

MINUTES OF: THE DEVELOPMENT CONTROL COMMITTEE

Date of Meeting: 25th FEBRUARY 2014

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

In Attendance: Stephen Stray, Planning Manager
Neil Birtles, Principal Planning Officer
Richard Bingham, Legal Officer
Michelle Hargreaves, Committee and Member Services Officer

Also Present: 26 members of the public
1 member of press
Councillor Neal

1. APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES

Apologies have been submitted on behalf of Councillor Eaton.

2. MINUTES

Resolved:

That the minutes of the meeting held on 21st January, 2014 be signed by the Chair and agreed as a correct record.

3. DECLARATIONS OF INTEREST

Councillor Roberts declared an interest on agenda item B6 as he was a friend of the applicants. Councillor Procter declared an interest on agenda item B4 as she was a member of the Greenvale Homes Board and Councillor Oakes declared an interest on agenda item B3 as she was acting secretary for Stacksteads Allotment Society.

4. URGENT ITEMS

There were no urgent items.

Due to the amount of interest for items B5 and B6 the Chair agreed for these to be taken first, changing the order of the agenda to B5, B6, B1, B3 and B4.

It was noted that item B2, application number 2013/0532 had been withdrawn from the agenda.

PLANNING APPLICATIONS

5. Application Number 2013/0496

Change of use of dwelling to form children's nursery with associated parking and

alterations to access, demolition of outbuilding and erection of dwelling and removal of trees.

At: Garden Cottage, Wallbank, Whitworth.

It was noted that the application had come before committee due to receiving 3 or more objections.

The Principal Planning Officer introduced the application, outlined details of the site and the reasons for it being brought before the Development Control Committee. Permission was sought to use the existing dwelling as a children's nursery for up to 22 children aged 0-5 years, to demolish the existing outbuilding and replace it with a larger stone/slate house which was to be occupied in conjunction with the nursery, create associated parking areas for both developments, widen and alter the access road serving the site (including the provision of passing places), and remove 9 protected trees.

With regard to notification responses, 9 objections had been received and details of these concerns were outlined within the report. The Principal Planning Officer stated that since the report had been completed a further 2 letters of objection had been received but had not highlighted any new concerns.

Officers were of the view the scheme and the uses proposed were considered compatible to the largely residential area and therefore acceptable in principle and were also in a relatively sustainable location and on a bus route. The development also had the potential to create some local employment.

The Principal Planning Officer stated that the new dwelling would occupy a larger footprint than the outbuilding it was to replace but it would roughly be the same height and would also be constructed out of natural stone and slate to keep in character with the retained nursery building. It was noted there would be no significant alteration to the existing nursery building. The proposals were therefore acceptable in visual amenity.

In relation to neighbour amenity, there would be no significant outlook on to neighbouring properties and impact from noise would be limited due to the scale of the development and hours of operation.

The Principal Planning Officer clarified that with regard to consultation responses, RBC (Environmental Health) had no objection to the proposal. LCC (Highways) had no objection subject to conditions, in particular widening of the access point to the site.

Officers have agreed to two trees being removed to assist with access and parking arrangements and for four other trees of either poor quality or limited amenity value to also be removed, however, it was considered others did not need to be removed. A condition was attached requiring replanting.

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

Mrs Press spoke against the application and Mr Edmondson spoke in favour of the application. Councillor Neal also spoke on the application.

In determining the application, the committee discussed the following:

- Number of properties serviced on estate and if they were serviced by one road
- Clarification of the maximum number of children nursery can hold
- Clarification on the site boundary and neighbouring properties
- Kitchen size and location in proposed new dwelling
- Safety for the children and if an outdoor play facility was to be provided
- Number of jobs to be provided
- Amount of land owned by RBC
- Safety concerns regarding the reservoir in relation to the children
- Traffic survey had whether one had been conducted
- Whether a footpath was to be provided down the lane to the nursery
- Location of bus route in relation to nursery

The case officer responded to the matters of clarification

A proposal was moved and seconded to approve the application subject to the conditions outlined in the report along with the additional condition in relation to information on materials to be used on the lane to the nursery to mitigate pedestrian / highway concerns.

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 outlined in the report along with the additional condition in relation to information on materials to be used on the lane to the nursery to mitigate pedestrian / highway concerns.

NB. Councillor Roberts left the room for the following item to be determined.

