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## DONCASTER METROPOLITAN BOROUGH COUNCIL

### PLANNING COMMITTEE

TUESDAY, 7TH MARCH, 2017

A MEETING of the PLANNING COMMITTEE was held at the COUNCIL CHAMBER - CIVIC OFFICE on TUESDAY, 7TH MARCH, 2017, at 2.00 pm.

#### PRESENT:

Chair - Councillor Iris Beech  
Vice-Chair - Councillor Dave Shaw

Councillors George Derx, Susan Durant, John Healy, Eva Hughes, Sue McGuinness, Andy Pickering, Alan Smith and John McHale.

#### APOLOGIES:

No apologies for absence were received.

#### 66 DECLARATIONS OF INTEREST, IF ANY.

In accordance with the Members Code of Conduct, Councillor John McHale declared that he had expressed in opinion in relation to Application No. 16/03109/FULM, Agenda Item 5(2), and took no part during consideration thereof.

In accordance with the Members Code of Conduct, the Vice-Chair, Councillor Dave Shaw, declared that he had been lobbied by receiving correspondence from the Agent with regard to Application No. 17/00214/FUL, Agenda Item 5(4), but had not given their opinion thereon. Subsequently, all the other Elected Members of the Planning Committee present in the Chamber for this meeting, declared that they had also been lobbied by receiving correspondence from the Agent with regard to Application No. 17/00214/FUL, Agenda Item 5(4), but had not given their opinion thereon.

#### 67 MINUTES OF THE PLANNING COMMITTEE MEETING HELD ON 7TH FEBRUARY, 2017.

RESOLVED that the minutes of the meeting held on 7th February, 2017 be approved as a correct record and signed by the Chair.

#### 68 SCHEDULE OF APPLICATIONS.

RESOLVED that upon the consideration of a Schedule of Planning and Other Applications received, together with the recommendations in respect thereof, the recommendations be approved in accordance with Schedule hereto and marked Appendix 'A'.

#### 69 DONCASTER BOROUGH COUNCIL TREE PRESERVATION ORDER (NO.385) 2016 - LAND ON THE WEST SIDE OF CUSWORTH LANE, CUSWORTH.

The Committee considered a report detailing a decision made by the Council for a Tree Preservation Order (TPO) following consideration of a Section 211 conservation area notification to fell and remove one sycamore tree which, in the opinion of Officers, would be detrimental to the character and appearance of the local area. It was noted that the TPO took provisional effect on 21st September, 2016 and must be confirmed by 21st March, 2017 to remain in force.

It was reported that one letter of objection and representations made by a Local Ward Member, Councillor Pat Haith, in opposition to making the TPO had been received and following the receipt of the objections Members were requested to give due consideration to the representations.

RESOLVED that the TPO be not confirmed due to the impact on the amenity of the cottages.

70 APPEALS DECISIONS.

RESOLVED that the following decisions of the Secretary of State and/or his inspector, in respect of the under-mentioned Planning Appeals against the decision of the Council, be noted:-

<b>Application No</b>	<b>Application Description &amp; Location</b>	<b>Appeal Decision</b>
16/00902/FUL	Erection of detached house and garage on approx. 0.15 ha of land at Land South of Hushells Lane, Fosterhouses, Nr. Fishlake, Doncaster	Appeal Dismissed 03/02/2017
16/01779/FUL	Erection of detached house following demolition of existing garages at 20 Sandringham Road, Intake, Doncaster DN2 5HT	Appeal Dismissed 14/02/2017
16/01572/FUL	Erection of detached house and garage (Re-submission of 15/02387/FUL refused 18.12.2015) at 7 The Crescent, Edenthorpe, Doncaster DN3 2HY	Appeal Dismissed 14/02/2017
16/02034/FUL	1. Sub-division of garden and erection of two dwellings following part demolition of existing garage. 2. Erection of new detached garage and associated access and landscape works at 60 Bawtry Road, Bessacarr, Doncaster	Appeal Dismissed 02/02/2017

71 EXCLUSION OF PUBLIC AND PRESS

RESOLVED that the public and press be excluded from the remaining proceedings of the meeting, in accordance with Section 100(A)(4) of the Local Government Act 1972, as amended, on the grounds that exempt information as defined in Paragraph 6 of Schedule 12A to the Act, is likely to be disclosed.

