

\*M ENGINEERING AND PLANNING COMMITTEE

held 20th January, 1992,  
at 7.00 p.m.

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PRESENT: Councillor Baron (in the Chair),  
Councillors Bolton, Cruise, Easton, Fishwick,  
Mrs. Goldsworthy, Grogan, Hancock, Harding,  
McManus, Neal, Mrs. Oldham, Pilling, Quinn  
and Mrs. Talukdar.

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Minutes

874 . Resolved that the Minutes of the meetings of the Committee held on 28th November and 2nd December, 1991, be signed by the Chair as a correct record.

SECTION 'B' - FUNCTIONS DELEGATED

Town and Country Planning Act, 1990  
Applications for consideration by the Committee

874 . The Borough Engineer and Planning Officer submitted a report upon each of the applications contained in Minutes Nod. 876 to 884 inclusive which gave details of each application, the consultations which had been carried out and where appropriate details of objections and representations received together with his observations on each application. He also submitted details of further correspondence received since the preparation of the reports.

Application No. 14/91/405 - Outline - Erection of dwelling  
Land at 31 Schofield Road, Rawtenstall

874 . Resolved that outline planning permission be granted subject to the following conditions:-

1. Before any part of the development hereby approved is commenced approval shall be obtained from the local planning authority with respect

to the reserved matters, namely, the design and external appearance of the building(s), the means of access thereto and the landscaping of the site.

2. Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 no development which would otherwise be permitted by virtue of the provisions of Classes A, B, C, D and E of Part 1 of Schedule 2 to Article 3 of the Order shall be carried out anywhere within the application site without the grant of formal express planning permission in that behalf by the local planning authority.
3. Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 no material change of elevation, change of use or alteration to form a habitable room of any integral or other garage constructed concurrently with or subsequent to the original dwellinghouse, which would otherwise be permitted by virtue of the provisions of Class A of Part 1 of Schedule 2 to Article 3 of the aforementioned Order, shall be carried out anywhere within the application site without the grant of formal express planning permission in that behalf by the local planning authority.

Application No. 14/91/569 - Construction of a detached bungalow  
Land off Rochdale Road, Britannia, Bacup

874 . Resolved that planning permission be granted subject to the following conditions:-

1. Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 no development which would otherwise be permitted by virtue of the provisions of Classes A, B, C, D, and E of Part 1 and Class A of Part 2 of Schedule 2 to Article 3 of the Order shall be carried out anywhere within the application site without the grant of formal express planning permission in that behalf by the local planning authority.
2. No development shall take place until samples of the proposed natural stone and natural slate have been submitted to and approved by the local planning authority and the outer face of the building shall not be constructed other than with the approved materials.

3. There shall be no direct pedestrian or vehicular access between the site and Rochdale Road, and to that end a continuous wall or fence no more than 1 metre in height shall be erected before the development commences and be permanently maintained on the highway boundary, all vehicular and pedestrian access being obtained from the unnamed access road.

Application No. 14/91/586 - Amended Scheme Proposing an Enlarged Angler's Clubhouse entailing an increase in floorspace from 196m<sup>2</sup> to 232m<sup>2</sup> an increase in height from 5m to 6.5m at the eastern end and 9m at the western end and elevational alterations Mill Lodges, West of Lodge Mill, Turn, Ramsbottom

874 . Resolved that permission be refused for the following reason:-

1. The proposed increase in the size and height of the angler's clubhouse, which entails the introduction of a second storey on the western end of the building, would result in this clubhouse becoming a dominant building within the local landscape and as such out of scale and character with this landscape which is variously designated as a countryside area and an area of local landscape value, to the detriment of the localities visual amenities and in conflict with the policy objectives of both Policy 15 of the approved Lancashire Structure Plan, which states that any development in designated countryside areas '..... will be required to be in scale and keeping with the character of the landscape and of a standard of design appropriate to the area', and Policy E5 of the draft revised Rossendale District Local Plan, which states that any development in designated areas of local landscape value is required to be '..... of a scale, size and siting in keeping with the attractive character of the landscape and of a standard of design appropriate to the area.'
2. The substantial increase in the amount of floorspace available for public use in the proposed angler's clubhouse would be likely to change the relationship of this building to the surrounding side from being clearly an ancillary facility for site related activities to a dominant one, which would also offer the opportunity for a wider range of activities, and so this

enlarged building would be in conflict with national and local green belt policies.

Application No. 14/91/534 - Change of use from Bingo Hall to Community Arts Theatre - The Pavilion, Bury Road, Rawtenstall

874 . Resolved that planning permission be granted subject to the following conditions:-

1. The principal use of the building which is the subject of this permission shall be that of a theatre. The proposed bar and cafe facilities shall at all times remain ancillary to the use of the building as a theatre, but may continue to remain open to the public during periods, and on days or parts of days when there are no live theatrical performances.
2. Not to make any material alterations to the external appearance of the building which is the subject of this permission without the grant of formal express planning permission in that behalf by the local planning authority.

Application No. 14/91/627 - Outline - Erection of five detached house Mickledore, Haslingden Old Road, Rawtenstall

874 . Resolved that planning permission be granted subject to the following conditions:-

1. Before any development is commenced approval shall be obtained from the local planning authority with respect to the reserved matters, namely the landscaping proposals shall include all hard and soft landscaping features (as such including where appropriate screen or boundary walls and fences or other means of enclosure) and shall be fully implemented before the building(s) is/are first occupied for the purposes of this permission or at such other time as may subsequently be agreed in writing with that authority. Any trees or shrubs becoming diseased, dying or otherwise being removed within two years of planting shall be replaced by the applicant/developer by species of a similar type and size.

Application No. 14/91/659 - Change of use to Sandwich Bar

and small cafe (ground floor only) operating between  
8.30 a.m. and 5.30 p.m. Monday to Saturday  
3 Pleasant Street, Haslingden

874 . Resolved that planning permission be refused for the following reason:-

1. The proposed use would by reason of the emission of cooking odours and potential incidence of litter which would be likely to ensue be detrimental to the amenities presently enjoyed by and reasonably to be expected to continue to be enjoyed by the occupiers of nearby dwellinghouses.

Standing Order No. 39(1)

874 . Resolved that in accordance with Standing Order No. 39(1), the Committee hereby consent to Councillor Hayler taking part in the discussion on the following item.

Application No. 14/91/610 - Erection of Industrial Unit  
at Shawclough Road, Waterfoot

874 . Resolved that consideration of the application be deferred to enable the Borough Engineer and Planning Officer to discuss with the applicant a method for resolving existing and potential problems caused by vehicular parking in the vicinity of the application site.

Application No. 14/91/668 - Erection of 2 No. 3 bed bungalows with integral garages (amended scheme) - Water Lane, Edenfield

874 . Resolved that planning permission be granted subject to the following conditions:-

1. None of the dwellings hereby approved shall be occupied until a 2.4 metres x 30 metre visibility splay has been provided at both access points to Water Lane.
2. The existing private access road shall be re-surfaced as necessary in dense bitumen macadam or similar approved construction from Water Lane up to and including the point of access.
3. No development shall take place until details of the siting and design of all screen or boundary walls, fences or other means of enclosure which form part of the development have been submitted to and approved by the local planning authority. None of the buildings hereby permitted shall be occupied until the walls, fences or other means of enclosure have been erected in accordance with the approved details.
4. Before any development is commenced a fully detailed scheme of landscaping (as such including tree and shrub planting, the provision of any grassed areas, hard landscaping features and the erection of any screen or boundary walls, fences or other means of enclosure) shall be submitted to and approved by the local planning authority, and such scheme shall thereafter be fully implemented before any building hereby permitted is first occupied for the purposes hereof, or at such other time as may subsequently be agreed in writing with that authority. Any trees or shrubs dying/becoming diseased or otherwise being removed within two years of planting shall be replaced by the applicant/developer by species of a similar type and size.
5. No development shall take place until samples of the proposed facing brick and roof tile have been submitted to and approved by the local planning authority and the outer face of the building shall not be constructed other than with the approved materials.

6. Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 no development which would otherwise be permitted by virtue of the provisions of Classes A, B, C, D and E of Part 1 of Schedule 2 to Article 3 of the Order shall be carried out anywhere within the application site without the grant of formal express planning permission in that behalf by the local planning authority.

#### Rossendale District Plan - First Review

874 . The Borough Engineer and Planning Officer submitted a progress report on the review of the Rossendale District Local Plan. He reminded the Committee that the Bacup Town Centre and Rawtenstall Town Centre Plans were to be incorporated within the District Plan at its review and in order to achieve the required standard of reproduction it would be necessary to print coloured plans at a cost of £6,000 approximately in addition to the approved costs for the District Plan.

The Borough Engineer and Planning Officer also reported on the need to appoint an independent Programme Officer to act on behalf of the Inspector as an intermediary between the Council and any parties wishing to make representations at the Public Inquiry. Guidance notes issued by the Department of the

Environment indicated that such an appointment should be independent of the Planning Department and it was proposed that a temporary appointment would be made attached to the Chief Executive Officer and the terms thereof would be determined under the aegis of the Policy and Resources Committee.

The Borough Engineer and Planning Officer reported that a further progress report would be submitted to the Committee at a future meeting.

Resolved (i) that the report be noted

(ii) that additional expenditure in the order of £6,000 be authorised from the current year's estimates to enable the two Town Centre Plans to be incorporated as inserts in the Rossendale District Plan, and

(iii) that arrangements for the appointment of a Programme Officer be left to the Policy and Resources Committee.

#### Advertisement Control - Town Centre Conservation Areas

874 . The Borough Engineer and Planning Officer reported that by virtue of the Town and Country Planning (Control of Advertisements) Regulations, 1989, many kinds of advertisements to be displayed on business premises, including shops, were classed as permitted development and accordingly, did not require planning consent.

The Borough Engineer and Planning Officer expressed concern that particularly in the Town Centre Conservation Areas, appropriate signage should be provided and in order to achieve this objective, he suggested that the Committee should seek to exercise control under the Regulations so as to achieve suitable standards of advertisements in the Town Centre Conservation Areas.

The Borough Engineer and Planning Officer indicated that there were currently two advertisements, one in Bacup Town Centre and one in Rawtenstall Centre which were considered wholly inappropriate and he recommended that action be taken under the Regulations to seek the removal of these signs (one at 5 Yorkshire Street, Bacup and the other at 89/91 Bank Street, Rawtenstall).



Resolved (i) that a proposal be made to the Secretary of State for the Environment that Directions be made pursuant to Regulation 7 of the Town and Country Planning (Control of Advertisements) Regulations, 1989 in respect of all relevant classes of advertisement on commercial premises within the Town Centre Conservation Areas of Bacup and Rawtenstall

(ii) that discontinuance notices pursuant to Regulation 8 of the Regulations be served in respect of the fascia signs at 5 Yorkshire Street, Bacup and 89/91 Bank Street, Rawtenstall, and

(iii) that henceforth the power to authorise service of discontinuance notices pursuant to Regulation 8 be delegated to the Development Control Sub-Committee.

#### Derelict Land Reclamation Scheme - Prinny Hill, Haslingden

874 . The Borough Engineer and Planning Officer reported that grant approval to the above-mentioned scheme had been received from the Department of the Environment but that in order to complete the scheme a further £2,000 would need to be allocated from the Council's Capital Programme.

Resolved that an amount of up to £2,000 be allocated to the scheme from the derelict land 'top up' budget.

Amenity Tree Planting Programme, 1991/92

874 . The Borough Engineer and Planning Officer reported on eight proposed sites for tree planting in the 1991/92 programme.

Resolved that the sites listed below be approved and submitted to the Countryside Commission for grant aid

1. Land to the rear of 'The Mount', Acre
2. Haslingden High School
3. Clod Lane, Helmshore (formerly Rawlinsons)
4. Land off Holcombe Road
5. Marl Pits A and B
6. Deans Lane, Water
7. Land behind New Line Reservoir, Britannia A and B
8. Land at Bacup Golf Club

Proposed South Pennine National Heritage Area Designation

874 . The Borough Engineer and Planning Officer reported that SCOSPA had requested the views of Member Authorities on the question of designating the South Pennines a National Heritage Area. He suggested that the matter was worth pursuing as an indication of the high value which Member Authorities placed upon the unique combination of the heritage and landscape resources which characterise the sub region. The report outlined the acknowledgement of the importance of the Pennines in different areas by virtue of the statutory designation in different areas from the Peak District to Northumberland. Non statutory designation might be seen as an effective mechanism for protecting the environment of the South Pennines.

Resolved that the Council supports SCOSPA in the promotion of self designation.

Wind Turbine Power Generation in the South Pennines

874 . The Borough Engineer and Planning Officer submitted draft planning guidelines issued by SCOSPA on the above issue. He indicated that the guidelines

were comprehensive and the report was to be welcomed. Since the Council was currently in the process of reviewing the District Plan, a policy on wind energy had been incorporated which took into account the guidelines contained in the SCOSPA report. He indicated, however, that the more remote areas in the Borough should not be expected to accommodate increasing amounts of major urban infrastructure and where such development was to be promoted then it was reasonable to expect that a contribution should be made towards maintaining or reducing the overall adverse impact of wind farms on the environment. Accordingly, a policy was included within the District Plan.

The Borough Engineer and Planning Officer indicated that he had recently received a planning policy guidance note relating to this subject from the Department of the Environment and the views of District Councils were requested. He also reported that the County Council and the District Planning Officers were working towards a countywide policy in respect of Wind Turbine Power Generations and that he would present a report on their meetings to a future meeting of the Committee.

Resolved (i) that the Council welcomes the report and requests SCOSPA to consider including the policy from this Council's District Plan concerning the relocation underground of overhead power lines within the draft planning guidelines, and

(ii) that the Department of the Environment be advised of this Council's view in respect of Wind Turbine Power Generation as indicated in the report.

### Agricultural Permitted Development

874 . The Borough Engineer and Planning Officer reported on amendments to the General Development Order which came into effect on 2nd January, 1992, particularly relating to a requirement for certain categories of farm development upon units comprising 5 hectares or more whereby developers/farmers would be required to notify the Local Authority of their proposals and the Local Authority would within 28 days determine whether or not approval of certain details of the permitted development (including particularly siting, design and external appearance of any buildings) was required. If such approval was required, then applicants must submit details for approval in the normal way; such applications being treated as applications for reserved matters approval. He indicated that advice from the Secretary of State suggested that these powers should only be used where a proposal was likely to have a significant impact on its surroundings.

Resolved (i) that the report be noted, and

(ii) that the scheme of delegation be amended to take account of these new provisions in the following way:-

(a) The initial determination as to whether prior approval of relevant











(b) The determination of any subsequent application for approval of











Lancashire Sites and Monuments Record - Annual Report, 1990/91

874 . The Borough Engineer and Planning Officer reported on the methods currently in operation whereby planning applications were forwarded to the Lancaster University Archaeological Unit in respect of development which might have archaeological implications. He reported the receipt of a request for financial support of a minimum of £2,000 per annum to enable the service to continue to provide the necessary archaeological knowledge to give appropriate advice. The Borough Engineer and Planning Officer suggested that the method by which advice was given might be streamlined, thereby reducing the cost to the Council of the service.

Resolved that the Borough Engineer and Planning Officer be authorised to discuss with Lancaster University Archaeological Unit a method of streamlining the consultation process so as to continue to provide archaeological advice in respect of planning applications.

Standing Order No. 39(1)

874 . Resolved that in accordance with Standing Order No. 39(1), the Committee hereby consent to Councillor Mrs. Ramsden taking part in the discussion on the following item.

Highways Report

874 . The Borough Engineer and Planning Officer submitted a report giving details of the works being carried out on highways throughout the Borough. He replied to Members' questions on items referred to in his report and matters relating to maintenance etc., and undertook to investigate queries and advise appropriate Members accordingly.

Resolved that the report be noted.

Rawtenstall Railway Station Forecourt

874 . The Borough Engineer and Planning Officer reported that since it appeared unlikely that the project for the roundabout at Newhallhey would proceed in the current financial year, the allocation of £25,000 could usefully be put towards Phase 1 of the scheme for hard landscaping treatment for the area of land to the east of the new Station building. He indicated that the works for Phase 2 and 3 of the scheme were included in the suggested Capital Programme for next year.

The Borough Engineer and Planning Officer reported that British Telecom had agreed to provide an old style telephone box which was to be sited within the Station complex.

Resolved (i) that the Policy and Resources Committee be requested to the virement of £25,000 from the scheme for the roundabout at Newhallhey to the Phase 1 treatment at Rawtenstall Station Forecourt

(ii) that the Policy and Resources Committee be requested to agree to the Phase 2 and 3 works being committed in the 1992/93 Capital Programme, and



(iii) that subject to the necessary approvals from the Policy and Resources Committee the Borough Engineer and Planning Officer be authorised to invite tenders for the Phase 2 and 3 works from the following companies

Select List (Civil Engineering Works)	Select List (Landscaping Works)
Rossendale Highways DLO	Horticon Limited
Smith and Malpas	Lanes Landscaping
Hambro Construction Limited	P. J. Carney
P. Casey Limited	I. Warrener
G. Dew Limited	P. England
Essexcare (Northern) Limited	Rossendale Highways DLO

(iv) that subject to the necessary approval from the Policy and Resources Committee, the Contract for Phase 1 be awarded to the Highways DLO at rates and prices to be approved by the Development Control Sub-Committee.

Standing Order No. 39(1)

874 . Resolved that in accordance with Standing Order No. 39(1), the Committee hereby consent to Councillors Pearson and Mrs. Ramsden taking part in the discussion on the following item.

## Traffic Regulation Orders

874 . The Borough Engineer and Planning Officer submitted reports in respect of several proposals for traffic regulation measures.

The Mayor presented a petition to the Committee from residents in the area of Peel Street/Dobbin Lane, Cloughfold expressing concern about consultations which were currently taking place on the possible introduction of a one way system in the area.

The Committee considered the several proposals for Traffic Regulation Orders and it was

Resolved (i) that in accordance with the Agency Agreement with Lancashire County Council, the Chief Executive Officer be authorised to make the following Traffic Regulation Orders

### 1. Newchurch Road, Stacksteads

that vehicles be prevented from waiting between 8.00 a.m. and 6.00 p.m. Monday to Saturday inclusive on the north side of Newchurch Road from the limit of the existing traffic order (boundary of No. 357 Newchurch Road) a distance of 50.0m approximately in an easterly direction

### 2. Cowtoot Lane, Bacup

that vehicles be prevented from waiting between 8.00 a.m. and 4.00 p.m. Monday to Friday (inclusive) on Cowtoot Lane as follows:-

South side - from the junction with Blackthorn Lane a distance of 140.0m approximately in a north easterly direction

North side - from a point 3.0m east of the gable of No. 28 Cowtoot Lane a distance of 75.0m approximately in a north easterly direction

### 3. Peel Street, Cloughfold

that vehicles be prevented from waiting at all times from the junction with Dobbin Lane a distance of 20.0m overall covering the south west gable of No. 2 Peel Street and the frontages of Nos. 2 and 4 Peel Street

#### 4. Back Cawl Terrace and Bacup Road, Rawtenstall

that vehicles be prevented from waiting at all times as follows:-

Back Cawl Terrace - both sides of the street from the junction with the access road a distance of 27.50m approximately

Unnamed access road (West side) - gable of No. 243 Bacup Road from the junction with Bacup Road a distance of 23.0m in a southerly direction

Bacup Road (South side) - a distance of 12.0m approximately in a westerly direction directly in front of Nos. 241 and 243 Bacup Road

Waiting limited to one hour Monday to Saturday (inclusive) 8.00 a.m. to 6.00 p.m. (return prohibited within one hour) as follows:-

Bacup Road (South side) - from the westerly gable of No. 241 Bacup Road a distance of 104.0m approximately in a westerly direction and from the westerly gable of No. 253 a distance of 20.0m approximately

5. Helmshore Road/Gregory Fold/Broadway, Haslingden

that vehicles be prevented from waiting as follows:-

Broadway (South side) - No waiting at any time - from the junction with Helmshore Road a distance of 42.0m approximately in an easterly direction

Helmshore Road (West side) - No waiting at any time, no loading or unloading - from the junction with Gregory Fold a distance of 45.0m approximately in a southerly direction

Helmshore Road (East side) - No waiting at any time, no loading or unloading - from the junction with Broadway a distance of 48.0m in a southerly direction

Helmshore Road (West side) - No waiting at any time - from the junction with Gregory Fold a distance of 53.0m in a northerly direction

Helmshore Road (East side) - No waiting at any time - from the junction with Broadway a distance of 46.0m in a northerly direction

Gregory Fold (North side) - No waiting at any time - from the junction with Helmshore Road a distance of 35.0m in a westerly direction

Gregory Fold (South side) - No waiting at any time - from the junction with Helmshore Road a distance of 15.0m approximately in a westerly direction

Broadway (North side) - No waiting Monday to Saturday (inclusive) 8.00 a.m. to 6.00 p.m. - from the junction with Helmshore Road a distance of 67.0m in an easterly direction

6. Newchurch Road, Bacup

that vehicles be prevented from waiting between 8.00 a.m. and 6.00 p.m. Monday to Saturday inclusive on Newchurch Road as follows:-

North side - from the junction with Hoyle Street a distance of 70.0m approximately in a westerly direction to the junction with Queens Terrace

South side - from a point opposite the easterly gable of No. 156 Newchurch Road a distance of 20.50m approximately in a westerly direction and also from a point 50.0m east of the gable of No. 156 Newchurch Road a distance of 10.0m in an easterly direction

7. Co-operation Street, Crawshawbooth

that vehicles be prevented from waiting at all times on the northerly side of Co-operation Street from the junction with Stoneholme Road a distance of 27.0m approximately in an easterly direction and on the southern side from the junction with Burnley Road for a distance of 15m in a westerly direction

8. Northfield Road, Rising Bridge

that vehicles be prevented from waiting between 8.00 a.m. and 6.00 p.m. Monday to Saturday inclusive on Northfield Road as follows:-

North side - from the junction with Blackburn Road (boundary between No. 1 and 609) a distance of 55.50m approximately in a westerly then northerly direction

South side - from the junction with Blackburn Road a distance of 48.0m approximately in a north westerly direction

#### 9. Charles Lane, Haslingden

that the two-way working on Charles Lane be revoked and one-way working be introduced from the junction with Peel Street (traffic flow to be west to east) a distance of 100.0m approximately. To also stop up Charles Lane at a point 10.0m west of the junction with South Shore Street by obstructions placed in the carriageway and appropriate works

#### 10. Market Street, Whitworth junction with Tong Lane and Acre Street

that vehicles be prevented from waiting at all times as follows:-

Market Street (West side) - from the junction with Tong Lane a distance of 57.0m in a northerly direction

Market Street (East side) - from the junction with Acre Street a distance of 38.0m in a northerly direction

#### Standing Order No. 39(1)

874 . Resolved that in accordance with Standing Order No. 39(1), the Committee hereby consent to Councillor Mrs. Ramsden taking part in the discussion on the following item.

#### Land at Warth Old Road, Waterfoot

874 . The Borough Engineer and Planning Officer reported the receipt of representations from Mencap regarding condition of the road and land adjacent to the rear of their premises in Waterfoot. He outlined the Council's responsibilities in the matter and indicated that Mencap had agreed to make a contribution towards the cost of works to facilitate a temporary improvement. The Borough Engineer

and Planning Officer indicated that the necessary works would be undertaken in association with and using materials from another scheme within the Rawtenstall area.

Resolved that the necessary works to the road be undertaken as suggested by the Borough Engineer and Planning Officer and the necessary expenditure be shared as indicated in the report.

## SECTION 'B' - FUNCTIONS DELEGATED

### Naming and Numbering of Streets

#### Development at Lane Ends Road, Bacup

874 . (a) Resolved that the name 'The Ferns' be allocated to the development currently in the course of construction at Lane Ends Road, Bacup.

#### Development at Brockclough Road, Whitewell Bottom

900. (b) Resolved that the name 'Brock Bank' be allocated to the development currently in the course of construction at Brockclough Road, Whitewell Bottom.

Article 4 Direction - Bacup Town Centre Conservation Area

874 . The Borough Engineer and Planning Officer reported that the Secretary of State had approved the Council's Article 4 Direction in respect of certain classes of development and in respect of all dwellinghouses within the Bacup Town Centre Conservation Area. He suggested the inclusion of additional classes of development relating to gates, fence walls; access to highways and exterior painting so as to bring such development within control in respect of all land and buildings.

Resolved (i) that an Article 4 Direction be submitted to the Secretary of State for approval in respect of the Classes of development contained in the existing Article 4 Direction, and in respect of all land and buildings in the Bacup Town Centre Conservation Area, and

(ii) that the appropriate Officers be authorised to undertake all necessary steps precedent and subsequent to the submission of such a Direction.

Fern Street Car Park, Bacup

874 . The Borough Engineer and Planning Officer recommended that measures should be taken to prevent the parking of heavy goods vehicles on the above-mentioned car park and indicated that such parking had increased following the exclusion of heavy goods vehicles from the car park at Bank Street.

Resolved that the Borough Engineer and Planning Officer be authorised to implement measures to physically restrict access to the car park by Heavy Goods Vehicles and all measures necessary to prohibit parking by HGV in the Car Park.

A681 Bacup Road, Rawtenstall - Crossing at Cloughfold

874 . The Borough Engineer and Planning Officer reported that following the receipt of a petition from residents in Cloughfold, consideration had been given to the provision of a pelican crossing on Bacup Road near to its junction with Peel Street. He indicated that the proposed scheme satisfied the necessary criteria for a crossing and that the County Council were considering the inclusion of the scheme within their Capital Programme.



Resolved that the report be noted.

Parking in Rawtenstall - Progress Report

874 . The Borough Engineer and Planning Officer submitted a report outlining the proposed programme for introducing measures for dealing with the parking situation in Rawtenstall. It was anticipated that following the submission of data collected in connection with existing parking activities, he would consider options for dealing with the matter and obtain the views of the County Surveyor and the Police thereon. Thereafter a report would be presented to Committee and the necessary formal advertisements would follow. It was anticipated that in June approximately, some form of Public Meeting would be held to discuss the proposals and that the implementation of approved measures would follow the Public Meeting and formal consideration of any objections.

Resolved that the report be noted.

Condition of Footways - Deardengate, Haslingden

874 . The Borough Engineer and Planning Officer reported that he proposed to reconstruct the footways in Haslingden Town Centre following completion of the Haslingden Area Drainage Study. He indicated that concrete block paving was to be used similar to the Bacup and Rawtenstall Town Centres.

Resolved that the report be noted.

Private Street Works - Final Apportionment  
Granville Street, Helmshore

874 . The Borough Engineer and Planning Officer reported that the final apportionment had been prepared in respect of the above-mentioned Private Street Works Scheme and he advised Members of the details thereof.

Resolved that the Final Apportionment be approved and the Chief Executive Officer be authorised to serve Notice on the owners of premises affected.

