

MINUTES OF: THE DEVELOPMENT CONTROL COMMITTEE

Date of Meeting: 8th June 2009

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

In Attendance: Stephen Stray, Planning Unit Manager
Neil Birtles, Principal Planning Officer
Clare Birtwistle, Assistant Head of Legal Services
Carolyn Sharples, Committee and Member Services Officer

Also Present: Councillor P.Steen
Approximately 10 members of the public

1. APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES

There were no apologies for absence or substitutions to report.

2. MINUTES

Resolved:

That the minutes of the meeting held on 18th May 2009 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 of interest were made.

PLANNING APPLICATIONS FOR CONSIDERATION

- 5. Application Number 2009/0180
Change of Use of derelict land to storage of 148 storage vehicles (mainly caravans)
At: Land off Blackburn Road, Edenfield**

The Planning Unit Manager introduced the application and brought to the Committees attention that the application was both a major application and a departure from the development plan and as such under the regulations had to be consulted on and advertised as such. The Planning Unit Manager advised the Committee that in order for the required consultation to be undertaken a deferral was being recommended.

A proposal was moved and seconded to defer the application.

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.

**6. Application Number 2009/0160
Change of use of part of yard to parking of five HGVs (Retrospective)
At: Hey Head Farm, Tong Lane, Bacup**

The Principal Planning Officer introduced the report and referred to the relevant planning history. He informed the Committee that the application was a re-submission of an application previously refused in February 2009 on the grounds of Countryside Policies and Residential Amenity.

Two objections had been received in relation to the application, which were detailed in the report. There had been no objections raised from Lancashire County Council – Highways, however Rossendale Borough Council - Environmental Health had raised concerns relating to noise disturbance.

The Principal Planning Officer referred to the nearby quarry and condition 21 relating to the movement of HGV's and limits on the hours during which the vehicles can leave the site. He also referred to PPS7 paragraph 30 relating to Farm Diversification and the need for diversifications to have an affinity with the countryside.

The Principal Planning Officer informed the Committee that the application was being recommended for refusal for the reasons outlined in the report including the nature and scale of activity not being appropriate for use in the Countryside.

In accordance with the procedure for public speaking, Mr Ball spoke against the application and Ms Rowland spoke in favour of the application. Councillor P.Steen also spoke in favour of the application.

In determining the application the Committee discussed the following:

- The number of HGV's leaving the site and times
- Retrospective application
- Loss of jobs
- What had been done to find a more appropriate site?
- Farm businesses struggling and the need to diversify
- Diversification in relation to farming and agriculture
- How applications for licenses on site are looked at
- Difference between details looked at when applying for an operators licence and planning permission
- Parking and maintenance of HGV's
- Impact on the Countryside

- Dust and Residential Amenity
- Footpaths and walkers
- Previous permission for 3 buildings
- Damage to the roads
- Adhering to conditions and regulating
- HGV's screened by buildings
- Work on site infrequent
- Cost implications of another site
- Close proximity to school
- Road access and size of vehicles
- Wheel washing

In response to queries from Members the Assistant Head of Legal Services confirmed that the Traffic Commissioner and VOSA would have looked at noise, dust and vibration as environmental factors and the person applying for the HGV operators license, however issues such as Countryside Policy and Farm Diversification would only be looked at in relation to the planning application.

The Principal Planning Officer expanded on PPS7 paragraph 32 which related to being supportive of well conceived developments that contribute to sustainable development and the need to balance the current application's location, scale and nature against this.

The Planning Unit Manager stated certain policies of the district local plan had been saved with agreement of Government Office for the North West, and therefore these local plan polices could be accorded weight as they were considered consistent with PPS7.

He also highlighted to members that the role of planning was not only to grant planning permission to help with economic regeneration, but that the regulatory function and the refusal of planning permission also had to be used in certain circumstances to steer development and land uses to the right locations within the Borough in order to achieve regeneration.

A proposal was moved and seconded to refuse the application for the reasons set out in the report.

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

FOR	AGAINST	ABSTENTION
5	2	0

Resolved:

That the application be refused for the reasons as set out in the report.

The meeting commenced at 6.30pm and concluded at 7.40pm

Signed: _____
(Chair)