



Doncaster Council

Agenda

To all Members of the

PLANNING COMMITTEE

Notice is given that a Meeting of the above Committee is to be held as follows:

Venue: Council Chamber - Civic Office Waterdale, Doncaster

Date: Tuesday, 24th July, 2018

Time: 2.00 pm

BROADCASTING NOTICE

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Jo Miller
Chief Executive

Issued on: Friday, 13th July, 2018

Governance Services Officer for this meeting

David Taylor
Tel: 01302 736712

Doncaster Metropolitan Borough Council
www.doncaster.gov.uk

Items for Discussion:**Page No.**

1. Apologies for Absence
 2. To consider the extent, if any, to which the public and press are to be excluded from the meeting.
 3. Declarations of Interest, if any.
 4. Minutes of the Planning Committee Meeting held on 26th June, 2018 1 - 14
- A. Reports where the Public and Press may not be excluded.**
- For Decision**
5. Schedule of Applications 15 - 28
- For Information**
6. Appeal Decisions 29 - 38
- B. Items where the Public and Press may be excluded in accordance with grounds specified in the Local Government Act 1972, as amended.**
7. Enforcement Cases Received and Closed for the Period of 15th June, 2018 to 9th July, 2018. (Exclusion Paragraph 6). 39 - 52

Members of the Planning Committee

Chair – Councillor Eva Hughes
Vice-Chair – Councillor Iris Beech

Councillors Duncan Anderson, Mick Cooper, Susan Durant, John Healy, David Hughes, Sue McGuinness, Andy Pickering, Dave Shaw and Jonathan Wood.

Agenda Item 4.

DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE

TUESDAY, 26TH JUNE, 2018

A MEETING of the PLANNING COMMITTEE was held at the COUNCIL CHAMBER - CIVIC OFFICE on TUESDAY, 26TH JUNE, 2018, at 2.00 pm.

PRESENT:

Chair - Councillor Eva Hughes
Vice-Chair - Councillor Iris Beech

Councillors Duncan Anderson, Mick Cooper, Susan Durant, David Hughes, Sue McGuinness, Andy Pickering and Dave Shaw

APOLOGIES:

Apologies for absence were received from Councillors John Healy and Jonathan Wood

8 DECLARATIONS OF INTEREST, IF ANY.

In accordance with the Members' Code of Conduct, Councillor Iris Beech, declared an Disclosable Pecuniary Interest in Application No 17/00095/FULM, Agenda Item 5(4), 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 David Hughes declared a Non disclosable Interest in Application No. 17/00095/FULM, Agenda Item 5(4), by virtue of being a Member of Highfield Miners Welfare Club.

In accordance with the Members' Code of Conduct, Councillor Susan Durant declared a Non disclosable Interest in Application No. 15/00878/FULM, Agenda Item 5(6), by virtue of the land being in the ownership of a family relatives and took no part in the discussion at the meeting and vacated the room during consideration thereof.

9 MINUTES OF THE PLANNING COMMITTEE MEETING HELD ON 29TH MAY, 2018

RESOLVED that the minutes of the meeting held on 29th May, 2018 be approved as a correct record and signed by the Chair.

10 SCHEDULE OF APPLICATIONS

RESOLVED that upon 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'.

11 DURATION OF MEETING

RESOLVED that in accordance with Council Procedure Rule 33.1, the Committee, having sat continuously for 3 hours, continue to consider the items of business on the agenda.

12 ADJOURNMENT OF MEETING

RESOLVED that in accordance with Council Procedure Rule 18.11(f), the meeting stand adjourned at 5.10 p.m. to be reconvened on this day at 5.15 p.m.

13 RECONVENING OF MEETING

The meeting reconvened at 5.15 p.m.

14 APPEAL 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:-

Application No	Application Description and Location	Appeal Decision
17/00857/FUL	Erection of a car port to front of existing garage, external electric car charging point plus photovoltaic installation. at Home Farm, Stockbridge Lane, Owston, Doncaster	Appeal Dismissed 18/05/2018
17/02555/FUL	Erection of detached dwelling at 1 Cherry Tree Drive, Dunscroft, Doncaster, DN7 4JY	Appeal Dismissed 31/05/2018

15 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.

16 ENFORCEMENT CASES RECEIVED AND CLOSED FOR THE PERIOD OF 15TH MAY, 2018 TO 13TH JUNE, 2018. (EXCLUSION PARAGRAPH 6)

The Committee considered a report which detailed all Planning Enforcement complaints and cases received, and closed during 15th May to 13th June, 2018.

RESOLVED that all Planning Enforcement Cases received and closed for the period 15th May to 13th June, 2018, be noted.

DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE – 26th June, 2018

Application	1		
Application Number:	17/02756/FUL	Application Expiry Date:	3rd January, 2018
Application Type:	Full Application		
Proposal Description:	Renovation of Castle Cottage and conversion of the stables with single storey extension to form new dwelling.		
At:	Castle Cottage, Lindrick, Tickhill, Doncaster		
For:	Duchy of Lancaster C/O Savills		
Third Party Reps:	61	Parish:	Tickhill Parish Council
		Ward:	Tickhill and Wadworth

A proposal was made to grant the applicationProposed by: **Councillor Duncan Anderson**Seconded by: **Councillor Eva Hughes****For: 3 Against: 5 Abstain: 0****Decision: The Motion to grant the application was declared LOST.****Subsequently, a proposal was made to refuse the application due to the adverse effect on the setting of the Listed Building.**Proposed by: **Councillor Dave Shaw**Seconded by: **Councillor Mick Cooper****For: 5 Against: 3 Abstain: 0****Decision: Planning permission refused for the following reason:-**

- 01. The proposal by virtue of the proposed changes and domestication of the building would adversely affect the setting of the nearby Listed Buildings contrary to Policy ENV34 of the Doncaster Unitary Development Plan and Core Strategy Policy CS15 (b)**

In accordance with Planning Guidance 'Having Your Say at Planning Committee', Mr Barry Moss, 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', Graeme Chalk from the Duchy of Lancaster spoke in support of the application for the duration of up to 5 minutes.

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

(The receipt of consultation responses from building control and structural engineers was reported at the meeting).

Application	2
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Application Number:	17/03156/FULM	Application Expiry Date:	11th April, 2018
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Application Type:	Planning FULL Major
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Proposal Description:	Change of use of B1 offices/registrar to 30 apartments (Elmfield House x22 & Registrar x8).
At:	Elmfield House, South Parade, Doncaster DN1 2EH

For:	Davis
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Third Party Reps:	7	Parish:	
		Ward:	Town

A proposal was made to grant the application

Proposed by: **Councillor Sue McGuinness**

Seconded by: **Councillor Iris Beech**

For: 5 Against: 4 Abstain: 0

Upon the Chair declaring that there was an equal number of votes cast for and against the application, the Chair, Councillor Eva Hughes, in accordance with Council Procedure Rule 21.2, exercised her right to use her casting vote and voted to grant the application.

