

MINUTES OF: THE DEVELOPMENT CONTROL COMMITTEE

Date of Meeting: 2nd September 2025

Present: Councillor Procter (Chair)
Councillor Eaton (Vice Chair)
Councillor Ashworth
Councillor Norton
Councillor Kenyon
Councillor Hodgkiss
Councillor Bauld (sub)

In Attendance: Michael Atherton, Head of Planning and Building Control
James Dalgleish, Principal Planner
Storm Grimshaw, Senior Planning Officer
Chris Dobson, Planning Officer
Yasmin Ahmed, Principal Legal Officer

Also Present: Councillors Cheetham and Councillor Ritson
26 members of the public

1. APOLOGIES FOR ABSENCE

Apologies were received by Councillor Adshead (Councillor Bauld subbing).

2. MINUTES

Resolved:

That the minutes of the meeting held on the 15th July 2025 be signed by the Chair and agreed as a correct record.

3. DECLARATIONS OF INTEREST

There were no declarations of interest.

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 applications and any relevant additional information. The Committee were given copies of all reports and plans in advance of the meeting, which they had adequate time to read.

5. 2025/0103 – Land at Fallbarn Road, Rawtenstall, Rossendale, Lancashire (ITEM B1)

The Planning Officer introduced the application as detailed in the report.

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

Moved: Councillor Eaton

Seconded: Councillor Kenyon

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

FOR	AGAINST	ABSTENTION
6	1	0

Resolved:

That the application be approved subject to the conditions specified below:

1. The development hereby permitted shall be begun before the 26th February 2028 (three years from the date of the original planning permission).

Reason: To accord with Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out in accordance with the following:

Drawing No: CWD-MC-48024-REV A - Layout 1 received 21.08.2024

Drawing No: CWD-MC-48024-REV A - Wall Report received 21.08.2024

Drawing No: FBR-RALA-Z1-XX-DR-A-(PL)-00006_P01 - Proposed Layout Plans received 21.08.2024

Drawing No: FBR-RALA-Z1-XX-DR-A-(PL)-00007_P00 - Existing North and South Elevations received 21.08.2024

Drawing No: FBR-RALA-Z1-XX-DR-A-(PL)-00008_P00 - Existing East Elevation received 21.08.2024

Drawing No: FBR-RALA-Z1-XX-DR-A-(PL)-00009_P00 - Existing West Elevation received 21.08.2024

Drawing No: 161927-005 - Swept Path Analysis Entering and Exiting in a Forward Gear received 28.01.2025

Drawing No: 161927-006 - Swept Path Analysis of Delivery Vehicles received 28.01.2025

Drawing No: 161927-008 - Swept Path Analysis of 4.6T Van Exiting via Victoria Way received 28.01.2025

Drawing No: 161927-009 - Swept Path Analysis of 7.5T Box Van Exiting via Victoria Way received 28.01.2025

Drawing No: FBR-RALA-Z1-XX-DR-A-(PL)-00003_P05 - Proposed Ground Floor Site Plan received 28.01.2025

Drawing No: FBR-RALA-Z1-XX-DR-A-(PL)-00005_P02 - Site Location Plan and Block Plan received 28.01.2025

Drawing No: FBR-RALA-Z1-XX-DR-A-(PL)-00010_P03 - Proposed North & South Elevations received 28.01.2025

Drawing No: FBR-RALA-Z1-XX-DR-A-(PL)-00011_P02 - Proposed East Elevation received 28.01.2025

Drawing No: FBR-RALA-Z1-XX-DR-A-(PL)-00012_P02 - Proposed West Elevation received 28.01.2025

01 Fallbarn-Rd-Preliminary-Eco-Appraisal V1 received 21.08.2024

15082-BKP-V1-00-CA-C-500-P2-FLOW CALCULATIONS received 19.03.2025

15082-BKP-V1-00-DR-C-500-P2-Drainage Strategy received 19.03.2025 15082-BKP-V1-00-DR-C-501-P1-Drainage Details Sheet 1 received 19.03.2025

15082-BKP-V1-00-DR-C-502-P1-Drainage Details Sheet 2 received 19.03.2025

7895 DESK STUDY 23.02.24-95 received 21.08.2024

Construction Management Plan received 06.06.2025

Flood Risk Assessment received 21.08.2024
Heritage and Planning Statement received 21.08.2024
Design & Access Statement_P01 – PART 1 received 28.01.2025
Design & Access Statement_P01 – PART 2 received 28.01.2025
Design & Access Statement_P01 – PART 3 received 28.01.2025
Habibat Swift Box Faced With Matching Stone details received 19.03.2025

Reason: To define the permissions and in the interests of the proper development of the site.