72 ENFORCEMENT CASES RECEIVED AND CLOSED FOR THE PERIOD OF 26TH JANUARY, 2017 TO 21ST FEBRUARY, 2017 (EXCLUSION PARAGRAPH 6).

The Committee considered a report which detailed all Planning Enforcement complaints and cases received, and closed during the period 26th January to 21st February, 2017.

In response to Members queries with regard to enforcement cases 17/00060/M, 17/00072/M, 15/000425/L and 17/00071/H, the Head of Planning, undertook to provide Members with an update on the specific details of each case following the meeting.

RESOLVED that all Planning Enforcement Cases received and closed for the period 26th January to 21st February, 2017, be noted.

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## DONCASTER METROPOLITAN BOROUGH COUNCIL

### PLANNING COMMITTEE – 7th March, 2017

<b>Application</b>	1		
<b>Application Number:</b>	12/02140/FULA	<b>Application Expiry Date:</b>	13th December, 2012
<b>Application Type:</b>	Full Application with Environmental Assessment		
<b>Proposal Description:</b>	Erection of 1no. 2.5MW wind turbine (80m to hub, 120m to blade tip) and the construction of associated access tracks		
<b>At:</b>	Norton Doncaster		
<b>For:</b>	Origin Energy CIC		
<b>Third Party Reps:</b>	163 for original submission 136 to amended scheme & petition of 65	<b>Parish:</b>	Norton Parish Council
		<b>Ward:</b>	Askern Spa (Historic) Norton & Askern (Current)

**A proposal was made to refuse the application.**

Proposed by: **Councillor John McHale**

Seconded by: **Councillor Sudan Durant**

**For: 10 Against: 0 Abstain: 0**

**Decision: Planning permission refused.**

**In accordance with Planning Guidance 'Having Your Say at Planning Committee', Councillor Austen White, Local Ward Member and Mrs. Bridgett Gill spoke in opposition to the application for the duration of up to 5 minutes each.**

<b>Application</b>	<b>2</b>
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<b>Application Number:</b>	16/03109/FULM	<b>Application Expiry Date:</b>	16th March, 2017
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<b>Application Type:</b>	Planning Full Major
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<b>Proposal Description:</b>	Erection of 50 affordable dwellings, including associated highway works and infrastructure (AMENDED DESCRIPTION AND SITE LAYOUT)
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<b>At:</b>	Ivor Grove, Balby, Doncaster
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<b>For:</b>	Mr Justin Martin
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<b>Third Party Reps:</b>	22 letters and a petition within 196 signatories, in opposition	<b>Parish:</b>	
		<b>Ward:</b>	Hexthorpe & Balby North

**A proposal was made to grant the application.**

Proposed by: **Councillor John Healy**

Seconded by: **Councillor Eva Hughes**

**For: 6 Against: 1 Abstain: 2**

**Decision: Planning permission granted subject to the addition of the following Conditions:-**

- 13. Notwithstanding the submitted details, the proposed turning head located adjacent to Plots 27,28 and 29 shall not be marked up to accommodate visitor parking bays.**

**REASON**

**To ensure the site layout does not cause conflict between pedestrians and vehicles.**

- 14. Before the development is brought into use, that part of the site to be used by vehicles shall be surfaced, drained and where necessary marked out in a manner to be approved in writing by the Local Planning Authority.**

**REASON**

To ensure adequate provision for the disposal of surface water and ensure that the use of the land will not give rise to mud hazards at entrance/exit points in the interests of public safety.

