

**MINUTES OF: THE DEVELOPMENT CONTROL COMMITTEE**

**Date of Meeting:** 10<sup>th</sup> December 2019

**Present:** Councillor Procter (Chair)  
Councillors Johnson, Kempson, Roberts, Haslam-Jones, Fletcher, Marriott,  
Eaton, and Adshead.

**In Attendance:** Lauren Ashworth, Principal Planning Officer  
James Dalglish, Senior Planning Officer  
Joanna Wood, Committee and Member Services Officer  
Clare Birtwistle, Legal Services Manager and Monitoring Officer

**Also Present:** Councillors Walmsley, Cllr Oakes, Cath Burns, Press and 21 members of the public.

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

None.

**2. MINUTES**

**Resolved:**

That the minutes of the meeting held on the 5<sup>th</sup> November 2019 be signed by the Chair and agreed as a correct record.

**3. DECLARATIONS OF INTEREST**

Cllr Marriott declared an interest in Item B3. 2018/0574 Hurst Platt and confirmed he would be speaking on the matter.

Cllr Kempson declared an interest in Item B4. 2019/0398 1 Fern Street and confirmed he would exit the meeting at the time of the Item.

**4. URGENT ITEMS OF BUSINESS**

There were no urgent items of business.

**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, which they had adequate time to read.

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**5. Application Number (Agenda Item B1) 2019/0214 – Land Off Fieldfare Way, Bacup: Full:**  
Erection of 71 no. dwellings (comprising 39no. 3 beds and 32no. 4 beds) with associated works including car parking, landscaping, open space and pumping station.

The Principal Planning Officer outlined the application as detailed in the report and confirmed that one of the plans on the website was omitted, and that an amendment to Condition 7 was recommended to include details of the proposed pedestrian access to the woodland. Confirmation was received that all members had seen a copy of the said omitted plan prior to the meeting.

A petition with signatures from residents had been received and all members had seen a copy of this petition prior to the meeting.

Full planning permission was sought for the erection of 71 detached dwellings (39 x 3 beds and 32 x 4 beds) with associated works including access from Fieldfare Way.

As this was for a full planning application, all matters were for approval and as such the application was accompanied by detailed drawings to show the design of each dwelling and the layout of the scheme as a whole.

A planning condition was recommended to secure the affordable housing, and a S106 Agreement to secure the contribution to public open space.

Mr R Wells spoke against the application.

Mr P Robinson spoke in favour of the application.

Cllr Walmsley spoke on the application.

In determining the application members discussed the following:

- Badger Survey
- Ecology report
- Open spaces
- Percentage of affordable housing and viability
- Biodiversity
- Car parking spaces
- Flooding
- Playground
- A discussion of the areas where members disagreed with parts of the case officer's balancing exercise

Clarification was given on the above points raised.

A proposal was moved and seconded to refuse the application contrary to the officer's recommendation for the following reasons:

- Lack of affordable housing
- Harm to the character of the area by virtue of the urbanisation of the site
- Harm from the loss of open space
- Harm from the loss of land designated as Greenlands
- Harmful impact from biodiversity loss

Members found that the harm identified above was not outweighed by the benefits of the proposed development.

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

FOR	AGAINST	ABSTENTION
9	0	0

**Resolved:**

The application was refused contrary to the officer's recommendation and authority delegated to Officers and the Chair of Planning to draft the reason(s) for refusal.

**6. Application Number (Agenda Item B2) 2019/0358 – Dark Lane, Newchurch:** Erection of 95 dwellings (Reserved matters submission pursuant to outline approval no. 2016/0563 seeking approval for access, appearance, layout, scale and landscaping)

The Principal Planning Officer outlined the application as detailed in the report.

Following the approval of outline planning permission (ref: 2016/0563) for the development of up to 100 no. dwellings on the site, the applicant now seeks approval of the reserved matters of access, appearance, layout, scale and landscaping. The final scheme includes 95 no. affordable dwellings for Together Housing Association, compared to the (up to) 100 units approved at outline stage.

The Officer's recommendation was that the Reserved Matters be granted subject to the Conditions set out in the report.

A proposal was moved and seconded to approve the reserved matters subject to conditions set out in the report.

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

FOR	AGAINST	ABSTENTION
8	0	1

**Resolved:**

That the reserved matters were approved subject to the conditions set out in the report.