3. No materials shall be used in the construction of the proposed development other than those referred to on the approved plans.

Reason: In the interests of visual amenity of the area and ensuring that the appearance of the development is acceptable.

4. The development hereby permitted shall be used only as a controlled access self-storage facility. No other use of the site (including other B8 uses) shall be undertaken without a new separate grant of planning permission first being obtained from the Local Planning Authority.

Reason: The site is located in a position that has the potential to be detrimental to highway safety, and the acceptability in principle of other uses has not been established.

5. The use hereby permitted shall be carried on only by Mr Timothy Smith and shall be for the period during which the premises are occupied by Mr Timothy Smith only.

Reason: To ensure that the facility is managed in a way that is detailed in the approved documents to ensure acceptability in highway safety terms.

6. Access and management of the site shall be in accordance with the detail within the Design and Access Statement Section 4.3.1 unless a further application is first submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

7. The approved Construction Management Plan submitted on 06.06.2025 shall be adhered to throughout the construction period for the development.

Reason: - In the interests of the safe operation of the adopted highway during the demolition and construction phases.

8. Construction-related deliveries to the approved development shall only be accepted between the hours of 9:00am and 2:30pm Monday – Friday, to avoid peak traffic on the surrounding highway network.

Reason: In the interest of highway safety

9. For the full period of construction facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud, stones and debris being carried onto the highway. Provision to sweep the

surrounding highway network by mechanical means will be available and the roads adjacent to the site shall be mechanically swept as required during the full construction period.

Reason: To prevent stones, mud and debris being carried onto the public highway to the detriment of road safety.

10. Prior to the first use of the development all the highway works and internal segregation of the cycleway will have been constructed and completed in accordance with a scheme that shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users.

11. The surface water from the approved driveway/hardstanding/car park shall be collected within the site and drained to a suitable internal outfall. Prior to commencement of the development details of the drainage strategy shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

Reason: In the interest of highway safety to prevent water from discharging onto the public highway.

12. Before the access is used for vehicular purposes, any gateposts erected at the access shall be positioned 5m behind the nearside edge of the highway and visibility splay fences or walls shall be erected from the gateposts to the existing highway boundary, such splays shall be 45° to the centre line of the access. The gates shall open away from the highway. Should the access remain un-gated 45° splays shall be provided between the highway boundary and points on either side of the drive measured 5m back from the nearside edge of the highway.

Reason: To permit vehicles to pull clear of the carriageway when entering the site and to ensure adequate inter-visibility between highway users when exiting, in the interests of highway safety.

13. The layout of the development shall include provisions to enable vehicles to enter and leave the highway in forward gear and such provisions shall be laid out in accordance with the approved plan and the vehicular turning space shall be laid out and be available for use before the development is brought into use and maintained thereafter.

Reason: Vehicles reversing to and from the highway are a hazard to other road users.

14. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

15. The approved details in respect of the recommended measures contained in Section 6 of the Preliminary Ecological Appraisal submitted on 19.03.2025 shall be implemented in full prior to the building being brought into use.

Reason: In the interests of the biodiversity of the site.

6. 2024/0302 – Land at Kippax Mill, Goodshawfold Road, Loveclough, Rossendale, BB4 8QW (ITEM B2)

The Planning Officer introduced the application as detailed in the report including the site details, relevant planning history, proposal and consultation and representations responses received.

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

In determining the application, the Committee discussed the following:

- Clarification on retrospective parts of application
- Appropriate signage at junction

A proposal was moved and seconded to approve in line with the Officer's recommendation subject to the conditions detailed in the report.

