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DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE

TUESDAY, 4TH APRIL, 2017

A MEETING of the PLANNING COMMITTEE was held at the COUNCIL CHAMBER - CIVIC OFFICE on TUESDAY, 4TH APRIL, 2017, at 2.00 pm.

PRESENT:

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

Councillors George Derx, Susan Durant, Eva Hughes, Sue McGuinness, John McHale, Alan Smith and Jonathan Wood

APOLOGIES:

Apologies for absence were received from Councillors John Healy and Andy Pickering

73 DECLARATIONS OF INTEREST, IF ANY.

No declarations were reported at the meeting.

74 MINUTES OF THE PLANNING COMMITTEE MEETING HELD ON 7TH MARCH, 2017

RESOLVED that the minutes of the meeting held on 7th March, 2017, be approved as a correct record and signed by the Chair subject to Councillor John McHale being shown as present at the meeting.

75 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 and marked Appendix 'A'.

76 APPEAL DECISIONS

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

Application No.	Application Description & Location	Appeal Decision
16/00308/M	Appeal against enforcement action for unauthorised material change of use from a site permitted for	ENF-App Dis/Upheld Sub to Correction/Var 22/02/2017

	agricultural purposes to the siting of a static mobile home and 3 touring caravans used for residential purposes under grounds (b) and (g) at Field House Farm, Sticking Lance, Adwick-upon-Deerne, Mexborough	
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77 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 Paragraphs 5 and 6 of Schedule 12A to the Act, is likely to be disclosed.

78 OUTSTANDING PLANNING APPEAL - MERE LANE, EDENTHORPE (EXCLUSION PARAGRAPH 5)

The Committee considered a report inviting Members to comment in respect of an appeal against refusal of outline planning permission for residential development with open space, landscaping and associated access at Mere Lane, Edenthorpe. The report outlines how the Council's case can be best presented at the forthcoming public inquiry.

Members recalled that outline planning application 15/01278/OUTM was refused by them in November last year. The reason for that refusal were as follows:-

1. being inappropriate development in the countryside which would create an isolated development disconnected from Edenthorpe;
2. being in an isolated location in relation to public transport and local services;
3. resulting in the loss of high quality agricultural land; and
4. having a detrimental impact on the local highway network

It was noted that the applicants had lodged an appeal against that decision. In parallel, they had also recently resubmitted the application which will be presented to Committee later in the summer. It was advised that the appeal would be heard by a public inquiry currently planned for late in the summer.

It was moved by Councillor John McHale and seconded by Councillor George Derx that the Head of Planning continue to make attempts to appoint a highway consultant to defend the fourth reason for refusal until the latest possible date. Should the attempt not be successful, the decision not to defend the fourth reason for refusal be delegate to the Head of Planning in consultation with the Chair and Vice-Chair of the Committee.

On being put to the vote, the Motion was declared as follows:-

For: 9
Against: 0
Abst: 0

RESOLVED that the Head of Planning continue to make attempts to appoint a highway consultant to defend the fourth reason for refusal until the latest possible date. Should the attempts not be successful, the decision not to defend the fourth reason for refusal be delegated to the Head of Planning in consultation with the Chair and Vice-Chair and the applicants and Planning Inspectorate be advised accordingly.

79 ENFORCEMENT CASES RECEIVED AND CLOSED FOR THE PERIOD OF 22 FEBRUARY TO 22 MARCH, 2017. (EXCLUSION PARAGRAPH 6)

The Committee considered a report which detailed all Planning Enforcement complaints and cases received, and closed during the period 22nd February to 22nd March, 2017.

In response to a Member query regarding application no 17/00082/M within the report, the Head of Planning, undertook to provide the Member with an update on the specific details following the meeting.

RESOLVED that all Planning Enforcement Cases received and closed for the period 22nd February to 22nd March, 2017, be noted.

