

Public Document Pack

To all Members of the

PLANNING COMMITTEE

AGENDA

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, 10th January, 2017
TIME: 2.00 pm

BROADCASTING NOTICE

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Items for Discussion:

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.

PageNo.

Jo Miller
Chief Executive

Issued on: Thursday 22nd December, 2016

Senior Governance Officer
for this meeting:

David M Taylor
01302 736712

4.	Minutes of the Planning Committee Meeting held on 15th November, 2016	1 - 14
A.	Reports where the Public and Press may not be excluded.	
	<u>For Decision</u>	
5.	Schedule of Applications	15 - 16
	1. Reference No: 16/02551/FUL - Mexborough	17 - 26
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6.	Sterefibre (SF), Hazel Lane Quarry, Hampole, Doncaster - Forthcoming Appeals.	59 - 64
B.	Item 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 30/11/16 to 19/12/16	65 - 78

Members of the Planning Committee

Chair – Councillor Iris Beech
Vice-Chair – Councillor Dave Shaw

Councillors George Derx, Susan Durant, John Healy, Eva Hughes,
Sue McGuinness, John McHale, Andy Pickering, Alan Smith and Jonathan Wood

Public Document Pack Agenda Item 4.

DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE

TUESDAY, 15TH NOVEMBER, 2016

A MEETING of the PLANNING COMMITTEE was held at the COUNCIL CHAMBER - CIVIC OFFICE on TUESDAY, 15TH NOVEMBER, 2016, at 2.00 pm.

PRESENT:

Chair - Councillor Iris Beech
Vice-Chair - Councillor Dave Shaw

Councillors George Derx, Susan Durant, Sue McGuinness, Andy Pickering, Alan Smith and Jonathan Wood.

APOLOGIES:

Apologies for absence were received from Councillors John Healy and Eva Hughes.

50 Declarations of Interest, if any

All Elected Members of the Planning Committee present in the Chamber for this meeting, declared that they had been lobbied by local residents with regard to Application No. 15/01278/OUTM, Agenda Item 5(1), but had not given their opinion thereon.

51 Minutes of the Planning Committee Meeting held on 18 October, 2016.

RESOLVED that the minutes of the meeting held on 18th October, 2016 be approved as a correct record and signed by the Chair.

52 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 the Schedule hereto and marked Appendix 'A'.

53 Appeals 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 & Location	Appeal Decision
14/00252/M	Appeal against enforcement action for alleged unauthorised car sales from residential property under ground (a) at Keepers Lodge, Barnsley Road, Marr,	ENF – App Dis/Upheld Sub to Correction/Var 27/10/2016

	Doncaster	
14/02936/FULM	Creation of multiplex cinema and 4 units (Class A3, A4 and A5 use) at Frenchgate Centre, St Sepulchre Gate, Doncaster DN1 1LJ	Appeal Dismissed 19/10/2016
15/02253/FUL	Installation of two rooflights, erection of first floor rear extension and conversion of first floor of doctor surgery to two flats at Shelton House, 4 Bennetthorpe, Bennetthorpe, Doncaster	Appeal Dismissed 24/10/2016

54 Enforcement Cases Received and Closed for the Period 4th October 2016 to 2nd November 2016 (Exclusion Paragraph 6).

The Committee considered a report which detailed all Planning Enforcement complaints and cases received, and closed during the period 4th October to 2nd November, 2016.

In response to Councillors Sue McGuinness and Alan Smith seeking further clarification with regard Enforcement Cases 16/00358/M, 16/00367/M, 16/00368/M and 16/00393/M, the Planning Manager (Development), Roy Sykes, undertook to provide both Elected Members with a written response indicating what action was going to be undertaken by the Local Authority to resolve the issues.

RESOLVED that all Planning Enforcement Cases received and closed for the period 4th October to 2nd November, 2016, be noted.

DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE – 15th November, 2016

Application	1
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Application Number:	15/01278/OUTM	Application Expiry Date:	18 November, 2016
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Application Type:	Outline Planning Major
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Proposal Description:	Outline application for residential development with open space, landscaping and associated access (Approval being sought for access)
At:	Land to the East Mere Lane, Edenthorpe, Doncaster

For:	Hallam Land Management - FAO Mr J Collins
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Third Party Reps:	293	Parish:	Edenthorpe Parish Council
		Ward:	Edenthorpe & Kirk Sandall

A proposal was made to Refuse the application.

