

**PLANNING BOARD
4th October, 2018**

Present:- Councillor Sheppard (in the Chair); Councillors Andrews, Atkin, M. S. Elliott, Fenwick-Green, Sansome, Steele, Walsh and Williams.

Also in attendance:- Councillor W. Stevens (Chair of Planning Committee at Plymouth City Council), attending at the invitation of the Chair.

Apologies for absence were received from Councillors Bird, D. Cutts, R.A.J. Turner, Tweed and Whysall.

The webcast of the Council Meeting can be viewed at:-
<https://rotherham.public-i.tv/core/portal/home>

37. DECLARATIONS OF INTEREST

Councillor Sheppard declared a personal interest in application RB2018/1134 (Demolition of existing teaching block, bridge link and gym and erection of teaching block, link and associated works at Saint Bernard's Catholic High School, Herringthorpe Valley Road, Herringthorpe for Engie) because he has a nephew who is currently a pupil of this High School. Councillor Sheppard left the room during the Planning Board's consideration of this application, with the Vice-Chair Councillor Williams assuming the Chair.

38. MINUTES OF THE MEETINGS HELD ON 7TH AND 13TH SEPTEMBER, 2018

Resolved:- That the minutes of the two previous meetings of the Planning Regulatory Board held on 7th and 13th September, 2018, be approved as correct records for signature by the Chairman.

39. DEFERMENTS/SITE VISITS

There were no site visits nor deferments recommended.

40. VISIT OF INSPECTION - ERECTION OF 108 NO. DWELLINGHOUSES ON LAND OFF NETHERMOOR DRIVE, WICKERSLEY (RB2017/0215)

Consideration was given to a report of the Assistant Director of Planning Regeneration and Transport relating to the above application for planning permission. Prior to the meeting, Members of the Planning Board made a visit of inspection to the above site, the subject of this application.

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

Mr. M. Beevers (on behalf of the applicant Company)
Mr. J. Close, Mr. N. Cragg and Mrs. M. Woodhead (Objectors, collectively speaking on behalf of the W.R.O.N.G. campaign group)
Parish Councillor P. Thirlwall (Objector speaking on behalf of Wickersley Parish Council)
Mr. P. Thirlwall (Objector)
Mr. K. Crompton (Objector)
A letter from Mr. Martin (objector) was also read out at the meeting

Resolved:- (1) That, with regard to application RB2017/0215:-

(a) the Council shall enter into an Agreement with the developer in accordance with the provisions of Section 106 of the Town and Country Planning Act 1990 for the purposes of securing the following:-

- 25% on site affordable housing provision;
- a commuted sum of £500 per dwelling towards sustainable transport measures; and
- the establishment of a management company to manage and maintain the areas of greenspace, including the proposed Local Equipped Area for Play (LEAP);

(b) consequent upon the satisfactory signing of the Section 106 Agreement, planning permission be granted for the proposed development for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the submitted report.

41. 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 people attended the meeting and spoke about this application:-

- Erection of toilet block to side and canopy to front at 131 Bawtry Road, Wickersley for Mr. D. Baker (RB2018/1299)

Mr. D. Baker (Applicant)
Parish Councillor P. Thirlwall (Objector speaking on behalf of Wickersley Parish Council)

(2) That applications RB2018/1032 and RB2018/1093 be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the submitted report.

(3) That application RB2018/1134 be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the submitted report and with the inclusion of the following additional condition:-

07

There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works, details of which will have been submitted to and approved by the Local Planning Authority. If discharge to public sewer is proposed, the information shall include, but not be exclusive to:-

- a) evidence to demonstrate that surface water disposal via infiltration or watercourse are not reasonably practical;
- b) evidence of existing positive drainage to public sewer and the current points of connection; and
- c) the means of restricting the discharge to public sewer to the existing rate less a minimum 30% reduction, based on the existing peak discharge rate during a 1 in 1 year storm event, to allow for climate change.

Reason

To ensure that no surface water discharges take place until proper provision has been made for its disposal and in the interest of sustainable drainage.

(4) That application RB2018/1299 be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the submitted report and with an amendment to condition number 03 (as shown below) and with the inclusion of the following additional condition number 04 and an amendment to condition 05 (previously 04) as detailed below:-

03

No above ground development shall take place until details of the materials to be used in the construction of the proposed single storey side extension and all external surfaces of the canopy (including the retractable sides) hereby permitted have been submitted or samples of the materials have been left on site, and the details/samples have been approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details/samples.

Reason

To ensure that appropriate materials are used in the construction of the development in the interests of visual amenity and in accordance with Core Strategy Policy CS28 'Sustainable Design.'

04

No above ground development shall take place until full details of the means of operation of the proposed roof (to include any moving parts) and the retractable sides of the canopy have been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure that appropriate materials are used in the construction of the development.

