

MINUTES OF: THE DEVELOPMENT CONTROL COMMITTEE

Date of Meeting: 22nd APRIL 2014

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

In Attendance: Simon Prideaux, Chief Planning and Transportation Officer
Neil Birtles, Planning Officer
Richard Bingham, Legal Officer
Michelle Hargreaves, Committee and Member Services Officer

Also Present: 15 members of the public
2 member of press
Councillor Lamb

1. APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES

Apologies had been submitted on behalf of Councillor Fletcher (Councillor Kenyon sub).

2. MINUTES

Resolved:

That the minutes of the meeting held on 25th March, 2014 be signed by the Chair and agreed as a correct record.

3. DECLARATIONS OF INTEREST

Councillor Procter declared an interest on agenda item B1 as she was a member of the Greenvale Homes Board.

4. URGENT ITEMS

There were no urgent items.

The Planning Officer stated that agenda Item B1, 2014/0077 had been withdrawn from the agenda, however due to concerns raised on the site visit it was suggested that members outline these issues prior to an application being resubmitted.

The following points were raised:

- Whether the large flood defence gates were a requirement of the Environment Agency
- Happy for facing materials to be submitted to the local planning authority as per condition
- Would be nice to see natural stone used where possible

The Planning Officer confirmed he would report to the applicant the suggestion of examples of

facing materials being produced as well as ensuring the Environment Agency's requirements be observed.

PLANNING APPLICATIONS

5. Application Number 2014/0034

**Conversion of existing buildings to 22 apartments and erection of 6 houses in the grounds.
At: Waterfoot County Primary School, Thornfield Ave, Waterfoot.**

It was noted that the application had come before committee due to it being a major application.

The Planning Officer introduced the application, outlined details of the site and the reason for it being brought to the Development Control Committee. The applicant sought permission to:

- Convert the principal buildings, and later additions to them, to provide 15 1-bed flats and 7 2-bed flats;
- Construct 6 3-bed houses, including 2 detached houses on land fronting Thornfield Avenue that was presently a tarmaced playground/occupied by the pre-fab to the west side of the existing buildings and 2 pairs of semi-detached houses on the playground towards the rear of the site.

In relation to consultation responses, it was noted that the Environment Agency had submitted an objection to the proposal, LCC (Highways) had no objection to the application however LCC (Education) requested a contribution of £24,000 to assist with additional Primary School capacity. It was noted that Rossendale Civic Trust were generally supportive of the application and provided further comments which were outlined within the report.

The Planning Officer stated that in principle, the application was located within the urban boundary, was previous developed land, was located near the centre of Waterfoot and near a quality bus route.

With regard to the Environment Agency's objection, it was noted that if the committee was minded to go against officer's recommendation, the application would need to be deferred.

In relation to housing policy, according to the core strategy, Waterfoot was considered an area where additional housing was to be encouraged. Policy 4 indicated that on a previously-developed site where 28 units were proposed, Affordable Housing should be provided at a rate of 20% of units. The applicant had indicated that they could not meet the requirement in full for viability reasons, but were willing to provide "3 units as affordable/ shared ownership or rented properties to meet this criteria".

The Planning Officer stated that in relation to neighbour amenity, the 2 new houses proposed on Thornfield Avenue were of unconventional design. However the applicant confirmed that there would be no habitable windows fronting Thornfield Avenue.

LCC (Highways) had no objection to the proposed access and parking, in which 41 spaces would be

provided.

Planning Contributions were outlined within the report however it was noted in relation to open spaces, £1,366 was requested per unit.

Officers recommendation was for refusal for the reasons outlined within the report.

Mr Hussien spoke in favour of the application.

In determining the application, the committee discussed the following:

- Applicants experience of previous developments
- Clarification on whether flood risk assessment was completed
- Concern scheme too premature/underdeveloped
- Option of deferral
- Clarification of which trees were to be removed

The Planning Officer responded to the matters of clarification.

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
7	0	0

Resolved:

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

6. Application Number 2014/0112

Allotments with associated communal allotment building with storage, sheds, composting toilet, hardstanding for 7 cars, fencing, landscaping, creation of site access and creation of pond.

At: Land west of Burnley Road A682 at Loveclough & to immediate south-west of the municipal recreation ground.

The Chief Planning and Transportation Officer introduced the application, outlined details of the site, the relevant planning history and the reasons for it being brought before the Development Control Committee. It was noted that the latest application was similar to the scheme previously approved under application 2013/0461.

The only difference between the previous scheme approved and this one was in respect of access and position of the car park. It was brought to the committee's attention that the access point for the previous scheme from Burnley Road required improvements / widening and involved land in the

ownership of a 3rd party separate to the Council. The applicant advised that agreement to use this 3rd party land had not been possible.

Accordingly, in the revised scheme permission was sought for the site to now be accessed from Burnley Road using the existing access into the recreation ground (council owned) which was immediately to the north east of the site identified for the allotments.

It was noted that LCC(Highways) had no objection to the application.

The proposal was supported by national and local planning policies and, in line with the comments of Forward Planning outlined within the report and was therefore acceptable in principle.

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

Mr Nugent spoke in favour of application.

In determining the application, the committee discussed the following:

- Application had been discussed at previous length at committee in December 2013

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

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, subject to the conditions outlined within the report.

7. Application Number 2014/0044

Change of use of ground floor and basement of 602 Burnley Road, Rawtenstall from a photographic studio and retail use (sui generis) to a health and beauty salon and retail use, and installation of new shop front

At: 602 Burnley Road, Rawtenstall, Rossendale, Lancashire

The Planning Officer introduced the application, outlined details of the site, the relevant planning history and the reasons for it being brought before the Development Control Committee. Permission was sought for the change of use of the premises from a photographic studio and retail use (sui generis) to a health and beauty salon with retail (sui generis) including a new shop front. As per the current arrangements, the retail element of the salon would be located at ground floor fronting onto Burnley Road with a treatment area and office at the rear. The basement would contain a further treatment area, a small kitchen area and toilets. The existing oak-effect UVPC shop front was proposed to be replaced with treated softwood windows, fascia and pilasters.

