

**MINUTES OF: DEVELOPMENT CONTROL COMMITTEE**

**Date of Meeting: 6<sup>th</sup> December 2005**

**PRESENT:** Councillor S Pawson (in the Chair)  
Councillors Atkinson, D Barnes, L Barnes, Crosta,  
Entwistle, Lamb, Robertson and Thorne

**IN ATTENDANCE:** B Sheasby, Team Manager, Development Control  
N Birtles, Senior Planning Officer  
S Harrison, Legal Officer  
E Newsome, Committee Services Manager

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**1. APOLOGIES AND NOTIFICATION OF SUBSTITUTES**

Apologies were received from Councillor Young.

**2. MINUTES OF THE LAST MEETING:**

**Resolved:**

1. That the minutes of the meeting held on 10<sup>th</sup> November be agreed as a correct record.
2. That subject to the revision of the attendance of Councillors Neal and Ruddick who were not present at the meeting, the minutes of the meeting held on 22<sup>nd</sup> November be agreed as a correct record.

**3. DECLARATIONS OF INTEREST:**

Councillor Swain declared a prejudicial interest in applications 2005/519 and 2005/580 by virtue that both applicants were known to him as business clients.

Brian Sheasby declared a personal and prejudicial interest in application 2005/535 in that he resided in the local vicinity affected by the application.

**4. APPLICATION 2005/197 (OUTLINE) ERECTION OF NEW WAREHOUSE AND WATER STORAGE TANKS, RE-ROOFING OF EXISTING BUILDINGS AND ASSOCIATED ALTERATIONS AT BACUP SHOE CO LTD, RAILWAY STREET, STACKSTEADS, BACUP**

All Councillors had been lobbied on this application.

The Team Manager, Development Control outlined representations which had been received following publication of the report to Committee.

In accordance with the Procedure for public speaking, Mrs C Farnsworth spoke against the application.

Councillors Hancock and Neal invoked their right to speak as Elected Members.

A proposal was moved and seconded to refuse the application. Voting took place on the proposal, the result of which was as follows:-

<b>COUNCILLOR</b>	<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
S. Pawson	✓		
Swain	✓		
Lamb	✓		
Atkinson	✓		
Starkey	✓		
P Steen	✓		
Crosta	✓		
Entwistle	✓		
Robertson	✓		
Thorne	✓		
<b>TOTALS</b>	10	0	0

**Resolved:**

That the application be refused on the grounds that the Committee cannot be satisfied that the outline application has sufficient evidence or information that the development will not have an adverse impact on neighbour and visual amenity most particularly by reason of:

- a) the siting and scale of the proposed water storage tanks;
- b) the form of the re-roofing of existing buildings proposed near to houses on Short Street;
- c) the disproportionate bulk/unsympathetic appearance of the new built warehouse that may result in relation to the traditional mill building to which it will be attached.
- d)

Accordingly, the proposal is not considered to accord with PPS1, Policy 1 of the adopted Joint Lancashire Structure Plan and the criteria of Policy DC1 of the adopted Rossendale District Local Plan.

**5. APPLICATION 2005/519 PARTIAL DEMOLITION, CONVERSION AND EXTENSION OF MILL B TO CREATE 18 APARTMENTS. DEMOLITION OF OTHER (A,C,D AND E) MILL BUILDINGS AND ERECTION OF 28 NEW HOUSES AT: KEARNS MILL, COWPE ROAD, COWPE, WATERFOOT.**

Councillor Swain vacated the meeting during consideration of this item.

Councillors Atkinson, D Barnes, Crosta, Entwistle, Lamb, Pawson, Robertson and Thorne declared that they had been lobbied in respect of this application.

The Team Manager, Development Control identified that the applicant had put forward a request that the Committee defer consideration of the application, in order to allow for further negotiation on amendments to the submitted proposals.

A proposal was moved and seconded to defer consideration of the application.