Proposed by: **Councillor Sue McGuinness**

Seconded by: **Councillor George Derx**

For: 8 Against: 0 Abstain: 0

Decision: Planning permission Refused for the following reasons:-

- 01. In the opinion of the Local Planning Authority, the proposal represents inappropriate development within the countryside which would create an isolated development disconnected from the settlement of Edenthorpe and would reduce the green wedge between the settlements of Edenthorpe and Armthorpe. The proposal is therefore contrary to the provisions of Policy CS 3 of the Doncaster Council Core Strategy 2011 - 2028, and saved Policy ENV 4 of the Doncaster Unitary Development Plan 1998.**

- 02. In the opinion of the Local Planning Authority, the site is unsustainably located in relation to its access to public transport and local services including education. As such, the proposal is contrary to policies CS 1, CS 9 and CS 14 of the Doncaster Council Core Strategy 2011 – 2028 and paragraphs 34, 38, 70 and 72 of the National Planning Policy Framework.**
- 03. In the opinion of the Local Planning Authority, the development would result in a loss of high quality agricultural land. As such, the proposal is contrary to policy CS 18 of the Doncaster Council Core Strategy 2011 – 2028 and paragraph 112 of the National Planning Policy Framework.**
- 04. In the opinion of the Local Planning Authority, the development will have a detrimental impact on the local highway network as a result of increased traffic congestion generated by the development. There has also been insufficient information provided to demonstrate that the proposal has adequately considered the impact of the proposal on the West Moor Link Dualling Scheme. The proposal is therefore contrary to policies CS 9 and CS 14 of the Doncaster Council Core Strategy 2011 – 2028 and paragraph 32 of the National Planning Policy Framework.**

In accordance with Planning Guidance, ‘Having Your Say at Planning Committee’, Councillors Andrea Robinson and David Nevett (Local Ward Members), spoke in opposition to the application for the duration of up to 5 minutes each.

In accordance with Planning Guidance, ‘Having Your Say at Planning Committee’, Mr. Paul Bissett 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. Phil Jones (Agent) and Mr. Jonathan Collins (Applicant), spoke in support of the application for the duration of up to 5 minutes.

(The receipt of 5 further objections, 1 letter of support, an additional representation from Edenthorpe Parish Council, additional information from South Yorkshire Passenger Transportation Executive provided by the Applicant and an amendment to Condition 5, were reported at the meeting).

Application	2
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Application Number:	16/01864/3FULM	Application Expiry Date:	20th October, 2016
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Application Type:	Planning FULL (DMBC Reg 3) Major
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Proposal Description:	Erection of 80 houses following demolition of existing 50 houses (Being application under Regulation 3 Town & Country Planning (General) Regulations 1992)
At:	4-29 Bristol Grove, 2-18 (evens) Exeter Road, 6-12 (evens) Parkway South, 4-18 and 24-30 (evens) Winchester Avenue, Wheatley, Doncaster, DN2 4JG

For:	DMBC Technical Services – FAO Mr Matthew Clarkson
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Third Party Reps:	2 Objections	Parish:	
		Ward:	Wheatley Hills & Intake

A proposal was made to grant the application.

Proposed by: **Councillor Iris Beech**

Seconded by: **Councillor Susan Durant**

For: 8 Against: 0 Abstain: 0

Decision: Planning permission granted.

In accordance with Planning Guidance ‘Having Your Say at Planning Committee’, Mr. Adrian Robertshaw, (Strategic Housing Officer), spoke in support of the application for the duration of up to 5 minutes.

(The receipt of an amendment to the Recommendation at paragraph 8.2 of the report, was reported at the meeting).

Application	3
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Application Number:	16/01386/FULM	Application Expiry Date:	30th August, 2016
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Application Type:	Planning FULL Major
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Proposal Description:	Erection of a convenience retail unit (Use Class A1) 1,394sqm, customer car park and service yard
At:	The Ridings, Cross Street, Edlington, Doncaster

For:	UK & Maine Ltd – Mr Roger Ahmed
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Third Party Reps:		Parish:	Edlington Town Council
		Ward:	(Historic) Edlington & Warmsworth

A proposal was made to Refuse the application on the grounds that the proposed development was within a Residential Policy area and that there would be a loss of residential amenity due to the service area.

Proposed by: **Councillor Dave Shaw**

Seconded by: **Councillor Jonathan Wood**

For: 3 Against: 4 Abstain: 1

Decision: The Motion to Refuse the application was declared LOST.

