AGAINST	ABSTENTION
S. Pawson	✓		
Eaton	✓		
Hancock	✓		
Atkinson		✓	
P Starkey		✓	
J Pawson		✓	
Crosta		✓	
Entwistle	✓		
Robertson	✓		
Thorne	✓		
TOTALS	6	4	0

Resolved:

That the application be granted as recommended subject to the following conditions:

Conditions

1. The development permitted shall be begun before the expiration of three years from the date of this permission.

Reason: The condition is required by virtue of Section 91 of the Town and Country Planning Act 1990.

2. The number of children using the nursery at any one time shall not exceed 33.
Reason: To protect local amenities and to ensure adequate accommodation for the children and to accord with Policy DC1 of the Rossendale District Local Plan.
3. The boundaries of the site shall be formed by the planting of a hedge of a type and species to be first agreed in writing by the Local Planning Authority. The hedge shall be planted in the first planting season following the occupation of the building as a nursery or the completion of the development whichever is the soonest. Any hedging which within a period of five years of planting is removed or becomes seriously damaged or diseased shall be replaced in the next planting season with new hedging of the same or similar species.
Reason: In the interests of visual and neighbour amenity and to accord with Policy D1 of the Rossendale District Local Plan.
4. Prior to the commencement of development details of the implementation of approved scheme of access shall be submitted to and approved in writing by the Local Planning Authority and the approved details shall be fully implemented prior to the first opening of the nursery.
Reason: In the interest of highway safety and to ensure the provision of access and car parking facilities within the site and to accord with Policy D1 of the Rossendale District Local Plan.
5. Prior to the first opening of the nursery the approved hardstanding and parking provision shall be fully implemented and retained thereafter.
Reason: In the interest of highway safety and to ensure the provision of car parking facilities within the site and to accord with Policy DC1 of the Rossendale District Local Plan.
6. At no time shall the access to the site be gated and the boundary wall to either side of the access be higher than one metre within two metres of the edge of the driveway.
Reason: In the interests of highway safety, and to ensure the provision of access to the site and to accord with Policy DC1 of the Rossendale District Local Plan.
7. The area set out for dropping off and manoeuvring within the site shall be kept clear, and maintained to the satisfaction of the Local Planning Authority.
Reason: In the interests of highway safety and to accord with Policy DC1 of the Rossendale District Local Plan.

**8. APPLICATION 2006/047 – PROPOSED ANCILLARY BUILDING AND GARAGE
AT: 21 FAIRHILL, HELMSHORE**

No Councillors had been lobbied on this application.

In accordance with the public speaking procedure, Mr Warren spoke against the application.

A proposal was moved and seconded to grant the application.

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

COUNCILLOR	FOR	AGAINST	ABSTENTION
S. Pawson	✓		
Eaton	✓		
Hancock	✓		
Atkinson	✓		
P Starkey		✓	
J Pawson	✓		
Crosta	✓		
Entwistle	✓		
Robertson	✓		
Thorne	✓		
TOTALS	9	1	0

Resolved:

That the application be granted subject to the following additional condition:

Condition

1. The development permitted shall be begun before the expiration of three years from the date of this permission.
Reason: The condition is required by virtue of Section 91 of the Town and Country Planning Act 1990.
2. The buildings hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 21 Fairhill.
Reason: In the interests of neighbour amenity and for the avoidance of doubt and to accord with Policy DC1 of the Rossendale District Local Plan.
3. At no time shall any part of the development hereby permitted be occupied as a separate dwelling or be used as a commercial premises.
Reason: In the interests of clarity and because such use would require further assessment by the local planning authority as to its impact upon the residential amenity of the locality. Additionally in the interests of visual and neighbour amenity and to accord with Policy DC1 of the Rossendale District Local Plan.

4. Any construction works associated with the development hereby permitted shall not take place except between the hours of 7am and 7pm Monday to Friday and 8am and 1pm on Saturdays. No construction shall take place on Sundays, Good Friday, Christmas Day or Bank Holidays.

Reason: To safeguard the amenities of nearby residential properties, in accordance with the criteria of Policy DC1 of the Adopted Rossendale District Local Plan.

The Meeting commenced at 6.30pm and closed at 9.05pm