

MINUTES OF: DEVELOPMENT CONTROL COMMITTEE

Date of Meeting: 30th May 2006

Present: Councillor S Pawson (in the Chair)
Councillors D Barnes, L Barnes, Crosta, Eaton, Entwistle,
Haworth, Lamb, Neal, Robertson, Swain

In Attendance: B Sheasby, Team Manager Development Control
N Birtles, Senior Planner
A Parkinson, Legal Service Manager
H Moore, Committee Services Manager
J Cook, Committee Officer

Also Present: Councillors Forshaw and P Steen

1. APOLOGIES AND NOTIFICATION OF SUBSTITUTES

No apologies for absence were received.

2. MINUTES OF THE LAST MEETING:

Resolved:

That the minutes of the meeting held on 5th April 2006 be signed by the Chair as a correct record.

3. DECLARATIONS OF INTEREST:

Members of the Committee were asked to consider whether they had an interest in any matters to be discussed at the meeting and the following interests were declared:-

Councillor S Pawson declared a personal and prejudicial interest in Application Number 2006/132 as he had relatives living nearby to the subject premises. He also declared a personal and prejudicial interest in Application Number 2006/153 as he had 2 grandchildren at the school and a friend who was a School Governor. Councillor S Pawson vacated the Chair and the meeting during the discussion on and consideration of the applications.

Councillor Swain declared a personal and prejudicial interest in application number 2006/132 as he had relatives living nearby to the subject premises and left the meeting for the duration of this item. Councillor Swain vacated the Chair and the meeting during the discussion on and consideration of the applications.

Councillor Haworth declared a personal and prejudicial interest in application number 2006/148 as he had relatives living nearby to the subject premises. Councillor Haworth vacated the Chair and the meeting during the discussion on and consideration of the applications.

4. APPOINTMENT OF CHAIR FOR APPLICATIONS 2006/132 AND 2006/153

Resolved:

1. That Councillor D Barnes be appointed Chair for Application 2006/132.
2. That Councillor Swain be appointed Chair for Application 2006/153.

NB: COUNCILLOR D BARNES IN THE CHAIR

**5. APPLICATION 2006/132
DORMER EXTENSION TO GYM OVER THE GARAGE
AT 408 BURY ROAD, RAWTENSTALL**

No Councillors had been lobbied in respect of this application.

The Team Manager for Development Control presented the application.

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

Councillor Forshaw also spoke 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
D Barnes	✓		
L Barnes	✓		
Crosta	✓		
Eaton	✓		
Entwistle	✓		
Haworth	✓		
Lamb	✓		
Neal	✓		
Robertson	✓		
TOTALS	9	0	0

Resolved:

That planning permission be refused for the following reasons:

Reasons

By reason of its siting/size/appearance the proposed dormer would have a detrimental effect on the amenities which the occupiers of 412 Bury Road could reasonably expect to enjoy, in particular due to loss of light and overbearing impact. The proposed development is therefore contrary to PPS1, Policy 1 of the adopted Joint Lancashire Structure Plan and the criteria of Policy DC1 of the adopted Rossendale District Local Plan.

NB: COUNCILLOR SWAIN IN THE CHAIR

**6. APPLICATION 2006/153
CONSTRUCTION OF NEW TWO STOREY PERFORMING/EXPRESSIVE
ARTS BLOCK, MUSIC, IT, MEDIA, PERFORMING ARTS
ACCOMMODATION WITH ANCILLARY TOILET AND STORAGE
FACILITIES AND EXTERNAL LANDSCAPING
AT BACUP AND RAWTENSTALL GRAMMAR SCHOOL, GLEN ROAD,
WATERFOOT**

Councillors Swain, D Barnes, L Barnes, Crosta, Eaton, Entwistle, Lamb, Neal and Robertson declared that they had been lobbied on the application, but had reserved their position to enable them to determine the application.

The Team Manager Development Control presented the application.

