

**PLANNING BOARD  
20th February, 2014**

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

Apologies for absence were received from Councillors License, Sims and Smith.

**T78.       DECLARATIONS OF INTEREST**

There were no Declarations of Interest to report.

**T79.       MINUTES OF THE MEETING OF THE PLANNING REGULATORY BOARD HELD ON 30TH JANUARY 2014**

Resolved:- That the minutes of the previous meeting of the Planning Regulatory Board, held on Thursday 30<sup>th</sup> January, 2014, be approved as a correct record for signature by the Chairman, with the inclusion of Councillor Atkin in the list of Members who had given their apologies for that meeting.

**T80.       DEFERMENTS/SITE VISITS**

There were no site visits or deferrals recommended.

**T81.       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 person attended the meeting and spoke about the application below:-

- Application to fell 1 No. walnut tree and prune 1 No. walnut tree protected by RMBC Tree Preservation Order No. 4 1978 at land adjacent 9 Gleneagles Road, Dinnington for Mr. P. Hodson (RB2013/1420)

Mr. P. Hodson (Applicant)

(2) That application RB2013/0915 be granted for the reasons adopted by Members at the meeting and subject to the signing of a legal agreement made under Section 106 of the Town and Country Planning Act 1990, for the purposes of securing a commuted sum of £6,000 in relation to the upgrading of a bus stop to a bus shelter.

(3) That application RB2013/1331 be granted for the reasons adopted by Members at the meeting and subject to:-

(i) amended condition 30, as follows:-

30.

The development hereby approved shall not be brought into use until a scheme for providing multi-species fish passage over Ickles Weir (SK 41775 91872 to SK 41815 91865), has been submitted and approved in writing by the Local Planning Authority. The scheme shall comprise the following:-

: A detailed study of the heritage implications of any fish pass option, prepared in consultation with South Yorkshire Archaeology Service; the results of which shall inform the nature of the final design;

: Details of how the weir will be made passable to a range of fish species over a range of flows using a design that has received written approval from the Environment Agency;

: Details of timescales for the completion of the works.

The works to provide multi-species fish passage shall proceed in accordance with the design detail and timescales as submitted and agreed.

(ii) the inclusion of the following two additional conditions:-

36.

Prior to the commencement of development, details of the proposed fencing including security fencing on the Shenker Railhead site shall be submitted to and approved in writing by the Local Planning Authority. The approved fencing shall be erected in accordance with the details prior to the first use of the site.

Reason

In the interest of the security of the use of the Shenker Rail Head Site.

37.

Prior to the commencement of development, a method statement relating to the methods of demolition, excavations and construction of buildings on the Shenker Railhead Site shall be submitted to and approved in writing by the Local Planning Authority. This method statement should detail methods of carrying out any works on the site which are within ten metres of the railway boundary and shall include details of any impacts on the operation of the railway, machinery to be used and details of any scaffolding or other ancillary operations. The development shall be carried out in accordance with the approved details.

Reason

To ensure the safe and secure use of the site and prevent any unexpected impact upon the adjacent rail line.

(iii) the inclusion of the additional informative number 05:-

The applicant is advised that a restrictive covenant may be in place on part of the land forming a part of this planning application and contact should be made with Network Rail Property Services Team to discuss this matter.

and

(iv) the signing of a legal agreement made under Section 106 of the Town and Country Planning Act 1990, for the purposes of securing:-

- A contribution of £45,000 to be used for the construction of the Fixed Link Road at Junction 34 of the M1.
- A contribution of £2,306 towards the A1 Bus Service.
- A contribution of £10,000 (annual payment of £2,000, with the first payment being made upon commencement of development) towards increased habitat management at Centenary Riverside.
- A contribution of £6,000 (annual payment of £1,200 for each of the first five years following construction of the plant) towards the provision of annual baseline Phase 1 habitat surveys of the Centenary Riverside.
- A contribution of £10,000 towards additional planting on the Centenary Riverside boundary.

(4) That the development the subject of application RB2013/1331 be included on the list of future completed development visits of inspection by the Planning Board.