Adoption of Highways

874 . The Borough Engineer and Planning Officer reported that the following highway had become an adopted highway on 2nd January, 1992 following the satisfactory completion thereon in accordance with the terms of a Section 38 Agreement

Foxwell Close, Haslingden - from a point 27.0 metres from its junction with Sandown Road in a north westerly then north easterly direction for a distance of 130.6 metres making the total adopted length 157.6 metres, together with two turning heads (adjacent to Nos. 12 and 19), the link footway between Foxwell Close and the Ridgeways (a distance of 63.2 metres) and ancillary highway drainage, signing and lighting works but excluding the service verge

Resolved that the report be noted.

Queens Square Roundabout - Subway

874 . The Borough Engineer and Planning Officer reported that the County Surveyor had approved a scheme to replace the existing defective subway parapet guard rail and splash panels with natural stone parapet walls, together with ancillary kerb and drainage works.

Resolved (i) that the scheme be approved, and

(ii) that tenders be invited from the following list of Contractors

Rosendale Highways DLO

Smith and Malpas Limited

B. Devlin Limited

J. and R. Moran Limited

Mt. Lavelle Limited

Marchbridge Limited

### Adopt a Path Countryside Initiative

874 . The Borough Engineer and Planning Officer reported that it was proposed to introduce a scheme in Easter, 1992 whereby increased interest and use of the public footpath network would be achieved by encouraging members of the public and other organisations to become involved in looking after the network as voluntary Wardens. The report indicated that grant aid from the Countryside Commission was available and that the scheme, if successful, would continue to provide an up to date survey of the condition of the rights of way network which would help prevent blockages and neglect to the network.

Resolved that the report be noted.

### Drainage Report

874 . The Borough Engineer and Planning Officer submitted a report giving details of the works being carried out on Sewerage Schemes throughout the Borough. He replied to Members' questions on items referred to in his report and matters relating to maintenance etc., and undertook to investigate queries and advise appropriate Members accordingly.

Resolved that the report be noted.

### Sewerage Revenue Maintenance Contracts, 1983-1988

874 . The Borough Engineer and Planning Officer reported that he had now completed the final accounts in respect of the Sewerage Revenue Maintenance Contracts for 1983-1988 and following agreement with the aid of two conciliators acting for the Engineer and the Contractor, the final settlement of £13,298.90 had been agreed.

Resolved that the report be noted.

### Revenue Estimates

874 . The Borough Engineer and Planning Officer submitted a report indicating proposed reductions in the Committee's Revenue Estimates aimed at achieving a

reduction in the Council's budget target. He further reported that the Lancashire County Council was currently considering reductions in their budget and gave details so far as these were available.

The Borough Engineer and Planning Officer reported that the Policy and Resources Committee would be considering the question of grants to outside bodies, etc. and he submitted details of those which were made by this Committee amounting in total to £400.00 per annum.

The Committee discussed the matter

- Resolved (i) that the Policy and Resources Committee be requested not to reduce the budget for grant and subscriptions for this Committee
- (ii) that the effects of the Lancashire County Council budget, so far as they are known, be noted, and

(iii) that the Policy and Resources Committee be advised of the following proposed cuts to be made from the Engineering and Planning Revenue Estimates for 1992/93

(a) Increase in highways agency fee (temporary renegotiation)	27,000
(b) Reduction in administration staff following loss of North West Water agency	15,000
(c) District Plan Inquiry (spread over two financial years)	25,000
(d) Administration savings (maternity cover)	2,000
(e) Training expenses	3,500
(f) Vacancy advertising costs	8,000
(g) Relocation expenses	500
(h) Printing and stationery	3,000
(i) DLO emergency call-out (wrongly allocated)	1,000
(j) Highways miscellaneous (storm damage contingency)	5,000
(k) Street cleansing (cost of inflation less than assumed)	5,000
(l) Highways agency - reduction in staff	18,000
(m) Local Plans - equipment and materials	1,000
(n) District Plan Map (needed 1991/92 and 1993/94)	8,000

(o) Heritage Officer extra grant	2,000
(p) Development Control revised fees (set by Government)	29,000
	<hr/>
	153,000
	=====

(iv) that the enhancement to the Committee's Revenue Estimates for 1992/93 to facilitate the Contaminated Land Register be noted, and

(v) that in view of the concern expressed by Members in respect of the delay in connecting supplies to street lights a further meeting be arranged with Norweb and that the Committee be represented by the Chair, Vice Chair and Opposition Spokesperson at that meeting.

#### Tree Preservation Orders

874 . The Borough Engineer and Planning Officer submitted a report giving details of objections received in respect of Tree Preservation Orders which have been made.

The Committee considered the objections

Resolved (i) that the following Tree Preservation Orders be confirmed

Land at Fernlea Works, Bacup Road, Waterfoot T2/65

Land at Spodden Valley South T2/68 and 68a

Land at Braeside, Market Street, Whitworth - T2/71 and T2/72

(ii) that consideration of the objections in respect of the Tree Preservation Order adjacent to Charles Lane Mill, Haslingden - T2/70 be deferred

and that the Committee undertake a site inspection prior to the next Engineering and Planning Committee.

Peter Street Area, Haslingden

874 . The Borough Engineer and Planning Officer submitted a comprehensive report on the planning history and current planning position regarding the land off Bacup Road, Rawtenstall including Ilex Mill and the Bus Station and the properties in the Peter Street development. The report pointed out that consideration was to be given by both the Housing, Management and Services Committee and the Policy and Resources Committee and that his report related essentially to the planning situation. A decision on the course to be taken would be made by the Policy and Resources Committee.

The Committee considered the matter and the Borough Engineer and Planning Officer emphasised that the properties were included within the Town Centre Conservation Area where the emphasis was on retention and improvement of properties.



Resolved (i) that the Policy and Resources Committee in considering the future of the Peter Street Housing Area have regard to the Conservation Area Status of Rawtenstall Town Centre and its implications upon the housing area, and

(ii) that in addition, this Committee considers a comprehensive scheme for the treatment of the whole area.

#### Holme Lane, Rawtenstall

874 . The Borough Engineer and Planning Officer reported that a meeting had been held with a number of residents from the Holme Lane area on 9th January, 1992 at which detailed information was given relating to the present condition of the road and structures in the area and the costs involved in bringing the roads and bridges to adoption standards. He indicated that the residents had been advised that if the Committee were to seek progress in the matter it would be appropriate for proper consultation to be undertaken with all the residents in a more formal manner and that details of the costs of complete scheme and details of the costs of a scheme involving repairs to the bridge only could form the basis of that consultation.

Resolved (i) that the Borough Engineer and Planning Officer be authorised to prepare initial estimates and apportionment for the two schemes as outlined and that a further report be presented to the Committee in due course, and

(ii) that details of the methods of payment available to frontagers be incorporated as part of the consultation process.

#### Capital Programme, 1992/93

874 . Resolved that the Policy and Resources Committee be requested to consider the following schemes for inclusion in the 1992/93 Capital Programme

Derelict Land Top Up	£20,00
Amenity Tree Planting and Countryside Interpretation	£30,00

Town Centre Improvements	ERDF	£100,000
Town Centre Grants - Stone Cleaning etc.	ERDF	£20,000
Rawtenstall Station Forecourt	ERDF	£90,000
Newhallhey Roundabout (with grants off LCC and private sector)	ERDF	£300,000
Queens Square Subway Refurbishment		£40,000
Bacup Town Scheme		£30,000
Ilex Mill	ERDF	£400,000
Market Hall, Bacup including Car Park, etc.	ERDF	£100,000
Hall Street, Bacup Retaining Wall		£70,000
East Lancashire Railway Development Programme	ERDF	£20,000
Haslingden Town Centre Improvements	ERDF	£75,000
Greenbridge Works, Rawtenstall	ERDF	£80,000
Ratcliffe Fold, Haslingden Widening		£30,000
Baldwin Street/Railway Street, Stacksteads		£100,000

	ERDF	
(Rossendale Borough Council contribution)		
Stubbylee Park Car Park and Access Road		£50,00
Burnley Road, Rawtenstall/Woodcroft Street Parking Area		£20,00
Various Housing Estates Conversion of Verges to Parking Bays		£30,00
Cloughfold/Waterfoot - Phase 3 Scheme Completion and Victoria Arcade	ERDF	£100,00
Lindon Park Road, Ewood Bridge Parking Bay		£15,00
Bedford Terrace, Helmshore Parking Area		£15,00
Rosebank Street, Bacup Private Street Works Contribution		£40,00
<u>Via Leisure Committee</u>		
Marl Pits Car Park - Phase 2		£50,00
Haslingden Baths Structural Repairs		£50,00
<u>Via Policy and Resources Committee</u>		
Strengthening of Council owned British Rail Bridge, New Line, Bacup		£70,00

Sewerage Agency Contract - Hovingtons

874 . The Chief Executive Officer reminded the Committee that he had agreed to circulate the reports of the District Auditor relating to the above-mentioned matter. He also advised the Committee that a note from the District Audit Service which contained the District Auditor's final conclusion in the matter had also been circulated.

Resolved that the report be noted.

Relocation of Haslingden Market

Joint Sub-Committee of Environmental Health and Control  
and Engineering and Planning Committees

874 . (a) The Chief Executive Officer submitted the Minutes of the Joint Sub-Committee held on 13th January, 1992 (for Minutes see Appendix 'A').

Resolved that the Minutes be received.

### Reference from Environmental Health and Control Committee

918. (b) the Chief Executive Officer reported that the Environmental Health and Control Committee at their meeting on 13th January had received the Minutes of the Joint Sub-Committee and requested this Committee to confirm that a Town Centre Plan would be undertaken and completed in the financial year 1992/93.

Resolved that the Environmental Health and Control Committee be advised that this Committee confirms its commitment to the completion of the Town Centre Plan within 1992/93.

### Development Control Sub-Committee

874 . Resolved that the Minutes of the meetings of the Development Control Sub-Committee held on the 29th November, 6th December, 13th December and 20th December, 1991 and 3rd January, 1992 be noted (for Minutes see Appendices 'B', 'C', 'D', 'E' and 'F').

### Exclusion of the Public and Press

874 . Resolved that under Section 100(A)(4) of the Local Government Act, 1972, the public and press be excluded from the meeting during consideration of the following item on the grounds that it involves the disclosure of exempt information as defined in paragraph 1 of Part I of Schedule 12A to the Act.

### Section 52 Agreement - Greensnook Farm and Cowtoot Lane, Bacup

874 . The Chair reported that a short while before the meeting he had been handed a Consultant's Report in support of the application for a release from the obligations under the Section 52 Agreement. In view of the late receipt of the report, he recommended that the matter be deferred.

Resolved that consideration of this item be deferred until the next meeting of the Committee.

THE MEETING CLOSED AT 8.50 P.M.

\*M ENGINEERING AND PLANNING COMMITTEE

held 24th February, 1992  
at 7.00 p.m.

\*P

PRESENT: Councillor Baron (in the Chair),  
Councillors Bolton, Cruise, Easton, Fishwick,  
Mrs. Goldsworthy, Grogan, Hancock, Harding,  
McManus, Neal, Mrs. Oldham, Pilling and  
Mrs. Talukdar.

\*Y

Minutes

63 . 10 Resolved that the Minutes of the meeting of the Committee held on 20th January, 1992 be signed by the Chair as a correct record.

SECTION 'B' - FUNCTIONS DELEGATED

Town and Country Planning Act, 1990  
Applications for consideration by the Committee

63 . 10 The Borough Engineer and Planning Officer submitted a report upon each of the applications contained in Minutes Nod. 1065 to 1077 inclusive which gave details of each application, the consultations which had been carried out and where appropriate details of objections and representations received together with his observations on each application. He also submitted details of further correspondence received since the preparation of the reports.

Application No. 14/91/669 - Outline - Erection of Dwelling  
Land at Irwell Vale Road, Ewood Bridge

63 . 10 Resolved that outline planning permission be granted subject to the following conditions:-

1. Before any development is commenced approval shall be obtained from the local planning authority with respect to the reserved matters, namely siting, design, means of access, external appearance and landscaping. The

landscaping proposals shall include all hard and soft landscaping features (as such including where appropriate screen or boundary walls and fences or other means of enclosure) and shall be fully implemented before the building(s) is/are first occupied for the purposes of this permission or at such other time as may subsequently be agreed in writing with that authority. Any trees or shrubs becoming diseased, dying or otherwise being removed within two years of planting shall be replaced by the applicant/developer by species of a similar type and size.

2. The proposed access from the site to Irwell Vale Road shall be constructed to a minimum width of 3.4 metres, and this width shall be maintained for a minimum distance of 5 metres measured back from the nearside edge of the carriageway.
3. Before the development hereby permitted becomes operative, a lay-by for vehicular parking shall be constructed within the site and along the site frontage to Irwell Vale Road in accordance with a scheme to be submitted to and approved by the local planning authority.



4. Before the access is used for vehicular purposes, any gateposts erected at the access shall be positioned 5 metres behind the nearside edge of the carriageway and visibility splay fences or walls to the satisfaction of the local planning authority shall be erected from the gateposts to the existing highway boundary, such splays shall be 45° to the centre line of the access. The gates shall open away from the highway. Should the access remain un gated 45° splays shall be provided between the highway boundary and points on either side of the drive measured 5 metres back from the nearside edge of the carriageway.
5. The layout of the development shall include provisions to enable vehicles to enter and leave the highway in forward gear and such provisions shall be laid out in accordance with one of the examples indicated on the attached plan and the vehicular turning space shall be laid out and available for use before the development is brought into use.
6. The outer face of the dwelling hereby approved shall not be constructed other than with natural coursed local stone walls and a natural slate roof.
7. No development shall take place until samples of the proposed natural stone and slate have been submitted to and approved by the local planning authority and the outer face of the building shall not be constructed other than with the approved materials.
8. Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 no development which would otherwise be permitted by virtue of the provisions of Classes A, B, C, D and E of Part 1 of Schedule 2 to Article 3 of the Order shall be carried out anywhere within the application site without the grant of formal express planning permission in that behalf by the local planning authority.
9. Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 no material change of elevation, change of use or alteration to form a habitable room or any integral or other garage constructed concurrently with or subsequent to the original dwellinghouse, which would otherwise be permitted by virtue of the provisions of Class A of Part 1 of Schedule 2 to Article 3 of the

aforementioned Order, shall be carried out anywhere within the application site without the grant of formal express planning permission in that behalf by the local planning authority.

10. Before any development is commenced the applicant shall carry out appropriate tests and specialist investigations to provide a detailed assessment and report concerning any actual or potential instability to which the application site may be subject. The assessment and report shall be copied to the local planning authority and any recommendation and conclusions contained within them shall be duly carried out or adhered to by the applicant, including any physical measures required to facilitate the safe occupancy of the application site, and any proposed buildings upon it, for residential purposes.

Application No. 14/91/552 - Single Storey Extension  
to existing building incorporating assembly hall, PE and chair stores,  
nursery unit, classroom, toilet accommodation and alterations to  
admin areas and extending existing car park - St. John with St. Michael's  
Primary School, Moss Side Street, Shawforth, Nr. Rochdale

63.10 Resolved (i) that permission be granted subject to the following conditions:-

1. No building/none of the buildings hereby permitted shall be occupied until car parking, servicing and manoeuvring facilities within the application site have been provided, laid out and surfaced in accordance with details to be submitted to and approved by the local planning authority.
2. No development shall take place until samples of the proposed facing brick and roof tiles have been submitted to and approved by the local planning authority and the outer face of the building shall not be constructed other than with the approved materials.

(ii) that the Lancashire County Council be requested to give consideration to highway improvements at the junction of Moss Side Street/Market Street, and

(iii) that Lancashire County Council be also requested to consider the provision of a footpath to the site from Knott Hill Street/Eagley Bank.

Application No. 14/91/679 - Change of use of Retail Outlet  
to Restaurant/Cafe - 44 Burnley Road East, Waterfoot

63 . 10 The Borough Engineer and Planning Officer reported that the applicant had withdrawn this application.

Resolved that the report be noted.

Application No. 14/91/592 - Erection of Industrial Starter Units  
(Amended Scheme) - Fallbarn Road, Rawtenstall

63 . 10 Resolved (i) that planning permission be granted subject to the following conditions:-

1. The building shall not be occupied until a means of vehicular access has been constructed in accordance with the approved plans.
2. No building/none of the buildings hereby permitted shall be occupied until car parking, servicing and manoeuvring space as indicated on the

submitted plans has been provided, laid out and surfaced in accordance with those plans.

3. No building/none of the buildings hereby permitted shall be occupied until the landscaping scheme as shown on the submitted plans has been fully implemented in all respects (including where appropriate the provision of any landscaped areas and/or screen walls, fences or other means of enclosure). Any trees or plants which die, are removed or become seriously damaged or diseased within two years of planting 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.
4. No dumping or storing of raw materials, finished products, waste products of any description or any other form of rubbish (including waste skips) shall take place at any time within the application site curtilage other than within a building or the confines of a fenced compound, the details of which shall be submitted to and approved by the local planning authority before any development takes place.

5. The building(s) which is/are the subject of this permission shall be used only for the purposes of business and general industry, and storage and distribution in accordance with the provisions of the Town and Country Planning (Use Classes) Order 1987 (that is with reference to Classes B1, B2 and B8 of the Schedule to the aforementioned Order).
6. No development shall take place until samples of the proposed facing materials have been submitted to and approved by the local planning authority and the outer face of the building shall not be constructed other than with the approved materials.
7. No development shall take place until the colour of the proposed roof/wall cladding has been agreed in writing with the local planning authority, and the colour of the roof/wall cladding used in connection with the development shall not vary from that/those approved.

(ii) that the Chair, Vice Chair and Opposition Spokesperson together with the Councillors for the Hareholme Ward be authorised to meet residents from the area who have expressed concern regarding conditions in the vicinity of this proposed development.

Standing Order No. 39(1)

63 . 10 Resolved that in accordance with Standing Order No. 39(1), the Committee hereby consent to Councillors Connolly, Hayler and Stuart taking part in the discussion on the following item.

Application No. 14/91/601 - Single Storey Classroom Extension and formation of new entrance (amended scheme) - no projection of extension past existing line of building towards houses)  
St. Annes Primary School, Ashworth Road, Waterfoot

63 . 10 Resolved that planning permission be refused for the following reason:

1. The proposed development would, by reason of its size, mass and close proximity to the adjoining dwellinghouses, be detrimental both to the visual and residential amenities at present enjoyed by and reasonably to be

expected to continue to be enjoyed by the occupiers of those adjoining dwellinghouses.

(N.B. Councillor Easton declared an interest in the undermentioned Minute and .











































Standing Order No. 39(1)

63 . 10 Resolved that in accordance with Standing Order No. 39(1), the Committee hereby consent to Councillor Hayler taking part in the discussion on the following item.

Application No. 14/91/610 - Erection of Industrial Unit  
Shawclough Road, Waterfoot

63 . 10 Resolved (i) that planning permission be granted subject to the following conditions:-

1. No development shall take place until samples of the proposed bricks and sheeting have been submitted to and approved by the local planning authority and the outer face of the building shall not be constructed other than with the approved materials.
2. No building/none of the buildings hereby permitted shall be occupied until car parking, servicing and manoeuvring space as indicated on the submitted plans has been provided, laid out and surfaced in accordance with those plans.
3. No dumping or storing of raw materials, finished products or any description or any other form of rubbish (including waste skips) shall take place at any time within the application site curtilage other than within a building or the confines of a fenced compound, the details of which shall be submitted to and approved by the local planning authority before any development takes place.
4. The building which is the subject of this permission shall be used only for the purposes of business and general industry, and storage and distribution in accordance with the provisions of the Town and Country Planning (Use Classes) Order 1987 (that is with reference to Classes B1, B2 and B8 of the Schedule to the aforementioned Order).
5. No development shall take place until a scheme providing details of the footway to be constructed along the frontage of the application site with

Shawclough Road has been submitted to and approved by the local planning authority and the building hereby approved shall not be occupied until the approved scheme has been fully implemented to the satisfaction of the local planning authority.

6. Before any development is commenced a fully detailed scheme of landscaping as such, including tree and shrub planting, the provision of any grassed areas, hard landscaping features and the erection of any screen or boundary walls, fences or other means of enclosure) shall be submitted to and approved by the local planning authority, and such scheme shall thereafter be fully implemented before any building hereby permitted is first occupied for the purposes hereof, or at such other time as may subsequently be agreed in writing with that authority. Any trees or shrubs dying/becoming diseased or otherwise being removed within two years of planting shall be replaced by the applicant/developer by species of a similar type and size.

(ii) that in the event that traffic problems arise as a result of the proposed development, appropriate steps be taken to deal with such problems.

Application No. 14/91/651 - Proposed Hardstanding for the use of livestock at Old Meadows Farm, Dog Pits Lane, Bacup

63 . 10 Resolved that planning permission be granted subject to the following conditions:-

1. The hardstanding hereby permitted shall be used exclusively as a hardstanding for livestock.
2. Before any development is commenced a fully detailed scheme of landscaping (as such including tree and shrub planting, the provision of any grassed areas, hard landscaping features and the erection of any screen or boundary walls, fences or other means of enclosure) shall be submitted to and approved by the local planning authority, and such scheme shall thereafter be fully implemented before any building hereby permitted is first occupied for the purposes hereof, or at such other time as may subsequently be agreed in writing with that authority. Any trees or shrubs dying/becoming diseased or otherwise being removed within two years of planting shall be replaced by the applicant/developer by species of a similar type and size.

Application No. 14/91/605 - Proposed conversion of attic to offices Wavel House, Holcombe Road, Helmshore

63 . 10 Resolved that planning permission be granted subject to the following condition:

1. No development shall take place until samples of the proposed natural stone and artificial slate have been submitted to and approved by the local planning authority and the outer face of the building shall not be constructed other than with the approved materials.

Application No. 14/91/606 - Proposed building over and extension to existing building to form offices and proposed car park Land off Holcombe Road, Helmshore

63 . 10 Resolved that planning permission be granted subject to the following conditions:-

1. No development shall take place until samples of the proposed artificial stone, bricks and tiles have been submitted to and approved by the local planning authority and the outer face of the building shall not be constructed other than with the approved materials.
2. The car park shall be surfaced or paved to the approval of the local planning authority and the car parking spaces and manoeuvring areas marked out in accordance with the approved plan, before the development of the premises hereby permitted commences.
3. A scheme showing details of the re-routed access road to the existing car park to the rear of the building hereby approved shall be submitted to and approved by the local planning authority prior to the commencement of development and the approved scheme shall be fully implemented prior to the use of the building hereby approved first commencing.

Application No. 14/91/648 - Erection of 33 No. Houses  
Church Street, Crawshawbooth

63 . 10 Resolved that planning permission be granted subject to both the completion of a Section 106 Agreement, relating to the funding by the developer of a Private Street Works Scheme to bring the portion of the side street by the gable of No. 23 Church Street up to adoption standards and the following conditions:-

1. The portion of estate access road by the gable of No. 23 Church Street shall be fully implemented to adoption standard prior to any of the dwellinghouses hereby approved first being occupied.
2. No development whatsoever shall be begun until such time as details of all on-site and any necessary off-site drainage works (both foul and surface water) have been submitted to and approved by the local authority.
3. None of the dwellings hereby permitted shall be occupied until the drainage works referred to in condition no. 2 have been carried out and satisfactorily completed in accordance with the plans submitted and approved pursuant to that condition.
4. No development shall take place until samples of the proposed artificial stone and slate have been submitted to and approved by the local planning authority and the outer face of the building shall not be constructed other than with the approved materials.
5. No building/none of the buildings hereby permitted shall be occupied until the landscaping scheme as shown on the submitted plans has been fully implemented in all respects (including where appropriate the provision of any landscaped areas and/or screen walls, fences or other means of enclosure). Any trees or plants which die, are removed or become seriously damaged or diseased within two years of planting 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.

6. Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 no development which would otherwise be permitted by virtue of the provisions of Classes A, B, C, D and E of Part 1 and Class A of Part 2 of Schedule 2 to Article 3 of the Order shall be carried out anywhere within the application site without the grant of formal express planning permission in that behalf by the local planning authority.

## SECTION 'A' - FUNCTIONS NOT DELEGATED

### Planning Appeal Decisions

63 . 10 The Borough Engineer and Planning Officer reported on the results of appeals against the Council's decision to refuse planning permission in the following cases

Application 14/90/345 - Construction of 2 double garages with dwelling over - Lower Broadclough Barn, off Burnley Road, Broadclough, Bacup

Appeal dismissed

Application No. 14/91/312 - Two storey kitchen and bedroom extension  
- 9 Taylor Street, Rawtenstall

Appeal dismissed

Application 14/91/162 - Retention of raised pitched roof to provide additional storage in detached garage - 22 Grave Clough Drive, Bacup

Appeal allowed subject to the condition that notwithstanding the provisions of the Town and Country Planning Act General Development Order 1988 no material change of elevation, change of use or alteration to form habitable accommodation of the first floor roofspace of the enlarged detached double garage, which would otherwise be permitted by virtue of the provisions of Class E of Part 1 of Schedule 2 to Article 3 of the aforementioned Order, shall be carried out anywhere within the roofspace without the grant of formal express planning permission in that behalf by the local planning authority.

Resolved that the report be noted.

Tree Preservation Order - Charles Lane, Haslingden

63 . 10 The Committee considered the objection received to the Order and reference was made to the site visit held on Saturday, 22nd February.

Resolved that the Order be confirmed.

Haslingden Town Centre Plan

63 . 10 The Borough Engineer and Planning Officer submitted a timetable which indicated that following extensive consultation and detailed preparation, the modified plan would be presented to the Engineering and Planning Committee in May/June, 1993.

The Borough Engineer and Planning Officer advised that questionnaires would be distributed with copies of a local free newspaper and he outlined the arrangements which were in hand for receipt of completed questionnaires.

Resolved that the report be noted.

Lumb Viaduct, Irwell Vale

63 . 10 The Borough Engineer and Planning Officer reported that British Rail was seeking to dispose of the Lumb Viaduct (a Listed Structure) to an organisation which may more appropriately own and maintain the structures.

Resolved that the Borough Engineer and Planning Officer be authorised to discuss with British Rail the terms and conditions on which the structures might be made available to the local authority.

Census, 1991 - Computer Equipment

63 . 10 The Borough Engineer and Planning Officer reported that the cost of computer equipment to handle census data and to enable his department to make use of such data had reduced considerably in recent years. He indicated that the necessary hardware and software, including desk top publishing facilities could be acquired for approximately £2,200.



Resolved that the Borough Engineer and Planning Officer be authorised to acquire computer equipment at the costs now indicated subject to satisfactory discussions with the District Audit and to the agreement of the Computer Steering Group.

Untidy/Unkempt Land at Campion Drive, Helmshore

63 . 10 The Borough Engineer and Planning Officer reported the receipt of a number of complaints regarding the condition of a small parcel of land at Campion Drive, Helmshore. He indicated that the Council did not have a statutory duty to move such rubbish and suggested the courses of action open to the Committee in the matter.

Resolved that the Borough Engineer and Planning Officer be requested to determine ownership of the land and to report to a future meeting on the matter.

ERDF/Additionality  
Coalfield Communities Campaign

63 . 10 The Borough Engineer and Planning Officer circulated a report to the Committee following a one day conference arranged by the Coalfield Communities Campaign which he had attended at Sheffield on Thursday, 20th February.