Decision: Planning application granted subject to the addition of the following conditions:-

16. The development hereby approved shall not be occupied until the applicant/developer has submitted a scheme for reducing vehicle speeds on exit from the driveway where it meets Benethorpe, details of which shall be submitted to and approved in writing by the Local Planning Authority. Once approved the measures shall be implemented prior to occupation and remain in situ for the lifetime of the use.
REASON
In the interest of pedestrian safety of park users coming into conflict with vehicles exiting the site.
17. Prior to the relevant works full details of the entrance security gates shall be submitted to and agreed in writing by the Local Planning Authority. The development (installation

of the gates) shall then be carried out in accordance with the approved details.

REASON

To protect the setting of the listed Building and character and appearance of the conservation area

18. The development hereby approved shall not begin until the local planning authority has approved in writing a full scheme of off-site highway works for improvement of the highway around the pedestrian entrance to Elmfield Park. The occupation of the development shall not begin until those works have been completed in accordance with the local planning authority's approval and have been certified in writing as complete by or on behalf of the local planning authority.

REASON

In the interest of pedestrian safety of park users coming into conflict with vehicles exiting the site.

In accordance with Planning Guidance 'Having Your Say at Planning Committee', Max Jones (agent) and James Hughes (applicant) spoke in support of the application for the duration of up to 5 minutes.

(The receipt of an additional letter of support from Smith Craven Chartered Accountants welcoming the application and additional information supplied by the applicant were reported at the meeting).

Application	3
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Application Number:	18/00725/LBCM	Application Expiry Date:	19th June 2018
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Application Type:	Listed Building Consent Major
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Proposal Description:	Listed building consent in connection with conversion of Elmfield House to 22 apartments.
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At:	Elmfield House, South Parade, Doncaster DN1 2EH
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For:	Hughes
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Third Party Reps:	0	Parish:	
		Ward:	Town

A proposal was made to grant the application

Proposed by: **Councillor Iris Beech**

Seconded by: **Councillor Sue McGuinness**

For: 6 Against: 1 Abstain: 2

Decision: Planning application granted

Application	4
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Application Number:	17/00095/FULM	Application Expiry Date:	14th April 2017
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Application Type:	Planning FULL Major
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Proposal Description:	Erection of 49 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) And Askern Miners Welfare Institute
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Third Party Reps:	54	Parish:	Askern Town Council
		Ward:	Norton & Askern

A proposal was made defer the application until matters relating to the land ownership and CISWO were been fully understood

Proposed by: **Councillor Susan Durant**

Seconded by: **Councillor Andy Pickering**

For: 7 Against: 1 Abstain: 0

Decision: Planning application be deferred until matters relating to the land ownership and CISWO were been fully understood.

In accordance with Planning Guidance ‘Having Your Say at Planning Committee’, 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 letter of objection from Coal Industry Social Welfare Organisation (CISWO) was reported at the meeting).

Application	5
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Application Number:	15/00878/FULM	Application Expiry Date:	16th July, 2015
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Application Type:	Planning FULL Major
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Proposal Description:	Erection of 23 dwellings on approx. 0.53ha of land with associated garages and car parking
At:	Land Off Marshland Road, Moorends, Doncaster DN8 4TP

For:	D Noble Limited
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Third Party Reps:	31 objections overall, 1 representation and 4 support. 2 petitions in opposition	Parish:	Thorne Town Council
		Ward:	(Historic) Stainforth and Moorends

A proposal was made to refuse the application contrary to officer recommendation.

Proposed by: **Councillor Duncan Anderson**

Seconded by: **Councillor Susan Durant**

For: 9 Against: 0 Abstain: 0

Decision: Planning application refused contrary to officer recommendation for the following reasons:-

- 01. The development by is contrary to Core Strategy Policies CS1 (B), (C), (E) and CS 14 by virtue of the proposed layout accessing from the quiet cul-de-sac known as Bloomhill Court. The proposed access will not provide for a safe place for current residents to live and due to the increased vehicle movements, fails to integrate the scheme well with its immediate and surrounding local area and will have an unacceptable negative effect upon the amenity of neighbouring residents. Secondly, the location of the access fails to protect and enhance the surrounding development and provide a well-designed, attractive and fit for purpose residential scheme.**

In accordance with Planning Guidance 'Having Your Say at Planning Committee', Mrs Benita Craig, 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', Chris Vause (D. Noble Ltd) spoke in support of the application for the duration of up to 5 minutes.

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

(A correction to paragraph 8.41 of the report and an additional consultation response regarding trees was reported at the meeting).

Application	6
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Application Number:	17/02717/OUTM	Application Expiry Date:	8th February 2018
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Application Type:	Major
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Proposal Description:	Outline application for residential development (with means of access to be agreed).
At:	Land to the rear of Rivendell, Bloomhill Road, Moorends

For:	DLP Planning
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Third Party Reps:	Petition (200) and 22 in opposition with 27 in support.	Parish:	Thorne Town Council
		Ward:	Thorne And Moorends

A proposal was made to refuse the application

Proposed by: **Councillor Iris Beech**

Seconded by: **Councillor Dave Shaw**

For: 5 Against: 3 Abstain: 0

Decision: Planning application refused.

In accordance with Planning Guidance ‘Having Your Say at Planning Committee’, Mr Waistenage 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’, Mr Jim Lomas (agent) spoke in support of the application for the duration of up to 5 minutes.

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

In accordance with Planning Guidance ‘Having Your Say at Planning Committee’, Councillor Mark Houlbrook, Ward member spoke in support of the application for the duration of up to 5 minutes.

(The receipt of an additional letter of support was reported at the meeting).

Application	7
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Application Number:	18/00270/FUL	Application Expiry Date:	5th April 2018
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Application Type:	Full Application
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Proposal Description:	Change of use from single residence to cattery business and single residence with erection of 17 double pen cattery and conversion of existing dwelling utility room and office to cattery kitchen and reception
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At:	Cherrytree Farm Crow Tree Bank Thorne Doncaster
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For:	Mrs Amy Berry
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Third Party Reps:	One objection.	Parish:	Hatfield Parish Council
		Ward:	Hatfield

A proposal was made to grant the application

Proposed by: **Councillor Dave Shaw**

Seconded by: **Councillor Susan Durant**

For: 9 Against: 0 Abstain: 0

Decision: Planning application granted subject to the addition of the following condition and informative:-

- 08. Before the development commences a detailed soft landscape scheme shall be submitted to and approved in writing by the local planning authority. The soft landscape scheme should provide details of species, nursery stock specification for all plant material in compliance with the Horticultural Trades Association National Plant Specification, siting, planting distances/densities, details of staking/guying for all trees and a programme of implementation. Thereafter the scheme shall be implemented and maintained in accordance with the approved scheme. Any tree or shrub planted as part of the scheme which is removed or severely damaged or is found to be dying or seriously diseased within five years of planting shall be replaced within the next available planting season with a tree or shrub as specified in the approved scheme.**

REASON

To ensure that a landscape/planting scheme is submitted and implemented in the interests of amenity and in compliance with core strategy policy CS16: valuing our landscape.

