

DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE

TUESDAY, 1ST MAY, 2018

A MEETING of the PLANNING COMMITTEE was held at the COUNCIL CHAMBER, CIVIC OFFICE on TUESDAY, 1ST MAY, 2018, at 10.00 am.

PRESENT:

Chair - Councillor Eva Hughes

Vice-Chair - Councillor Iris Beech (in the Chair for Agenda Item No 8)

Councillors Duncan Anderson, Susan Durant, Sue McGuinness and Andy Pickering.

APOLOGIES:

Apologies for absence were received from Councillors Mick Cooper, John Healy, Tina Reid and Dave Shaw.

100 DECLARATIONS OF INTEREST, IF ANY

In accordance with the Members' Code of Conduct, the Vice-Chair Councillor Iris Beech, declared an Disclosable Pecuniary interest in Application No. 17/00095/FULM, Agenda Item 5 (1), by virtue of being a Member of Askern Miners Welfare Club and took no part in the discussion at the meeting and vacated the room during consideration thereof.

In accordance with the Members' Code of Conduct, Councillor Sue McGuinness declared an Disclosable Pecuniary interest in Application No. 18/00205/OUTM, Agenda Item 5 (2), by virtue of being involved in the various discussions in relation to the application at Armthorpe Parish Council meetings and took no part in the discussion at the meeting and vacated the room during consideration thereof.

101 MINUTES OF THE PLANNING COMMITTEE MEETING HELD ON 3RD APRIL, 2018

RESOLVED that the minutes of the meeting held on 3rd April, 2018 be approved as a correct record and signed by the Chair.

102 SCHEDULE OF APPLICATIONS

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

103 TOWN AND COUNTRY PLANNING ACT 1990, SECTION 106 AGREEMENT

RESOLVED that prior to the issue of planning permission in respect of the following planning application, which is included in the Schedule of Planning and Other Applications marked Appendix 'A' and attached hereto, the applicant be required to enter into an Agreement under Section 106 of the Town and Country Planning Act 1990, regulating the development:-

Application No.	Description and Location
18/00205/OUTM	Section 73 application to vary outline condition 25 (height limits) of planning application 15/03013/OUTM granted on 07/07/2017 (outline planning permission for an extension to West Moor Park Distribution Park comprising buildings of use within Class B1 and B8) at land South of Holme Wood Lane, Armthorpe, Doncaster, DN3 3RH.

104 RECONSIDERATION OF SECTION 106 AGREEMENT FOLLOWING VIABILITY ASSESSMENT FOR RESIDENTIAL DEVELOPMENT AT BARTON LANE, ARMTHORPE (14/01385/OUT)

The Committee considered a report seeking approval to a variation to the Section 106 Agreement for a development of 22 dwellings at the former Blacks Engineering Works, Barton Lane, Armthorpe.

It was reported that at its meeting on 4th April, 2015, Planning Committee approved outline planning permission for a residential development and the decision noticed being issued on the 12th December, 2016 following the signing of the Section 106 Agreement. It was noted that no viability assessment was undertaken and the land owner agreed to the full quota of contributions in order to gain permission and sell on the site.

Members were advised that the site had since been sold to the current applicants who applied for a reserved matters application for 22 dwellings, which was approved. The new owners are unable to borrow the money to develop the scheme due to the necessary S106 contributions. The developer had submitted a viability appraisal and supporting evidence which had been independently assessed by 2 financial viability consultants, the latter being the District Valuer (DVS).

It was reported that the DVS had considered that the price paid for the land was having a significant impact on the deliverability of the scheme and considered the current S106 makes the scheme unviable. The DVS had suggested that the agreement be reduced to include 2 (9%) affordable houses and £30,000 financial contribution, which could either be split between Education and Public Open Space or dedicated to 1 or the other.

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

RESOLVED that a Deed of Variation to vary the terms of the Section 106 Agreement dated 7th September 2016, to amend the affordable housing units from 6 to 2 units and reduce the combined Education and Public Open Space (POS) contribution from £109,165 to £30,000; the £30,000 be allocated to POS improvements and that delegated authority be given to Officers to determine where the POS improvements are to be made, but that the project be within the vicinity of the site as required by the Community Infrastructure Levy (CIL) regulations.

105 APPEAL DECISIONS

RESOLVED that the following decision 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:-

Application No.	Application Description and Location	Appeal Decision
17/01674/FUL	Change of use of part of dwelling house to child minding business, maximum number of 10 children at any one time at 86 Crookes Broom Lane, Hatfield, Doncaster, DN7 6LD	Appeal Dismissed 27/03/2018
17/01886/FUL	Erection of 1.8m boundary wall with railings at 115 The Park, Woodlands, Doncaster, DN6 7RH	Appeal Dismissed 28/03/2018
17/02796/FUL	Erection of extension to existing bungalow and associated alterations (Being resubmission of application granted under Ref: 17/00988/FUL on 12.10.2017) at 63A Park Drive, Sprotbrough, Doncaster, DN5 7LN	Appeal Allowed 03/04/2018

106 ARTICLE 4 DIRECTION RELATING TO HOUSES IN MULTIPLE OCCUPATION

The Committee considered a report on the outcome of the recent public consultation on a proposed Article 4 Direction (A4D) and an Additional Licensing Scheme for Houses in Multiple Occupation (HMOs) in parts of central Doncaster.

