

MINUTES OF: THE DEVELOPMENT CONTROL COMMITTEE

Date of Meeting: 28th May 2013

Present: Councillor Ashworth (in the Chair)
Councillors, Eaton, Fletcher, Morris, Oakes, Procter and Roberts.

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

Also Present: 60 members of the public
2 members of the press
Councillors Aldred, Barnes, Cheetham, Lamb, McInnes, Neal and D Smith

1. APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES

No apologies had been submitted; all members of the Development Control Committee were present.

2. MINUTES

Resolved:

That the minutes of the meeting held on 19th March 2013 be signed by the Chair and agreed as a correct record.

3. DECLARATIONS OF INTEREST

Councillor Ashworth declared a pecuniary interest on item B1 and stated that she would leave the room whilst the Vice Chair tabled that item. The Principal Legal Officer declared an interest on item B7 as it was a personal application.

4. URGENT ITEMS

There were no urgent items.

PLANNING APPLICATIONS

NB Councillor Ashworth stepped down as Chair and left the room.

5. Application Number 2013/0075

Erection of 42-bed specialist care and 40 extra care apartments, with car parking accessed from Burnley Road adj to Northern Primary School and other associated works and landscaping.

At: Land off Burnley Road, Weir.

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 scheme was designed as a 'care village' with the emphasis on the provision of care for groups such as acquired brain injury patients and those who might no longer be able to live completely independently but who still wished to have some degree of autonomy. Three buildings were proposed, linked physically to a Central Hub Building. The total gross internal floor area of the development would be 5,210sqm.

The report outlined in further detail what each of the 3 buildings would facilitate and it also included the applicant's justification for the proposed development.

With regard to consultation, 13 letters of objection had been received, details of these were included on pages 13-15 of the report. LCC (Highways) had no objection subject to conditions, contributions and additional information. LCC (Social Services) did not think this was a suitable location and supported a similar development in Rawtenstall.

The applicant indicated that the application had the potential to create 48 full time equivalent jobs during construction and 94 jobs once operational and also submitted details showing argument of the need of the proposed development, contrary to policy 21 of the Core Strategy.

With regard to Neighbour Amenity, the principal concern was regarding traffic movement to and from the development. The junction of the site could be improved and it would also require parking for staff and visitors. LCC (Highways) suggested the site could be made more sustainable by a section 106 contribution to enhance travel options. The applicant was willing to discuss this however there had been no agreement on the scale of contribution.

It was felt that the ecology survey was quite detailed in terms of bats and newts but the applicant would need to provide a full badger survey before the application proceeded further.

The Principal Planning Officer stated that since publication, a further letter had been received from the agent and was outlined in the update report.

The officers recommendation was one of refusal.

Mr Kellie spoke in favour of the application.

In determining the application, the committee discussed the following:-

- School time and traffic congestion
- Current businesses in operation similar to application
- Number of car parking spaces and whether there were a sufficient amount
- Drop off point for school
- Timescale of development
- Number of accidents on Burnley Road
- LCC Highways Officer attending future meetings
- Lack of travel plan provided
- Facility needed

- Improvement of bus service/shuttle bus
- Creation of jobs
- Regeneration of Bacup
- Concern over health and safety of children
- Alternative sites for the application
- Lack of full badger survey
- Appropriate Planning Conditions

The Principal Planning Officer clarified the issues raised by the Committee.

A proposal was moved and seconded to defer the application in order to receive a full badger survey and to allow for further discussions in relation to other matters, most particularly improving the public transport and possible conditions in the event that committee were minded to approve the application.

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

FOR	AGAINST	ABSTENTION
4	2	0

Resolved:

That the application be deferred in order to receive a full badger survey and allow further discussions in relation to other matters, most particularly improving the public transport and possible conditions in the event that committee were minded to approve the application.

NB Councillor Ashworth returned to the meeting and continued to Chair the remaining items.

The Chair announced that Application number B3 would be taken next, followed by Application number B5 due to the amount of speakers registered.

**6. Application Number 2013/0076
Erection of retail unit (279sqm) with associated car park accessed from Market Street.
At: Corner of Market Street/ Mills Street, Whitworth.**

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. Permission was now sought to erect on the site a retail unit of reduced size, thereby leaving more external space in which to meet delivery/parking needs. The current application was also accompanied by drawings that provided different/fuller details of the design and facing materials of the intended building.

