

MINUTES OF: THE DEVELOPMENT CONTROL COMMITTEE

Date of Meeting: 19th JULY 2016

Present: Councillor Procter (in the Chair)
Councillors Eaton, Fletcher, Kempson, Kenyon, Neal and Robertson

In Attendance: Nicola Hopkins, Planning Manager
Lauren Ashworth, Principal Planning Officer
Clare Birtwistle, Legal Services Manager
Carolyn Sharples, Committee and Member Services Manager

Also Present: 18 members of the public
1 member of press
Councillor Lamb

1. APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES

There were no apologies received.

2. MINUTES

Resolved:

That the minutes of the meeting held on 7th June 2016 be signed by the Chair and agreed as a correct record.

3. DECLARATIONS OF INTEREST

Councillor Kenyon declared an interest in item B3 Minute 7 owing to a quote in the Free Press, she would leave the room whilst this item was considered.

Councillor Kempson declared an interest in item B4 Minute 8 as he was a tenant of United Utilities, he would leave the room whilst this item was considered.

4. URGENT ITEMS

There were no urgent items.

PLANNING APPLICATIONS

The Chair noted that the planning officers would be outlining the main points of the application and any relevant additional information. She noted that the Committee were given copies of all reports and plans in advance of the meeting.

5. Application Number 2015/0438 (Agenda Item B1)

Erection of single storey McDonalds restaurant with associated drive-thru, including car parking, access and landscaping

At: Junction of Haslingden Road, Rawtenstall BB4 6QZ

The Principal Planning Officer introduced the application. The applicant sought planning permission for the erection of a single storey McDonalds restaurant with associated drive-thru, including car parking, access and landscaping. It was within the Urban Boundary and adjacent to Rawtenstall Conservation Area. 33 objections had been received and 2 letters of support. The main objections concerned traffic, litter and negative impact. There had been no objections from statutory consultees. The Principal Planning Officer noted that references to Horn Lane in the Lancashire County Highways response should be replaced by Cow Lane. She also brought members attention to the Update Report and the amendment to Condition 5 concerning cladding material.

Officer's recommendation was to approve the application subject to the conditions detailed in the report, with the amendment to condition 5 as detailed in the Update Report.

Mr Brand spoke in favour of the application. Members asked questions for clarification purposes only.

Mr Blomerley spoke against the application. Members asked questions for clarification purposes only.

In determining the application, the committee discussed the following:

- Litter management scheme and enforcement.
- Would there be a condition which would cover overflowing bins?
- Litter being dropped away from the site.
- The customer is personally responsible for their litter.
- Access off the gyratory.
- Possibility of hold ups at the lights and pedestrian safety of crossing points.
- Requesting large types of bins.
- Minimum of 6 bins rather than 4.

In response to members' questions, the Principal Planning Officer confirmed that the conditions required a waste management regime to be submitted to address bin and litter issues. In relation to access, there would be an amendment to the lane marking and there was already an existing pedestrian crossing point.

A proposal was moved and seconded to approve the application as detailed in the report and update report.

An amendment was moved and seconded to approve the application in accordance with the officer's recommendation subject to the conditions outlined within the report and update report with an addition to the condition concerning the number and type of bins, which would be delegated to the Planning Manager in consultation with the Chair of the Development Control Committee.

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

FOR	AGAINST	ABSTENTION
7	0	0

The amendment became the substantive motion and voting took place on the new 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 and update report with an addition to the condition concerning the number and type of bins, which would be delegated to the Planning Manager in consultation with the Chair of the Development Control Committee.

6. Application Number 2016/0002 (Agenda Item B2)

**Erection of extension to existing restaurant and bar to form a 10 No. bedroom overnight accommodation, including car parking, alterations to access road and landscaping.
At: Fisherman's Retreat, Riding Head Lane, Bury, BL0 0HH**

The Planning Manager introduced the application. The applicant sought planning permission for the erection of an extension to the existing restaurant and bar to provide 10 bedroom overnight accommodation, including car parking, alterations to access road and landscaping. The application had been called in by Councillor Cheetham. 4 letters of objection and 3 letters of support had been received. The main objections included inappropriate Green Belt development, no evidence of demand, neighbourhood amenity impact and increased traffic. The Planning Manager brought members attention to the additional supporting comment from Peel Energy and the applicants Planning Statement outlining their 'very special circumstances,' which included creation of employment opportunities.

Officer's recommendation was to refuse the application for the reasons detailed in the report.

Mr Magnall spoke in favour of the application. Members asked questions for clarification purposes only.

Councillor Cheetham spoke on the application.

In determining the application, the committee discussed the following:

- Extra building in the Green Belt.
- Signage from Owd Betts.
- No pavement in places and traffic was problematic.
- Need for hotels in the area.
- Exceptional circumstances.
- Increasing employment and promoting tourism.
- Cutting down on traffic movements.