Subsequently, a proposal was made to grant the application.

Proposed by: **Councillor Susan Durant**

Seconded by: **Councillor Sue McGuinness**

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 Iris Beech, in accordance with Council Procedure Rule 21.2, exercised her right to use her casting vote and voted to grant the application.

Decision: Planning permission granted.

In accordance with Planning Guidance, 'Having Your Say at Planning Committee', Mr. John Wood and Mr. Peter Gates, 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', Councillor Phil Cole (Local Ward Member), 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. Tim Partridge (Agent), spoke in support of the application for the duration of up to 5 minutes.

(The receipt of an additional representation and an additional plan, were reported at the meeting).

Application	4
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Application Number:	16/01920/FULM	Application Expiry Date:	27th October, 2016
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Application Type:	Planning FULL Major
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Proposal Description:	Demolition of existing buildings and erection of 34 bed retirement living (category II type accommodation), provision of communal facilities, landscaping and car parking
At:	Land and building on the West Side of Top Street, Bawtry, Doncaster

For:	McCarthy Stone Retirement Lifestyles Ltd
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Third Party Reps:	14	Parish:	Bawtry Town Council
		Ward:	Rossington & Bawtry

A proposal was made to grant the application.

Proposed by: Councillor Sue McGuinness

Seconded by: Councillor Susan Durant

For: 8 Against: 0 Abstain: 0

Decision: Planning permission granted subject to Condition 3 and 16 being deleted and subsumed within Condition 2, Condition 15 being deleted and subsumed within Condition 14, and the amendment and addition of Conditions to read as follows:-

- 02.** No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:-
- i)** routing of contractors vehicles and the parking of vehicles of site operatives and visitors;
 - ii)** loading and unloading of plant and materials;
 - iii)** storage of plant and materials used in constructing the development;
 - iii)** the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - v)** wheel washing facilities/the control of the mud on the highway;
 - iv)** measures to control noise and the emission of dust and dirt during construction;
 - vii)** a scheme for recycling/disposing of waste resulting from demolition and construction works; and
 - viii)** any proposed external security lighting installation.

REASON

To safeguard the living conditions of neighbouring residents and in the interests of highway safety.

- 06.** Prior to the installation of external lighting, a lighting design plan, specifically responding to light sensitive biodiversity, shall be submitted for approval in writing by the Local Planning Authority. Such schemes shall include:-
- likely presence and location of light sensitive ecological receptors based on survey baseline data in relation to the proposed developments within each zone; and

- mitigation measures along with technical specifications to reduce/eliminate the impacts of lighting spill on ecological receptors unless otherwise agreed.

REASON

To ensure the ecological interests of the site are maintained in accordance with Core Strategy Policy 16.

07. 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.

09. During construction the applicant shall ensure all measures outlined in the Crane report indexed on the 20th October, 2016, shall be adhered to. The Crane shall have a full working observation light for the duration of its stay and shall be not exceed 25m AGL as shown in Option 2 of the report.

REASON

The condition is necessary due to the site being within close proximity to the Airport which could provide an obstacle for take-off and approach surfaces.

11. Prior to the occupation of the building hereby approved, a scheme for the offsite highways works (footway) along the site frontage to Top Street, shall be submitted to and agreed in writing by the Local Planning Authority. The works shall be carried out in accordance with the agreed details and completed prior to first occupation.

REASON

In the interests of highway safety.

13. Before the development is brought into use, that part of the site to be used by vehicles shall be surfaced and drained 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.

14. The vehicle turning space and car parking area as shown on the approved plans, shall be constructed before the development is brought into use and shall thereafter be maintained as such. The parking area shall not be used otherwise than for the parking of private motor vehicles belonging to the occupants, staff and visitors to the development hereby approved.

REASON

To avoid the necessity of vehicles reversing on to or from the highway and creating a highway hazard and to ensure that adequate parking provision is retained on site.

21. The development hereby permitted shall be carried out in complete accordance with the details shown on the amended plans referenced and dated as follows:-

Site Plan Rev A dated 5.10.16 Drwg NE-2256-03-01-AC-002

Floor Plan - Amended 4.11.16 Rev B Drwg NE-2256-03-01-AC-005

Elevations 1-of-2 Rev A Amended 5.10.16

Elevations 2-of-2 Rev B Amended 4.11.16

Artists Impression Drwg NE-2256-03-01-AC-006 Rev B dated 13.10.16

Tree Protection Plan 9045-02 Rev A 5.10.16

Landscape Proposals NE-2256-03-LA-01 Rev H dated 9.11.16

Drainage Plan 5.10.16 Rev D NE -2256-03-DE-001 Rev D

Crane detail plan submitted 14.10.16 Option 2.

