

PLANNING REGULATORY BOARD

Date:- Thursday 12 January 2023 **Venue:- Town Hall, The Crofts, Moorgate Street, Rotherham. S60 2TH**

Time:- 9.00 a.m.

Meetings of the Planning Board can all be viewed by live webcast by following this link:-
<https://rotherham.public-i.tv/core/portal/home>

AGENDA

1. To consider whether the press and public should be excluded from the meeting during consideration of any part of the agenda.
2. To determine any items which the Chairman is of the opinion should be considered as a matter of urgency.
3. Apologies for absence (substitution)
4. Declarations of Interest (Page 5)
(A form is attached and spares will be available at the meeting)
5. Minutes of the previous meeting held on 24th November, 2022 (Pages 7 - 10)
6. Deferments/Site Visits (information attached) (Pages 11 - 12)
7. Development Proposals (Pages 13 - 19)
8. Updates
9. Date of next meeting - Thursday, 2nd February, 2023 at 9.00 a.m.

Membership of the Planning Board 2022/23

Chair – Councillor Atkin
Vice-Chair – Councillor Bird
Councillors Andrews, Bacon, Burnett, Cowan, Elliott, Fisher, Havard, Keenan, Tarmey, Taylor and Wooding.

Planning Regulatory Board 'Public Right To Speak'

REGISTERING TO SPEAK

The Council has a "Right to Speak" policy, under which you may speak in the Planning Board meeting about an application. If you wish to do this, it is important that you complete a tear-off slip and return it with any written comments, within 21 days of the date of the notification letter back to the Planning Department.

Your comments will be made known to the Planning Board when it considers the application and you will be written to advising of the date and time of the Planning Board meeting to exercise your right to speak

If you wish to speak in the meeting, please try to arrive at the venue **ten minutes** before the meeting starts. The reception staff will direct you to the Council Chamber.

In the Council Chamber, please give your name to the Board clerk (who will have a checklist of names derived from the agenda). The clerk will direct you to the seating reserved for people who wish to speak.

The agenda is available online at least 5 days prior to the meeting, and a few copies will be made available at the meeting, so you can read the report relating to the application which concerns you and see where it comes in the agenda.

The **Council Chamber** is equipped with microphones and a hearing loop.

Take time to familiarise yourself with the layout of the Chamber and the procedure of the meeting, before 'your' application is reached.

Please note that applications can sometimes be withdrawn or deferred at short notice. **The Council will do its best to notify the public in advance**, but on occasions this may not be possible.

The meeting is being filmed for live or subsequent broadcast via the Council's website and can be found at:-

<https://rotherham.public-i.tv/core/portal/home>

If anyone present or members of the public in the public galleries do not wish to have their image captured they should make themselves known to Democratic Services before the start of the meeting.

YOUR RIGHT TO SPEAK

The 'right to speak' applies equally to the applicant and to the general public.

You will be invited to speak by the Chairman at the correct interval.

Each speaker will be allowed three minutes to state his/her case. The applicant does not have a "right to reply" to the objector(s) comments.

Only planning related comments can be taken into consideration during the decision process.

CONDUCT OF COMMITTEE MEETINGS

Speakers should not be allowed to engage in discussion with members of the Committee during public speaking or the Committee deliberations, to avoid any risk of accusation of bias or personal interest.

All attendees are reminded of the importance to remain calm, courteous and respectful during the meeting. Please refrain from shouting out and allow people to speak. Any person causing a disruption will be asked to leave the meeting.

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ROTHERHAM METROPOLITAN BOROUGH COUNCIL

PLANNING BOARD

MEMBERS' DECLARATION OF INTEREST

Your Name (Please PRINT):-

Meeting at which declaration made:-

Item/Application in which you have an interest:-

Date of Meeting:-

Time Meeting Started:-

Please tick (✓) which type of interest you have in the appropriate box below:-

1. Disclosable Pecuniary

☐

2. Personal

☐

Please give your reason(s) for you Declaring an Interest:-

(Please continue overleaf if necessary)

N.B. It is up to a Member to determine whether to make a Declaration. However, if you should require any assistance, please consult the Legal Adviser or Governance Adviser prior to the meeting.

Signed:-

(When you have completed this form, please hand it to the Governance Adviser.)

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PLANNING BOARD
24th November, 2022

Present:- Councillor Atkin (in the Chair); Councillors Andrews, Bacon, Cowen, Elliott, Fisher, Tarmey and Taylor.

Apologies for absence were received from Councillors Bird, Burnett, Havard and Keenan.

