

PLANNING BOARD
4th April, 2013

Present:- Councillor The Mayor (Councillor Pickering) (in the Chair); Councillors Astbury, Atkin, Godfrey, Kaye, License, Roddison, G. A. Russell, Sims, Smith, Tweed and Whysall.

Apologies for absence:- Apologies were received from Councillors Dodson, Middleton and Pitchley.

T96. DECLARATIONS OF INTEREST

Councillor Smith declared a personal interest in application RB2013/0003 (erection of modular building, associated car parking and storage garage at Aston Hall Junior and Infants School) on the grounds that his granddaughter had secured a place for admission in September, 2013.

T97. MINUTES OF THE MEETING OF THE PLANNING REGULATORY BOARD HELD ON 14TH MARCH, 2013

Resolved:- That the minutes of the meeting of the Planning Regulatory Board held on 14th March, 2013, be approved as a correct record for signature by the Chairman.

T98. DEFERMENTS/SITE VISITS

There were no site visits or deferments recommended.

T99. 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.

(2) That application RB2012/1727 be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the report and subject to a further condition about car park signage.

(3) That applications RB2012/1795, RB2013/0003, RB2013/0188, RB2013/0193 and RB2013/0196 be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the report

(4) That application RB2012/1775 be refused for the reasons set out in the report.

(5) That Listed Building Consent be granted for application RB2013/0145 for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the report.

(6) That the Planning Board declare that it was minded to grant Listed Building Consent for application RB2013/0268 for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the report and subject to there being no comments being received before the expiry of the publicity period (Tuesday, 9th April 2013).

T100. COURTESY CONSULTATION REGARDING THE ERECTION OF 60.7M SINGLE WIND TURBINE AT LAND DAMSBROOK LANE CLOWNE FOR EMPIRICA INVESTMENTS LTD. (RB2013/0257)

Consideration was given to a report of the Director of Planning and Regeneration regarding the erection of a 60.7m single wind turbine at land at Damsbrook Lane, Clowne for Empirica Investments Ltd.

Discussion ensued on the approach taken by local Councils to consult with their immediate neighbours on certain applications and it was suggested that this be considered as an agenda item at the next Sheffield City Region Heads of Planning meeting.

Resolved:- (1) That Bolsover District Council be thanked for giving the Council the opportunity to comment on the planning application.

(2) That Bolsover District Council be advised that this Council had no objections to the proposed development.

T101. APPEAL DECISION - AGAINST REFUSAL OF PLANNING PERMISSION FOR RETENTION OF BUILDING AND MIXED USE OF BUILDING AND LAND FOR AGRICULTURAL PURPOSES AND DOG SPORTING ACTIVITIES, ANCILLARY CARAVAN AND CAR PARKING AREAS AND IMPROVED VEHICULAR ACCESS AT LAND ADJACENT HONEYSUCKLE COTTAGE, MORTHEN ROAD, THURCROFT (RB2013/0730)

Consideration was given to a report of the Director of Planning and Regeneration providing details of a decision of an appeal against the refusal of planning permission for the retention of a building and mixed use of building and land for agricultural purposes and dog sporting activities, ancillary caravan and car parking areas and improved vehicular access at land adjacent Honeysuckle Cottage, Morthen Road, Thurcroft.

The Inspector having considered all matters relating to the above concluded that the issues raised by the appellant did not clearly outweigh the harm that he identified by reason of inappropriateness, the reduction in openness and the adverse effects that the proposal had on the character and appearance of the area and the visual amenity of the Green

Belt. Therefore, the Inspector concluded that very special circumstances necessary to justify the development did not exist.

It was noted that prosecution action had already been authorised and this was currently being pursued.

Resolved:- That the decision to dismiss the appeal be noted.

T102. APPEAL DECISION - AGAINST REFUSAL OF PLANNING PERMISSION FOR THE ERECTION OF 2 NO. BUNGALOWS WITH INTEGRAL GARAGE AT LAND TO REAR 46 & 48 GOOSE LANE WICKERSLEY (RB2012/0281)

Consideration was given to a report of the Director of Planning and Regeneration providing details of a decision of an appeal against the refusal of planning permission for the erection of 2 No. bungalows with integral garage at land to the rear of 46 and 48 Goose Lane Wickersley.

In considering all matters related to this appeal the Inspector considered that the development of the appeal site in isolation would prejudice the future development of land in the area. Although there would be no conflict with Policy HG4.4 and the SPG, and the scheme would make efficient use of its own relatively small site, it would prejudice the optimum use of land in the surrounding area to meet housing needs. This would be at odds with Paragraph 58 of the National Planning Policy Framework (the Framework), which required development to optimise the potential of the site to accommodate development. Consequently, in line with Paragraph 14 of the Framework, although the proposal accorded with the development plan, the adverse impacts of granting permission in this case would significantly and demonstrably outweigh the benefits.

Resolved:- That the decision to dismiss the appeal be noted.

T103. APPEAL DECISION - AGAINST REFUSAL OF THE APPLICATION FOR A LAWFUL DEVELOPMENT CERTIFICATE REGARDING THE EXISTING USE OF A BUILDING AS A DWELLING AT THE STABLES, COMMON ROAD, THORPE SALVIN (R2012/0917)

Consideration was given to a report of the Director of Planning and Regeneration providing details of a decision of an appeal against the refusal for a Lawful Development Certificate regarding the existing use of a building as a dwelling at The Stables, Common Road, Thorpe Salvin.

The Inspector dealing with the appeal was of the view that the appellant had failed to demonstrate that he had lived on site for four years. As such it was not necessary for him to consider whether, in law, the appellant's strategy for avoiding the detection of his use of the building amounted to deliberate deception. He left it open for the appellant to produce more evidence of continuous residential use and, in the event that such evidence was forthcoming and a further application for a Lawful

Development Certificate was made, the deception point was a matter which future decision makers would have to consider.

The applicant had since submitted a fresh Lawful Development Certificate and the Council was currently considering issuing an enforcement notice to cease the residential use on site.

Resolved:- That the decision to dismiss the appeal be noted.

T104. UPDATES

The following update information was provided:-

(a) Rotherham Local Plan

Bronwen Knight, Planning Manager, reported on the progress and next steps in relation to the Rotherham Local Plan and the plans for the next round of consultation with members of the public.

It was noted that seminars that had recently been held for all Members to raise awareness and gain members views on sites being proposed for future development and there was some discussion regarding notifications, timing, attendance and diary management, but it was established that formal notifications had been sent to all Members on 1st March followed by a reminder on 11th March, 2013.

Members were advised that Councillor Smith's e-mail, sent to all Members last week, confirmed that a catch up session could be arranged if Members were unable to attend the sessions or alternatively they were welcome to contact the Planning Policy Team for an individual briefing as necessary.

Once the Sites and Policies Document had been approved by the Cabinet for consultation further Member briefing sessions would be arranged prior to the start of the public consultation.

Planning Board Members were requested to "spread the word" about this important information to their colleagues so that all Members were made aware of the issues prior to the public consultation (programmed to start – subject to approval - late May/June).

(b) Revised Approach for Dealing with Applications

Bronwen Knight, Planning Manager, made reference to the development of a protocol for dealing with applications that overturned officer recommendations and subsequent representation at appeal.

Discussion ensued on the process for a Member to propose a motion to put forward an alternative to the recommended decision, which would have to be seconded and discussed prior to the vote.

It was suggested that more clarity in the form of a protocol be provided for Members to consider as part of their discussions and submitted to the next meeting, which could then be incorporated into a training session.