

MINUTES OF: THE SPECIAL DEVELOPMENT CONTROL COMMITTEE

Date of Meeting: 4th OCTOBER 2011

Present: Councillor Robertson (in the Chair)
Councillors Cheetham, Eaton, Graham, Nuttall, Oakes, Roberts.

In Attendance: Neil Birtles, Principal Planning Officer
Stephen Stray, Planning Manager
Clare Birtwistle, Principal Legal Officer
Michelle Hargreaves, Committee and Member Services Officer
Andrew Coombe, LCC Highways

Also Present: Approximately 70 members of the public
Councillor Aldred
Councillor L Barnes
Councillor Neal
Whitworth Town Councillor D Barnes
Whitworth Town Councillor Ruane

County Councillor P Steen

1. APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES

Apologies had been submitted on behalf of Councillor L Barnes (Councillor Eaton sub) and also Councillor Stansfield (Councillor Cheetham sub).

2. URGENT ITEMS

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

3. DECLARATIONS OF INTEREST

There were no declarations of interest.

PLANNING APPLICATIONS

4. Application Number: 2011/ 0030

Revised access arrangements to serve the approved 12-turbine Wind Farm from the A671 Shawforth, along Landgate, through Middle Hill Quarry and over Rough Hill.

At: Crook Hill, Rochdale/Calderdale.

The Principal Planning Officer introduced the application, outlined details of the site the nature of the current application and also the relevant background information.

The application had originally been due to be considered on the 27th July 2011 with a recommendation for refusal (B1 – Appendix a). The applicant had asked for the item to

be deferred in order that it could seek to avoid so many lorry movements through the Landgate/Market Street junction by varying an existing Planning Permission for quarrying at Middle Hill Quarry in Rochdale. This application for variation of conditions had recently been submitted and had now been approved by Rochdale MBC.

The Principal Planning Officer also reminded the committee there had been a public inquiry in February 2009 in relation to Crook Hill for 12 wind turbines, an anemometer mast and ancillary structures for a period of 25 years along with access to the site from the Calderbrook area in Littleborough which had resulted in approval of those proposals.

The applications for the Crook Hill Wind Farm recently received by Rochdale MBC, Calderdale MBC and Rossendale Borough Council seek some minor alterations in relation to the road alignment between turbines, to re-position the anemometer mast nearer to an access track and slightly amend the dimensions of the sub-station building. Both Rochdale MBC and Calderdale MBC have considered and determined that those elements of the scheme within their administrative areas should be granted permission. The most fundamental change to the previously-permitted scheme is to access the wind farm from Market Street (A671) in Shawforth and not Calderbrook Road in Littleborough.

A number of objections had been received including those from United Utilities and also Whitworth Town Council.

129 emails/letters of objection had been received from neighbours to the proposal which were highlighted in the report.

The Principal Planning Officer outlined the issues arising from the change of access to Market Street, Shawforth:

- Cut back in cliff face to allow ease of access for larger lorry loads
- Widening of road beyond Landgate access
- Relocation of construction compound
- Difficulties of screening the access road from Rossendale Way and Limers gate
- Traffic movements
- Water supplies
- Location within greenbelt area

Officers had recommended refusal for the application to the 27th July committee as they considered the applicant had not done all it could do to minimise traffic movements and thereby mitigate the harms of the proposal.

The applicant had since obtained permission from Rochdale MBC varying the conditions on the quarrying of stone from Middle Hill Quarry. As a consequence:

There would be a significant reduction of lorry movements through the Market St /Landgate junction as there would not now be a need to import stone through it to

construct access roads/hardstandings for the wind farm or export loose stone/spoil. Following extraction of stone from Middle Hill Quarry for the wind farm they would be bound to restore it and could not continue with extraction of stone until 2019 (as the old permission allowed).

Within the update report, there had been a further objection from a resident that was reliant on spring water. United Utilities still objected to the application and Whitworth Town Council reiterated their objection.

A S.106 obligation had been provided by the applicant which would provide £50,000, half of which would go towards St Michael & St John CoE Primary School and the other half to a body representing Shawforth residents, for renewable energy or energy efficiency projects.

The Principal Planning Officer stated that the applicant had requested that some of the conditions be deleted as they related to works which lie entirely within the Rochdale/Calderdale area and regulation of these conditions would rest with Rochdale MBC/Calderdale MBC.

Officers recommendation was now for approval with the conditions highlighted in the update report.

Ms Holmes, Ms Morton, Mr Halstead, Mr Alderson and Ms Nutt spoke against the application.

The Committee raised the following points for clarification purposes only:

- Number and ages of children that would be using access road
- Contact with Edenfield Primary School
- Length of time lived at property
- Movement of cliff face
- Spring water
- Peat in the water supply
- Type of stone in quarry for related works
- Scout moor
- Contact with a highways officer

Mr Crossley, Mr Baines and Mr Romaine spoke in favour of the application.

The Committee raised the following points for clarification purposes only:

- Quality of stone
- Roads used to get to the site
- Alternative methods to get large machinery/equipment to site
- Strengthening work to cliff face
- Structural surveys
- Land owners of entrance to site

- Weight limit on site vehicles
- Emergency vehicles ability to pass large vehicles
- Car parking on main roads
- Disturbance for residents
- Pollution of spring water

Councillors L Barnes, Aldred, D Barnes, Neal and County Councillor Steen also spoke on the application.

The Planning Manager clarified some issues raised to the committee.

NB – It was agreed that there would be a 5 minute recession and the meeting would commence at 8.35pm.

In determining the application, the Committee discussed the following:

- Access at Landgate and through the Valley as a whole
- Comments from United Utilities
- Gate at the access point to prevent off roading
- Rock excavation
- Section 106 proposal
- Schools and residents along A671
- Appeal for landfill quarry site
- Consultation with Whitworth Town Council and Green Vale Homes
- Potential amendments to condition 6
- Bridges and weight loads
- Roads capable of weight of lorries
- Interruption of TV signals
- Remedial works at the site entrance of site once work had been completed
- Road Safety

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

- Structural surveys to nearest properties

The Principal Planner and the representative from LCC (Highways) clarified points raised by the committee.

The Legal representative clarified an issue raised in relation to the Section 106 Obligations.

The Planning Manager / Principal Planner clarified matters in relation to the consultation process for the application.

The committee discussed potential additional conditions one of which was to include a structural survey if the application was to be approved in consultation with the Chair and

Officers. Other conditions were discussed and advised upon.

A proposal was moved and seconded to refuse the application which was contrary to the Officer recommendation and members listed reasons for refusal.

The chair asked members to vote on the refusal. Three members indicated that they were in favour of refusing.

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

FOR	AGAINST	ABSTENTION
3	4	0

The Chair announced that the refusal was not carried.

It was agreed deferral was not an option and as a result of this discussion a proposal was moved and seconded to approve the application subject to the conditions highlighted in the update report along with the additional condition that a structural survey would be undertaken at the former Red Lion and at Top o th Moss by the applicant prior to and post development.

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

FOR	AGAINST	ABSTENTION
4	3	0

Resolved:

That the application be approved subject to the conditions highlighted in the update report along with the additional condition that a structural survey would be undertaken at the former Red Lion and at Top o th Moss by the applicant prior to and post development, the precise wording of that to be delegated to the Planning Manager in consultation with the Chair of the Committee.

The meeting commenced at 6.30pm and concluded at 9.45pm

Signed:

(Chair)