REASON

To ensure that the development is carried out in accordance with the application as approved.

24. The scheme of landscaping shown on the Landscape Proposals plan ref: NE-2256-03-LA-01 revision H, shall be implemented in full accordance with the approved details during the first available planting season following the completion of the development hereby granted and the Local Planning Authority notified in writing within 7 working days of the completion of the landscape works, to inspect and approve practical completion in writing. Any part of the scheme which fails to achieve independence in the landscape or is damaged or removed within five years of planting shall be replaced during the next available planting season in full accordance with the approved scheme, unless the Local Planning Authority gives its written approval to any variation.

REASON

In the interests of Environmental Quality and Core Strategy Policy CS16: Valuing our Natural Environment.

26. Notwithstanding the details contained within the materials schedule in drawings NE-2256-03-01-AC-003 Rev A, NE-2256-03-01-AC-004 Rev B and site plan NE-2256-03-01-AC-002, the external surfaces of the development shall, unless otherwise agreed by the Local Planning Authority, be constructed using:-
- a) Brick: Wienerberger Terca Ashington Red Multi brick;
 - b) Render: Cream through coloured render by K-Rend;
 - c) Artstone details: Millstone Light Artstone by Proctor; and
 - d) Roof: Natural Clay Sandtoft Neo pantile in Flanders colour.

REASON

To preserve the setting of listed building and the character and appearance of the conservation area in accordance with saved policies ENV34 and ENV25 respectively, of the Doncaster Unitary Development Plan.

31. Prior to their installation, details or samples of the hard landscaping materials for the unbuilt areas shall be submitted to and agreed in writing by the Local Planning Authority.

REASON

To preserve the setting of listed building and the character and appearance of the conservation area in accordance with saved policies ENV34 and ENV25 respectively, of the Doncaster Unitary Development Plan.

In accordance with Planning Guidance ‘Having Your Say at Planning Committee’, Mrs. Claire Davies (Agent), spoke in support of the application for the duration of up to 5 minutes.

(The receipt of amended plans, amended consultee comments, an additional letter of objection from a resident of High Meadow and additional and amended Conditions, were reported at the meeting).

Application	5		
Application Number:	16/01730/FUL	Application Expiry Date:	30th August, 2016
Application Type:	Full application		
Proposal Description:	Alteration and extension of car parking to existing health centre including relocation of turning area for Middleham Road		
At:	Doncaster Primary Care Trust (PCT) Cantley Health Centre, Middleham Road, Cantley, Doncaster, DN4 6ED		
For:	RDASH NHS Trust – Mr Andy Stringer, Meadowview (Estates and Facilities), Tickhill Road Hospital, Balby, Doncaster, DN4 8QN		
Third Party Reps:	1 petition containing 15 signatures	Parish:	N/A
		Ward:	Bessacarr

A proposal was made to grant the application.

Proposed by: **Councillor Jonathan Wood**

Seconded by: **Councillor Alan Smith**

For: 8 Against: 0 Abstain: 0

Decision: Planning permission granted.

In accordance with Planning Guidance, ‘Having Your Say at Planning Committee’, Mr. Simon Hinds, had requested to speak in opposition to the application, but had indicated that he was unable to attend the meeting.

Application	6
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Application Number:	15/01308/FUL	Application Expiry Date:	16th July, 2015
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Application Type:	Full Application
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Proposal Description:	Erection of single storey extension to rear and use of property as a 8 bedroom house in multiple occupation (suis generis)
At:	17 Lawn Road, Doncaster, DN1 2JF

For:	Mr David Whitcroft
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Third Party Reps:	13	Parish:	
		Ward:	Town

A proposal was made to grant the application.

Proposed by: **Councillor George Derx**

Seconded by: **Councillor Jonathan Wood**

For: 8 Against: 0 Abstain: 0

Decision: Planning permission granted.

(The receipt of an additional letter of objection from a neighbour, was reported at the meeting).

