

**MINUTES OF: THE DEVELOPMENT CONTROL COMMITTEE**

**Date of Meeting:** 17<sup>th</sup> January 2017

**Present:** Councillor Procter (in the Chair) Councillor Robertson (Vice Chair)  
Councillors James Eaton, Fletcher, Kempson, Kenyon and Neal.

**In Attendance:** Nicola Hopkins, Planning Manager  
Lauren Ashworth, Principal Planning Officer  
Clare Birtwistle, Legal Services Manager  
Abigail Wrench, Trainee Solicitor  
Joanna Griffin, Committee and Member Services Officer  
Glenda Ashton, Committee and Member Services Officer

**Also Present:** 27 members of the public

**1. APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES**

No absences to record.

**2. MINUTES**

**Resolved:**

That the minutes of the meeting held on 13<sup>th</sup> December 2016 be signed by the Chair and agreed as a correct record.

**3. DECLARATIONS OF INTEREST**

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.

**5. Application Number 2016/0608 (Agenda Item B2)**

**Section 73 application to vary/remove conditions 2,3,4,7,11,12,13,14,20,21,22 and 28 attached to planning approval 2015/0476 which granted consent for the erection of 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 Rawtenstall conservation area.**

**At: Rawtenstall Town Square, Bank Street, Rawtenstall.**

It was agreed that Item B2 would be heard first as one of the speakers for item B1 was delayed in traffic.

Concerns were expressed that a further update report was received late in the afternoon and that some councillors had not been able to read the changes. It was proposed that this application be deferred until the next meeting. The Planning Manager outlined the changes that had been added, which were twenty two further objections raising similar concerns as set out previously, comments in respect of the consultation period, representation from Historic England raising no comments, further objections from Rossendale Civic Trust and objections from Cushman and Wakefield on behalf of the Royal Mail which mainly related to the Stopping Up Order and felt that a decision could still be made tonight.

Councillor Eaton proposed and Councillor Kempson seconded to defer the application to the next meeting. Members voted on the deferral as follows:

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
3	4	0

The deferral was not carried and the Planning Manager continued to outline the application which sought permission to vary/remove a number of the conditions linked to planning application number 2015/0476 which was granted on 9<sup>th</sup> March 2016. The reasons for the variations/removals were set out in the report.

The Planning Manager outlined the objections in the main report, that further objections had been received including concerns with the consultation period, the validity of the application, the proposed town hall extension and objections from Cushman and Wakefield on behalf of the Royal Mail which mainly relate to the Stopping Up Order. The Planning Manager outlined that condition 21 (now 20) was reverting back to its original wording and a late representation from Friends of Rawtenstall had been received which was set out verbally. The late representation raised concerns in respect of the ownership details, the significance of the heritage asset and the Air Quality Assessment within the EIA. The Planning Manager confirmed that ownership issues had been addressed, consent had already been granted for the scheme before Members today and the Screening Opinion considered Air Quality in respect of the operational development and in particular the bus station which will be sited outside of the AQMA.

The Planning Manager's recommendation was that the application be granted subject to the conditions set out in Section 10 of the report.

Mr Gareth Hayhoe spoke in favour of the application.

Mr David Foxcroft spoke against the application.

In determining the application members discussed the following:-

- Clarification was sought in relation to the original certificates being signed.
- Asbestos and removal, this was addressed and confirmed asbestos had been found on the site, including the Police Station, and this would be removed according to correct removal procedures.
- Concerns regarding rights of way were raised. No issues had been highlighted by the Highways engineer but concerns would be taken forward with Lancashire County Council before work commenced.

- Air pollution would be reduced once the bus station had been re-located

A proposal was moved and seconded to approve the application in line with the officer recommendation.

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

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
5	2	0

**Resolved:**

That the Section 73 application to vary/remove conditions 2,3,4,7,11,12,13,14,20,21,22 and 28 attached to planning approval 2015/0476 be granted as per the conditions set out in the committee report and update report.

**6. Application Number 2016/0228 (Agenda Item B1)**

**Demolition of existing buildings, erection of 11 residential dwellings with associated garages and parking along with associated engineering works including the infilling of the filter beds.**

**At: Croft End Mill, Bolton Road North, Stubbins**

The Principal Planning Officer introduced the application for full planning permission which was sought for the demolition of the existing building, removal of hardstanding and remnant structures and erection of 11 dwellings, associated infrastructure including roads, footways, filling in of filter beds, and landscaping. The filter beds would be infilled using inert material and the area landscaped. The filter beds would be accessed from within the site.

Five letters of objection had been received, six letters of concern and two letters of support.

The Principal Planning Officer’s recommendation was to refuse full planning permission for the reasons set out in Section 10 of the report.

