

MINUTES OF: THE DEVELOPMENT CONTROL COMMITTEE

Date of Meeting: 24th JANUARY 2012

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

In Attendance: Richard Elliott, Planning Officer
Stephen Stray, Planning Manager
Sian Roxborough, Head of Legal and Democratic Services
Michelle Hargreaves, Committee and Member Services Officer

Also Present: 17 members of the public
Councillor Cheetham
Councillor C Lamb
Councillor Eaton
Councillor McInnes
Councillor D Smith
2 members from the Press

1. APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES

No apologies had been submitted.

2. MINUTES

Resolved:

That the minutes of the meeting held on 11th January 2012 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.

PLANNING APPLICATIONS

5. Application Number: 2011/0538
Variation of Condition 5 from Outline Planning Permission 1985/110 and Condition 3 of reserved matters approval 1985/250 to allow the sale of ancillary food items.

At: Former Focus DIY Unit, Bocholt Way, Rawtenstall.

The Planning Manager introduced the application and outlined details of the site, the relevant planning history and the nature of the current application which was to seek to vary Condition 5 of 1985/110 and Condition 3 of 1985/250 to allow for some food/drink sales from a maximum of 340sq m of the net retail sales floor space of the building to tie in with the Family Bargains business model.

The application related to the site formerly occupied by Focus, now vacant, which was situated on the north side of Bocholt Way. The building had a ground floor area of approximately 2,700sq m, with ancillary office space above, and had parking for 75 cars. The site had pedestrian links to the centre of town via Longholme Road to the west.

The site was within the town centre boundary of Rawtenstall, but outside of the Primary Shopping Area, as identified in the Council's recently adopted Core Strategy DPD.

The majority of food and drink in the store would be classed as non perishable, perishable goods would comprise of around 5% and would consist of goods such as milk and packaged sandwiches.

In relation to consultation responses, RBC (Forward Planning) made reference to the application and deemed it acceptable along with conditions as worded.

For the type of premises, the maximum parking requirements would be 99, the current amount of spaces was 75. LCC (Highways) was satisfied with this number and requested pedestrian linkage improvement and the car park remarked.

A green travel plan had also been provided.

One objection had been received (Winners) which raised concerns in relation to down turn of sales in their store, however the Planning Manager highlighted that this was not classed as a material reason for refusal.

Officers recommendation was for approval subject to conditions highlighted in the report.

Mr Parker spoke in favour of the application.

In determining the application the committee discussed the following:

- Effect on other retailers
- Effect on Primary Shopping Area
- Size of building
- Use of garden centre
- Other means of access e.g. via bus station
- Employment opportunities

The Planning Manager clarified issues raised by the committee.

A proposal was moved and seconded to approve the application subject to the conditions highlighted in the report, with the wording of the Travel Plan condition to provide additional emphasis on the applicant seeking to improve pedestrian links from within the site to the Bus Station.

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

FOR	AGAINST	ABSTENTION
6	1	0

Resolved:

That the application be approved subject to the conditions highlighted in the report along with the wording of the Travel Plan condition to provide additional emphasis on the applicant seeking to improve pedestrian links from within the site to the Bus Station.

6. Application Number 2011/0372

Erection of poultry unit & 2 associated feed silos, including diversion of public footpath No. 469.

At: Hey Head Farm, Off Tong Lane, Bacup.

The 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 a poultry building of smaller size than that proposed under Application 2010/633, the siting had also been changed.

The building would measure 79.3m x 13.1m with a pitched roof to a height of 6.2m, only the matter of Landscaping would be reserved for later consideration.

It was to be sited on the north side of the main complex of agricultural buildings and farmyard, immediately to the west of the poultry building permitted by Planning Permission 2008/82.

The existing track leading from the farm yard to the existing poultry building would be reconfigured to give vehicular access to the new building.

Construction of the new building would necessitate diversion of a 70m length of Public Footpath No 469. It was proposed to divert the footpath so that it passed the eastern gable of the building and meets up with the definitive path further to the west.

No objections had been received.

Officers recommendation was for approval, subject to conditions outlined in the report.

In determining the application the committee discussed the following:

- Possibility of signs to be maintained for ramblers

- Time restriction on vehicle movements

The Planning Manager and Planning Officer clarified issues raised by the committee.

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

7. Application Number: 2011/0571

Refurbishment of mill, including replacement of northern lights building and revision of parking .

At: Grove Mill, Todmorden Road, Bacup.

The Planning Manager introduced the application and outlined details of the site and the nature of the current application which was to seek:

- Refurbishment of the 4-storey Victorian mill building in order that it may be brought back into use for production purposes, with associated offices, document storage, testing- laboratories and staff toilets/changing rooms/cycle store.
- Demolition of the existing brick-faced northern-light building to be replaced with one to have the same footprint and broadly the same height.
- Re-arrangement of the existing hard-surfaced area accessed from Grove Street to maximise the number of car parking spaces available in light of this entrance ceasing to be in regular use by lorries.

