

MINUTES OF: THE DEVELOPMENT CONTROL COMMITTEE

Date of Meeting: 13th December 2016

Present: Councillor Procter (in the Chair)
Councillors James Eaton, Hughes, Kempson, Kenyon, Neal and Robertson

In Attendance: Nicola Hopkins, Planning Manager
Lauren Ashworth, Principal Planning Officer
Clare Birtwistle, Legal Services Manager
Jenni Cook, Committee Officer

Also Present: 9 members of the public, 1 member of the press

1. APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES

Apologies for absence had been received from Councillor Fletcher with Councillor Hughes substituting.

2. MINUTES

Resolved:

That the minutes of the meeting held on 8th November 2016 be signed by the Chair and agreed as a correct record.

3. DECLARATIONS OF INTEREST

Councillor Hughes declared an interest in Item 8 (B4 of the agenda) and noted that he had been the Chair of the Licensing Panel which had determined the applicant's licensing application for the premises.

Councillor Eaton declared an interest in Item 8 (B4 of the agenda) and noted that he had been a member of the Licensing Panel which had determined the applicant's licensing application for the premises.

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.

5. Application Number 2016/0221 (Agenda Item B1)

Erection of 3 industrial units (Use Class B2/B8) with ancillary two-storey office accommodation and with associated service yards and staff car parks

At: Land off New Hall Hey, New Hall Hey Road, Rawtenstall

The Principal Planning Officer outlined the application which was for the erection of three industrial units for use class B2 or B8. Unit A would be 743sqm, Unit B would be 510sqm and the largest of the units would be Unit C at 5,606sqm, and this unit would be occupied by Solomon Commercials. It was anticipated that the units would be clad in grey and anthracite to the elevations. The parking scheme was outlined and the officer noted that the cycle store provision would be controlled by condition.

The Principal Planning Officer outlined the objections that had been received from statutory consultees and other objectors with regards to the scheme and it was noted that the Council's Conservation Officer had objected to the scheme on the grounds of the harm to the visual impact on the Grade II listed building, Hardman's Mill.

The Officer's recommendation was to approve the application subject to satisfactory resolution of landscaping and drainage and the amended conditions within the update report.

There were no speakers on this item.

In determining the application members discussed the following:-

- This would be the final part of the New Hall Hay scheme and provide an entry into Rawtenstall.
- There were easements on the site and the placing of the buildings had allowed for this.
- Work had been carried out with the Highway Authority and the Heritage Officer.
- The materials were no different to those already in use on the site.

A proposal was moved and seconded to approve the application subject to the satisfactory resolution of landscaping and drainage, the conditions set out in the committee report and the conditions also set out within the update report.

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

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

That full planning permission is granted subject to the conditions set out in the committee report and the conditions also set out within the update report.

6. Application Number 2016/0267 (Agenda Item B2)

**Outline application with all matters reserved except for access, for demolition of existing buildings and structures, and replacement with residential development of up to 107 units
At: Allied Textiles Ltd, Reed Holme Works, Burnley Road, Rawtenstall, BB4 8LN**

The Principal Planning Officer introduced the application which requested permission for the demolition of all buildings and structures on the site and to grant permission to build up to 107 residential units. The site was 3.2 hectares and was currently occupied by Allied Textiles for the manufacture of PVU and PU coated fabrics. The company now wished to relocate their premises due to conflict with neighbouring residential properties.

Four objections had been received and 1 letter of support for the scheme and no objections had been received from statutory consultees. The scheme had been assessed for its viability to deliver affordable housing; however an assessment by the Valuation Officer Agency (VOA) had determined that this was not viable.

The Officer's recommendation was to approve the application subject to a Section 106 Agreement to secure the planning obligations and subject to the conditions set out in the committee report.

Mr Harry Bolton spoke in favour of the application.

In determining the item, the following was discussed:-

- Ensuring that the stone abutting Burnley Road and the stone which carried the name of the site is used in any subsequent scheme – the Principal Planning Officer noted that condition 4 would cover this concern.
- The site was on a bus route, was good for housing, local businesses and was on situated on brownfield land and sustainable.