In relation to consultation responses, RBC (Environmental Health), the Environment Agency and LCC (Highways) had no objection to the proposal.

With regard to visual amenity, the main external alterations were replacement of the existing UPVC shop front with a new traditional shopfront of timber construction. Since publication of the report the applicant had submitted an email detailing the proposed colour scheme. Following this information, officers have amended the wording of condition 3 which was included in the update report.

Officers recommendation was for approval subject to the conditions outlined within the report and the rewording of condition 3 highlighted in the update report.

Mr Hartley spoke in favour of the application.

In determining the application, the committee discussed the following:

- Location of refuse storage and where this would be collected
- Another empty property brought back into use

A member of the committee noted it was nice to see that the Council's approved Shopfront Design guidance was having the desired effect in improving the standard of new shopfronts.

A proposal was moved and seconded to approve the application subject to the conditions outlined within the report, along with the rewording of condition 3 as outlined within the update report.

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 subject to the conditions outlined in the report, with condition 3 amended in line with the update report.

**8. Application Number 2014/0565
Erection of One End Terrace Dwelling.
At: Alden View, Alden Road, Helmshore**

The Chief Planning and Transportation Officer introduced the application, outlined details of the site, the relevant planning history and the reasons for it being brought before the Development Control Committee. Planning permission was sought for the construction of an end terrace house, to be sited within the area of the former agricultural building.

The scheme would also include a new bore hole to supply spring water to the new house. The applicant advised that this system would also have the capacity to supply all existing residents should they wish to connect into it, to provide them with water at an adequate pressure, equipped with modern filtration systems that would satisfy building regulation standards.

The front elevation would be mainly in natural stone to match the row, however, would have a glass break to provide a distinct separation between old and new. The roof would also match the existing, however would also include a louvred verge and a centrally positioned chimney stack.

With regard to consultation responses, LCC (Highways) had not objected to the proposal.

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

Mr Brown spoke in favour of the application.

In determining the application, the committee discussed the following:

- If the spring water supply had been tested at the location
- Why the original approved application was smaller than the proposed application
- Time expired on previous application
- Excellent scheme – would improve area

The Chief Planning and Transportation 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.

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 subject to the conditions outlined in the report.

8. Application Number 2014/0131

Rebuilding of units 1, 2 & 3.

At: Heys Street Industrial Estate, Heys Street, Bacup

The Planning Officer introduced the application, outlined details of the site, and the reasons for it being brought before the Development Control Committee. The applicant advised that following a serious fire in late 2013 it wished to again provide on the application site 3 industrial units, which would require a complete re-build for those 2 units nearest Heys Street, although it may be possible to retain the existing frame/re-clad the unit nearest the undamaged units.

The applicant advised that the replacement building would be of the same siting and size, however the facing materials were to be slightly varied.

LCC(Highways) had no objection to the proposal and there were no objections from neighbours.

With regard to visual amenity, the site would be located at the same siting and would be of similar design.

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

In determining the application, the committee discussed the following:

- Currently an unsightly building
- Would increase value to nearby properties

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

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 subject to the conditions outlined in the report.

**8. Application Number 2014/0019
Erection of Detached Garage (Retrospective).
At: Plot 3, Garage Site, Bankside Lane, Bacup**

The 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 for a detached garage, constructed with concrete block panels and a flat roof.

No objection or comments had been received.

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

In determining the application, the committee discussed the following:

- Ensuring the surface would be rendered and not a block work finish

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

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 subject to the conditions outlined in the report.

9. Application Number 2014/0017

Extension of site curtilage to provide additional parking, and erection of a 2m high perimeter fence.

At: Land adj to former Dairy Crest, Bacup Road, Cloughfold

The Chief Planning and Transportation Officer introduced the application, outlined details of the site, the relevant planning history and the reasons for it being brought before the Development Control Committee. Permission was sought for the extension of the depot site to provide additional parking and turning facilities for the recently approved warehouse, its 2.4m high perimeter fence to stand little more than 1m from the path forming the long-distance recreational route.

It was noted that condition 5 had been amended in order to take into account the design, form and appearance of the proposed fencing due to the proximity of Bacup Road and the Valley Way. The amended condition 5 was outlined in the update report.

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

Mr Hartley spoke in favour of the application.

In determining the application, the committee discussed the following:

- Current use of the building

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

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 subject to the conditions outlined in the report along with the amended condition in the update report.

10. Delegation of Decisions by the Planning Manager

The Chief Planning and Transportation Officer introduced the report which sought the Committee's permission to delegate planning matters which could not currently be decided by the Planning Manager alone to the Planning Manager, in consultation with the Chair of the Development Control Committee and the Opposition Spokesperson for the period between the 22nd April Committee meeting and the next Committee meeting. It was noted that this was required in order for the Council

to maintain planning performance targets during the 'purdah' period. It was noted that during the period 23rd April 2014 to 16th June 2014, no Development Control Committees had been scheduled.

Following this it was requested the committee be notified of any decisions made within this time period.

Resolved:

That the planning matters outlined in the report be delegated to the Planning Manager in consultation with the Chair and Opposition Group Spokesperson for all applications/ matters to be determined/decided for the period 23rd April 2014 to 16th June 2014.

The meeting commenced at 6.30pm and concluded at 7.55pm

Signed:

(Chair)