INFORMATIVE

The applicant is reminded to manage noise levels resulting from the development and that from time to time noise levels may be monitored by the Council's Environmental Health section to ensure that no nuisance is being caused.

In accordance with Planning Guidance 'Having Your Say at Planning Committee', Mrs Amy Berry (applicant) spoke in support of the application for the duration of up to 5 minutes.

(The receipt of an additional objection from the occupier of Swallow's Nest and a response from the Council's Environmental Health Officer to the objection was reported at the meeting).

Application	8
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Application Number:	17/03067/FUL	Application Expiry Date:	8th February 2018
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Application Type:	Full Application
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Proposal Description:	Erection of nine detached dwellings, including the construction of detached single garages to plots 4 - 9.
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At:	Land Adjacent 12 Lings Lane Hatfield Doncaster DN7 6AB
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For:	Mr G A Mell
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Third Party Reps:	2 Letters of objection 1 Letter of support	Parish:	Hatfield Parish Council
		Ward:	Hatfield

A proposal was made to grant the application

Proposed by: **Councillor Mick Cooper**

Seconded by: **Councillor Susan Durant**

For: 7 Against: 2 Abstain: 0

Decision: Planning application granted.

In accordance with Planning Guidance 'Having Your Say at Planning Committee', Mr Jim Lomas (agent) spoke in support of the application for the duration of up to 5 minutes.

DONCASTER METROPOLITAN BOROUGH COUNCIL

24th July 2018

To the Chair and Members of the

PLANNING COMMITTEE

PLANNING APPLICATIONS PROCESSING SYSTEM

Purpose of the Report

1. A schedule of planning applications for consideration by Members is attached.
2. Each application comprises an individual report and recommendation to assist the determination process.

Human Rights Implications

Member should take account of and protect the rights of individuals affected when making decisions on planning applications. In general Members should consider:-

1. Whether the activity for which consent is sought interferes with any Convention rights.
2. Whether the interference pursues a legitimate aim, such as economic well being or the rights of others to enjoy their property.
3. Whether restriction on one is proportionate to the benefit of the other.

Copyright Implications

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Scott Cardwell
Assistant Director of Development
Directorate of Regeneration and Environment

Contact Officers: Mr R Sykes (Tel: 734555)

Background Papers: Planning Application reports refer to relevant background papers

Summary List of Planning Committee Applications

NOTE:- Site Visited applications are marked 'SV' and Major Proposals are marked 'M'

Application	Application No	Ward	Parish
1.	18/00756/FUL	Norton And Askern	Norton Parish Council

DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE - 24th July 2018

Application 1

Application Number:	18/00756/FUL	Application Expiry Date:	21st May 2018
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Application Type:	Full Application
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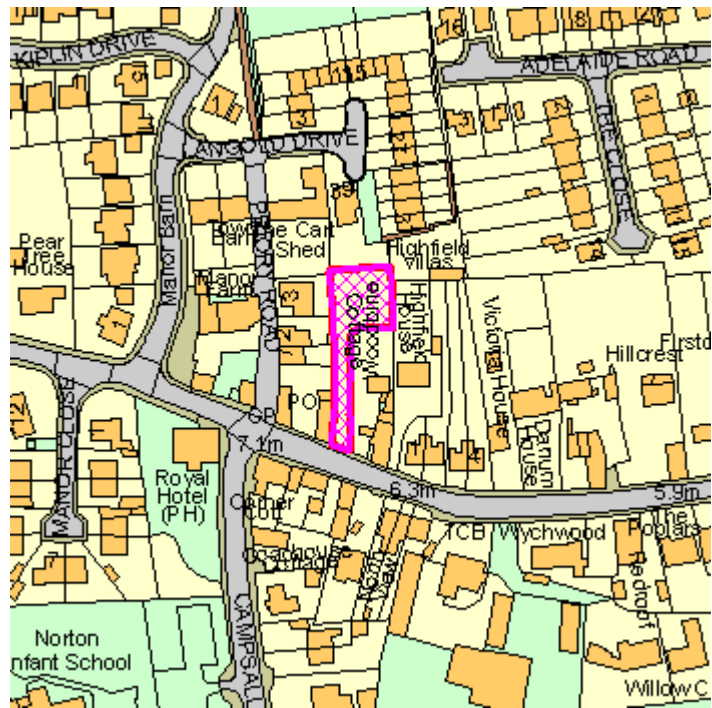
Proposal Description:	Erection of single storey bungalow and detached garage.
At:	Rear Of Woodbine Cottage High Street Norton Doncaster

For:	Anthony Medlock - TJL Homes Ltd
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Third Party Reps:	14	Parish:	Norton Parish Council
		Ward:	Norton And Askern

Author of Report	Alicia Murray
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MAIN RECOMMENDATION:	GRANT
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1.0 Reason for Report

1.1 This application is being presented to planning committee due to a significant level of interest shown in the application.

2.0 Proposal and Background

2.1 The application is for full planning permission for the erection of a detached bungalow and garage with associated shared access on approximately 0.1ha of land. The application was originally submitted for a 1.5 storey dwelling with first floor windows at the south and roof lights to the east elevations, the building would have been 6.4m in height. However concerns were raised by the case officer and neighbouring residents regarding overlooking and dominance; therefore the application was reduced to single storey.

2.2 The site is currently the rear garden of Woodbine Cottage. The site lies at the heart of Norton and is bound by residential properties and the land rises to the rear of the site.

2.3 The application follows a 2016 outline which included a condition which restricted the dwelling to single storey. The restriction was to ensure that the design of the dwelling did not result in overlooking or significant harm to the neighbouring residents by way of a two storey dwelling.

2.4 The land rises from the roadside up to the rear boundary of the site; meaning any dwelling must be carefully considered as the land level is higher than the surrounding properties.

3.0 Relevant Planning History

3.1 16/00680/OUT: Outline application for 1 single storey dwelling with associated shared access on approx. 0.1ha of land (All matters reserved); approved by planning committee on the 31.05.16.

4.0 Representations

4.1 The application was advertised by means of site notice and neighbour letters. 14 representations have been received from 4 addresses; 2 people have commented in 2 of the 4 addresses - 3 times.

4.2 The objectors concerns are summarised below:

- o Feel there would be a loss of privacy and overlooking due to the land levels
- o Land levels are 1.5m higher than the properties to the rear
- o Loss of light to the neighbouring rear gardens
- o Harm to trees
- o Highway and pedestrian safety concerns with the proposed access
- o Concerns over the location of the building
- o Concerns over location of the dwelling and the position of any soakaways or drains

5.0 Parish Council

5.1 The Parish Council initially raised concerns over the access to this property. Officers advised this was not raised as an issue under the 2016 application and highways raised no objections. The Parish Council raised no objections once reconsulted.

6.0 Relevant Consultations

6.1 Drainage: No objections, they have requested a condition relating to surface and foul drainage; full details of the drain location and any soakaways will be submitted prior to commencement of development; in order to ensure there is no harm to the local drainage network.

