

**PLANNING BOARD
27th February, 2020**

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

Apologies for absence:- Apologies were received from Councillors John Turner and Tweed.

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

79. DECLARATIONS OF INTEREST

There were no Declarations of Interest to report.

80. MINUTES OF THE PREVIOUS MEETING

Resolved:- That the minutes of the previous meeting of the Planning Regulatory Board held on Thursday, 6th February, 2020, be approved as a correct record of the meeting.

81. DEFERMENTS/SITE VISITS

There were no site visits or deferments recommended.

82. 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 applications listed below:-

- Outline application for the erection of up to 35 No. dwellinghouses including details of access at land rear of 166 Swinston Hill Road, Dinnington for Messrs. T and J. Wilkinson (RB2019/1943)

Ms. J. Hodson (on behalf of the Applicant)

Mrs. N. Fieldsend (Objector)

Mrs. D. Harper (Objector)

- Erection of 237 No. dwellinghouses with associated access road, car parking and landscaping at land at Oldgate Lane, Thrybergh for Engie Regeneration Limited (RB2019/1967)

Mr. R. Levin (Applicant)

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- Creation of local centre comprising of 6 No. units (use class A1, A3 and A5), car parking, landscaping and associated works at land off Harding Avenue, Rawmarsh for Mumbles 1 Ltd. (RB2019/1968)

Mr. J. Carr (Objector)
Mr. D. Campbell (Objector)
Mr. S. Campbell (Objector)
Mrs. S. Brenan (Objector)

- Demolition of existing buildings, erection of 14 No. dwellinghouses and a four storey building comprising 31 No. apartments and demolition of funeral directors garage/storage building and erection of single storey four car garage building at Millfold Works, Westgate, Rotherham Town Centre for RMBC (RB2020/0088)

Mr. D. Mason (Applicant)

- An additional letter of representation in support of the applications RB2019/1865 and RB2019/1866 (siting of containers A-F and G-M with brick cladding at J. E. James Cycles, Erskine Road, Eastwood) was read out from Councillor D. Fenwick-Green, Eastwood Ward Member.

(2) That application RB2019/0951 be withdrawn for consideration.

(3) That applications RB2019/1865, RB2019/1866 and RB2019/1968 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 RB2019/1943:-

(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:-

- Financial contribution of £500 per dwelling towards sustainable travel measures to support the development
- An amended financial contribution of £2,369 towards improvements to bus stop 35841 controlled by South Yorkshire Passenger Transport Executive to support the development.
- Financial contribution of £750 towards the installation of a kissing gate on adjacent footpath (Dinnington Footpath No. 13)
- Financial contribution of £460.69 per dwelling in respect of the installation of equipped play on the adjacent green space (Swinston Hill Recreation Ground) and towards ongoing maintenance costs.
- Establishment of a Management Company to manage and maintain the areas of Greenspace on site.

(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.

(c) That an amendment be made to the as yet unsigned Section 106 legal agreement relating to the proposed residential development on the adjoining site (RB2019/0837) to include financial contribution of £10,625 towards improvements to bus stop 35841 controlled by South Yorkshire Passenger Transport Executive to support the development.

(5) That, with regard to application RB2019/1967:-

(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:-

- Green Space Contribution of £57,600.
- Sustainable Travel contribution £500 per dwelling house - 237 x £500 = £118,500.

(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 and the minor amendments to the following conditions as agreed at the meeting:-

Condition 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)

Site Location Plan 3EN6-MHA-FS-XX-DR-A-01000 S2 Rev P4
Existing Site Layout 3EN6-MHA-FS-XX-DR-A-01001 S2 Rev P4
Proposed Site Layout 3EN6-MHA-FS-XX-DR-A-01012 S2 Rev P11
Proposed Site Layout 3EN6-MHA-FS-XX-DR-A-01010 S2 Rev P26
Proposed Site Layout Plan Presentation 3EN6-MHA-FS-XX-DR-A-01011 S2 Rev P11
Proposed Boundary Treatment Plan 3EN6-MHA-FS-XX-DR-A-01-013 S2 Rev P9
Proposed Site Layout Tenure 3EN6-MHA-FS-XX-DR-A-01014 S2 Rev P5
Proposed Site Layout Material Identification 3EN6-MHA-FS-XX-DR-A-01015 S2 Rev P5
Proposed Site Allocation Layout 3EN6-MHA-FS-XX-DR-A-01030 S2 Rev P6
Proposed Boundary Details 3EN6-MHA-XX-XX-DR-A-05-001 S2 Rev P6
Landscape Details 3EN6-MHA-FS-XX-DR-A-05002 S2 Rev P1
Sigma Housetype 1 G.A. (Sheet 1 of 2) 3EN6-MHA-00-101 S2 Rev P2
Sigma Housetype 1 G.A. (Sheet 2 of 2) 3EN6-MHA-00-102 S2 Rev P2
Sigma Housetype 2 G.A. (Sheet 1 of 2) 3EN6-MHA-00-201 S2 Rev P2

