

**PLANNING BOARD**  
**29th August, 2013**

Present:- Councillor Pickering (in the Chair); Councillors Astbury, Atkin, Dodson, Godfrey, Kaye, License, Middleton, Pitchley, Roddison, G. A. Russell, Smith, Tweed and Whysall.

Apologies for absence were received from Councillor Sims.

**T29.       DECLARATIONS OF INTEREST**

(a) Councillor Kaye declared a prejudicial interest in application RB2013/0686 (Use of land as residential parking space, erection of boundary walls and formation of vehicular access adjacent 1 Sough Hall Avenue, Thorpe Hesley for Mr. and Mrs. Werra) on the grounds that he has received representations from local residents about this application; after exercising his right to speak, Councillor Kaye left the meeting and took no part in the decision-making process on this application for planning permission.

(b) Councillor Atkin declared a prejudicial interest in application RB2013/0546 (Erection of 2 No. wind turbines overall height 30.6 metres at Dearne Valley College, Manvers Centre, Golden Smithies Lane, Manvers) because he is a governor of the Dearne Valley College; he left the meeting during consideration of this application and took no part in the decision-making process.

(c) Councillor Pitchley declared a personal interest in application RB2013//0696 (Erection of 9 No. detached dwellings with associated garages at land off Grange Farm Drive, Aston for W. Redmile and Sons Ltd.) on the grounds that she has had discussions previously with the applicant company and with local residents about this application.

(d) Councillors Pitchley and Smith declared their personal interests in application RB2013//0696 (Erection of 9 No. detached dwellings with associated garages at land off Grange Farm Drive, Aston for W. Redmile and Sons Ltd.), as members of the Aston-cum-Aughton Parish Council; both of the Councillors stated that they had not been present at the Parish Council meeting which had considered this application.

(e) Councillor Pitchley declared a prejudicial interest in application RB2013/0862 (Details of the erection of 98 dwellings (reserved by outline permission RB2012/1428) at land at former Orgreave Open Cast Site, High Field Spring, Catcliffe for Harworth Estates and Taylor Wimpey) because her husband is an employee of the applicant company; Councillor Pitchley left the meeting during consideration of this application and took no part in the decision-making process.

**T30. MINUTES OF THE MEETING OF THE PLANNING REGULATORY BOARD HELD ON 8TH AUGUST 2013**

Resolved:- That the minutes of the meeting of the Planning Regulatory Board held on 8<sup>th</sup> August, 2013, be approved as a correct record for signature by the Chairman.

**T31. DEFERMENTS/SITE VISITS**

Resolved:- (1) That consideration of application RB2013/0696 be deferred, as requested by Members of the Planning Board, pending receipt of further information relating to the future use and maintenance of public open space both within and in the immediate surrounding area of the application site, as such information will enable Members to satisfy themselves as to the intentions of the applicant in this matter.

(2) That no site inspections/visits be recommended.

**T32. VISIT OF INSPECTION - USE OF LAND AS RESIDENTIAL PARKING SPACE, ERECTION OF BOUNDARY WALLS AND FORMATION OF VEHICULAR ACCESS ADJACENT 1 SOUGH HALL AVENUE, THORPE HESLEY (RB2013/0686)**

Before the formal meeting of the Planning Board, Members of the Board made a visit of inspection to the site of the application for the use of land as residential parking space, erection of boundary walls and formation of vehicular access adjacent 1 Sough Hall Avenue, Thorpe Hesley (B2013/0686). Ward representative Councillor Kaye was in attendance at the site visit.

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

Councillor B. Kaye (Ward Councillor, speaking on behalf of local residents who had made representations to him about this application)

Ms. J. S. Wilson (objector)

Mrs. G. Popovich (objector)

Mrs. S. Sylvester (objector)

Mrs. F. Werra (supporter of the application)

Mr. D. Werra (applicant)

Mr. B. Hollingsworth (supporter of the application)

Reference was also made to the petition, containing 180 signatures, from residents of Thorpe Hesley, objecting to the grant of planning permission in respect of this application.

Resolved:- That planning permission be granted for the reasons adopted by Members at the meeting of the Planning Board and subject to the following conditions:-

1. 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.

2. 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 as shown on the approved plans (as set out below)  
(Elevational, site and layout plans, received 18th July, 2013)

Reason

To define the permission and for the avoidance of doubt.

3. No development shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted or samples of the materials have been left on site, and the details/samples have been approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details/samples.

Reason

To ensure that appropriate materials are used in the construction of the development in the interests of visual amenity and in accordance with UDP Policy ENV3.1 'Development and the Environment'.

4. Before the development is brought into use, that part of the site to be used by vehicles shall be constructed with either;

- a/ a permeable surface and associated water retention/collection drainage, or;
- b/ an impermeable surface with water collected and taken to a separately constructed water retention/discharge system within the site.

The area shall thereafter be maintained in a working condition.

Reason

To ensure that surface water can adequately be drained and to encourage drivers to make use of the parking spaces and to ensure that the use of the land for this purpose will not give rise to the deposit of mud and other extraneous material on the public highway in the interests of the adequate drainage of the site and road safety.

5. Before the development is brought into use the sight lines indicated on the attached copy plan (shaded red) shall be rendered effective by removing or reducing the height of anything existing on the land between the sight line and the highway which obstructs visibility at any height greater than 900mm above the level of the nearside channel of the adjacent carriageway and the visibility thus provided shall be maintained.

Reason

In the interests of road safety.

6. Prior to the parking area being brought into use the bollards as indicated on the attached copy plan shall be provided and thereafter maintained.

Reason

In the interests of road safety.