**Resolved:**

That consideration of this application be deferred to afford sufficient opportunity for further discussion between the applicant and Council on the content of the application.

**6. APPLICATION 2005/535  
DEMOLITION OF EXISTING WORKS AND ERECTION OF 11 DWELLINGS  
AT: ANVIL STREET, STACKSTEADS, BACUP**

The Team Manager, Development Control left the meeting during consideration of this item.

Councillor Lamb had been lobbied on this application

In accordance with the procedure for public speaking, Mr Rawlinson spoke against the application.

Councillor Eaton spoke in accordance with his right as an Elected Member.

A proposal was moved and seconded to refuse the application.

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

<b>COUNCILLOR</b>	<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
S. Pawson	✓		
Swain	✓		
Lamb	✓		
Atkinson	✓		
Starkey	✓		
P Steen	✓		
Crosta	✓		
Entwistle	✓		
Robertson	✓		
Thorne	✓		
<b>TOTALS</b>	10	0	0

**Resolved:**

1. That the application be refused
2. That Officers be requested to contact the consultants preparing the Bacup, Stacksteads and Britannia Area Action Plan in order to that consideration be given to amending the boundary of the Key Sites/Issues Cluster Map for Stacksteads in order that it encompasses land on the north side of Newchurch Road between Queens Terrace and the Royal Oak Public House, including the application site.

**7. APPLICATION 2005/543 OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT  
AT: PACKHORSE GARAGE, MARKET STREET, EDENFIELD**

Councillors D Barnes, L Barnes, Crosta, Entwistle, Lamb, Pawson, Robertson, Swain and Thorne had been lobbied on this application.

Councillor Eaton spoke in his capacity as an Elected Member.

A proposal was moved and seconded to grant the application. Voting took place on the proposal, the result of which was as follows:-

<b>COUNCILLOR</b>	<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
S. Pawson		✓	
Swain	✓		
Lamb	✓		
Atkinson	✓		
Starkey	✓		
P Steen	✓		
Crosta	✓		
Entwistle	✓		
Robertson		✓	
Thorne	✓		
<b>TOTALS</b>	<b>8</b>	<b>2</b>	<b>0</b>

**Resolved:**

That Outline permission be granted subject to the following conditions:

1. Approval of the details of the siting, design and external appearance of the building(s), the means of access and the landscaping of the site (hereinafter called the “reserved matters”) shall be obtained from the local planning authority in writing before any development is commenced.  
Reason: The application is outline only
2. Application for approval of reserved matters shall be made to the Local Planning Authority before the expiration of two years from the date of this permission.  
Reason: Required by Section 51 of the Planning and Compulsory Purchase Act 2004
3. The development hereby permitted shall be begun either before the expiration of four years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.  
Reason: Required by Section 51 of the Planning and Compulsory Purchase Act 2004.

The Committee considers that the circumstances exist to warrant permitting the proposed dwelling as an exception to Policy 12 of the adopted Joint Lancashire Structure Plan and, subject to conditions, is satisfied that the

development will not result in significant detriment for neighbours, highway safety or any other material consideration:

**8. APPLICATION 2005/580 ERECTION OF DETACHED HOUSE (PLOT 1)  
VARIATION OF HOUSE PERMITTED BY PLANNING PERMISSION  
2003/610  
AT: ROSEHILL WORKS, ROSEHILL STREET, CRAWSHAWBOOTH**

Councillor Swain retired from the meeting upon consideration of this application.

Councillors Atkinson, L Barnes, Crosta, Entwistle, Lamb and Robertson had been lobbied on this application.

In accordance with the public speaking procedure, Mr D Watson spoke against the application. Ms V Kendal spoke in favour of the application. Councillor A Barnes spoke in accordance with her right as an Elected Member.

A proposal was moved and seconded to grant the application.