6.2 Trees: Originally objected to the original submission over the position of the bungalow encroaching onto the RPA of tree 4. The scheme was then amended with the design and position of the dwelling altering, the tree officer objected once more as it was not clear if the plan outlined the RPA or canopy cover of the protected tree. The plans were amended for a third time, which overcame all of the concerns raised by the tree officer. The fourth amendment to reduce to single storey is also deemed acceptable by the tree officer and it is considered that there would be no harm to the protected tree on site.

6.3 Pollution Control: Requested a YAPACC assessment be completed and sent to the officer; this has been completed and the officer has requested un-expected land contamination conditions be included on the decision.

7.0 Relevant Policy and Strategic Context

7.1 Saved Doncaster Unitary Development Plan (UDP)

The land is allocated as Residential Policy Area.

PH11: Residential Policy Area
ENV59: Tree Protection

Policy PH11 indicates that dwellings will appropriate in principle in these areas. The development should not be of a density or form detrimental to the area, or result in an over intensive development. The development should not detrimentally harm neighbouring amenity. Finally the proposal should not result in the loss of social, community and recreational or other local facilities for which there is a demonstrated need.

Policy ENV59 aims to protect trees from harmful development.

7.2 Doncaster Council Core Strategy

CS14 - Design and Sustainable Development
CS16 - Valuing our Natural Environment

Policy CS14 sets out that development should be in keeping with the character of the area and not harm highway safety or the highway network.

Furthermore policy CS16 ensures that the ecology is protected and that protected trees are not harmed.

7.3 National Planning Policy Statement (NPPF)

Section 7 - Requiring good design
Section 11- Conserving and enhancing the natural environment

National Policy is now in the form of the National Planning Policy Framework (NPPF). This came into effect on the 27th of March 2012. The NPPF sets out the Government's planning policies and are a material consideration in planning decisions. The NPPF

replaces all PPS's/PPG's and constitutes guidance for local planning authorities and decision takers. The NPPF does not change the statutory status of the development plan as the starting point in decision making, however, at the heart of the NPPF is a 'presumption in favour of sustainable development'.

7.4 Supplementary Planning Document (SPD):

1. Development Guidance and Requirements
2. Residential Backland and Infill Development

These offer advice on separation distances, amenity area sizes and impact of trees on development and vice versa.

8.0 Planning Issues

8.1 The principle of a dwelling on this site has already been accepted by the granting of the 2016 outline in line with the Residential Policy Area allocation. The main issues to consider are therefore the siting, design of the dwelling, its impact on nearby residents and its impact on adjacent trees and ecology.

Trees

8.2 It is important to safeguard and protect existing trees from development in line with Policy CS 16. The proposal has been amended with the dwelling moved into a better position in relation to the Sycamore (T4) within the neighbouring property to the east. The plan was amended again to show both the canopy spread of this tree and the root protection area, and to provide further details on the path which is proposed around the dwelling. The plans have been amended further to reduce to single storey, given the dwelling has not moved and the garage is outside of the Root Protection Area of the tree; the tree officer does not object and requests a piling condition to be added to the decision notice, along with a prior to occupation landscaping condition and other tree protection conditions.

Residential Amenity

8.3 Saved UDP policy PH 11 states that development for housing will normally be permitted except where; (b) the effect of the development on the amenities of occupiers of nearby properties would be unacceptable. Policy CS14 also states that proposals should not create unacceptable negative effects upon the amenity of neighbouring land.

8.4 The scheme has been reduced to single storey, with only one roof light to serve the kitchen/dining room; but given the roof pitch, this window would only have an outlook of the sky and not any neighbouring properties. All the other windows would be at single storey and the majority will be enclosed by the 2m high close boarded fence; meaning the surrounding properties will have an outlook of the roof line and would not result in overlooking. Furthermore the separation distance to Woodbine Cottage is well over 21m. This separation distance is also felt to protect the neighbouring properties from a harmful degree of overshadowing.

8.5 The proposed detached garage would be located on the boundary with Highfield House; the garage would be 3.5m in height. The garage would be 12m away from the rear elevation of Highfield House and there would be no windows or roof lights; with just a garage door to the front elevation. Given the distance from the rear elevation and the height of the garage it is not considered that the garage would cause harm to the amenities of the residents of Highfield House.

8.6 The amenity area is shown to the side of the building. This is the furthest away from the road and would offer a decent amount of private amenity for the proposal. It is noted that this amenity space would be overshadowed by the protected tree; but given outline was given consent on this small site and any amenity space would be shaded, it is considered that the harm caused for the future occupiers would not be sufficient to warrant refusal of this application. Furthermore there is sufficient space un-shaded to the rear for the residents to hang out washing etc. Therefore, it is considered that the proposal will not cause significantly detrimental harm to the neighbouring properties and accords with policy PH 11 (b) and CS14.

8.7 Permitted development rights have been removed from the proposal by condition. It is felt that the proposal already takes up a large enough part of the site and if extended or outbuildings were erected this may leave little or no private amenity space or cause highway safety issues with reduced parking space. Furthermore if windows are added to the building this could create unacceptable levels of overlooking if their position is not carefully considered.

8.8 The concerns raised by the neighbouring residents are noted, regarding the land levels, overlooking and overshadowing; it is also noted that the previous outline consent restricted the reserved matters to a single storey dwelling, and the application has been amended to reflect this.

Character

8.9 Policy CS 14 of the Core Strategy relates to design. Within this policy it is stated that all proposals in Doncaster must be of high quality design that contributes to local distinctiveness, reinforces the character of local landscapes and building traditions, responds positively to existing site features and integrates well with its immediate and surrounding local area. Part (a) states that the components of development, including mix, layout, density, and form will be assessed to ensure that the development proposed is robustly designed, works functionally, is attractive, and will make a positive contribution to achieving the following qualities of a successful place; character, continuity, quality, stability, safety and security, permeability, legibility, adaptability, inclusive, vitality and sustainability. PH11 (a) further states that the development should be at a density or of a form which would not be detrimental to the character of the surrounding area and should not result in an over intensive development of the site.

8.10 There are properties set further back from the street scene in this area thus it is not felt that there is an overriding linear character to be protected and the garden development will not be out of keeping with the neighbouring density. The bungalow has a pitched roof to be sympathetic to the neighbouring dwellings design. The materials will tie this development in with the neighbours and needs careful consideration thus has been conditioned for further details.

Highways

8.11 Policy CS14 ensures that highway safety is protected. The Highways officer requested swept path analysis from the agent, to ensure vehicles can leave the site in forward gear; this was submitted and there are no highway safety objections subject to conditions. The site can adequately provide off street parking for the proposal.

9.0 Summary and Conclusion

9.1 The proposal is felt to acceptable as the proposal would not cause significant harm to neighbouring amenity, trees, or highway safety. The dwelling would not cause significant detriment to the character of the area and has been carefully designed to make the best of a site constrained by trees and separation distances. The application is therefore recommended for approval.