(5) That in respect of application RB2013/1420 the request to fell 1 No. walnut tree be refused as there is a lack of evidence provided to justify the loss of an important amenity tree T5, the felling of which would be contrary to Policy ENV3.3 'Tree Preservation Orders', but that the request to prune 1 No. walnut tree T4 be granted for the reasons adopted by Members at the meeting and subject to the relevant condition listed in the report.

(6) That application RB2013/1477 be granted for the reasons adopted by Members at the meeting and subject to (i) the relevant conditions listed in the report and with the inclusion of an additional condition requesting that the development be carried out in accordance with a submitted Flood Risk Assessment, as follows:-

04

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) September 2013 by Mouchel and the following mitigation measures detailed within the FRA:-

“Limiting the surface water run-off generated by the development so that it will not exceed the greenfield run-off from the undeveloped site and not increase the risk of flooding off-site”.

The surface water drainage should mimic the existing arrangement and use Sustainable Drainage techniques.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

and (ii) the inclusion of two additional informatives, as follows:-

A) Ordinary watercourse consent

From 6 April 2012, Section 23 of the Land Drainage Act 1991 (LDA 1991) has been amended by the Flood and Water Management Act (FWMA) 2010. This means that the regulatory powers on Ordinary Watercourses have been transferred from the Environment Agency to the Lead Local Flood Authority (LLFA). Therefore, all applications for consent for the erection of any culvert and/or any alteration likely to affect the flow in an Ordinary Watercourse must be made to the LLFA, or to the local Internal Drainage Board (IDB) where they exist.

(B) Waste onsite

The proposals include the use of excavated waste onsite. For information on permitting requirements, the applicant is advised to contact the Environment Management team on 03708 506 506 or refer to guidance on website <http://www.environment-agency.gov.uk/subjects/waste> .

(7) That application RB2013/1566 be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the report and be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the report and the Council shall enter into a deed of variation to secure:-

: a commuted sum of £470,000 for off-site affordable housing in accordance with the details of the agreed deed of variation; and

: 9 No. intermediate units available for shared equity.

(8) That application RB2014/0057 be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the report.

**T82. COURTESY CONSULTATION IN RESPECT OF THE ERECTION OF ONE WIND TURBINE (79M HIGH) AND ASSOCIATED WORKS WITH INSTALLATION OF TRANSFORMER/SUBSTATION ENCLOSURE, FORMATION OF CRANE HARDSTANDING AREA AND CREATION OF NEW ACCESS ON APPROX 0.51 HA OF LAND AT FORDOLES FARM HOUSE, MARSH HILL, MICKLEBRING FOR FORDOLES RENEWABLES LTD. (RB2013/1675)**

Consideration was given to a report of the Director of Planning and Regeneration Service concerning the application for planning permission for the erection of one wind turbine (79 metres high) and associated works with the installation of a transformer/substation enclosure, formation of crane hardstanding area and creation of new access on approximately 0.51 hectares of land at Fordoles Farm House, Marsh Hill, Micklebring for Fordoles Renewables Ltd. Members noted that Doncaster Metropolitan Borough Council had invited this Council to comment on the application.

Resolved:- (1) That Doncaster Metropolitan Borough Council be thanked for giving this Council the opportunity to comment on this planning application.

(2) That Doncaster Metropolitan Borough Council be advised:-

(a) of this Council's concerns about the limited publicity provided in respect of this application;

(b) of the extent of objection, amongst local residents in the area near to the application site, because of the impact of the proposed development upon the local environment in this part of Hellaby and Maltby; and

(c) that, whilst this Council has no objections to the proposed development, subject to the relevant comments from the Transportation Unit, Environmental Health and Public Rights of Way Officers being taken into consideration as part of the determination of the application, a full assessment of the cumulative impact of the proposed turbine and of the one proposed off Hellaby Lane should also be taken into account in the determination of the application.

