

MINUTES OF: THE DEVELOPMENT CONTROL COMMITTEE

Date of Meeting: 18th June 2013

Present: Councillor Ashworth (in the Chair)
Councillors, Eaton, Fletcher, Morris, Oakes, Kenyon 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
Richard Bingham, Legal Officer

Also Present: 9 members of the public
Councillor Neal

1. APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES

Apologies were submitted on behalf of Councillor Procter and Councillor Kenyon subbed.

2. MINUTES

Resolved:

That the minutes of the meeting held on 28th May 2013 be signed by the Chair and agreed as a correct record.

3. DECLARATIONS OF INTEREST

A declaration of interest was made on item C1 by Councillor Oakes and Councillor Eaton as this application had been discussed with residents however it was agreed that they had not fettered their discretion.

4. URGENT ITEMS

There were no urgent items.

PLANNING APPLICATIONS

5. Application Number 2013/0168

Erection of 3-storey 39 bedroomed care home.

At: Site of Bacup Health Centre, Yorkshire Street, Bacup.

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. It was noted that this application had been to a previous committee in 2009, which was granted by members however the time for commencement of development had now expired. The same applicant

as previously now sought permission for the same scheme. However, whereas the previous application sought Full Permission the current application seeks Outline Permission and for approval at this stage of details of Access / Layout / Scale / Appearance; only the matter of Landscaping had been reserved for later consideration.

With regard to consultation responses, the Environment Agency had previously objected to the original application and had done so again with the current application as part of the site had been identified within a flood zone. However, the applicant commissioned more work to be undertaken on the Flood Risk Assessment accompanying Application 2009/257, following this, the Environment Agency was satisfied that people and property would not be at undue risk as a result of a flood event and therefore withdrew the objection.

In relation to notification responses, Bacup Consortium Trust noted that the building would be a prominent feature and stated that the building should be constructed of natural stone to harmonise with the conservation area. One letter of objection had been received from a neighbour; details of the concerns raised were outlined in the report.

With regard to the flood risk, written confirmation had now been received from the Environment Agency withdrawing its objection.

The Principal Planning Officer stated that the proposal was acceptable in principle and the conservation officer approved of the proposed building. There would be no significant neighbour detriment however there could be some disruption during the construction phase.

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

The Chair agreed to read a submission supporting the application sent from the applicant as they were unable to attend the meeting.

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

- Gateway to the town centre
- Current site an eyesore
- Clarification if the building would be built in natural stone
- Accommodation – if couples would be residing in the unit
- No fire escapes on the ground floor level

The Principal Planning Officer clarified the 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
7	0	0

Resolved:

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

6. Application Number 2013/0171

38 house re-plan of part of scheme approved under Planning Permission 2010/667, resulting in the addition 12 houses.

At: Orama Mill, Hall Street, Whitworth.

The Principal Planning Officer introduced the application, outlined details of the site and the reasons for it being brought before the Development Control Committee.

The current approved scheme had progressed to the point that around 24 houses were complete and some others part built. Due to the types of houses that were currently selling, permission was sought for a re-plan of parts of the site to enable construction of more of the smaller/semi-detached units.

The consequence of this proposal was to increase the total number of dwellings on the site from 85 to 97, utilising house types that had already been approved for use on other plots. Changes would occur on the party-boundary only with Whitworth Community High School and Millers Gutter (owned by Lancashire County Council).

LCC (Highways) had no objection to the proposal and agreed that there was enough off street parking for the amended dwellings proposed.

The Principal Planner referred to the update report in relation to the cycle link from the application site directly to the high school. Whitworth Town Council had requested that a potential link be protected. In response to this, it was noted that some discussion had taken place however without the support of the school it was felt that the matter could not be dealt with under this application. A map was also provided to demonstrate the two potential cycle links, one of which would remain as a result of the re-plan.