10.0 Recommendation

10.1 Grant Full planning permission subject to the following conditions.

01. STAT1 The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.
REASON
Condition required to be imposed by Section 91(as amended) of the Town and Country Planning Act 1990.
02. U62015 The development hereby permitted shall be carried out in complete accordance with the details shown on the amended plans referenced and dated as follows; proposed plan no.7976 ref b dated received 03.07.18; proposed plan 7982 received 03.07.18; plan showing landscaping and boundaries received 02.07.18; correspondence received 02.07.18 outlining materials, landscaping, and boundary details; site plan received 15.06.18.
REASON
To ensure that the development is carried out in accordance with the application as approved.
03. DA01 The development hereby granted shall not be begun until details of the foul, surface water and land drainage systems and all related works necessary to drain the site have been submitted to and approved by the Local Planning Authority. These works shall be carried out concurrently with the development and the drainage system shall be operating to the satisfaction of the Local Planning Authority prior to the occupation of the development.
REASON
To ensure that the site is connected to suitable drainage systems and to ensure that full details thereof are approved by the Local Planning Authority before any works begin.
04. CON2 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.

05. CON3 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.
06. NOPD1A Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (No.596) (England) Order 2015, Article 3, Schedule 2: Part 1 (or any subsequent order or statutory provision revoking or re-enacting that order) no additions, extensions or other alterations other than that expressly authorised by this permission shall be carried out without prior permission of the local planning authority.
REASON
The local planning authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties or to the character of the area and for this reason would wish to control any future development to comply with policy PH11 of the Doncaster Unitary Development Plan.
07. NOPD3A Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (No.596) (England) Order 2015, Article 3, Schedule 2: Part 1 (or any subsequent order or statutory provision revoking or re-enacting that order) no development shall be carried out on any part of the land other than that hereby permitted without the prior permission of the local planning authority.
REASON
The local planning authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties or to the character of the area and for this reason would wish to control any future development to comply with policy PH11 of the Doncaster Unitary Development Plan.
08. HIGH1 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.
09. HIGH11 The development hereby approved shall not be brought into use until a crossing over the footpath/verge has been constructed in

accordance with a scheme previously approved in writing by the local planning authority.

REASON

To avoid damage to the verge.

10. U62891

The external materials and finishes shall be 140mm coursed rubble artificial stone and grey double concrete pantiles; with white UPVC windows. The boundary treatment shall be 2m high close boards fencing and walls to match stone on the house.

REASON

To ensure the satisfactory appearance of the development in accordance with policy ENV54 of the Doncaster Unitary Development Plan.

11. U62892

Notwithstanding the foundation design shown on Drawing 7982 (dated 26/06/2018) prior to commencement of the development hereby granted a system of foundation design and installation building (pile and beam foundation for example) shall be submitted to and approved in writing by the Local Planning Authority. The system shall aim to minimise ground disturbance within the Root Protection Area of the Sycamore tree (T4 in the submitted survey). Installation of the foundation on site shall be in full accordance with the approved scheme.

REASON

To minimise the likelihood of damage to the root system of the Sycamore tree (T4) and to safeguard against the possibility of damage to the new dwelling by the root action of the tree.

12. U62893

Notwithstanding the tree protection plan within the revised Phase 2 Pre-development Arboricultural Report (Dated 06/06/2018 page 19 - Plan 3 Tree Protection Plan) prior to the commencement of the development hereby granted a scheme for the protection of the Sycamore (T4 in the submitted survey) that complies with British Standard 5837: 2012 Trees in Relation to Design, Demolition and construction shall be submitted to the Local Planning Authority for approval. Tree protection shall be implemented on site in accordance with the approved scheme before any equipment, machinery or materials have been brought on to site for the purposes of the development and the LPA Trees and hedgerows officer is to be invited to check the protection fencing once installed, thereafter it shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

REASON

To ensure that retained trees are protected from damage during construction.

13. U62894

No development or other operations shall commence on site in connection with the development hereby approved until a detailed Arboricultural Method Statement that complies with British Standard

5837: 2012 Trees in Relation to Design, Demolition and Construction - Recommendations has been submitted to and approved in writing by the Local Planning Authority. Thereafter, no development or other operations shall take place except in complete accordance with the approved Method Statement. The Method Statement shall include full details of:

- o the working methods to be employed to protect the rooting system of the Sycamore (T4) during the installation of the specialist foundation and the construction of the above ground part of the building,
- o the working methods to be employed to protect the rooting system of the Sycamore (T4) during the installation of utility services and drains etc.
- o the working methods to be employed to protect the rooting system of the Sycamore (T4) during the installation of the site boundary treatment (fencing)

REASON

To minimise damage to the root systems of trees that are shown for retention on the Approved Plan

14. U62895 The alignment of all service trenches and overhead services shall be approved by the Local Planning authority prior to the commencement of development'

REASON:

To prevent damage being caused to trees which it has been agreed shall be retained

15. U62896 The development hereby granted shall not be commenced until a schedule of tree surgery work (for T4 if needed) has been submitted to and approved in writing by the Local Planning Authority. Best arboricultural practice shall be employed in all work, which shall comply with British Standards BS3998: 2010 tree works recommendations and, unless as may be specifically approved in writing by the Local Planning Authority, all tree work shall be completed before the development commences.

REASON:

To ensure that all tree work is carried out to the appropriate high standard

01. INF1B **INFORMATIVE**

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

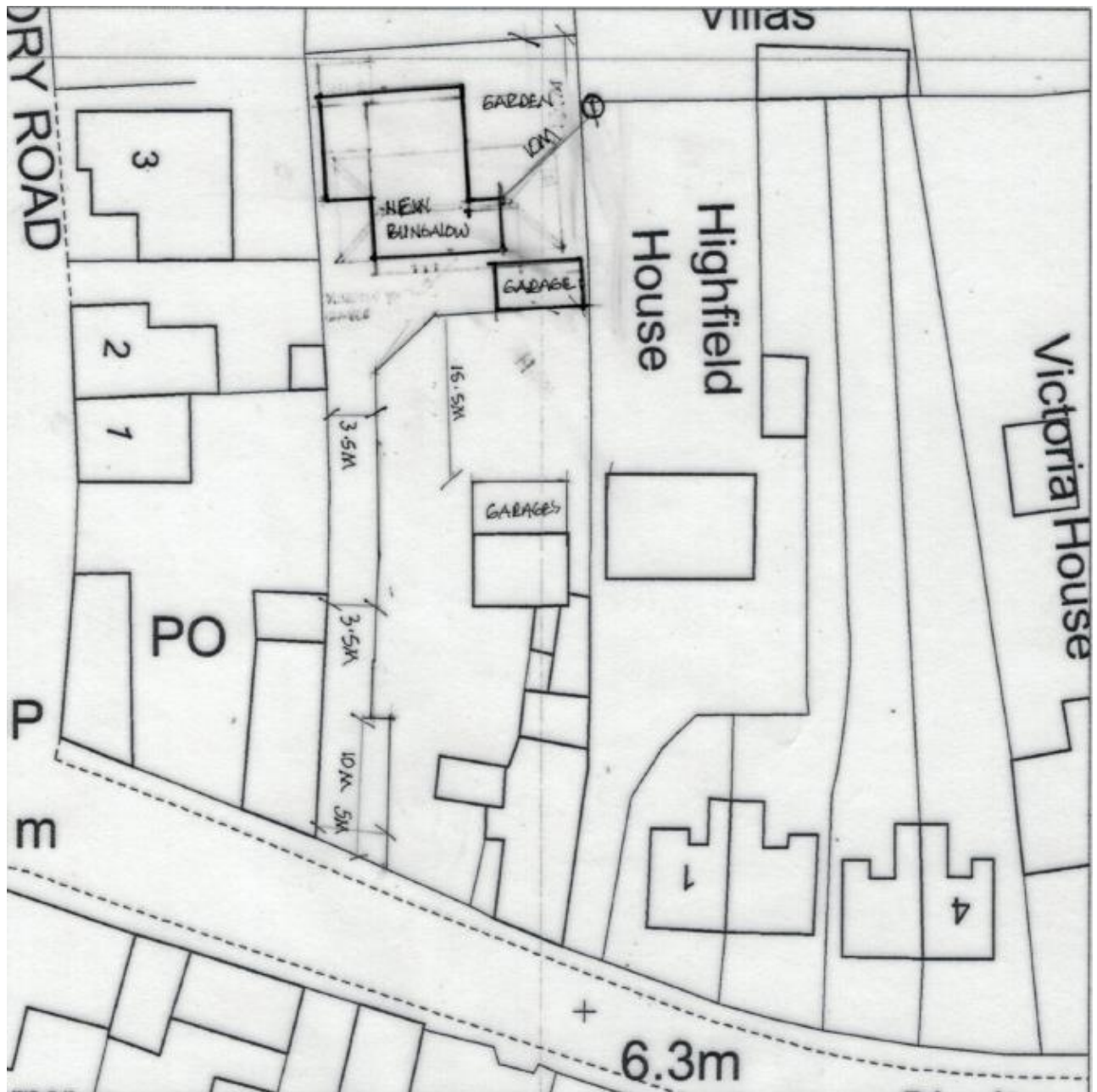
This Standing Advice is valid from 1st January 2017 until 31st December 2018

02. U12628 The Sycamore tree on the East boundary of the development site within the rear garden of Highfield House, High Street, Norton, Doncaster, DN6 9EH is subject to Doncaster Borough Council Tree Preservation Order (No.402) 2018 Highfield House, High Street, Norton. It is a criminal offence to wilfully damage a tree subject to a Tree Preservation Order. Preventing damage to the tree is in the interests of tree health and also in the interests of safety of persons and property. It is advised, therefore, that during the construction of the development hereby approved the following activities are prevented from occurring:
- 1) the stockpiling of building materials under the canopy of the Sycamore at the site on unprotected ground
 - 2) the parking or operating of machinery under the canopy of the Sycamore or within the RPA
 - 3) the movement of traffic over root system
 - 4) fires within the vicinity of the Sycamore
 - 5) chemical spillages (including the rinsing out of cement mixers) under the canopy or within the RPA of the Sycamore

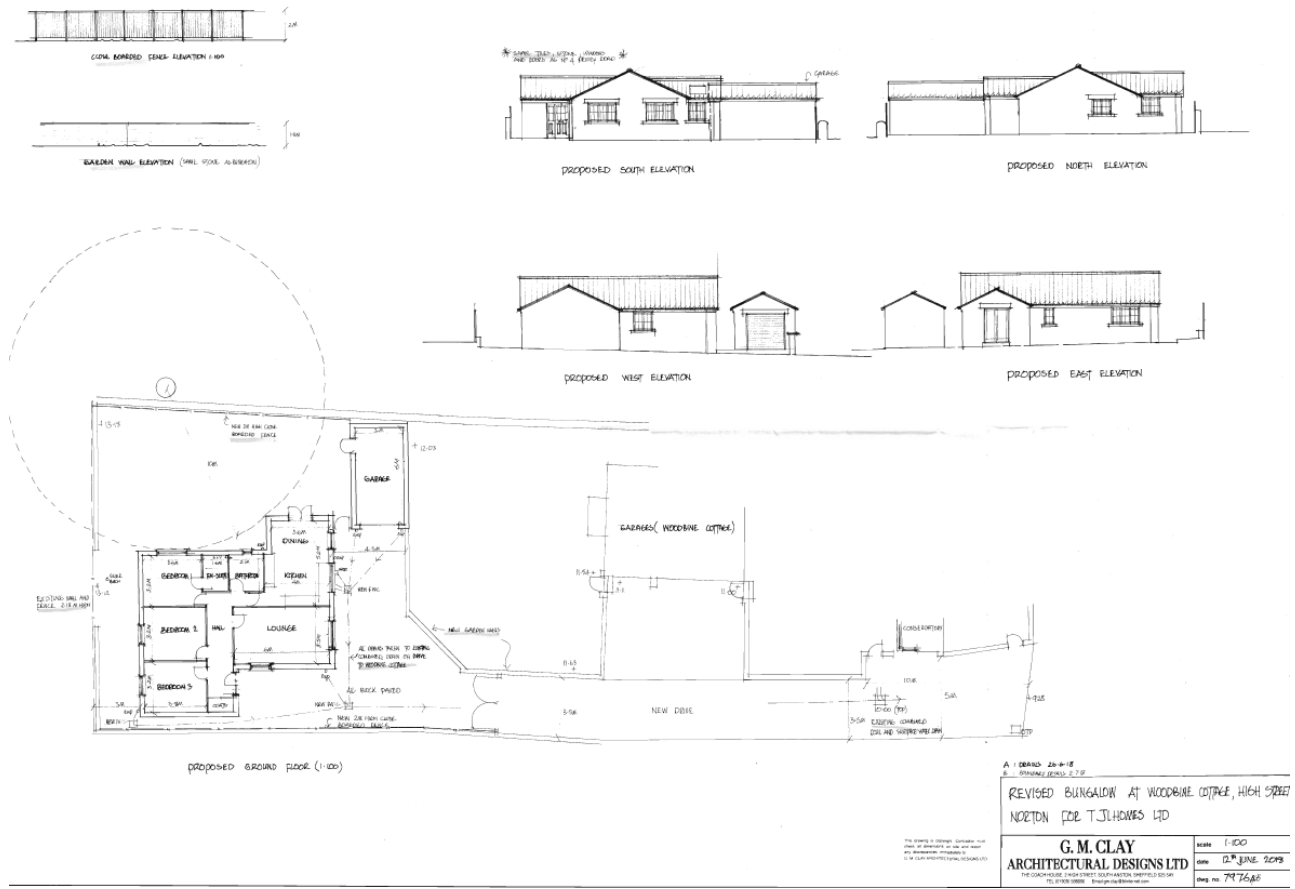
The tree consultant who writes the tree protection plan and method statement will need my detail to include in the contact details section so please feel free to forward my direct phone number or email on if needed.

The above objections, considerations and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence.