- 6. Application Number 2013/0587
Erection of Passivhaus dwelling along with hard and soft landscaping and vehicular access.
At: Land off Lomas Lane, Balladen, Rawtenstall.**

The Planning Manager introduced the application, outlined details of the site and the reasons for it being brought before the Development Control Committee. The applicant sought to develop a contemporary, ecologically sound house which would provide four bedrooms, a home studio/office space, an open plan kitchen/dining/living space with an integral garage large enough to house cars, bicycles, a moped, workshop space.

The applicant had submitted an extensive ‘Design and Access’ statement, a ‘Planning Policy Compliance Statement’ and a planning appeal decision and a letter of support from ‘Places Matter Design Review Panel’.

The Planning Manager referred to the National Planning Policy Framework (NPPF) Paragraph 55 in which it stated local planning authorities should avoid isolated new homes in the countryside unless there were special circumstances. Of the four circumstances where it may be appropriate to allow an isolated house in the countryside was the 'exceptional quality or innovative nature of the design of the dwelling'. RBC (Forward Planning) concluded that the application had failed to meet the tests demanded by the NPPF for isolated new homes in the countryside.

LCC(Highways) had no objection to the proposal. Rossendale Civic Trust raised concerns but did not state outright objection to the proposal. Ten residents from 7 households (though 4 the households had the same surname), had sent in objections to the application. Three letters had also been received in support of the application.

With regard to assessment, the proposal was considered good but for the reasons set out in the report and update report, particularly in relation to design, it had not met the exacting requirements of the NPPF.

In relation to neighbour amenity concerns had been raised in relation to loss of privacy/overlooking and potential noise from the proposed development. It was in officers view that spacing standards would not cause concern.

Officers recommendation was to refuse the application, for the reasons outlined within the report.

Mr Ashworth spoke against the application and Mrs Howard spoke in favour of the application. A written submission was read out by the Chair on behalf of Councillor McInnes.

In determining the application the committee discussed the following:

- Interesting design of house
- Wrong location
- Dominate area rather than enhance it
- Clarification on the advice given by the Planning Manager to the applicant on the significance of the comments from Places Matter at pre application stage.

The Planning Manager responded to the queries raised.

A proposal was moved and seconded to refuse the application, for the reasons outlined within the report.

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

FOR	AGAINST	ABSTENTION
5	0	0

Resolved:

That the application be refused, for the reasons outlined within the report.

NB. Councillor Roberts returned to the committee to determine the following items.

7. Application Number 2013/0556

Re-plan of scheme approved Planning Permission 2010/0667 resulting in an increase in dwellings from 18 to 25.

At: Orama Mill, Hall Street, Whitworth.

The Principal Planning Officer introduced the application, outlined details of the site and the current application. Development of the site had progressed further. Rather than implement the scheme approved under Planning Permission 2010/667 for the rear part of the site (bounding Whitworth Community High School) a re-plan was proposed here that would enable construction of more of the smaller/semi-detached units.

The consequence of this proposal would be to increase the total number of dwellings constructed on this part of the site by 7, and to increase the total number of dwellings to be constructed on the site as a whole to 104, utilising essentially the same house types as have already been approved for use on other plots.

Consultation responses had been received, LCC(Highways) had no objection to the proposal along with the Environment Agency and United Utilities.

In relation to notification responses, local residents were notified by, letter, press release and site notice and no comments had been received.

The Principal Planning Officer stated that with regard to visual amenity, the amended dwellings were of the same house type incorporated within the estate and in relation to neighbour amenity it was noted that Whitworth High School would be the only property bounding the site.

The applicant had agreed to increase the section106 obligation as set out in the report.

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

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

In determining the application the committee discussed the following:

- Affordable housing and Public Open Space provision
- Whether this would be the last amendment to the application
- Clarification on when completion of the road surface would take place in the development
- Street lights and if they accorded to national standard
- Roundabout and when works to commence with this
- Attractive site

The Principal Planning officer responded to queries raised.

It was agreed Officers would contact LCC to find out when works would commence for the proposed highway improvements.

A proposal was moved and seconded to approve application subject to conditions outlined in the report.

Voting took place on the original proposal to approve the application:

FOR	AGAINST	ABSTENTION
6	0	0

Resolved:

That the application be approved subject to the conditions outlined in the report.

NB. Councillor Oakes left the room for the following item to be determined.