(Councillor B. Kaye declared his prejudicial interest in this matter and, after exercising his right to speak on the application, left the meeting and took no part in the decision-making process on this application for planning permission)

### **T33. 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 persons attended the meeting and spoke about the applications below:-

- Erection of land 2 No. wind turbines overall height 30.6 metres at Dearne Valley College, Manvers Centre, Golden Smithies Lane, Manvers for Sykamore Small Wind (RB2013/0546)

Mr. W. Owen (objector)

- Erection of 9 No. detached dwellinghouses with associated garages at land off Grange Farm Drive, Aston for W. Redmile and Sons Ltd. (RB2013/0696)

Mr. J. Bolger (on behalf of the Applicant)

Mr. A. Rodgers (objector)

(2) That applications RB2013/0546 and RB2013/0929 be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the report.

(3) That application RB2013/0862 be granted for the reasons adopted by Members at the meeting and subject to

(a) the deletion of condition 9;

(b) the replacement of condition 6 with the following condition setting out the plan references in relation to road sections:-

"The construction of the road network shall be carried out in accordance with the following plans:

Road layout (s38) 880402 40-15 P2

Road & Sewer Long sections Road 1 & 2 880402 40-02-01 P4

Road & Sewer long sections Road 3 & Minor Roads 1&2 880402 40-02-01 P3

Road construction details 880402 40-06-01 P3

Road construction details 880402 40-06-02 P2

Drainage construction details 880402 40-07 P1."

(c) the replacement of Condition 13 and Condition 14 with a Condition worded as follows:-

"If during development, contamination not previously identified is found to be present at the site, then no further development shall be carried out in the vicinity of the impact until the developer has submitted and obtained written approval from the Local Planning Authority for a strategy detailing how this unsuspected contamination shall be dealt with."

and

(d) the Chairman and the Vice-Chairman of the Planning Board shall determine whether Condition 15 is necessary, after their consideration of further advice from the Contaminated land Officer.

(4) That consideration of application RB2013/0696 be deferred, as requested by Members of the Planning Board, pending receipt of further information relating to the future use and maintenance of public open space both within and in the immediate surrounding area of the application site, as such information will enable Members to satisfy themselves as to the intentions of the applicant in this matter.

(5) That it be noted that application RB2012/1433 has been withdrawn from the agenda.

(Councillor Atkin declared a prejudicial interest in application RB2013/0546 (Erection of 2 No. wind turbines overall height 30.6 metres at Dearne Valley College, Manvers Centre, Golden Smithies Lane, Manvers for Sykamore Small Wind) because he is a governor of the Dearne Valley College; he left the meeting during consideration of this application and took no part in the decision-making process)

(Councillor Pitchley declared a personal interest in application RB2013//0696 (Erection of 9 No. detached dwellings with associated garages at land off Grange Farm Drive, Aston for W. Redmile and Sons

Ltd.) on the grounds that she has had discussions previously with the applicant company and with local residents about this application)

(Councillors Pitchley and Smith declared their personal interests in application RB2013//0696 (Erection of 9 No. detached dwellings with associated garages at land off Grange Farm Drive, Aston for W. Redmile and Sons Ltd.), as members of the Aston-cum-Aughton Parish Council; both of the Councillors stated that they had not been present at the Parish Council meeting which had considered this application)

(Councillor Pitchley declared a prejudicial interest in application RB2013/0862 (Details of the erection of 98 dwellings (reserved by outline permission RB2012/1428) at land at former Orgreave Open Cast Site, High Field Spring, Catcliffe for Harworth Estates and Taylor Wimpey) because her husband is an employee of the applicant company; Councillor Pitchley left the meeting during consideration of this application and took no part in the decision-making process)

**T34. PROPOSED TREE PRESERVATION ORDER NO. 3 2013 - LAND AT DALE ROAD, RAWMARSH**

Consideration was given to a report presented by the Senior Planner concerning the proposal to confirm the Tree Preservation Order affecting several trees situated along the eastern boundary of the Salvation Army premises at Dale Road, Rawmarsh and at the rear of residential properties at Cromer Close. The report included details of the objection received by the Council to the making of this Tree Preservation Order.

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

(2) That Tree Preservation Order No. 3 (2013) Land at Dale Road, Rawmarsh be confirmed without modification.

**T35. UPDATES**

The Planning Board agreed to review the arrangements and protocols in respect of visits of inspection to sites which are the subject of applications for planning permission.

**T36. EXCLUSION OF THE PRESS AND PUBLIC**

Resolved:- That, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 5 of Part 1 of Schedule 12A to the Local Government Act 1972 as amended (information in respect of which a claim to legal professional privilege could be maintained in legal proceedings).

**T37. PUBLIC INQUIRY IN RESPECT OF PLANNING APPLICATION  
RB2012/1615**

Further to Minute No. 89(3) of the meeting of Planning Board held on 21<sup>st</sup> February, 2013, consideration was given to a report presented by the Development Manager concerning the Planning Board's previous refusal of the application for planning permission for the proposed demolition of an existing warehouse building and the erection of a 9,177 square metres A1 retail unit with associated car parking and landscaping at the ALBA/UPS Warehouse Unit, Cortonwood Drive, Brampton Bierlow. The report described the issues which needed to be determined by the Planning Board in advance of the Public Inquiry to be held in relation to the refusal of planning permission for this application.

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

(2) That the Planning Board agrees to amend the reasons for refusal relating to the removal of the reference to the negative impact on the planned investment in Barnsley town centre and the significant adverse impact at peak periods on the highway network, which it is not proposed to mitigate, such that safe and expeditious movement of traffic could not be secured, contrary to the provisions of the National Planning Policy Framework and of the Traffic Management Act 2004.

(The Chairman authorised consideration of this item at this meeting, as a matter of urgency, to enable this matter to be determined prior to the public inquiry)