Moved: Councillor Proctor

Seconded: Councillor Ashworth

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

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

That planning permission is approved subject to the conditions below:

1. The development hereby permitted shall be carried out in accordance with the following documents, unless otherwise required by the conditions below:

- Application form
- Location Plan (1:2500)
- Proposed Site Plan Design Intent (KPX 005 Rev. N)
- Typical Section Through Kippax Mill (KPX 006C)
- Sections A-A and B-B As Built (KPX-004B)
- Existing and Proposed Elevations for Unit 6 (KPX-008A)
- Landscape Layout (M3755-PA-01-V5)
- Flood Risk Assessment (QA 21/038C)
- Transport Statement (J000492-TS02)

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development.

2. The approved scheme of cladding relating to the concrete block perimeter wall on site, and the replacement of the appropriate section of wall with palisade fencing, shall be carried out and completed in full in strict accordance with the details shown on the following documents:

- Drawing number KPX005N
- Details of stained vertical timber cladding shown on the photograph submitted as part of email received 29th April 2025 from Gareth Salthouse (Emery Planning).

The part of the wall (adjacent to the river) to be clad in natural stone (as shown on drawing number KPX005N) shall be clad in buff-coloured natural coursed sandstone cladding (with a cladding thickness not exceeding 200mm).

All cladding shall be completed in full within six months of the date of this planning permission, and shall be retained and maintained as such thereafter.

Reason: To mitigate the visual impact of the concrete block wall and to ensure an acceptable appearance to the development.

3. The approved scheme of landscaping and woodland / tree planting shall be carried out in full and in accordance with the specification shown on Drawing Number M3755-PA-01-V5 and Drawing Number KPX005N in the first planting season following the date of this planning permission.

Any trees or plants which within a period of 15 years of being planted die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of the same size and species.

Reason: In the interest of the appearance of the locality and to enhance biodiversity.

4. The new unit hereby approved within the link extension shall only be used for purposes contained within Use Classes E (light industrial), B2 (general industrial), and B8 (storage / distribution), and not for any other purpose.

Reason: To define the development and ensure that only uses appropriate to the nature of the site are carried out within the unit.

5. No further development (except for the cladding of the concrete wall as referred to in condition 2) shall take place until a scheme for the removal of material stored within the floodplain within the site boundary and reinstatement of natural fluvial flood storage has been submitted to and approved in writing by the local planning authority.

The submitted details shall include pre-development and post-development design plans, sectional and elevational drawings detailing the works and confirming the reinstated volume of flood plain storage (100-year), plus any additional allowance required for the impacts of climate change.

The scheme shall be fully implemented in accordance with the approved details prior to first use of the new vehicular turning and parking area at the northern end of the site, and shall be subsequently maintained thereafter.

Reason: Whilst the submitted 'Document A: Proposed flood compensation at Kippax Mill' outlines and summarises the proposed removal of the mound from Flood Zone 3 and relocation to Flood Zone 1, only general information is included and further details are required to ensure that there are no detrimental impacts to flood storage or flood flow routes.

6. No further development (except for the cladding of the concrete wall as referred to in condition 2) shall take place until a construction environmental management plan (CEMP) for the reinstatement of the Limy Water floodplain has been submitted to and approved in writing by the local planning authority.

Thereafter the development shall be carried out in accordance with the approved scheme.

The scheme shall include details demonstrating how the Limy Water ecological receptor and adjoining wildlife corridor will be protected and or appropriately reinstated during development based on the following:

- Timing and sequence of the works.
- Environmental best practice measures used during floodplain re-instatement works in order to minimise environmental and ecological impacts of the works (considering both disturbance of existing nearby sensitive features and potential pollution risk)
- Pre and post development cross sections; approximately every 25m; showing removal
- of existing tipped spoil areas and the reinstatement of floodplain and linking
- riparian greenspace adjoining Limy Water.
- Clear and detailed soft landscape reinstatement plan including appropriately suited ground flora for those within and exterior to riparian floodplain and a landscape schedule largely based on native species.
- Detailed location and reinstatement/stabilisation proposals for the relocated spoil area
- Pollution protection measures
- Site supervision
- A 2-year post construction monitoring plan of reinstated floodplain corridor to assess new bank stability and vegetation re-establishment.