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DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE – 4th April, 2017

Application	1		
Application Number:	17/00176/3FULM	Application Expiry Date:	25th April, 2017
Application Type:	Planning FULL (DMBC Reg 3) Major		
Proposal Description:	Erection of 5 no. restaurant/public house units (Use Classes A3/A4) and 3 no. standalone drive-thru restaurant facilities (Use Classes A3/A5), including associated access, parking, associated infrastructure and landscaping (Being application under Regulation 3 Town and Country Planning (General) Regulations 1992).		
At:	Doncaster Leisure Park, Bawtry Road, Doncaster, DN4 7PD		
For:	Doncaster MBC		
Third Party Reps:	None	Parish:	
		Ward:	Town

A proposal was made to grant the application.

Proposed by: **Councillor John McHale**

Seconded by: **Councillor Susan Durant**

For: 8 Against: 0 Abstain: 0

Decision: Planning permission granted subject to the replacement of conditions 2, 3, 4, 5, 7, 8, 9, 12, 13, 17, 19, 20, 21, 27 and 30 to read as follows, the deletion of condition 28 and the addition of the following condition:-

02. The development hereby permitted must be carried out and completed entirely in accordance with the terms of this permission and the details shown on the approved plans listed below:

**4142-PL-002A Proposed site plan Rev A
4142-PL-003A Proposed Roof Plan Rev A
4142-PL-004 Proposed Elevations Street Scene Views**

4142-PL-005 Proposed Terrace Ground Floor Units 1-5
4142-PL-006 Proposed Terrace Elevations Units1-5
4142-PL-007 Unit Ground Floor Plan
4142-PL-008 Unit 6 Proposed Elevations
4142-PL-009 Unit 7 Ground Floor Plan
4142-PL-010 Proposed Elevations Unit 7 Elevations
4142-PL-011 Unit 8 Ground Floor Plan
4142-PL-012 Unit 8 Proposed Elevations
4142-PL-014 Proposed 3D Aerials
4142-PL-014 Proposed Views 3D Images
4142-PL-017 Proposed Phasing Plan
SF 2624 LL01 Landscape Sections Rev-16020_DR0001-B Drainage
Strategy Layout Rev B
SF 2624 LL01 Rev E
SF 2624 LL05
170204 Herten Triangle Doncaster CO2
Reduction Report
HL1135-LTGLOT External Lighting Plot Rev B
REASON

To ensure that the development is carried out in accordance with the application as approved.

03. Before the construction of each building, details of the proposed external building materials for that phase (as shown on the Proposed Phasing Plan 4142-PL-017 (or such phasing plan as is otherwise agreed in writing by the Local Planning Authority), shall be submitted to and approved by the Local Planning Authority. Details submitted for the first phase should include an architectural lighting strategy including proposed fixtures for buildings within that phase of the development. The development shall then be carried out in accordance with the approved materials and lighting details.
REASON
To ensure the satisfactory appearance of the development.
04. Before the development commences of any phase of the development as shown on the Proposed Phasing Plan 4142-PL-017 (or such phasing plan as is otherwise agreed in writing by the Local Planning Authority), full details of the proposed external works hard landscape and surfacing material palette, public art, street furniture and boundary treatments relating to that phase shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved materials and details.
REASON
To ensure the satisfactory appearance of the development.
05. Before the development commences, a statement shall be submitted for approval explaining what sustainability measures will be incorporated to aim to achieve a level of sustainability equivalent to BREEAM very good. Unless otherwise agreed, the development must take place in accordance with the approved statement. Prior to the occupation of any building, a post

construction review should be carried out and evidence of the implemented measures submitted. This will enable the planning condition to be fully discharged.

REASON

In the interests of sustainability and to minimise the impact of the development on the effects of climate change.

