

**Councillor Emma Hoddinott – Cabinet Member for Waste, Roads and
Community Safety**

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Mrs J Heron
14 Hungerhill Road
Kimberworth
ROTHERHAM
S61 3NW

28 January 2020

Dear Mrs Heron

Council Meeting – 22nd January 2020

Thank you for your attendance at last week's Council meeting and for your supplementary question which I would like to respond to as follows: -

"Mrs. Heron referred to the Council agreeing in 1997 that it was in the public interest to allow MHH to relieve the over tipping of Phase One of the site. At the last Council meeting the Cabinet Member confirmed this did not mean the same agreement applied to Phase Two of the planning permission and that permission stated the site's reinstated surface had to be level. It was not believed this could be achieved with both phases being at different levels".

I have checked this information with the Planning Department, and they have confirmed that the over-tipping of Phase 1 was approved as an amendment to the 1958 planning permission in 1994. The proposals submitted in January 1994 were for the landscaping and restoration of Phase 1 of the tip which was reported to the Planning and Development Committee on the 2nd February 1994.

Phase 2 can only be tipped to the levels approved by the 1958 planning permission and due to the over-tipping and restoration that has taken place, these are likely to be different to those on Phase 1. However, as the over-tipping of Phase 1 has been granted as an amendment to the 1958 permission there is no specific requirement for the two phases to be level.

The conditions imposed on the planning permission can only relate to the approved planning application boundary and would not be enforceable on any adjoining land,

even if that land was being used under permitted development rights to support the planning permission. The 5 acres condition can therefore only apply within the planning permission boundary.

I hope that the above information is helpful.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'E. Hoddinott'. The signature is fluid and cursive, with a large initial 'E' and a stylized 'H'.

Councillor Emma Hoddinott
Cabinet Member for Waste, Roads and Community Safety