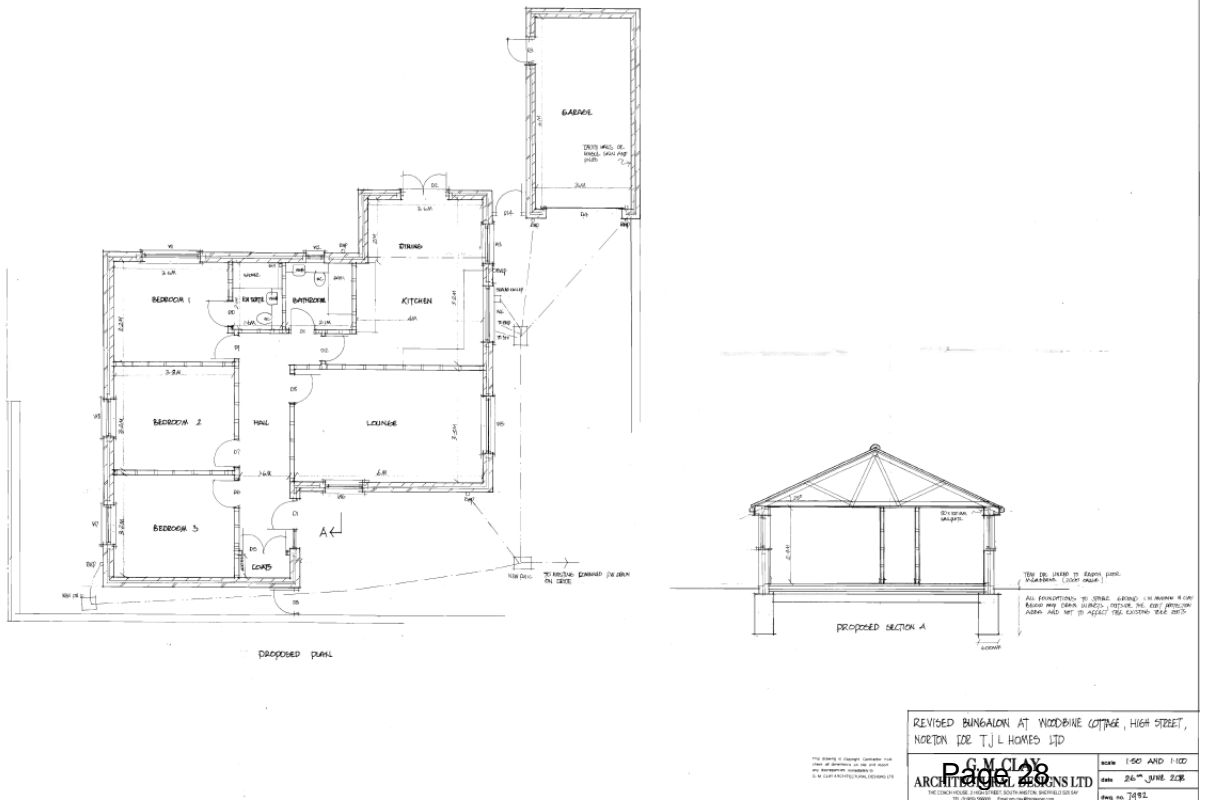
Appendix 1: Proposed Site Plan



Appendix 2: Proposed Plans



Appendix 3: Proposed Floor Plan and Section





24 July 2018

To the Chair and Members of the Planning Committee

APPEAL DECISIONS

EXECUTIVE SUMMARY

1. The purpose of this report is to inform members of appeal decisions received from the planning inspectorate. Copies of the relevant decision letters are attached for information.

RECOMMENDATIONS

2. That the report together with the appeal decisions be noted.

WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?

3. It demonstrates the ability applicants have to appeal against decisions of the Local Planning Authority and how those appeals have been assessed by the planning inspectorate.

BACKGROUND

4. Each decision has arisen from appeals made to the Planning Inspectorate.

OPTIONS CONSIDERED

5. It is helpful for the Planning Committee to be made aware of decisions made on appeals lodged against its decisions.

REASONS FOR RECOMMENDED OPTION

6. To make the public aware of these decisions.

IMPACT ON THE COUNCIL'S KEY OUTCOMES

7.

	Outcomes	Implications
	Working with our partners we will provide strong leadership and governance.	Demonstrating good governance.

RISKS AND ASSUMPTIONS

8. N/A

LEGAL IMPLICATIONS [Officer Initials HL Date 11/07/18]

9. Sections 288 and 289 of the Town and Country Planning Act 1990, provides that a decision of the Secretary of State or his Inspector may be challenged in the High Court. Broadly, a decision can only be challenged on one or more of the following grounds:
- a) a material breach of the Inquiries Procedure Rules;
 - b) a breach of principles of natural justice;
 - c) the Secretary of State or his Inspector in coming to his decision took into account matters which were irrelevant to that decision;
 - d) the Secretary of State or his Inspector in coming to his decision failed to take into account matters relevant to that decision;
 - e) the Secretary of State or his Inspector acted perversely in that no reasonable person in their position properly directing themselves on the relevant material, could have reached the conclusion he did;
a material error of law.

FINANCIAL IMPLICATIONS [Officer Initials BC Date 11/07/18]

10. There are no direct financial implications as a result of the recommendation of this report, however Financial Management should be consulted should financial implications arise as a result of an individual appeal.

HUMAN RESOURCES IMPLICATIONS [Officer Initials CR Date 11/07/18]

11. There are no Human Resource implications arising from the report.

TECHNOLOGY IMPLICATIONS [Officer Initials PW Date 11/07/18]

12. There are no technology implications arising from the report

HEALTH IMPLICATIONS [Officer Initials RS Date 11/07/18]

13. It is considered that there are no direct health implications although health should be considered on all decisions.

EQUALITY IMPLICATIONS [Officer Initials IH Date 11/07/18]

14. There are no Equalities implications arising from the report.

CONSULTATION

15. N/A

BACKGROUND PAPERS

16. N/A

CONCLUSIONS

17. Decisions on the under-mentioned applications have been notified as follows:-

Application No.	Application Description & Location	Appeal Decision	Ward
17/02781/ADV	Display of digital electronic display fascia sign at Unit 5B, Danum Retail Park, Newcomen Road, Off York Road	Appeal Allowed 27/06/2018	Bentley
17/03056/FUL	Erection of two storey dwelling (being variation of condition 2 of planning application 17/00608/FUL granted on 22/06/2017 - Development in accordance with approved plans). at Field House Farm, Sticking Lane, Adwick Upon Dearne, Mexborough	Appeal Dismissed 09/07/2018	Mexborough

REPORT AUTHOR & CONTRIBUTORS

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PETER DALE
Director of Regeneration and Environment



Appeal Decision

Site visit made on 12 June 2018

by R Norman BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th June 2018

Appeal Ref: APP/F4410/Z/18/3196888

Unit 5B Danum Retail Park, Newcomen Road, Off York Road, Doncaster DN5 8LZ

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by Miss Faye Rowbottom, Scanlite Visual Communications Ltd. against the decision of Doncaster Metropolitan Borough Council.
 - The application Ref 17/02781/ADV, dated 8 November 2017, was refused by notice dated 3 January 2018.
 - The advertisement proposed is a digital electronic display fascia sign.
-

Decision

1. The appeal is allowed and express consent is granted for the display of the digital electronic display fascia sign as applied for. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations and the following additional condition:-
 - 1) The advertisement hereby approved shall operate at an illumination level no greater than 800Cdm² during daylight hours and no greater than 200Cdm² during twilight hours and shall be non-intermittent at all times.

