

**PLANNING BOARD
10th October, 2019**

Present:- Councillor Sheppard (in the Chair); Councillors Atkin, Bird, D. Cutts, Sansome, Steele, Tweed, Walsh, Whysall and Williams.

Apologies for absence:- Apologies were received from Councillors M. Elliott and Jarvis.

39. DECLARATIONS OF INTEREST

There were no Declarations of Interest reported.

40. DEFERMENTS/SITE VISITS

There were no deferments or site visits recommended.

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 the applications below:-

- Erection of 14 No. flats with basement & accommodation in roof space, access and car parking & associated works at land adjacent 279 Kimberworth Road, Kimberworth for Mrs. M. Brown (RB2018/1602)

Mr. R. Varo (Objector)
Mr. A. Bellamy (Objector)

- Demolition of existing building and erection of 2 No. dwellinghouses at Ye Olde Cartwheel, Main Street, Brookhouse for Wildsmith (RB2018/1715)

Mr. P. Watson (on behalf of the Applicant)
Mr. M. Huntington (Objector)

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- Demolition of some buildings on site and proposed use of land and buildings for plant, machinery and equipment auction scheme and erection of check-in building, construction of 3.1m display ramp, 2.4m fencing and 6 x 10m lighting columns, all for a 27 year period at Maltby Colliery, Tickhill Road, Maltby for Hargreaves Land Limited (RB2019/0639)

Mr. L. Weatherall (Applicant)

- Erection of dwellinghouse and detached garage at land to the rear of 1 Firbeck Lane, Laughton-en-le-Morthen for Mr. Gibbs (RB2019/0811)

Mr. P. Watson (on behalf of the Applicant)

Mr. C. Mellor (Objector)

(2) That, with regard to application RB2018/1602:-

(a) subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990 with the developer for the purposes of securing a commuted sum of £40,000 towards off-site affordable house; and

(b) subject to the satisfactory securing of such an agreement, the Council resolves to grant planning permission for the proposed development subject to the reasons for grant and conditions listed in the submitted report.

(3) That application RB2018/1715 be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the submitted report.

(4) That, with regard to application RB2019/0639:-

(a) subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990 with the developer for the purposes of securing:-

- Replacement planting to mitigate the loss of trees within the application site.
- Provision of bat and bird boxes.

and, (b) subject to the satisfactory securing of such an agreement, the Council resolves to grant planning permission for the proposed development subject to the reasons for grant and conditions listed in the submitted report.

(5) That application RB2019/0811 be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the submitted report and subject to a further condition removing any further permitted development rights in relation to this property.

42. PROPOSED TREE PRESERVATION ORDER NO 2, 2019 - 10 SANDYGATE, WATH UPON DEARNE, ROTHERHAM

Consideration was given to a report of the Assistant Director of Planning, Regeneration and Transport concerning the proposed confirmation and serving of a Tree Preservation Order without modification with regards to the trees which were the subject of this report, situated on land adjacent to 10 Sandygate, Wath upon Dearne under Section 198 and 201 of the Town and Country Planning Act 1990.

The two cherry trees were protected by Wath upon Dearne Conservation Area.

A Section 211 Notice to prune the cherry trees was submitted under application reference RB2019/0393. The intended work was to crown reduce the trees to around their previous points to leave more frith and create balanced crowns and alleviate issues of obstruction to the business premises.

It was considered the proposed work would adversely affect their appearance and result in a loss of amenity to the conservation area. As such, a Tree Preservation Order was placed on the trees under a new TPO No. 2 2019 on 17th April, 2019 and all interested parties notified.

The report detailed the objections to the making of this Tree Preservation Order and also made reference to the trees standing on land owned by the applicant which should be maintained the Council, the obstruction to the public view of the business, the need for a safe planting distance and the commercial and criminal affect the trees have created.

In accordance with the right to speak procedure, Mr. A. Harris (Objector) attended the meeting and spoke about this proposed Order.

The report detailed the comments by the Tree Service Manager who had considered the objection raised and concluded that the trees were of good quality and provided an excellent level of amenity to the local area. They were likely to be capable of providing at least this level of amenity for the next forty years.

The objections to the Order have been carefully considered and that the Order had been made in accordance with Government guidelines. In this instance, it is recommended that the Order be confirmed without modification.

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

(2) That the serving of Tree Preservation Order No. 2, 2019, be confirmed without modification with regard to the two Cherry trees subject of this report, situated on land at 10 Sandygate, Wath upon Dearne under Section 198 and 201 of the Town and Country Planning Act 1990.

43. UPDATES

Further to Minute No. 111 of the meeting of the Planning Board held on 16th May, 2019, regarding application RB2018/1774 (change of use to micro pub (Use Class A4) and erection of lobby area and smoking shelter) an update was provided on the appeal status. It was noted that the two appeals; one against the refusal of planning permission and the other against the Enforcement Notice, had not been linked. The Inspector dealing with the appeal for planning permission dismissed this in the Council's favour and a decision on the Enforcement Notice was still awaited.

A more in-depth update on the two appeal decisions would be provided in due course.

Resolved:- That the information be noted.

44. DATE OF NEXT MEETING

Resolved:- That the next meeting of the Planning Board take place on Thursday, 31st October, 2019 at 9.00 a.m.