07. Before any phase of 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.
08. Before a phase of 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 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.
09. Construction of a phase of the development as shown on the Proposed Phasing Plan 4142-PL-017 (or such phasing plan as is otherwise agreed in writing by the Local Planning Authority), hereby permitted shall not be commenced until details of secure cycle parking facilities for the occupants of, and/or visitors to that phase of the development have been submitted to and approved in writing by the local planning authority. These facilities shall be fully implemented and made available for use prior to the occupation of the phase of development hereby permitted and shall thereafter be retained for use at all times.
REASON
To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles and to comply with policy CS9 of the Doncaster Core Strategy.
12. Unless otherwise agreed in writing, no development shall commence until details of offsite highway works to include an informal pedestrian crossing facility on Herten Way (North) has been submitted to and agreed in writing by the Local Planning Authority. The works shall be carried out in accordance with the agreed details.
REASON
In the interests of highway and pedestrian safety.
13. Detailed layout, engineering and drainage details for the proposed access arrangements within the site shall be submitted for inspection and approval by the Local highway authority before construction works commence on site. The development shall be

carried out in accordance with the approved details. There shall be no occupation of any building until such access works are open to traffic.

REASON

In the interests of highway safety.

17. Unless as shall be specifically approved otherwise in writing by the Local Planning Authority, the scheme of landscaping detailed or the Landscape Proposals Softworks Plan (Ref: SF2624/LL01/Revision E) and Landscape Sections Plan (Ref: SF2624/LL05) shall be implemented in full accordance with the approved details and the Proposed Phasing Plan 4142-PL-017 (or such phasing plan as is otherwise approved in writing by the Local Planning Authority) during the first available planting season following the completion of the phase of development hereby granted and the local planning authority notified in writing within 7 working days of the completion of the landscape works for that phase to inspect and approve practical completion in writing. Any part of the scheme which fails to achieve independence in the landscape or is damaged or removed within five years of planting shall be replaced during the next available planting season in full accordance with the approved scheme, unless the local planning authority gives its written approval to any variation.

REASON

In the interests of environmental quality and core strategy policy CS16: Valuing or Natural Environment.

19. Prior to the occupation of any building comprised in the development, details of an extraction/ventilation system to control the emission of cooking smells and fumes from that unit so as to prevent any odour dis-amenity to nearby residents shall be submitted for that unit to and approved by the local planning authority in writing. The approved scheme shall be installed and be fully operational when the use commences. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the manufacturer's instructions. The system shall be so designed as to ensure that noise rating level, measured and calculated in accordance with BS4142: 2014, when measured at the boundary of any noise sensitive property, to exceed the measured background level at that location.

REASON

To safeguard the amenities of the occupiers of adjacent properties.

20. Each building or unit within a building within the development shall include sufficient provision for the storage of all waste (including provision for storing separate waste for recycling) that will be produced prior to its collection and disposal, and suitable means by which to place all waste receptacles for collection.

REASON

In the interests of the amenity of the locality.

21. The risk of ground gas migration shall be fully investigated prior to the commencement of development on site.
- (a) The site investigation, including relevant ground gas monitoring 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.
 - (b) A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy, including a diagram of the installation and installation method statement shall be submitted in writing and approved by the LPA prior to any remediation commencing on site.
 - (c) The approved 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.
 - (d) Upon completion of the works, this condition shall not be discharged until a verification report has been submitted to and approved by the LPA. The verification report shall include quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. 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 pursuant to the National Planning Policy Framework.
27. No building or unit within a building hereby permitted shall be occupied until surface water drainage works have been completed for the implemented phase of the development as shown on Proposed Phasing Plan 4142-PL-017 (or such phasing plan as is otherwise agreed in writing by the Local Planning Authority), in accordance with details that have been submitted to and approved in writing by the Local Planning Authority.
REASON
To comply with current planning legislation – National Planning Policy Framework.
30. A Service Delivery Management Plan (SDMP) shall be submitted to and approved in writing by the Local Planning Authority before the development is brought into use. The agreed SDMP shall thereafter be adhered to unless otherwise agreed by the Local Planning Authority.
REASON

In the interests of highway safety.

31. Notwithstanding the provisions of Town and Country Planning Use Classes (Amendment) Order 2005 (or any subsequent order or statutory provision revoking or re-enacting that order with or without modification), there shall be no change of use of any of the units to A1 or A2, unless otherwise agreed in writing by the Local Planning Authority.