**T83. APPEAL DECISION - AGAINST REFUSAL OF PLANNING PERMISSION FOR THE ERECTION OF 34 NO. DWELLINGS AT LAND AT PARK ROAD, WATH-UPON-DEARNE, ROTHERHAM FOR GLEESON HOMES LTD. (RB2013/0241)**

Consideration was given to a report of the Director of Planning and Transportation Service providing details of a decision of an appeal against the refusal of planning permission for the erection of 34 No. dwellings at land at Park Road, Wath-upon-Dearne for Gleeson Homes Ltd.

The main issue for the Inspector dealing with this appeal was whether the proposed development would provide acceptable living conditions for future occupiers, with particular reference to internal living spaces.

In coming to a decision the Inspector noted that the South Yorkshire Residential Design Guide had been adopted by the Council as best practice guidance and was intended to form a Supplementary Planning Document within the Local Development Framework when the Core Strategy was adopted.

The Inspector further acknowledged how the space standards were derived and that the document was used across South Yorkshire to help improve the quality of development and the minimum space standards of the Design Guide were below those in the Government's Housing Standards Review (HSR) and those used by the Greater London Authority.

The Inspector stated that although more generous floorspace requirements were being considered nationally, the proposed standards in the HSR were not adopted as Government policy. Moreover, the Inspector noted that the Design Guide was best practice guidance and not yet development plan policy, and indicated that the proposed scheme was not far from meeting these local standards.

The Inspector further noted that in practical terms she was not persuaded that even the maximum shortfall of some 6.4 square metres of floor space, when considered in the context of the entire overall floor space of a three bedroom dwelling, was particularly great. In addition the Inspector indicated that the other house types were very close to meeting the standards.

The Inspector also gave some consideration to the rationale behind the house sizes. In particular, the fact that Gleeson Homes Ltd. focus on low cost dwellings for people on low incomes and aims to build a range of affordable homes which attracted a high proportion of first time buyers. Furthermore, the appellant at the hearing indicated that increased internal space standards would increase the build costs and land take, in turn this would reduce the number of people who could afford the houses and adversely affect the viability of the development.

The Inspector stated, "...whilst the internal space would not be exceptionally spacious, in my view the proposed houses would function adequately and would provide an acceptable quality of life for future residents. I am satisfied that houses of the types proposed would provide enough space to accommodate furniture, whilst allowing circulation space..."

Furthermore, the Inspector stated: "That the proposed house types have been found acceptable on other schemes both within the Borough and nearby adds to this view, as do my own observations of the show homes at the Croda site for house types 309 and 301.

The Inspector concluded that the proposed development would provide acceptable living conditions for future occupiers, with particular reference to internal living space. As such, whilst there would be some limited conflict with the standards set out in the Design Guide, the proposal would not be contrary to Policy ENV3.1 of the Rotherham Unitary Development Plan which requires development to make a positive contribution to the environment by achieving an appropriate standard of design. Nor would the proposal undermine one of the core planning principles of the Framework to secure a good standard of amenity for all existing and future occupants of land and buildings.

The Inspector also noted that: "Whilst local residents are not against the residential development of the site, they object to the proposal on highway safety grounds. They consider Park Road to be busy and are concerned about increased congestion and pressure for on street car parking, particularly since the driveways of the proposed houses would reduce the space currently available for on street parking. They also question whether cars could enter and leave the proposed driveways between the parked cars on Park Road, and the effect of the proposal on the safety of children using the street."

The Inspector confirmed that there were no parking restrictions on Park Road or nearby streets, while parking took place on both sides of Park Road. The Inspector stated that she did not consider it likely that even at such times the roads would be so heavily parking that the appeal proposal would cause any significant harm to highway safety, given each house would be provided with the required number of parking spaces to meet the Council's standards. Therefore, the impact of the proposed scheme on the currently situation would be limited and would not add to the pressure for on street parking to an extent where highway safety would be compromised. The Inspector considered this would be so even though the proposed driveways would result in the loss of some existing on street car parking spaces along the site frontage.

For the reasons detailed in the Inspectors' decision she concluded that the appeal should be allowed subject to conditions.

Resolved:- That the decision to allow the appeal be noted.

**T84. UPDATES**

There were no issues to report.