05

The seating area located below the canopy hereby approved shall only be used between the hours of 08:30 to 00:00 on any day.

Reason

In the interests of the amenities of the occupiers of nearby dwellings and in accordance with Policy SP52 'Pollution Control'

(Councillor Sheppard declared a personal interest in application RB2018/1134 (Demolition of existing teaching block, bridge link and gym and erection of teaching block, link and associated works at Saint Bernard's Catholic High School, Herringthorpe Valley Road, Herringthorpe for Engie) because he has a nephew who is currently a pupil of this High School. Councillor Sheppard left the room during the Planning Board's consideration of this application, with the Vice-Chair Councillor Williams assuming the Chair)

42. CONSULTATION ON PLANNING PERMISSION FOR NON-HYDRAULIC SHALE GAS EXPLORATION DEVELOPMENT THROUGH A PERMITTED DEVELOPMENT RIGHT

Further to Minute No. 36(1) of the meeting of the Planning Board held on 13th September, 2018, consideration was given to a report submitted by the Assistant Director of Planning Regeneration and Transport concerning the consultation document issued by Central Government on proposed planning reforms for exploratory shale gas development in England. The purpose of this consultation was to seek views on the principle of whether non-hydraulic fracturing shale gas exploration development should be granted planning permission through a permitted development right and in particular the circumstances in which it would be appropriate. Copies of both the consultation document and of the Council's suggested response were included with the submitted report.

Members asked whether details of the various submissions made by other local authorities about this consultation document could be obtained from Central Government.

Resolved:- (1) That the report be received and the contents of the Government's consultation document be noted.

(2) That the contents of the Council's response to the consultation document, as now submitted, be approved.

43. CONSULTATION ON THE INCLUSION OF SHALE GAS PRODUCTION PROJECTS IN THE NATIONALLY SIGNIFICANT INFRASTRUCTURE PROJECT (NSIP) REGIME

Further to Minute No. 36(2) of the meeting of the Planning Board held on 13th September, 2018, consideration was given to a report submitted by the Assistant Director of Planning Regeneration and Transport concerning the consultation document issued by Central Government on the timings and criteria for major production phase shale gas projects (where 'fracking' takes place) to be included in the Nationally Significant Infrastructure Project (NSIP) regime under the Planning Act 2008. Copies of both the consultation document and of the Council's suggested response were included with the submitted report.

Resolved:- (1) That the report be received and the contents of the Government's consultation document be noted.

(2) That the contents of the Council's response to the consultation document, as now submitted, be approved.

44. APPEAL DECISION - VARIATION OF CONDITIONS - HARRYCROFT QUARRY, WORKSOP ROAD, SOUTH ANSTON (RB2016/1539)

Further to Minute No. 9(3) of the meeting of the Planning Board held on 22nd June, 2017, consideration was given to a report submitted by the Assistant Director of Planning Regeneration and Transport concerning the decision of the Planning Inspectorate to allow this appeal against the Council's decision to refuse the application to vary certain conditions imposed by permission RB2010/1308 in respect of quarrying operations at Harrycroft Quarry, Worksop Road, South Anston. The permission would have effectively allowed the quarry to re-open as the period of consent had lapsed (reference RB2016/1539).

The report stated that the Inspector had concluded that, having regard to the prevailing highway conditions and subject to the provision of the measures volunteered by the appellant by way of condition and planning obligation, the operations on the site as a result of the appeal proposal would not materially harm highway safety on the A57.

The decision notice included 45 conditions, some of which are 'pre-commencement' conditions that have to be addressed before the development takes place.

The appellant had requested costs on the basis that the Council had acted unreasonably, but the Inspector dismissed that request, stating that the Council had satisfactorily demonstrated how it had considered the proposal would compromise highway safety on the A57 in the vicinity of the site access.

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

(2) That the Planning Board notes:-

(a) the decision to allow the appeal, in accordance with the terms of the application reference RB2016/1539, dated 30th June, 2017 and subject to the conditions listed at the end of the decision; and

(b) that the application for costs was dismissed.

45. UPDATES

Further to Minute No. 61 of the meeting of the Planning Board held on 25th January, 2018, Members noted the impending Judicial Review (hearing scheduled on Tuesday 13th November, 2018) in respect of the following development and asked to be kept informed of progress:-

Construction of a well site including the creation of a new access track, mobilisation of drilling, ancillary equipment and contractor welfare facilities to drill and pressure transient test a vertical hydrocarbon exploratory core well and mobilisation of workover rig, listening well operations, and retention of the site and wellhead assembly gear for a temporary period of five years on land adjacent to Common Road, Harthill, Rotherham at Land adjacent Common Road Harthill for INEOS Upstream Limited (RB2017/0805).