

MINUTES OF: THE DEVELOPMENT CONTROL COMMITTEE

Date of Meeting: 15th February 2011

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

In Attendance: Stephen Stray, Planning Manager
Neil Birtles, Principal Planning Officer
Clare Birtwistle, Principal Legal Officer
Michelle Hargreaves, Committee and Member Services Officer
David Harrison, Senior Engineer LCC Highways

Also Present: Approximately 28 members of the public

1. APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES

No apologies had been submitted.

2. MINUTES

Resolved:

That the minutes of the meeting held on 17th January 2011 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

There were no declarations of interest.

Owing to the number of speakers registered for item B2 on the agenda, it was agreed that item B2 would be taken first.

PLANNING APPLICATIONS

- 5. Application Number 2010/605 and 2010/606 LBC**
Conversion of church to 8 apartments replacement of church hall with 7 apartments and construction of 34 space car park.
At: Church of St Saviour/Stubblee Park, New Line, Bacup

The Principal Planning Officer introduced the application and outlined details of the site, the relevant planning history and the nature of the current application, which was to seek Planning Permission and Listed Building Consent to:

- Convert the Church to 8 apartments (as previously);
- Demolish the Church Hall and erect to the west side of the Church, 7 (not 9) apartments, all 7 of which would be provided as Social Rented Affordable Housing (not 4).
- Construct a footpath in the belt of planting on the northern boundary of Stubbylee Park, extending from the rear of the Church grounds to the drive up to Stubbylee Hall (as previously);
- Construct a 34-space car park on the area of land to the rear of 3-13 Rose Terrace for use by residents and the general public (not as a private car park as fenced/gated to appear as such).

Consultations had taken place details of which were highlighted within the report. There had been objections received from 38 properties, 9 of which were located outside of the borough.

Alterations to the development would be limited and the spire would remain untouched. The impact of the new builds would be reduced from 9 to 7, this would reduce the number of trees which would have to be removed. The Applicant had agreed to replace any trees lost within Stubbylee Park.

One car parking space was proposed per dwelling. It had also requested a Traffic Regulation Order and various conditions in relation to matters of detail.

In relation to affordable housing, 46% of the houses built would be affordable.

Ms Nelson spoke against the application and Mr Fletcher spoke in favour of the application. Councillors Jackson, Challinor, Eaton, Driver and P Steen also spoke on the application.

David Harrison clarified issues raised by the committee in relation to highways.

The Principal Legal Officer also clarified issues raised by the committee.

In determining the application the committee discussed the following:

- Other area for car park
- Access in/out Stubbylee Park
- Disturbance to neighbours in relation to the proposed car park
- Damage to wildlife
- Distance from car park to properties

A proposal was moved and seconded to refuse the application contrary to officer's recommendation on the basis of harm to the amenities of residents of Rose Terrace and the amenities of users of Stubbylee Park.

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

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

That the applications be refused by reason of the form and intensity of proposed development and the unacceptable harm to the amenities of residents of Rose Terrace and the amenities of users of Stubbylee Park.

**6. Application Number: 2010/668
Conversion from house to hot food takeaway and new shop front.
At: 239 Bacup Road, Rawtenstall.**

The Principal Planning Officer introduced the application and outlined details of the site the relevant planning history and the nature of the current application which was to seek permission for change of use of the premises from a dwelling to a hot food takeaway on the ground floor; it was made clear that the upper floors would be used for ancillary storage.

Proposed opening hours were 08.00 – 22.00 Monday to Saturday, with no opening on Sundays and Bank Holidays.

The replacement shop front was to be of timber construction. The application was accompanied by additional information regarding the intended fume extraction/ventilation system. New ducting was to be taken from the kitchen up the existing chimney stack, which was to be fitted with a new extract cowl.

Bin storage would be within the existing extension to the rear.

Within the submitted Design and Access Statement the applicant referred to eight parking spaces in the nearby Ashoka restaurant car park being available for their use.

Mr Hancock spoke in favour of the application.

In determining the application the committee discussed the following:

- Clarification of 8 car parking spaces
- Refuse storage
- Wood shop front

- Potential litter issues

A proposal was moved and seconded to approve the application.

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

FOR	AGAINST	ABSTENTION
5	2	0

Resolved:

That the application be approved subject to the conditions highlighted in the report.

7. Application Number: 2010/685

Environmental improvement scheme including alley gating, fencing, paving, installation of washing lines, creation of communal and individual bin storage and car park improvements.

