

**MINUTES OF: THE DEVELOPMENT CONTROL COMMITTEE**

**Date of Meeting: 16<sup>th</sup> October 2012**

**Present:** Councillor Robertson (in the Chair)  
Councillors, Ashworth, Eaton, Hughes, Morris, Oakes and Roberts.

**In Attendance:** Stephen Stray, Planning Manager  
Neil Birtles, Principal Planning Officer  
Sarah Doherty, Solicitor  
Michelle Hargreaves, Committee and Member Services Officer

**Also Present:** 28 members of the public  
2 members of the press  
Councillor Lamb  
Councillor McInnes

**1. APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES**

Apologies for absence were submitted on behalf of Councillor Procter (Councillor Hughes subbed).

**2. MINUTES**

**Resolved:**

That the minutes of the meeting held on 18<sup>th</sup> September 2012 be signed by the Chair and agreed as a correct record.

**3. DECLARATIONS OF INTEREST**

A declaration of interest was made on behalf of Councillor Roberts on items B6 and B7 as he was a resident of Crawshawbooth.

**4. URGENT ITEMS**

There were no urgent items.

**PLANNING APPLICATIONS**

**5. Application Number 2011/0568**  
**Conversion of hotel to 15 apartments.**  
**At: Former Holden Vale Hotel, Holcombe Road, Helmshore**

The Principal Planning Officer introduced the application, outlined details of the site and the relevant planning history, and the reasons for it being brought before the Development Control Committee. The application seeks permission to convert the building into 15 apartments, each with ranging between 1 and 3 bedrooms. Whilst this would require a more significant degree of internal alteration to the building, external alterations would be limited to formation of an additional doorway in the front elevation and alteration of other existing door openings.

Each of the apartments were to be provided with 2 external car parking spaces and bike storage at lower-ground level. Two communal bin-storage areas are to be constructed at opposite ends of the building.

In relation to consultation responses, there were no objection in principle, LCC (Highways) requested a section 106 agreement to address the highway safety and accessibility issues outlined in the report.

It had been made clear that there had been a significant amount of marketing undertaken by CB Richard Ellis, commencing in 2007, which were highlighted in the report. As there were only going to be 15 apartments, there would be no requirement for affordable housing.

The Principal Planning Officer stated that since the report was published, the agent had advised that they had doubts regarding the viability of the scheme with the required contributions of £44,408. The applicant had stated that it would have been too late to produce a viability report prior to committee, therefore it was asked that a decision be obtained from committee that allowed the officers to negotiate the exact financial terms of the Section 106 agreement.

Following this request, Planning Officers had been in discussion with LCC (Highways) in relation to the contribution it had sought and it had been agreed the works it wished to undertake could be completed with the total contribution reduced from £44,408 to £42,038.

Officers recommendation was for approval, subject to the completion of a Section 106 obligation for this contribution and the conditions highlighted in the report.

In determining the application the committee discussed the following:

- Whether delegation of the decision regarding the obligation was appropriate or not
- Clarification on the bin store location and how this would be emptied
- Removal of the pipes currently on site and when these would be removed
- Parking and concerns of overspill
- Removal of fire escape
- Amount of time site had been advertised

The Principal Planning Officer clarified issues raised by the committee.

A proposal was moved and seconded to approve the application, subject to the Section 106 obligation and the conditions set out in the report.

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

FOR	AGAINST	ABSTENTION
7	0	0

**Resolved:**

That the application be approved, subject to the Section 106 obligation and the conditions set out the report.

**6. Application Number 2012/0375**

**Demolition of dilapidated house, existing workshop and offices, and construction of new workshop and offices.**

**At: Buckhurst Plant Hire, Warth Lane, Waterfoot.**

The Principal Planning Officer introduced the application, outlined details of the site and planning history and the current application which proposed to seek the demolition of all the buildings on the site, including the house near the site entrance, and erection of a new building in the position of the house.

The new building would be slightly smaller than the current building and would still be used for employment purposes.

There would be parking for 25 cars, provided in spaces immediately to the front of the building and extending towards the western tip of the site. The plant hire yard would extend to the east side of the building, accessed via a gated entrance between the proposed building and the northern boundary of the site.