In accordance with the procedure for public speaking Mr Mark Ellison spoke against the application.

Councillor Forshaw also spoke on the application.

A proposal was moved and seconded to raise concerns with the County Council in respect of the development.

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

COUNCILLOR	FOR	AGAINST	ABSTENTION
Swain	✓		
D Barnes	✓		
L Barnes	✓		
Crosta	✓		
Eaton	✓		
Entwistle	✓		
Haworth	✓		
Lamb	✓		
Neal	✓		
Robertson	✓		
TOTALS	10	0	0

Resolved:

That the County Council be advised that, on the basis of the information before it, this Council is not satisfied that the proposed development will not cause an unacceptable loss of amenity for local residents and unacceptable obstruction/inconvenience for other road users. Further, the County Council be requested to consider the Human Rights Act and the implications of the development on the amenity of residents of Mount Avenue and Booth Road.

NB: COUNCILLOR S PAWSON IN THE CHAIR

**7. APPLICATION 2006/115
EXTENSION OF EXISTING INDOOR RIDING AREA TO PROVIDE
LECTURE ROOM AND BAR
AT CROFT TOP EQUESTRIAN CENTRE, STONE FOLD, ROSSENDALE**

All Members declared that they had been lobbied on the application but had reserved their position to enable them to determine the application.

The Team Manager Development Control presented the application.

In accordance with the procedure for public speaking Mr Richard Lewis spoke against the application and Ms Janet Dixon spoke in favour of the application.

A proposal was moved and seconded to approve the application subject to conditions.

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

COUNCILLOR	FOR	AGAINST	ABSTENTION
S Pawson	✓		
Swain	✓		
D Barnes	✓		
L Barnes	✓		
Crosta	✓		
Eaton	✓		
Entwistle	✓		
Haworth	✓		
Lamb	✓		
Neal	✓		
Robertson	✓		
TOTALS	11	0	0

Resolved:

That the application be granted subject to the following conditions:

1. The development permitted shall be begun before the expiration of three years from the date of this permission.
Reason: required by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. All the external materials and finishes to be used on the roof and elevations of the development shall be as stated on the application form and approved drawings and shall not be varied without the prior written permission of the Local Planning Authority.
Reason: to ensure that the development will be of satisfactory appearance.

3. Any construction works associated with the development hereby approved shall not take place except between the hours of 07:00 hours and 19:00 hours Monday to Friday and 08:00 hours and 13:00 hours 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 Policy DC1 of the Rossendale District Local Plan.
4. The bar hereby approved shall only be open to the public during the hours of 12:00 hours and 22:30 hours and only then on event days.
Reason: in the interests of residential amenity and to accord with Policy DC1 of the Rossendale District Local Plan.
5. Prior to the commencement of any works to construct the extension hereby permitted the road-widening works which have been commenced in the vicinity of 22-28 Northfield Road shall be completed in accordance with a scheme first submitted to and approved in writing by the Local Planning Authority.
Reason: in the interests of highway safety and to accord with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.

8. APPLICATION 2006/134 – (OUTLINE) ERECTION OF 12 DWELLINGS ON LAND AT BACUP ROAD, HAREHOLME

Councillors Swain, D Barnes, L Barnes, Crosta, Entwistle, Haworth, Lamb, Neal and Robertson declared that they had been lobbied on this application but had reserved their position to enable them to determine the application.

The Team Manager Development Control presented the application.

