

**PLANNING BOARD
27th August, 2015**

Present:- Councillor Atkin (in the Chair); Councillors Astbury, Cutts, Lelliott, Pickering, Roche, Rosling, Sims, Smith, R.A.J. Turner, Tweed and Whysall, with Councillor Beaumont (as substitute for Councillor Godfrey).

Apologies for absence were received from Councillors Godfrey, Middleton and Yasseen.

28. DECLARATIONS OF INTEREST

There were no Declarations of Interest made at this meeting.

29. MINUTES OF THE PREVIOUS MEETING HELD ON 6TH AUGUST 2015

Resolved:- That the minutes of the previous meeting of the Planning Regulatory Board held on Thursday, 6th August, 2015, be approved as a correct record for signature by the Chairman.

30. DEFERMENTS/SITE VISITS

Resolved:- That consideration of application RB2015/0174 be deferred pending a visit of inspection, as agreed by the Planning Board, to enable Members to consider the merits of this proposed development on land which was formerly used as a scrap-metal enterprise and is land within the Green Belt; in addition, Members wish to consider the impact of the proposed development upon the surrounding highway network; with the Chairman and Vice-Chairman approving arrangements for the visit.

31. VISIT OF INSPECTION - CHANGE OF USE TO HAND CAR WASH/VALETING (USE CLASS SUI GENERIS) AT THE FORMER WATH SWIMMING BATHS, BISCAY WAY, WATH UPON DEARNE FOR MR. S. UYANIK (RB2015/0445)

Before the formal meeting of the Planning Board, Members of the Board made a visit of inspection to the above site (Ward representatives Councillors Elliot and Gosling were also in attendance).

Consideration was given to the report of the Director of Planning and Regeneration Service concerning the application for planning permission for the Change of use to hand car wash/valeting (use class Sui Generis) at the former Wath Swimming Baths, Biscay Way, Wath upon Dearne for Mr. S. Uyanik (RB2015/0445).

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

Councillor J. Elliot (objector, on behalf of local residents)

Resolved:- (1) That application RB2015/0445 be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the submitted report and including the following amended conditions and reasons:-

04

Prior to the commencement of development, details of how the surface water will be channelled and passed through a petrol interceptor before being discharged on site to a soakaway shall be submitted to and approved by the Local Planning Authority.

Reason

In the interests of highway safety, flood risk and amenity of the surroundings.

07

The hand car wash use hereby permitted shall only be open to customers or for deliveries between the hours of 0800 – 1800 Mondays to Saturdays and 0900 – 1600 on Sundays.

Reason

In the interests of the amenities of the occupiers of nearby dwellings and in accordance with UDP Policy ENV3.7 'Control of Pollution'.

09

Notwithstanding the submitted plans and prior to the commencement of development, a plan indicating the position, design, materials and type of boundary treatment to be erected (including drawings of the brick wall and railings alongside Moor Road) shall have been submitted to and approved by the Local Planning Authority. This shall also include details of the proposed landscaping along the southern boundary facing Biscay Way. The boundary treatment and landscaping shall be completed before the development is brought into use.

Reason

In the interests of the visual amenity of the area and in accordance with Core Strategy CS CS28 'Sustainable Design'.

(2) That the informative in respect of this application, as detailed in the submitted report, shall be deleted.

32. VISIT OF INSPECTION - APPLICATION TO FELL VARIOUS TREES PROTECTED BY RMBC TREE PRESERVATION ORDER NO. 18 1975, MORPHY RICHARDS LTD., TALBOT ROAD, SWINTON FOR MORPHY RICHARDS LTD. (RB2015/0795)

Before the formal meeting of the Planning Board, Members of the Board made a visit of inspection to the above site (Ward representatives Councillors Rose and Wyatt were also in attendance, with Councillor Sansome having given his apologies).

Consideration was given to the report of the Director of Planning and Regeneration Service concerning the application to fell various trees protected by RMBC Tree Preservation Order No. 18 1975, Morphy Richards Ltd., Talbot Road, Swinton for Morphy Richards Ltd. (RB2015/0795).

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

Councillor E. Rose (on behalf of local residents)

Resolved:- (1) That application RB2015/0795 be granted in part and the removal of the 27 trees, as detailed below, be approved for the reasons adopted by Members at the meeting and subject to the following conditions:-

01

All tree works shall be carried out in accordance with B.S.3998: 2010 and shall not exceed the removal of the 27 Poplar trees recommended for removal within the submitted tree survey report by the agent, unless otherwise agreed in writing with the Local Planning Authority. In addition no tree work shall commence until the applicant or his contractor has given at least seven days' notice of the intended starting date to the Local Planning Authority. The authorised works should be completed within two years of the decision notice otherwise a new application for consent to carry out any tree work will be required.

Reason

To ensure the tree works are carried out in a manner which will maintain the health and appearance of the trees in the interests of the visual amenities of the area and in accordance with UDP Policies ENV3 'Borough Landscape', ENV3.2 'Minimising the Impact of Development' and ENV3.4 'Trees, Woodlands and Hedgerows'.

02

Replacement planting condition

13 x Silver Birch (*Betula pendula*) and 14 x Upright Norway Maple (*Acer platanoides* Olmstead) shall be planted in the first planting season (early November to late March) following the removal of the 27 existing Poplar trees. Their size at the time of planting shall be 'Selected' Standard 10 to

12 centimetres stem circumference measured at 1 metre above ground level, with a minimum height of 3 to 3.5 metres and container grown within a minimum 25 litre container positioned approximately as indicated on the attached site location diagram or such other size, species, location or period as may be agreed in writing with the LPA.