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

145. EXCLUSION OF THE PRESS AND PUBLIC

There were no items on the agenda to warrant exclusion of the press and public.

146. MATTERS OF URGENCY

There were no matters of urgency for consideration.

147. DECLARATIONS OF INTEREST

Councillor Elliott declared a personal interest in application RB2022/1469 (Change of use to living care facility (Use Class C2) with two storey and single storey side extension at Sitwell School House, Grange Road, Broom for Rotherham MBC) on the grounds of being a foster carer. He remained in the room, but did not comment or vote on the application.

148. MINUTES OF THE PREVIOUS MEETING HELD ON 3RD NOVEMBER, 2022

Resolved:- That the minutes of the previous meeting of the Planning Regulatory Board held on Thursday, 3rd November, 2022, be approved as a correct record of the meeting.

149. DEFERMENTS/SITE VISITS

There were no deferments or site visits recommended.

150. 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, a number of people attended the meeting and spoke about the applications below:-

- Change of use to living care facility (Use Class C2) with two storey and single storey side extension at Sitwell School House Grange Road Broom for Rotherham MBC (RB2022/1469)

Ms. H. Sweatton (Applicant on behalf of RMBC)

Mr. R. Bellamy (Objector)

Mr. M. Hussain (Objector)

- Demolition of dwelling and erection of 3 no. detached dwellings at The Wendy House 221 Moorgate Road Moorgate for Mr. E. Karim (RB2021/1245)

Mr. R. Milnes (Objector)

Mr. C. Precious (Objector)

Mrs. J. Herrett (Objector)

Mrs. V. Brennan (Objector)

- Erection of 2.1m high palisade security fencing to boundaries adjacent to highway at Orchard Industrial Park New Orchard Road Thurcroft for Mr. R. Stevens (RB2022/1177)

Mr. R. Stevens (Applicant)

(2) That, applications RB2022/1469 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 RB2021/1245 be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the submitted report and also subject to an amendment to include the words “and hedges” in Condition 6 to now read:-

06

Prior to commencement of development, a detailed landscape scheme shall be submitted to, and approved in writing by, the Local Planning Authority,

The landscape scheme shall be prepared to a minimum scale of 1:200 and shall clearly identify through supplementary drawings where necessary:

- The extent of existing planting, including those trees, hedges or areas of vegetation that are to be retained, and those that it is proposed to remove.
- The extent of any changes to existing ground levels, where these are proposed.
- Any constraints in the form of existing or proposed site services, or visibility requirements.

- Areas of structural and ornamental planting that are to be carried out.
- The positions, design, materials and type of any boundary treatment to be erected.
- A planting plan and schedule detailing the proposed species, siting, quality and size specification, and planting distances.
- A written specification for ground preparation and soft landscape works.
- The programme for implementation.
- Written details of the responsibility for maintenance of all retained trees and hedges on the site, and a schedule of operations for the lifetime of the development, including replacement planting, that will be carried out for a period of 5 years after completion of the planting scheme.

The approved scheme shall thereafter be implemented in accordance with the approved landscape scheme and in accordance with the appropriate standards and codes of practice within a timescale agreed, in writing, by the Local Planning Authority.

Reason

To ensure that there is a well laid out scheme of healthy trees and shrubs in the interests of amenity and to provide appropriate biodiversity gain, in accordance with Local Plan Policy.

(4) That, application RB2022/1177 be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the submitted report and also subject to amendments to Conditions 2 and 3 to now read:-

02

Within three months of the granting of planning permission the sight line indicated on the attached copy plan shall be rendered effective by removing or reducing the height of anything existing on the land (shaded red) between the sight line and the highway which obstructs visibility at any height greater than 600mm above the level of the adjacent carriageway and the visibility thus provided shall be maintained.

Reason

In the interests of highway safety.

03

Within three months of the date of this permission the fencing shall be relocated as shown on the amended plans received 7 October 2022 and painted black.

Reason

In the interests of the visual amenity of the locality.

151. UPDATES

The following update information was provided:-

- (a) Use of land to extend garden areas including boundary wall/fence and gate at land to rear of 40-46 Roundwood Grove, Rawmarsh for Mr. Ding (RB2021/2041)

Further to Minute No. 86(2) of the meeting of the Planning Board held on 7th April, 2022 consideration was given to an update on the above application. Following a lapse of the timeframe for submitting an appeal and prior to the commencement of enforcement proceedings, action had been taken to remove the fencing and reinstate the land to its former use.

Resolved:- That the information be noted.