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

<b>COUNCILLOR</b>	<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
S. Pawson	✓		
Lamb	✓		
Atkinson	✓		
Starkey	✓		
P Steen	✓		
Crosta	✓		
Entwistle	✓		
Robertson	✓		
Thorne	✓		
<b>TOTALS</b>	<b>9</b>	<b>0</b>	<b>0</b>

**Resolved:**

That permission be granted subject to the following conditions:

1. All materials to be used in the elevations and roof on the proposed development shall be as stated on the application form and approved drawings and shall not be varied without the prior written permission of the Local Planning Authority  
Reason: In the interests of the visual amenity of the area in general and in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan
2. Within 28 days of the date of this decision notice, a scheme of landscaping and boundary treatment has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail which may have previously been submitted. The

scheme shall indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas seeded, paved or hard landscaped.

Reason: In the interests of the amenity of the area, in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.

3. All hard-landscaping and boundary walls and fences forming part of the approved scheme shall be completed prior to first occupation of the dwelling hereby permitted. All new planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following substantial completion of the building, and any trees or shrubs in the approved scheme which within a period of 5 years of planning die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of the amenity of the area, in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no development shall be carried out on the site within the terms of Classes A, B, C, D, E and G of part 1 of Schedule 2 to the Order, without prior consent of the Local Planning Authority.

Reason: To ensure the Local Planning Authority retain control over the amount of development that takes place, in the interests of amenity in accordance with Policy DC1 of the Rossendale District Local Plan.

5. Prior to first occupation of the dwelling hereby permitted, Higher Booths Lane, from its junction with Burnley Road to the western most point of the site, shall be brought up to standards suitable for adoption by the Highways Authority (and incorporate the pavement indicated on the approved drawings) in accordance with the Highways Act 1980 (Private Streetworks) at the developers own cost.

Reason: In the interests of highway safety and Policy DC1 of the Rossendale District Local Plan.

6. The window in the east elevation of the dwelling hereby permitted shall be obscure glazed, and any opening light top-hung, and it shall remain as such thereafter.

Reason: In the interests of neighbour amenity and to accord with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.

**9. APPLICATION 2005/598 OUTLINE APPLICATION FOR THE ERECTION OF ONE DWELLING AT: GARDEN AREA OF 285 EDGESIDE LANE, WATERFOOT**

Councillor Robertson had been lobbied on this application.

In accordance with the public speaking procedure Ms A.M Pinder spoke in favour of the application.

A proposal was moved and seconded to approve the application.

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

<b>COUNCILLOR</b>	<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENTION</b>
S. Pawson	✓		
Swain	✓		
Lamb	✓		
Atkinson	✓		
Starkey	✓		
P Steen	✓		
Crosta	✓		
Entwistle	✓		
Robertson	✓		
Thorne	✓		
<b>TOTALS</b>	10	0	0

**Resolved:**

That outline permission be granted subject to the following conditions:

1. Approval of the details of the design and external appearance of the building, the means of access and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.  
Reason: The application is in outline only.
2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of two years from the date of this permission.  
Reason: Required by Section 51 of the Planning & Compulsory Purchase Act 2004.
3. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of one year from the date of approval of the last of the reserved matters to be approved, whichever is the later.  
Reason: Required by Section 51 of the Planning & Compulsory Purchase Act 2004.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 1995 (or any order revoking or re-enacting that order, with or without modification) no development shall be carried out on the site within the terms of classes A, B, C, D, E, F, G and H Part 1 of Schedule 2 of that order without the prior consent of the Local Planning Authority.  
Reason: To enable the Local Planning Authority to control any future

development, having regard to local and neighbouring amenities and the criteria of Policy DC1 of the Rossendale District Local Plan.

Reason for Decision

The Council considers that the circumstances exist to warrant permitting the proposed residential development as an exception to Policy 12 of the adopted Joint Lancashire Structure Plan and, subject to conditions, is satisfied the development will not result in significant detriment for neighbours, highway safety or any other material consideration.

**The Meeting commenced at 6.30pm and closed at 8.20pm**