

MINUTES OF: THE DEVELOPMENT CONTROL COMMITTEE

Date of Meeting: 3rd November 2008

Present: Councillor Driver (in the Chair)
Councillors L. Barnes, Lamb, Nuttall, Robertson, Sandiford
(substitute for May) and Stansfield

In Attendance: Linda Fisher, Executive Director – Business
Stephen Stray, Planning Unit Manager
Adrian Harding, Principal Planning Officer
Clare Birtwistle, Acting Assistant Head of Legal
Liz Beard, Principal Planning Consultant, Urban Vision
Heather Moore, Committee and Member Services Manager
Caroline Brennan, Clerical Assistant

Also Present: Councillors Lynskey, Thorne and P. Steen
Approximately 35 members of the public
1 representative from the press

1. APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES

Apologies for absence were submitted on behalf of Councillor May (Councillor Sandiford substituting).

2. MINUTES

Resolved:

That the minutes of the previous meeting held on 6th October 2008 be signed by the Chair and agreed as a correct record.

3. URGENT ITEMS

The Chair reported that there were no urgent items of business.

4. DECLARATIONS OF INTEREST

No declarations were made.

PLANNING APPLICATIONS FOR CONSIDERATION

**5. Application Number 2008/0587
Demolition of existing mill and erection of community health facility,
with associated parking
At: Albion Mill, Bacup Road, Rawtenstall**

The Principal Planning Consultant, Urban Vision introduced the report. She referred to the planning history and provided the Committee with a comprehensive outline of the proposal.

It was reported that the Applicant had agreed to contribute £50,000 towards the provision of public art within the locality to link to the Irwell Sculpture Trail project and this would be included in the Section 106 Agreement.

In accordance with the procedure for public speaking, Mr T Kilpatrick spoke in support of the application. Councillor P. Steen also spoke in support of the application.

In determining the application the Committee discussed the following:

- Parking and the need for a drop-off point
- Employment provision
- Improved health care provision
- Design
- Vehicular access

The Executive Director – Business reported that the Applicant would allow by Side Agreement for free weekend parking provision on the staff car park for visitors to the town centre and also use of meeting room space, when available, for community groups.

It was reported that officers were not seeking the contribution of £35,000 for the cycle network and the £12,000 for the travel plan.

A proposal was moved and seconded to approve the application subject to the Applicant entering into a legal agreement under Section 106 of the Town and Country Planning Act 1990 to secure the payment of £50,000 to the Council for public art to contribute towards the Irwell Sculpture Trail; plus £2,000 for the Traffic Order; to allow free weekend parking provision on the staff car park for visitors to the town centre and also the use of the meeting room space for community groups and subject to the conditions set out within the report but with an amendment to Condition 16, together with an additional condition (or an amendment to an existing condition) requiring a parking scheme to be submitted and approved which would include reference to the dropping off points and relocation of disabled bays from across the road and a condition to cover the highway works required.

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

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

That planning permission be granted subject to the conditions set out in the report (exact details of which to be agreed by the Executive Director - Business but primarily as set out in the report) but with an amendment to condition 16 as detailed below, together with an additional condition (or an amendment to an existing condition) requiring a parking scheme to be submitted and approved which would include reference to the dropping off points and relocation of disabled bays from across the road and a condition to cover the highway works required and that:

- I. The Executive Director of Business (Monitoring officer) be authorised to enter into a legal agreement under Section 106 of the Town and Country Planning Act 1990 to secure the payment of £50,000 to the Council for public art to contribute towards the Irwell Sculpture Trail plus £2,000 for the Traffic Order; to allow free weekend parking provision on the staff car park for visitors to the town centre and also the use of the meeting room space for community groups
- II. That the applicant be informed that the Council is minded to grant planning permission, subject to the conditions set out in the report (with the amendment to condition 16 and the additional condition relating to the drop-off point) on completion of such legal agreement;
- III. That authority be given for the decision notice relating to the application to be issued, (subject to the conditions and reasons set out in the report but with the amendment to condition 16 and the additional condition relating to the drop-off point and a condition to cover the highway works required) on completion of the above-mentioned legal agreement,
- IV. That authority be given to refuse the application if the applicant fails to complete the Section 106 within a 12 month period (from the date of the committee) on the grounds that the proposals do not support the aim and objectives of PPS1 Delivering Sustainable Development PPS3 Housing or provide for adequate highway safety.

Amendment to Condition 16

Deliveries, collections and servicing of the development from articulated vehicles shall not take place during the operational hours of the development or between the hours of 8.00am and 6.00pm on the highway network.

6. Application Number 2008/593 (Reserved Matters) Residential development comprising of 32 houses and 13 bungalows At: Land adjacent Deansgreave Road/New Line, Bacup

The Principal Planning Officer introduced the report and referred to the relevant planning history.

The Principal Planning Officer informed the Committee that the original report recommended refusal of the application, however, the Applicant had since

submitted an amended scheme and it was now considered appropriate to recommend that Reserved Matters Approval be granted, subject to the conditions which were set out in the additional information report that was circulated to the Committee.