8. Application Number 2013/0586

Change of use of vacant garage court to allotments, inc. raised beds, boundary fencing & gates, sheds/greenhouses/ polytunnels, tree felling, planting & pathways.

At: Land off Blackwood Road, adj Stacksteads Riverside Park, Stacksteads.

The Principal Planning Officer introduced the application, outlined details of the site and the current application. Permission was sought to make the land available as allotments, for which there was said to be an un-met local need.

There would be 18 allotment plots and the site would be levelled to accommodate these plots.

No comments had been received from residents

With regard to visual amenity, allotment plots 5 and 10 were shown on the submitted drawings to require over their full extent removal of material ranging in depth between 1m and 2m.

LCC(Highways) had no objection to the proposal but expressed concern regarding the small amount of off street and present bollards at the access point.

The Principal Planning Officer also clarified that some of the plots would be intended to be used to keep chickens. It was noted any complaints relating to this would not be planning related but would be controlled by other means. No ecology report had been submitted for the site however this was to be required within the conditions as would contamination issues.

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

Ms Gildert spoke in favour of the application.

In determining the application the committee discussed the following:

- If there was a waiting list for Stacksteads allotments
- Contamination on the proposed site

- Great idea
- Demand for allotments in general
- Funding and costs to implement the proposals

A proposal was moved and seconded to approve application subject to conditions outlined in the report.

Voting took place on the original proposal to approve the application:

FOR	AGAINST	ABSTENTION
5	0	0

Resolved:

That the application be approved subject to the conditions outlined in the report.

NB. Councillor Oakes returned to the committee to determine the remaining item.

9. Application Number 2013/0580

Demolition of garages and construction of seven affordable rented dwellings with associated access and parking.

At: Garage Colony to rear of The Parade, Broadway, Haslingden.

It was noted that the application had come before committee due to three or more objections received.

The Planning Manager introduced the application, outlined details of the site and the current application. Permission was sought to demolish the existing garages and erect seven 2-storey houses (four 3-bedroomed and three 2-bedroomed) in a staggered-terrace facing south. The houses would be constructed of red brick with buff brick heads and cills, under tile roofs. Their front gardens would be bounded by 1.2m close boarded fencing, with 1.8m close boarded fencing with trellising atop to the rear.

The proposed properties would be constructed in red/buff brick. All of the units would be affordable and would be managed by Greenvale Homes. The applicant advised that the houses would meet Code for Sustainable Homes Level 3 and they would be Lifetime Homes compliant. The scheme would provide 14 parking spaces for the proposed houses (two per house), to be sited to the rear of the terrace and accessed off a new road which would be constructed to an adoptable standard.

A further 16 parking spaces were to be sited on the site with 6 spaces for tenants, 7 for community parking and 3 for visitors. The new access road would also be widened by a metre from the current situation making on street parking easier.

LCC(Highways) had no objection to the proposal and considered as did the case officer, the proposed changes would result in improvements.

It was noted that there had been a high level of consultation including letters and leaflets sent to local

residents. 23 neighbours had objected to the scheme and in addition to these a 113 signature petition against the application had been received. Details of these concerns were outlined within the report.

The Planning Manager stated that an additional objection had also been received which was outlined within the update report, the officers response was included along with suggestion of an additional condition.

The site was within the urban boundary and complied with RBC Housing Policy. With regard to visual amenity, officers were satisfied that the seven dwellings proposed were of a size, design and appearance that would not be detrimental to the character of the area, including a variety of house types and appropriate facing materials. In relation to neighbour amenity, spacing distances were deemed acceptable.

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

Mr Smith spoke in favour of the application.

In determining the application the committee discussed the following:

- Footpath from Broadway Crescent would this be maintained
- Option of a one way system
- Number of lighting columns on site
- Layout of properties and why gardens were not south facing
- Better use of land
- Concern of traffic congestion
- Separation distances between proposed development and houses north of the site

Officers agreed they could take the one way option back to LCC(Highways) to explore again, however it was confirmed this would not hold up the scheme.

A proposal was moved and seconded to approve the application subject to conditions outlined in the report along with the additional condition stated within the update report.

Voting took place on the original proposal to approve the application:

FOR	AGAINST	ABSTENTION
4	2	0

Resolved:

That the application be approved subject to the conditions outlined in the report along with the additional condition stated within the update report.

The meeting commenced at 6.30pm and concluded at 8.40pm

Signed:

(Chair)