Reason: to protect and enhance the Limy Water waterbody.

7. Notwithstanding any information submitted with the application, no further development (except for the cladding of the concrete wall as referred to in condition 2) shall take place until an investigation and risk assessment has been submitted to and approved in writing by the Local Planning Authority.

The submitted report shall include:

- i) A Preliminary Risk Assessment report (phase 1), including a conceptual model and a site walk over survey;
- ii) Where potential risks are identified by the Preliminary Risk Assessment, a Phase 2 Site Investigation report shall also be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The investigation shall address the nature, degree and distribution of land contamination on site and shall include an identification and assessment of the risk to receptors focusing primarily on risks to human health, groundwater and the wider environment; and
- iii) Should unacceptable risks be identified the applicant shall also submit and agree with the Local

Planning Authority in writing a contaminated land remediation strategy (including verification plan) prior to commencement of development.

The development shall thereafter be carried out in full accordance with the duly approved remediation strategy or such varied remediation strategy as may be agreed in writing with the Local Planning Authority.

Reason: in the interests of mitigating hazards connected with land contamination and preventing pollution.

8. Pursuant to condition 7 and prior to first use of the new parts of the development, a verification report, which validates that all remedial works undertaken on site were completed in accordance with those agreed with the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: in the interests of mitigating hazards connected with land contamination and preventing pollution.

9. The 25m diameter turning area shown on the approved plan shall be kept free of obstruction and kept available for the purpose of manoeuvring large vehicles whilst the site is operational.

Reason: to ensure that adequate manoeuvring space for large vehicles is maintained on site, in the interests of vehicular and highway safety.

10. No Heavy Goods Vehicle (HGV) deliveries to or from the application site shall take place to the site outside of the hours of 07:00 – 19:00 on any day.

Reason: in the interests of protecting nearby residents from additional noise nuisance caused by heavy vehicles travelling to and from the site.

11. During the period of construction, should contamination be found on site that has not been previously identified, no further works shall be undertaken in the affected area. Prior to further works being carried out in the affected area, the contamination shall be reported to the Local Planning Authority within a maximum of 5 days from the discovery, a further contaminated land assessment shall be carried out, appropriate mitigation identified and agreed in writing by the Local Planning Authority. The development shall be undertaken in accordance with the agreed mitigation scheme.

Reason: To mitigate risks associated with land contamination and to ensure the site is suitable for the proposed end use.

7. 2025/0167 – 1 The Crescent, Park Avenue, Haslingden, Rossendale, BB4 6PR (ITEM B3)

The Planning Officer introduced the application as detailed in the report including the site details, relevant planning history, proposal and consultation and representations responses received.

A proposal was moved and seconded to approve in line with the Officer's recommendation subject to the conditions detailed in the report.

Moved: Councillor Kenyon
Seconded: Councillor Eaton

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

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

That planning permission is granted subject to the conditions below:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following drawings, unless otherwise required by the conditions below:

<u>Drawing Title</u>	<u>Drawing No.</u>	<u>Date Received</u>
Location Plan	#00966343-E9BF0F	18/04/2025
Proposed Site Plan	17014.6	14/08/2025
Existing Floor Plans	17014.2	18/04/2025
Existing Elevations	17014.2	18/04/2025
Proposed Floor Plans	17014.4	02/07/2025
Proposed Elevations	17014.3	02/07/2025
Existing and Proposed Roof Plan	170141.5	18/04/2025

Reason: To define the permission and in the interests of the proper development of the site.

3. The materials to be used in the construction of the of the approved extension (i.e. natural stone and natural slate) shall match in type, colour, texture, and shall be laid in a manner to match, those used in the construction of the host dwelling.