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Sigma Housetype 2 G.A. (Sheet 2 of 2) 3EN6-MHA-00-202 S2 Rev P2
Sigma Housetype 3 G.A. (Sheet 1 of 2) 3EN6-MHA-00-301 S2 Rev P2
Sigma Housetype 3 G.A. (Sheet 2 of 2) 3EN6-MHA-00-302 S2 Rev P2
Sigma Housetype 4 G.A. (Sheet 1 of 2) 3EN6-MHA-00-401 S2 Rev P2
Sigma Housetype 4 G.A. (Sheet 2 of 2) 3EN6-MHA-00-402 S2 Rev P2
Sigma Housetype 5 G.A. (Sheet 1 of 2) 3EN6-MHA-00-501 S2 Rev P2
Sigma Housetype 5 G.A. (Sheet 2 of 2) 3EN6-MHA-00-502 S2 Rev P2
Sanctuary Housetype A G.A. (Sheet 1 of 2) 3EN6-MHA00-A01 S2 Rev P2
Sanctuary Housetype A G.A. (Sheet 2 of 2) 3EN6-MHA00-A02 S2 Rev P2
Sanctuary Housetype B G.A. (Sheet 1 of 2) 3EN6-MHA00-B01 S2 Rev P2
Sanctuary Housetype B G.A. (Sheet 2 of 2) 3EN6-MHA00-B02 S2 Rev P2
Sanctuary Housetype C G.A. (Sheet 1 of 2) 3EN6-MHA00-C01 S2 Rev P2
Sanctuary Housetype C G.A. (Sheet 2 of 2) 3EN6-MHA00-C02 S2 Rev P2
Sanctuary Housetype D G.A. (Sheet 1 of 2) 3EN6-MHA00-D01 S2 Rev P2
Sanctuary Housetype D G.A. (Sheet 2 of 2) 3EN6-MHA00-D02 S2 Rev P2
Sanctuary Housetype E G.A. (Sheet 1 of 2) 3EN6-MHA00-E01 S2 Rev P2
Sanctuary Housetype E G.A. (Sheet 2 of 2) 3EN6-MHA00-E02 S2 Rev P2
Great Places Housetype E G.A. (Sheet 1 of 2) 3EN6-MHA00-E01 S2 Rev P2
Great Places Housetype E G.A. (Sheet 2 of 2) 3EN6-MHA00-E02 S2 Rev P2
Great Places Housetype N G.A. (Sheet 1 of 2) 3EN6-MHA00-N01 S2 Rev P2
Great Places Housetype N G.A. (Sheet 2 of 2) 3EN6-MHA00-N02 S2 Rev P2
Great Places Housetype O G.A. (Sheet 1 of 2) 3EN6-MHA00-O01 S2 Rev P2
Great Places Housetype O G.A. (Sheet 2 of 2) 3EN6-MHA-O02 S2 Rev P2
Great Places Housetype P G.A. (Sheet 1 of 2) 3EN6-MHA00-P01 S2 Rev P2
Great Places Housetype P G.A. (Sheet 2 of 2) 3EN6-MHA00-P02 S2 Rev P2
Great Places Housetype Q G.A. (Sheet 1 of 2) 3EN6-MHA00-Q01 S2 Rev P2
Great Places Housetype Q G.A. (Sheet 2 of 2) 3EN6-MHA00-Q02 S2 Rev P2
Great Places Housetype Q2 G.A. (Sheet 1 of 2) 3EN6-MHA 00-Q201 S2 Rev P1
Great Places Housetype Q2 G.A. (Sheet 2 of 2) 3EN6-MHA00-Q202 S2 Rev P1
Great Places Housetype R G.A. (Sheet 1 of 2) 3EN6-MHA00-P01 S2 Rev P1
Great Places Housetype R G.A. (Sheet 2 of 2) 3EN6-MHA00-P02 S2 Rev P1
Proposed Phasing Plan 3EN6-MHA-FS-XX-FR-A-01016 P3
Proposed Street Section 3EN6-MHA-FS-ZZ-DR-A-04011-SO Rev P2
Soft Landscaping Proposals – Planting Plan 13338_LD_02 Rev D
Soft Landscaping Proposals – Planting Plan 13338_LD_03 Rev D
Soft Landscaping Proposals – Planting Plan 13338_LD_04 Rev G

