

MINUTES OF: THE DEVELOPMENT CONTROL COMMITTEE

Date of Meeting: 3rd September 2013

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

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: 30 members of the public
1 member of press
Councillors Aldred, Barnes, Jackson, Lamb, MacNae, Marriott, Neal, Pilling and Serridge

1. APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES

Apologies were submitted on behalf of Councillor Ashworth and Councillor Eaton.

2. MINUTES

Resolved:

That the minutes of the meeting held on 23rd July 2013 be signed by the Chair and agreed as a correct record.

3. DECLARATIONS OF INTEREST

Councillor Procter declared that she was an appointed member on the Greenvale Homes Board in relation to item B1.

4. URGENT ITEMS

There were no urgent items.

The Chair informed the committee that agenda item B3 would be tabled first as a speaker on this item had to leave to attend another meeting.

PLANNING APPLICATIONS

5. Application Number 2013/0190LBC & 2013/0257

Extension of the north elevation and a steel frame & glazing extension to the south elevation. In addition the proposal includes for the demolition and rebuilding of a glazed link corridor between the medical centre and Crawshaw Hall.

At: Crawshaw Hall Medical Centre, Burnley Road, Crawshawbooth.

The Planning Manager introduced the application, outlined details of the site, the relevant planning history and the reasons for it being brought before the Development Control Committee. The applicant proposed an extension to the North Elevation and a Steel Frame & Glazing extension to the south elevation of the Annexe. In addition the proposal included the demolition and rebuilding of a glazed link corridor between the Medical Centre and Crawshaw Hall. The applicant advised the layout of the proposals reflect the fact that apart from the southern elevation the remaining elevations are confined and restricted by the topography. Land to the north can accommodate a small extension. Banking to the west and landscaping currently severely limits the natural light to that side of the building, particularly to the dining area. For this reason the applicant wished to move the dining area to where the lounge was currently located, create two ensuite bedrooms and a nurses station in place of the original dining room and then create a lounge facing the car park so much more natural light was gained. Above this lounge the applicant proposed two new larger bedrooms suitable for specialist care.

In support of the proposals the applicant advised that the medical centre (known as the annex) built in 1995 was now no longer compliant with regulations in the Health Care Industry. It was noted that new bedrooms were required to have a minimum floor area of 12.5m sq and have en-suite facilities.

The Planning Manager referred to the update report stating that certain anomalies in the drawings submitted had now been clarified along with reference to number of employees.

The Conservation Officer objected to the proposal stating that Crawshaw Hall fell within a very select group of grade II listed buildings and was in view that the proposals would cause substantial harm to or loss of a designated heritage asset and a clear and convincing justification for the proposal had not been made. Concerns were also raised about the apparent adhoc developments that had taken place over time.

It was stated that the National Planning Policy Framework (NPPF) and policy 4 of the core strategy supported the application.

English Heritage agreed that the proposal would have a visual impact on the setting of the house however, the public benefits and the continued use of the hall should be considered. English Heritage and the Council's Conservation Officer, both agreed that there had not been a long term strategic direction for growth and implied the need for a Conservation Management Plan as an essential tool for the future care of the Hall.

The Planning Officer stated that a Section 106 obligation would be required to secure a Conservation Management Plan. Officers recommendation was for approval, subject to conditions within the report along with the rewording of condition 2 which was outlined in the update report.

Mr Kinder spoke in favour of the application.

In determining the application, the committee discussed the following:

- If current design would accommodate the 3rd floor
- Whether the Care Quality Commissioner had inspected the building
- Whether the applicant's agent could provide the detail requested by the planning authority
- Visual damage created by original extension
- Importance of management plan to be in place
- Importance of building to residents living there
- Mis-match building

The Planning Manager 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, along with the rewording of condition 2 stated in the update report, and completion of a S.106 Obligation to secure a Conservation Management Plan.

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

FOR	AGAINST	ABSTENTION
6	0	1

Resolved:

That the application be approved, subject to the conditions outlined in the report along with the rewording of condition 2 outlined in the update report, and completion of a S.106 Obligation to secure a Conservation Management Plan.

**6. Application Number 2013/0277
Demolition of 2-storey building of 14 bed sits & erection of 3 storey building of 12 flats,
with 12 space car park accessed from bus turning circle.
At: Mytholme House, Burnley Road East, Waterfoot.**

The Principal Planning Officer introduced the application, outlined details of the site and the reasons for it being brought before the Development Control Committee. Permission was sought to erect upon the site 12 flats, all of which were to be provided as Affordable Housing.

It was intended to erect a 3-storey building, the main portion of which was to have an east-west axis but from which there would be a 3-storey projection on the south side. The proposed building would be constructed of artificial stone with artificial roof slates, its height to eaves to be 8m and its ridge height 11m. The ground floor had a covered arcade, said to reflect the arcade opposite.

Whilst pedestrian accesses to Burnley Road East and the public car park to the east side would remain, the vehicular access to the residents car park would be taken from the bus turning circle.

There would be 12 parking spaces, including 1 disability space. There was no space shown for mobility scooters or cycle storage.

The Agent had offered a contribution of £16,392 to towards Open Space/Play Provision (ie £1,366 per unit).

RBC (Conservation) had no objection to the proposal along with RBC (Environmental Health). LCC (Highways) also had no objection and stated it would be beneficial to provide a footpath linking Burnley Road East and the car park to the east of the site adjacent to the bus turning circle. It was also noted the requirement for cycle storage/ invalid vehicles. The applicant had responded to these points.