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Councillor Marriott left the members' panel area and entered into the public area of the meeting.

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**7. Application Number 2018/0574 (Agenda Item B3) – Land At Hurst Platt, Waingate Road, Rawtenstall:** Erection of 8 dwellings including new access road, landscaping and land stabilisation and drainage works (part retrospective), pursuant to variation of conditions 1 (approved drawings relating to drainage outflow), 8 (off-site highway works) and 9 (on-site highway works).

The Senior Planning Officer outlined the application as detailed in the report.

Following an objection from United Utilities the applicant had amended the scheme into its current form – which proposed new dedicated surface and land drainage pipework being constructed beneath Green Street, then leading down Holmes Street and discharging into the culverted watercourse (Balladen Brook) at the point where it passes beneath Holmes Street.

The applicant also sought to vary the wording of condition 8 (off-site highway works) and condition 9 (on-site highway works) to take account of the fact that such details have already been approved, and so that the condition merely requires their implementation as part of the development.

In all other respects, the scheme for which the application now seeks planning permission is the same as that approved under 2016/0630 and which has been partially implemented on the site.

The Officer's recommendation was for approval subject to conditions in the report.

Mr R Stansfield spoke against the application.

Mr R Kiely spoke in favour of the application.

Cllr Marriott spoke on the application.

In determining the application members discussed the following:

- Land Ownership
- Plans of drainage

Clarification was given on the above points raised and Officers reminded members that decisions must be made having regard to the development plan and any material planning considerations. In this case no objections had been received from any statutory consultee and this was a material consideration weighing heavily in favour of the development. Officers confirmed that land ownership was not a material planning consideration.

A proposal was moved and seconded to approve the application in line with the officer's recommendation and subject to conditions set out in the report.

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

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
4	3	1

**Resolved:**

The application was approved in line with the officer's recommendation, subject to the conditions in the report.

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Cllr Marriott returned to the members' area.

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Cllr Kempson left the meeting.

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**8. Application Number (Agenda Item B4) 2019/0395 – 1 Fern Street, Waterfoot, Rossendale, Lancashire, BB4 9BL: Erection of two-storey side extension.**

The Senior Planning Officer outlined the application as detailed in the report.

The applicant sought permission for the erection of a two storey side extension.

Changes had been made to this application, however, the same were not considered sufficient to overcome the previous reasons for refusal in terms of visual amenity. The extension would continue to form a significant addition to the property which was exacerbated by the property's location on a prominent corner plot and at a raised level.

The Officer's recommendation was for refusal for the reasons set out in the report.

A proposal was moved and seconded to refuse the application in line with the officer's recommendation and section 9 of the report.

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

FOR	AGAINST	ABSTENTION
8	0	0

**Resolved:**

The application was refused in line with the officer's recommendation and section 9 of the report.

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Cllr Kempson returned to the meeting.

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**9. Application Number (Agenda Item B5) 2019/0442 – Mobile phone Mast above Kirkdale Avenue, Newchurch: Removal of existing 15m monopole and relocation of 3 no 300mm dishes to a newly installed 20m monopole. Additional work includes adding 6no antenna apertures & 1no 600mm dish to the new monopole and ancillary development thereto.**

The Principal Planning Officer outlined the application as detailed in the report.

The application related to the removal of the existing 15m high monopole and to replace this with one of 20m in height.

The Officer's recommendation was for approval.

In determining the application members discussed the following:

- Work on the site only to be commenced out of school term.
- Before and after photos of the condition of the road.
- Future visual impact and ways of disguising the pole.

Clarification was given on the above points raised.

A proposal was moved and seconded to approve the application in line with the officer's recommendation subject to an amendment to Condition 3 to limit construction to outside of school term time and to add a condition requiring a photographic survey of the condition of the road pre and post development and for any damage to be rectified by the developer.

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

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
8	0	1

**Resolved:**

The application was approved in line with the officer's recommendation, subject to:

- 1) an amendment to Condition 3 to limit construction to outside of school term time; and
- 2) an additional condition requiring a photographic survey of the condition of the road pre and post development and for any damage to be rectified by the developer.

**The meeting commenced at 6.30pm and concluded at 8.24pm**

**Signed:**

**(Chair)**