Soft Landscaping Proposals – Planting Plan 13338_LD_05 Rev E
Soft Landscaping Proposals – Planting Plan 13338_LD_06 Rev F
Soft Landscaping Proposals – Planting Plan 13338_LD_07 Rev E
Soft Landscaping Proposals – Planting Plan 13338_LD_08 Rev F
Soft Landscaping Proposals – Planting Plan 13338_LD_09 Rev E
Plant Schedule 13338_LD_10 Rev H
Outline Specification 13338_LD_11 Rev A
Maintenance Schedule 13338_LD_11 Rev A

Condition 7. The proposed development will be carried out in accordance with the Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement (dated February 2020, V1.6) unless otherwise agreed in writing by the Local Planning Authority. All tree protection measures detailed in this document shall not be removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials have been removed from the site, unless the prior approval of the Local Planning Authority has first been sought and obtained.

Within three months of first use of the development hereby approved, a report containing the following details shall be submitted to and approved by the Local Planning Authority:-

- Results of site visits undertaken by the lead arboriculturist with photos attached.
- Assessment of the retained and planted trees including any necessary remedial action as a result of damage incurred during construction.

Reason - To ensure appropriate tree protection in the interests of protecting the visual amenity of the area, contributing to the quality and character of Rotherham's environment, air quality and adapting to and mitigating climate change in accordance with Rotherham's Core Strategy Policies CS3: Location of New Development, CS19: Green Infrastructure, CS20 Biodiversity and Geodiversity, Policy CS21 Landscape, Policy CS28 Sustainable Design.

Condition 8 – DELETED.

Condition 9 (renumbered to Condition 8) The proposed development will be carried out in accordance with the approved landscaping details unless otherwise agreed in writing by the Local Planning Authority.

Landscape Details 3EN6-MHA-FS-XX-DR-A-05002 S2 Rev P1
Soft Landscaping Proposals – Planting Plan 13338_LD_02 Rev D
Soft Landscaping Proposals – Planting Plan 13338_LD_03 Rev D
Soft Landscaping Proposals – Planting Plan 13338_LD_04 Rev G
Soft Landscaping Proposals – Planting Plan 13338_LD_05 Rev E
Soft Landscaping Proposals – Planting Plan 13338_LD_06 Rev F
Soft Landscaping Proposals – Planting Plan 13338_LD_07 Rev E
Soft Landscaping Proposals – Planting Plan 13338_LD_08 Rev F

Soft Landscaping Proposals – Planting Plan 13338_LD_09 Rev E
Plant Schedule 13338_LD_10 Rev H
Outline Specification 13338_LD_11 Rev A
Maintenance Schedule 13338_LD_11 Rev A

Reason - To ensure appropriate tree protection in the interests of protecting the visual amenity of the area, contributing to the quality and character of Rotherham's environment, air quality and adapting to and mitigating climate change in accordance with Rotherham's Core Strategy Policies CS3: Location of New Development, CS19: Green Infrastructure, CS20 Biodiversity and Geodiversity, Policy CS21 Landscape, Policy CS28 Sustainable Design.

Condition 15 (was Condition 14) The proposed development shall be carried out in accordance with the approved Framework Travel Plan (dated December 2019) unless otherwise agreed in writing with the Local Planning Authority.

Reason - In the interest of highway safety.

Condition 16 (now Condition 15) The construction of the proposed development shall be carried out in accordance with the approved Construction Environmental Management Plan (dated 02.12.2019 Revision 1) unless otherwise agreed in writing by the Local Planning Authority.

Reason - In the interest of highway safety.

Condition 18 (now Condition 17) Prior to construction on site an Ecological Lighting Strategy and Biodiversity Enhancement Plan will be produced and submitted to the Local Planning Authority. The developer will implement the recommendations and mitigation measures and these should be undertaken prior to completion of the development and agreed in writing by the Local Planning Authority.