In accordance with the public speaking procedure Mr Simon Wood spoke in favour of 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	✓		
Swain	✓		
D Barnes	✓		
L Barnes	✓		
Crosta	✓		
Eaton	✓		
Entwistle	✓		
Haworth	✓		
Lamb	✓		
Neal	✓		
Robertson	✓		
TOTALS	11	0	0

Resolved:

That planning permission be refused for the reasons outlined below:

1. It is considered that the development is not currently required to meet the housing requirements of the Borough. The proposal is therefore considered to be contrary to the provisions of Policy 12 of the Joint Lancashire Structure Plan 2001-2016 and the Housing Policy Position Statement.
2. The Council is not satisfied that the applicant can secure the permanent closure to vehicles of the three existing sub-standard accesses to Bacup Road serving 386-390 Bacup Road and 1-11 Rostron's Buildings. In the absence of this the proposal will detract unacceptably from highway safety, contrary to the advice of PPG13 Policy 1 of the adopted Joint Lancashire Structure Plan and the criteria of Policy DC1 of the adopted Rossendale District Local Plan.

**8. APPLICATION 2006/148
REVISED PLOT LAYOUT AND SUBSTITUTION OF HOUSE TYPES AND
ASSOCIATED GARAGES ON PLOTS 62/116 (LAND INCORPORATING A
FOOTPATH – LINK FROM ONCHAN DRIVE)
AT LAND BETWEEN DOUGLAS ROAD AND TONG LANE, BACUP**

All Councillors declared that they had been lobbied on the application but had reserved their position to enable them to determine the application.

The Senior Planner presented the application referred to amendments to the plans circulated with the report together with representations received since the preparation of his report.

In accordance with the procedure for public speaking Mr Simon Dawson spoke against the application and Mr Sebastian Tibenhaum spoke in favour of the application.

Councillor P Steen also spoke on the application.

A proposal was moved and seconded that no decision should be made at the meeting and that consideration of the application be deferred until the next meeting of the Committee.

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

COUNCILLOR	FOR	AGAINST	ABSTENTION
S Pawson	✓		
Swain	✓		
D Barnes	✓		
L Barnes	✓		
Crosta	✓		
Eaton	✓		
Entwistle	✓		

Lamb	✓		
Neal	✓		
Robertson	✓		
TOTALS	10	0	0

Resolved:

That no decision be made at the meeting and that consideration be deferred to the next meeting to enable Officers to enter into further discussions with the Applicant.

**9. APPLICATION 2006/171
(OUTLINE) ERECTION OF 3 NO DETACHED DWELLINGS
AT LAND OFF LEE ROAD, BACUP**

All Members declared that they had been lobbied on the application but had reserved their position to enable them to determine the application.

The Team Leader, Development Control presented the application.

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

A proposal was moved and seconded to refuse the application.

An amendment was moved and seconded to refuse the application, subject to conditions.

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

COUNCILLOR	FOR	AGAINST	ABSTENTION
S Pawson		✓	
Swain	✓		
D Barnes		✓	
L Barnes		✓	
Crosta	✓		
Eaton		✓	
Entwistle		✓	
Haworth		✓	
Lamb		✓	
Neal	✓		
Robertson		✓	
TOTALS	3	8	0

The amendment was declared lost.

Voting took place on the original proposal the result of which was follows:

COUNCILLOR	FOR	AGAINST	ABSTENTION
S Pawson	✓		
Swain		✓	
D Barnes	✓		
L Barnes	✓		
Crosta		✓	
Eaton	✓		
Entwistle	✓		
Haworth	✓		
Lamb	✓		
Neal		✓	
Robertson	✓		
TOTALS	8	3	0

Resolved:

That the application be refused for the following reasons.

Reasons

The proposed development will add to traffic seeking to make use of Lee Road which is sub-standard (especially in terms of its surface in the vicinity of the application site and the lack of pedestrian facilities towards Newchurch Road) and is the subject of heavy and indiscriminate parking. As a consequence the proposed development will unacceptably endanger/obstruct other users of the highway and inconvenience the occupiers of existing properties served by Lee Road contrary to good highway design, PPS1, PPG13, Policy 1 of the adopted Joint Lancashire Structure Plan and the criteria of Policy DC1 of the adopted Rossendale District Local Plan.