A proposal was moved and seconded to approve the application subject to the conditions within the committee report and subject to a S106 Agreement.

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

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

That planning permission is granted subject to a S106 Agreement and the conditions set out within the committee report.

Delegated authority was given to the Planning Manager to refuse planning permission in the event that the S106 Agreement is not signed by 17 February 2017.

7. Application Number 2016/0418 (Agenda Item B3)

Section 73 application to vary condition 10 (site layout) attached to planning approval 2014/0355 (which granted permission for the erection of 29 dwellings) to reduce the number of dwellings to 28 and amend the siting of plots 1-9.

At: Former Whinberry View Home for the Elderly & 166 Bacup Road, Rawtenstall, BB4 7PA

The Principal Planning Officer introduced the application which sought permission to amend planning permission 2014/0355 with respect to condition 10. The proposed application requested the loss of 1 unit on the site, making 28 units and variations of plots 7, 8 and 9 and a different retaining structure to the rear of plots 1-9. It was noted that the VOA had, as a result of the revised scheme, reviewed the viability of the provision for affordable housing; this was no longer viable.

Consultation had taken place for the application and no responses had been received. No objections had been received from statutory consultees. One objection was received and this was from Rossendale Civic Trust.

The Officer's recommendation was to approve the application subject to the conditions detailed in the report and subject to the completion of a deed of variation.

Daniel Connelly spoke in favour of the application.

In determining the item, the following was discussed:-

- Concerns were expressed regarding the loss of affordable housing.
- It was noted that issues were often revealed once work had started on a site.
- The engineer's report confirmed the situation on the site.

A proposal was moved and seconded to approve the application subject to the conditions set out in the committee report and the completion of a deed of variation.

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

FOR	AGAINST	ABSTENTION
6	1	0

Resolved:

That permission is granted subject to the conditions set out in the committee report and subject to the completion of a deed of variation.

Note: Councillors Eaton and Hughes left the meeting for the following item of business

8. Application Number 2016/0474 (Agenda Item B4)

Change of use from motorcycle store to convenience store (A1)

At: 801 Burnley Road, Rawtenstall

The Principal Planning Officer introduced the application which sought permission from a change of use from a motorcycle store (sui generis) to a convenience store (A1). The proposal was to use

the ground floor for retail use and the first floor for storage and the proposed opening hours had been amended to 7am-10pm.

It was noted that 40 objections had been received to the scheme and an objection had been received from the Limey Valley Residents Association (LVRA). Objections were on the grounds of neighbour noise and disturbance, highways safety and the double yellow lines outside the property and it was noted that the Highway Authority was of the opinion that this issue could not be mitigated against. The officer stated that no sequential assessment of Crawshawbooth had been undertaken and therefore the scheme had the potential to impact on the vitality and viability of Crawshawbooth.

The Officer's recommendation was to refuse the application for the reasons outlined in Section 9 of the report.

Mr Alam spoke in favour of the application and Councillor Alyson Barnes spoke on the application.

In determining the item, the following was discussed:-

- Concerns were raised regarding the double yellow lines outside the property and difficulties with visibility on the surrounding roads and nearby bus stop.
- The premises had not been a co-operative store since the 1970s.
- Was it better that the premises was brought back into use as a convenience store than not at all?

A proposal was moved and seconded to refuse the application in line with the officer's recommendation.

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

FOR	AGAINST	ABSTENTION
4	1	0

Resolved:

That planning permission is refused for the reasons set out within the committee report.

Note: Councillors Eaton and Hughes returned to the meeting.

9. Application Number 2016/0465 (Agenda Item B5)

Re-profiling of existing dry ski slope to form reduced risk training facility for year-round freestyle ski and snowboard jump training, including construction of an access tower, two ramps and an airbag, and change of use of existing restaurant to a training facility.

At: Ski Rossendale, Haslingden Old Road, Rawtenstall, BB4 8R

The Planning Manager introduced the application which sought permission to re-profile the existing ski slope and the north west corner of the site to provide a facility for Great Britain Park and Pipe Athletes. The scheme would include the construction of an access tower, two ramps/jumps and an airbag landing zone. The current restaurant would be change to a training facility.