There were no objections in principle, however LCC (Ecology) and the Environment Agency required issues in relation to flooding and surface water be addressed, along with other requirements outlined in the report.

With regards to visual amenity, the proposed building was not disproportionate to the size of the site.

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

In determining the application the committee discussed the following:

- Site to remain as a working site
- Alternative entrance to the site

A proposal was moved and seconded to approve the application, subject to the conditions set out in the report.

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

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
7	0	0

**Resolved:**

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

**7. Application Number 2012/0397**

**Erection of 26 apartments, with basement car parking.**

**At: Holly Mount House, St Mary's Way, Rawtenstall.**

The Principal Planning Officer introduced the application and outlined details of the site, the relevant planning history and the nature of the application. Rather than complete the 2 apartment blocks in accordance with the previously permitted scheme, the applicant sought permission to depart from it in a manner that would result in the creation of 26 apartments, not 20.

Whereas the previously permitted scheme proposed that there be a gap of 7.5m between the 2 apartment blocks it was now intended that they be linked by a building providing accommodation over 3 floors. This was the main change to the scheme, although other internal and external modifications were proposed.

The Principal Planning Officer informed the committee that there had been some steel work had been erected which was not part of the original scheme therefore the application had now become part retrospective.

In relation to consultation responses, LCC (Highways) had not objected to the proposed scheme, however one objection had been received from a neighbour at St Mary's Court.

The Core Strategy states that schemes which were to be developed on Brownfield sites must provide 20% of units as affordable. However, given the fact that a previous Section 106 agreement had already resulted in payment of a contribution, Officers felt that it was not appropriate to seek further payment.

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

Mr Kinder spoke in favour of the application.

In determining the application the committee discussed the following:

- Work that had commenced without planning permission
- Reason the amount of apartments were to be increased by 6
- Consultation with English Heritage required

The Planning Officer and the Legal Representative clarified issues raised by the committee.

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

**8. Application Number 2012/0423**

**Erection of replacement double garage and retention of stables and associated feed/tack store.**

**At: 1 Fold Head Cottage, Hallfold, Whitworth.**

The Planning Officer introduced the application and outlined details of the site and the nature of the current application which was to seek retrospective permission for the timber stables and tack room to be seen on the site and permission for the erection of a replacement garage.

The stables building was constructed in timber under a profile sheet roof and measures 11.8m wide with a depth of approximately 4m. It had a pitched roof to a height of 2.9m to ridge. The garage would be constructed in timber and occupy the same footprint as the existing garage and would have a pitched roof to a height of 3.4m, a maximum of 1.3m higher than the existing garage.

In relation to consultation responses, 10 objections had been received along with 16 letters of support. The main concerns from these objections were highlighted in the report.

LCC (Highways) and RBC (Environmental Health) had no objection to the proposed application and with regards to neighbour amenity, the siting and separation distances of the stables were such that the scheme would not detract from the amenities of neighbours in terms of outlook, light or privacy.

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

In determining the application the committee discussed the following:

- Objections proposed not being planning related
- Retrospective planning applications

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

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

FOR	AGAINST	ABSTENTION
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5	1	1
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**Resolved:**

That the application be approved subject to the conditions detailed in the committee report.

**9. Application Number 2012/0423  
Erection of single storey rear extension.  
At: 2 Lee Road, Stacksteads, Bacup.**

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 permission for the erection of a single storey rear extension.

The single storey element of the extension spans the full width of the rear of the property, which is 5.3m, and would replace the existing rear extension. The extension would project from the rear of the original property by 3.5m, a similar projection to the existing extension. There would be a window in the side elevations. Across the rear of the extension there would be a set of patio doors.

The extension would be constructed of materials to match the existing property.

Six letters of support had been received along with 3 letters of objection, details of these submissions were outlined in the report.

With regards to visual amenity, the proposed extension would be in scale with the existing house and would appear subservient to it by virtue of its position/size/design. The extension would be visible in the street scene and from other properties in the terrace.

The window proposed in the southern elevation of the extension was in the same position as a window of the existing extension and, consequently, would not affect the current relationship between properties in terms of privacy.

In relation to access/parking, the proposed scheme did not affect the current parking requirement as the number of bedrooms remained unchanged.

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

Ms Crompton spoke in favour of the application.

