

MINUTES OF: THE DEVELOPMENT CONTROL COMMITTEE

Date of Meeting: 24th March, 2015

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

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

Also Present: 22 members of the public
0 member of press
Councillors De Souza, Evans, Haworth, Kempson, Lamb and Neal.

1. APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES

No apologies had been submitted.

2. MINUTES

It was noted at minute point 7, the vote stated 7 members voted in favour of the application. This figure should have been 6 as Councillor Procter had left the room as she had declared an interest on that item.

Resolved:

That the minutes of the meeting held on 24th February, 2015 be signed by the Chair and agreed as a correct record following the amendment above.

3. DECLARATIONS OF INTEREST

There were no declarations of interest.

4. URGENT ITEMS

There were no urgent items.

PLANNING APPLICATIONS

5. Application Number 2014/0522

Erection of a 28-bed specialist care home (Use Class C2) providing residential, nursing and dementia care, with associated parking and landscaping.

At: Land adj to 23 Market Street, Shawforth, Rochdale, OL12 0ND.

The Planning Manager introduced the application, outlined details of the site 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 the redevelopment of the site to a specialist care home (Use Class C2) with a new vehicular access, car parking and landscaping. The scheme comprised of a two storey building with 28 bedrooms and would provide nursing, residential and dementia care for older people. The care home would be registered for nursing care with dementia; however it would not exclude residents who did not have dementia.

The applicant provided information that the proposal would create jobs, specifically 20 new posts and 15 staff, employed by Sunnyside would be eligible to transfer over to the new facility.

It was noted that there would be 14 car parking spaces and 2 of these would be designated for disabled bays. It would have level access to the building as well as a drop-off bay for ambulances and minibuses. Along with the application, supporting documents which accompanied it were listed within the report.

The Planning Manager referenced the consultation responses received and these were outlined within the report. In relation to notification responses, four letters of objection had been received at the time of the report being written, reference was made to the update report which included an additional two updates, these included 1 further objection and comments from Whitworth Town Council along with officer responses to these.

The committee was informed that the site was located within the urban boundary of Whitworth and it formed part of a wider employment land allocation. For the reasons set out in the report, whilst the proposal was not the traditional type of employment use, the proposal was considered acceptable 'in principle' in this respect. The scheme was considered high quality from the design and access statement supplied and was in accordance with Policies 23 and 24 of the Adopted Core Strategy and the NPPF.

LCC(Highways) required three amendments to the scheme regarding access and parking in order to avoid objection, these were detailed with the report. It was noted amended plans had been submitted to address these issues. The number of car parking spaces were acceptable and above the parking standards requirements. The applicant had challenged the requirement for the TRO contribution requested by LCC(Highways), RBC Officers were in the view that the upgrade was still required and this was therefore conditioned within the report.

Officers' recommendation was for approval, subject to the conditions and Section 106 outlined within the report.

Ms Brown spoke in favour of the application and Councillor Neal spoke on the application.

In determining the application, the committee discussed the following:

- Locations of other sites that had been looked at for the proposal
- Car parking and concerns in relation to sufficient number of spaces for staff and visitors
- Walkway and if this would be located close to the building
- Concern in relation to double yellow lines and length these would be
- Good scheme to replace old building

- Parking on double yellow lines would be a matter for LCC not the Police

The Planning Manager 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.

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 within the report

6. Application Number 2014/0551

Erection of agricultural building for the housing of cattle, lambing and storage, and associated access adjacent to Park Road.

At: Land To The West Of Park Road, Helmshore, Rossendale, Lancashire.

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 there were three or more objections.

Permission was sought for the erection of a purpose designed farm building constructed to agricultural farm buildings standard to house the growing cattle and to provide an indoor lambing facility along with storage for implements, machinery and fodder.

The building would be open fronted and would be constructed in concrete prefabricated panels with weather boarding to the upper walls, under a box profiled sheet roof including ventilation and roof lights. The building would be accessed from the junction with Park Road and the access track to Kilnfield Farm. An area of hardstanding would be created providing access to the building and surrounding it to its front and sides.

It was noted that the applicant had also provided additional information in support of the application which was included within the report and in the appendix.

With regard to consultation responses, these were outlined within the report, the Planning Manager drew particular attention to the comments made by the LCC(County Land Agent).

Five letters of objection had been received, the planning related aspects of these had been set out within the report and the non- planning aspects had been briefly bulleted.

The Planning Officer stated that the distance from the proposed site to Kilnfield Farm was sufficient not to impact on the farm and that the proposal was appropriately designed and affiliated with the countryside.

RBC(Environmental Health) had no objection to the proposal.

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

Mr Taylor spoke in favour of the application.

In determining the application, the committee discussed the following:

- Would there be hardstanding for vehicles outside of the building
- If applicant thought the proposal would create obstruction to the movement of traffic
- Animal waste and where this would be stored/located
- Best location from options looked at for alternative siting
- Building associated with farming and countryside, which was its location
- Business case for proposal
- Concern of slight doubt from LCC in relation to location of proposal
- Going to be visible no matter where it was located

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

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
5	1	1

Resolved:

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

7. Application Number 2015/0007

**Change of use from A1 shop to A3 restaurant, & erection of flue on rear roof-plane
At: 715-717 Market Street, Shawforth, Whitworth.**

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.

Permission was now sought to change the use of the premises to a restaurant, a plan accompanied the application that showed the ground-floor of the end-terraced element was to provide tables & seating the public would have access to and the kitchen occupying the ground-floor of the side extension; the drawing also showed the scheme of sound insulation to be applied to the party-wall with the attached house.

The public would use the existing front door to enter the restaurant and the first-floor would provide toilets and staff/storage facilities for the restaurant, and retain a small flat.

With regard to consultation and notification responses, these were outlined within the report.

The Planning Manager informed the committee that the application was located within the urban boundary, in a sustainable location and was part of a commercial area. It was noted that the only external alteration to the building would be the proposed installation of the flue on the rear roof plane. A condition was also included to ensure waste receptacles which would ensure they would not be stored between Market Street and the part 1 storey/part 2 storey flat roofed extension projecting from the southern gable.

In relation to neighbour amenity, a previous application had previously been recommended refusal by RBC(Environmental Health) for a hot food takeaway due to concerns of odour, noise and nuisance and that application was subsequently refused under officer delegated powers. Subsequently, RBC(Environmental Health) had not recommended refusal on the proposed application for the reasons outlined within the report.

It was noted that LCC(Highways) had no objection in relation to parking as there was sufficient space on the front of Market Street.

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

Mr Crompton spoke in favour of the application and Councillor Neal also spoke on the application.

In determining the application, the committee discussed the following:

- Number of patrons restaurant could hold at full capacity
- Food waste storage and where this would be located
- Toilet facilities and if the only ones available were located upstairs
- Fire escapes
- Car parking and concern of patrons parking on the Fudge Factory's private car park, along with policing this issue
- Ugly building, improvement would enhance the area
- Likely that many of the patrons would be within walking distance
- Possible option for flat above to be used as an office
- Concern with regard to disabled access in relation to toilet facilities

A proposal was moved and seconded to refuse the application, contrary to the officer's recommendation, due to potential car parking issues and concerns of traffic flow/access on Market Street along with concerns that the toilet access was not DDA compliant.

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

FOR	AGAINST	ABSTENTION
2	5	0

Resolved:

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

The meeting commenced at 6.30pm and concluded at 8.05pm

Signed: (Chair)