This application sought permission to erect a retail unit of 279sqm, with its service bay on the north side and car park to the front, accessed from Market Street. The building would be set back from Market Street by approximately 20m and have a footprint of 14m x 20m. The building would be of greater height than previously proposed as ancillary office/staff facilities were now to be provided at first-floor level and would have a pitched roof.

Consultation responses were outlined in the report, LCC (Highways) had no objection to the application. LCC parking standards for a Class A1 retail use were met. It was accepted that a small express type store had a higher turnover of vehicles than a large supermarket store, which in turn affected the amount of spaces required.

Whitworth Town Council still objected to the application and 85 letters had also been received in objection. Twenty letters/emails had been submitted in support of the development.

With regard to neighbour amenity, the use around the proposed site was mixed and officers had no objection in principle. The application had been amended so the car park boundary would be constructed of a low stone wall rather than a knee rail in order to prevent glare from headlights into residential properties.

In relation to access and parking, 16 spaces would remain as per the original application. However due to the smaller footprint of the proposed building, additional space had been provided which would be used for the delivery vehicle. This would now relieve the requirement of coning off any car parking spaces.

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

Mrs Bishop-Horsfield spoke against the application, Ms Smith spoke in favour of the application and Councillor A Neal and Councillor Aldred also spoke on the item.

In determining the application the committee discussed the following:

- Clarification if any use of Mill Street
- Why the proposed building would have a pitched roof
- How goods would be off loaded from the delivery vehicles
- Number of disabled parking spaces
- Previous highway issues now resolved
- Health and safety concerns regarding children

The Principal Planning Officer 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.

7. Application Number 2013/0103

Erection of seven detached dwellings and formation of access from Bury Road.

At: Land off Dearden Clough, Edenfield.

The Principal Planning Officer introduced the application, outlined details of the site and planning history and the current application which sought permission for Access, but the matters of Layout, Scale, Appearance and Landscaping were reserved for later consideration.

It was now proposed that the existing access be widened to 4.8m with a 0.3m-0.5m margin to the retaining wall and a 1m margin to 103 Bury Road. The access road would narrow to a 3m passing place 2 car lengths from Bury Road. The site to be occupied by the dwellings was located within the Urban Boundary and was considered to constitute previously developed land. Permissions had previously been granted for its residential re-development and was allocated for such development in the Rossendale District Local Plan.

RBC (Environmental Health) had no objections to the proposal along with United Utilities and LCC. LCC (Archeology) had no objection however required a condition which was outlined in the report.

The Principal Planner referred to the update report which included a revised plan with some minor amendments.

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

Ms Openshaw spoke against the application and Mr Armstrong spoke in favour of the application. Councillor D Smith and Councillor Cheetham spoke on the application.

In determining the application the committee discussed the following:

- Clarification of land movement issues
- Lack of structural engineers report
- Number of car spaces to be lost on the main road
- Ecological implications
- Flood risk

The Principal Planning Officer clarified the issues raised by the committee.

A proposal was moved and seconded to refuse the application, contrary to the Officer's recommendation, for reasons of neighbour amenity associated with land stability, traffic movements and loss of parking spaces on-street presently used by existing residents.

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

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

That the application be refused due to reasons of neighbour amenity associated with land stability, traffic movements and loss of parking spaces on-street presently used by existing residents.

8. Application Number 2013/0041

Erection of 17 no two-storey dwellings and new vehicular access.

At: Land opp 449-457 Bacup Road, Hareholme, Rawtenstall.

The Planning Manager introduced the application and outlined details of the site, the relevant planning history and the nature of the application which was to seek permission for the erection of 17 two-storey houses, to be served by construction of essentially the same access road as previously permitted.

Eight parking spaces were to be made available to meet the needs of residents/visitors of the four terraced houses near the access-point, not all within their curtilages. To the rear of them were now to be provided houses arranged in semis and short terraces, provided with 21 off-street parking spaces, not all in-curtilage.

Hard and soft landscaping would be provided for the site, with the frontage to Bacup Road to include dwarf stone walls and piers. There would be additional landscaping bounding the river, subject to Environment Agency recommendations.

The Applicant stated that under the previous application a S.106 Obligation proposed contributions in relation to traffic management and public open space of £1,200 and £27,320 respectively. The latter contribution, when adjusted down to reflect the reduction in dwelling numbers from 20 to 17 would be £23,220. Accordingly, a total financial contribution of £28,520 is proposed.