In determining the application the committee discussed the following:

- Removal of window from the proposed extension
- Current building being there when tenants had first moved in

Councillor Eaton proposed an amendment to the original recommendation, which was to move the officers recommendation with the removal of the proposed window.

The Committee voted on this to become the substantive motion.

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

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
2	5	0

The motion was lost. The committee then voted on the original recommendation proposed by officers.

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

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
5	2	0

**Resolved:**

That the application be approved subject to the conditions detailed in the committee report.

**10. Application Number 2012/0566  
Erection of 5 houses with amenity area to side.  
At: Land off Lawson Street, Crawshawbooth.**

The Planning Manager introduced the application and outlined details of the site, the relevant planning permission and the nature of the current application which was to seek permission for the erection of a terrace of five 3-bedroomed houses, with their fronts facing east, towards the rear elevations of houses fronting Burnley Road. The properties would be 3-storey, constructed in reconstituted stone under tile roofs. The ground floor of each would contain an integral garage, with a parking space in front. This was an amended submission as an objection had been received from the Highway Authority in relation to the original submitted layout.

Lawson Street was not properly surfaced and possessed a proper footway only in front of 1-11 Lawson Street. As the houses in the vicinity lack off-street parking of their own Lawson Street is commonly congested with parked cars along its length; residents had taken to parking on part of the application site.

The application was accompanied by a contaminated land report and a transport assessment, and the applicant had advised that the houses would be constructed to BREEAM requirement 'good' and would have grey water systems and solar pre heating for hot water.

In relation to consultation responses, RBC (Environmental Health) and LCC (Highways) had no objection to this application.

Three site notices had been posted on site on the 24<sup>th</sup> November 2011 and 45 neighbours were consulted on the 17<sup>th</sup> November 2011 in respect of the originally submitted proposal.

Following these, 7 objections had been received and details of these were outlined within the report. Residents had since been re consulted on the 20<sup>th</sup> September 2012.

With regards to visual amenity, it was officers' opinion that the terrace form would be consistent with those within the area and with regard to access and parking, the proposed plans showed adequate parking, there would also be re tarmacing on Lawson Street.

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

Mr Pugh and Ms Crilly spoke against the application.

In determining the application the committee discussed the following:

- Number of residents that had sent submissions to the council
- Concerns in relation to parking, overbearing/ shadow and size of houses
- Parking on Lawson Street
- Who amenity area was for
- Location of bin store
- Overdevelopment
- Safety of children as school located near proposed dwellings

A proposal was moved and seconded to refuse the application, contrary to Officers recommendation due to its design, layout and orientation, parking, and potential conflict with school parking and safety of children.

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, because of harm due to its design, layout and orientation, parking, and potential conflict with school parking and safety of children.

**11. 2012/0583**

**Erection of 2 wind turbines (34m high to tip).**

**At: Land at Bottomley Bank Farm, Bottomley Lane, Crawshawbooth.**

The Principal Planning Officer introduced the application and outlined the details of the site, the relevant planning history and the nature of the current application which was to seek permission to erect two 50kw wind turbines, each with a 25m high column and 3-bladed rotor of 9.6m radius. The turbines would be coloured white, with an overall height of 34.2 metres.

Thus, the turbines would be the same as those permitted under application 2011/0187 at Crown Farm, yet to be constructed.

The turbines were proposed to sustain the existing farm, with any surplus energy to be exported to the National Grid.

LCC (Highways) had no objection to the proposal. LCC (Ecology) raised concerns in relation to the possible impact on birds which would need to be addressed as part of any scheme.

Three objections had been received, details of these were outlined in the report.

In regards to the visual impact, when considering the impact of the proposed turbines the officer informed the committee of the extant permission for two turbines on the adjacent site. In accordance with the Julie Martin Study, cumulatively the four turbines would create a 'small wind farm' in that area.

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

Ms Briggs spoke in favour of the application.

In determining the application the committee discussed the following:

- Vehicle access up to the farm location for large wagons
- Number of windfarms within Rossendale
- Visual impact of windfarms
- Justification of proposal
- Family requirements for the turbines
- Reference to the Julie Martin Study

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

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

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
4	3	0

**Resolved:**

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

**The meeting commenced at 6.40pm and concluded at 9.00pm**

**Signed:**

**(Chair)**