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CITY OF DONCASTER COUNCIL

PLANNING COMMITTEE

TUESDAY, 7TH FEBRUARY, 2023

A MEETING of the PLANNING COMMITTEE was held in the COUNCIL CHAMBER, CIVIC OFFICE, WATERDALE, DONCASTER DN1 3BU on TUESDAY, 7TH FEBRUARY, 2023, at 2.00 pm.

PRESENT:

Chair - Councillor Susan Durant
Vice-Chair - Councillor Duncan Anderson

Councillors Bob Anderson, Iris Beech, Steve Cox, Sue Farmer, Charlie Hogarth, Sophie Liu, Andy Pickering and Gary Stapleton.

APOLOGIES:

An apology for absence was received from Councillor Aimee Dickson.

53 Declarations of Interest, if any

There were no declarations of interest made at the meeting.

54 Minutes of the Planning Committee Meeting held on 10th January, 2023

RESOLVED that the minutes of the meeting held on 10th January, 2023 be approved as a correct record and signed by the Chair.

55 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'.

56 Town And Country Planning Act 1990, Section 106 Agreements

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
19/02977/FULM	Erection of residential development (Use Class C3), internal access roads, car parking, open space and associated works on land off Watch House Lane, Bentley.

To provide authority for the Recommendation & Reason(s) for Refusal associated with Non-Determination Appeal - 22/00040/NONDET & 22/00250/OUTM - Land at former Blaxton Quarry, Mosham Road, Auckley, Doncaster

The Committee considered a report which sought the endorsement of the recommendation and reason for refusal associated with a live appeal against non-determination with regard to an Outline Planning Permission (including means of access only) for B2, B8 and Class E:(g) - Employment uses of 31,846 square metres for up to 52 units and parking on land at former Blaxton Quarry, Mosham Road, Auckley, Doncaster.

It was reported that the determination date of the application was 25th May, 2022 but the Council was unable to support the application at the time of determination due to an issue of conflict in relation to the ecological impact of the development weighed against the Local Plan policy allocation, job creation and fall-back position associated with the historic use of the site.

The application was still under consideration when an appeal against non-determination was submitted by the applicant. The proposal sought outline planning permission with access for determination. The determining issue raised was the impact of the development on the biodiversity of the site.

Members were informed that it was considered that whilst the proposal accorded with the development plan allocation for employment use, it sought to develop a greater area of the site than the supply envisaged as being delivered from this allocation for the purposes of employment land supply. The applicant/appellant had failed to address the requirements of Policy 30 of the adopted Local Plan pertaining to Biodiversity Net Gain. As a consequence, the proposal did not accord with the development plan when considered as a whole. Whilst the planning history of the site was an important material consideration, the other benefits of granting permission were not sufficient, on balance, to justify a decision not in accordance with the development plan.

Subsequently, on the 16th November, 2022 a valid appeal against non-determination was received by the Council. The appeal had been scheduled as a Public Inquiry which was to take place between the 14th to 17th February, 2023 and therefore, the report sought support for the recommendation and the reason(s) for refusal which would be presented at the Inquiry.

RESOLVED that for the reasons outlined within the report, the Appeal be refused by the Secretary of State, subject to the following reason and the Council's position be endorsed in respect of the upcoming Public Inquiry:-

01. The proposal does not deliver a net gain in biodiversity and has failed to satisfactorily compensate for the harm generated from the loss of biodiversity that would occur as a result of the development. This includes the loss of a Priority Habitat, Open Mosaic Habitat (OMH). The proposal is therefore contrary to Doncaster Local Plan Policy 30 (Parts A & B), The Council's Supplementary Planning Document

(SPD) Biodiversity Net Gain, and paragraphs 174 and 180 of the National Planning Policy Framework (2021).

58 Briefing Paper on the Doncaster Local Heritage List

The Committee considered a Briefing Paper on the Doncaster Local Heritage List.

It was reported that in 2020, the Department of Levelling Up, Housing & Communities, supported by Historic England, started a campaign to encourage Local Heritage Listing by providing funding to 22 areas to develop new lists or to update existing lists. Given the policy commitment in the Local Plan, Doncaster Council agreed to sign up to a joint South Yorkshire bid alongside Barnsley, Rotherham and Sheffield with the South Yorkshire Archaeology Service, as a joint service, leading on the project. South Yorkshire was one of the areas selected and was awarded a grant to deliver a 12-month project working with community partners and Local Authorities across South Yorkshire, to deliver a local heritage list supported by a full-time project officer for 12 months.

