

**PLANNING BOARD
Thursday, 20th April, 2017**

Present:- Councillor Atkin (in the Chair); Councillors Andrews, Bird, D. Cutts, M. S. Elliott, Jarvis, Sansome, R.A.J. Turner, Tweed and Walsh.

Apologies for absence were received from Councillors Ireland, Khan, Price and Whysall.

78. DECLARATIONS OF INTEREST

With reference to Minute No. 80 below, Councillor Tweed declared his personal interests in application RB2017/0105 (Erection of 58 No. dwellinghouses, associated works, gardens and car parking at land at Rother View Road, Canklow for Wates Residential) and also in application RB2017/0122 (Erection of 22 No. dwellinghouses with associated external works, gardens and car parking at land at Rother View Road, Canklow for Wates Residential) because of his membership of the governing bodies of other academies/schools which are controlled by the same Academy Trust as the Canklow Woods Primary School. Councillor Tweed left the meeting and took no part in the Planning Board's debate on these matters and did not vote.

79. MINUTES OF THE PREVIOUS MEETING HELD ON 30TH MARCH, 2017

Resolved:- That the minutes of the previous meeting of the Planning Regulatory Board held on Thursday, 30th March, 2017, be approved as a correct record for signature by the Chairman.

80. MATTERS ARISING FROM THE MINUTES OF THE PREVIOUS MEETING

Further to Minute No. 75(2) of the meeting of the Planning Board held on 30th March, 2017, Members considered further information in relation to application RB2017/0105 (Erection of 58 No. dwellinghouses, associated works, gardens and car parking at land at Rother View Road, Canklow for Wates Residential) and also to application RB2017/0122 (Erection of 22 No. dwellinghouses with associated external works, gardens and car parking at land at Rother View Road, Canklow for Wates Residential).

It was reported that some erroneous information was provided to the Planning Board, by the Housing Officer, during the debate of these applications at the previous meeting of the Planning Board, in relation to the reasons for the demolition of the original residential properties which used to be situated on the areas of land the subject of these applications for planning permission. It had been alluded that there may have been 'movement' in the ground, as well as other factors.

Those Members of the Planning Board, now present and who had also been present at the meeting on 30th March, 2017 and had voted to resolve to grant these two applications at that meeting, all confirmed that had they been aware of the correct information relating to this matter at the time of voting at the previous meeting, they would not have voted differently. As such, the inclusion of erroneous information during the meeting on 30th March, 2017, did not affect the Planning Board's determination of these two applications for planning permission.

(Councillor Tweed declared his personal interest in this item, left the meeting and took no part in the Planning Board's debate on this matter and did not vote)

81. DEFERMENTS/SITE VISITS

There were no site visits nor deferrals recommended.

82. 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 shown below:-

- Construction of a waste wood processing plant and fire retained area bounded by concrete push walls, erection of buildings to form associated storage, reception/administration, security and staff welfare area, formation of impermeable surface to form a lorry parking/waiting area, weighbridge and staff parking area together with associated highways and drainage works (Class B2/B8) at land at North Drive Northfield for the Stobart Group (Stobart Biomass) (RB2017/0113)

Mr. S. Butler (representative of the applicant Company)

(2)(a) That, further to Minute No. 75(4) of the meeting of the Planning Board held on 30th March, 2017, application RB2015/1530 be referred to the Secretary of State for Communities and Local Government (National Planning Casework Unit) under the Town and Country Planning (Consultation) (Direction) 2009, being inappropriate development in the Green Belt; and

(b) That, subject to the National Planning Casework Unit not calling in the application for determination, the Council resolves to grant permission for the proposed development subject to the conditions set out in the submitted report.

(3) That application RB2017/0113 be granted for the reasons adopted by

Members at the meeting and subject to the relevant conditions listed in the submitted report and condition number 11 shall be removed and the following additional conditions shall be applied to this permission:-

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In the event that during development works unexpected significant contamination is encountered at any stage of the process, the Local Planning Authority shall be notified in writing immediately. Any requirements for remedial works shall be submitted to and approved in writing by the Local Authority. Works thereafter shall be carried out in accordance with an approved Method Statement. This is to ensure the development will be suitable for use and that identified contamination will not present significant risks to human health or the environment.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

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A gas characteristic situation 2 has been identified and gas protection measures are required for each new build comprising:

- a) Reinforced concrete cast insitu floor slab (suspended, non-suspended or raft) with at least a lapped and taped minimum 1200g membrane
- b) a beam and block or pre cast floor slab with a lapped and taped minimum 2000g membrane; and
- c) under floor venting or pressurisation in combination with either of (a) or (b) above depending on use
- d) All joints and penetrations should be sealed

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

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All service pipes to the site offices and welfare facilities are to be installed to comply with Water Supply (Water Fittings) Regulations 1999 and Water Supply (Water Quality) Regulations 2000. All materials to be Water Regulations Advisory Scheme (WRAS) approved for use on potable water supplies. Where required, the service pipes will be either WRAS approved barrier pipe (preferred option) or plastic coated underground copper.

Reason

To ensure that risks from land contamination to the future users of the

land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

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Following completion of any required remedial/ground preparation works a Verification Report should be forwarded to the Local Authority for review and comment. The Verification Report shall include details of the remediation works and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the Verification Report together with the necessary documentation detailing what waste materials have been removed from the site. The site shall not be brought into use until such time as all verification data has been approved by the Local Authority.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

(4) That application RB2017/0404 be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the submitted report, with the amendment to condition number 2 by the correction of the approved plan to state "Landscape Plan – Drawing No. V13204-L01 Rev B", instead of "Landscape Plan – Drawing No. V13204-L01 Rev A".

83. PROPOSED TREE PRESERVATION ORDER NO. 6 2016 - LAND REAR OF NOS. 17 TO 27 NEW ROAD, FIRBECK

Consideration was given to a report of the Assistant Director of Planning, Regeneration and Culture concerning the proposed confirmation and serving of a Tree Preservation Order to protect three Lime trees on land at the rear of Nos. 23 to 27 New Road, Firbeck, as well as one Lime tree at the rear of No. 17 New Road, Firbeck (Tree Preservation Order No. 6, 2016).

The report detailed the various objections to the making of this Tree Preservation Order and also made reference to the original application to fell the trees (RB2016/0361).

In accordance with the right to speak procedure, the following person attended the meeting and spoke about this proposed Order:-

Mr. W. Anderson (objecting to the making of the Order in respect of three

of the trees concerned)

The report detailed the evaluation of these four Lime trees, using the TEMPO system (Tree Evaluation Method for Preservation Orders).

Resolved:- (1) That the report be received and its contents noted.

(2) That the serving of Tree Preservation Order No. 6, 2016, be confirmed without modification with regard to the four trees the subject of the submitted report, which are situated on land at the rear of Nos. 17 to 27 New Road, Firbeck, in accordance with Section 198 and Section 201 of the Town and Country Planning Act 1990.

84. UPDATES

There were no issues to report.