Officer's recommendation was to approve the application subject to the conditions detailed in the report.

There were no speakers on this item.

In determining the item, the following was discussed:-

- The application would provide a one-of-kind facility in Rossendale.
- The new facility would be fantastic with the potential to train Olympic athletes.

A proposal was moved and seconded to approve the application subject to the conditions set out in the report.

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

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

That full planning permission is granted subject to the conditions set out in the committee report.

10. Application Number 2016/0388 (Agenda Item B6)

**Change of use of former children's nursery with flat above to 2 flats, with external playground to become garden and a 1m high stone wall on eastern boundary
At: 4 Milne Street, Irwell Vale**

The Planning Manager introduced the application which sought permission for change of use from a children's nursery to residential property. The property had been flooded the previous year and it was not viable as a business, although regrettable to lose a children's nursery.

Officer's recommendation was to approve the application subject to the conditions detailed in the report.

There were no speakers on this item.

In determining the item, the following was discussed:-

- The application was only before the committee because the applicant was a councillor.

A proposal was moved and seconded to approve the application subject to the conditions set out in the report.

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

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

That permission is granted subject to the conditions set out in the committee report.

11.Application Number 2016/0451 (Agenda Item B7)

Building of a 1m high flood-defence wall to the north side of 1/3/5 Mint Street and within the Recreation Ground

At: Mint Street, Chatterton

The Planning Manager introduced the application which sought retrospective permission to construct a 1m high flood defence wall to the north side of Mint Street. Discussions had taken place with the relevant agencies and it was noted that this was necessary to defend the surrounding properties from flood risk. One objection had been received with regards to the scheme.

Officer’s recommendation was to approve the retrospective application subject to the conditions detailed in the report.

Emma Palmer spoke in favour of the application.

In determining the item, the following was discussed:-

- The need for flood defences.
- The level of workmanship was good and the scheme was well-designed.

A proposal was moved and seconded to approve the application.

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

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

That retrospective permission is granted.

12.Application Numbers 2016/0495, 0496, 0497, 0498, 0499, 0500, 0501, 0502, 0503, 0504, 0505 and 0506 (Agenda Item B8)

Proposal by British Telecommunications Plc for the removal of the public call boxes at several locations pursuant to Part 2 of the Schedule to a Direction published by Ofcom on 14 March 2006.

At: Various Locations in Rossendale

The Planning Manager introduced the report which comprised of a formal consultation from BT with regards to their programme of intended public payphone removals, which proposed the removal of 12 payphones with in the Borough.

The Planning Manager noted that there had been a late submission from a community group who had expressed an interest in using some of the payphone boxes for defibrillators. The update report therefore amended the original officer’s recommendation and it was now recommended that the Council also register 5 additional phone boxes as potential sites for defibrillators.

There were no speakers on this item.

In determining the item, the following was discussed:-

- Concerns were expressed with regards to vandalism of defibrillators. The Planning Manager clarified that the community group would take on responsibility for the boxes.
- There was little/no mobile phone signal in Water and the phone box situated there needed to be repaired and kept in use.
- There was a similar issue with mobile phone signals in the Stacksteads area (2016/0505)

A proposal was moved and seconded to object to the removal of the boxes as stated in the committee report and the update report and that 2016/0505 should be included. A reason would also be used for the Water and Stacksteads box as 'because of poor mobile phone signals in those areas'.

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

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

That the Council objects to the removal of the phone boxes as noted in the report and the update report, including 2016/0505 and suggest that 5 should be considered for adoption The Council would refer to the boxes which had received interest from the community group for use of defibrillators. The Council would also give the reason for objecting to the Water and Stacksteads removals as 'because of poor mobile phone signals in those areas'.

13.Validation Criteria for Applications submitted to the Local Planning Authority

The Planning Manager introduced the report which updated the Development Control Committee on the Council's Validation Checklist. The criteria had been subject to a 6-week consultation period and the comments made had been incorporated into the checklist. These amendments had been agreed with the Portfolio Holder.

A proposal was moved and seconded to note the report.

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

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

That the report is noted.

The meeting commenced at 6.30pm and concluded at 7.45pm

Signed:

(Chair)