In order to fully accord with Policy 4 of the Core Strategy, 20% of the proposed units should be provided as Affordable Housing. To accord with the Councils Open Space & Play Equipment Contributions SPD a further £16,392 should be paid to reflect the increase in dwellings on the site from 85 to 97. LCC had sought no further monies towards off-site Highway works/Transport improvements or Youth & Community facilities/services. The applicant was proposing no further Affordable Housing units or other contributions.

Officers recommendation was for approval subject to a Deed of Variation to the S.106 Obligation accompanying Planning Permission 2010/667 and the Conditions set out in the report.

Councillor A Neal spoke on the item.

In determining the application the committee discussed the following:

- Contribution of £16,392 and reason why this request had been refused by the applicant

- Concern of site closing if not approved
- Designed appropriately in first application
- Developer should be prepared to provide more funding as number of dwellings had now increased
- Emergency link and what this would be used for
- How much would be due under The New Homes Bonus
- Lack of play space for children
- No one present at meeting to ask for clarification
- Application did not conform to Policy 4 of the Core Strategy
- Options for cycle routes
- Potential congestion on site

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

A proposal was moved and seconded to refuse the application due to highway safety issues.

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

FOR	AGAINST	ABSTENTION
2	4	1

Resolved:

That the application be approved, subject to the Deed of Variation and conditions outlined in the report.

7. Application Number 2013/0065

Erection of a pair of semi-detached houses, with one detached garage and associated hardstandings.

At: Land adj 101 Bankside Lane, Bacup.

The Planning Manager introduced the application, outlined details of the site and the current application. This application had previously been reported to committee on 19th March, 2013 and was recommended by officers for approval however Committee deferred decision for the following reasons:

1. To ensure all neighbours were properly consulted
2. To address the right of access issue raised by an adjoining neighbour
3. To further look into drainage of surface water

Following this, the applicant had since submitted an amended drawing in relation to the right of access and also confirmed surface-water would drain to a sewer, not soakaways. Neighbours were also re-consulted.

In response to the applicants resubmission, a further three letters of objection had been received, details of these were outlined in the report.

The application accords with the housing policy and the previous issues had now been addressed.

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

Mr Jagger spoke in favour of the application.

In determining the application the committee discussed the following:

- Confirmation that letters were sent to residents
- Reason no site visit

In relation to the site visit, the Principal Planner clarified that the general consensus of the committee was that one was not required the site having so recently been visited by Committee.

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

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

FOR	AGAINST	ABSTENTION
5	1	1

Resolved:

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

8. Application Number 2013/0147

Erection of Detached 2-storey Dwelling, with associated access & parking.

At: Land off Turf Meadow, Loveclough.

The Principal Planning Officer 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 construction of a detached dwelling with access from Turf Meadow. The house would measure 11m wide, with a depth of 8m, and have pitched roof 5.5m to eaves and 8m to ridge. A conservatory was proposed on the south side. The house was to be constructed in course stone, under a slate roof. Parking and turning would be provided in the area between the house and Turf Meadow.

The scheme was amended from that submitted previously in that it was stated that the applicant had now purchased the land that provided access to the site.

LCC (Highways) had no objection to the proposal along with United Utilities. Five objections to the scheme had been submitted, some of the points raised included increase in traffic, loss of their facility to park on and turn on the turning head and concerns of that the access would be intruding on the property of number 8, further issues raised were outlined within the report.

The location was within the urban boundary and was appropriate in principle. The proposed house would be visible to the public as the site is approached down Turf Meadow however the design and appearance would be similar in character to nearby properties.

It was noted that a sycamore tree would be retained and United Utilities commented that a public sewer ran near to the proposed site and would not permit building over it within 3m of its centre line. The scheme was compliant with this.

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

Mr Watson spoke in favour of the application.