The business currently employed 90 staff and had available off street parking for 24 spaces. If implemented, the scheme hoped to provide 140 jobs and available parking for 49 cars plus visitors.

A travel plan had been submitted to LCC (Highways) which was a good starting point, though further work was required. This could be addressed by condition.

The demolition would have the potential to have a significant impact on the stability of Todmorden Road. Therefore LCC (Highways) had requested conditions be in place to ensure Todmorden Road would remain stable.

Residents had been consulted and no responses had been received. Neighbour amenity would not be affected as there would be no size difference to the building.

Officers recommendation was for approval subject to conditions outlined in the report.

Mr Brooks, Managing Director of Orthoplastics Ltd responded to questions raised by the committee.

In determining the application the committee discussed the following:

- Type of product the business manufactures.
- Type of roof material used.

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

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

FOR	AGAINST	ABSTENTION
6	1	0

Resolved:

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

**8. Application Number: 2011/0618
Erection of 2- Storey dwelling and detached double garage.
At: Land off Eden Lane, Edenfield.**

The 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 a detached four bedroom dwelling on the land. The dwelling would measure 11m x 8m with a pitched roof. There would be a porch to the front and it was also proposed that the house would have a detached double garage.

An application had previously been submitted which had been refused at appeal.

Six letters had been received in support of the application and 6 letters had been received in objection which had been highlighted in the update report.

The application was contrary to the greenbelt policy and no special circumstances had been displayed by the applicant, therefore the application was recommended for refusal.

Councillor D Smith spoke on the application.

In determining the application the committee discussed the following:

- Whether dwelling would be classed as an infill site
- Local development framework review of the greenbelt

- Personal permissions
- Location of dwelling in greenbelt

A proposal was moved and seconded to refuse the application as per the officers recommendation for reasons highlighted in the report.

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

FOR	AGAINST	ABSTENTION
4	3	0

Resolved:

That the application be refused.

9. Application Number: 2011/0590

Construction of timber framed managers dwelling, 3 bedroomed bed and breakfast, 10 bay stables, ménage, and altered access road.

At: Fishermans Retreat, Off Bury Old Road, Shuttleworth.

A planning application 2011/0376 was deferred at the meeting of Committee on 13th September 2011.

The application was taken back to Committee on 15th November 2011. The Officer report and minutes of the meeting could be found at Appendix A.

The application was refused by Members in line with Officer recommendation for the following reason:

- The proposed development was considered an inappropriate development within the Countryside/Green Belt and the applicant had not demonstrated very special circumstances that would outweigh this finding.

The Planning Manager introduced the current application and outlined details of the site, the relevant planning history and the nature of the scheme which had been amended reducing the proposed dwelling by 30% of the previous footprint and also clarified that the proposed building would be constructed in timber.

Two objections had been received stating that the proposed dwelling would be unsightly and would have an impact on roads.

The application did not comply with Annex A of PPS7 and officers recommendation was for refusal.

Mr Luxton spoke in favour of the application and Councillor Cheetham also spoke on the application.

In determining the application the committee discussed the following:

- Material to be used for dwelling
- Distance of dwelling to Mary Townley Loop
- Legal access for horses to access Mary Townley Loop
- Location of dwelling in greenbelt
- Potential value for tourism within the valley
- Improvement within the valley
- Current living arrangements for family
- Encouragement of jobs within Rossendale
- New business venture
- Option for deferral

The Planning Manager and Legal representative clarified issues raised by the committee.

A proposal was moved and seconded to refuse the application as per the officers recommendation for reasons highlighted in the report.

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

FOR	AGAINST	ABSTENTION
3	4	0

Resolved:

That the application be approved for the reason of the tourism benefit it would bring to the valley, along with conditions to be decided by the Planning Unit Manager in consultation with the Chair.

NB. The Chair announced that Application B6 had been withdrawn and was therefore removed from the agenda.

10. Application Number: 2011/0596

New 5m high fence to East, South and part of West Side.

At: Victoria Park Park Multi Use Games Area (Muga), Helmshore.

The Planning Officer introduced the application and outlined details of the site and the nature of the current application which was to seek permission to provide new fencing around the MUGA to provide a new 2m high extension to the already 3m high fence (totalling 5m) around the east, south and part of the west elevation, to prevent balls going over the existing fencing into the gardens of neighbouring houses.

Officers recommendation was for approval.

In determining the application the committee discussed the following:

- The top sloping towards the playground

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

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

FOR	AGAINST	ABSTENTION
6	1	0

Resolved:

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

The meeting commenced at 6.30pm and concluded at 8.10pm

Signed:

(Chair)