At: Herbert Street, Farholme Lane, Stacksteads.

The Principal Planning Officer introduced the application and outlined details of the site, the relevant planning history and the nature of the current application which was to seek permission for various environmental improvement works. The proposed works consisted of:

- Installation of double alley-gates at the top of back Herbert/Branch Street, single alley-gates at 32 Branch Street.
- Cleaning of moss/weeds, repairing and resurfacing of the back street with tarmac to prevent weeds from re-growing.
- Surfacing of the ginnel in stone flags with stone sett to make the surface safe and easier to maintain.
- Creation of a communal bin store adjacent to 3 Branch Street to cater for the needs of 3-25 Branch Street, 2-36 David Street & 228 Newchurch Road.
- Re-defining the car parking spaces with new white lines.
- Re-placing the existing beds at the top of the car park along Newchurch Road with a flagged area.
- Installation of a stone boulder approximately 1.5m x 1.5m in paved area adjacent to Newchurch Road with the word "Stacksteads" carved on its sides.
- Removal of the existing barriers and archway from the car park and making good the edging.
- Installation of retractable washing lines replacing the fixed lines across David Street.
- Creation of a bin storage on land abutting 18 Farholme Lane/19 David Street.

- Creation of a hard surfaced area for parking adjacent to the garages on Holmes Street.

There would also be installation of metal railings along the length of the railway line from Farholme Lane to Herbert Street. The railings would be at 100mm high and galvanised.

Consultation responses had taken place, results of which were highlighted in the report.

Ms Marsden spoke in favour of the application.

In determining the application the committee discussed the following:

- Clarification of size of refuse bins
- Reduction of bin store size to gable end of terrace

A proposal was moved and seconded to approve the application subject to a condition that revised details of the bin store be submitted and approved by the Planning Manager in consultation with the Chair.

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 further details being submitted for approval by the Planning Unit Manager, in consultation with the Chair, in respect of the bin store proposed near to the gable of 3 Branch Street and also the conditions highlighted within the report.

8. Application Number 2010/366

Erection of 20 dwellings

At: Land opposite 449-457 Bacup Road, Hareholme, Rawtenstall

The Principal Planning Officer introduced the application and outlined details of the site, the relevant planning history and the nature of the current application which was to seek outline permission for the erection on the site of 20 dwelling units, together with details of access, layout and scale. The matters of appearance and landscaping had been reserved for later consideration.

The main elements of the scheme were as follows:

- Construction of a new road that leaves Bacup Road towards the western boundary of the site.
- Erection to the south side of the access-point, a terrace of four 2-storey houses.
- After the new road has turned southwards from the river a further six 2-storey houses would be erected to its west side and a bungalow and 3-storey block of eight apartments to its east side.

Each of the apartments was to be 2-bedroomed. It was to be served by communal garden / parking areas, with 13 parking spaces and a communal cycle-store and bin-store.

Each of the dwellings was to be 3-bedroomed and possess its own private garden space, to contain a shed/cycle-store. Eight parking spaces were to be made available to meet the needs of residents/visitors. The bungalow and the 3 pairs of semi-detached houses would be provided with 12 off-street parking spaces.

The pavement outside of Rawstron Buildings would be extended.

No objections had been received in relation to consultation responses however the Environment Agency had requested some conditions which were highlighted in the report.

No comments had been received from neighbours of the site or any commercial premises.

The applicant had agreed to enter into a Section 106 agreement to make a contribution of £27,500 towards Transport Improvements to accord with the LCC Planning Obligations Policy, however it was deemed more appropriate for the money to go towards open space contributions.

Lancashire County Council had requested financial contributions to go towards waste management and school capacity.

In determining the application the Committee discussed the following:

- Potential use for financial contributions to be extended to improvement of local cycleway
- Removal of Japanese Knotweed
- Permeable surface
- Extension of pavement.

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

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 S.106 Obligation requirements in the Report and the Conditions highlighted in the update Report.

9. Enforcement Report

The Planning Manager outlined the report to the Committee which was to provide elected members with an update on current enforcement activity.

The report focused on updating members with details relating to the current number of open planning enforcement files, the different stages of any enforcement action paying particular attention to any details relating to enforcement notices issued, appeals and details of any court hearings pending for the second quarter of this year.

Following this information, members discussed the following:

- Outstanding enforcement cases.
- Shutter Policy.

Resolved:

That the report be noted.

The meeting commenced at 6.30pm and concluded at 8.35pm

Signed:

(Chair)