Reason: In the interests of visual amenity, in accordance with the requirements of Policies HS9 and ENV1 of the of the Council's adopted Rossendale Local Plan

2019 to 2036, Sections 12 and 15 of the National Planning Policy Framework, and the relevant provisions of the Council's Alterations and Extensions to Residential Properties SPD (2008).

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any subsequent legislation revoking or superseding that Order, no windows, doors or other openings, other than those shown on the approved plans, shall, at any time, be formed within the front, side, and rear facing elevations of the approved extension, unless prior written approval has first been obtained from the Local Planning Authority through the granting of planning permission.

Reason: To ensure the development is sympathetic to the character and appearance of the original dwelling and to safeguard the privacy of the occupiers of the adjoining properties in accordance with the requirements of Policies HS9 and ENV1 of the adopted Rossendale Local Plan 2019 to 2036, and the provisions of the Council's Alterations and Extensions to Residential Properties SPD (2008).

5. The approved two-storey extension shall not be brought into use unless and until the parking area shown on the approved plans has been constructed and surfaced in a bound porous material. The parking area shall thereafter always remain available for the parking of domestic vehicles associated with the dwelling.

Reason: In order to ensure satisfactory levels of off-street parking are achieved within the site.

6. The surface water from the approved driveway shall be collected within the site and drained to a suitable internal outfall.

Reason: In the interest of highway safety to prevent water from discharging onto the public highway.

8. 2025/0161 – 5 Lambton Gates, Rawtenstall, Rossendale, BB4 7PQ (ITEM B4)

The Planning Officer introduced the application as detailed in the report including the site details, proposal and consultation and representations responses received.

A proposal was moved and seconded to approve in line with the Officer's recommendation subject to the conditions detailed in the report.

Moved: Councillor Eaton

Seconded: Councillor Ashworth

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

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

That planning permission is granted subject to the below conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following drawings, unless otherwise required by the conditions below:

<u>Drawing Title</u>	<u>Drawing No.</u>	<u>Date Received</u>
Location Plan	#00972958-79FC2C	16/04/2025
Proposed Site Plan	17009.5	30/05/2025
Existing Floor Plans	17009.2	16/04/2025
Existing Elevations	17009.1	16/04/2025
Proposed Floor Plans	17009.4C	31/07/2025
Proposed Elevations	17009.3C	31/07/2025
Existing and Proposed Roof Plans	17009.6A	31/07/2025

Reason: To define the permission and in the interests of the proper development of the site.

3. The materials to be used in the construction of the of the approved extension shall match in type, colour, texture, and shall be laid in a manner to match, those used in the construction of the host dwelling.

Reason: In the interests of visual amenity, in accordance with the requirements of Policies HS9 and ENV1 of the of the Council's adopted Rossendale Local Plan 2019 to 2036, Sections 12 and 15 of the National Planning Policy Framework, and the relevant provisions of the Council's Alterations and Extensions to Residential Properties SPD (2008).

9. 2025/0126 – Playground and Recreation Area, Exchange Street, Edenfield, BL0 0LA (ITEM B5)

The Planning Officer introduced the application as detailed in the report including the site details, relevant planning history, proposal and consultation and representations responses received.

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

A proposal was moved and seconded to approve in line with the Officer's recommendation subject to the conditions detailed in the report.

Moved: Councillor Ashworth

Seconded: Councillor Eaton

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

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

That the application is approved subject to the conditions below:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development shall be carried out in strict accordance with the following unless required by the conditions below:

- Application form signed 09/03/2025
- #00967842-6CD3C1 Site Location Plan, received 07/08/2025
- PB.170525.A, Plans and Elevations, received 20/05/2025

Reason: To define the permission and in the interests of the proper development of the site.

3. Within six months of the container being positioned on the land, the shipping container shall be painted olive green (RAL 6003), and the approved colour shall thereafter be permanently retained and maintained unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure the appearance of the development is acceptable and to ensure the visual amenity of the local area is not adversely affected.

4. Notwithstanding the details shown on the approved Site Location Plan, the container hereby approved shall be positioned approximately 5m to the south of the trees located in close proximity to the stone boundary wall enclosing the recreation ground, and approximately 10m west of the boundary fence of no. 15 Market Street. The container shall be retained in such a location unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure the development does not harm nearby trees.