Reason - To ensure that there is no detrimental impact on a Protected Species in accordance with the Local Plan.

Condition 19 (now Condition 18) The development shall not begin above slab level until an Affordable Housing schedule for the provision of at least 25% of the dwellings to be affordable housing on the site hereby approved has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be complied with in full thereafter. The affordable housing shall be provided in accordance with the approved scheme and its Phasing. The Affordable Housing-scheme shall include:-

- (i) The arrangements to ensure that such provision is affordable for both initial and subsequent occupiers of the affordable housing; and
- (ii) The occupancy criteria to be used for determining the identity of prospective and successive occupiers of the affordable housing, and the means by which such occupancy shall be enforced; and
- (iii) The details of the standards to which the affordable housing shall be constructed

Reason - In the interests of securing affordable housing, having regard to Policy CS7 'Housing Mix and Affordability, coupled with the requirements of paragraph 174 and the definition in Annex 2 of the National Planning Policy Framework.

(c) That any other minor amendments to the conditions to be agreed with the Chair and Vice-Chair of the Planning Regulatory Board.

(6) That, with regard to application RB2020/0088:-

(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:-

- Financial contribution of £22,500 towards sustainable travel measures to support the development
- Financial contribution of £17,581 towards improvements to green infrastructure in the town centre area and the adjacent public open space.
- Financial contribution of £35,294 towards Secondary Education provision at Oakwood High
- Financial contribution of £29,306 towards improvements to bus stops 30494 and 30493 controlled by South Yorkshire Passenger Transport Executive to support the development.

(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.

83. PROPOSED TREE PRESERVATION ORDER NO 10, 2019 - STONEHAVEN, THE YEWS, FIRBECK

Consideration was given to a report of the Assistant Director of Planning, Regeneration and Transport which detailed an enquiry to the Council's Trees and Woodlands Service from the owner of the property Stonehaven asking for several broad leaf trees to be protected under a Tree Preservation Order.

The Council's Trees and Woodlands Service visited the site and found that a number of the trees (12 in total) qualified for a Tree Preservation Order to be placed upon them. Accordingly, the Tree Services Manager recommended that 2 x Cherry; 1 x Ornamental Plum; 1 x Maple; 1 x Silver Birch; 2 x Horse Chestnut; 3 x Sycamore and 2 x Willow standing on either the western boundary of the site or to the south of the property, be covered by a Tree Preservation Order on the grounds that:-

- The trees concerned provide valuable and important amenity to the area.
- The trees are mature in age and outwardly appear in reasonable to good condition with reasonable to good future prospects.
- The trees are considered to be suitable species in relation to their setting and contribute to the leafy character of Haven Hill.
- The trees are likely to provide associated wildlife and environmental benefits.
- Following a request by the land owner it was expedient that these trees are protected as a precaution.

The report detailed the objections to the making of this Tree Preservation Order from a nearby neighbour on the grounds of the impact of trees on satellite/Sky TV signal.

The report detailed the comments by the Tree Service Manager who had considered the objection raised and concluded that the trees in question stood within the boundary of The Yews, Stonehaven, some of which were contained within the Order and others that were not. There were Conifers within the boundary that did not form part of the Tree Preservation Order, nor do they stand within a conservation area and as such no consent from the Council would be required to prune/fell the Conifers. However, consent from the landowner would be required should any pruning works be deemed necessary.

In respect of those trees on the boundary that would fall within the proposed Tree Preservation Order, the Order would not prevent tree pruning works being undertaken. It would, however, prevent any unnecessary pruning works being undertaken that could possibly have a detrimental effect on the trees and the amenity that they provided to the surrounding area.

The objections to the Order have been carefully considered and 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. 10 2019 be confirmed without modification with regard to the tree(s) subject of this report, situated at Stonehaven, The Yews, Firbeck under Section 198 and 201 of the Town and Country Planning Act 1990.

84. UPDATES

The following update information was provided:-

(a) Probity in Planning

It was noted that a comprehensive training package for Planning Board Members would be arranged as part of Member Induction following the election in May, 2020.

(b) Statistics and Data Comparisons

Further information on applications not built out and comparative data across the borough would be submitted to the Planning Board in due course.

Resolved:- That the information be noted.

85. DATE OF NEXT MEETING

Resolved:- That the next meeting of the Planning Board take place on Thursday, 19th March, 2020 at 9.00 a.m.