

Committee: **Regulatory
Planning Committee**

Date: **22 June 2016**

Report by: **Director of Communities Economy and Transport**

Proposal: **Change of use of land to allow construction and operation of a wastewater pumping station with new layby off Fourteen Acre Lane, and a wastewater treatment works with new vehicular access from Butcher's Lane, together with ancillary fencing and landscaping.**

Site Address: **Land to south of Butcher's Lane and to west of Sailors Stream and land to north east of junction of Fourteen Acre Lane and Butcher's Lane in Three Oaks**

Applicant: **Southern Water Services Ltd.**

Application No. **RR/741/CM**

Key Issues: **Need for a further extension of time to complete Legal Agreement**

Contact Officer: **Jeremy Patterson Tel: 01273 481626**

Local Member: **Councillor Carl Maynard**

CONSIDERATION BY DIRECTOR OF COMMUNITIES ECONOMY AND TRANSPORT

SUMMARY OF RECOMMENDATIONS

To agree to an extension of time for the Legal Agreement to be completed and to authorise the Director of Communities, Economy and Transport to grant planning permission for application RR/741/CM upon completion of the Legal Agreement, subject to conditions along the lines agreed by Planning Committee on 14 October 2015. If the Legal Agreement has not been completed by 22 July 2016, the application shall be referred back for consideration.

CONSIDERATION BY DIRECTOR OF COMMUNITIES ECONOMY AND TRANSPORT

1. Introduction

1.1 The application for the development of a First Time Sewerage Scheme (RR/741/CM) was previously considered by the Planning Committee at its meeting in October 2015. The Committee resolved that following the completion of a Legal

Agreement, the Director of Communities, Economy and Transport be authorised to grant planning permission subject to conditions.

1.2 This report is to inform the Committee of the progress regarding the completion of the Legal Agreement relating to the application and to seek agreement to an extension of time to allow completion of the Agreement, prior to determination of the application.

2. Need for extension of time to complete Legal Agreement

2.1 This application relates to the development of a First Time Sewerage Scheme including the construction and operation of a wastewater treatment works, a wastewater pumping station and ancillary works. A copy of the previous Report and minutes of the Planning Committee in October 2015 are attached as Appendices 1 and 2, respectively.

2.2 The resolution of the Committee was that, subject to the completion of a Legal Agreement to carry out off site highway works, to authorise the Director of Communities, Economy and Transport to grant planning permission, subject to conditions. It was also resolved that if the Legal Agreement had not been completed within six months after the resolution (i.e. by 14 April 2016), the application would be referred back to Committee for consideration.

2.3 Although a Legal Agreement had been drafted, it had not been completed by the due date. Consequently, a report was considered by Committee at its meeting on 13 April 2016 (refer to Appendix 3) and it was resolved to allow an extension of time for the Agreement to be completed by 14 June 2016 and to authorise the Director of Communities, Economy and Transport to grant planning permission upon completion of the Agreement, subject to conditions. It was also resolved that if the Legal Agreement had not been completed by 14 June 2016 the application would be referred back to Committee for consideration.

2.4 The main outstanding matter referred to in the report to Committee on 13 April, which referred to land ownership arrangements at the pumping station site off Fourteen Acre Lane, has continued to frustrate proceedings relating to the completion of the Agreement. Notwithstanding this, it is apparent that the land ownership arrangements at the pumping station site have been concluded and the agreement to the proposed works by the third party has now been secured. The Legal Agreement is now anticipated to be submitted imminently by the applicant to Legal Services at the County Council for completion.

2.5 There have been no material changes in the overall circumstances of the proposal or in the policy context related to it. However, certain administrative procedures associated with the Legal Agreement have delayed its completion and additional time is therefore required to be able to conclude this matter.

2.6 Accordingly, it is recommended that an extension of time be given until 22 July 2016 for the Legal Agreement to be completed. If the Agreement is not completed by that date, the application should be referred back to Planning Committee.

3. Recommendation

3.1 The Committee is recommended that:

- (i) The resolution in respect of application RR/741/CM is amended to allow a further extension of time for the completion of the Legal Agreement;
- (ii) The Director of Communities, Economy and Transport is authorised to grant planning permission upon completion of the Legal Agreement in (i) above subject to conditions along the lines of those agreed at the meeting of the Planning Committee on 14 October 2015; and
- (iii) If the Legal Agreement is not completed by 22 July 2016 the application will be referred back to Committee for consideration.

RUPERT CLUBB
Director of Communities, Economy and Transport
16 June 2016

BACKGROUND DOCUMENT

Application file RR/741/CM