**10. APPLICATION 2006/189
(OUTLINE) ERECTION OF 4 NO DETACHED DWELLINGS
AT LAND OFF LEES STREET, BRITANNIA, BACUP**

All Members declared that they had been lobbied on the application but had reserved their position to enable them to determine the application.

The Team Manager, Development Control, outlined the application and referred to the representations received since the preparation of his report.

In accordance with the public speaking procedure Mr Stephen Anderson spoke against the application and Mr Steven Hartley spoke in favour of the application.

Councillor P Steen also spoke on the application.

A proposal was moved and seconded to approve the application subject to conditions.

An amendment was moved and seconded to refuse the application.

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

COUNCILLOR	FOR	AGAINST	ABSTENTION
S Pawson	✓		
Swain		✓	
D Barnes		✓	
L Barnes		✓	
Crosta		✓	
Eaton	✓		
Entwistle		✓	
Haworth	✓		
Lamb		✓	
Neal		✓	
Robertson	✓		
TOTALS	4	7	0

The motion was declared lost.

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

COUNCILLOR	FOR	AGAINST	ABSTENTION
S Pawson		✓	
Swain	✓		
D Barnes	✓		
L Barnes	✓		
Crosta	✓		
Eaton		✓	
Entwistle	✓		
Haworth		✓	
Lamb	✓		
Neal	✓		
Robertson		✓	
TOTALS	7	4	0

Resolved:

That the application be approved subject to the conditions set out below.

Conditions

1. Approval of the details of the design and external appearance of the buildings and the landscaping of the site (hereinafter called “the reserved matters”) shall be obtained from the Local Planning Authority in writing before any development is commenced.
Reason: the application is in outline only and not accompanied by detailed plans.

2. Application for approval of the reserved matters shall be made of the Local Planning Authority before the expiration of two years from the date of this permission.
Reason: required by Section 51 of the Planning and Compulsory Purchase 2004 Act.
3. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission or before expiration of one year from the date of approval of the last of the reserved matters to be approved, whichever is the latter.
Reason: required by Section 51 of the Planning and Compulsory Purchase 2004 Act.
4. The development shall be carried out in accordance with the plan received on 19th May 2006 except as otherwise agreed in writing by the Local Planning Authority to comply with Condition 6 below.
Reason: to ensure the development complies with the approved plans and for the avoidance of doubt.
5. Any construction works associated with the development hereby approved shall not take place except between the hours of 07:00am and 7:00pm Monday to Friday and 08:00am and 1:00pm on Saturdays. No construction shall take place on Sundays, Good Fridays, Christmas Day or Bank Holidays.
Reason: to safeguard the amenities of nearby residential properties in accordance with Policy DC1 of the Rossendale District Local Plan.
6. Prior to first occupation of any dwelling on the application site Lees Street, for the length of the application site and its junction with Rochdale Road shall be improved to adoptable standards in accordance with a scheme submitted with the first Reserved Matters application and approved in writing by the Local Planning Authority.
Reason: in the interests of highway and pedestrian safety.

**11. APPLICATION 2006/190
ERECTION OF ONE STOREY EXTENSIONS TO WESTERN AND
SOUTHERN ELEVATIONS AND EXTENSION/ ALTERATION OF CAR
PARK
AT BALLADEN HOUSE, UNION ROAD, RAWTENSTALL**

All Members declared that they had been lobbied on the application but had reserved their position to enable them to determine the application.

The Senior Planning Officer presented the application.

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

Councillor Forshaw also spoke 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	✓		
Swain	✓		
D Barnes	✓		
L Barnes	✓		
Crosta	✓		
Eaton	✓		
Entwistle	✓		
Haworth	✓		
Lamb	✓		
Neal		✓	
Robertson	✓		
TOTALS	10	1	0

Resolved:

That the application be refused for the reasons outlined below:

Reason

The application site is located within the Green Belt as broadly defined by the adopted Joint Lancashire Structure Plan and shown on the Proposals Map of the adopted Rossendale District Local Plan. PPG2 sets out a general presumption against inappropriate development within the Green Belt. The proposed development constitutes inappropriate development and the very special circumstances have not been advanced to warrant a permission being granted for the proposed extensions, and the associated covered motorbike/cycle park and car park extension as an exception to the Green Belt Policy. Furthermore the proposed development will diminish the visual amenity and openness of the Green Belt.