152. DATE OF NEXT MEETING

Resolved:- That the next meeting of the Planning Board take place on Thursday, 15th December, 2022 at 9.00 a.m. at Rotherham Town Hall.

ROTHERHAM METROPOLITAN BOROUGH COUNCIL**PLANNING BOARD****DEFERMENTS**

- Planning applications which have been reported on the Planning Board Agenda should not be deferred on request without justification.
- Justification for deferring a decision can arise from a number of matters:-
 - (a) Members may require further information which has not previously been obtained.
 - (b) Members may require further discussions between the applicant and officers over a specific issue.
 - (c) Members may require a visit to the site.
 - (d) Members may delegate to the Assistant Director of the Service the detailed wording of a reason for refusal or a planning condition.
 - (e) Members may wish to ensure that an applicant or objector is not denied the opportunity to exercise the “Right to Speak”.
- Any requests for deferments from Members must be justified in Planning terms and approved by the Board. The reason for deferring must be clearly set out by the Proposing Member and be recorded in the minutes.
- The Assistant Director of Planning, Regeneration and Transport or the applicant may also request the deferment of an application, which must be justified in planning terms and approved by the Board.

SITE VISITS

- Requests for the Planning Board to visit a site come from a variety of sources:- the applicant, objectors, the Parish Council, local Ward Councillors, Board Members or sometimes from the Assistant Director of Planning, Regeneration and Transport.
- Site visits should only be considered necessary if the impact of the proposed development is difficult to assess from the application plans and supporting information provided with the officer's written report; if the application is particularly contentious or the application has an element that cannot be adequately expressed in writing by the applicant or objector. Site visits can cause delay and additional cost to a project or development and should only be used where fully justified.
- The reasons why a site visit is called should be specified by the Board and recorded.
- Normally the visit will be programmed by Democratic Services to precede the next Board meeting (i.e. within three weeks) to minimise any delay.
- The visit will normally comprise of the Members of the Planning Board and appropriate officers. Ward Members are notified of visits within their Ward.
- All applicants and representees are notified of the date and approximate time of the visit. As far as possible Members should keep to the schedule of visits set out by Committee Services on the Board meeting agenda.
- Normally the visit will be accessed by coach. Members and officers are required to observe the site directly when making the visit, although the item will be occasioned by a short presentation by officers as an introduction on the coach before alighting. Ward Members present will be invited on the coach for this introduction.
- On site the Chair and Vice-Chair will be made known to the applicant and representees and will lead the visit allowing questions, views and discussions. The applicant and representees are free to make points on the nature and impact of the development proposal as well as factual matters in relation to the site, however, the purpose of the visit is not to promote a full debate of all the issues involved with the application. Members must conduct the visit as a group in a manner which is open, impartial and equitable and should endeavour to ensure that they hear all points made by the applicant and representees.
- At the conclusion of the visit the Chair should explain the next steps. The applicant and representees should be informed that the decision on the application will normally be made later that day at the Board meeting subject to the normal procedure and that they will be welcome to attend and exercise their "Right to Speak" as appropriate.

**REPORT TO THE PLANNING REGULATORY BOARD
TO BE HELD ON THE 12TH JANUARY 2023**

The following applications are submitted for your consideration. It is recommended that decisions under the Town and Country Planning Act 1990 be recorded as indicated.

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**REPORT TO THE PLANNING BOARD
TO BE HELD ON THE 12TH JANUARY 2023**

The following applications are submitted for your consideration. It is recommended that decisions under the Town and Country Planning Act 1990 be recorded as indicated.

| | |
|------------------------------|--|
| Application Number | RB2022/1583 https://rotherham.planportal.co.uk/?id=RB2022/1583 |
| Proposal and Location | Installation of new shop front at 80 Laughton Road Dinnington S25 2PS |
| Recommendation | Grant conditionally |

This application is being presented to Planning Board due to the number of objections received.



Site Description & Location

The property is located within a predominantly retail area with a mixture of commercial premises on Laughton Road.

Background

There is no recent planning history relating to the property, the last known use of the shop was as a charity shop within Use Class E(a).

Proposal

The proposal relates to the replacement of the existing full pane glazed shop front with a panelled window and new door in the same position.

The application also originally proposed the change of use from a retail store (Class E(a)) to a café/takeaway (Sui Generis use). However, though during the course of the determination of the application the applicant's agent has provided additional information which indicates that the use will be as a sandwich shop with some food eaten on the premises, and that the food that is to be taken away is brought in pre-cooked so there will be no actual cooking on site. The food would merely be re-heated by a microwave or an oven which has a carbon filter and does not vent externally. As such, no change of use would occur at the property.