The report detailed the problems of 'additionality' whereby the full effects of ERDF Grant were not capable of being fully realised by the recipient area because of existing Government controls on local authority finance. The Government's position in the matter was that European funds do produce additionality and that account was taken when basic credit approval levels were set for local authorities.

The Chair indicated that since the report had only been circulated on the evening of the meeting, it would be appropriate for the Policy and Resources Committee to consider it at their next meeting.

Resolved that the report be referred to the Policy and Resources Committee for their consideration.

Mineral Planning Guidance Note 3 - Opencast Coal Mining

63 . 10 The Borough Engineer and Planning Officer reported that the Department of the Environment had decided to monitor the effectiveness of Mineral Planning Guidance Note 3. He indicated that as Members of the Coalfield Communities Campaign, this Council had common views with that organisation.

Resolved that the Borough Engineer and Planning Officer be authorised to respond to the consultation from the Department of the Environment indicating that this Council is a Member of the Campaign and supports the views expressed in the Charter.

Highways Report

63 . 10 The Borough Engineer and Planning Officer submitted a report giving details of the works being carried out on highways throughout the Borough. He replied to Members' questions on items referred to in his report and matters relating to maintenance etc., and undertook to investigate queries and advise appropriate Members accordingly.

Resolved that the report be noted.

Standing Order No. 39(1)

63 . 10 Resolved that in accordance with Standing Order No. 39(1), the Committee hereby consent to Councillor Lamb taking part in the discussion on the following item.

Footway Resurfacing - Stacksteads

63 . 10 The Borough Engineer and Planning Officer reported on works currently being undertaken to the footways on the A681 Rawtenstall to Bacup Road at Stacksteads which were currently being undertaken by the Lancashire County Council. A number of complaints have been received relating to the method of resurfacing being carried out - a single flag at the rear of the footpath with the remainder being surfaced in macadam. Whilst this method was usual for such areas, complaints had been received from residents and businesses in the area who expressed the view that block paviers/flags should be used similar to those provided to the west of this location in the centre of the Stacksteads shopping area. The Borough Engineer and Planning Officer reported that the additional cost to provide block paviers would be in the order of £20,000 but since the contract had started, any improvements would necessitate the removal of the newly lain tarmac/flags.

The Committee discussed the matter in detail

Resolved (i) that the report be noted and no further action be taken in the matter, and

(ii) that the Borough Engineer and Planning Officer be requested to prepare a report indicating the areas in which enhanced paving provision might be considered in order that the Committee may determine the location of any future schemes.

Road Safety Collaborative Arrangements

63 . 10 The Borough Engineer and Planning Officer reported the proposed programme of road safety activities throughout the Borough for 1992/93 as presented by the County Surveyor.

Resolved (i) that the programme be approved, and

(ii) that the County Surveyor be urged to consider a scheme aimed at overcoming the real traffic dangers presented at schools, particularly primary schools, by parents both delivering and collecting their children in cars; since parking and setting off from the kerbside and crossing of roads at these times is extremely dangerous and existing methods to prevent parking appear not to be working.

#### Bacup to Burnley road - Accident Record

63 . 10 The Borough Engineer and Planning Officer reported the receipt of a report a copy of which was circulated with the Agenda from Ford Quarry action Group regarding accidents on the Bacup Road, Burnley in the vicinity of Ford Quarry. The Committee discussed the matter and reference was made to the efforts made by the Quarry to improve conditions around its entrance.

Resolved (i) that the Committee note the efforts made by Ford Quarry to improve the situation at the entrance to their premises by the widening of the entrance, the landscaping works undertaken and the provision and use of a road sweeping vehicle,

(ii) that the County Council be requested to investigate the accident record on Bacup Road, Burnley as requested by the Action Group, and

(iii) that the County Council be requested to enforce the use of the wheel wash for vehicles exiting the Quarry.

#### Moorside Crescent, Bacup - Footpath Provision

63 . 10 The Borough Engineer and Planning Officer reported on the progress of roadworks within the above-mentioned development. He indicated that a footpath had originally been planned for inclusion within the development in accordance with the Highway Authority's design code of practice but that such a footpath had not been provided at one location. Residents had expressed conflicting views regarding the desirability of a footpath and the owner of the property adjacent to the area in question had requested that it be incorporated into his garden curtilage.

The Committee discussed the matter.

Resolved that a footpath be constructed as indicated in the Agreement between the developer and the Council made under Section 38 of the Highways Act.

#### Private Street Works - Rosebank Street, Bacup

63 . 10 Further to Minute No. 451 of the September meeting of the Committee, the Borough Engineer and Planning Officer submitted specifications, plans, sections and estimates and provisional apportionment details in respect of the Private Street Works Scheme at Rosebank Street, Bacup. He indicated that the Committee might wish to consider a conventional scheme at a cost of £23,000 or a heritage type scheme involving the use of more expensive traditional materials. He advised that approaches had been made for grant from ERDF funds and English Heritage but that grant had not been forthcoming.

The Borough Engineer and Planning Officer reported on the methods by which the scheme might be funded and advised that any contribution from the Council would need to be financed from town centre funds although the Council had not yet determined its Capital Programme for the next financial year.

Resolved (i) that this Council in accordance with the provisions of Section 205 of the Highways Act, 1980, approve the specification, plans, sections and estimates and provisional apportionment relating to such works as prepared by the Borough Engineer and Planning Officer as now submitted (relating to the conventional scheme)

(ii) that the Chief Executive Officer be and he is hereby instructed to advertise this resolution and serve copies thereof in the manner and on the persons as outlined by the Act

(iii) that subject to the provision of the necessary finance in the Capital Programme (town centre budget) for 1992/93, this Council resolves to contribute towards the costs of the scheme, such sum as is necessary to complete the scheme jointly with Lancashire County Council; the County Council paying their normal contributions to street ends and flank frontages, and

(iv) that the Borough Engineer and Planning Officer reports to the next meeting of the Committee so that the Private Street Works priorities may be reviewed.

Private Street Works - Church Street, Crawshawbooth

63 . 10 The Borough Engineer and Planning Officer reported that associated with the planning application for the development of 33 houses on land off Church Street, Crawshawbooth, was the need for the making up of the unnamed street off Church Street, Crawshawbooth. Since the street was outside the ownership of the applicant it would be necessary for the Council to resolve to make up the street but this should be undertaken at the developers expenses.

Resolved (i) that pursuant to Section 205 of the Highways Act, 1980 the unnamed street off Church Street, Crawshawbooth adjacent to the gable end of No. 23 Church Street, Crawshawbooth not being at present sewered, levelled, paved, metalled, flagged, channelled, made good and lighted to the satisfaction of the Council (acting as agents for the Lancashire County Council), be sewered, levelled, paved, metalled, flagged, channelled, made good and lighted

(ii) that the expenses incurred in executing such works be apportioned pursuant to Section 207 of the Highways Act, 1980 having regard to the degree of benefit to be derived from the street works by any of the premises fronting the street

(iii) that accordingly the whole of the expenses be apportioned to the developer, and

(iv) that the developer prepare a specification of the said works together with any necessary plans and sections to be approved by the Borough Engineer and Planning Officer for future submission to the Committee together with an estimate and provisional apportionment prepared by the Borough Engineer and Planning Officer.

Whittle Street, Rawtenstall - Proposed One Way Order

63 . 10 The Borough Engineer and Planning Officer reminded the Committee of previous discussions on a proposed Order in the above location.

The Committee discussed the matter

Resolved that in accordance with the terms of the Agency Agreement with Lancashire County Council, the Chief Executive Officer be authorised to make an Order to introduce one way working on Whittle Street, Rawtenstall from Greenfield Street to Haslingden Old Road (from west to east) and to create a box junction on Haslingden Old Road to facilitate the left turning movement of vehicles from Whittle Street into Haslingden Old Road.

Repairs to fence - Market Street, Whitworth (Promenade)

63 . 10 The Borough Engineer and Planning Officer reported on repairs to the fencing carried out in 1991. He indicated the high cost of repairs to fencing and retaining walls and with this in mind, indicated that post and rail fencing had been used in certain cases. He indicated that concrete slotted posts and concrete infill panels which formed the original fencing were expensive to maintain because of vandalism and it was his intention to phase these out.

Resolved that the report be noted.



Tidy Up Lancashire - Fast Food Initiatives

63 . 10 The Borough Engineer and Planning Officer drew to the attention of the Committee the code of practice undertaken by Doncaster Metropolitan Borough Council in respect of Fast Food Outlets.

Resolved that the Tidy Up Lancashire Steering Group be advised of this Council's wholehearted acceptance of a Lancashire Code of Practice for Fast Food Premises and that the Doncaster Code of Practice be taken as a draft for the Lancashire Scheme.

Traffic Regulation Orders

Kay Street, Annie Street, Lord Street, Rawtenstall  
Lord Street (west of Bank Street) Rawtenstall  
Grange Crescent, Rawtenstall  
Cowpe Road, Cowpe

63 . 10 (a) The Borough Engineer and Planning Officer reported the receipt of objections to the above-mentioned Traffic Regulation Orders. He submitted his observations in the matter and made his recommendations in respect of the proposed Orders.

Resolved that the Orders be made as originally proposed.

Millgate and Millgate Road, Rawtenstall

1097. (b) The Borough Engineer and Planning Officer reported the receipt of an objection relating to overall parking policy.

Resolved that consideration of the making of this Order be deferred.

Buller Street, Rawtenstall

1097. (c) The Borough Engineer and Planning Officer reported the receipt of an objection to the Council's overall parking policy.

Resolved that the Order proposed to be made be amended by an extension of waiting time from 30 minutes to 60 minutes and that the Chief Executive Officer proceed with the making of the Order in these amended terms.

Farholme Lane, Stacksteads

1097. (d) The Borough Engineer and Planning Officer reported on a difficulty experienced by the inability of large commercial vehicles to negotiate the bend on the one way street at Holme Street near its junction with Newchurch Road, Stacksteads. In order to facilitate such vehicles he recommended revoking the one way traffic operation on Farholme Lane from Newchurch Road to Holme Street and the introduction of a waiting restriction.

Resolved that in accordance with the terms of the Agency Agreement with the Lancashire County Council the Chief Executive Officer be authorised to make an Order as follows:-

1. Revoking that part of the one way Order on Farholme Lane, Stacksteads affecting the length of highway from Newchurch Road to Holme Street so as to facilitate two way operation on that length of highway

2. Prohibiting the waiting of vehicles at all times on the south side of Newchurch Road, Stacksteads from its junction with Farholme Lane for a distance of 20 metres approximately in an easterly direction

Ormerod Street, Rawtenstall

1097. (e) The Borough Engineer and Planning Officer reported the receipt of objections to the above-mentioned Order and submitted his observations and recommendations in the matter.

Resolved that consideration of this matter be deferred.

## SECTION 'B' - FUNCTIONS DELEGATED

### Naming of Streets and Numbering of Dwellings

Development off Station Road, Helmshore

63.10 (a) Resolved that the following names be assigned to the streets in the course of construction within the development off Station Road, Helmshore by Brooklyn Builders Limited.

- Road 1 - Ogden Close
- Road 2 - Ogden Drive
- Road 3 - Riverside Walk

Development at Booth Road, Stacksteads

1098. (b) Resolved that the name Old School Mews be assigned to the development at Booth Road, Stacksteads by B. and E. Boys Limited and that Block D be named Union Court.

## SECTION 'A' - FUNCTIONS NOT DELEGATED

### Adoption of Highways

63.10 Resolved that in accordance with the terms of the Agency Agreement with Lancashire County Council the layby on St. James Street, Rawtenstall shaded black on the plan submitted to the Committee be adopted as a highway maintainable at the public expense and the Chief Executive Officer be authorised to prepare the necessary Notices.

Queens Square Roundabout - Stopping Up of Highway

1100. The Borough Engineer and Planning Officer recommended that as part of the Queens Square refurbishment programme the subway access spur to the roundabout central island should be stopped up.

Resolved that the Borough Solicitor be authorised to carry out the necessary action to seek the stopping up of the highway shown on the plan submitted to the Committee between points A and B (a distance of 45 metres).

Newchurch Road, Stacksteads - Streetlighting

1101. The Borough Engineer and Planning Officer submitted a report on the standard of street lighting on Newchurch Road, Stacksteads following a fatal road accident. He indicated that the street lighting system had been checked and was considered by both the County Surveyor and himself to be acceptable.

Resolved that the report be noted and the Coroner be advised accordingly.

Development Control Sub-Committee

1102. Resolved that the Minutes of the meetings of the Development Control Sub-Committee held on the 10th January, 17th January, 24th January, 31st January and 7th February, 1992 be noted (for Minutes see Appendices 'A', 'B', 'C', 'D' and 'E').

Haslingden Town Centre Sub-Committee

1103. The Chief Executive Officer submitted the Minutes of the meeting of the Haslingden Town Centre Sub-Committee held on 11th February, 1992 (for Minutes see Appendix 'F').

The Chair of the Sub-Committee indicated that the former street lighting tower garage (see Minute No. 7) had in fact been demolished.

Resolved that the Minutes be approved and adopted as part of the proceedings of this Committee.

Sewers - Meadow Farm Estate

1104. The Chief Executive Officer referred to a report which had been circulated by the Director of Operating Services regarding the condition of and legal status of certain sewers within the development at Meadow Farm Estate, Haslingden. The Chair indicated that a request had been received from the Member of Parliament to be involved in any meeting with the residents but he indicated that it was not proposed to pursue this request since it was not the Council's normal practice in such matters.

The Committee discussed the report.

Resolved that a meeting be held as soon as possible with those residents of affected properties from the Meadow Farm Estate and that the Chair, Vice Chair, Councillor Mrs. Oldham, the Members for the Greenfield Ward (Councillors Worswick, Cruise and Mrs. Ramsden) and the Leader of the Council, Councillor Connolly be authorised to attend the meeting together with the Officers.

THE MEETING CONCLUDED AT 9.00 P.M.

\*M ENGINEERING AND PLANNING COMMITTEE

held 27th April, 1992,  
at 7.00 p.m.

\*P

PRESENT: Councillor Baron (in the Chair),  
Councillors Cruise, Easton, Fishwick,  
Mrs. Goldsworthy, Grogan, Hancock, Harding,  
McManus, Neal, Mrs. Oldham, Pilling, Quinn  
and Mrs. Talukdar.

An apology for absence was received from  
Councillor Bolton.

\*Y

Minutes

4 . Resolved that the Minutes of the meeting of the Committee held on 24th February, 1992, be signed by the Chair as a correct record.

SECTION 'B' - FUNCTIONS DELEGATED

Membership of Development Control Sub-Committee

4 . The Chief Executive Officer submitted a report which indicated that it would be necessary to appoint substitute Members to serve on the Development Control Sub-Committee for the period up to Annual Council and after the Local Elections to cater for the situation which might arise whereby Members of the Sub-Committee were not re-elected, or resigned, and as a consequence, would render the Development Control Sub-Committee inquorate.

For the current year, it would be necessary for two Members to be nominated as substitutes to serve in the circumstances outlined.

The Chief Executive Officer suggested that for the future, the appointment of substitutes to serve in the circumstances outlined should be delegated to the

Development Control Sub-Committee who would consider the question on an annual basis during April each year.

Resolved (i) that Councillors Grogan and Easton be appointed to serve as substitute Members on the Development Control Sub-Committee in the circumstances outlined above, and

(ii) that the Development Control Sub-Committee be given delegated authority to appoint substitute Members to serve for the period after the Local Elections and up to Annual Council in the event of the ineligibility of any of the existing Members.

Town and Country Planning Act, 1990  
Applications for consideration by the Committee

4 . The Borough Engineer and Planning Officer submitted a report upon each of the applications contained in Minutes Nod.7 to 12 inclusive which gave details of each application, the consultations which had been carried out and where appropriate details of objections and representations received together with his observations on each application. He also submitted details of further correspondence received since the preparation of the reports.

Application No. 14/91/608 - Outline - Erection of Pig Butchery Unit  
Mitchell Field Nook Farm, off Tunstead Crescent, Stacksteads, Bacup

- 4 . Resolved that planning permission be refused for the following reasons:-
1. The proposed butchery would generate a significant increase in the number of laden vehicular movements between Mitchell Field Nook Farm and Booth Road, a classified highway. The access/egress route to the farm from this highway includes a portion of private road between Tunstead Crescent and the farm which is in a serious state of disrepair. Any increase in laden vehicular movements over this road would lead to a further deterioration in the condition of this road with a resulting increase in the hazard to road users. Such deterioration and corresponding hazard would be accentuated in the event of the projected increase in laden vehicular movements being exceeded.



2. The proposed butchery would generate a significant increase in the number of laden vehicular movements between Mitchell Field Nook Farm and Booth Road, a classified highway. The access/egress route to the farm from this highway passes along the residential streets of Tunstead Road and Tunstead Crescent and so any increase in laden vehicular movements would, as a result of the noise and fumes generated, have a detrimental impact upon the locality's residential amenities. This impact on residential amenity would be exacerbated in the event of the projected increase in laden vehicular movements being exceeded, a factor which would be very difficult to control or enforce satisfactorily in practical terms.

Application No. 14/91/678 - Extension to Side Extension  
Healey Nursing Home, Market Street, Whitworth, Nr. Rochdale

4. Resolved that planning permission be granted subject to the following conditions:-
  1. The level of the driveway shall be constructed 0.150m above the crown level of the carriageway of Oakenshaw Avenue.
  2. Before the access is used for vehicular purposes, any gateposts erected at the access shall be positioned 5m behind the nearside edge of the carriageway and visibility splay fences or walls to the satisfaction of the local Planning Authority shall be erected from the gateposts to the existing highway boundary, such splays shall be 45° to the centre line of the access. The gates shall open away from the highway. Should the access remain un gated 45° splays shall be provided between the highway boundary points on either side of the drive measured 5m back from the nearside edge of the carriageway.
  3. Before the access is used for vehicular purposes, that part of the access extending from the highway boundary for a minimum distance of 5m into the site shall be appropriately paved in permanent construction in accordance with written details to be submitted to and approved by the local planning authority.

4. Before the development hereby permitted becomes operative, the existing wall on the highway frontage of the site to Oakenshaw Avenue shall be reduced to and be permanently maintained henceforth at a height not greater than 1m above the crown level of the carriageway of Oakenshaw Avenue.
5. The existing access to Market Street shall be physically and permanently closed and the existing footway and kerbing of the vehicular footway crossing reinstated before any other development (save for the access onto Oakenshaw Avenue) is commenced.
6. The access via Oakenshaw Avenue shall be the principal vehicular access to the development, and the use of the existing rear access to the property for vehicular purposes shall be restricted to use for necessary maintenance and emergencies only.
7. The car parking facilities as indicated on the submitted plan shall be provided, surfaced and marked out and made ready for use before the development hereby permitted is first used and occupied.
8. The existing mature trees within the application site, and as indicated on the submitted plan, shall not be lopped, topped, pruned or felled without the prior written consent of the local planning authority, and shall be retained for the duration of the development. Such trees as the local planning authority deem appropriate shall moreover, be temporarily protected by suitable fencing or other acceptable means, during the course of construction operations. The trees shall be included within, and form part of, a detailed landscaping scheme which shall be submitted to and approved by the local planning authority before any development is commenced. Such scheme as may be approved shall thereafter be fully implemented during the first planting season after substantial completion of the development.
9. Before any development is commenced samples of the proposed natural stone facings and roofing slate shall be submitted to and approved by the local planning authority, and the development shall thereafter only

proceed in accordance with the use of such approved materials of construction.

10. Before any development commences the applicant shall carry out appropriate site tests and investigations for the presence of migrating landfill gas. The results of such tests and investigations, together with any accompanying report and assessment shall be forwarded to the local planning authority, and the conclusions and recommendations of such report and assessment shall thereafter be fully implemented by the applicant/developer before the development hereby permitted is first brought into use and occupied for the purposes hereof.

Application No. 14/91/683 - Demolition of doubling shed  
and existing timber sheds and erection of a new 1100m<sup>2</sup> Industrial Unit  
Irwell Mill, Lee Street, Bacup

4. Resolved that planning permission be granted subject to the following conditions:-
  1. The external masonry facings to the northern and southern gables to the proposed extension shall be of natural local stone samples of which shall be submitted to and approved by the local planning authority before any development commences.
  2. Before any development is commenced a fully detailed scheme of landscaping and planting to the land between the proposed extension and the River Irwell shall be submitted to and approved by the local planning authority, and such scheme as may be approved shall thereafter be fully implemented during the first planting season after substantial completion of the development. Any trees or shrubs dying or becoming diseased within 2 years of planting shall be replaced by the developer with trees or shrubs of a similar height and species.
  3. Before the building which is the subject of this permission is first brought into use, the car parking and servicing area as indicated on the submitted plan shall be surfaced and marked out, and made ready for use. It shall

thereafter be retained for car parking/servicing purposes for the duration of the development.

4. No development whatsoever shall take place until the applicant has secured the implementation of a programme of archaeological recording in accordance with a written scheme of investigations which has been submitted by the applicant and approved by the local planning authority.
5. The colour or the proposed roof and wall cladding, together with any rainwater goods and the loading door to the north elevation shall be dark green.

Application No. 14/91/684CA - Conservation Area Consent  
for partial demolition of doubling room  
Irwell Mill, Lee Street, Bacup

4 . Resolved that Conservation Area consent be granted subject to the following condition:-

1. No works of demolition (including partial demolition) shall take place to the existing building until such time as an enforceable and binding contract for the carrying out of the redevelopment scheme which is the subject of the planning permission granted under application reference 14/91/683, has been made.

Application No. 14/92/009 - Phased retail development  
of existing factory premises and derelict arcade  
together with highway improvements not involving the  
closure of Victoria Parade (Amended Scheme)  
Victoria Parade, Burnley Road East, Waterfoot

4 . Resolved that planning permission be granted subject to the following conditions:-

1. Before any development commences full details of any proposed alterations or refurbishment to any shop fronts/shop units within the scheme, including those internal to the building (within the Arcade itself)

shall be submitted to and approved by the local planning authority. Such details shall also include a specification and colour scheme for redecoration of shop fronts and other joinery, ironmongery or similar items, and a specification for any proposed lighting features (including illumination within the internal Arcade).

2. Before any development commences full details of the proposed design and surfacing materials for the refurbishment of the highway known as Victoria Parade, together with the floorspace to the internal Arcade shall be submitted to and approved by the local planning authority. None of the new shop units hereby permitted shall be used or occupied until such time as the works referred to in the first part of this condition are completed.
3. None of the new shop units hereby permitted shall be used or occupied for any purpose other than a purpose or purposes included within Class A.1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987.

Application No. 14/92/089 - Continuation of use of Church Hall for 'Car Boot' Sale/Market on Sundays at St. James Church Hall, Church Street, Waterfoot

4. Resolved (i) that planning permission be granted subject to the following conditions:-

1. The use authorised by this permission shall be discontinued at the end of a period of twelve months beginning with the date of this permission unless a renewal of permission is obtained
2. The use which is the subject of this permission shall only be carried out once per week on a Sunday

(ii) that a note be added to the Notice of Planning Consent indicating that, for the avoidance of doubt, the permission granted in this case is granted under the Planning Acts and does not confer any additional rights under the Shops Act or other legislation and does not convey any rights in respect of the Council's Market Charter.

THE MEETING CLOSED AT 7.25 P.M.

\*M ENGINEERING AND PLANNING COMMITTEE

held 8th June, 1992

at 7.00 p.m.

\*P

PRESENT: Councillor Quinn (in the Chair),  
Councillors Connolly, Easton, Mrs Goldsworthy,  
Harding, Keogh, Mellor, McShea, Neal, Pilling  
Mrs Talukdar, Weeds and Wright

APOLOGIES: Councillors Bolton and Cruise

\*Y

SECTION 'A' FUNCTIONS NOT DELEGATED

Minutes

105 . Resolved that the Minutes of the meeting of the Committee held on 27th April, 1992 be signed by the Chair as a correct record.

"Secured by Design" - Police Presentation

105 . The Chair welcomed Sergeant Robinson of the Lancashire Constabulary to the meeting. The Sergeant proceeded to address the Committee and give an illustrated talk on matters relating to the design of buildings and the methods by which thoughtful design could assist in eliminating opportunities for crime. The visual presentation gave examples of buildings where, by virtue of their design, opportunities were presented to criminals and the thrust of the talk was to raise the awareness of decision makers to errors which had been made in the past in terms of design, and the opportunities which could be taken in the future to assist with crime prevention through the design stage.

At the conclusion of the address, the Chair invited Members to ask questions which were answered by Sergeant Robinson and the Chair thanked him for his attendance.

Resolved that the Rossendale Borough Council supports the principle of "Secured by Design" and encourages developers to incorporate those principles into new, domestic buildings built in Rossendale.

Town and Country Planning Act, 1990  
Applications for consideration by the Committee

105 . The Borough Engineer and Planning Officer submitted a report upon each of the applications contained in Minutes Nod. 108 to 122 inclusive which gave details of each application, the consultations which had been carried out and where appropriate details of objections and representations received together with his observations on each application. He also submitted details of further correspondence received since the preparation of the reports.

Application No. 14/92/124 - Change of Use from Job Club to  
Taxi Booking Office and Associated Accommodation  
37 Todmorden Road, Bacup

105 . Resolved that permission be refused for the following reason:-  
No facilities can be provided within the site for car parking, and the greater attraction for vehicles to these premises which would be produced by the development would lead to an increase in the parking and turning of vehicles on the adjoining steep carriageway of the Class 1 highway, to the detriment of road safety.

Standing Order No. 39(1)

105 . Resolved that in accordance with Standing Order No. 39(1), the Committee hereby consent to Councillor McManus taking part in the discussion on the following item.

Application No. 14/91/467 - Outline for Industrial Uses  
B1, B2, B8 (Business/General Industrial/Storage and Distribution)  
at Holcombe Road, Helmshore

105 . Resolved that permission be refused for the following reasons:-



1. The proposed development is contrary to the provisions of the approved and adopted District Plan for Rossendale in that the application site is located beyond the Urban Boundary and in part is not designated for industrial development but is shown to be within an area on the periphery of the visually attractive Grane Valley which is designated of Special Landscape value wherein development for, inter alia, industrial purposes will not as a rule be permitted except where it can be shown to be in the national interest, or essential to the local economy - circumstances which are not relevant in this case.

2. The proposed development is also contrary to the emerging new Development .....





















Application No. 14/92/170 - Change of Use to 4 No. Flats  
35 Todmorden Road, Bacup

105 . Resolved that planning permission be refused for the following reason:-

No facilities can be provided within the site for car parking, and the greater attraction for vehicles to these premises which would be produced by the development would lead to an increase in the parking and turning of vehicles on the adjoining steep carriageway of the Class 1 highway, to the detriment of road safety.