- Lack of overnight accommodation in Rossendale.
- The business had been built up over 24 years.
- Reduced by 50% from 19 rooms.
- More than one access road with suitable passing places.
- It is known outside the valley and is used by businesses.
- The positives outweigh the impact.
- There was already a building there and it was within that footprint.
- It would encourage people to come to Rossendale.
- Look at an earlier timeframe for starting building work.
- Reduced traffic movement at night if people can stay over.
- Put something in the conditions to improve signage on the highways and footpaths.
- Put something in the conditions to reduce the timeframe.
- Have a timeframe of 18 months rather than 3 years.
- Make sure it comes to fruition at the earliest opportunity.

A proposal was moved and seconded to approve the application contrary to the officer recommendation, with conditions delegated to the Planning Manager in Consultation with the Chair of the Development Control Committee, conditions would include an 18 month timeframe and highways conditions particularly relating to signage and footpaths. Reasons for approval were that members felt the application met the special circumstances as it would create employment, tourism and was within the original building footprint.

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 with conditions delegated to the Planning Manager in Consultation with the Chair of the Development Control Committee, conditions would include an 18 month timeframe and highways conditions particularly relating to signage and footpaths.

N.B. Councillor Kenyon left the meeting whilst the following item was considered.

7. Application Number 2016/0040 (Agenda Item B3)
Change of use from A1 Retail to A5 Hot Food Takeaway.
At: 67 Deardengate, Haslingden, BB4 5SN

The Planning Manager introduced the application. The applicant sought planning permission for change of use from A1 Retail to A5 Hot Food Takeaway at 67 Deardengate, Haslingden. It would bring back into use an empty property. Three letters of objection and two petitions had been received. The main objections were oversaturation with takeaways in Haslingden, competition, and it would undermine the retail offer and visitor attraction. The takeaway would close 3.00pm-5.00pm when school children were on their way home to address some of the concerns raised on health grounds.

Officer's recommendation was to approve the application subject to the conditions detailed in the report.

In determining the application, the committee discussed the following:

- Deliveries and parking on the pavement outside.
- There were other enforcement mechanisms if there were parking/ safety issues.
- Closed between 3.00pm and 5.00pm.
- Would bins be located outside?
- Add a condition for a bin outside.
- Add a litter management regime, especially for large packaging within a certain distance.
- There were a lot of takeaways in Haslingden, this would be another one in the town centre.
- There were empty properties in the area.
- Can the permission be limited to that company otherwise come back for permission again?
- It was looking at a specific niche in the market e.g. pizza.
- Difficult to prove that this would be better than a different takeaway.
- View each application on its own merits.
- The application is for change of use to Hot Food Takeaway.

In response to questions from members the Planning Manager confirmed that conditions would address bin and litter issues. The Hot Food Takeaway Policy would need to be adopted as part of the Local Plan before it could be used for these types of applications. The premises would provide some seating inside as well as the takeaway service. There had been no highway concerns as there was parking available in the area. In relation to the planning permission, a personal condition could be added limiting the permission to that company only, but members would need valid reasons for limiting permission to this company only, should a subsequent permission from a different company came forward at a later date.

A proposal was moved and seconded to approve the application in accordance with 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
4	2	0

Resolved:

That the application be approved subject to the conditions detailed within the report.

N.B. Councillor Kenyon returned for the remainder of the meeting and Councillor Kempson left the meeting whilst the following item was considered.

8. Application Number 2015/0244 (Agenda Item B4)

Erection of 1 No. Wind Turbine with a maximum height of 68 metres to tip, and associated infrastructure, including turbine foundations, crane hardstanding area, access tracks (new and upgraded), electrical control buildings and underground cabling.

At: Land to the North of Mitchell's House Reservoirs, East of the A56, off Kings Highway, Haslingden

The Principal Planning Officer introduced the application. The applicant sought planning permission for a wind turbine and associated infrastructure to the North of Mitchell's House Reservoirs. The land was in United Utilities ownership and the turbine would power the water treatment works and supply the grid. One objection had been received which was detailed in the report. The Principal Planning Officer brought members attention to Lancashire County Council's Public Rights of Way response detailed in the Update Report, in addition to further information from the agent.

Officer's recommendation was to refuse the application for the reason detailed in the report and Update Report.

Mr Hendley spoke in favour of the application. Members asked questions for clarification purposes only.

In determining the application, the committee discussed the following:

- It was generating electricity and supporting renewable energy.
- The bridleway issues had been resolved.
- The turbine had been reduced by 10m.
- They had looked at different locations.
- Note what happened with a similar application in West Sussex- refused by the Local Authority and allowed by the Secretary of State.
- The track should not be obvious with no visual impact, such as grassed matting.

A proposal was moved and seconded to approve the application contrary to the officer recommendation and delegate all conditions to the Planning Manager in consultation with the Chair of the Development Control Committee, conditions were to ensure no visual impact concerning the track. Reasons for approval were that members felt that all but one of the previous objections had been addressed, there was no alternative suitable location, the turbine had been reduced in size, and it was a source of renewable energy.

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

FOR	AGAINST	ABSTENTION
6	0	0

Resolved:

That the application be approved with all conditions delegated to the Planning Manager in consultation with the Chair of the Development Control Committee and conditions would ensure there was no visual impact concerning the track.

The meeting commenced at 6.30pm and concluded at 8.05pm

Signed: (Chair)