

**PLANNING BOARD
Thursday, 10th March, 2016**

Present:- Councillor Atkin (in the Chair); Councillors Astbury, Godfrey, Khan, Sansome, Sims, Smith, R.A.J. Turner, Tweed and Whysall; together with Councillor Roddison (as substitute for Councillor Lelliott).

Apologies for absence were received from Councillors Cutts, Lelliott, Middleton and Pickering.

91. DECLARATIONS OF INTEREST

There were no Declarations of Interest made at this meeting.

92. MINUTES OF THE PREVIOUS MEETING HELD ON 18TH FEBRUARY, 2016

Resolved:- That the minutes of the previous meeting of the Planning Regulatory Board held on Thursday, 18th February, 2016, be approved as a correct record for signature by the Chairman.

93. DEFERMENTS/SITE VISITS

There were no site visits nor deferments recommended.

94. DEVELOPMENT PROPOSALS

Resolved:- (1) That, on the development proposals now considered, the requisite notices be issued and be made available on the Council's website and that the time limits specified in Sections 91 and 92 of the Town and Country Planning Act 1990 apply.

In accordance with the right to speak procedure, the following person attended the meeting and spoke about the application listed below:-

Erection of 1,745 square metres retail unit (use class A1) with associated car parking, landscaping and associated works at former Council Depot site, Hamilton Road, Maltby for Harbridge (Maltby) Ltd. (RB2015/1298)

Mrs. C. Temple (representative of the applicant Company)

(2) That application RB2013/0307 be refused for the reasons set out in the submitted report.

(3) That application RB2015/1298 be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the submitted report and to a slight amendment to condition 31 which now reads:-

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The net sales floor area (defined as all internal areas accessible to the customer, but excluding additional warehouse, staff and office facilities) shall not exceed 75% of the net sales floor area for non-food goods and shall not exceed 25% of the net sales floor area for food/drink sales.

(4)(a) That, with regard to application RB2015/1469, the Council shall enter into a Legal Agreement with the developer under Section 106 of the Town and Country Planning Act 1990 to secure a contribution of £70,000 towards the provision of affordable housing within Rotherham; and

(b) That, subject to the signing of the Section 106 Legal Agreement, planning permission be granted for the proposed development subject to the conditions set out in the submitted report and to the following amendment to condition number 02:-

the deletion of the words "WL04 2B, received 18 January, 2016" and the substitution therefor of the words "WL04 2C, received 9 March, 2016".

95. APPEAL DECISION - VARIATION OF CONDITION 02 (AMENDED PLANS) IMPOSED BY RB2014/0727 (INSTALLATION OF 2 NO. TURBINES (24.8 M HUB HEIGHT AND 34.5 TIP HEIGHT)) AT LAND AT PARKCLIFFE FARM, MORTHEN ROAD, WICKERSLEY (RB2015/0493)

Further to Minute No. 4 of the meeting of the Planning Board held on 4th June, 2015, consideration was given to a report of the Director of Planning, Regeneration and Culture concerning the decision of the Planning Inspectorate to dismiss the appeal lodged against the decision of the Council to refuse planning permission for the variation of condition No. 2 of RB2014/0727 to increase the blade tip length by 2.1 m and reduce the hub height by 0.8m on each turbine so that the productivity of the turbines could be increased by 33%.

A separate application for the installation of a single wind turbine with 24.8m hub height and 36.6m height remained undetermined (RB2015/0907).

The Planning Inspector noted that it was accepted that the proposals represented inappropriate development in the Green Belt and considered the main issues to be:-

- (i) the effect of the proposal on the openness of the Green Belt and the purposes of including land in it
- (ii) the effect of the proposal on the character and appearance of the area
- (iii) whether the harm by reason of inappropriateness and any other harm was clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.

The Inspector found that the proposal would result in a modest reduction in openness and harm to the character and appearance of the area. The proposal also did not have the backing of the local community since their concerns in relation to the Green Belt and the character and appearance of the area had not been addressed as required by the Written Ministerial Statement.

The Inspector concluded that, on the positive side, significant weight was to be given to the environmental benefits of the proposal, above and beyond that which already had planning permission. However, the Inspector noted that according to the appellant the original approved scheme would be unlikely to be a viable project because of a change in the feed in tariff in March, 2015. The Inspector considered that these other considerations were insufficient to outweigh the harm by reason of inappropriateness and the other identified harm and as such did not amount to the very special circumstances necessary for the proposal to be acceptable.

Members were informed of the contents of the written Ministerial statement dated 18th June, 2015 and of its relevance to this appeal decision.

In accordance with the right to speak procedure, the following person attended the meeting and spoke about the appeal decision in respect of this case:-

Mr. P. Thirlwall (objector to the original application)

Resolved:- That the report be received and the decision of the Planning Inspector to dismiss the above appeal be noted.

96. UPDATES

A brief discussion took place on:-

a) the Council's scheme of delegation in respect of decision-making on applications for planning permission; and

b) the Government's Housing and Planning Bill, which includes provision of the processing of applications for planning permission to be undertaken within a competitive environment (eg: by neighbouring local authorities and by private sector companies), although the decision-making aspect is to remain with the Local Planning Authority; the Government's consultation document will be reported to Elected Members before the due date for submission of representation.