Amended plans and additional supporting information had been received following publication of the Report for the April 2013 Committee which was subsequently cancelled. All respond to comments/concerns/objections identified in the previous report that recommended refusal of the scheme.

No objections had been received from residents.

With regard to visual amenity, there had been no significant changes and the scheme contained a suitable mix of dwellings; they would not detract from the appearance of the area. The amended layout responded to the request of the Highway Authority, now only Plot 9 would be slightly deficient in terms of in-curtilage parking provision.

Officers recommendation was for approval subject to a S.106 agreement and the conditions outlined in the report.

There were no speakers on this item.

In determining the application the committee discussed the following:

- Elevation - why roof hipped
- Development would improve area

The Principal Planning Officer clarified issues raised by the committee.

A proposal was moved and seconded to approve the application subject to conditions and Section 106 obligations outlined 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 conditions and Section 106 obligations outlined in the report.

9. Application Number 2013/0131

Creation of a multi user route (a cycleway, bridleway and footpath) including engineering operations to alter land levels in some places, fencing and drainage.

At: Section of disused Railway Line, off Blackwood Road, 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 create a multi-user route along the length of the disused railway for use by pedestrians, horse riders and cyclists; the line of the existing path was to be abandoned.

The proposed new route will be approximately 580m in length and 3m wide, with a bitmac top course over a hardcore stone base. The applicant intends to incorporate land drainage where required along its length.

Sections of the site that were steep were to be cut and filled to create a cycleway that had a gradient of 1:20, as far as possible. To encourage and cater for as many users as possible it would be better surfaced and would give a more direct route through the site than the existing path.

Four letters had been received, 2 in support and 2 objecting to the application, details of these were outlined in the report.

At the time of the report being published there had been no written comments received from LCC (Highways); these had since been received and were contained in the update report. There were no objections in principal however it had been requested that the pathway be at the correct standard where it met/crossed Rakehead Lane.

Officers recommendation was for approval subject to the conditions set out in the report along with the additional condition in the update report.

Ms Marsden spoke in favour of the application.

In determining the application the committee discussed the following:

- Location of certain screening for privacy
- DDA compliant
- Ensure residents were liaised with

The Principal Planning Officer clarified matters raised by the Committee could be dealt with by amendment of the additional condition within the update report and thus read as follows :

Notwithstanding what is shown on the approved drawings, prior to commencement of development a scheme shall be submitted to and approved in writing by the Local Planning Authority providing details of the alignment/level/drainage of the proposed paths to be formed within 40m of Rakehead Lane and the associated fencing/planting to be retained &/or provided to each side of these length of path, together with the proposed signing, lining and barrier system at the Rakehead Road junction and details of the regime for maintenance of vegetation in the vicinity of this junction. The approved scheme shall be implemented and adhered to, unless a variation is otherwise first agreed in writing by the Local Planning Authority.

A proposal was moved and seconded to approve the application subject to the conditions set out in the report along with the additional condition as amended.

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 conditions set out in the report along with the additional condition as amended.

NB The Principal Legal Officer left the room whilst the application was heard.

10. Application Number 2013/0202

Erection of 2 storey side and single storey rear extension.

At: 7 Crofters Bank, Loveclough.

The Principal Planning Officer introduced the application and outlined details of the site and the nature of the current application which was to seek permission for the erection of a two storey side extension and a single storey rear extension.

The side extension would be set back approx. 1.5m from the front elevation and would have a width of 2.5m and a depth of 5.5m. The ridge height would be set down from the original ridge by 0.5m. The single storey extension would be sited to the rear extension and part of the original dwelling (half and half). It would have a width of 5.4m and a depth of 3m with a mono-pitched roof to a height of 3.7m.

Materials for each would match existing and space to park one car would remain in front of the

extension.

No objections had been received from LCC (Highways) or any neighbours.

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:-

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

That the application be approved subject to the conditions set out in the report.

NB The Principal Legal Officer returned to the room for the last item.

11. Abolition of Regional Spatial Strategy (RSS) for the North West of England.

The Planning Manager outline the purpose of the report which was to advise Members that from 20th May 2013 the Regional Spatial Strategy for the NW of England no longer formed part of the Development Plan and would no longer be considered in Committee reports.

Resolved:

That the report be noted.

The meeting commenced at 6.30pm and concluded at 9.55pm

Signed:

(Chair)