

**MINUTES OF: THE DEVELOPMENT CONTROL COMMITTEE**

**Date of Meeting: 24<sup>th</sup> February, 2015**

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

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

**Also Present:** 17 members of the public  
1 member of press  
Councillors Haworth, Kempson and Lamb

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

No apologies had been submitted.

**2. MINUTES**

**Resolved:**

That the minutes of the meeting held on 29<sup>th</sup> January, 2015 be signed by the Chair and agreed as a correct record.

**3. DECLARATIONS OF INTEREST**

Councillor Procter declared a personal interest on agenda item B4 and stated she would leave the room whilst the item was determined.

**4. URGENT ITEMS**

There were no urgent items.

**PLANNING APPLICATIONS**

**5. Application Number 2014/0494**

**Erection of 8 3-bedroomed dwellings & 4 2-bedroomed dwellings, formation of associated estate road and landscaping.**

**At: Land adj 368 Rochdale Road, Britannia.**

The Planning Officer introduced the application, outlined details of the site, site history and the reason for it being brought to the Development Control Committee, being that it was a major application and had received 3 or more objections.

The applicant sought planning permission for a scheme that proposed erection of 12 houses.

The scheme proposed the re-configuration/up-grade of the first 25m of the private road giving access to Meadow View, in order that it may serve an access way to the proposed 12 houses.

There were to be three short terraces, each terrace to contain 4 houses of 2 storeys in height. The terrace to front Rochdale Road would comprise of houses with 3 bedrooms and would have grey concrete tiled roofs and external walls of locally-sourced stone at ground-level and buff-coloured render at first-floor level. The two terraced blocks to the rear are to comprise of 2 and 3-bedroomed houses with grey concrete tiled roofs and external walls of red multi brick at ground-level and buff-coloured render at first-floor level.

In relation to comments received, 6 local residents had objected to the proposal, the Planning Officer brought attention to the update report which included further comments received from Meadow View.

An amended layout had been received, following a request from LCC(Highways) outlining that each house would possess 2 parking spaces.

With regard to assessment, the application was located within the urban boundary, it was noted that there was a small part to the rear of the application that was situated in the countryside however this had not previously precluded permission for residential development. In relation to visual amenity, previous permission had granted 13 properties in 3 short terraces, the layout had only been slightly amended and officer's considered the new proposal acceptable.

It was noted that the facing materials for the proposal would be preferred in natural stone and slate, the applicant was proposing the front block to include this material and the rear 2 blocks to have external walls of red brick and a buff coloured rendering. The Planning Officer informed the committee that the applicant had brought samples of the facing materials to the meeting for the committee to view. Officer's preferred option would be to have the same material throughout the development rather than the two options proposed.

The Planning Officer noted concern as currently the proposed layout plan indicated that 4 houses would only have access via steps. Conditions were recommended to ensure that full details of levels and hard & soft landscaping/boundary treatments were submitted and the agreed scheme implemented if the application was approved.

LCC(Highways) had no objection to the proposal subject to a Section 106 obligation for a traffic regulation order on Rochdale Road.

It was noted that the applicant would provide a financial contribution of £100 per dwelling for refuse bins.

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

Ms Stepien spoke against the application and Mr Tyrer spoke in favour of the application.

The applicant displayed materials to be used on the proposal to the committee to view.

In determining the application, the committee discussed the following:

- Trees being replanted at a sufficient height on boundary
- Option of stone for the whole of the development
- Size of the stone and if the size to be used on the development would match the examples provided at the meeting
- Concern in relation to disability access to the properties that only had steps to them
- Reason for the rear 2 blocks being moved forward
- Guarantee that applicant would work with residents
- Street lighting
- Un-adopted section of road on development

The committee preferred the option of the whole development being constructed with stone at ground-level and with roofs of artificial slates. It was agreed that the wording of condition 4 would be amended to state the following:

*Notwithstanding what is shown on the approved drawings, all three of the terraces of houses hereby permitted shall be constructed with external walls at ground-level of locally-sourced stone of the size/colour/surface-finish displayed at the Council's Development Control Committee & buff-coloured render at first-floor level and with roofs of grey/black artificial slate, unless a variation is otherwise first agreed in writing by the Local Planning Authority.*

Reason : *In the interests of visual amenity, in accordance with Policies 1 and 24 of the Council's adopted Core Strategy.*

The Planning Manager and Planning Officer responded to the matters of clarification raised by the committee.

A proposal was moved and seconded to approve the application subject to the conditions outlined within the report along with the amended wording of Condition 4 as stated above.

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

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
6	0	1

**Resolved:**

That the application be approved subject to the conditions outlined within the report along with the amended wording of Condition 4 as follows.

*Notwithstanding what is shown on the approved drawings, all three of the terraces of houses hereby permitted shall be constructed with external walls at ground-level of locally-sourced stone of the size/colour/surface-finish displayed at the Council's Development Control Committee & buff-coloured render at first-floor level and with roofs of grey/black artificial slate, unless a variation is otherwise first agreed in writing by the Local Planning Authority.*

Reason : *In the interests of visual amenity, in accordance with Policies 1 and 24 of the Council's adopted Core Strategy.*

**6. Application Number 2014/0416**

**Erection of bungalow to replace mobile home used as a permanent residence.**

**At: Cowpe Bottom Farm, Cowpe Road, Cowpe.**

The Planning Officer introduced the application, outlined details of the site, the relevant planning history and the reasons for it being brought before the Development Control Committee, being that the applicant was a councillor.

