

DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE

TUESDAY, 12TH DECEMBER, 2017

A MEETING of the PLANNING COMMITTEE was held at the COUNCIL CHAMBER, CIVIC OFFICE, on TUESDAY, 12TH DECEMBER, 2017, at 2.00 pm.

PRESENT:

Vice-Chair - Councillor Iris Beech (In the Chair)

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

APOLOGIES:

Apologies for absence were received from the Chair, Councillor Eva Hughes, and Councillors John Healy and Tina Reid.

53 Declarations of Interest, if any

In accordance with the Members Code of Conduct, all Elected Members present at the meeting in the Council Chamber declared that they had been lobbied with regard to Application No. 17/02334/FUL, Agenda Item 5(5), but had not given their opinion thereon.

In accordance with the Members Code of Conduct, Councillor Jonathan Wood declared that he had received correspondence from Doncaster Metropolitan Borough Council's Communication Team with regard to Application No. 17/00301/FULM, Agenda Item 5(1), but had not given his opinion thereon.

54 Minutes of the Planning Committee Meeting held on 14th November, 2017

RESOLVED that the minutes of the meeting held on 14th November, 2017, be approved as a correct record and signed by the Vice-Chair.

55 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'.

56 Adjournment of Meeting

RESOLVED that in accordance with Council Procedure Rule 18.11(f), the meeting stand adjourned at 3.40 p.m. and 5.25 p.m. to be reconvened on this day at 3.45 p.m. and 5.30 p.m. respectively.

57 Reconvening of Meeting

The meeting reconvened at 3.45 p.m. and 5.30 p.m. respectively.

58 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.

59 Proposed Deed of Variation to Section 106 Agreement for a mixed use development at Manor Farm, Bessacarr

The Committee considered a report which sought approval to a variation to the Section 106 Agreement for a mixed use development of housing, employment uses, ancillary amenities and public open spaces, including associated landscaping and means of access on approximately 70.07ha of land at Manor Farm, Bessacarr. Prior to consideration of the report, Members were informed of an amendment to paragraph 34 of the report and the receipt of an additional representation from Councillor Steve Cox, Local Ward Member.

It was reported that outline planning permission was granted on appeal on the 9th November, 2009 with the decision being subject to a Section 106 Agreement which sought to deliver the following obligations:-

- a. - affordable housing,
- b. - bus services,
- c. - village greens,
- d. - play areas,
- e. - woodland and nature areas,
- f. - railway crossing improvements,
- g. - a site for a school,
- h. - a travel plan,
- i. - a financial contribution to the Warren Lane works,
- j. - the provision of service infrastructure,
- k. - access to the commercial use development site; and
- l. - a public open space management and maintenance scheme

It was noted that in relation to affordable housing, the Agreement required that 26% of all units on site be delivered as affordable homes; the tenure split required 25% to be Social Rented dwellings and 75% to be Shared Ownership dwellings. The first reserved matters application for Phase 1 of the development was approved in January 2012, which included details for the erection of 276 dwellings and included the phasing plan for the remainder of the development, comprising of a further two phases of development.

Following a period of extensive marketing of the shared ownership homes within Phase 1 to housing associations, it was demonstrated that there was no demand for these homes. Therefore, to enable the scheme to continue providing its contribution towards affordable housing without delay, the Council agreed to receive an equivalent financial sum in lieu of on-site provision which would be invested by the Council into affordable homes provision within the Borough; the Section 106 Agreement was subsequently amended by a Deed of

Variation to secure this.

Subsequently, due to the continued lack of demand for shared ownership homes which was an issue not only in Doncaster, but also across the Sheffield City Region, a situation which was acknowledged by the Council's Strategic Housing Team, HCA and Housing Associations, Persimmon had asked to amend the Section 106 Agreement for Phase 2 and 3 to deal with the continuing market conditions.

In accordance with Planning Guidance 'Having Your Say at Planning Committee', Ms Jess Kiely, on behalf of Persimmon Homes, spoke in support of the proposal for the duration of up to 5 minutes.

Subsequently, it was moved by the Vice-Chair, Councillor Iris Beech and seconded by Councillor Duncan Anderson, to grant the deed of variation to the terms of the S106 Agreement.

A vote was taken on the proposal made by the Vice-Chair, Councillor Iris Beech, which was declared as follows:-

For – 3

Against – 0

Abstain – 2

On being put to the meeting, the Motion proposed by the Vice-Chair, Councillor Iris Beech, was declared CARRIED.

RESOLVED that the Head of Planning be authorised to agree a Deed of Variation to vary the terms of the Section 106 Agreement dated 23rd September 2009, in accordance with the terms outlined with the report.