Main Issue

2. The main issue is the effect of the proposed advertisement on highway safety.

Reasons

3. The appeal site is located within a large retail park and comprises an end unit. The unit was vacant at the time of my visit with works being carried out to facilitate its occupation. The proposal would install a banner digital fascia sign underneath the main shop sign, which would be located across the top of the doors and windows of the unit and would display moving images.
4. The existing retail park is located alongside the A638, York Road, and comprises a large number of units, all with varieties of signage present, many of them illuminated. In addition there are also totem signs present. Whilst the majority of the existing signs have some degree of illumination these are largely static.
5. The unit is reasonably prominent within the wider retail park as a result of its location on the end of a block and its front elevation set forward of the adjoining unit. Nevertheless, the Appellant has demonstrated that the unit is set back over 75 metres from the highway.

6. York Road is a busy dual carriageway which runs along the entire frontage of the retail park. The wider area is characterised by a mix of signs, including those at the nearby Morrison's supermarket opposite. The Appellant has advised that the advertisements are designed to have 180 degree viewing angles rather than directional LEDs. Furthermore, the proposed sign would be set beneath the large main fascia sign and would therefore not be viewed in isolation on the building.
7. I have had regard to the location of the proposed sign, its overall size, the location of the unit in relation to the dual carriageway and the level of illuminated signage in the immediate area. In combination, these factors would ensure that the signage would not be so prominent or noticeable to cause a harmful distraction to drivers on York Road.
8. Accordingly, given the above reasons the proposed sign would not result in undue harm to the users of the nearby highway network or result in highway safety issues. The proposal therefore complies with Policy ENV58 of the Doncaster Unitary Development Plan (1998) which seeks to ensure that proposed advertisements do not detract from public safety, and paragraph 67 of the National Planning Policy Framework.

Conditions

9. In addition to the standard five conditions, the Appellant has suggested a condition restricting the illuminance of the sign during daytime and night time hours. The daytime illumination level of 800Cdm² is noted on the application form, however the night time level of 200Cdm² is not included therefore I consider this non-standard condition to be necessary.

Conclusion

10. For the reasons given above I conclude that the display of the digital electronic display fascia sign would not be detrimental to the interests of public safety.

R Norman

INSPECTOR



Appeal Decision

Site visit made on 3 July 2018

by **Michael Moffoot DipTP MRTPI DipMgt MCMi**

an Inspector appointed by the Secretary of State

Decision date: 9th July 2018

Appeal Ref: APP/F4410/W/18/3199739

Field House Farm, Sticking Lane, Adwick upon Dearne, Doncaster S64 0NH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr Jason Hughes against the decision of Doncaster Metropolitan Borough Council.
 - The application Ref: 17/03056/FUL, dated 12 December 2017, was refused by notice dated 12 February 2018.
 - The application sought planning permission for erection of two-storey dwelling without complying with a condition attached to planning permission Ref: 17/00608/FUL dated 22 June 2017.
 - The condition in dispute is No 2 which states: *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:
Plans and Elevations Ref 16-126 DWG 02 Rev E and Location Plan Rev A 17/5/17.*
 - The reason given for the condition is: *To ensure that the development is carried out in accordance with the application as approved.*
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is whether the disputed condition is necessary and reasonable with reference to national and local policy regarding development in the Green Belt.

Reasons

3. Following the grant of planning permission for the subject dwelling a variation to the approved scheme was granted permission by the Council in November 2017¹. Amongst other things, the revised proposal included a single-storey boot room/utility room/wet room on the west elevation of the dwelling in place of a smaller utility room/WC which formed part of the original permission.
4. The appeal proposal includes the erection of a single-storey farm office and dispensary to the east side of the building. The design and materials would match the approved dwelling. Construction of the new house had not commenced at the time of my site visit.

¹ Council ref: 17/02266/FUL

5. Paragraph 89 of the *National Planning Policy Framework* ('the Framework') establishes that certain forms of development are not inappropriate in the Green Belt. They include the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. Saved Policy ENV 3 of the *Doncaster Unitary Development Plan* (1998) ('the UDP') contains broadly similar provisions for limited extensions to dwellings in the Green Belt.
6. Having regard to the dwelling originally granted permission, I consider that the approved and proposed extensions would cumulatively comprise significant additions which would be out of proportion with the approved dwelling. Accordingly, the appeal proposal would result in a disproportionate addition over and above the size of the original building and therefore comprises inappropriate development in the Green Belt in conflict with the Framework and UDP Policy ENV 3.
7. The Framework states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts being their openness and permanence. Although of relatively modest size compared to the approved dwelling (as extended), the proposed extension would nevertheless result in a reduction in the openness of the Green Belt.
8. Paragraph 87 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 adds that substantial weight is to be given to any harm to the Green Belt, and very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. Policy CS3 of the *Doncaster Council Core Strategy 2011-2028* (2012) reflects this stance.
9. The appellant has made a number of submissions which I have taken to comprise an argument that very special circumstances exist in this case. It is contended that the proposed extension is necessary to provide secure farm office and animal medication storage facilities which are currently provided in a touring caravan in the farmyard. I acknowledge the benefits arising from the additional floorspace proposed, including the need to provide safe storage for medicines given that the appellant has a large number of children. However, I see no compelling reason why such facilities could not be provided within the approved dwelling, which is a sizeable five-bedroomed property over three floors. These other considerations do not therefore outweigh the harm to the Green Belt that would arise if the appeal were to succeed.
10. I have concluded that the proposal would be inappropriate development in the Green Belt and would reduce the openness of the Green Belt in conflict with the national and local policies I have referred to. No very special circumstances have been advanced to outweigh the general presumption against inappropriate development and the harm to the openness of the Green Belt. Accordingly, the disputed condition is necessary and reasonable and the appeal fails.

Other Matters

11. The Council submits that the resultant dwelling would be "unlikely to be available to an agricultural worker" in the event that the property is disposed of. However, as approved in its amended form this would be a substantial

dwelling and the proposed extension would be a relatively modest addition. There is no compelling evidence before me to demonstrate that the increase in the value of the dwelling as a result of the appeal proposal would render it unattainable by another agricultural worker were the property to be disposed of in the future.

12. Reference is also made to the potential to replace the existing office/dispensary caravan with a permanent building. This is not a matter before me, however, in the context of the appeal.

Conclusion

13. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Michael Moffoot

Inspector

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Agenda Item 7.

By virtue of paragraph(s) 6 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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