Mr Peter Wood spoke against the application.

Mr John Matthews and Mr John Arnott both spoke in favour of the application.

Councillor Johnson and Councillor Cheetham spoke on the application.

In determining the item, the following was discussed:-

- The improvement of the sightline for traffic and pedestrians if the building was removed.
- The quality of properties on the neighbouring street.
- The materials which would be used to build the properties and boundary walls.
- Design and layout of the properties.
- A photographic record of the Historic Mill to be taken.

A proposal was moved and seconded to approve the application contrary to the officer’s recommendation, to include conditions delegated to the Planning Manager and Chair. Conditions to include the use of natural stone and slate on all properties and visible boundary walls and that a photographic record of the building be made.

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

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
7	0	0

**Resolved:**

That planning permission was granted subject to suitable conditions and a S106 Agreement. Delegated authority was granted to the Planning Manager in consultation with the Chair to agree the conditions. Conditions to include the use of natural stone and slate on all properties and visible boundary walls and that a photographic record of the building be made.

**7. Application Number 2016/0541 (Agenda Item B3)**

**Erection of 2 dwellings.**

**At: Land adjacent to 72 Holland Avenue.**

The Principal Planning Officer introduced the application which related to a rectangular site of 0.2ha towards the northern end of the Holland Avenue, to the west side of the residential property known as Collinge Fold Farm.

This new application was for the same development as that approved but the siting of the 2 houses was amended by moving them slightly further apart as there was a 25ft wide easement to allow access to the radio mast further up the hillside. This had only latterly come to light and each of the proposed houses had been re-sited by approximately 0.5m to accommodate the easement.

Eight letters of objection had been received.

The Principal Planning Officer's recommendation was that outline permission be granted, subject to the Conditions set out in Section 10 of the report.

Mr Tony Hughes spoke against the application.

Mr Stephen Hartley spoke in favour of the application.

In determining the item, the following was discussed:-

- Covenant on the land regarding access issues.
- It was raised that all the planning restrictions had previously been discussed for the original planning application.

A proposal was moved and seconded to approve the application.

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

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
6	1	0

**Resolved:**

That the application was granted subject to the conditions in the committee report.

**8. Application Number 2016/0595 (Agenda Item B4)**

**Change of use from D1 (vocational training centre) to a mixed use comprising of a café, education centre, function room, community cinema, market trading hall and art centre, including construction of a glazed rear extension to provide an additional covered seating area, and installation of an external flue.**

**At: Stubblelee Barn**

The Planning Manager introduced the application which related to the cluster of attached stone-built buildings with slate roofs at Stubblelee Barn last used as a vocational training centre (D1 Use Class) by Accrington and Rossendale.

Planning permission was sought for the change of use of the buildings to a mixed use comprising a café, education centre, function room, community cinema, market trading hall and arts centre.

It was noted that no objections had been received.

The Planning Manager's recommendation was to approve full planning permission subject to conditions.

There were no speakers.

In determining the item, the following was discussed:-

- Access to the site.
- Councillors commented that it was a good use of the building.

A proposal was moved and seconded to approve the application in line with the Planning Manager's recommendation.

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

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
7	0	0

**Resolved:**

That planning permission was approved subject to the conditions set out in the committee report and update report.

**9. Application Number 2016/0596 (Agenda Item B5)**

**Listed building consent for works associated with change of use of the building from D1 (vocational training centre) to a mixed use comprising of café, education centre, function room, community cinema, marketing trading hall and arts centre, including the installation of a new kitchen, external flue, re-opening of a closed internal doorway and the construction of a glazed rear extension to provide an additional covered seating area.**

**At: Stubblelee Barn**

The Planning Manager introduced the application which sought permission to approve Listed Building Consent subject to conditions.

Listed Building Consent was sought for works associated with the change of use of the buildings to a mixed use comprising of a café, education centre, function room, community cinema, market

trading hall and arts centre.

The Planning Manager'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:-

- Councillors commented that it was a good use of the building

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

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

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
7	0	0

**Resolved:**

That Listed Building Consent was granted subject to the conditions set out in the committee report.

**10. Application Number 2016/0477 (Agenda Item B6)**

**Erection of a garage**

**At: Garage Court, Higher Change, Todmorden Road**

The Principal Planning Officer introduced the application which sought permission for the applicant to erect a garage on Plot 5, which was to be attached to the side of their existing garage.

The Officer's recommendation was that planning permission be granted, subject to the conditions set out in Section 10 of the report.

There were no speakers on this item.

In determining the item, the following was discussed:-

- That the garage would not be used for business purposes.

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

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

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
7	0	0

**Resolved:**

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

**The meeting commenced at 6.30pm and concluded at 8.25pm**

**Signed:**

**(Chair)**