It was reported that an A4D was a local determination to restrict permitted development rights under the Town and Country Planning Act. It would mean that a property owner within the A4D area who wanted to turn their property into a small HMO of 3-6 people would be required to apply for planning permission, whereas at present, they would not need to. The A4D was proposed for the area covered by the plan at Appendix 1 of the report.

Members were advised that additional licensing gave the Council the power to require all landlords of HMOs included in the scheme, to apply for a licence and provide details of the management arrangements and the property. This would enable Officers to know where these properties were and place conditions on the licence holder to ensure minimum standards of safety, welfare and management were maintained.

It was noted that the A4D, being created under the Town and Country Planning Act, was a matter that the Committee may wish to take a view on and make such a view known to Cabinet prior to making a decision to proceed.

RESOLVED that the report on the proposed Article 4 Direction relating to Houses in Multiple Occupation be noted.

107 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, 6 and 7 of Schedule 12A to the Act, is likely to be disclosed.

108 ENFORCEMENT CASES RECEIVED AND CLOSED FOR THE PERIOD OF 17TH MARCH TO 17TH APRIL, 2018 (EXCLUSION PARAGRAPH 6)

The Committee considered a report which detailed all Planning Enforcement complaints and cases received, and closed during the period 17th March to 17th April, 2018.

RESOLVED that all Planning Enforcement Cases received and closed for the period 17th March to 17th April, 2018, be noted.

109 STEREFIBRE AT HAZEL LANE QUARRY, HAMPOLE - PLANNING ENFORCEMENT (EXCLUSION PARAGRAPHS 5 AND 7)

The Committee considered a report advising Members on the on-going position in relation to the long standing breach of planning control of the continued storage of Sterefibre (SF) on a purpose built storage pad at the site of Hazel Lane Quarry.

Members were advised of the recent receipt of new planning applications and a condition discharge request to address the proposed removal of part of the SF from the site and the impact that this has had on the appeals which were made in respect of the refusal of the 2015 planning application, refusal of the application for a Certificate of Lawful Use, and refusal to discharge Condition 29 of the Quarry permission.

Members were presented with background to the issue and an update on the process followed to date.

RESOLVED that the report be noted.

DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE – 1st May, 2018

Application	1		
Application Number:	17/00095/FULM	Application Expiry Date:	14th April 2017
Application Type:	Planning FULL Major		
Proposal Description:	Erection of 50 houses and associated infrastructure, access, parking and garages (full). Outline permission for relocation of bowling green and pavillion.		
At:	Askern Miners Welfare Club and Institute, Manor Way, Askern Doncaster		
For:	Gleeson Homes Limited (Mr Brian Reynolds)		
Third Party Reps:	54	Parish:	Askern Town Council
		Ward:	Norton and Askern

A proposal was made to defer the application for a site visit.

Proposed by: **Councillor Susan Durant**

Seconded by: **Councillor Duncan Anderson**

For: 5 Against: 0 Abstain: 0

Decision: The application be deferred for a site visit to view the inside of the club, the condition of the surrounding land and character of the area to establish if any, very special circumstances exist to overcome the harm to the Green Belt.

In accordance with Planning Guidance 'Having Your Say at Planning Committee', Brian Reynolds (Agent) and Local Ward Members Councillors Austen White and John Gilliver, spoke in support of the application being granted for the duration of up to 5 minutes each.

(The receipt of an additional consultation response from the Designing Out Crime Officer SYP was reported at the meeting).

Application	2
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Application Number:	18/00205/OUTM	Application Expiry Date:	27th April 2018
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Application Type:	Outline Planning Major
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Proposal Description:	Section 73 application to vary outline condition 25 (height limits) of planning application 15/03013/OUTM granted on 07/07/2017 (outline planning permission for an extension to West Moor Park Distribution Park comprising buildings of use within Class B1 and B8)
At:	Land South Of Holme Wood Lane Armthorpe Doncaster DN3 3RH

For:	Gazeley UK Ltd C/o Savills UK Ltd
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Third Party Reps:	11	Parish:	Armthorpe Parish Council
		Ward:	Armthorpe

A proposal was made to grant the application.

Proposed by: **Councillor Iris Beech**

Seconded by: **Councillor Duncan Anderson**

For: 4 Against: 0 Abstain: 1

Decision: Planning permission granted subject to the completion of a Deed of Variation to the original Section 106 Agreement of the Town and Country Planning Act 1990 (as amended) completed as part of Planning Permission Ref 15/03013/OUTM in relation to the following matters and the Head of Planning be authorised to issue the planning permission upon completion of the Agreement:-

- A) Contribution towards future upgrading of the A630 of £160,492;**
- B) A scheme for maintenance access and public access to New Close Wood, including a tree survey to identify any works required to provide such access, any necessary public rights of way offered for dedication and the wood offered for transfer to the Council, together with the sum of £15,000 on the date of said transfer of the wood for future maintenance; and**

- C) To pay to the Council its costs of obtaining or making any traffic or highways orders that may be required as a result of the development.**

In accordance with Planning Guidance 'Having Your Say at Planning Committee', Councillor Frank Tyas, ward members, spoke in opposition to the application for the duration of up to 5 minutes.

In accordance with Planning Guidance 'Having Your Say at Planning Committee', Rebecca Housam, a representative from Savills (Planning Agent) spoke in support of the application for the duration of up to 5 minutes.