In accordance with the procedure for public speaking, Ms Kay Ford spoke in support of the application. Councillor P. Steen also spoke in support of the application.

In determining the application the Committee discussed the following:

- Flood mitigation measures
- Separation distance between properties
- Residential amenity
- The positive negotiations that had taken place between Officers and the Applicant
- Ground levels
- Renewable energy/energy efficiency measures
- The need for permeable driveways within the scheme

A proposal was moved and seconded to approve the application, subject to the conditions set out in the additional information report but with the revision of Condition 6 to require permeable driveways within the scheme and that officers ensure that the conditions adequately cover the flood mitigation measures.

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

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

That the Application be approved, subject to the conditions set out in the additional information report but with the revision of Condition 6 to require permeable driveways within the scheme and that officers ensure that the conditions adequately cover the flood mitigation measures.

**7. Application Number 2008/629
Change of Use of site to temporary storage compound and construction of permanent highway access
At: Land off Bacup Road (opposite 449-457), Hareholme**

The Principal Planning Officer introduced the report and informed the Committee that the site had extant planning permission that could be implemented until 4th December 2008.

There were no speakers on this application.

In determining the application the Committee discussed the following:

- Palisade fencing
- Proposed access
- Dropped pedestrian kerbs

A proposal was moved and seconded to approve the application, subject to the conditions set out in the report together with additional conditions restricting the access to the site once the new one has been constructed and a condition to require a permeable surface to the access road.

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

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

That the application be approved, subject to the conditions set out in the report together with additional conditions restricting the access to the site once the new one has been constructed and a condition to require a permeable surface to the access road.

**8. Application Number 2008/636
Proposed alterations and extensions into adjoining building
At: Old Clough Stables, Old Clough, Weir**

The Principal Planning Officer introduced the report and referred to the planning issues as set out in the report.

The Principal Planning Officer reported that the proposed extension exceeded what was normally considered proportionate as an extension to a dwelling in the countryside. He further reported on the unauthorised use of part of the stables which was currently being used for residential purposes.

The Principal Planning Officer referred to additional information which had been received since the preparation of the report.

In accordance with the procedure for public speaking, Mr S. Hartley spoke in support of the application. Councillor Eaton spoke against the application.

In determining the application the Committee discussed the following:

- The need to clarify the planning history

A proposal was moved and seconded to defer the application so that clarification could be sought on the planning history.

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

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

That the application be deferred so that clarification can be sought on the planning history.

**9. Application Number 2008/650
Erection of 1 no. 8 metre CCTV camera
At: Land Adjacent the Black Bull, Haslingden**

The Principal Planning Officer introduced the report and informed the Committee about the design of the camera and a condition which would require that it be painted black.

There were no speakers on this application.

In determining the application the Committee discussed the following:

- Style of camera
- Viewing angle of camera and whether this would cover Deardengate

A proposal was moved and seconded to approve the application, subject to the conditions set out in the report together with an additional condition restricting the times maintenance can be carried out.

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

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

That the application be approved subject to the conditions set out in the report together with an additional condition restricting the times maintenance can be carried out.

**10. Application Number 2008/0654
Change of Use of existing ground floor shop with apartment above to A5 hot food takeaway and A3 restaurant/café on ground floor, with ancillary storage above
At: 248 Newchurch Road, Stacksteads**

The Principal Planning Officer introduced the report and referred to additional information which had been received since the preparation of the report.

In accordance with the procedure for public speaking, Mr D. Hartley spoke in support of the application. Councillor P. Steen spoke in support of the application. Councillor Lynskey spoke against the application. The Chair also permitted Mr D Treanor to speak against the application.

In determining the application the Committee discussed the following:

- Concerns about parking and congestion
- Opening times
- Residential amenity – noise and disturbance
- Over-concentration of uses in the area
- Number of objections received

A proposal was moved and seconded to refuse the application for the following reasons:

- Parking and congestion
- Residential amenity – noise and disturbance
- Over-concentration of uses in the area

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

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

That the application be refused for the following reasons:

- Parking and congestion
- Residential amenity – noise and disturbance
- Over-concentration of uses in the area

11. Proposed De-Registration of Common Land, Reaps Moss, Bacup

The Executive Director – Business referred to a report which had been considered by Cabinet in respect of the proposed de-registration of Common Land at Reaps Moss, Bacup.

The Executive Director – Business reported that the Cabinet had authorised officers to lodge an objection/representation to the proposal, supporting the Development Control Committee’s decision to refuse Planning Application 2007/125.

Resolved:

That the report be noted.

12. Development Control Performance Figures

The item was deferred.

Before closing the meeting, the Chair reminded Committee Members that all lobbying correspondence should be forwarded to Linda Fisher, Executive Director – Business or Stephen Stray, Planning Unit Manager.

The meeting commenced at 6.30pm and concluded at 9.10pm