10. 2024/0501 – Land at Rochdale Road and Bamford Road, Turn Village (ITEM B6)

The Planning Officer introduced the application as detailed in the report including the site details, relevant planning history, proposal and consultation and representations responses received. The Planning Officer also brought members attention to the update report.

Ms Massie spoke against the application. Members asked questions for clarification purposes only.

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

In determining the application, the Committee discussed the following:

- Proposed access it is on a single track road
- Concerns of child safety
- Concerns that application concerns green belt
- Bridleway not suitable for vehicles
- School too close to location
- Discussion on renewable energy
- Secretary of State letter

A proposal was moved and seconded to refuse the application contrary to the officers recommendations. The reasons for refusal were:

- Proposed access is unsuitable for vehicular traffic and will cause unacceptable risks to highway safety.
- Concerns of child safety with the school being in the vicinity, having regard to the fire risk associated with the proposed development.
- Doesn't constitute very special circumstances for approving inappropriate development in the Green Belt, having regard to all of the factors in the planning balance.
- The development will cause unacceptable visual harm to the open and rural character of the countryside, and will be prominent in views from nearby rights of way and roads.

Moved: Councillor Eaton

Seconded: Councillor Ashworth

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

FOR	AGAINST	ABSTENTION
4	3	0

Resolved:

That Members resolve that planning permission should be refused.

11. 2025/0183 – Land to North of Doals Farm, Burnley Road, Bacup, Lancashire, OL13 8QR (ITEM B7)

The Planning Officer introduced the application as detailed in the report including the site details, relevant planning history, proposal and consultation and representations responses received. The Planning Officer also brought members attention to the update report.

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

In determining the application, the Committee discussed the following:

- Clarification of permission in principle application and stage 2 process

A proposal was moved and seconded to approve in line with the Officer's recommendation subject to the conditions detailed in the report, update report and further update report.

Moved: Councillor Ashworth
Seconded: Councillor Kenyon

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

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

That planning permission is approved.

12. 2024/0087 – North Point, Burnley Road, Bacup (ITEM B8)

The Planning Officer introduced the application as detailed in the report including the site details, relevant planning history, proposal and consultation and representations responses received.

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

A proposal was moved and seconded to approve in line with the Officer's recommendation subject to the conditions detailed in the report and update report.

Moved: Councillor Eaton
Seconded: Councillor Kenyon

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

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

That planning permission is granted subject to the condition below:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following drawings, unless otherwise required by the conditions below:

<u>Drawing Title</u>	<u>Drwg No</u>	<u>Date Rec'd</u>
Location Plan	FO.050324.A	05/03/24
Existing Site Plan	NP-14-11-23-A2	15/07/25
Proposed Site Layout Plan	NP-14-11-23-B5	15/07/25
Site Layout Plan showing proposed visibility splays at junction with Burnley Road and proposed widening of access	NP-14-11-23-E3	15/07/25
Proposed Floor Plans and Elevations of Stables	NP-14-11-23-D	15/07/25
Coal Mining Risk Assessment by Worms Eye		27/08/24

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development, in accordance with the requirements of Policies SD1, SD2, ENV1, ENV3, ENV4, ENV6, ENV9, ENV10, LT5 and TR4 of the Council's adopted Rossendale Local Plan 2019 to 2036, and Sections 2, 6, 9, 11, 12, 13, 14 and 15 of the National Planning Policy Framework.

3. Notwithstanding the details given within the submitted application form and on the approved plans the manure enclosure shall be clad using timber. These works shall be completed before the enclosure is first brought into use and the enclosure shall thereafter be satisfactorily retained as such at all times thereafter.

Reason: In the interests of visual amenity, in accordance with the requirements of Policies ENV1, ENV3 and LT5 of the Council's adopted Rossendale Local Plan 2019 to 2036 and Sections 12 and 15 of the National Planning Policy Framework.