**12. APPLICATION 2006/205
REFURBISHMENT OF GROUND FLOOR SHOPS AND EXISTING FIRST FLOOR FLAT. CONVERSION OF 1 FIRST FLOOR AND SECOND FLOOR ROOMS TO THREE SELF CONTAINED FLATS AND NEW ACCESS AT 460-462 NEWCHURCH ROAD STACKSTEADS**

No Members had been lobbied on the application.

The Team Manager Development Control presented the application.

Notwithstanding the procedure for public speaking Mr David Driscoll spoke in favour of the application.

A proposal was moved and seconded to approve the application subject to conditions.

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

COUNCILLOR	FOR	AGAINST	ABSTENTION
S Pawson	✓		
Swain	✓		
D Barnes	✓		
L Barnes	✓		
Crosta	✓		
Eaton	✓		
Entwistle	✓		
Haworth	✓		
Lamb	✓		
Neal		✓	
Robertson	✓		
TOTALS	10	1	0

Resolved:

That the application be approved 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 (as amended).
2. All external facing materials shall match in colour, form and texture those of the existing building and the external flights of steps/balustrades shall be painted black prior to first occupation of any of the flats hereby permitted.
Reason: in the interests of visual amenity in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.
3. Land to the east side of the building and which is within the applicants control shall be kept freely available for the parking of vehicles associated with use of the building.
Reason: to minimise the likelihood of parking of vehicles in positions which endanger/obstruct other users of the highway or inconvenience the occupiers of properties in the vicinity in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.
4. The development hereby permitted shall not begin until a scheme for protecting the proposed flats from noise from the commercial premises within the building has been submitted to and approved in writing by the Local Planning Authority. All works which form part of the approved scheme shall be completed before any of the flats are occupied.
Reason: in the interests of the amenity of future occupants of the proposed residential units in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.

14. APPLICATION 2006/124 – TWO STOREY EXTENSION TO THE REAR AT 9 LEA BANK, CLOUGH FOLD, RAWTENSTALL

Councillor Lamb declared that she had been lobbied on the application but had reserved her position to enable her to determine the application.

The Team Manager Development Control presented the application.

A proposal was moved and seconded to approve the application subject to conditions.

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

COUNCILLOR	FOR	AGAINST	ABSTENTION
S Pawson	✓		
Swain	✓		
D Barnes	✓		
L Barnes	✓		
Crosta	✓		
Eaton	✓		
Entwistle	✓		
Haworth	✓		
Lamb	✓		
Neal	✓		
Robertson	✓		
TOTALS	11	0	0

Resolved:

That the application be approved 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: required by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. All the external materials and finishes to be used on the roof and elevations of the development shall be as stated on the application form and approved drawings and shall not be varied without the prior written permission of the Local Planning Authority.
Reason: to ensure that the development will be of satisfactory appearance.
3. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any order revoking or re-enacting that order with or without modification) at no time shall any windows or other opening be formed within the side elevations of the development hereby approved.
Reason: in the interests of neighbour amenity and to accord with Policy DC1 of The Rossendale District Local Plan.

4. Any construction works associated with the development hereby provided shall not take place between the hours of 07:00am and 7:00pm Monday to Friday and 08:00am and 1:00pm 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.

DURATION OF MEETING

The Committee resolved in accordance with Committee Procedure Rule 4.1 of the Council's Constitution to continue the meeting after 9.30pm.

The Meeting commenced at 6.30pm and closed at 10.10pm