Reason

To ensure the tree works are carried out in a manner which will maintain the health and appearance of the trees in the interests of the visual amenities of the area and in accordance with UDP Policies ENV3 'Borough Landscape', ENV3.2 'Minimising the Impact of Development' and ENV3.4 'Trees, Woodlands and Hedgerows'.

03

If, within a period of five years from the date of planting, the new trees (or any other new trees planted as replacements for them) are removed, uprooted or destroyed or die, another tree of the same size and species shall be planted at the same place, or in accordance with any variation for which the local planning authority give their written consent.

Reason

To ensure the tree works are carried out in a manner which will maintain the health and appearance of the trees in the interests of the visual amenities of the area and in accordance with UDP Policies ENV3 'Borough Landscape', ENV3.2 'Minimising the Impact of Development' and ENV3.4 'Trees, Woodlands and Hedgerows'.

04

Stump grinding condition

Following the felling of the 27 Poplar trees concerned their stumps will be removed by the use of a suitable stump grinding machine in accordance with

BS 3998:2010 Tree Work - Recommendations. The minimum depth for stump grinding should be to extend through the base of the stump leaving the major roots disconnected. The arisings should be removed from the site to help reduce the potential for the spread of honey fungus that may be detrimental to the future prospects of any new trees.

Reason

To ensure the tree works are carried out in a manner which will maintain the health and appearance of the trees in the interests of the visual amenities of the area and in accordance with UDP Policies ENV3 'Borough Landscape', ENV3.2 'Minimising the Impact of Development' and ENV3.4 'Trees, Woodlands and Hedgerows'.

(2) That the removal of the 46 remaining trees, the subject of application RB2015/0795 and as detailed in the submitted report, be refused for the following reason:-

The Council considers that the removal of the remaining 46 trees (not included within the 27 trees referred to at resolution (1) above) will result in a significant adverse impact on local amenity as well as any associated wildlife and biodiversity benefits and insufficient justification for their loss has been provided. The Council considers that the loss of the trees is likely to increase other difficulties of light and noise pollution from the site which would further exacerbate future disturbance to adjacent local residents. Accordingly this element of the application conflicts with UDP Policies ENV3 'Borough Landscape', ENV3.2 'Minimising the Impact of Development' and ENV3.4 'Trees, Woodlands and Hedgerows'.

33. 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)(a) That, with regard to application RB2014/1461, the Council shall enter into an Agreement under Section 106 of the Town and Country Planning Act 1990 for the purposes of securing the following:-

:: 15% on site affordable housing provision (comprising 13 affordable units);

:: £177,992 towards the provision of primary school places in Catcliffe (£2,342 per dwelling minus affordable units), 50% of the money payable upon 50% occupation, with the remaining 50% payable upon 80% occupation;

:: £59,995 towards the upgrade of the Catcliffe Parish Recreation Ground 50% of the money payable upon 50% occupation with the remaining 50% payable upon 80% occupation;

:: £46,657 towards Sustainable Travel Measures;

(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 including the following amended conditions and reasons:-

04

The development shall not be commenced until details of the proposed alterations to the Sheffield Lane/western access road/Poplar Way junction, indicated in draft form on plan reference PL-03 Revision G, have been submitted to and approved by the Local Planning Authority and the approved details shall be implemented before the first occupation of any dwelling. The submitted details shall include a Stage One Safety Audit and retention of adequate land adjacent plot 26 to enable carriageway

widening should the restoration of two way traffic flows along this part of Sheffield Lane be required.

Reason

In the interests of road safety.

07

The construction of the proposed access road fronting plot 7 shall have regard to the site levels of the potential development site to the north and shall be constructed to the boundary of the site to facilitate linking to a future development road in terms of vertical and horizontal alignment.

Reason

In order to promote sustainable travel choices.

(3) That consideration of application RB2015/0174 be deferred pending a visit of inspection, as agreed by the Planning Board, to enable Members to consider the merits of this proposed development on land which was formerly used as a scrap-metal enterprise and is land within the Green Belt; in addition, Members wish to consider the impact of the proposed development upon the surrounding highway network; with the Chairman and Vice-Chairman approving arrangements for the visit.

34. PROPOSED TREE PRESERVATION ORDER NO. 1 2015 AT CHURCH VIEW, 19 HIGH STREET, WHISTON

Further to Minute No. 5 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 proposed making of a new Tree Preservation Order in respect of various trees at Church View, 19 High Street, Whiston, within the Whiston Conservation Area.

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

Mr. C. Witham (objector to the making of the Order)

Mr. W. L. Anderson (objector to the making of the Order)

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

(2) That the Planning Board confirms the serving of Tree Preservation Order No. 1 (2015) with regard to various Norway Maple, Sycamore, Whitebeam and London Plane trees, as described in the submitted report, situated within the curtilage of Church View, 19 High Street, Whiston, under Sections 198 and 201 of the Town and Country Planning Act 1990, subject to the amended site plan.

35. UPDATES

(1) Members would receive an informal presentation from Harworth Estates, at the conclusion of the formal meeting, about the proposals for the local community and retail centre within the Waverley development.

(2) Discussion took place on the arrangements for the Planning Board's visits of inspection of completed developments, which will be held on Tuesday, 29th September, 2015.