Application No. 14/92/095 - Proposed Refurbishment,  
Alterations and Extensions to Existing Cottages,  
Far Height Side, Newchurch Road, Higher Cloughfold

105 . Resolved that planning permission be refused for the following reason:-

Whilst the design details for the conversion of Far Heightside Cottages to form one dwelling are, when considered in isolation from the existing character and design of the existing buildings, essentially above criticism, and would doubtless result in the creation of a fine and substantial residence, the total loss of the simple vernacular character of Far Heightside Cottages required in order to achieve the design and functional objectives of the proposed development scheme would be contrary to Policy E.16 of the Rossendale District Local Plan First Review which states as follows:-

'all applications for planning permission for the conversion of redundant buildings to dwellings and other appropriate uses will be considered on the basis of the criteria set out in Policy E.7.'

The proposed development fails to meet the following criteria:

- (c) The building is structurally sound and capable of conversion without the need for major alterations which would adversely affect its character and appearance
- (d) The proposed development is carefully detailed and designed to ensure that the essential character of the building is retained, preserved and enhanced.

Extensions to such buildings will normally only be permitted where:-

- (a) They are in size, mass and scale ancillary to the existing building, and otherwise necessary to provide a reasonable standard of modern habitable accommodation
- (b) They are so designed and located, and are of matching materials of construction such that they reflect and enhance the character of the existing building.

Application No. 14/92/152 - Change of Use of Part of Dwelling  
to Museum for the display of old radio equipment  
420 Holcombe Road, Helmshore

105 . Resolved that planning permission be granted subject to the following conditions:-

1. This permission shall not be exercised by any person, group of persons or company other than the applicant Dennis Geldard and the use hereby permitted shall be discontinued on the date when the aforesaid applicant ceases to occupy the premises.
2. The premises shall be used for the joint purposes of a dwelling and as a museum for the display of old radio equipment and for no other purposes (including any other purpose in Classes C.3 and D.1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).
3. The use authorised by this permission shall be discontinued at the end of a period of one year beginning with the date upon which the use is first commenced, unless a renewal of permission is obtained.  
Reason: The building/use which is the subject of this permission is located within an area wherein established planning policy would not normally permit the provision of such a new building/use on a permanent or long-term basis.

Application No. 14/92/164 - Conversion of Former Liberal Club  
into Offices for Council Revenue Section  
- Former Liberal Club, Lord Street, Rawtenstall

105 . Resolved that consideration of this application be deferred to enable further discussions to take place with the applicant and that the application be further considered by the Development Control Sub-Committee.

Application No. 14/92/187 - Refurbishment of Existing Building and  
Conversion of upper floor and roof space to contain 15 Flats  
OAP Centre/St. Mary's Chamber, Haslingden Road, Rawtenstall

105. Resolved (i) that planning permission be granted subject to the following condition

1. The architectural component features of the building which require temporary removal during the course of undertaking the structural alterations to the building shall be carefully stored and re-used by incorporation into the revised external elevations at finished first floor sill level

(ii) to the concluding of a Section 106 Agreement relative to the provision by the applicant of an appropriate financial contribution towards the cost of the provision of public car parking within Rawtenstall Town Centre.

Application No. 14/92/188LB - Application for Listed Building Consent to refurbish existing building and conversion of upper floor and roof space to contain 15 Flats - OAP Centre/St. Mary's Chamber,

105. Resolved (i) that Listed Building Consent be granted subject to the following condition

1. The architectural component features of the building which require temporary removal during the course of undertaking the structural alterations to the building shall be carefully stored and re-used by incorporation into the revised external elevations at finished first floor sill level

(ii) to the concluding of a Section 106 Agreement relative to the provision by the applicant of an appropriate financial contribution towards the cost of the provision of public car parking within Rawtenstall Town Centre.

Application No. 14/92/196 - Erection of a Four Storey 32 No. Sheltered Accommodation Block of Flats and Warden Accommodation with Communal Facilities and Parking for 9 No. Vehicles and Improvements to Site Access Road Land Adjacent to Cowpe Brook, off Cowpe Road, Waterfoot

105. Resolved that consideration of this application be deferred to enable further discussions to take place with the applicant and the Borough Engineer and Planning Officer together with the Members of the Development Control Sub-Committee and that the application be further considered by the Development Control Sub-Committee.

Application No. 14/92/198 - Erection of Single Storey Storage Building  
Ash Grove Works, Burnley Road, Rawtenstall

105. Resolved that consideration of this application be deferred to enable further discussions to take place with the applicant and that the application be further considered by the Development Control Sub-Committee.

Application No. 14/92/203 - Change of Use of Second Floor to  
Function Room and remaining area of First Floor to Bistro Restaurant  
and car parking on approved site of Kindergarten  
adjacent to Kwik Save - The Station House, Bury Road, Rawtenstall

105. Resolved (i) that permission be granted subject to the following conditions:-

1. The use of that part of the first floor of the building which is the subject of this application and is hereby permitted shall be restricted to that of a bistro/restaurant, and no other use, including any other contained within Use Class A.3 of the Town and Country Planning (Use Classes) Order, 1987 shall be permitted.
2. No external elevational alterations shall take place without the grant of formal express planning permission in that behalf.
3. The additional car parking provision proposed shall be provided, surfaced, marked out and made ready for use before the use of the building for the purposes of the permission is first commenced.

(ii) that the Council enter into a Section 106 Agreement with the applicant to secure the revocation of the extant permission for the kindergarten development.

Application No. 14/92/165 - Refurbishment and Extension to Patient and Staff Kitchen - Rossendale General Hospital, Haslingden Road, Rawtenstall

105. Resolved that the application be refused for the following reason:-

The use of an artificial stone facing block in the construction of the proposed development would be contrary to Policy E.10 of the Rossendale District Local Plan First Review which states that '... local natural stone will normally be required for all new development in selected areas'. The selected areas include:

1. Along all principal highways/valley corridors in areas where the use of natural local stone in existing buildings predominates
2. Elsewhere in areas where the use of natural stone in existing buildings predominates and forms a substantial part of the character of built environment of the locality, and
3. In the countryside.

Rossendale General Hospital is situated above a principal highway/valley corridor and lies within an area designated as green belt beyond the defined urban boundary. The proposed development is situated within an area of the Hospital complex where natural stone predominates as a facing material, and notwithstanding the relatively inconspicuous location situated immediately to the north west of one of the principal original buildings of the Hospital it is nevertheless considered that to preserve a sense of visual harmony between the refurbished and extended kitchen facilities and surrounding buildings, natural local stone should be used as the predominant facing material.

Application No. 14/92/216 - Retention of extension to fishermans retreat and installation of windows to lower ground floor to facilitate its public use Mill Lodges, West of Lodge Mill, Turn, Ramsbottom

105. Resolved that planning permission be granted subject to the following conditions:-



1. Within 3 months from the date of this permission the applicant shall submit to the local planning authority for approval, a fully detailed landscaping scheme for the application site and other adjoining land in his control. Such scheme as may be approved shall thereafter be fully implemented during the next coming planting season in Autumn 1992. Any trees or shrubs dying, becoming diseased, or removed within 5 years of planting shall be replaced by the applicant by species of a similar type and size.
2. That the Council should enter into an Agreement with the applicant pursuant to Section 106 of the Town and Country Planning Act 1990 relating to the restriction of use of the proposed building to that of Fisherman's Retreat, with no residential involvement.

Application No. 14/92/166 - Provision of a Day Care and Residential Care Hospice comprising of conversion of the existing house and construction of 367m2 Extension - Whitecroft House, off Helmshore Road, Haslingden

105. Resolved that the application be refused for the following reason:-

Whitecroft House is a substantial stone built late Victorian residence set in pleasant landscaped grounds within which a considerable number of mature trees exist some of which are covered by a Tree Preservation Order. The proposed extensions to the present building which also involve demolition of certain single storey outbuildings are proposed to be faced in a combination of artificial stone and brick and employ as their principal architectural feature a series of low hipped roofs. The extensions are deemed to be within influencing distance of several of the mature trees which surround Whitecroft House and in one instance require the felling of a mature horse chestnut and sycamore. As such the proposals as currently submitted are deemed to be unacceptable by virtue of the use of incompatible facing materials, visually inappropriate roof design and adverse effect upon established tree cover and thereby contrary to development policies contained within the Rossendale District Local Plan First Review with particular reference to Policy E.7 which states that '...In general all development proposals will be expected to provide a high

standard of building and landscape design to contribute to environmental quality and not to be detrimental to existing conditions in the surrounding area,' and would be contrary to the following stated criteria:

1. likely effect on existing trees and other natural features of the development site, and
2. visual appearance and relation to surroundings

The proposal is also contrary to Policy E.8B which states '...No development shall normally be permitted within a distance of 1½ times the maximum mature height of trees covered by Tree Preservation Orders. No ploughing, earthmoving, trenches or digging, even of the top 200mm (8") of soil within this distance of trees protected by Tree Preservation Orders will normally be permitted.

#### Planning Appeal Decisions

105 . The Borough Engineer and Planning Officer reported on the results of appeals against the Council's decision to refuse planning permission in the following cases.

(a) Application No. 14/91/203 - Change of use of barn to residential, Clifton Barn, Deerplay, Burnley Road, Weir, Bacup

Appeal dismissed.

(b) Application No. 14/91/321 - Outline for the erection of two dwellings, land between 214/218 Burnley Road, Weir

Appeal dismissed.

(c) Application No. 14/91/453 - Conversion of redundant building to dwelling, land off Blackwood Road, Stacksteads, Bacup

Permission granted subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this letter.
2. The development hereby permitted shall not begin until the access has been improved in accordance with a scheme to be submitted to and approved by the local planning authority.
3. Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 (or any order revoking and re-enacting that order) none of the development included in Classes A to E of Part 1 of Schedule 2 or Class A of Part 2 of Schedule 2 of that order shall take place without the prior consent in writing of the local planning authority.

Standing Order No. 39(1)

105 . Resolved that in accordance with Standing Order No. 39(1), the Committee hereby consent to Councillor McManus taking part in the discussion on the following item.

Holden Vale Business Park Development Brief

105 . The Borough Engineer and Planning Officer submitted a Development Brief for the proposed Holden Vale Business Park, Haslingden which was intended to represent the Council's planning framework and policy guideline to developers in respect of any employment development proposals for the area.

The Committee discussed the matter.

Resolved (i) that the Development Brief be not accepted and

(ii) that Resolution No.537 (vii) of the Engineering and Planning Committee held on 16th October, 1991 (calling for the preparation of a Development Brief) is hereby rescinded.

Lodge Mill Village, Turn Development Brief

105 . The Borough Engineer and Planning Officer submitted a Development Brief for Lodge Mill Village which was designed to make all interested parties

aware of the factors involved in the site, especially the detailed design and development constraints as far as the broad questions of principle relating to possible allocations.

Resolved that the Development Brief, dated June 1992, be accepted as the Council's planning framework and policy guideline to developers in respect of any housing development proposals for the area.

Standing Order No. 39(1)

105 . Resolved that in accordance with Standing Order No. 39(1), the Committee hereby consent to Councillor Eaton taking part in the discussion on the following item.

Heald Moor - Mineral Extraction

105 . The Chair received a petition which was handed to him at the meeting by a Member of the Council from residents of Weir, Bacup which inter alia requested the Council to seek a report by the Environmental Health Department on the application for open cast coal mining (Application No. 12/92/179) and to present this, together with planning objections relating to access, restoration and the effects on local wildlife to the Lancashire County Council before that authority determined the planning application.

The Borough Engineer and Planning Officer reminded the Committee that the Development Control Sub-Committee had considered the consultation from the Lancashire County Council and decided to express increasing concern about the dangers of open casting and expressed detailed concerns regarding the environments, image, cumulative effects of applications and the lack of protection in the structure plan.

The Chief Executive Officer reported the receipt of a letter from the County Council which indicated that their Development Control Sub-Committee was to hold a site visit on Thursday, 11th June and he advised that an invitation was extended to the Council to send one representative.

Resolved (i) that the Committee confirms its strongest objections to this application both as a consultee and as a Member of the Coalfields Communities Campaign,

(ii) that the Petition be received and that the Environmental Health Officer be requested to prepare a report on the application for submission to the Lancashire County Council together with this Committee's objections prior to consideration of the application, and

(iii) that the Chair be authorised to attend the site inspection with the Lancashire County Council Development Control Sub-Committee.

The Planning (Hazardous Substances) Act 1990  
and the Planning (Hazardous Substances) Regulations 1992

105 . The Borough Engineer and Planning Officer submitted a report on legislation to come into force on 1st June which would enhance the Local Planning Authorities powers to control the siting and use of hazardous substances, whether or not this is associated with development requiring planning permission; formerly such control had only been exercisable by the Planning Authority when development requiring planning permission was involved.

To give effect to the legislation, applicants would need to apply for Hazardous Substances Consent and the Borough Engineer and Planning Officer suggested that these should be dealt with similarly to planning applications with enforcement being delegated to him.

Resolved (i) that the report be noted,

(ii) that the Scheme of Delegation be amended as follows:-

A. Delegation to Development Control Sub-Committee

(i) Determination of applications for Hazardous Substances Consent

(ii) Determination of applications to remove conditions or continue consent following change in control of part of

land

(both (i) and (ii) to be contained in Part B of the DC Sub-Committee Agenda)

B. Delegation to Borough Engineer and Planning Officer

- (i) Determination of applications for deemed Hazardous Substances Consent
- (ii) Enforcement (prosecutions, Hazardous Substances Contravention Notices, injunctions).

Derelict Land

105 . The Borough Engineer and Planning Officer reported the receipt of a request from Rossendale Groundwork Trust for the inclusion of four small derelict land reclamation schemes within the Council's programme. In order to ensure the commencement of preliminary works the Chair had agreed to the inclusion of the schemes.

Resolved that the action of the Chair in agreeing to include the schemes at:-

J B Broadley's Burnley Road, Reedsholme  
Kenroy Dispersions, Holt Mill Road, Waterfoot  
Kearn's of Waterfoot, Cowpe  
Bender Machine Inc., Manchester Road, Haslingden

be confirmed.

Delegation of the Bacup Town Scheme

105 . The Borough Engineer and Planning Officer reported that English Heritage had now agreed that its part of the administration of the Town Scheme could be undertaken by the Council's Heritage Officer, the effect of which would be to empower the award of grant of up to £16,000 on behalf of English Heritage.

Exercise of the Council's own powers in relation to the Scheme would continue to be delegated to the Bacup Town Centre Sub-Committee.

Resolved that the Council enter into an Agreement as now proposed by English Heritage to delegate administration of their part of the Bacup Town Scheme to the Heritage Officer.

#### Trees Rear of 111-129 Rochdale Road, Bacup

105 . The Borough Engineer and Planning Officer reported that complaints had been received from residents in the above location regarding the Tree Planting Scheme which had been carried out in the early 1980's. The complaints related to the loss of light and obstruction of views from the dwellings.

The Chair referred to the site visits held on the morning of Saturday the 6th June during which the Members then present had visited the site.

The Committee discussed the matter.

Resolved (i) that Rossendale Groundwork be requested to consider the preparation of a Scheme, in consultation with the residents, for the thinning and trimming back of trees at this location,

(ii) that the Council pays the reasonable design fees of Rossendale Groundwork in this case, and

(iii) that the Borough Engineer and Planning Officer be authorised to obtain prices for proposed work to be undertaken at the next appropriate opportunity.

#### Tree Grants

105 . The Borough Engineer and Planning Officer reported on a recent presentation made to an invited audience of landowners to explain the Tree Planting Preparation Grant Scheme. He indicated that involvement of the private sector in the planting of trees had been significantly more cost effective than schemes undertaken directly by the Council.

He advised of the rate at which grant was available and suggested that this should be amended slightly so as to make the grant widely available and achieve the best value.

The Borough Engineer and Planning Officer reported that the sum included within the capital programme for this Scheme had not yet been agreed by the Policy and Resources Committee and that unless the money were made available, further progress could not be achieved.

Resolved (i) that the report be noted, and

(ii) that the grants regime be amended so as to introduce a minimum grant of £100 and a maximum grant of £500; grant being available otherwise at a rate of £100 per hectare.

(iii) that the Policy and Resources Committee be requested to agree to release funds from the Capital Programme.

### Highways Report

105 . The Borough Engineer and Planning Officer submitted a report giving details of the works being carried out on highways throughout the Borough. He replied to Members' questions on items referred to in his report and matters relating to maintenance etc. and undertook to investigate queries and advise appropriate Members accordingly.

Resolved that the report be noted.

### Rawtenstall Town Centre Car Parking

105 . The Borough Engineer and Planning Officer submitted a comprehensive report on car parking and traffic management within the Rawtenstall Town Centre area.

Resolved (i) that the report be accepted for consultation purposes,



(ii) that the report be circulated as widely as possible with the summary sheet being used for circulation to Community Centres and similar organisations, and

(iii) that copies of the full report be made available at £1.00.

Fallbarn Road, Rawtenstall - Traffic Conditions

105 . The Borough Engineer and Planning Officer reported on the proceedings of a meeting which he had attended with the Chair, Vice-Chair and Opposition Spokesperson and Ward Councillors regarding the impact of impending development on traffic conditions on Fallbarn Road.

Resolved (i) that the report be noted, and

(ii) that in accordance with the terms of the Agency Agreement with Lancashire County Council the Chief Executive Officer be authorised to make an order prohibiting through traffic on the Fallbarn Road at a point to the west of its proposed junction with Victoria Way.

Aitken Street, Irwell Vale

105 . The Borough Engineer and Planning Officer reported the receipt of representations from the Irwell Vale Residents' Committee requesting the Council to undertake maintenance of that street since it was used to provide access to the Railway Station. He advised the Committee that the street was a private street and as such responsibility for its maintenance did not rest with the Council.

Resolved that no action be taken to carry out repairs to Aitken Street, Irwell Vale.

Residents' Petition - Graver Weir Cottages

105 . The Borough Engineer reported the receipt of a petition from residents in the area expressing concern arising particularly following a road traffic accident when a vehicle had damaged the front wall of one of the properties causing extensive structural damage. He advised the Committee that a vehicular safety

barrier was to be provided and that he was currently actively considering surface dressing the carriageway to ensure optimum skidding resistance levels.

Resolved that the report be noted.

#### A56 Trunk Road - Police Observations

105 . The Borough Engineer and Planning Officer submitted a letter received from the Police in which they were recommending that the vehicles which would not normally be permitted on a motorway should also be excluded from the A56 Trunk Road (agricultural tractors, pedestrians and pedal cyclists). The Police were seeking support for their representations to the Lancashire County Council.

The Committee discussed the matter.

Resolved (i) that the Council supports the proposal to place certain restrictions upon the classes of user permitted to use the A56 Trunk Road,

(ii) that the Council considers the maintenance of existing pedestrian crossing routes to be essential, and

(iii) that the Department of Transport again be urged to make provision in their programme at the earliest opportunity for the provision of foot bridges over the A56.

#### Development at Tong Lane, Bacup

105 . The Borough Engineer and Planning Officer submitted a plan showing an area of land which the Manchester and District Housing Association were requesting the Council to adopt as public car parking. He indicated that it would be necessary for the car park to be accessed by a road to be constructed to adoptable standards.

Resolved that the Committee agree to adopt the car park area, shown hatched blue on the plan submitted to the Committee, at the appropriate time, subject to the following conditions:-

1. That the estate road giving access to the car park area is covered by an Agreement made under Section 38 of the Highways Act and ultimately adopted.
2. That the Car park is constructed in accordance with construction details to be approved by the Borough Engineer and Planning Officer.
3. That in respect of the car park area, the developer shall pay to the Council, in advance, a sum calculated at 5% of the estimated construction costs of the car park and ancillary works, such sum to cover the Council's supervision and administration costs.

#### Footpath Diversion Orders

105. The Borough Engineer and Planning Officer reported on three proposals for Footpath Diversion Orders. He advised of the consultations which had been undertaken and gave details of the response to the consultations.

Resolved that the Solicitor and the Estates Officer be authorised to make the Footpath Diversion Orders as detailed belows:-

1. Footpath 344 (Rawtenstall) - Leebrook Road
2. Footpath 358 (Haslingden) - Dean Road Area - this diversion to be subject to conditions including the satisfactory surfacing of the diverted path
3. Footpath 239 (Rawtenstall) - Old Hall Farm

#### Private Street Works

Eagley Bank, Shawforth

105. (a) The Borough Engineer and Planning Officer reported that it was a condition of planning consent that the above-mentioned road was made up to adoptable standards. In order to facilitate the developer, the Engineer and Planning

Officer recommended that the Committee should agree to include the Scheme in the Private Street Works Programme with the expenses being paid by the developer; a cash deposit currently held by the Council in respect of a further development served by this road would be put towards the cost of the works.

Resolved (i) that Eagley Bank, Shawforth, from Market Street in an easterly direction for 22m not being at present sewered, levelled, paved, metalled, flagged, channelled, made good and lighted to the satisfaction of the Council (acting as agents for the Lancashire County Council), be sewered, levelled, paved, metalled, flagged, channelled, made good and lighted,

(ii) that the expenses incurred in executing such works be apportioned pursuant to Section 207 of the Highways Act, 1980 having regard to the degree of benefit to be derived from the street works by any of the premises fronting the street, and

(iii) that the plans, specification, sections, estimate and apportionment as submitted to the Committee be approved.

#### Church Street, Crawshawbooth

142. (b) Further to Minute No.1093 of the March meeting of the Committee the Borough Engineer and Planning Officer reported that the developer had prepared plans and sections together with details of an estimate and provisional apportionment for the above-mentioned street.

Resolved (i) that the plans, specification, and sections as submitted to the Committee be approved, and

(ii) that the whole of the cost of the works be apportioned to the developer and that the developer be required to carry out the construction works at his own expense subject to the terms of an Agreement to be made under Section 106 of the Town and Country Planning Act, 1990.

#### Rosebank Street, Bacup

142. (c) The Borough Engineer and Planning Officer reported that the County Council had agreed to make their contribution of £12,500 towards the Scheme.

Tenders had been opened and the lowest received was that from J & R Moran Limited. He advised the Committee that the contribution from this Committee was within the Capital Programme which had yet to be approved by the Policy and Resources Committee.

Resolved that subject to Lancashire County Council agreeing to make the necessary funds available and subject also to the Policy and Resources Committee agreeing to make the necessary funds available from the Capital Programme, the contract be awarded to J & R Moran Limited in the sum of £20,013.68.

#### Waterbarn Lane, Stacksteads

142. (d) The Borough Engineer and Planning Officer reported that the County Council had advised on the status of Waterbarn Lane, Stacksteads. Essentially the County Council were advising that they did not have a duty to make up the street and the only proven rights of way were rights of way on foot only. In addition, they had suggested that private street works procedure was not appropriate in this case.

Resolved (i) that a rough provisional apportionment be prepared and a public meeting arranged with residents, and

(ii) that further discussions be held with the County Council regarding the appropriate procedure for recovery of costs.

#### Other Schemes in Programme

142. (e) The Borough Engineer and Planning Officer reported that the estimate and apportionment in respect of Home Lane, Townsendfold were yet to be prepared and that the scheme for Back Industry Street, Whitworth was in the course of preparation. The schemes at Riley Street, Bacup and West Street Waterfoot were included within the Council's priority list but no action had yet been taken.

Resolved that the report be noted.

Standing Order No. 39(1)

105 . Resolved that in accordance with Standing Order No. 39(1), the Committee hereby consent to Councillor Hayler taking part in the discussion on the following item.

Traffic Regulation Orders

Proposed New Orders

105 . (a) The Borough Engineer and Planning Officer submitted reports, together with his recommendations relating to the needs and reasons for Traffic Orders at several locations throughout the Borough.

Resolved (i) that in accordance with the terms of the Agency Agreement with Lancashire County Council the Chief Executive officer be authorised to make Orders as indicated below:-

1. Wood Lea Road, Waterfoot - preventing vehicles from waiting between  
8.00 a.m. and 6.00 p.m. Monday to Saturday inclusive on Wood Lea Road (south side) from the junction with Burnley Road East, a distance of 80.00 metres approximately in a south easterly direction.
2. A680 Rochdale Road, Turn Village - 40 mph Speed Limit - restricting the maximum speed of vehicles to 40 mph on Rochdale Road, Edenfield between the terminal points indicated and revoking the National speed limit currently in force over the same terminal points.
3. Newchurch Road and New Line, Bacup - precluding the waiting of vehicles between 8.00 a.m. - 6.00 pm. Monday to Saturday (inclusive) on:-

The South Side of Newchurch Road from the junction with New Line, a distance of 104.00m approximately in a south westerly direction, and on New Line as follows:-

- (a) North side -from junction with Newchurch Road, a distance of

43.00m approximately in a north easterly direction.

(b) South Side - from the junction with New Line, a distance of 60.00m approximately in a north eastern direction.

4. Rochdale Road, Edenfield - preventing the waiting of vehicles between 8.00 a.m. and 6.00 p.m. Monday to Saturday (inclusive) on the north side of Rochdale Road from the gable of No.21 Market Street, a distance of 260.00m approximately in a south easterly direction.

#### Holcombe Road, Helmshore

144. (b) The Borough Engineer and Planning Officer reported that an objection had been received to the proposed Traffic Regulation Order. He submitted his observations in the matter.

Resolved that the Order be made as previously proposed.

#### Shawclough Road, Waterfoot

144. (c) The Borough Engineer and Planning Officer reported that a Member had requested consideration to be given to the provision of an Order prohibiting parking on Shawclough Road, Waterfoot following the granting of planning permission for an industrial unit on the road.

Resolved that the Borough Engineer and Planning Officer be authorised to commence consultations on a Traffic Order designed to restrict parking at this location.

#### Traffic Matters - Cloughfold, Rawtenstall

144. (d) The Borough Engineer and Planning Officer reported on several matters regarding traffic conditions in the Peel Street area of Cloughfold including the creation of a cul-de-sac at Patrick Crescent; waiting restrictions and a possible one-way street at Peel Street. He further reported that the County Council had approved schemes for a pelican crossing on Bacup Road and the construction of a

bus lay-by opposite No.254 Bacup Road. He advised the Committee that a further report on the matter would be presented to a future meeting.

Resolved that the report be noted.

### Land Drainage

#### Policy

105. (a) The Borough Engineer and Planning Officer reported on the functions of the Council under the Land Drainage Act 1991. He advised that the work undertaken formerly by the main Drainage staff was now being undertaken by staff within the Highways Section and he suggested that the time was opportune to formalise the policy framework so as to simplify administrative procedures and target resources most beneficially.

Resolved that the Council adopts the policies recommended by the Borough Engineer and Planning Officer and detailed below:-

(i) that in an instance where a land drainage problem causes a nuisance only to an adjacent neighbour and where no other parties are involved, that the Council resolve to take no action on the basis that the injured party has recourse to action at common law, and

(ii) that where a land drainage problem causes nuisance to two or more properties the Council resolve that the Borough Engineer and Planning Officer has powers to act in accordance with powers granted under the Land Drainage Act, 1991 and that all costs incurred shall be recovered either from the landowners or, where no landowner can be identified, as a charge upon the land.

#### Marlborough Close, Bar Terrace, Whitworth

145. (b) The Borough Engineer and Planning Officer submitted details of problems encountered by a resident at the above location. He explained the circumstances of the particular case and indicated that the cost of necessary works to alleviate the problem was in the order of £500.



Resolved that the Borough Engineer and Planning Officer be authorised to undertake the necessary works.