15. The vehicle turning space as shown on the approved plans shall be constructed before the development is brought into use and shall thereafter be maintained as such.

**REASON**

To avoid the necessity of vehicles reversing on to or from the highway and creating a highway hazard.

16. Before the development hereby permitted is brought into use, the parking as shown on the approved plans shall be provided. The parking area shall not be used otherwise than for the parking of private motor vehicles belonging to the occupants of and visitors to the development hereby approved.

**REASON**

To ensure that adequate parking provision is retained on site.

17. Prior to the commencement of development a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. The CTMP shall be adhered to throughout the construction period (unless otherwise approved in writing by the LPA) and shall include details of (but not limited to):-

- Routing, volumes and timing of construction vehicles
- Measures to control mud and dust from the site by construction vehicles during works.
- Details of dilapidation surveys, pre commencement and post completion construction activity (to determine any damage attributable to the construction traffic and remedial measures thereafter).

**REASON**

In the interests of highway safety and local amenity.

18. No development approved by this permission shall be commenced prior to a contaminated land assessment and associated remedial strategy, together with a timetable of works, being accepted and approved by the Local Planning Authority (LPA), unless otherwise approved in writing with the LPA.

- a) The Phase I desktop study, site walkover and initial assessment must be submitted to the LPA for approval. Potential risks to human health, property (existing or proposed) including buildings, livestock, pets, crops, woodland, service lines and pipes, adjoining ground, groundwater, surface water, ecological systems, archaeological sites and ancient monuments must be considered. The Phase 1 shall include a full site history, details of a site walkover and initial risk assessment. The Phase 1 shall propose further Phase 2 site investigation and risk assessment works, if appropriate, based on the relevant information discovered during the initial Phase 1 assessment.**
- b) The Phase 2 site investigation and risk assessment, if appropriate, must be approved by the LPA prior to investigations commencing on site. The Phase 2 investigation shall include relevant soil, soil gas, surface and groundwater sampling and shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a quality assured sampling and analysis methodology and current best practice. All the investigative works and sampling on site, together with the results of analysis, and risk assessment to any receptors shall be submitted to the LPA for approval.**
- c) If as a consequence of the Phase 2 Site investigation a Phase 3 remediation report is required, then this shall be approved by the LPA prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters, the site must not qualify as contaminated land under Part 2A of the Environment Protection Act 1990 in relation to the intended use of the land after remediation.**
- d) The approved Phase 3 remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. The LPA must be given two weeks written notification of commencement of the remediation scheme works. If during the works, contamination is encountered which has not previously been identified, then all associated works shall cease until the additional contamination is fully assessed and an appropriate remediation scheme approved by the LPA.**



**e) Upon completion of the Phase 3 works, a Phase 4 verification report shall be submitted to and approved by the LPA. The verification report shall include details of the remediation works and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the verification report together with the necessary documentation detailing what waste materials have been removed from the site. The site shall not be brought into use until such time as all verification data has been approved by the LPA.**

**REASON**

**To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to guidance set out in the National Planning Policy Framework. This is required prior to commencement to ensure that the necessary mitigation measures can be put in place should any contamination be found.**

- 19. Should any unexpected significant contamination be encountered during development, all associated works shall cease and the Local Planning Authority (LPA) be notified in writing immediately. A Phase 3 remediation and Phase 4 verification report shall be submitted to the LPA for approval. The associated works shall not re-commence until the reports have been approved by the LPA.**

**REASON**

**To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to guidance set out in the National Planning Policy Framework.**

- 20. Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filing and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and be approved in writing by the LPA prior to any soil or soil forming materials being brought onto site. The approved contamination testing shall then be carried out and verification evidence submitted to and approved in writing by the LPA prior to any soil and soil forming material being brought on to site.**

**REASON**

To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to guidance set out in the National Planning Policy Framework.