4. Details of the proposed treatment of the site boundaries shall be submitted to, and approved in writing by, the Local Planning Authority before any works to those boundaries are carried out. These works shall include for the retention and repair of all existing drystone walls. The approved boundary treatment shall be completed before the stable building and

menage hereby approved are first brought into use and shall thereafter be satisfactorily retained at all times.

Reason: In the interests of visual amenity, in accordance with the requirements of Policies ENV1, ENV3 and LT5 of the Council's adopted Rossendale Local Plan 2019 to 2036 and Sections 12 and 15 of the National Planning Policy Framework.

5. The stables, manure enclosure and menage hereby approved, and the site in general, shall be used solely for livery purposes and not, at any time, for the hosting of competitions or events or for the operation of a riding school.

Reason: In the interests of highway safety, in accordance with the requirements of Policy LT5 and TR4 of the Council's adopted Rossendale Local Plan 2019 to 2036.

6. At no time shall any form of external illumination or sound amplification be erected or used in association with the development hereby permitted.

Reason: To safeguard the rural character of the countryside and in the interests of visual and neighbour amenity in accordance with the requirements of Policies ENV1, ENV3 and LT5 of the Council's adopted Rossendale Local Plan 2019 to 2036 and Sections 12 and 15 of the National Planning Policy Framework.

7. No-one, other than people employed in the livery business, shall visit the site outside of the hours of 7am and 10pm on any day of the week.

Reason:- To safeguard the amenities of the occupiers of nearby residential properties in accordance with the requirements of Policies ENV1 and ENV6 of the Council's adopted Rossendale Local Plan 2019 to 2036 and Section 15 of the National Planning Policy Framework.

8. Full details of the proposed tree and shrub planting shown on approved drawing number NP-14-11-23-B5 shall be submitted to, and approved in writing by, the Local Planning Authority before the stable building and menage hereby approved are first brought into use. These details shall also include for planting along the northeastern boundary of the menage. The approved planting scheme shall be implemented in full within the first planting season following the substantial completion of the development. Any planting forming part of that scheme which, within a period of 5 years from the completion of those works, dies, is removed or become seriously damaged or diseased shall be replaced in the next planting season with replacement planting of similar size and species.

Reason:- In the interests of visual amenity and the ecology of the area, in accordance with the requirements of Policies ENV1, ENV3, ENV4 and LT5 of the Council's adopted Rossendale Local Plan 2019 to 2036 and Sections 12 and 15 of the National Planning Policy Framework.

9. No buildings shall be demolished or vegetation cleared from the site between 1st March and 31st August inclusive unless a competent ecologist has first undertaken a detailed check of both for active birds' nests. This shall be carried out immediately before the demolition/site clearance works are carried out and shall demonstrate either that no birds will be harmed by those works or that appropriate measures will be put in place to protect them during the works. The results of this survey shall subsequently be forwarded in writing to the Local Planning Authority for its written approval.

Reason: To safeguard nesting birds, in accordance with the requirements of Policy ENV4 of the adopted Rossendale Local Plan 2019 to 2036 and Section 15 of the National Planning Policy Framework.

10. Three swallow boxes shall be attached to the approved livery building within one month of its substantial completion. These shall thereafter be satisfactorily retained at all times.

Reason: To enhance the ecological value of the site, in accordance with the requirements of Policy ENV4 of the adopted Rossendale Local Plan 2019 to 2036 and Section 15 of the National Planning Policy Framework.

11. The site access road shall be widened to a minimum width of 5 metres for the first 9 metres of its length measured from the carriageway edge of Burnley Road. It shall also be hard surfaced and measures shall be included to ensure that surface water does not drain onto the adjoining highway. These works shall be complete before the stable building and menage hereby approved are first brought into use, and the access road so improved shall thereafter be satisfactorily retained at all times.

Reason: In the interests of highway safety, in accordance with the requirements of Policy LT5 and TR4 of the Council's adopted Rossendale Local Plan 2019 to 2036.

12. All areas to be used by vehicles shall be constructed and laid out in accordance with the details shown on approved drawing number NP-14-11-23-B5 before the stable building and menage are first brought into use. These areas shall thereafter be retained at all times for the parking and circulation of vehicles in conjunction with the approved development, and to allow vehicular access to and from the site.