### Whitworth Rake

145. (c) The Borough Engineer and Planning officer reported that he had been requested by Whitworth Town Council to report on drainage problems in the above area. He advised that it was current practice to respond to reports of blocked drains and this would continue, although he pointed out that funds were limited and generally directed to deal with problems where nuisance or danger to highway users was caused.

Resolved that the report be noted.

## SECTION 'B' FUNCTIONS DELEGATED

### Naming of Streets and Numbering of Dwellings

105. Resolved (i) that the development in the course of construction off Heald Lane, Weir by M J Phillips Limited be named "Heald Close", and

(ii) that no action be taken to change the name of the development off Oakenshaw Avenue, Whitworth and that the previous decision of the Committee to name the development "Oakenshaw View" be confirmed.

## SECTION 'A' FUNCTIONS NOT DELEGATED

### Adoption of Highways

105. The Borough Engineer and Planning Officer reported that the streets detailed below had been the subjects of Section 38 Agreements and they had now been completed satisfactorily. Accordingly they had become adopted highways with effect from Friday 8th May.

Park Avenue  
Rhuddland Close  
Criccieth Close

Cambrian Way  
Harlech Close  
Beaumaris Close  
Powys Close  
Conway Close  
Footway off Rhuddlan Close  
Footway off Beaumaris Close  
Footway off Powys Close

Resolved that the report be noted.

### Capital Programme - Rawtenstall Station Forecourt

105 . The Borough Engineer and Planning Officer reported that the above-mentioned Scheme had not been formally included within the Capital programme. He submitted details of the estimated cost and indicated that it was eligible for ERDF Grant. He also submitted details of suggested lists of select tenderers to quote for the two aspects of the work.

The Borough Engineer and Planning Officer reported that the railway project had been awarded the John Coaker Cup for the North West Region at the Royal Town Planning Institute Annual Awards. It would now be entered into the National competition for the Silver Jubilee Challenge Cup.

Resolved (i) that the report be noted,

(ii) that the Committee accept the design of the forecourt phases 2 and 3 as shown on the plan displayed at Committee, and

(iii) that subject to funds being made available by the Policy and Resources Committee in the Capital Programme, tenders be invited from the Companies indicated in the report of the Borough Engineer and Planning Officer.

### Blackburn Road, Landslip

105 . The Borough Engineer and Planning Officer reported on progress regarding the landslip situation affecting the properties 219 to 231 Blackburn Road, Haslingden. He indicated that it was unlikely that the owners would carry

out necessary works and accordingly he had arranged for an independent Consultant Civil Engineer to commence preparatory designs of alternative schemes to remove the danger.

Resolved (i) that the report be noted,

(ii) that the Development Control Sub-Committee be authorised to agree a select list of contractors for the necessary works, and

(iii) that approval be given to pursue alternative designs to detailed stage and to obtain tenders and that a report to the next meeting on progress be presented.

#### Tree Preservation Order - Land at Rising Bridge Road T2/76

105 . The Borough Engineer and Planning Officer reported on an objection to the above-mentioned Tree Preservation order, details of which were circulated to the Committee.

Resolved that the Tree Preservation Order be confirmed.

#### Diversion of Public Footpath No.170 (Haslingden)

105 . The Borough Engineer and Planning Officer reported that in order to facilitate the further development of Carrs Industrial Estate a diversion would be necessary to footpath No.170 and he submitted a plan indicating the route as diversion.

Resolved that the Solicitor and Estates Officer be authorised to make the necessary Footpath Diversion Order.

#### Confirmation of Public Path Orders

105 . Resolved that the Borough of Rossendale (Subway Access Spur Rawtenstall) Public Path Extinguishment Order 1992 and the Borough of Rossendale (Footpath No.335 Crawshawbooth) Public Path Diversion order 1992, be confirmed as unopposed Orders.

Sewers - Meadowfarm Estate, Haslingden

105 . The Borough Engineer and Planning Officer referred to a report which had been circulated by the Director of Operating Services which gave details of a meeting held with the Residents' Association at Meadowfarm. He advised that quotations had been received from Consultants in respect of certain preliminary investigations which would be necessary prior to any physical work of repair etc. to bring the sewers up to adoptable standards.

The Chief Executive officer advised that the Council's Insurers were in contact with the Residents' Solicitor and he recommended that the quotations referred to by the Borough Engineer and Planning Officer should be forwarded to the Residents' Association.

Resolved (i) that the report be noted, and

(ii) that the estimates from the Sewerage Management Consultants be forwarded to the Residents' Association.

Engineering and Planning Sub-Committee held 10th April 1992

105 . Resolved that the Minutes of the Engineering and Planning Sub-Committee held 10th April 1992 (relating to an application for a Licence to abstract water by Fort Sterling Limited) be noted. (For Minutes please see Appendix 'A').

Development Control Sub-Committee

105 . Resolved that the Minutes of the meetings of the Development Control Sub-Committee held on 14th February, 21st February, 28th February, 6th March, 13th March, 20th March, 27th March, 3rd April, 10th April, 17th April, 24th April, 1st May, 8th May, 15th May, 22nd May, and 29th May, 1992 be noted (for Minutes please see Appendices 'B', 'C', 'D', 'E', 'F', 'G', 'H', 'I', 'J', 'K', 'L', 'M', 'N', 'O', 'P', and 'Q').

Confirmation of Tree Preservation Order

105 . Resolved that the Borough of Rossendale (Land at Heath Hill Drive, Stacksteads T2/77) Tree Preservation Order 1992 be confirmed

### Appointment of Sub-Committees

105 . Resolved that the question of representation on the Haslingden, Bacup and Rawtenstall Town Centre Sub-Committees be referred to the Group Leaders.

### Scheme of Delegation - Planning Applications

105 . The Chair advised the Committee that the Scheme had been introduced to allow efficient and effective processing of planning applications whilst allowing Member involvement. In order to deal with reservations expressed by Members, he suggested an amendment to the existing Scheme whereby the opportunity to remove applications from Part 'A' of the Agenda was formalised. The Chair further suggested that it would be appropriate to seek changes in planning legislation to afford the right of appeal against planning approvals to third parties where they feel that the granting of planning permission has been detrimental to their interests.

Resolved (i) that the Scheme of Delegation as agreed at Annual Council be amended so as to enable the Sub-Committee to consider requests for applications from Part 'A' of the Agenda to be referred to the Engineering and Planning Committee, if the request is accompanied by a written statement signed by at least three Members (or if the Sub-Committee themselves so decide). Such applications to be determined by the Engineering and Planning Committee in precisely the same way as applications removed from Part 'B' of the Development Control Sub-Committee Agenda,

(ii) that the Secretary of State for the Environment and the Member of Parliament for Rossendale and Darwen be asked for their support in granting third-party rights of appeals similar to those currently enjoyed by applicants.

### Item of Urgent Business

105 . In accordance with Section 100(B)(4)(b) of the Local Government Act, 1972 the Chair agreed that the following matter should be raised at the meeting as a matter of urgency in view of the special circumstances appertaining thereto.

### Tenders

105 . Resolved (i) that the tender of S J Loach Limited in the sum of £34,550.00, being the lowest tender received, be accepted for the surface dressing of carriageways,

(ii) that the tender of Miles Macadam Surfacing Systems in the sum of £37,800.00, being the lowest tender received be accepted for the contract for slurry sealing of footways.

### Exclusion of the Public and Press

105 . Resolved that under Section 100(A)(4) of the Local Government Act, 1972, the public and press be excluded from the meeting during consideration of the following item on the grounds that it involves the disclosure of exempt information as defined in paragraph 12 of Part I of Schedule 12A to the Act.

### Development at Greens Farm, Bacup

105 . The Chief Executive Officer referred to the report to the Committee at their meeting in February when the question of the completion of the access road to phase 1 of the above-mentioned development had been discussed. He advised of the current position in relation to the development and submitted additional information regarding a change in the circumstances since the Committee had last discussed the matter.

He advised that it was now proposed to call in the Bond to seek completion of the phase 1 works.

Resolved (i) that the report be noted,

(ii) that the Committee accept that the works may proceed without the provision of a footpath on the eastern side of the carriageway.

THE MEETING CLOSED AT 9.45 P.M.

\*M ENGINEERING AND PLANNING COMMITTEE

held 17th August, 1992  
at 7.00 p.m.

\*P

PRESENT: Councillor Quinn (in the Chair),  
Councillors Connolly, Easton, Mrs. Goldsworthy,  
Harding, Mellor, McShea, Neal, Pilling,  
Mrs. Talukdar, Weeds and Wright.

Apologies for absence were received from  
Councillors Cruise and Keogh.

\*Y

SECTION 'A' - FUNCTIONS NOT DELEGATED

Minutes

Footpath No. 335, Crawshawbooth

324 . (a) The Chief Executive Officer reported that a report had been presented to the Committee at their meeting on 8th June relating to the diversion of the above-mentioned footpath. The Order had been made and the necessary statutory procedures followed. No objections had been received and accordingly the Committee had resolved to formally confirm the Order as an unopposed Order.

The Chief Executive Officer reported that reference to this item had been omitted from the Minutes of the meeting and in order that action could be taken on the decision, the Chair had authorised the Borough Solicitor to proceed in notification of the Committee's decision.

Resolved that the action of the Chair in this matter be confirmed.

Signing of Minutes

324. (b) Resolved that the Minutes of the meeting of the Committee held on 8th June, 1992, be signed by the Chair as a correct record subject to the addition of



reference to the decision to confirm as an unopposed Order the Footpath Diversion Order in respect of Footpath 335, Crawshawbooth, referred to (a) above.

## SECTION 'B' - FUNCTIONS DELEGATED

### Town and Country Planning Act, 1990 Applications for consideration by the Committee

324 . The Borough Engineer and Planning Officer submitted a report upon each of the applications contained in Minutes Nod. 326 to 335 inclusive which gave details of each application, the consultations which had been carried out and where appropriate details of objections and representations received together with his observations on each application. He also submitted details of further correspondence received since the preparation of the reports.

#### Application No. 14/92/197 - Construction of 1 No. 3 Bed Detached Split Level Bungalow - Land off Highgate Lane, Whitworth

324 . Resolved that planning permission be refused for the following reasons:-

1. The access to the site is subject to moderately steep and steep gradients which would lead to operational difficulties, especially during periods of inclement wintry weather, generating on street parking at such times which would, due to the moderate gradient, poor alignment and narrow carriageway of Highgate lane, be detrimental to highway safety.
2. The junction between the access to the site and Highgate lane is of substandard visibility, due to a combination of the steep gradient of the access the moderate gradient of Highgate Lane and the height of boundary walls to neighbouring dwellings, and as such its increased use resulting from the proposed dwelling would be detrimental to highway safety.

#### Application No. 14/92/126 - Proposed High Voltage Overhead Electricity Line Higher Hud Hey, off Roundhill Road, Haslingden

324 . Resolved (i) that this Council objects to the proposal, and

(ii) that the Borough Engineer and Planning Officer be requested to make arrangements for representatives of Norweb to meet the Chair, Vice Chair and Councillor Mrs. Goldsworthy to discuss the problem of overhead lines.

Application No. 14/92/289 - Alterations and extensions to storage building to form two dwellings with two attached garages  
Boothfield Court, off Booth Road, Waterfoot

324 . Resolved that consideration of this application be deferred to enable the Borough Engineer and Planning Officer together with the Chair, Vice Chair and Councillor Mrs. Goldsworthy to negotiate with the applicant in respect of this application and that it be referred to the Development Control Sub-Committee following such negotiations.

Application No. 14/92/324 - Extension to Existing Special School  
Bamford Road, Turn, Ramsbottom

324 . Resolved that consideration of this application be deferred to enable further discussion to take place on the application and that it be referred to the Development Control Sub-Committee for consideration following completion of the discussions.

Application No. 14/92/325 - Erection of a prefabricated Classroom Block  
Rosendale Special School, Bamford Road, Turn, Ramsbottom

324 . Resolved that planning permission be granted subject to the following condition:-

The use authorised by this permission shall be discontinued at the end of a period of two years beginning with the date upon which the use is first commenced, unless a renewal of permission is obtained

Application No. 14/92/311 - Outline - Erection of One Detached Single Storey Dwelling - Land off Burnley Road East, Whitewell Bottom

324 . Resolved that consideration of this application be deferred to enable discussions to be undertaken with the applicant in respect of the question of access

to and egress from the site and that the Development Control Sub-Committee consider the application once these discussions have taken place.

Application No. 14/92/247 - Proposed building over and extension to existing building to form offices and change of use to ground floor of existing building from offices to storage and car parking on land adjacent (Holcombe Road/Station Road), Wavel House, Holcombe Road, Helmsshore

324 . Resolved that planning permission be granted subject to the completion of a Section 106 Agreement, requiring the portion of Park Road from the car park entrance to the adopted highway (including the bridge over Musbury Brook) to be made up to adoption standard within a period no longer than eight months after the first occupation of the proposed office extension, and the following conditions:-

1. No development shall take place until samples of the proposed artificial stone, bricks and tiles have been submitted to and approved by the local planning authority and the outer face of the building shall not be constructed other than with the approved materials.
2. The car park adjacent to the junction between Holcombe Road and Station Road shall have the car parking spaces and manoeuvring areas marked out in accordance with the approved plan, before the development of the premises hereby permitted commences.
3. The re-routed access road to the existing car park to the rear of the building as shown on drawing No. AT/7E shall be fully constructed in accordance with this drawing prior to the first use of the building hereby approved.
4. The building hereby approved shall not be occupied until the car park on the former Barlows Mills site is first constructed and brought into use pursuant to planning permission ref No. 14/92/362.

Application No. 14/92/362 - Construction of 81 space car park including landscaping, access and bridge improvements Former Barlows Mill Site, off Park Road, Helmsshore

324 . Resolved that planning permission be granted subject to the following conditions:-

1. The portion of Park Road between the entrance to the car park hereby approved and the adopted highway, including the bridge over Musbury Brook, shall be made up to adoption standard within a period of eight months following the completion and first use of the car park.
2. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the completion and first use of the development and any trees or plants which within a period of five years from the completion and first use 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.

3. The car park shall be surfaced or paved to the approval of the local planning authority and the car parking spaces and manoeuvring areas marked out in accordance with the approved plan, before the use of the car park first commences.
4. A scheme providing details type of illumination proposed for the car park shall be submitted to and approved by the local planning authority prior to the commencement of development and the approved scheme shall be fully implemented prior to the completion and first use of the car park.

Application No. 14/92/262 - Conversion of Outbuildings to provide 5 No. dwellings, internal alterations to existing dwelling, garaging and septic tank - Cowm Top Farm, Market Street, Whitworth

- 324 . Resolved that planning permission be refused for the following reasons:-
1. The increase in traffic movements generated by the development would be likely to exacerbate existing unsatisfactory highway conditions on the roads leading to the site from the Class 1 highway, Market Street, thus creating additional hazard and a source of danger to other road users.
  2. The proposed development of Cowm Top to form 6 dwellings with associated garaging would be contrary to Policy E16 of the Rossendale District Local Plan First Review which states inter alia that the buildings proposed for conversion should be structurally sound and capable of conversion without the need for major alterations which would adversely affect its character and appearance and that any extension, in terms of site, mass, and scale should be ancillary to the existing building, and otherwise necessary to provide a reasonable standard of modern habitable accommodation. The proposed development of Cowm Top which presently comprises a 19th Century farmhouse, attached barn, former dwellinghouses (now derelict, a workshop and derelict quarry office would necessitate considerable rebuilding, alteration and extension such that the existing form and character would be significantly altered contrary to established and adopted planning policy.

Application No. 14/92/357 - Outline Application - Residential Development

Freehold Mill, Market Street, Shawforth, Rochdale

324 . Resolved that outline planning permission be refused for the following reasons:-

1. The proposed development would be contrary to provisions contained both within the approved Rossendale District Plan and Draft First Review of the Rossendale District Plan which designate the application site either as an industrial site or an employment site. The development of Freeholds Mill for residential purposes would be contrary to established and proposed land use designations and reduce the area of land available for industrial and employment generating development.
2. Sufficient land is already available within the Borough either with the benefit of planning permission or firm allocation for residential development to meet future housing needs both in accordance with the provisions of the existing and proposed Development Plans and Government Circulars (including D.O.E. Circular 15/84 and D.O.E. PPG.3 (January 1988)).

## Planning Appeal Decisions

324 . The Borough Engineer and Planning Officer reported on the results of appeals against the Council's decision to refuse planning permission in the following cases.

### Application No, 14/91/306

Appeal upheld subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this letter.
2. The building shall not be occupied until the area shown as a garage for 2 cars on Plan 2/4/1 has been laid out for that purpose and that area shall not thereafter be used for any purpose other than the parking of cars.
3. Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 (or any Order revoking or re-enacting that Order) no development permitted by Schedule 2, Part 1, Classes A to E and Part 2, Class A of that Order shall take place until it has been the subject of a prior express consent from the local planning authority.
4. The external materials to be used shall match those of the existing structure and samples thereof shall be submitted to and approved by the local planning authority before development takes place.

### Application No. 14/91/568

Change of housetypes on Plots 22-31 inclusive and an increase in the density of the site by the erection of 5 additional dwellings on plots numbered 57, 58, 59, 60 and 61 Holmeswood Park, Holme Lane, Rawtenstall

Appeal Dismissed

Application No. 14/91/649

Erection of detached bungalow - Turf Pit Barn Farm, Goodshawfold Road, Loveclough

Appeal Dismissed

Application No. 14/91/453

Conversion of redundant stable/storage building to dwelling - Land off Blackwood Road, Stacksteads, Bacup

This appeal has been granted subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this letter
2. The development hereby permitted shall not begin until the access has been improved in accordance with a scheme to be submitted to and approved by the local planning authority



3. Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 (or any order revoking or re-enacting that order) none of the development included in Classes A to E of Part 1 Schedule 2 or Class A of Part 2 of Schedule 2 of that order shall take place without the prior consent in writing of the local planning authority.

Application No. 14/91/597

Bedroom extension at first floor level above existing garage and utility room 1 Slaidburn Avenue, Rawtenstall

Appeal upheld subject to the following conditions:-

1. The development shall be begun before the expiration of 5 years from the date of this letter
2. The window to be installed at first floor level in the east elevation of the extension shall be non-opening and glazed with obscured glass and shall thereafter be retained in that condition

Application No. 14/92/34

Change of use to wholesale footwear 156 Newchurch Road, Stacksteads, Bacup

Appeal dismissed

Application No. 14/92/665A

Retention of internally illuminated shop sign 101 Deardengate, Haslingden

Appeal dismissed

Enforcement Appeals

1. Members may recall proceedings over the past two or three years in respect of unauthorised works at Coal Pit Lane, Todmorden Road, Bacup (i.e. erection of a barn and works to a farmhouse extension).

Both appeals have been decided in favour of the Council and I am currently waiting for the appellant to comply with the DOE Inspector's findings within the required time limits. The DOE are now considering an application for award of costs in the matter.

2. An Enforcement notice was served in September 1991 relating to the use of land as a caravan site for one caravan at Fox hill Farm, Shawclough Road, Waterfoot. The Public Inquiry which was to have been held in May was cancelled as the appeal against the notice was withdrawn and the caravan removed.

Again, as above the DOE are considering an application for award of costs in the matter

Resolved that the report be noted.

### Publicity for Planning Applications

324 . The Borough Engineer and Planning Officer reported that the Government had introduced an amendment to the Town and Country Planning General Development Order in respect of the manner in which publicity was given to the receipt of planning applications.

He submitted details of the amendment and its effects on the system currently operated by the Council. He advised that many of the procedures introduced by the amendment to the GDO were already satisfied in part by the Council's existing arrangements. However, alterations were necessary to incorporate the remainder of the procedural amendments.

The Committee discussed the matter

Resolved (i) that for householder and minor developments as defined in the Scheme of Delegation, publicity be achieved via individual notification procedure

(ii) that for all other developments publicity be achieved in all cases via site notices erected by the planning staff, and newspaper advertisement where the new GDO so requires, and

(iii) that the system outlined in resolutions (i) and (ii) above be reviewed at the final meeting of the Committee in the Municipal Year so that consideration may be given to any necessary changes for the next Municipal Year.

### Third Party Rights of Appeal for Planning Applications

324 . Further to Minute No. 158 the Borough Engineer and Planning Officer reported the receipt of a letter from the Department of the Environment which indicated that the rights of third parties in respect of planning appeals were effectively limited to complaints to the Ombudsman or judicial review.

The Committee discussed the matter and suggested that it might be appropriate to enlist the support of other authorities in seeking an amendment to existing legislation so as to gain greater rights in respect of third parties.

Resolved that the Committee pursue the case for third party rights of appeal in respect of planning applications by writing to the Association of District Councils and seeking their support in the matter.

### Derelict Land Reclamation Programme

324 . The Borough Engineer and Planning Officer advised Members that with effect from April, 1992, Rossendale had again become a 'Rolling Programme' Authority, on this occasion as part of the Leeds to Liverpool Canal Programme Area. He indicated that the Department of Environment had indicated their support in principle for establishing a programme of reclamation works to deal with dereliction problems largely in peripheral and countryside areas associated with former mineral workings, quarry activities, etc.

The Borough Engineer and Planning Officer informed the Committee that it would not be possible to include a number of live or potentially live quarries at the present time; these being subject to the IDO registration procedures. He advised the Committee that it would now be necessary to formalise policy in respect of derelict sites and to establish formal working arrangements with the

County Council. He submitted a list of disused quarries which he suggested should be included as a draft list of sites which would benefit from a basic reclamation scheme.

The Borough Engineer and Planning Officer informed the Committee that although the reclamation programme was moving towards the type of schemes outlined, there was still the opportunity to treat pockets of urban dereliction and he advised that the following schemes had been included in the current year's programme:-

Part of Irwell Springs Mill Site  
Land off Meadows Avenue/Burnley Road, Bacup  
Former Scout Hut, New Line, Bacup  
Former site of 705 Bacup Road, Waterfoot

Resolved (i) that the report be noted

(ii) that the Borough Engineer and Planning Officer be authorised to establish initial contact with the owners of the former quarry sites referred to in his report to determine whether the basis for arrangements to facilitate reclamation existed and if so, he be authorised to instruct the District Valuer to negotiate suitable terms, subject to grant availability and details of such negotiations be reported back to this Committee prior to authorisation of the acquisition of any site, and

(iii) that the Borough Engineer and Planning Officer be authorised to agree priorities for a joint programme of action with the Lancashire County Council.

#### Urban Regeneration Agency

324 . The Borough Engineer and Planning Officer reported that the Government proposed to establish a new agency - the Urban Regeneration Agency - to promote the reclamation and development of derelict, vacant and underused land and buildings in England, especially in urban areas. The agency would encompass those existing facilities which provided facilities for reclamation and grant at the present time.

The Borough Engineer and Planning Officer indicated that the new agency, with its emphasis on urban areas may not be responsive to land in need of treatment such as existed in Rossendale, outside urban areas. He had received a Consultation Paper on the proposed establishment of the Urban Regeneration Agency and the views of the Council were sought in the matter. The Borough Engineer and Planning Officer advised that another possible cause for concern was the lack of reference in the Consultation Document to the rate of grant payable in respect of urban regeneration.

The Committee discussed the matter

Resolved (i) that the report be noted

(ii) that the Secretary of State for the Environment be informed of this Council's serious concern that his proposals to establish the Urban Regeneration Agency should not have any adverse impact upon Rossendale's present/future programme of reclamation works, and to seek his early reassurance on that point

(iii) that he may also be urged to ensure that the current rate of grant (100%) is not reduced; that he be informed of the consequences for Rossendale's reclamation programme should it be so; and that his early reassurance on this point is sought, and

(iv) that the support of the Member of Parliament for Rossendale and Darwen be sought for the Council's views in this matter.

Former Whitworth Methodist Church, Market Street, Whitworth

324 . The Borough Engineer and Planning Officer reported that the above-mentioned Grade II Listed Building had been unoccupied for some considerable time and its condition was continuing to deteriorate rapidly. He indicated that whilst minor works to seal the building against unauthorised access had been undertaken, the building was in fact open to the elements in many places and it was necessary for it to be properly sealed before more serious problems followed.

Resolved (i) that a notice be served upon the present owner of the building pursuant to Section 54 of the Planning (Listed Building and Conservation Areas) Act, 1990, and

(ii) that prior to authorising the execution of any works contained in the notice the Borough Engineer and Planning Officer report to a future meeting of the Development Control Sub-Committee, having obtained competitive tenders/quotations for the carrying out of such works, for acceptance of such tenders/quotation.

Community Woodland Strategy

324 . The Borough Engineer and Planning Officer reported that the Forestry Authority had introduced a supplementary grant known as the Community Woodland Supplement designed to encourage the creation of new woodlands close to towns which would be valuable for informal recreation. It was a condition of the grant that there should be free access for the public on foot with appropriate car parking close at hand.

The Borough Engineer and Planning Officer submitted an Appendix to his report 'A Community Woodland Strategy' and presented a map indicating the proposed community woodlands for inclusion within the Strategy. The Strategy highlighted the Irwell Valley Way as a main target area for community woodlands.

The Committee discussed the matter and in answer to a question from a Member, the Borough Engineer and Planning Officer indicated that he would write to all Members of the Council to invite suggestions for additional sites to be included as part of the Strategy.

Resolved (i) that the Council approve the Community Woodland Strategy, and

(ii) that the Forestry Authority be requested to consider allowing the planting of nut trees and fruit trees wherever appropriate.

#### Highways Report

324 . The Borough Engineer and Planning Officer submitted a report giving details of the works being carried out on highways throughout the Borough. He replied to Members' questions on items referred to in his report and matters



relating to maintenance etc., and undertook to investigate queries and advise appropriate Members accordingly.

Resolved that the report be noted.

Ford Quarry, Bacup Road, Burnley

324 . Further to Minute No. 1090 of the February meeting of the Committee, the Borough Engineer and Planning Officer reported the receipt of a response from the Lancashire County Council which indicated that substantial improvements had been made at the site and that the position would continue to be monitored in order to maintain a high standard of working at the Quarry.

Resolved that the report be noted.

Traffic Speed - Rochdale Road, Bacup

324 . The Borough Engineer and Planning Officer reported the receipt of a petition from residents at Rochdale Road, Bacup expressing their concern at the speed of vehicles on Rochdale Road between Castletown Drive and Pennine Road. He had consulted the Police and the County Council in the matter but had not yet received a response.

Resolved that consideration of the matter be deferred.

Parking at School Time

Moorland Avenue and Moorland Crescent, Whitworth

324 . The Borough Engineer and Planning Officer reported the receipt of a petition from residents in the above-mentioned area regarding indiscriminate parking at school time. He advised that the Police, the County Council and his own staff had visited the site and discovered that traffic speeds on Tonacliffe Road were slow and little through traffic was present. Accordingly, he did not propose to introduce restrictions and the Police would continue to monitor the situation.

Resolved that the Borough Engineer and Planning Officer be requested to contact the School to determine from the Governors whether it was their view that any problems existed as a result of the parking of vehicles.

Waiting Restrictions - Manchester Road, Haslingden

324 . The Borough Engineer and Planning Officer reported the receipt of a request from residents on Manchester Road, Haslingden for the Committee to consider the removal of the existing waiting restriction in force outside their properties.

The Borough Engineer and Planning Officer reported that the site has been inspected and no problems had been experienced. He suggested that the removal of a restriction tended to re-introduce long term parking. In addition the centre of Haslingden was to be the subject of survey work which would include all aspects of traffic management.

Resolved that no action be taken to amend the existing Traffic Regulation Order on Manchester Road, or any other locations in Haslingden centre, until survey work has been completed and parking needs can then be realistically assessed.

Rockcliffe Meadows, Bacup

324 . The Borough Engineer and Planning Officer reported the receipt of a petition from residents living in and around Rockcliffe Road, Bacup complaining about the use of Rockcliffe Meadows by motorcyclists. He indicated that the land was part owned by the Lancashire County Council (not the Borough Council as originally thought) and the remainder was privately owned. He advised the Committee of the very limited action available to the Police and the Council in taking action against motorcyclists whereby they could only act where motorcyclists actually used the public footpaths.

The Committee discussed the matter

Resolved that the Borough Engineer and Planning Officer be requested to consult the developer and the Lancashire County Council with a view to achieving the provision of fencing, provided jointly, so as to alleviate the problem of motorcycle usage of the land.

Church Street/Whitworth Square Conservation Area

324 . The Borough Engineer and Planning Officer reported the receipt of a letter from the Town Council of Whitworth requesting a meeting at Member level to discuss the Church Street/Whitworth Square Conservation Area.

Resolved that the Chair, Vice Chair and Councillor Mrs. Goldsworthy be authorised to represent the Committee at a meeting at the Whitworth Town Council Offices with representatives of the Town Council to discuss this matter.

Milner Street

324 . The Borough Engineer and Planning Officer reported that the Whitworth Town Council had also written about the condition and status of Milner Street, Whitworth.

Resolved that the Chair, Vice Chair and Councillor Mrs. Goldsworthy be authorised to represent the Committee at a meeting at the Whitworth Town Council Offices with representatives of the Town Council to discuss this matter.

Concrete Panel Fencing - The Promenade, Market Street, Whitworth

324 . The Borough Engineer and Planning Officer reported the receipt of a request from a Member for the Committee to give further consideration to the decision reached at the February meeting for the treatment/replacement of the concrete panel fencing at The Promenade, Market Street.

Resolved that the matter be discussed with representatives from Whitworth Town Council by the Members representing the Committee referred to in Minutes Nod 349 and 350 above.

Tonacliffe Retaining Wall

324 . The Borough Engineer and Planning Officer reported that retaining walls on Tonacliffe Old Road between Station Road and Oakenshaw Avenue were in poor condition in certain parts. He advised that the ownership of the wall was being investigated by the Lancashire County Council from whom a response was awaited in the matter.

Resolved that consideration of this matter be deferred until the next meeting of the Committee and that the Borough Engineer and Planning Officer be requested to write seeking an urgent response from the County Council.

Traffic Regulation Orders

Bank Street, Bacup

324. (a) The Borough Engineer and Planning Officer reported that as a result of double parking it would be necessary to make a Traffic Regulation Order so as to improve safety.

Resolved that in accordance with the terms of the Agency Agreement with the Lancashire County Council, the Chief Executive Officer be authorised to make an Order -

that vehicles be prevented from waiting between 8.00 a.m. and 6.00 p.m. on Monday to Saturday inclusive as follows

Bank Street (South side) from the junction with Market Street a distance of 53.0 metres in a westerly direction

Bank Street (North side) from the junction with Market Street a distance of 10.0 metres in a westerly direction

Bank Street (fronting Police Station) (East side) from the junction with Bankside Lane a distance of 51.0 metres approximately in a southerly then easterly direction

Union Street, Whitworth

353. (b) The Borough Engineer and Planning Officer reported that as a result of difficulties experienced because of the parking of vehicles in the area of Union Street, Whitworth it was proposed to introduce Traffic Regulation measures to improve the situation.

Resolved that in accordance with the terms of the Agency Agreement with the Lancashire County Council, the Chief Executive Officer be authorised to make a Traffic Regulation Order

revoking the two-way traffic flow on Union Street and replacing it by one-way operation from Church Street to Market Street.

prohibiting the waiting of vehicles between 8.00 a.m. and 6.00 p.m. Monday to Saturday inclusive on the east side of Union Street from the gable of No. 8 Union Street a distance of 123.0 metres approximately in a north easterly direction

revoking the existing total prohibition order fronting Nos. 6, 7 and 8 Union Street over a distance of 23.50 metres approximately

## SECTION 'B' - FUNCTIONS DELEGATED

### Naming of Streets and Numbering of Dwellings

#### Development off Church Street, Crawshawbooth

- 324 . (a) Resolved that the development be named Hawthorne Meadow.

#### Development off Grange Road, Rawtenstall

354. (b) Resolved that the development be named Grange Close.

## SECTION 'A' - FUNCTIONS NOT DELEGATED

### Private Street Works

#### Progress Report

324 . (a) The Borough Engineer and Planning Officer submitted a detailed report on the position in respect of Private Street Works schemes included within the Committee's current priority list.

Resolved that the report be noted.

#### Policy Review

355. (b) The Borough Engineer and Planning Officer circulated a proposed information sheet designed to be issued to persons or organisations requesting information on the procedure for having a private street made up. He also submitted a proposed policy for awarding priority to schemes identified as being suitable for inclusion in the Private Street Works programme. The Committee discussed the matter.

Resolved (i) that the information sheet be approved for use as outlined in the report

(ii) that policies 1 and 2 as outlined in the Borough Engineer and Planning Officer's report and detailed below, for prioritising Private Street Works Schemes be adopted

Policy 1 - The Annual Revenue Estimates will be prepared on the basis of preparing one scheme for construction, together with the ancillary costs of finalising completed schemes and dealing with routine enquiries, unless otherwise authorised by Council

Policy 2 - Where the County Council, private developer or other interested party requests design/administrative work which cannot be accommodated within the routine enquiry procedure, that organisation shall be required to meet the Council's excess costs

(iii) that consideration of Policy No. 3 detailing the steps to be followed for affording priority to a scheme be deferred until a future meeting of the Committee.

### Private Members' Bill - Unadopted Roads

324 . The Borough Engineer and Planning Officer advised the Committee that he had been informed by the Members of Parliament for Rossendale and Darwen of a Private Members' Bill which sought to amend the Private Street Works legislation by requiring local authorities to act as guarantors in respect of loans taken out by householders. He suggested that whilst changes to the legislation aimed at easing and speeding up the adoption of private streets might be welcomed, he had concern about potential financial liabilities.

Resolved (i) that the Member of Parliament for Rossendale and Darwen be advised of this Council's welcome for the proposed Bill, however that the MP be made aware of the Council's concern regarding financial liabilities, and

(ii) that the Member of Parliament for Rossendale and Darwen be requested to ensure that Councils are not financially penalised as a result of the passing of the proposed legislation.



Capital Programme Update

Rosebank Street, Bacup

324. (a) The Borough Engineer and Planning Officer reported that work was in progress on the above-mentioned scheme.

Resolved that the report be noted.

Park Road Industrial Estate, Bacup - Trough Syke Culvert

357. (b) The Borough Engineer and Planning Officer reported that prior to adoption of the highway on the Park Road Industrial Estate it would be necessary for a culvert passing under the highway to be assessed to determine its condition and stability. Responsibility for its maintenance was currently being determined although the County Council had acknowledged part responsibility. The cost of assessing the culvert was approximately £10,000 and the County Council had agreed to contribute towards these costs, commensurate with their responsibility for the culvert.

Resolved (i) that tenders be invited from the following companies

Travers Morgan, Altrincham  
Babtie Shaw and Morton, Preston  
Thomas and Partners, Preston  
Allott and Lomax, Manchester  
Mouchel and Partners, Manchester  
Mott McDonald, Altrincham

(ii) that following the receipt and opening of tenders, the matter be referred to the Policy and Resources Committee with a recommendation that the work to assess the culvert be approved and funded from the existing Capital Programme approval and that the County Surveyor be advised that work may proceed subject to an agreement that costs be shared pro-rata to the lengths shown to be the maintenance liability of the respective authorities.

LCC Improvement Schemes - Eligible for ERDF Grant Aid

357. (c) The Borough Engineer and Planning Officer reported that certain improvement works in designated town centre areas were eligible for ERDF grant to assist in providing environmental improvements into the schemes. He pointed out that such grant aid required capital allocation cover from the Borough Council notwithstanding the fact that the projects would be funded externally. He submitted details of four such schemes and advised that the County Surveyor had approved the principle of environmental improvements being incorporated into the schemes provided that the grant aid was directed only at highway environmental improvements and enhancements.

Resolved that the matter be referred to the Policy and Resources Committee with the following recommendations

1. Subject to the various project's final ERDF grant aid approvals, the following schemes be included in the Council's 1992/93 Capital Programme and the allocation released

.....

- (ii) Waterfoot Shopping Area - footways - Bacup Road footways
- (iii) Haslingden Town Centre - Footways - Lower and Upper

- (iv) Rawtenstall Town Centre - Footways - Queens Square to Bank

2. That tenders for the necessary works at Queens Square Subway, Rawtenstall be invited from the following specialist contractors (not selected from the Council's general civil engineering list)

Brookes Northern Limited, Manchester

H.C. Limited, Manchester

Planned Maintenance (Pennine) Limited, Burnley

Ram Services Limited, Rossendale

P.S.L. Specialist Coatings Limited, Preston

### Coordination of Streetworks

324 . The Borough Engineer and Planning Officer reported on procedures for co-ordinating highway maintenance works with works undertaken by the public utilities, particularly in cases where recently surfaced highways were the subject of disturbance by major utility works.

The Borough Engineer and Planning Officer advised of the statutory framework within which statutory undertakers/utilities had powers to excavate highways, which included a restriction on such works within twelve months of resurfacing. Emergency works were excluded from this provision as was the connection of a new service to a property.

The Borough Engineer and Planning Officer advised that quarterly co-ordination meetings were arranged between the Council and the the undertakers and he gave details of items discussed and the attendance and representation thereat. He advised the Committee that with effect from 1st January, 1993, new legislation placed a statutory duty on the highway authority to co-ordinate street works whilst at the same time requiring utilities to use their best endeavours to co-operate with the authority and otherwise.

Resolved that the question of the co-ordination of street works be the subject of discussion at the Development Control Sub-Committee with Senior Managers of the utility companies.

Corner Pin Car Park, Stubbins

324 . The Borough Engineer and Planning Officer reported that an arrangement had been reached for the provision of a car park between the Corner Pin Public House and the railway embankment, the maintenance of which was shared between the Council and the owners of the Public House. He advised that the existing arrangement was not fully satisfactory in that each party was responsible for the maintenance of a part of the car park and he suggested that further discussions should take place with a view to reaching a more satisfactory arrangement.

Resolved that the Borough Engineer and Planning Officer and the Borough Solicitor be authorised to discuss the future maintenance of the car park with the owners of the Public House (Grand Metropolitan Estates).

Diversion of Public Footpath No. 170 (Haslingden)

324 . Further to Minute No. 151 the Borough Engineer and Planning Officer reported that the developer who had requested the diversion of the above-mentioned path had now suggested a different route for the diversion which it was claimed would give practical benefits to both the users and the developer.

Resolved that the Borough Solicitor be authorised to make the necessary diversion order in accordance with the plan now submitted to the Committee in substitution for that determined at the last meeting of the Committee.

Diversion of Public Footpath No. 251 (Haslingden)

324 . The Borough Engineer and Planning Officer reported that he had been requested by North West Water to arrange the diversion of Footpath 251 to accommodate their new Water Treatment Works at Ogden Reservoir.

Resolved that the Borough Solicitor be authorised to make the necessary Footpath Diversion Order.

Lodge Mill, Turn - Public Meeting

324 . The Borough Engineer and Planning Officer reported that following the acceptance of the Development Brief for Lodge Mill Village, Turn, a Public Meeting had been held on Tuesday, 4th August and residents had been advised of the next stage in the District Plan process.

Resolved that the report be noted.

Representation on the Cumbria and Lancashire  
Road Accident Prevention Federation

324 . Resolved that Councillor Quinn and Councillor Harding be nominated as this Council's delegates to the Cumbria and Lancashire Road Accident Prevention Federation.

Haslingden Town Centre Sub-Committee

324 . Resolved that the Minutes of the meeting of the Haslingden Town Centre Sub-Committee held on 6th August, 1992 be approved and adopted (for Minutes see Appendix 'A').

Development Control Sub-Committee

324 . Resolved that the Minutes of the meetings of the Development Control Sub-Committee held on the 5th June, 12th June, 19th June, 26th June, 3rd July, 10th July, 17th July, 24th July, 31st July and 7th August, 1992, be noted (for Minutes see Appendices 'B', 'C', 'D', 'E', 'F', 'G', 'H', 'I', 'J' and 'K').

Use of Footpaths and Bridleways by Motorcyclists

324 . The Chief Executive Officer reported that the Leisure Committee had adopted the Minutes of one of its Sub-Committees which included reference to the use of footpaths and bridleways by trail riders who were claiming a right to use these for their sport. It was suggested that this was giving rise to problems

for other footpath users. Apparently, the Lancashire County Council were proposing to take appropriate action and this Committee were requested to support the County Council in such action.

Resolved that this Committee supports in principle action to protect the rights of existing established footpath users and that details of the County Council's proposals for dealing with conflict of uses be reported to a future meeting of the Committee.

THE MEETING CLOSED AT 9.20 P.M.



\*M ENGINEERING AND PLANNING COMMITTEE

held 14th September, 1992,  
at 7.00 p.m.

\*P

PRESENT: Councillor Quinn (in the Chair),  
Councillors Bolton, Connolly, Cruise, Mrs. Goldsworthy,  
Harding, Keogh, Mellor, McShea, Neal, Pilling,  
Mrs. Talukdar, Weeds and Wright.

\*Y

SECTION 'A' - FUNCTIONS NOT DELEGATED

Minutes

491 . Resolved that the Minutes of the meeting of the Committee held on 17th August, 1992, be signed by the Chair as a correct record.

Planning - A Charter for Public Involvement

491 . The Chair referred to a Consultation Paper which he had had circulated with the Agenda relating to the use and involvement of local communities in the planning process. The Paper suggested that the rights of the public in planning matters needed strengthening and that financial help and professional guidance which was central to the democratisation of the planning process, should be made available.

The Paper referred to the need to make local plans relevant and to establish neighbourhood planning teams. Wider consultation, greater public involvement and the rights of third parties should all be extended. The Paper also referred to community involvement in identifying action areas for improvement.

The Committee discussed the Paper

Resolved (i) that the report be approved in principle, and

(ii) that the Borough Engineer and Planning Officer be requested to report to the next meeting on the Consultation Paper and to comment particularly on the extent to which elements contained within the Paper might be capable of introduction within the existing legislative framework and to identify whether the need exists for new legislation to facilitate the introduction of other aspects of the Consultation Document; in addition, the report of the Borough Engineer and Planning Officer should outline the cost implications in respect of those items contained in the Consultation Document.

## SECTION 'B' - FUNCTIONS DELEGATED

### Town and Country Planning Act, 1990 Applications for consideration by the Committee

491. The Borough Engineer and Planning Officer submitted a report upon each of the applications contained in Minutes Nod.494 to 498 inclusive which gave details of each application, the consultations which had been carried out and where appropriate details of objections and representations received together with his observations on each application. He also submitted details of further correspondence received since the preparation of the reports.

#### Application No. 14/92/383 - Erection of Conservatory Plane Tree Inn, Rochdale Road, Ramsbottom

491. Resolved that planning permission be refused for the following reason:-

1. The proposed development would attract more vehicles to the site where the existing car parking provisions are already sub-standard, and it would, therefore, lead to an increase in the parking of vehicles on adjacent highways to the detriment of road safety. Furthermore, the development would increase the turning of vehicles at the access from the car park to Rochdale Road, where the visibility for drivers is sub-standard, and the proposal would, thereby, increase the hazard to road users.

Standing Order No. 39(1)

491. Resolved that in accordance with Standing Order No. 39(1), the Committee hereby consent to Councillor Winder taking part in the discussion on the following item.

Application No. 14/92/334 - Change of Use of Dwelling  
to a Day Nursery for up to 21 children with living accommodation  
- 198 Burnley Road, Rawtenstall

491. Resolved that consideration of this application be deferred to enable discussions to be undertaken with the applicant in respect of the question of living accommodation and that the Development Control Sub-Committee consider the application once these discussions have taken place.

Application No. 14/92/386 - Outline - Residential Development  
Land off Cowm Park Way South, Whitworth

491. Resolved that outline planning consent be refused for the following reasons:-

1. The proposed development would be contrary to the approved and adopted District Plan for Rossendale in that the application site is allocated for industrial purposes.
2. The proposed development would be contrary to the Rossendale District Local Plan - First Review which indicates that the site is proposed to be allocated for employment purposes.

Application No. 14/92/266 - Outline - Erection of 10 No. Houses  
Woodtop Garage, off Bury Road, Rawtenstall

491. Resolved that permission be granted subject to the following conditions:-

1. Before any development is commenced approval shall be obtained from the local planning authority with respect to the reserved matters, namely the siting, design, external appearance and landscaping. The landscaping proposals shall include all hard and soft landscaping features (as such including where appropriate screen or boundary walls and fences or other

means of enclosure) and shall be fully implemented before the building(s) is/are first occupied for the purposes of this permission or at such other time as may subsequently be agreed in writing with that authority. Any trees or shrubs becoming diseased, dying or otherwise being removed within two years of planting shall be replaced by the applicant/developer by species of a similar type and size.

2. The centre line of the proposed site access road shall be located a minimum distance of 20 metres from the south western end of the site frontage to Bury Road. No other access point to the class 3 highway shall be permitted.
3. Notwithstanding the provisions of the Town and Country Planning General Development Order 1988, there shall not at any time in connection with the development hereby permitted, be erected or planted, or allowed to remain, upon the land hereinafter defined, any building, wall, fence, hedge, tree, shrub or other device. The visibility splay to be the subject of this condition shall be that land in front of a line drawn from a point 4.5 metres measured along the centre line of the proposed site access road from the continuation of the nearer edge of the carriageway of Bury Road to points measured 120m in each direction along the nearer edge of the carriageway of Bury Road from the centre line of the proposed site access, and shall be constructed and maintained at footway/verge level in accordance with a scheme to be agreed by the local planning authority in conjunction with the highway authority.

## SECTION 'A' - FUNCTIONS NOT DELEGATED

### Rossendale District Local Plan - First Review

491. The Borough Engineer and Planning Officer reported that the First Review of the District Local Plan had been placed on deposit on Monday 7th September, 1992 and the deposit period would end on 19th October, 1992. He reported on the steps involved in dealing with observations/objections to the Plan and gave details of the publicity which had so far been afforded thereto. In answer to a question from a Member, the Borough Engineer and Planning Officer reported that he would advise Councillors of the dates and venues of any proposed visits to local schools in connection with the publicity for the Plan.

The Borough Engineer and Planning Officer further reported that in order for the Council to properly consider representations/objections before the Public Inquiry, it would probably be necessary for a series of Special Meetings of the Engineering and Planning Committee to be held and once all these representations/objections had been decided on by the Committee it would be

necessary for one Special Meeting of the Council to give a comprehensive view of the several separate decisions of the Committee and to determine finally the Council's stance in respect of the issues raised. In this way, it would be possible for the Council to clearly articulate its position to be followed at the Public Inquiry.

Resolved that the proposal outlined by the Borough Engineer and Planning Officer be approved and a Special Meeting of the Council be held on Monday, 21st December, 1992.

#### Little Tooter Quarry

491 . The Borough Engineer and Planning Officer submitted a progress report regarding the operation at the above-mentioned quarry. He advised that the Lancashire County Council as Mineral Planning Authority had served both Stop and Enforcement Notices in respect of activities at the site and he submitted details of the effective dates of the Notices.

Resolved that the Lancashire County Council be requested to arrange a Member level site meeting to discuss matters of concern in respect of the quarry and that the Chair, Vice Chair, Opposition Spokesperson, Ward Councillors for the Greensclough Ward and the County Councillor for Bacup be invited to attend the meeting.

Community Woodland Strategy

491 . Further to Minute No. 342, the Borough Engineer and Planning Officer reported the receipt of a letter from the Forestry Authority which indicated that 70% of a planting scheme should be planted with species including oak, 10% could be planted with shrubs, including hazel, rosehip or the native apple or pear trees and 20% could be left to open space. Accordingly, it would be possible to accommodate all aspects of wildlife.

Resolved that the report be noted.

Publicity for Planning Applications in the Local Press

491 . The Borough Engineer and Planning Officer reminded Members of the decision taken at their previous meeting whereby amendments had been made to the publicity process in respect of planning matters. He advised that the "Citizen" newspaper was to undertake all advertising following negotiations with the local press. He advised that concern had been expressed regarding the distribution of this particular newspaper, but he was able to confirm that the newspaper was circulated throughout the Borough including Edenfield and he advised of arrangements for obtaining a copy of the paper if it were not delivered to any particular household.

Resolved (i) that the report be noted, and

(ii) that the action of the Borough Engineer and Planning Officer in the matter be confirmed.

Derelict Land

Derelict Garage Colony - Hud Rake, Haslingden

491 . (a) The Borough Engineer and Planning Officer reported that a Compulsory Purchase Order in respect of the above-mentioned site had been confirmed by the Secretary of State on 5th August, 1992. In accordance with the Compulsory Purchase (Vestings Declaration) Act, 1981, it would be necessary for

a sum of £500 to be deposited in respect of compensation payable to unknown owners.

Resolved that the Policy and Resources Committee be requested to release a sum of £500 from the derelict land top up budget in the Council's Capital Programme.

Moorlands Lodge, Croston Close Road, Turn

503. (b) The Borough Engineer and Planning Officer reported that Oldham and Rochdale Groundwork had been developing a programme of environmental improvements in the Ashworth/Cheesden Valley, most of which fell within the boundary of Rochdale MBC. Part of the scheme, the restoration of a derelict lodge as a water area for wildlife and conservation interests comes within the Rossendale Borough boundary and Oldham and Rochdale Groundwork had asked if they could include that part of the scheme as part of the Rossendale reclamation programme and undertake the work on behalf of the Council.

Resolved that Oldham and Rochdale Groundwork be advised that the Council accept the scheme at Moorlands Lodge, Croston Close Road, Turn, on the same basis as those schemes undertaken by Rossendale Groundwork.



### Obstructions in the highway

491 . The Borough Engineer and Planning Officer circulated leaflets prepared by the County Council for public distribution relating to obstructions in the highway, specifically signs and goods offered for sale. The County Council were looking to their agency authorities to make a determined and persistent approach to this problem and in view of the extensive nature of the problem throughout the Borough, the Borough Engineer and Planning Officer suggested that the Committee might determine a procedure for awarding priorities to the areas to be dealt with on a basis which could be seen to be both fair and sensible.

The Borough Engineer and Planning Officer submitted plans and photographs showing a number of typical obstructions and he submitted a report which was circulated to Members at the meeting which indicated that the obstruction in the footways in the town centres were by far the most common. Reference was made to those items of street furniture including signposts erected by the Council which should be inspected and resited where necessary and the Borough Engineer and Planning Officer indicated that there was an ongoing programme of identifying such offending signs, etc and replacing them where necessary.

Resolved (i) that a meeting be organised between Members, officers and representatives of traders throughout the Borough to explain the problem and advise and consult the traders on proposed enforcement measures

(ii) that as part of the consultation process, Newspaper and Ice cream manufacturers be contacted and advised of the initiative, invited to assist by the removal of signs and that they and the local traders be advised of the facility whereby lawful advertisement can be placed in the highway by way of sponsorship of litter bins, rather than illegal obstruction in the highway, and

(iii) that the Borough Engineer and Planning Officer write to the Police to advise them of the Committee's current deliberations and to seek their assistance in the removal of parked vehicles on footways and that an item be included on the issue of vehicles parking in the Agenda for the next meeting of the Committee.

Traffic Regulation Orders

Whittle Street, Rawtenstall

491. (a) The Borough Engineer and Planning Officer reported that following advertisement of the proposed Order, objections to the proposed Traffic Regulation Order on Whittle Street had been received and he submitted details thereof to the Committee.

Resolved that the Order as currently advertised be proceeded with

(to make Whittle Street, Rawtenstall one way from Greenfield Street to Haslingden Old Road (traffic flow from west to east) together with the creation of a box junction on Haslingden Old Road to facilitate the left turning movement of vehicles from Whittle Street into Haslingden Old Road.

Blackburn Road and Northfield Road, Rising Bridge

(b) The Borough Engineer and Planning Officer reported the receipt of objections to the above-mentioned Order relating particularly to a potential problem in loading and unloading. He indicated that the Orders contained exemptions for loading and unloading and as such he did not see any difficulties.

Resolved that the Order be made as originally proposed.

Standing Order No. 39(1)

491. Resolved that in accordance with Standing Order No. 39(1), the Committee hereby consent to Councillor Mrs. Lamb taking part in the discussion on the following item.

Traffic Regulation Orders

Farholme Lane, Stacksteads

491. (a) The Borough Engineer and Planning Officer reported that following advertisement of the above-mentioned Order objections had been received. Members commented on the objection and expressed their severe reservations about the introduction of the Order as proposed.

Following a full discussion it was

Resolved that the Borough Engineer and Planning Officer arrange a site meeting with the Police and County Surveyor's representatives and that the Chair, Vice Chair, Opposition Spokesperson and Councillors for the Stacksteads Ward be invited to the site meeting.

Helmshore Road/Gregory Fold/Broadway, Helmshore

(b) The Borough Engineer and Planning Officer reported the receipt of an objection regarding the above-mentioned proposed Order. As a result of the objection he reported that it might be possible to amend the terms of the Order and he submitted his observations in the matter.

Resolved that the Order be amended as follows:-

Helmshore Road (south side of junction with Gregory Fold)

1. West Side

That vehicles be prevented from waiting at all times from the junction with Gregory Fold to the southerly boundary of No. 421 Helmshore Road

## 2. East Side

That vehicles be prevented from waiting between Monday and Saturday (inclusive) 8.00 a.m. - 6.00 p.m. from the junction with Broadway in a southerly direction to a point 5.0 metres approximately south of the boundary of No. 412/414 Helmshore Road

### Broadway (North Side)

That vehicles be prevented from waiting between Monday and Saturday inclusive 8.00 a.m. - 6.00 p.m. from the junction with Helmshore Road a distance of 48.50 metres in an easterly direction

Gregory Fold - No change to previous proposals

Helmshore Road - (North of junction with Gregory Old) - No change to previous proposals

Bury Road, Edenfield

(c) The Borough Engineer and Planning Officer reported a number of accidents had occurred at Bury Road from its junction with Bolton Road North to the Bury boundary. He submitted his proposals for traffic regulation measures which would help solve the problem.

Resolved that in accordance with the terms of the agency agreement with the Lancashire County Council the Chief Executive Officer be authorised to make a Traffic Regulation Order preventing vehicles from waiting between 8.00 a.m. and 6.00 p.m. Monday to Saturday (inclusive) on the west side of Bury Road from No. 56 Bury Road a Distance of approximately 190 metres in a southerly direction.

SECTION 'B' - FUNCTIONS DELEGATED

Naming of Streets - Newhallhey

491. Resolved that the roads indicated on the plan submitted by the Borough Engineer and Planning Officer be named as follows:-

Road No. 1 - New Hall Hey Road

Road No. 2 - Swanney Lodge Road

Road No. 3 - Station Approach

SECTION 'A' - FUNCTIONS NOT DELEGATED

Adoption of Highways

491. Resolved that in accordance with the terms of the Agency Agreement with the Lancashire County Council the following lengths of highway be adopted as highways maintainable at the public expense and the Chief Executive Officer be authorised to prepare the necessary Notices:-

NewHallHey Road - from the level crossing to its junction with Swanney Lodge Road, shown hatched black on the plan submitted to the Committee

(the railway crossing gates and their mechanisms and the separate pedestrian crossing and its associated gates remain the responsibility of East Lancashire Railway)

Private Street Works - Prioritisation Procedure

491. Further to Minute No. 355 of the last meeting of the Committee, the Borough Engineer and Planning Officer submitted a revised policy (Policy No. 3) detailing the steps for affording priority to Private Street Works Schemes.

Resolved (i) that the revised procedure be adopted as the Council's policy for prioritising the Private Street Works Programme

(ii) that the procedure be implemented during 1993 for the 1994/95 Programme, and

(iii) that Back Industry Street, Whitworth be selected as top priority for inclusion in the 1993/94 Programme.

Department of the Environment Consultation - Using Water Wisely

491 . The Borough Engineer and Planning Officer referred to a Consultation Document submitted by the Department of the Environment which had been circulated to Members with the Agenda.

The Committee discussed the Consultation Paper.

Resolved that the Consultation Paper be noted.

The Borough of Rossendale (Land at Grane Road, Haslingden)  
T2/78 Tree Preservation Order, 1992

491 . Resolved that the above-mentioned Order be confirmed as an unopposed Order.

Development Control Sub-Committee

491 . Resolved that the Minutes of the meetings of the Development Control Sub-Committee held on the 14th August, 21st August, 28th August and 4th September, 1992 be noted (for Minutes see Appendices 'A', 'B', 'C' and 'D').

Exclusion of the Public and Press

491 . Resolved that under Section 100(A)(4) of the Local Government Act, 1972, the public and press be excluded from the meeting during consideration of the following item on the grounds that it involves the disclosure of exempt information as defined in paragraph 7 of Part I of Schedule 12A to the Act.

Section 52 Agreement - Cowtoot Farm, Bacup

491 . The Borough Engineer and Planning Officer referred to a report which had been circulated by the Borough Solicitor relating to a Section 52 Agreement in respect of Cowtoot Farm, Bacup.

Resolved that the Council enter into a Deed of Variation with the Whaley's amending the Section 52 Agreement relating to Cowtoot Farm by

1. Removing Clauses 2(c) and 4 from the Agreement
2. Inserting a new Clause preventing the sale of the farmhouse and adjoining buildings separately from the rest of Cowtoot Farm
3. Inserting a new Clause preventing the use of the farm for the purposes of running a road haulage business

THE MEETING CLOSED AT 8.30 P.M.



\*M ENGINEERING AND PLANNING COMMITTEE

held 26th October, 1992  
at 7.00 p.m.

\*P

PRESENT: Councillor Quinn (in the Chair),  
Councillors Bolton, Cruise, Mrs. Goldsworthy,  
Harding, Keogh, Mellor, Neal, Pilling, Mrs. Talukdar,  
Weeds and Wright.

Apologies for absence were received from  
Councillors Connolly and McShea.

\*Y

SECTION 'A' - FUNCTIONS NOT DELEGATED

Minutes

622 . Resolved that the Minutes of the meeting of the Committee held on 14th September, 1992 be signed by the Chair as a correct record.

SECTION 'B' - FUNCTIONS DELEGATED

Town and Country Planning Act, 1990  
Applications for consideration by the Committee

622 . The Borough Engineer and Planning Officer submitted a report upon each of the applications contained in Minutes Nod. 624 to 632 inclusive which gave detailed observations on each application. He also submitted details of further correspondence received since the preparation of the reports.

Application No. 14/92 /418 - Change of use to cafe/cookshop/sandwich bar with opening hours as follows Mondays - Saturdays 8.00 a.m. to 6.30 p.m. and closed Sundays - Ground floor, 26 Manchester Road, Haslingden

622 . Resolved that permission be granted subject to the following conditions:-

1. This permission shall not be exercised by any person, group of persons or company other than Marilyn Anne Zebrowski and the use hereby permitted shall be discontinued on the date when the aforesaid person ceases to occupy the premises
2. The premises shall be used as a cafe/cookshop/sandwich bar and for no other purpose (including any form of "takeaway" or any other purpose in Class A3 of the Schedule to the Town and Country Planning (Use Classes) Order, 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.)
3. The use which is the subject of this permission shall only be carried out between the hours of 8.00 a.m. and 6.30 p.m. Mondays to Saturdays
4. Not to make any material alterations to the external appearance of the building which is the subject of this permission without the grant of formal express planning permission in that behalf by the local planning authority

5. Prior to the commencement of the use hereby approved a scheme for the means of ventilation to service the cafe/cookshop/sandwich bar shall be submitted to and approved by the local planning authority and thereafter only the approved scheme shall be installed and retained for the duration of the use unless any variation is agreed in writing with the local planning authority

Application No. 14/92/447 - Erection of Detached Bungalow  
Turf Pit Barn Farm, Goodshawfold Road, Loveclough

622 . Resolved that consideration of this application be deferred to enable the Borough Engineer and Planning Officer to discuss the Committee's concerns relating to the scale of the development with the applicant.

Application No. 14/92/421 - Outline - Erection of Detached Bungalow  
Land adjoining Sunnyside Bungalow, off Oak Street, Shawforth

622 . Resolved that permission be refused for the following reasons:-

1. The proposed development would be contrary to the adopted Rossendale District Plan which shows the application site as lying within the Fact Industrial site and thus, under Policy J3 of this Plan, allocated for new industrial development rather than residential development
2. The proposed development would be contrary to the provisions of the approved Lancashire Structure Plan, wherein the site is shown to be located generally within a designated Countryside Area, and the Deposit Edition of the revised Rossendale District and Local Plan, wherein the site is shown to be outside the urban boundary and located generally within a designated Countryside Area, in which, under Policy 6 of the approved Lancashire Structure Plan development is to be limited to that appropriate to rural areas thus effectively establishing a presumption against residential development unless it can be shown to be essential to the local economy or social well being

Application No. 14/92/392 - Outline - Residential Development  
Guide Saw Mills, Market Street, Edenfield

622 . Resolved that permission be refused for the following reason:-

1. The proposed development would increase the vehicular turning movements between the site and Burnley Road within the traffic signal controlled junction with Blackburn Road. Moreover, the development would generate more tortuous and difficult vehicular turning movements between the proposed site access and the acute-angled junction and would, therefore, increase the hazard to road users.

Application No. 14/92/404A - Retention of Advertisement Hoarding  
Land off Accrington/Easterly By-Pass at Rising Bridge

622 . Resolved that permission be refused for the following reasons:-

1. The proposed advertisement is contrary to the provisions of Policy E13 of the Rossendale District Local Plan - Deposit Edition - which seeks to control advertisements in the Borough in the interests of amenity and safety and in order to maintain attractive urban townscape and rural landscape, devoid of clutter especially along principal traffic routes and within the countryside

2. The proposed development would constitute an undesirable and unsuitable form of isolated and sporadic development, contrary to established planning policy and to the aims of securing orderly, well coordinated and well planned development in the locality
3. The proposal would, furthermore, if approved and implemented in its present form be conducive to the submission of further similar applications which would then be more difficult to resist thereby further prejudicing the policy of the local planning authority in seeking to secure orderly and well planned development
4. The advertisements constitute a distraction to drivers and hence a highway hazard

Application No. 14/92/405A - Retention of Advertisement Hoarding  
Land adjacent to Edenfield By-Pass

- 622 . Resolved that permission be refused for the following reasons:-
1. The proposed advertisement is contrary to the provisions of Policy E13 of the Rossendale District Local Plan - Deposit Edition - which seeks to control advertisements in the Borough in the interests of amenity and safety and in order to maintain attractive urban townscape and rural landscape, devoid of clutter especially along principal traffic routes and within the countryside
  2. The proposed development would constitute an undesirable and unsuitable form of isolated and sporadic development, contrary to established planning policy and to the aims of securing orderly, well coordinated and well planned development in the locality
  3. The proposal would, furthermore, if approved and implemented in its present form be conducive to the submission of further similar applications which would then be more difficult to resist thereby further prejudicing the policy of the local planning authority in seeking to secure orderly and well planned development

4. The advertisements constitute a distraction to drivers and hence a highway hazard

Application No. 14/92/334 - Change of Use of dwelling to a day nursery for up to 21 children - 198 Burnley Road, Rawtenstall

- 622 . Resolved that permission be granted subject to the following conditions:-
  1. The car parking areas shall be surfaced or paved and a minimum of five car parking spaces with manoeuvring areas shall be marked out before the use of the premises hereby permitted becomes operative
  2. Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 no development which would otherwise be permitted by virtue of the provisions of Class A of Part 2 of Schedule 2 to Article 3 of the grant of formal express planning permission in that behalf by the local planning authority
  3. No material alterations to the external appearance of the building which is the subject of this permission shall be made without the grant of formal express planning permission in that behalf by the local planning authority

Application No. 14/92/475 - Consultation from LCC for 4 Classroom extension for new infants block, new school entrance, staff accommodation, external play areas and landscaping - Tonacliffe County Primary School, Tonacliffe Road, Whitworth

622 . Resolved that the County Council be informed of this Council's concerns about the proposal having regard to the existing Green Belt designation of the site of the proposed extension, the likely increase in parking problems which it would generate and the proposed use of roofing material which would be at odds with that on the existing school roof and Council policy.

Application No. 14/92/390 - Construction of 10 No. 2 Bed Houses and 10 No. Garages - Highfield Street, Haslingden

622 . Resolved that permission be granted subject to the completion of a Section 106 Agreement as outlined above and the following conditions:-

1. No development shall take place until samples of the proposed artificial stone and tiles have been submitted to and approved by the local planning authority and the outer face of the building shall not be constructed other than with the approved materials
2. No development whatsoever shall be begun until such time as details of all on-site and any necessary off site drainage works (both foul and surface water) have been submitted to and approved by the local planning authority
3. None of the dwellings/buildings hereby permitted shall be occupied until the drainage works referred to in condition No. 2 have been carried out and satisfactorily completed in accordance with the plans submitted and approved pursuant to that condition
4. Before any development is commenced a fully detailed scheme of landscaping (as such including tree and shrub planting, the provision of any grassed areas, hard landscaping features and the erection of any screen or boundary walls, fences or other means of enclosure) shall be submitted to and approved by the local planning authority, and such

scheme shall thereafter be fully implemented before any building hereby permitted is first occupied for the purposes hereof, or at such other time as may subsequently be agreed in writing with that authority. Any trees or shrubs dying/becoming diseased or otherwise being removed within two years of planting shall be replaced by the applicant/development by species of a similar type and size

5. Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 no development which would otherwise be permitted by virtue of the provisions of Classes A, B, C, D and E of Part 1 of Schedule 2 to Article 3 of the Order shall be carried out anywhere within the application site without the grant of formal express planning permission in that behalf by the local planning authority
6. Prior to the commencement of the development hereby approved a scheme showing details of improvements to be carried out to Highfield Street, between its junction with Grane Road and the entrance to the housing site hereby approved to bring this street up to adoption standard shall be submitted to and approved by the local planning authority and the approved scheme shall thereafter be fully implemented prior to the first occupation of the dwellings hereby approved



## SECTION 'A' - FUNCTIONS NOT DELEGATED

### Planning - A Charter for Public Involvement

622 . Further to Minute No. 492, the Borough Engineer and Planning Officer submitted a report containing his comments on the Consultation Paper prepared by the Chair which had been submitted to the Committee at their last meeting.

A Member asked whether a response had been received from the ADC to the Committee's request for consideration to be given to granting third party rights of appeal in respect of planning applications and the Borough Engineer and Planning Officer indicated that no such reply had been received.

The Committee considered the matter

Resolved that the discussion document circulated to the September meeting of the Committee and the Borough Engineer and Planning Officer's report thereon be circulated to resident and other groups for their comments and that the list currently used for circulating the list of planning applications received, be used as the basis for this consultation.

### Planning Appeal Decisions

622 . The Borough Engineer and Planning Officer reported on the results of appeals against the Council's decision to refuse planning permission in the following cases

#### Application No. 14/91/548 - Change of Use to Estate Agents Unit 27 Bank Street, Rawtenstall (written representations)

Appeal upheld subject to the following condition:-

1. The premises shall be used for Estate Agency purposes only and for no other purpose in Class A2 of the schedule to the Town and Country Planning (Use Classes) Order 1987 or any other order revoking or re-enacting that Order

Application No. 14/92/015 - Outline - Site for the Erection of a Bungalow  
Cribden View, Haslingden Old Road, Rawtenstall (written  
representations)

Appeal dismissed

Application No. 14/91/665A - Retention of Internally Illuminated Shop  
Sign - 101 Deardengate, Haslingden (written representations)

Appeal dismissed

Application No. 14/91/666 - Proposed External Flue to Rear  
101 Deardengate, Haslingden (informal hearing)

Appeal upheld - No conditions

Application No. 14/91/608 - Outline - Erection of a Pig Butchery Unit  
Mitchell Field Nook Farm, off Tunstead Crescent, Stacksteads  
(written representations)

Appeal upheld subject to the following conditions:-

1. Approval of the details of the design and external appearance of the buildings, and the landscaping of the site (hereinafter referred to as "the reserved matters") shall be obtained from the local planning authority
2. Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this letter
3. The development hereby permitted shall be begun on or before whichever is the later of the following dates
  - (a) 5 years from the date of this letter, or
  - (b) the expiration of 2 years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter approved
4. The premises shall be used as a pig butchery and for no other purpose (including any other purpose in Class B2 of the schedule to the Town and Country Planning Use Classes Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).

#### Land at Holcombe Moor - Ministry of Defence

The Borough Engineer and Planning Officer reported that the Ministry of Defence had withdrawn their proposal to use areas of Holcombe Moor for training purposes

Resolved (i) that the report be noted, and

(ii) that the Borough Engineer and Planning Officer be authorised to write to the Ministry of Defence to remind them of their promise to dispose of the land purchased by them in connection with this application and to seek their assurances that the land will be disposed of into "safe hands" e.g. National Trust in

accordance with the wishes of Moors Action as now reported to the Committee by the Chief Executive Officer.

### Bacup Town Scheme

622 . The Borough Engineer and Planning Officer reported on the history of the Bacup Town Scheme since its establishment in 1990 and advised Members of the financial arrangements currently in operation in respect of the scheme which was due to expire in March, 1993. The Borough Engineer and Planning Officer indicated that in addition to the funds allocated to the scheme jointly by English Heritage and the Council (with a contribution from Lancashire County Council) a total in excess of £1m had been spent on the many improvements in Bacup town centre.

He submitted an assessment of properties which remained eligible for grant assistance together with his expectations in respect of the take up of grant on such properties. The Borough Engineer and Planning Officer reminded the Committee of the arrangements whereby the post of Heritage Officer was funded in part by English Heritage but they had indicated that they would not be prepared to fund the post for future years and if the Committee were to continue with the scheme it would be necessary for the post to be funded from the Council's own budget.

The Committee discussed the matter in detail

Resolved (i) that the Borough Engineer and Planning Officer be authorised to negotiate with English Heritage and Lancashire County Council with a view to the renewal of the Bacup Town Scheme Agreement for a further three years from April 1993 upon the same terms and conditions as the existing Agreement, and

(ii) that the results of these negotiations be reported to this Committee when available with a view to requesting the Policy and Resources Committee to fund the extended agreement, and

(iii) that the Chief Executive Officer be requested to write to County Councillor Baron (former Chairman of this Committee) to advise him of the current position in respect of the Bacup town centre scheme and to thank him for his past and present support for the scheme.

#### Lancashire Minerals and Waste Local Plan

622 . The Borough Engineer and Planning Officer reported that in accordance with the Planning and Compensation Act, 1991, the Lancashire County Council were preparing a local plan relating to minerals and waste.

He advised the Committee that a brief and programme for the preparation of the Local Plan had been prepared and this was circulated with Agenda. He indicated his concern relating to the omission of reference to methods for dealing with current and former mineral working sites and associated land use; such problem being of particular concern within Rossendale.

The Committee discussed the matter

Resolved (i) that the County Planning Officer be urged to amend the MAWLP brief to make full and proper provision for covering the topics and issues referred to in the report of the Borough Engineer and Planning Officer

(ii) that he also be urged to ensure that Rossendale should be the subject of an Inset Plan which should be produced at a scale of no less than 1:10,000 and that his early assurance is sought on this point also, and

(iii) that an early assurance be sought from the County Planning Officer in respect of the items referred to in resolutions (i) and (ii) above.

### Rossendale District Local Plan

622 . The Borough Engineer and Planning Officer reported that the objection period in respect of the Plan had ended at 5.00 p.m. on Monday, 19th October. A total of approximately 1,400 forms had been received which were in the process of being analysed at the present time and he indicated that details of the grounds upon which the forms were submitted, would be reported to the next meeting of the Committee.

The Borough Engineer and Planning Officer reminded the Committee that at their last meeting arrangements had been agreed for a series of Special Meetings of the Committee following which a Special Council would be held on 21st December. In view of the responses now reported it would not be possible to keep these arrangements.

Resolved that the report be noted.

### Tree Preservation Orders

622 . The Borough Engineer and Planning Officer reported on the circumstances in which Tree Preservation orders generally were made. He suggested that rather than dealing with tree preservation in a defensive manner as trees came under threat, it would be far preferable to deal with them in a positive way which would involve identifying trees and woodland areas which should be made the subject of Tree Preservation Orders.

The Borough Engineer and Planning Officer indicated that the survey work in connection with Tree Preservation Orders was time consuming and had significant resource implications and he suggested that the opportunity might be taken to determine whether assistance might be available from voluntary groups/local organisations. Whilst such groups might assist in identifying trees, woodland, etc. it would still be necessary for the detailed survey work to be undertaken by suitably qualified persons.

Resolved that the Borough Engineer and Planning Officer be authorised to determine whether voluntary or other agencies including the Haslingden and Rawtenstall Civic Trust might be able to assist in the identification and preparation of Tree Preservation Orders and to report to a future meeting in the matter.

### Lancashire and Yorkshire Bank - 18/20 Market Street, Bacup - Repairs Notice

622 . The Borough Engineer and Planning Officer reported on the history of the above-mentioned building and indicated the options available to them to take action in accordance with the Bacup Town Centre Conservation Area Plan to secure the proper repair of the building. He submitted a report of an inspection held on 30th April, 1991 by the Borough Architect giving details of the building and its condition.

The Committee discussed the matter

Resolved (i) that the Borough Engineer and Planning Officer be authorised to serve a Repairs Notice under Section 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in respect of No. 18/20 Market Street, Bacup

(ii) that a further report be brought before the Committee following the expiry of 6 months from the date of service of the Repairs Notice

(iii) that during the six month period referred to in resolution (ii) above, the Borough Engineer and Planning Officer be authorised to ascertain whether one or more of the agencies referred to in his report or any other agency would be interested in pursuing and funding a scheme of refurbishment and whether English Heritage offer grant aid in respect of any proposed acquisition by the Council or any subsequent works, and

(iv) that the Borough Housing and Environmental Health Officer be authorised to make further enquiries into the possibility of the properties being acquired by a Housing Association to provide living accommodation.

#### National Groundwork Conference

622 . The Borough Engineer and Planning Officer reported that the Groundwork Foundation was organising a National Conference in Bolton entitled "A Decade of



Groundwork - Local Authorities in the Groundwork Partnership". He advised that his officers would be assisting with the Conference and it was hoped that the Chair and one Officer from the Department would be attending.

Resolved that the report be noted.

#### Trees at Chatterton Park

622 . The Borough Engineer and Planning Officer referred to the proceedings of the Leisure, Recreation and Amenities Committee on 8th September when this Committee was asked to examine the trees at Chatterton Park following concern expressed by the owner of the property adjacent to the Park. He advised the Committee that the trees formed an important feature of the Chatterton Conservation Area and would require Tree Preservation Order permission to enable pruning or felling of the trees. He advised that the trees pre-dated the property and were not in need of pruning or felling nor were they diseased.

Resolved that the Leisure, Recreation and Amenities Committee be advised of this position and they be recommended to take no action to prune or fell the trees in question.

#### Royal Town Planning Institute Prize

622 . The Borough Engineer and Planning Officer reported that a joint submission with Bury MBC to the Royal Town Planning Institute Annual Competition for Planning Projects had been made in respect of the East Lancashire Railway Project. The project had been awarded the John Coker Cup for 1992 (First Prize in the North West).

The Borough Engineer and Planning Officer reported that the Officers had been invited to the Annual General Meeting of the Royal Town Planning Institute at St. Asaph on 4th December to receive the John Coker Cup.

Following the Regional Awards, the National Competition was to be held in London and presentation of the Royal Town Planning Institute Jubilee Trophy has been arranged for 9th December, 1992.

Resolved (i) that the Chief Executive Officer, Borough Engineer and Planning Officer and the Principal Planning Assistant be authorised to attend at St. Asaph to receive the John Coker Cup, and

(ii) that in the event that the scheme being selected for a National Award, the Chief Executive Officer, the Leader of the Council, the Chair of the Engineering and Planning Committee, the Borough Engineer and Planning Officer and Principal Planning Assistant be authorised to attend the Award Ceremony in London.

### Capital Programme

622 . The Borough Engineer and Planning Officer reminded the Committee that the Council's Capital Programme had been frozen and he sought authority for the release of that part of the Capital Programme in respect of tree planting/maintenance.

The Borough Engineer and Planning Officer reminded the Committee that tree grants enable landowners, farmers and others to participate in the planting of trees throughout the Borough and produced significantly greater numbers of trees than schemes financed solely by the Council. He advised that for the Council's own traditional planting schemes, trees were planted one tree per £1;

however, because of the gearing effect of grant it was possible for 16½ trees per £1 to be planted. Currently he had received 44 enquiries from which he would expect to approve ten schemes.

The Borough Engineer and Planning Officer further reported that he was investigating the possibility of planting an avenue of 40 trees along the central reservation of St. Mary's Way to commemorate the 40 year celebrations of the Queens reign. Following an investigation he had determined that the area was free of statutory undertakers services and such a scheme could proceed if funds were made available. In addition, he advised that Groundwork Trust were proposing to plant 40 fruit trees in an anniversary orchard.

Resolved that subject to the agreement of the Policy and Resources Committee to release £15,000 from the Capital Programme for the purposes now outlined, the Borough Engineer and Planning Officer be authorised to proceed as now reported.

#### Closure of Queens Square Subway Spur

622 . The Borough Engineer and Planning Officer referred to the proceedings of the Policy and Resources Committee on 28th September (Vide Minute No. 562) when this Committee was requested to reconsider the stopping up of the spur so that continued pedestrian access could be maintained.

The Committee discussed the matter and the Borough Engineer and Planning Officer submitted his observations

Resolved that the Borough Engineer and Planning Officer be requested to circulate to all Members of the Council details of the current position regarding the subway access spur and the proposals of the Lancashire County Council for treating the site so that a decision may be made at a later date.

#### Council owned culvert - Victoria Way, Cloughfold

622 . The Borough Engineer and Planning Officer reported that the Policy and Resources Committee had invited tenders for the assessment and design of the works necessary to bring the culvert to adoptable standards (the costs being met

from ERDF grant). In order to expedite the matter be sought authority for the Development Control Sub-Committee to accept a suitable tender.

Resolved that acceptance of the tenders for the scheme be delegated to the Development Control Sub-Committee.

## SECTION 'B' - FUNCTIONS DELEGATED

### Naming of Streets

622 . Resolved that consideration of the name of the development currently in process at the rear of Bacup Health Centre be deferred.

## SECTION 'A' - FUNCTIONS NOT DELEGATED

### Culvert Repair - 311 Market Street, Whitworth

622 . The Borough Engineer and Planning Officer reported on the powers available to the Committee as agents for the highway authority to arrange for repairs to obviate danger to traffic in a private street. He advised that since the defect lay in the footway immediately adjacent to Council owned property, if emergency works were carried out, the whole of the cost should be met by the Council. He advised that he had received a quotation of £600 for the permanent

repair to be carried out by the Highways DLO and he indicated that this expenditure would cost less than continued maintenance to provide temporary fencing.

Resolved (i) that the Council resolve to carry out emergency repairs to the culvert in the unnamed private street at the gable end of 311 Market Street

(ii) that the works be carried out by the Highways DLO in accordance with their quotation of £600, and

(iii) that the Policy and Resources Committee be requested to allocate funds for the work from the 1992/93 budget.

### Traffic Regulation Orders

#### Rochdale Road, Edenfield

622 . (a) The Borough Engineer and Planning Officer referred to Minute No. 144(1) of the June meeting of the Committee when the Traffic Regulation Order at Market Street had been authorised. He indicated that part of the description was inaccurate

Resolved that Minute No. 144(a)(i)(4) be amended to read as follows:-

Rochdale Road, Edenfield - preventing the waiting of vehicles between 8.00 a.m. and 6.00 p.m. Monday to Saturday (inclusive) on the north side of Rochdale Road from the gable end of No. 21 Market Place, for a distance of approximately 260 metres in a south easterly direction

#### New Line, Bacup

(b) The Borough Engineer and Planning Officer reported on the accident record at New Line, Bacup and referred particularly to two recent accidents, one involving serious injury. He advised that the County Surveyor's Accident and Investigation and Prevention Team was being asked to submit a detailed analysis following which proposals for treating the area would be submitted to the Committee.

Resolved (i) that the report be noted

(ii) that the Borough Engineer and Planning Officer be requested to submit a progress report on this matter to the next meeting of the Committee

(iii) that the Borough Engineer and Planning Officer be requested to seek the assistance of the Police in monitoring traffic speed in this area, and

(iv) that the County Councillors for the Rossendale area be requested to support any action designed to improve safety in this area.

Petition Re: Traffic - Edgeside and District Residents

622 . The Borough Engineer and Planning Officer reported the receipt of a petition expressing concern at traffic speeds on the estate and requesting the provision of traffic calming measures. In addition improved parking facilities were requested on Taylor Avenue.

The Borough Engineer and Planning Officer reported that the County Council allocated priority to traffic calming schemes based on accident statistics.

Resolved that the Borough Engineer and Planning Officer be requested to report to the next meeting of the Committee giving details of the scheme to be submitted to the Lancashire County Council.