In accordance with Planning Guidance 'Having Your Say at Planning Committee', the Deputy Mayor, Councillor Glyn Jones, Local Ward Member and Mrs. Susan Broughton spoke in opposition to the application for the duration of up to 5 minutes each.

In accordance with Planning Guidance 'Having Your Say at Planning Committee', Mr. Martin Philips, on behalf of Ongo Homes, spoke in support of the application for the duration of up to 5 minutes.

(The receipt of additional Conditions were reported at the meeting).

<b>Application</b>	<b>3</b>
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<b>Application Number:</b>	16/02527/FULM	<b>Application Expiry Date:</b>	30th January, 2017
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<b>Application Type:</b>	Planning FULL Major
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<b>Proposal Description:</b>	Erection of warehouse and factory unit
<b>At:</b>	Steel Supplies Limited, Arksey Lane, Bentley, Doncaster

<b>For:</b>	Steel Supplies Limited (Mr H Todd)
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<b>Third Party Reps:</b>	None	<b>Parish:</b>	
		<b>Ward:</b>	Bentley

**A proposal was made to grant the application.**

Proposed by: **Councillor Iris Beech**

Seconded by: **Councillor Sue McGuinness**

**For: 10 Against: 0 Abstain: 0**

**Decision: Planning permission granted subject to the addition of the following Conditions:-**

14. **Prior to the commencement of the relevant works, details of the proposed external materials shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved materials.**

**REASON**

**To ensure that the materials are appropriate to the area in accordance with policy CS14 of the Doncaster Core Strategy.**

15. **No part of the land other than that occupied by buildings now or hereafter to be permitted shall be used for the purpose of storing unlicensed vehicles, and no parts, containers, waste materials, crates or equipment connected with any use of the premises shall be placed or stored on the said land.**

**REASON**

**To prevent the land from becoming unsightly on account of being located within the Green Belt location.**

**(The receipt of an amendment to the proposed materials was reported at the meeting).**

<b>Application</b>	<b>4</b>
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<b>Application Number:</b>	1700214/FUL	<b>Application Expiry Date:</b>	24th March, 2017
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<b>Application Type:</b>	Full Application
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<b>Proposal Description:</b>	Change of use of existing paddock with 5 touring pitches to a maximum 10 pitch touring caravan site including amenity block (11.5m x 6.5m) (without compliance with condition 5 of planning application 11/03438/FUL, granted on 13.02.2012 – to allow for an increase in touring caravans allowed to use the site to a maximum of 20) (Without compliance of conditions 2-3 of application granted under Ref: 16/00867/FUL) – to include siting of warden accommodation and alterations to the approved layout
<b>At:</b>	Sunnyview Park, Grange Lane, Alverley, Doncaster

<b>For:</b>	Mr P Simmons
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<b>Third Party Reps:</b>	A petition of 21 signatures in support of the application	<b>Parish:</b>	Edlington Town Council
		<b>Ward:</b>	Edlington & Warmsworth

**A proposal was made to refuse the application.**

Proposed by: **Councillor John Healy**

Seconded by: **Councillor Sue McGuinness**

**For: 4 Against: 6 Abstain: 0**

**Decision: The Motion to refuse the application was declared LOST.**

**Subsequently, a proposal was made to grant the application.**

Proposed by: **Councillor Dave Shaw**

Seconded by: **Councillor Eva Hughes**

**For: 6 Against: 0 Abstain: 2**

**Decision:** Planning permission granted on the very special circumstances demonstrated by the applicant in respect of supporting sustainable communities and to enable elderly people to stay in their homes for longer in accordance with saved Policy ENV3 of the Unitary Development Plan and the National Planning Policy Framework, subject to the consultation period expiring and that the Head of Planning be authorised to determine the appropriate Planning Conditions with regard to controlling usage.

In accordance with Planning Guidance 'Having Your Say at Planning Committee', Mr. Derek Mason spoke in support of the application for the duration of up to 5 minutes.

(The receipt of a correction to paragraph 4.1 of the report and an additional representation from the Agent, Mr. Mark Southerton, were reported at the meeting).

<b>Application</b>	<b>5</b>
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<b>Application Number:</b>	16/03194/FUL	<b>Application Expiry Date:</b>	17th February, 2017
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<b>Application Type:</b>	Full application
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<b>Proposal Description:</b>	Residential development to provide 6 dwellings (2 semi detached houses and 4 maisonettes)
<b>At:</b>	Land adjoining 71/73 Bosworth Road, Adwick-le-Street, Doncaster DN6 7BJ

<b>For:</b>	Mr Stuart Kirk
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<b>Third Party Reps:</b>	13	<b>Parish:</b>	
		<b>Ward:</b>	Adwick-le-Street & Carcroft

**A proposal was made to grant the application.**

Proposed by: **Councillor John McHale**

Seconded by: **Councillor John Healy**

**For: 10 Against: 0 Abstain: 0**

**Decision: Planning permission granted.**

<b>Application</b>	<b>6</b>
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<b>Application Number:</b>	16/02865/FUL	<b>Application Expiry Date:</b>	13th January, 2017
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<b>Application Type:</b>	Full application
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<b>Proposal Description:</b>	Change of use from retail unit (class A1) to hot food takeaway (class A5) and associated ventilation system
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<b>At:</b>	13 St Davids Drive, Cusworth, Doncaster DN5 8NG
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<b>For:</b>	Mr Neville Brown
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<b>Third Party Reps:</b>	11 signature petition (support) 5 letters of support, 5 letters of objection	<b>Parish:</b>	Sprotbrough & Cusworth Parish Council
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<b>Ward:</b>	Roman Ridge
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**A proposal was made to grant the application.**

Proposed by: **Councillor John McHale**

Seconded by: **Councillor Susan Durant**

**For: 10 Against: 0 Abstain: 0**

**Decision: Planning permission granted subject to the amendment to Condition 02. to read as follows:-**

- 02. The proposed hours of opening condition did not restrict takeaway deliveries. Condition 2 has been re-worded so it is more specific. Condition 2 is now worded as:**

**The hours of opening and takeaway deliveries shall be limited to:-**

**Monday to Thursday 4pm to 9pm  
Fridays 4pm to 9:30pm  
Saturdays 3pm to 9:30pm  
Sundays 3pm to 9pm**

**REASON**

To ensure that the development does not prejudice the local amenity and to ensure the takeaway is not open during school hours.

In accordance with Planning Guidance 'Having Your Say at Planning Committee', Councillor Kevin Rodgers, Local Ward Member, spoke in opposition to the application for the duration of up to 5 minutes.

<b>Application</b>	<b>7</b>
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<b>Application Number:</b>	16/02861/FUL	<b>Application Expiry Date:</b>	11th January, 2017
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<b>Application Type:</b>	Full application
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<b>Proposal Description:</b>	Erection of 4 new C2 units to provide student accommodation, with associated access, parking and amenity space, together with a change of use of Old Cottage from C3 to C2, to form ancillary staff facilities to support the new student units including partial demolition of the existing porch and erection of a new extension to form a reception
<b>At:</b>	The Old Cottage, Wilsic Road, Wilsic, Doncaster

<b>For:</b>	The Hesley Group – Mr Glyn Turner
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<b>Third Party Reps:</b>	0	<b>Parish:</b>	Stainton Parish Council
		<b>Ward:</b>	Tickhill & Warmsworth

**A proposal was made to grant the application.**

Proposed by: **Councillor Iris Beech**

Seconded by: **Councillor Sue McGuinness**

**For: 10 Against: 0 Abstain: 0**

**Decision: Planning permission granted.**

In accordance with Planning Guidance 'Having Your Say at Planning Committee', Mr. Glyn Turner, on behalf of the Applicant, The Hesley Group, spoke in support of the application for the duration of up to 5 minutes.

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