Development Plan Allocation and Policy

The Core Strategy was adopted by the Council on the 10th September 2014 and forms part of Rotherham's Local Plan together with the Sites and Policies Document which was adopted by the Council on the 27th June 2018.

The application site is allocated for Retail purposes and designated a Secondary Shopping Frontage in the Local Plan. For the purposes of determining this application the following policies are considered to be of relevance:

Local Plan policy(s):
SP55 'Design Principles'

Other Material Considerations

Supplementary Planning Document 6 'Shopfront Design'

STC2 'Shopfront Design in Dinnington Town Centre' of the Dinnington St Johns Neighbourhood Plan

National Planning Practice Guidance (NPPG)

National Planning Policy Framework: The NPPF (as revised) sets out the Government's planning policies for England and how these should be applied. It sits within the plan-led system, stating at paragraph 2 that: "Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations

indicate otherwise” and that it is “a material consideration in planning decisions”.

The Local Plan policies referred to above are consistent with the NPPF and have been given due weight in the determination of this application.

Publicity

The application has been advertised by way of a site notice along with individual neighbour notification letters to adjacent properties. In respect of the original proposal (which included reference to the proposed change of use which is no longer being considered) one letter of representation has been received from Dinnington Town Council which has been endorsed by 14 Parish Councillors. The objections raised can be summarised as follows;

- There are already far too many of this type of business on Dinnington High Street.
- Members and the public wish to see change to the appearance and range of businesses on Laughton Road (as evidenced in our Neighbourhood Plan) but this proposal is just another of the same type of business that already dominates that area of Dinnington.

No objections have been raised in respect to the alteration to the shop front.

One Right to Speak request has been received from the Town Council.

Consultations

RMBC Transportation Infrastructure Service: No objections.

Appraisal

Where an application is made to a local planning authority for planning permission.....In dealing with such an application the authority shall have regard to –

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations. – S. 70 (2) TCPA '90.

If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise – S.38 (6) PCPA 2004.

The only consideration in the determination of the application is the impact of the alteration of the shop front. The proposal consists of the replacement of the existing full pane glazed shop front with a panelled window and new door in the same position.

With regard to the shop front design Local Plan Policy SP55 'Design Principles' states: "All forms of development are required to be of high quality, incorporate inclusive design principles, create decent living and working environments, and positively contribute to the local character and distinctiveness of an area and the way it functions."

SPD6 'Shopfront Design Guide' states that the design should respect the character of the whole building with the fascia for the signage being of an appropriate size.

Policy STC2 'Shop Front Design in Dinnington Town Centre' of the Dinnington St John's Neighbourhood Plan states that:

Development proposals to alter, replace or introduce shop fronts will be required to be of high quality, contributing to an overall improvement in terms of urban design and architecture, by:

- a) being visually attractive;
- b) enhancing streets and spaces through quality design and architecture;
- c) promoting visual links between the interior of the shop and the street;
- d) being suitable in terms of crime prevention, community safety and security;
- e) having regard to the general principles and objectives as outlined in Section 5 Shop Front Guidance of the Dinnington Town Centre Design Support document (2018); and;
- f) having regard to the Rotherham Interim Planning Statement Shopfront Design Guidance (2006) or any subsequent replacement document.

The existing shop front is a basic shop window and door design and the proposed new shop front is a more detailed design retaining the simple fascia sign above which is considered to add more character to the streetscene. As such the proposed alterations to the shop front are considered to comply with the Policies and guidance set out above.

The comments raised by the Town Council relate exclusively to the change of use of the premises, though no such change of use is proposed in this instance, so these comments are not relevant to the determination of the current application.

Conclusion

In conclusion, the proposed alteration to the shop front are acceptable and the application is recommended for approval subject to the conditions set out below.

Conditions

01

The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason

In order to comply with the requirements of the Town and Country Planning Act 1990.

02

The permission hereby granted shall relate to the area shown outlined in red on the approved site plan and the development shall only take place in accordance with the submitted details and specifications and as shown on the approved plans (as set out below)

Drawing number 2A received 21 October 2022.

Reason

To define the permission and for the avoidance of doubt.

POSITIVE AND PROACTIVE STATEMENT

Whilst the applicant did not enter into any pre application discussions with the Local Planning Authority, the proposals were in accordance with the principles of the National Planning Policy Framework and did not require any alterations or modification.

Informatives:

01

The granting of this planning permission does not authorise any signage to be erected. Such signage is controlled by the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and a separate application for advertisement consent may be required.

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