60 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
17/00110/OUT	Outline application for 2 detached dwellings to rear of 21 Park Drive following partial demolition of host property to provide access (Approval sought for access and layout) (Being resubmission of planning application 16/01749/OUT, refused on 20/10/2016) at 21 Park Drive, Sprotbrough, Doncaster, DN5 7LA.	Appeal Dismissed 20/11/2017

17/01546/FUL	Erection of two bungalows with associated parking on former garage site at land to the rear of 18 Laburnum Road, Mexborough, S64 9RU.	Appeal Dismissed 14/11/2017
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61 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.

62 Enforcement Cases Received and Closed for the Period of 2nd to 27th November, 2017 (Exclusion Paragraph 6)

The Committee considered a report which detailed all Planning Enforcement complaints and cases received, and closed during the period 2nd to 27th November, 2017.

RESOLVED that all Planning Enforcement Cases received and closed for the period 2nd to 27th November, 2017, be noted.

63 Outstanding Planning Appeal - Mere Lane Edenthorpe (Minute No. 78 - 4th April, 2017) (Exclusion Paragraph 5)

Further to the above Minute, the Committee considered a report which outlined the current position relating to the reasons for refusal of the planning application for residential development with open space, landscaping and associated access at Mere Lane, Edenthorpe, and sought approval for the Council to not defend the reason for refusal relating to the detrimental impact on the local highway network in respect of the Appeal against refusal of outline planning permission.

It was reported that outline planning application 15/01278/OUTM was refused by the Planning Committee in November, 2016; the reasons for refusal being 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 in April, 2017 the Planning Committee confirmed that it wished to pursue the highway reason for refusal and authorised the instruction of a consultant to appear on behalf of the Council to defend the reason. The Appeal against that decision was proceeding by way of Public Inquiry which was held over two weeks in September 2017, and was due to re-convene again in early 2018.

Subsequently, following the Council's highway witness examining the case thoroughly and upon the receipt of additional information from the appellant, it was now believed that the Council was not in a position where it could now defend the reason for refusal in respect of the detrimental impact on the local highway network.

RESOLVED that the Council not defend the reason for refusal relating to the detrimental impact on the local highway network in respect of the Appeal against refusal of outline planning permission for residential development with open space, landscaping and associated access at Mere Lane, Edenthorpe.

DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE – 12th December, 2017

Application	1		
Application Number:	17/00301/FULM	Application Expiry Date:	22 nd May 2017
Application Type:	Major		
Proposal Description:	Construction of new Motorway Service Area ("MSA") to comprise: amenity building, lodge, drive thru coffee unit, associated car, coach, motorcycle, caravan, HGV and abnormal load parking and a fuel filling station with retail shop, together with alterations to the adjacent roundabout at Junction 37 of the A1(M) to form an access point and works to the local highway network. Provision of landscaping, infrastructure and ancillary works		
At:	Land North East of J37 of the A1(M) Motorway, Marr Roundabout, Doncaster		
For:	Mr Mark Franks, Moto Hospitality Limited		
Third Party Reps:	62	Parish:	Marr Parish Meeting
		Ward:	Sprotbrough

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

Proposed by: **Councillor Andy Pickering**

Seconded by: **Councillor Duncan Anderson**

For: 5 Against: 3 Abstain: 0

Decision: Planning permission refused for the following reason:-

- 01. The proposed MSA is inappropriate development in the Green Belt and there are no very special circumstances to outweigh the harm to the Green Belt by reason of being inappropriate and also the visual harm and is therefore contrary to policy CS3 of the Core Strategy, policy ENV3 of the UDP and guidance set out in the NPPF with regard to Green Belts.**

In accordance with Planning Guidance, 'Having Your Say at Planning Committee', Parish Councillor Rhonda Job, representing Marr Parish Council, spoke in opposition of the application for the duration of up to 5 minutes.

In accordance with Planning Guidance, 'Having Your Say at Planning Committee', Mr. Mark Franks, the Applicant, and Mr. Tony Collins, the Agent, spoke in support of the application for the duration of up to 5 minutes.

(The receipt of 3 additional letters of objection, an additional representation from Highways England, the addition of a further Condition, amendments to Conditions 8 and 16 and clarification being provided by Councillor Jane Nightingale, were reported at the meeting).

Application	2
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Application Number:	17/02293/3FULM	Application Expiry Date:	13 th December 2017
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Application Type:	Major
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Proposal Description:	Erection of 25 affordable dwellings (Being application under Regulation 3 Town & Country Planning (General) Regulations 1992)
At:	Cedar Adult Centre, Warde Avenue, Balby

For:	DMBC
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Third Party Reps:	0	Parish:	
		Ward:	Balby South

A proposal was made to grant the application.

Proposed by: **Councillor Iris Beech**

Seconded by: **Councillor Sue McGuinness**

For: 8 Against: 0 Abstain: 0

Decision: Planning permission granted.

Application	3
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Application Number:	17/02355/3FULM	Application Expiry Date:	20 th December 2017
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Application Type:	Major
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Proposal Description:	Erection of 41 affordable dwellings (Being application under Regulation 3 Town & Country Planning (General) Regulations 1992)
At:	Conisbrough Social Education Centre, Old Road, Conisbrough

For:	DMBC
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Third Party Reps:	0	Parish:	
		Ward:	Conisbrough

A proposal was made to grant the application.

Proposed by: **Councillor Susan Durant**

Seconded by: **Councillor Sue McGuinness**

For: 8 Against: 0 Abstain: 0

Decision: Planning permission granted.

Application	4
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Application Number:	17/01087/FULM	Application Expiry Date:	7th August 2017
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Application Type:	Planning FULL Major
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Proposal Description:	Use of building for 11 self-contained flats, retention and conversion of outbuilding to 1 self-contained flat, re-roof building and other alterations (retrospective) and new front boundary wall
At:	24 Avenue Road, Wheatley, Doncaster, DN2 4AQ

For:	Empire Property Concepts
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Third Party Reps:	6 objections	Parish:	
		Ward:	Town

A proposal was made to defer the application for a Site Visit in order to assess the front and rear gardens for landscaping options.

Proposed by: **Councillor Jonathan Wood**

Seconded by: **Councillor Dave Shaw**

For: 6 Against: 0 Abstain: 0

Decision: Defer the application for a Site Visit in order to assess the front and rear gardens for landscaping options.

Application	5
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Application Number:	17/02334/FUL	Application Expiry Date:	14th November 2017
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Application Type:	Full Application
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Proposal Description:	Increase in the height of the butt stop walls to 6.1 metres
At:	Rifle Range, Hoyle Croft Lane, Braithwell, Rotherham

For:	Rotherham Chantry Rifle Club
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Third Party Reps:	The proposal received objections from 13 persons.	Parish:	Braithwell/Micklebring Parish Council
		Ward:	Tickhill and Wadworth

A proposal was made to defer the application to allow Officers to assess the material planning considerations of the representation received.

Proposed by: **Councillor Duncan Anderson**

Seconded by: **Councillor Mick Cooper**

For: 6 Against: 0 Abstain: 0

Decision: Defer the application for further consideration following the receipt of a late representation to individual Members of the Committee. The deferral will allow Officers to assess the material planning considerations of the representation.

In accordance with Planning Guidance ‘Having Your Say at Planning Committee’, Mr. Arnold Pawson 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. Dave Boden-Hook, the Applicant, spoke in support of the application for the duration of up to 5 minutes.

Application	6
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Application Number:	17/02588/ADV	Application Expiry Date:	18th December 2017
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Application Type:	Application to Display Adverts
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Proposal Description:	Display of non-illuminated free standing post mounted sponsorship signs affixed to 'Tikspac' Dog Bag Stations across the Borough
At:	Various Parks Within Doncaster Borough

For:	Mr Paul Booth - DMBC
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Third Party Reps:	0	Parish:	Hatfield Parish Council
		Ward:	Hatfield

A proposal was made to grant the application.

Proposed by: **Councillor Susan Durant**

Seconded by: **Councillor Iris Beech**

For: 5 Against: 2 Abstain: 1

Decision: Planning permission granted.

In accordance with Planning Guidance 'Having Your Say at Planning Committee', Mr. Paul Booth, representing Doncaster Metropolitan Borough Council, the Applicant, spoke in support of the application for the duration of up to 5 minutes.

Application	7
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Application Number:	17/02370/FUL	Application Expiry Date:	14 th December 2017
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Application Type:	Householder Application
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Proposal Description:	Rear playroom addition to detached garage approved under Planning Permission 16/01899/FUL (retrospective)
At:	65 Ellers Road, Bessacarr, DN4 7BE

For:	Mr Z Malik
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Third Party Reps:	4 representations	Parish:	N/A
		Ward:	Bessacarr

A proposal was made to grant the application.

Proposed by: **Councillor Dave Shaw**

Seconded by: **Councillor Duncan Anderson**

For: 4 Against: 1 Abstain: 0

Decision: Planning permission granted.

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

(The receipt of a written submission in support of the application from Councillor Majid Khan, Local Ward Member, was reported at the meeting).