In determining the application the committee discussed the following:

- Rainwater runoff and if this had been considered
- Would the Environment Agency be consulted
- Application would improve area and finish site off

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
7	0	0

Resolved:

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

9. Application Number 2013/0081

Demolition of 1-storey former rest home and the erection of 6 terraced houses with associated parking.

At: Cherry Tree, Dean Road, Haslingden.

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 the demolition of the existing building and the construction of a terrace of six 3-bedroomed houses, with parking to the front and rear.

The proposed building would be of 2.5 storeys in height, accommodation on the upper floor of each house largely within the roof space and illuminated by a dormer in the front and rear roof-plane. It was proposed that the houses be constructed in natural stone to the front with brick to the side and rear, under a tiled roof.

A total of 14 parking spaces would be provided for the 6 dwellings proposed.

RBC (Environmental Health) had no objection in principle. Three objections had been received, the Principal Planning Officer outlined some of the points raised:

- Loss of on street parking
- Parking congested at weekends
- Loss of privacy

With regard to assessment, the application was located within the urban boundary and would be making use of a previously developed site. The scheme also conformed with the Council's Core Strategy.

In relation to neighbour amenity, spacing standards were met bar one proposed dwelling which fell short with a distance of 18.5m of the required 20m. However this was the same separation distance that existed between the terrace of houses to the east of the application and the detached houses opposite them.

LCC (Highways) also had no objection in principle regarding parking.

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

Mr Nuttall spoke in favour of the application.

In determining the application the committee discussed the following:

- Improvement to the area
- Relieve anxiety from neighbours of the site
- Parking issues

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.

10. Application Number 2013/0239

LCC consultation for proposed extension to Waste Transfer Station and erection of screen wall.

At: Land at Waterbarn Mill Newchurch Road, Stacksteads, Bacup, OL13 0NL.

The Planning Manager introduced the application and outlined the details of the site, any relevant planning history and the purpose of the report.

This type of application would normally result in officer comments as it was an application for LCC determination but officers were aware that the application had been a matter of interest to residents of the local area.

The applicant indicated they now wished to enclose part of the yard immediately outside the vehicular entrance into the main building. It would be of similar height and clad in similar materials to the Mill. They also proposed to erect a wall which would run along the edge of the yard for the full length of the mill building and thereby screen activity in the yard from view. It would replace the existing line of concrete blocks that define the access to the separately occupied mill at the rear of the site. The wall would be 2.5m high and clad in a material to match the enclosed yard.

The Planning Manager confirmed that the operator had been operating in breach of the conditions related to the consent 14/10/0452, details of these were outlined in the report.

It was reminded that this application was for consultation only and the planning decision would be made by LCC.

Officers recommendation was to support the proposal, reasons for this were outlined in the report.

In determining the item the committee discussed the following:

- Lack of residents that attended the meeting did not mean they were not interested
- Current conditions not being adhered to
- Amount of waste stacked up to the doors
- Noise created from stone being dropped
- Residents could not enjoy quality of life in homes
- Skips located outside premises
- Skips uncovered
- Dust blowing from premises
- Different types of waste
- Fly issues
- Unpleasant smells from waste
- Job opportunities
- Enforcement issues
- Stone wall would enclose waste
- Don't want business to close
- Concerns if business closed could be more fly tipping
- Views from RBC (Environmental Health)
- Better liaison between the authorities with regards to enforcement
- Application to be looked at in 12 months to see if according to original conditions
- Application put in to resolve current issues
- If this was an RBC application it would possibly be unacceptable with regard to neighbour amenity

The Principal Legal Officer clarified how the voting process should be undertaken for this type of item.

A proposal was moved and seconded to agree with the officer's recommendation to LCC to support the application, along with the conditions requested within the report.

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

FOR	AGAINST	ABSTENTION
2	5	0

Resolved:

That the officer's recommendation to LCC to support the application be refused due to neighbour amenity issues which included noise, light, dust and putrescible waste.

The meeting commenced at 6.30pm and concluded at 8.45pm

Signed:

(Chair)