Members were informed that members of the public in each Local Authority area were requested to nominate heritage assets, which could be buildings, structures, parks and gardens, historic areas or areas with archaeological interest, to be added to a local heritage list. The nominated candidates were then assessed by a panel with heritage expertise and if they met the set of common criteria, as detailed within Appendix 1 of the report, were recommended to be added to the relevant Local Authority list.

Subsequently, as a result of the work to date, a total of 31 heritage assets within Doncaster, had been deemed to meet the selection criteria so worthy of inclusion on a Doncaster Local Heritage List which were listed in Appendix 2 of the report. These were now subject to a 6 week consultation period and once adopted, their heritage significance would become a material consideration in planning decisions.

Members noted that as the Conservation Area designation already offered a degree of protection, the nominations which were outside conservation areas were prioritised as they currently lacked any recognition in planning.

RESOLVED that the Briefing Paper on the Doncaster Local Heritage List, be noted.

59 Appeal Decisions

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

Application No.	Application Description & Location	Appeal Decision	Ward	Decision Type	Committee Overturn
21/02095/FUL	Erection of new	Appeal	Conisbrough	Delegated	No

	dwelling (being resubmission of application 21/00333/FUL) (amended) at Beacon Ridge, Common Lane, Clifton, Rotherham	Dismissed 13/01/2023			
21/03607/TEL	Proposed 5G telecoms installation: H3G Phase 8 street pole of 20 metres in height, with wrap-around cabinet, 3 further additional equipment cabinets and associated works at Tadcaster Court, Doncaster Road, Armthorpe, Doncaster	Appeal Dismissed 23/12/2022	Armthorpe	Delegated	No
22/00349/FUL	Part demolition of existing cottage, with proposed 2-storey new build 4-bed family home with parking and gardens, creation of new vehicular access. at Hawthorne Cottages, Fenwick Lane, Fenwick, Doncaster	Appeal Dismissed 12/01/2023	Norton and Askern	Delegated	No
21/03313/FUL	Change of use of land to a hand car wash	Appeal Dismissed 18/01/2023	Bentley	Delegated	No

	(Use Class Sui Generis) including two permanent storage container structures and associated works - Part Retrospective at land opposite Toll Bar Primary School, Askern Road, Toll Bar, Doncaster				
19/02561/FUL	Erection of rear single storey extension, formation of roof terrace with balustrade above and increased in height of gate piers to approximately 2m (Retrospective) at 8 Auckland Road, Wheatley, Doncaster, DN2 4AG	Out of Time 18/01/2023	Town	Delegated	No

60 Planning Enforcement Quarterly Report - December, 2022

The Committee considered a report which detailed all Planning Enforcement performance in the third Quarter of 2022/23.

RESOLVED that all Planning Enforcement Cases received and closed for the period for 1st October to 31st December, 2022, be noted.

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DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE – 7th February, 2023

Application	1
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Application Number:	19/02977/FULM
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Application Type:	Planning FULL Major
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Proposal Description:	Erection of residential development (Use Class C3), internal access roads, car parking, open space and associated works
At:	Land off Watch House Lane, Bentley

For:	C/O Quod
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Third Party Reps:	37 (of which only 7 are against the current affordable housing scheme)	Parish:	
		Ward:	Bentley

A proposal was made to grant the application subject to Conditions and the completion of a Section 106 Agreement.

Proposed by: Councillor Susan Durant

Seconded by: Councillor Iris Beech

For: 5 Against: 4 Abstain: 1

Decision: Planning permission granted subject to Conditions, the completion of an Agreement under Section 106 of the Town and Country Planning Act, 1990 in relation to the following matters, and the Head of Planning be authorised to issue the planning permission upon completion of the Legal Agreement:-

- (a) 100 per cent affordable housing to be secured in perpetuity;**

- (b) £122,253 for Don Valley Academy;**
- (c) £103,625 for Biodiversity offsetting;**
- (d) £16,250 for improvements to the Recreation Ground off Queens Drive; and**
- (e) £7,352 for the Travel Bond.**

In accordance with Planning Guidance 'Having Your Say at Planning Committee', Mr Nick Harrison, the Applicant, spoke in support of the Application for the duration of 5 minutes.

(Receipt of an additional letter of objection was reported at the meeting).

Application	2
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Application Number:	22/02194/OUT
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Application Type:	Full Application
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Proposal Description:	Outline application for the erection of extension of dwelling to form six one bedroomed flats and conversion of outbuilding to flat (Approval being sought for access and scale)
At:	97 Scawthorpe Avenue, Scawthorpe Doncaster, DN5 9DQ

For:	Mr Duhre
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Third Party Reps:	4 objectors 1 supporter	Parish:	Unparished
		Ward:	Roman Ridge

The Application was deferred for procedural matters in relation to the nature and description of the application.

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