### Tonacliffe Road Retaining Wall

622 . Further to Minute No. 352 of the August meeting of the Committee, the Borough Engineer and Planning Officer reported that the County Council had requested that further investigation should be carried out aimed at ascertaining ownership/responsibility for the retaining wall.

Members expressed concern that the condition of the wall continued to cause potential dangers and the solution was taking a considerable length of time to be achieved.

Resolved that the Chair, Vice Chair and Opposition Spokesperson together with interested local County Councillors be authorised to attend a site meeting with Officers/representatives of the Lancashire County Council to discuss this matter with a view to making progress in the matter.

### The Borough of Rossendale (Footpath No. 239 Rawtenstall) Public Path Diversion Order, 1992

622 . The Chief Executive Officer referred to a report which had been circulated by the Borough Solicitor advising that the above-mentioned Order had been made on 1st July, 1992 and no objections had been received thereto.

Resolved that the Order be confirmed as an unopposed Order.

### Tree Preservation Orders

The Borough of Rossendale (Land at Spring Hill,  
Stacksteads, Bacup T2/80) Tree Preservation Order, 1992

622 . (a) Resolved that the above-mentioned Order be confirmed as an unopposed Order.

The Borough of Rossendale (Land at Roundhill Lane,  
Rising Bridge T2/79) Tree Preservation Order, 1992

(b) Resolved that the above-mentioned Order be confirmed as an unopposed Order.

Development Control Sub-Committee

622 . Resolved that the Minutes of the meetings of the Development Control Sub-Committee held on the 11th September, 18th September, 25th September, 2nd October, 9th October, and 16th October, 1992 be noted (for Minutes see Appendices 'A', 'B', 'C', 'D', 'E' and 'F').

THE MEETING CLOSED AT 9.00 P.M.



\*M ENGINEERING AND PLANNING COMMITTEE

held 30th November, 1992  
at 7.00 p.m.

\*P

PRESENT: Councillor Quinn (in the Chair),  
Councillors Bolton, Connolly, Cruise, Easton,  
Mrs Goldsworthy, Harding, Keogh, Mellor, McShea,  
Neal, Pilling, Mrs Talukdar, Weeds and Wright

\*Y

SECTION 'A' - FUNCTIONS NOT DELEGATED

Minutes

757. Resolved that the Minutes of the meeting of the Committee held on 26th October, 1992, be signed by the Chair as a correct record.

SECTION 'B' - FUNCTIONS DELEGATED

Town and Country Planning Act, 1990  
Applications for consideration by the Committee

757. The Borough Engineer and Planning Officer submitted a report upon each of the applications contained in Minutes Nod. 759 to 764 inclusive which gave details of each application, the consultations which had been carried out and where appropriate details of objections and representations received together with his observations on each application. He also submitted details of further correspondence received since the preparation of the reports.

Application No. 14/92/472 - Change of Use  
Off Licence to Chip Shop - 305 Market Street, Shawforth

757. Resolved that permission be granted subject to the following conditions:-

1. Not to make any material alternations to the external appearance of the building which is the subject of this permission without the grant of

formal express planning permission in that behalf by the local planning authority.

2 Before the use hereby approved is first implemented details of an adequate scheme shall be ready for use.

3. The hours of opening of the use hereby approved shall be restricted to 12.00 noon to 11.30 p.m. Sunday to Thursday and 12.00 noon to 12.00 midnight on Fridays and Saturdays.

Application No. 14/92/419 - Outline - Replace existing residential caravan with farm workers dwelling - Holmes Barn, Mill Street, Bacup

757. Resolved that planning permission be refused for the following reason:-

The applicant has failed to demonstrate to the satisfaction of the local planning authority that there is currently any justification from the point of view of agricultural need to warrant a departure from established planning policy which indicates that within this attractive rural area which is defined in the Structure Plan for Lancashire as a

Countryside Area, the District Plan for Rossendale as an Area of Special Landscape Value and the Rossendale District Local Plan - First Review as an Area of Local Landscape Value, new residential development or other development is most strongly to be resisted in the interests of safeguarding the natural beauty and landscape character of the locality. In the absence of any demonstrable need on agricultural or personal grounds for the proposed development the application if approved, would be contrary and prejudicial to policies contained in the Development Plan and would set an adverse precedent by the introduction of a form of sporadic development which might encourage the submission of other similar applications in the future which would then be more difficult to resist.

Standing Order No. 39(1)

757. Resolved that in accordance with Standing Order No. 39(1), the Committee hereby consent to Councillor Mrs Baron speaking on the following item.

Application No. 14/92/481 - Outline - Proposed Kennelling to house  
20 No. dogs - Green Head Farm, Burnley Road, Bacup

757. Resolved that permission be granted subject to the following conditions:-
1. Before any development is commenced approval shall be obtained from the local planning authority with respect to the reserved matters, namely, design, external appearance of the buildings and the landscaping of the site. The landscaping proposals shall include all hard and soft landscaping features (as such including where appropriate screen or boundary walls and fences or other means of enclosure) and shall be fully implemented before the building(s) is/are first occupied for the purposes of this permission or at such other time as may subsequently be agreed in writing with that authority. Any trees or shrubs becoming diseased, dying or otherwise being removed within two years of planting shall be replaced by the applicant/developer by species of a similar type and size.

2. Before the building hereby approved is first commenced the proposed means of vehicular access shall be fully constructed in accordance with details to be submitted to and approved by the local planning authority and all other existing vehicular accesses onto Burnley Road shall be permanently closed.
3. Before the use hereby approved is first commenced, a satisfactory means of efficient waste disposal shall be agreed with the Borough Housing and Environmental Health Officer.

Standing Order No. 39(1)

757. Resolved that in accordance with Standing Order No. 39(1), the Committee hereby consent to Councillor Proctor speaking on the following item.

Application No. 14/92/487 - Erection of 5 No. Dwellings  
Broadway Crescent, Broadway, Helmshore

757. Resolved (i) that planning permission be granted to the following conditions:-

1. Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 no development which would otherwise be permitted

by virtue of the provisions of Classes A, B, C, D and E of Part 1 of Schedule 2 to Article 3 of the Order shall be carried out anywhere within the application site without the grant of formal express planning permission in that behalf by the local planning authority

2. No development shall take place until samples of the proposed facing brick and roof tiles have been submitted to and approved by the local planning authority and the outer face of the building shall not be constructed other than with the approved materials
3. Before any development is commenced a fully detailed scheme of landscaping (as such including tree and shrub planting, the provision of any grassed areas, hard landscaping features and the erection of any screen or boundary walls, fences or other means of enclosure) shall be submitted to and approved by the local planning authority and such scheme shall thereafter be fully implemented before any building hereby permitted is first occupied for the purposes hereof, or at such other time as may subsequently be agreed in writing with that authority. Any trees or shrubs dying/becoming diseased or otherwise being removed within two years of planting shall be replaced by the applicant/developer by species of a similar type and size.

Resolved (ii) that the Borough Engineer and Planning Officer be requested to consult the appropriate library authorities on the consequential planning application for the new site for the mobile library.

(iii) that the Housing Management and Services Committee be requested to include suitable conditions on the sale of the land to ensure the adequacy and acceptability of the proposed site for the mobile library and

(iv) that all possible steps be taken to ensure the uninterrupted provision of a mobile library service in this immediate location, before, during and after the development of the site.

## SECTION 'A' - FUNCTIONS NOT DELEGATED

### Planning Appeal Decisions

757. The Borough Engineer and Planning Officer reported upon the results of two appeals against the Councillor's decisions in the following cases.

Discontinuance Notice in respect of advertisement at  
91 Bank Street, Rawtenstall

Notice Quashed

Enforcement Proceedings - Land and buildings at  
Coal Pit Lane Todmorden Road, Bacup

Partial awards of costs in favour of the Council

Resolved that the report be noted.

Little Tooter Quarry, Sharneyford

757. The Borough Engineer and Planning Officer reported that the Lancashire County Council had approved details of the restoration of the former quarry area; landscaping and other requirements of the scheme were to be completed during the current planting season. He further reported the receipt of a notification from the Department of the Environment that the quarry owner had lodged an appeal

against the County Council's decision to refuse to permit the use of the quarry floor area for plant and machinery storage etc.

Resolved (i) that the report be noted and

(ii) that the Borough Engineer and Planning Officer be instructed to notify the Chair, Vice-Chair and Opposition Spokesperson together with the Ward Councillors for the Greensclough ward of the dates of the public inquiry as soon as this is known.

### Rossendale District Local Plan - Accommodation

757. The Borough Engineer and Planning Officer reported upon the current programme with regard to the Local Plan and indicated that the inquiry would probably now be held in September rather than February as had originally been envisaged. As a consequence of this delay, the accommodation required for the inquiry would not be needed until the next financial year. The Borough Engineer and Planning Officer reported that Rossendale Groundwork had requested that the Council pay the rental for the inquiry rooms during the current financial year as had originally been envisaged so that advantage could be taken of grant aid currently available to facilitate refurbishment works. He indicated that the rental would be in the order of £3,500 and he recommended that the Committee agree to this item so as to enable Groundwork to take advantage of the grant aid currently available and to enable them also to undertake the work during a period when prices for such work were very competitive.

Resolved that the Borough Engineer and Planning Officer be authorised to negotiate an agreed lump sum rental to be paid during the current financial year to facilitate the refurbishment of the paintshop area for the District Local Plan Inquiry during the next financial year.

### "Into Wild Country"

757. The Borough Engineer and Planning Officer reported the proceedings of the Leisure, Recreation and Amenities Committee at their meeting on 20th October when it had been suggested that a joint meeting between representatives of the Leisure Committee and the Engineering and Planning Committee should be held to

establish a series of proposals for the improvement of Countryside Sports Provision in the Borough for presentation to Council Members, the Sports Council, Countryside Commission and other funding bodies.

Resolved that the Chair, Vice-Chair and Opposition Spokesperson represent the Committee at the meeting referred to and that the meeting be held on Friday 18th December at the rising of the Development Control Sub-Committee.

#### Derelict Land - Tonacliffe Quarry

757. The Borough Engineer and Planning Officer referred to the proceedings of the Housing Management and Services Committee on 28th October when this Committee had been requested to consider and investigate the possibility of treating the quarry using derelict land monies. He advised that he had written to the Department of the Environment and he indicated that treatment of the site would depend upon the willingness of the owners to co-operate with the Council and would also depend upon the availability of grant from the Department of the Environment.

Resolved that the report be noted and that subject to the response from the Department of the Environment, the site be accepted within the Council's Derelict Land Reclamation Programme.



### Council Amenity Tree Planting Programme 1992/93

757. The Borough Engineer and Planning Officer reported that following the release of £15,000 from the Capital Programme for tree planting and maintenance, he sought authority to proceed with preparation of planting schemes in respect of the following sites:-

1. Land behind Water Primary School
2. Land adjacent to St Michaels Centre, Waterfoot
3. Land at Hall Carr, Rawtenstall

The Borough Engineer and Planning Officer further reported that the Jubilee Avenue of trees which had been suggested at the last meeting of the Committee for planting along St Mary's Way had now been investigated, but unfortunately because of the presence of services and culverts throughout the site it was not technically possible to proceed.

Resolved that the report be noted and the tree planting programme as outlined in the report be approved.

### Highways Report

757. The Borough Engineer and Planning Officer submitted a report giving details of the works being carried out on Highways throughout the Borough. He replied to Member's questions on items referred to in his report and matters relating to maintenance etc and undertook to investigate queries and advise appropriate Members accordingly.

Resolved that the report be noted.

### Social Street Lighting

757. The Borough Engineer and Planning Officer reported on the procedure for selection of schemes for funding under the Council's scheme for social street lighting. He reminded the Committee that the County Council did not approve the

use of Lancashire County Council funds for lighting provision/improvements on unadopted highways and back streets since these were seen to be primarily of social value rather than for the purposes of highway safety.

The Borough Engineer and Planning Officer reported on the criteria which he currently adopted for selection of schemes to be financed from the social street lighting budget and he advised that of the £15,000 allocation during the current year it would be possible to provide approximately 15 street lamps; some sites would require more than one light so in effect, the programme would provide for lighting to be provided for approximately 12 sites.

The Committee discussed the methods by which sites were selected and questioned the setting of hard and fast rules for determining the sites to be chosen.

Resolved that the Borough Engineer and Planning Officer be requested to present an annual report on the question of social street lighting to the Development Control Sub-Committee and that the Sub-Committee be given delegated authority to deal with the matter.

Traffic Regulations Orders

Woodlea Road, Waterfoot

757. (a) The Borough Engineer and Planning Officer reported the receipt of objections to the abovementioned Order and outlined the grounds on which the objections were made.

Resolved that the Order be made as originally proposed.

New Line, Bacup

773. (b) The Borough Engineer and Planning Officer reported that as part of his investigation into traffic dangers on New Line, Bacup he was proposing the introduction of certain parking restrictions as a first measure.

Resolved that in accordance with the terms of the agency agreement with Lancashire County Council the Chief Executive Officer be authorised to make an order prohibiting the waiting of vehicles on New Line, Bacup between the hours of 8.00 a.m. and 6.00 p.m. Monday to Saturdays inclusive as follows:-

North Side - from the junction with Park Road a distance of 110m approx in a westerly direction

North Side - from the junction of Park Road a distance of 116.0m in an easterly direction

South Side - from a point 25.0m west of the junction of Stubbylee Lane a distance of 291.50m approx in a westerly direction to the limit of the existing traffic order.

Shawclough Road, Waterfoot

773. (c) The Borough Engineer and Planning Officer reported that following observations at the abovementioned location he proposed to introduce traffic restrictions to improve safety and vehicle movement.

Resolved that in accordance with the terms of the agency agreement with Lancashire County Council the Chief Executive Officer be authorised to make an order prohibiting the waiting of vehicles at all times on the North side of Shawclough Road from a point 50m South East of its junction with Burnley Road East for a distance of 20m in a south easterly direction.

Burnley Road East Junction with Wales Road

773. (d) The Borough Engineer and Planning Officer reported that following complaints regarding parking at the abovementioned location, observations had been carried out and in order to improve safety, he was recommending the making of a Traffic Order to prohibit parking.

Resolved that in accordance with the terms of the agency agreement with Lancashire County Council the Chief Executive Officer be authorised to make an Order prohibiting the waiting of vehicles between the hours of 8.00 a.m. and 6.00 pm. on Mondays to Saturdays inclusive as follows:-

Burnley Road East - East Side - from the junction of Wales Road a distance of 16.0m in a northerly direction

Burnley Road East - East Side - from the junction of Wales Road a distance of 17.5m in a southerly direction

Wales Road - South Side - from the junction with Burnley Road East a distance of 26.0m in an easterly direction

Lever Street, Rawtenstall

773. (e) The Borough Engineer and Planning Officer referred to the Subway beneath Bocholt Way and reported upon traffic problems in the area.

Resolved (i) that in accordance with the terms of the Agency Agreement with Lancashire County Council the Chief Executive Officer be authorised to make an Order prohibiting driving along Lever Street, Rawtenstall from a point 28.5m south of the channel line of Bacup Road for a distance of 13m in a southerly direction

(ii) that the placing of bollards to give effect to this Order be authorised and

(iii) that the results of the consultation exercise be reported to the Committee at a future meeting before the Order is brought into effect.

Patrick Crescent, Cloughfold

773. (f) The Borough Engineer and Planning Officer reported that following his consultations with the Police and County Surveyors no observations had been received to the stopping up of Patrick Crescent at its junction with Newchurch Road, subject to the construction of a turning head.

Members expressed the view that Patrick Crescent should be stopped up at its junction with Dobbin Lane rather than its junction with Newchurch Road.

Resolved that (i) that the Housing Management and Services Committee be advised that it would be possible to stop up Patrick Crescent to through traffic subject to the construction of a turning head to adoptable standards at an estimated cost of £5,000 (to be financed by the Housing Management and Services Committee)

(ii) that the Borough Engineer and Planning Officer be requested to reconsult the police on this matter to achieve the stopping up of Patrick Crescent at its junction with Dobbin Lane rather than its junction with Newchurch Road and

(iii) that subject to the Housing Management and Services Committee agreeing to finance the construction of the turning head and subject also to the agreement of the Police and County Surveyor of the stopping up of Patrick Crescent at its junction with Dobbin Lane, the Chief Executive Officer be authorised to make the necessary Traffic Regulation Order to prohibit through traffic along Patrick Crescent.

### Queens Square Subway Spur Closure

757. Further to Minute No. 644, the Borough Engineer and Planning Officer reported upon the proceedings of a meeting held between representative of the Committee and the Fire Service on 27th November 1992 at which the views of the Fire Service were made known on the use of the Subway Spur. He indicated that at the last open day when the spur had not been closed, it was not used by visitors to the site and it was proposed for future open days to use the traffic control lights on the roundabout.

Resolved (i) that the Borough Engineer and Planning Officer circulate a copy of the note taken at the meeting with the Fire Service to Members of the Policy and Resources Committee

(ii) that the tender of Ram Services Ltd in the sum of £71725 being the lowest tender received be accepted for the works associated with the Subway spur closure and treatment of the site subject to funds being raised by the Policy and Resources Committee.

Obstructions in the Highway - Report on Meeting with Shopkeepers

757. Further to Minute No. 504 the Borough Engineer and Planning Officer reported upon the proceedings of a meeting held with traders on 10th November 1992 at the Astoria which had been attended by approximately 80 traders throughout the valley. He advised that he had consulted the County Council on the suggestion which had been made at the meeting whereby a strip of land might be leased to shopkeepers to enable them to display their goods legally. Unfortunately, the County Council had confirmed that this suggestion could not be pursued.

Resolved (i) that the policy of enforcing the removal of obstructions from footways be prioritized as follows:-

- (a) Town Centres - Haslingden, Rawtenstall, Bacup
- (b) District Shopping Areas - Waterfoot, Stacksteads, Stubbins, Edenfield, Broadway, Crawshawbooth and Whitworth
- (c) Main roads throughout the Borough
- (d) Outside these areas enforcement be pursued on a complaints basis, as staff resources allow

(ii) that the Borough Engineer and Planning Officer request the County Council to investigate ways in which shopkeepers might display goods outside their shops in a manner which does not contravene the law and

(iii) that the Committee in recognising that pavements are essentially for pedestrians will make efforts to put its own house in order as and when funds permit.

Vehicles Parking of Footways

757. The Borough Engineer and Planning Officer presented a report relating to the problems associated with the parking of vehicles on footways. He outlined the several problems caused by such parking and submitted the views of the police in the matter.

The Committee discussed the matter.

Resolved (i) that the Borough Engineer and Planning Officer consult with the Police and County Surveyor regarding their policies for action on pavement parking and

(ii) that the outcome of consultations be reported to a future meeting of the Committee

(iii) that the Borough Engineer and Planning Officer report to the next meeting of the Committee on the introduction of Traffic Regulation Orders covering the carriageway immediately adjacent to dropped kerbs.



### Co-ordination of Streetworks

757. The Borough Engineer and Planning Officer reported upon the proceedings of a meeting with representative of the Committee and British Telecom, British Gas and North West Water. He outlined the difficulties faced by the parties involved, particularly when approval to Capital Programme was not received until late in the financial year. In addition, major reorganisation had had an effect on the efficient co-ordination of works. The Borough Engineer and Planning Officer further reported that the representative had indicated that they were in the process of making arrangements to comply with the new street works legislation which was to come into effect on 1st January 1993.

Resolved that the report be noted.

### Use of Motorcycles in the Countryside

757. The Borough Engineer and Planning Officer reported on the circumstances in which motorcycles were used in the countryside, ranging from organised events on footpaths and bridleways to unauthorised use of open countryside. He advised that organised events could be controlled and the main problems resulted from unauthorised use of the footpaths and bridleways and in this connection, the assistance of the Police had been sought and was currently proving to be relatively effective. He reminded the Committee that events held by the Rochdale and District Motor Club had formerly been given approval but in recent years approval had not been given. The Borough Engineer and Planning Officer further reported that where legal claims relating to the status of paths had been made to the County Council, certain and/or bridleways had been upgraded to highways and as a result, such paths could legally be used by motorcycles and the status of such paths was determined by reference to legal criteria rather than Environmental or other considerations.

Resolved that the report be noted.

### Highways Group - Computing and Staffing

757. The Borough Engineer and Planning Officer reported on the staffing situation in the Highways group since May 1992 when there had been 3 vacant

posts. He submitted details of the workload within the Section and submitted his suggestions for computerising a number of Highways systems.

Resolved (i) that the Borough Engineer and Planning Officer be authorised to purchase 2 ICL M50/55 PC computers with associated monitors, software etc to be funded from the Engineering and Planning Revenue Estimates for 1992/93 subject to the acquisition being ratified by the computer systems steering group and

(ii) that the staffing issues relating to the Highways group be considered at a future meeting of the Committee.

#### Edgeside Estate - Traffic Calming Measures

757. The Borough Engineer and Planning Officer reported that in order to gain approval for a small Capital Improvement Scheme for the introduction of traffic calming measures, the County Council would investigate the accident record and apply all relevant factors to compare the value of such a scheme with bids for similar schemes throughout the County. He indicated that on the basis of the figures available to him, it was unlikely that a scheme at Edgeside would qualify for an allocation.

He added however, that the design of future estates would include for the provision of appropriate calming measures.

Resolved that the report be noted.

### Litter Bins - Britannia Greenway

757. The Borough Engineer and Planning Officer reported the receipt of a request from a Member of the Council for litter bins to be erected at the car parks within the Britannia Greenway Scheme at New Line. He advised of the reasons why bins had not been provided.

Resolved that bins be provided at the car parks in the Britannia Greenway scheme.

### Standing Order No. 39(1)

757. Resolved that in accordance with Standing Order No. 39(1), the Committee hereby consent to Councillor Winder speaking on the following item.

### Car Parking in Rawtenstall

757. The Borough Engineer and Planning Officer reported upon the proceedings of a public meeting held at the Astoria in Rawtenstall at which the consultation documents relating to car parking in Rawtenstall had been discussed.

He submitted information relating to the views expressed by the Chamber of Trade and the views expressed by members of the public together with his revised recommendations having taken into account those views.

Members discussed the report in detail and expressed certain reservations relating to items contained in the report although the Borough Engineer and Planning Officer reminded the Committee that his revised recommendations were put to them as the basis for further consultations.

Resolved (i) that recommendation No. 8 in Appendix 4 to the Borough Engineer and Planning Officer be deleted and the following recommendation substituted therefore:

"8. That the operation of traffic on Bank Street be the subject of further investigations and reports ranging from from full pedestrianisation through to no action".

(ii) that subject to the alteration to recommendation in Minute No. 8 referred to in Resolution No. 1 above, the recommendations 1 to 9 referred to in Appendix 4 to the report of the Borough Engineer and Planning Officer be adopted for formal consultation purposes,

(iii) that formal consultations be held with the County Surveyor and the Lancashire Constabulary regarding the revised recommendations for Car Parking and Traffic Management in Rawtenstall at Appendix 4 to this report

(iv) that the revised recommendations for Car Parking and Traffic Management in Rawtenstall be published in the local media, with written observations invited and

(v) that subject to approval of the recommendations in the current cycle of meetings, a detailed report regarding implementation costs be presented to the appropriate cycle of meetings, having regard to the revenue estimates approval procedures.

### Amendments to Select List of Tenderers

757. The Borough Engineer and Planning Officer reported that following the approval of select lists of tenderers in 1990 certain problems had arisen relating particularly to a small response to certain invitations to tender in respect of particular jobs and he recommended adding additional companies to certain lists. In addition, he suggested the creation of an approved lists for very small works (below £5,000 in value).

Resolved (i) that Parkman Consulting Engineers, and Design Group Partnership be added to approved select lists, Categories N, O and P (Consultant Engineers)

(ii) that C.J. Williams Electrical Ltd be added to the approved select list Category H (Street Lighting)

(iii) that Category J (Sign Maintenance) be readvertised in the local and regional press, and that the contract currently awarded to ARP Sign Services Ltd be extended to 31st March 1993 at the rates and prices contained in the current contract.

(iv) that applications for inclusion on the Select List of Small Works Contractors (under £5,000) be invited via advertising in the local and regional press.

### Sickness Report

757. The Borough Engineer and Planning Officer referred to the report which had been circulated by the Director of Operating Services which had details of sickness throughout the departments of the Council for the period 1st April to 31st October 1992.

Resolved that the report be noted.

Tree Preservation Order - Land at Bank Top Farm, Lumb, Rossendale

757. Resolved that the Borough of Rossendale (Land at Bank Top Farm, Lumb, Rossendale) Tree Preservation Order 1992 be confirmed as an unopposed order.

Development Control Sub-Committee

757. Resolved that the Minutes of the meetings of the Development control Sub-Committee held on the 23rd October, 30th October, 6th November, 13th November, 20th November, and 27th November 1992 be noted (for Minutes see Appendices 'A', 'B', 'C', 'D', 'E' and 'F').

N.B. The Chair (Councillor Quinn), declared an interest in the following item of business and vacated the Chair in favour of the Vice-Chair and took no part in the discussion or voting on the item.

COUNCILLOR HARDING IN THE CHAIR

Blackburn Road, Haslingden - Site Investigations

757. The Borough Engineer and Planning Officer reported that consultants had

invited quotations from four firms to undertake site investigations at the Blackburn Road Landslip site. He indicated that under normal circumstances quotations would be agreed and accepted by the consultant on behalf of the Council but in this case, the Council could accept the tender on behalf of the consultant and achieve a saving in the consultants overall charges. The Tender had been opened by the Consultant rather than in accordance with the Council's Standing Orders and four quotations had been invited rather than the five required by Standing Orders. The Borough Engineer and Planning Officer submitted details of the two quotations received and he advised that in order to compare the prices on the same basis, adjustment had been made and he submitted details of the quotations to the Committee.

Resolved (i) that the quotation from M G L in the value of £7370.57 be accepted and that works of investigation proceed as soon as possible

(ii) that Standing Orders relating to Tenders be suspended in this case for the reasons now given

#### COUNCILLOR QUINN IN THE CHAIR

#### Rossendale District Local Plan

757. The Borough Engineer and Planning Officer reminded the Committee of the decision at the Development Control Sub-Committee on 4th September 1992, certain amendments to the first review of the Rossendale District Local Plan had been agreed. The first related to an Urban Boundary around the village of Water, the second to a plan showing the location of garage sites which was to be the subject of Policy H8.

The Borough Engineer and Planning Officer reported that the area of land proposed to be taken out of the green belt at Stubbins Vale Mill should more appropriately be identified as an employment site under Policy J3 rather than as an existing employment area covered by Policy J5. For the avoidance of doubt and to ensure that no one is inadvertently prejudiced, he suggested that this proposed amendment to the proposals map and employment sites under Policy J3 should be advertised at the same time as the two issues outlined above.

Resolved that the Committee agree to the advertisement of

- (a) the Urban Boundary around the village of Water as shown on the plan displayed at the Committee
- (b) the list and plan displayed at the Committee showing the location of the garage sites to be the subject of Policy H8
- (c) an amendment to the notation upon the proposals map to identify an area of land Stubbins Vale Mill as an employment site (in accordance with Policy J3) rather than as an employment area (covered by Policy J5)

THE MEETING CLOSED AT 9.15 P.M.