LCC (Ecology) raised concerns regarding any potential bat roosts to be addressed prior to the application being determined. It was noted within the update report that an additional survey had been undertaken and no bat roosts had been located in the building or surrounding wooded area.

LCC (Constabulary) had also been consulted and had no objection to the proposal however made recommendations which were outlined in the report.

With regard to notification responses, two objections had been received along with an additional objection following publication of the report. Rossendale Civic Trust made representation on the proposal details were outlined in the report along with additional comments within the update report.

In relation to neighbour amenity, the scheme would not detract any enjoyment for residential properties due to screening from trees.

Officers recommendation was for approval, subject to a legal agreement to secure payment of contributions along with the conditions outlined in the report.

Mr Smith spoke against the application and Mr Savage spoke in favour of the application. Councillor Pilling also spoke on the application.

In determining the application the committee discussed the following:

- Clarification of 'lethal land' referred to by Mr Smith
- No room to store mobility chairs
- Flats designed to be wide enough for wheelchair use
- 2000 signature petition related to previous application
- Positive for Waterfoot and local shops
- Not enough of this type of facility within Rossendale
- Concern regarding river and security of fence bordering it
- Convenient for bus route
- Safety barrier proposed for footpath

The Principal Planning Officer clarified issues raised by the committee.

A proposal was moved and seconded to approve the application subject to a legal agreement to secure payment of contributions and the conditions set out within the report.

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

FOR	AGAINST	ABSTENTION
6	0	1

Resolved:

That the application be approved, subject to a legal agreement to secure payment of contributions and the conditions set out within the report.

7. Application Number 2013/0267

Variation of conditions of Planning Permission 2011/0030 for Crook Hill Wind Farm, entailing movement to site of long loads up Market Street (A671) from the south and deletion from the scheme of the cut back of the cliff face at the Market Street/Landgate junction.

At: Crook Hill, Calderdale/Rochdale.

The Principal Planning Officer introduced the application, outlined details of the site and the current application. After further work by their Transport Consultant, Coronation Power now wished the longest-loads to be brought to the site up the A671 from the south (through Rochdale from the M60/M62), which will avoid the need for the cliff-face at the Market Street/Landgate junction having to be cutback.

Between Landgate and the existing cliff-face was a wide grass verge, behind a low retaining-wall, with half a dozen trees (some dead/in poor condition). To allow the lorries carrying the longest loads to turn in to Landgate would still require part of this area to be hard-surfaced, resulting in loss of some trees - upon completion of construction works it may be possible for this area to again be top-soiled and seeded with grass.

With regard to consultation responses, Whitworth Town Council continued to object to the wind farm being accessed from Landgate, however it indicated it would be preferable for long loads to access the site from the South, which avoided the cliff being cut back.

The Principal Planning Officer stated that written confirmation had now been received from LCC (Highways) stating that this proposal was preferable to the previously permitted access arrangement.

In relation to notification responses, three objections had been received from local residents, one of these being the resident from 291 Market Street who sought a structural condition survey for their property before and after construction of the wind farm.

The Principal Planning Officer stated that the proposal did not require further application for planning permission, but did require Condition 31 to be amended. It was recommended that Condition 27 also be amended to ensure a structural condition survey at 291 Market Street before and after construction of the wind farm.

Officers recommendation was to approve the variation of conditions 27 and 31 as set out within the report.

Ms Huxley spoke against the application and Mr Mirchandani spoke in favour of the application. Councillor Aldred also spoke on the application.

Notwithstanding the procedure for public speaking, Councillor Neal requested to speak on the application; however the Chair declined this request due to him not being a ward councillor for this application.

In determining the application the committee discussed the following:

- If the applicant had contacted Ms Huxley directly
- If written assurances had been provided
- Number of abnormal-loads associated with construction of the development
- Whether copies of the structural survey would be sent to the property owner
- Original conditions not provided

In relation to the structural survey point raised, the Principal Planning Officer stated that copies of the surveys were submitted to the local planning authority and were public documents, if any concerns were raised, further surveys could be triggered.

The Principal Planning Officer clarified issues raised by the committee.

A proposal was moved and seconded to approve the variation of conditions 27 and 31 as set out within the report.

Voting took place on the original proposal to approve the application:

FOR	AGAINST	ABSTENTION
5	2	0

Resolved:

That the application be approved to vary conditions 27 and 31 as outlined in the report.

8. Planning Appeals Update Report

The Planning Manager introduced the report which updated Members on planning appeal decisions since the last report presented to the Committee in September 2012.

Since the last report, 11 had been determined and 1 appeal had been withdrawn. Of those

determined, 7 had been dismissed and 4 had been allowed. In terms of those allowed, one was recommended for refusal by Officers, whereas the other three were recommended for approval by Officers, but were overturned by Committee. Of the 7 dismissed, 2 had been to committee.

Upon hearing the report, members discussed the following:

- Not everyone had access to the internet to view appeals
- Average number of appeals received within a year
- Good examples provided for member training
- Number of appeals overturned
- Concern in relation to resources within the planning department with regard to providing further information

The Planning Manager stated that copies of the full appeal decisions can be viewed on the Council's website by entering the application number on the search box of the homepage.

Resolved:

That the report be noted.

The meeting commenced at 6.30pm and concluded at 8.35pm

Signed:

(Chair)