REASON

The local planning authority wishes to retain control over any subsequent change of use of these premises, in the interests of safeguarding the amenities of the area.

32. Only one unit within the development at any time shall be permitted for a use within Class A4 of the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and/or re-enacting that Order with or without modification.

REASON

In the interests of safeguarding the amenities of the area.

Application	2
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Application Number:	16/02517/FUL	Application Expiry Date:	Extended until 14th May, 2017
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Application Type:	Full application
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Proposal Description:	Proposed erection of 5 apartments including dedicated parking following demolition of existing detached dwelling
At:	141A Bawtry Road, Bessacarr, DN4 7AH

For:	Mr Vishwas Kayarkar
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Third Party Reps:	5 objections	Parish:	
		Ward:	Bessacarr

A proposal was made to grant the application.

Proposed by: **Councillor John McHale**

Seconded by: **Councillor Iris Beech**

For: **7** Against: **0** Abstain: **2**

Decision: Planning permission granted

(A consultation response from the South Yorkshire Architectural Liaison Officer was reported at the meeting).

Application	3
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Application Number:	16/02762/FUL	Application Expiry Date:	20th January, 2017
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Application Type:	Full Application
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Proposal Description:	Variation of condition 2 of granted application 16/02144/FUL (Retrospective application for the change of use from Retail (Class 1) to Café (Class A3) – Change opening hours condition to Monday to Friday 0700 to 1500, Saturdays 0800 to 1500 and Sundays 0900 to 1500)
At:	53 High Road, Warmsworth, Doncaster DN4 9LX

For:	Miss D Hall
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Third Party Reps:	14 objections 6 support	Parish:	Warmsworth Parish Council
		Ward:	Edlington and Warmsworth

A proposal was made to refuse the application.

Proposed by: **Councillor Eva Hughes**

Seconded by: **Councillor George Derx**

For: 9 Against: 0 Abstain: 0

Decision: Planning permission refused for the following reason:-

- 01. In the opinion of the Local Planning Authority, the proposed Sunday opening hours would have a detrimental impact upon the residential amenity of neighbouring occupiers, due to the additional vehicular movements and parking of vehicles at the café and close to the junction of Beech Grove and the A630. The proposal is therefore contrary to saved policy PH12 of the Doncaster Unitary Development Plan, Doncaster Core Strategy Policy CS14 and the National Planning Policy Framework.**

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

Application	4
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Application Number:	1700078/FUL	Application Expiry Date:	10th March, 2017
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Application Type:	Full Application
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Proposal Description:	Erection of a detached dwelling with associated garaging
At:	Land at High Street, Braithwell, Rotherham

For:	Mr Wadsley
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Third Party Reps:	24	Parish:	Braithwell/Micklebring Parish Council
		Ward:	Tickhill and Wadworth

A proposal was made to grant the application.

Proposed by: **Councillor Iris Beech**

Seconded by: **Councillor Susan Durant**

For: 5 Against: 1 Abstain: 1

Decision: Planning permission granted

In accordance with Planning Guidance 'Have Your Say at Planning Committee', Mr Wadsley (applicant) spoke in support of the application for the duration of up to 5 minutes.

Application	5
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Application Number:	17/00422/FUL	Application Expiry Date:	17th April, 2017
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Application Type:	Full application
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Proposal Description:	Proposed part change of use of ground floor office (B1) to personal fitness studio (D2)
At:	Block A, Loversall Court, Clayfields, Tickhill Road

For:	Mr John Sedgwick, C/O Diane Holgate – DCH Consulting
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Third Party Reps:	1 objection	Parish:	N/A
		Ward:	Balby South

A proposal was made to grant the application.

Proposed by: **Councillor Eva Hughes**

Seconded by: **Councillor Sue McGuinness**

For: 8 Against: 0 Abstain: 0

Decision: Planning permission granted.

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