Reason: In the interests of visual amenity and highway safety, in accordance with the requirements of Policies ENV1, ENV3, LT5, TR4 and Appendix 1 of the Council's adopted Rossendale Local Plan 2019 to 2036 and Sections 12 and 15 of the National Planning Policy Framework.

13. Notwithstanding any details given on the approved plans or application form, details of the proposed means of draining foul and surface water from the development, and of the proposals for managing and maintaining the latter, shall be submitted to, and approved in

writing by, the Local Planning Authority before development commences. The drainage scheme:-

- a) shall be designed having regard to the drainage options set out in the National Standards for Sustainable Drainage (2025) or any subsequently adopted drainage standards,
- b) shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water,
- c) shall include for a restricted rate of discharge of surface water if it is agreed, with the Local Authority, that infiltration is discounted by the investigations,
- d) shall include levels of the proposed drainage systems including proposed ground and finished floor levels in AOD,
- e) shall incorporate mitigation measures to manage the risk of sewer surcharge where applicable, and
- f) shall show foul and surface water drained via separate systems.

The approved drainage scheme shall be completed before the stables and menage are first brought into use and shall thereafter be satisfactorily retained in accordance with the approved maintenance measures at all times.

Reason: To secure sustainable drainage and to manage the risk of pollution, in accordance with the requirements of Policies ENV1 and ENV9 of the Council's adopted Rossendale Local Plan 2019 to 2036 and Section 14 of the National Planning Policy Framework.

14. Notwithstanding any information submitted with this application, no development shall take place until an investigation and risk assessment has been submitted to and approved in writing by the Local Planning Authority. The submitted report shall include:-
- i) A Preliminary Risk Assessment report (Phase 1) including a conceptual model and a site walk over survey and mine gas assessment;
 - ii) Where potential risks are identified by the Preliminary Risk Assessment, a Phase 2 Site Investigation report shall also be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The investigation shall address the nature, degree and distribution of land contamination on site and shall include an identification and assessment of the risk to receptors focusing primarily on risks to human health, groundwater and the wider environment; and
 - iii) Should unacceptable risks be identified the applicant shall also submit and agree with the Local Planning Authority in writing a contaminated land remediation strategy (including verification plan) prior to commencement of development. The development shall thereafter be carried out in full accordance with the duly approved remediation strategy

or such varied remediation strategy as may be agreed in writing with the Local Planning Authority.

Reason: In the interests of mitigating hazards associated with land contamination and to prevent pollution, in accordance with the requirements of Policy ENV6 of the Council's adopted Rossendale Local Plan 2019 to 2036 and Section 15 of the National Planning Policy Framework.

15. Pursuant to condition 14 and prior to the first occupation of the development hereby approved, a verification report, which validates that all remedial works undertaken on site were completed in accordance with those agreed with the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of mitigating hazards associated with land contamination and to prevent pollution, in accordance with the requirements of Policy ENV6 of the Council's adopted Rossendale Local Plan 2019 to 2036 and Section 15 of the National Planning Policy Framework.

16. No development shall commence (excluding the demolition of any existing structures until a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity. Should these demonstrate that remediation works/mitigation measures are required in order to address issues of land instability those works shall be implemented in full before any other part of the development hereby approved is commenced. The intrusive investigations and remediation works shall be carried out in accordance with authoritative UK guidance.

Reason: To ensure the safe occupation of the site by ensuring it is stable for development, in accordance with the requirements of Policy ENV1 of the Council's adopted Rossendale Local Plan 2019 to 2036 and Chapter 15 of the National Planning Policy Framework.

17. A signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for its written approval. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity. The development hereby approved shall not be brought into use until the submitted statement/declaration has been formally agreed by the Local Planning Authority.

Reason: To ensure the safe occupation of the site by ensuring it is stable for development, in accordance with the requirements of Policy ENV1 of the Council's adopted Rossendale Local Plan 2019 to 2036 and Chapter 15 of the National Planning Policy Framework.

The meeting concluded at 8:22pm

Signed:
(Chair)

Date:
