

PLANNING COMMITTEE - AMENDMENTS TO THE AGENDA

Committee Date: 27th July 2021

Officers Present: Roy Sykes – Head of Planning , Stacy Cutler – Senior Legal Officer, Amber Torrington – Governance Officer, Jacob George – Senior Planning Officer

Agenda Item No. and Application Reference	
ITEM 1 – Jacob George 20/03087/FUL	<p>Application description: Proposed erection of detached 4 bedroom dwelling with detached garage to rear, including associated parking and turning and demolition of existing bungalow</p> <p>Location: 217 Bawtry Road, Bessacarr, Doncaster, DN4 7AL</p> <p><u>Speakers</u></p> <p>Chris Campbell (local resident) – speaking in opposition</p> <p>Diane Holgate (planning consultant) – speaking in support</p> <p><u>Amendments to Committee Report</u></p> <p><i>The application has been amended to address the updated NPPF published on 20.07.21, and thus amended paragraphs in relation to this.</i></p> <p>5.5 The National Planning Policy Framework 2021 (NPPF) sets out the Government’s planning policies for England and outlines how local planning authorities should apply these policies. Planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions and the relevant sections are outlined below:</p> <p>5.9 Paragraphs 55-57 state that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.</p>

	<p>5.10 Paragraph 111 states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or if the residual cumulative impacts on the road network would be severe.</p> <p>5.11 Paragraph 119 states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.</p> <p>5.12 Paragraph 126 states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.</p> <p>5.13 Paragraph 130 states that planning decisions should ensure developments will function well and add to the overall quality of the area, are visually attractive and sympathetic to local character, and will establish or maintain a strong sense of place. Paragraph 130(f) sets out that planning decisions should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.</p> <p>5.14 Paragraph 134 states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.</p> <p>5.15 Paragraph 174 states that planning policies and decisions should contribute to and enhance the natural and local environment, including by recognising the benefits of trees and woodland.</p> <p>5.16 Paragraph 180(c) states that development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.</p>
<p>ITEM 2 – Jacob George 21/00382/FUL</p>	<p>Application description: Erection of detached dormer bungalow</p> <p>Location: Cheswold, Old Bawtry Road, Finningley, Doncaster, DN9 3BY</p> <p><u>Speakers</u></p> <p>Paul Stewart (local resident) – speaking in opposition</p> <p>Susan Chan (planning consultant) – speaking in support</p>

Amendments to Committee Report

As with Item 1, the report has been amended to acknowledge the publication of a new version of the NPPF on 20th July 2021, with paragraph numbers and policy wording altered to take account of this. The report has also been amended to acknowledge that planning application 21/01649/FUL for a variation of conditions relating to the semi-detached houses under construction at the adjacent site has now been granted as of 21st July 2021.

Amendments to site description – Paragraph 3.2 of the report:

The site is located in the rear curtilage of Cheswold, which is a two-storey corner building finished in red bricks, fronting Old Bawtry Road. This building is well set back, in keeping with the Conservation Area character. The rear contains a walled area including the application site, and beyond the application site is a further area of former garden where permission has been granted under 20/00376/FUL for a pair of semi-detached houses that have the appearance of a larger building, finished in brick and render. The pair of semi-detached houses is currently under construction, and an application to vary the approved plans (21/01649/FUL) was approved on 21 July 2021. The variation of the approved plans involves shortening the rear gardens of the two houses, thereby creating a gap within which the proposed dormer bungalow would be built.

4.0 Relevant Planning History

Application Reference	Proposal	Decision
15/02890/FUL	Erection of detached house and detached bungalow	Granted 10.03.2016
19/00113/FUL	Erection of detached house and detached bungalow (resubmission of 15/02890/FUL)	Granted 10.04.2019
20/00376/FUL	Erection of 1 pair of semi-detached dwellings with associated parking	Granted 09.04.2020
20/02634/MAT	Erection of 1 pair of semi detached dwellings with associated parking (Being amendment to application granted under Ref: 20/00376/FUL on 09/04/2020 -	Permission Not Required 28.10.2020

	Amendments to Plot 2 roof design to western elevation)	
20/02707/COND	Consent, agreement or approval required by conditions 3 (external materials), 4, (rooflights) 5 (boundary treatments), 6 (Drainage DA01), 7 (tree protection), 10 (Crossing over footpath/verge) and 11 (Dev on land affected by contamination) of planning application 20/00376/FUL.	Granted 12.01.2021
21/01649/FUL	Section 73 application to vary condition 2 of planning application 20/00376/FUL granted on 09.04.2020	Granted 21.07.2021

5.5

The National Planning Policy Framework 2021 (NPPF) sets out the Government's planning policies for England and outlines how local planning authorities should apply these policies. Planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions and the relevant sections are outlined below:

5.9

Paragraphs 55-57 state that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

5.10

Paragraph 111 states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or if the residual cumulative impacts on the road network would be severe.

5.11

Paragraph 119 states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

5.12

Paragraph 126 states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about

design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

5.13

Paragraph 130 states that planning decisions should ensure developments will function well and add to the overall quality of the area, are visually attractive and sympathetic to local character, and will establish or maintain a strong sense of place. Paragraph 130(f) sets out that planning decisions should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

5.14

Paragraph 134 states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.

5.15

Paragraph 174 states that planning policies and decisions should contribute to and enhance the natural and local environment, including by recognising the benefits of trees and woodland.

5.16

Paragraph 180(c) states that development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.

5.17

Paragraph 199 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

5.18

Paragraph 201 states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

5.19

Paragraph 202 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

9.6

In terms of the relationship to the previously approved semi-detached dwellings to the west of the site, it is not considered that there would be any harmful impacts. The side wall of the dormer bungalow would be located approximately 14.5 metres from the rear wall of the semi-detached houses. With no first floor side windows, the side elevation of the bungalow can be treated as a blank elevation in terms of separation requirements. The separation between the semi-detached houses and the dormer bungalow would exceed the minimum requirement of 11 metres, and it is therefore considered that there would be no harmful impact on the light or outlook enjoyed by the semi-detached houses. The side elevation has two windows at ground floor, 3 metres from the boundary with the semi-detached houses, but these windows would be

	<p>screened by the boundary fence of 1.8 metres in height. As extra mitigation against overlooking into the neighbouring garden areas, both windows can be conditioned to be obscurely glazed, as one window serves an en-suite bathroom, and the bedroom window is secondary to the rear-facing window in the same room. Although the erection of the dormer bungalow would shorten the length of the garden areas of the semi-detached houses, the gardens would still be approximately 85 square metres in area, comfortably exceeding the minimum requirement in the SYRDG. The reduction in plot size of the semi-detached houses has been granted permission under application 21/01649/FUL.</p>
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