Permission was sought to remove the mobile home and erect in its place a 2-bedroomed bungalow of stone/slate construction.

The proposed bungalow would have the same footprint as the mobile home it was to replace and an eaves height of 2.1m (0.1m lower than that of the mobile home) and a ridge height of 4.1m (0.6m higher).

It was noted that there were no objections to the proposal and that the mobile home could be replaced without the need for an application for planning permission to first be submitted and approved due to a Lawful Development Certificate already having been issued. The Planning Officer considered that it would be appropriate to permit the erection of the proposed bungalow.

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

Mr Hartley spoke in favour of the application.

In determining the application, the committee discussed the following:

- Removal of Condition 6

A proposal was moved and seconded to approve the officer's recommendation, subject to the conditions outlined within the report with the deletion of Condition 6.

Voting took place on the proposal, 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 outlined within the report with the deletion of Condition 6.

**7. Application Number 2014/0508**

**Construction of one pole barn to contain aquaponics business, to include solar panels on the roof.**

**At: Former Alden Cotton Mill, Alden Road, Helmshore.**

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, being that three or more objections had been received.

The Planning Manager noted that planning permission was refused in July last year for a significantly larger/different aquaponics business on this site, reasons for this refusal were outlined within the report.

Following the refusal notice and further discussions with officers, the applicant now sought planning permission for the construction of a single pole barn to contain an aquaponics business. It was noted that the application was accompanied by supporting documents which included a design and access statement, arboricultural implications assessment, ecological scoping survey and a pond diversity survey of waterbodies.

With regard to consultation and notification, the report highlights in detail responses provided for the application.

In relation to assessment, LCC(Highways) were satisfied with the amended business model in respect of vehicular movements and LCC Ecology were satisfied with the proposals subject to the imposition of conditions. In relation to neighbour amenity, it was noted that there would be no windows in the proposed building and the development was over 100m away from the nearest house. With regard to concern about noise from construction and deliveries, the Planning Manager clarified that this would be dealt with by condition.

It was noted that the proposed materials for the building were acceptable, although a condition was recommended which required samples to be provided.

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

Mr Downing spoke against the application.

In determining the application, the committee discussed the following:

- Clarification of size of building compared to the previous application refused
- Enforcement issue and if this had been resolved
- Concern regarding the road leading up to the site being unadopted and potential damage and the associated impact on residents
- Concern over the number of anglers visiting the business if successful
- Lack of information re siting and the impacts of growing the vegetables on site
- Lack of representation from applicant
- Solar panels and concern in relation to potential removal of trees
- If sufficient ecology reports had been undertaken
- Toilet facilities for potential workers not indicated
- Concern for wildlife
- Number of conditions required

A proposal was moved and seconded to refuse the application, contrary to the officer's recommendation, due to it resulting in inappropriate development of a Greenfield site in the countryside, impact on ecology and a conflict with the solar panels position and topography/tree cover, impact of increased traffic movements and insufficient information to fully understand the proposal and associated potential impacts on ecology, the un-adopted highway and neighbour amenity.

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

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

**Resolved:**

That the application be refused, due to inappropriate development of a Greenfield site in the countryside, impact on ecology and a conflict with the solar panels position and topography/tree cover, impact of increased traffic movements and insufficient information to fully understand the proposal and associated potential impacts on ecology, the un-adopted highway and neighbour amenity.

**NB. Councillor Procter left the room in order for the following application to be determined.**

**8. Application Number 2014/0496  
Demolition of existing dwelling & erection of new dwelling.  
At: 4 Hornclyffe View, Haslingden.**

The Planning Officer introduced the application, outlined details of the site and the reasons for it being brought before the Development Control Committee, being that three or more objections had been received.

Permission was sought to demolish the existing bungalow and erect on the site a dwelling which would have living accommodation on 2 floors.

With regard to neighbour amenity, it was noted that the first submitted application sought permission for a dwelling of greater height than the existing bungalow, however to address concerns raised by neighbours, amended drawings had been submitted in order to reduce the height /scale.

LCC(Highways) had no objection to the proposal in relation to access and parking.

Officer's recommendation was for approval subject to the conditions outlined within the report.

Mr Baros spoke in favour of the application.

In determining the application, the committee discussed the following:

- Boundary and if this was going to be fenced
- Concern of rubble on roads and if this could be cleaned

A proposal was moved and seconded to approve the officer’s recommendation, subject to the conditions outlined within 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 within the report.

**NB. Councillor Procter returned to the committee for the remaining item.**

**9. Constitution Review**

The Planning Manager outlined the purpose of the report which was to consider changes to the Constitution as detailed in appendix A with regards to voting procedures at Development Control Committee. The changes suggested would strengthen the decision making process and reduce risk of legal challenge.

The Planning Manager outlined a minor typo error within appendix A which would be rectified.

The committee discussed the following in relation to the update:

- If the change would negate the need for amendments

**Resolved:**

That Development Control Committee recommend Council to amend the Constitution by agreeing to:

- Amend the voting procedure for Development Control (with effect from May 2015 onwards).
- Include the voting procedure in the information available to members of the public attending Development Control Committee, which is available in the Council’s Constitution (Article 3 Citizens and the Council).

**The meeting commenced at 6.30pm and concluded at 8.30pm**

**Signed:**

**(Chair)**