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DONCASTER METROPOLITAN BOROUGH COUNCIL

10th January 2017

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.	16/02551/FUL	Mexborough	
2.	16/02779/4OUT	Town	
3.	16/02890/FUL	Sprotbrough	Sprotbrough And Cusworth Parish Council

Agenda Annex

DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE - 10th January 2017

Application	1
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Application Number:	16/02551/FUL	Application Expiry Date:	4th January 2017
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Application Type:	Full Application
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Proposal Description:	Change of use to 7 bedroom House in Multiple Occupation (Large HMO - sui generis) and associated external alterations
At:	12 Princess Road Mexborough S64 0AW

For:	Foot Forward Ltd - Mr Jeff Dunnill
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Third Party Reps:	8	Parish:	None
		Ward:	Mexborough

Author of Report	Mark Ramsay
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MAIN RECOMMENDATION:	GRANT
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1.0 Reason for Report

1.1 This report is being presented to Planning Committee due to the level of public interest in the application.

2.0 Proposal and Background

2.1 The proposal is to convert a semi-detached house from a single dwelling to a 7 bedroom House in Multiple Occupation. There is also a small alteration proposed to one window on the front elevation. This development only requires permission by virtue of the fact that the number of residents exceeds 6, which is the limit that can be done without planning permission.

3.0 Relevant Planning History

3.1 No relevant history

4.0 Representations

4.1 There have been 8 representations objecting to the proposal. The issues raised covered concerns about additional parking, vehicle access, potential for anti-social behaviour, works to the adjoining part wall and impact on house prices.

4.2 Alterations that structurally affect a building are regulated by the building regulations and therefore would need approval by a Building Inspector. If the work also affects a party wall, the Party Wall Act applies and is not a matter for the planning authority. Value of property is not a material planning consideration.

5.0 Relevant Consultations

5.1 Highways

No objections

5.2 Pollution Control

Requested an informative be included in the decision, highlighting that the site is close to a landfill site.

5.3 Environmental Health

No objections subject to a condition requiring prior approval of a soundproofing scheme applied to the party walls and those walls separating the converted units.

6.0 Parish Council

Mexborough Town does not have a Parish or Town Council.

7.0 Relevant Policy and Strategic Context

Doncaster Unitary Development Plan
Residential Policy Area
Policy PH11: Residential policy area
Doncaster Core Strategy
Policy CS14: Design and Sustainable construction

National Planning Policy Framework
Chapter 7: Requiring Good Design

8.0 Planning Issues and Discussion

Main Issues

8.1 The main issues for consideration on this proposal are:

- * The principle of the development
- * Character and appearance
- * Impact upon neighbouring properties
- * Residential Standards
- * Highways and Parking

Principle of the Development

8.2 The property is a large dwelling, being converted into a House in Multiple Occupation (HMO). Although work has been undertaken it is not currently occupied as a HMO and separate applications for a licence and Building Regulation works have been made. This is a relatively large property that is capable of accommodating the numbers of individuals proposed and has been assessed by Environment Health. In principle there is no policy reason to resist the development.

Design and Appearance

8.3 There is only a very minor external alteration proposed to one window on the front elevation which will split to serve two separate rooms so the alterations will not impact the character and appearance of the dwelling and in turn the street scene.

Impact upon neighbouring properties

8.4 In terms of impact upon neighbouring properties local policy CS14 of the Core Strategy seeks to ensure there are no unacceptable negative effects upon the amenity of neighbouring land uses. Also, local policy PH11 (b) of the UDP relates to residential amenity stating that development will not be permitted where the effect of the development on the amenities of occupiers of nearby properties would be unacceptable.

8.5 HMO's are sometimes perceived to be associated with the following problems:

- * Increased overlooking
- * Increase in comings and goings/ general disturbance/ noise.
- * The persons living in the property, possibly those with different social characteristics.
- * Waste problems

Overlooking

8.6 The windows of the property face either towards the rear of properties on Grenfell Avenue or forward into Princess Road. Whilst many of the rooms are not being altered in their use (i.e. bedrooms remaining as bedrooms) the increase to the occupancy may increase overlooking but this is not the case with this proposal.

Comings and Goings/ General Disturbance/ Noise

8.7 This is a large semi-detached house. It is within an urban area and the road has regular pedestrian activity. The front door fronts Princess Road which leads onto the main Adwick Road. Therefore, it is unlikely that residents living nearby will be adversely affected by the comings and goings from the additional occupants.

8.8 During the summer months the garden may be regularly used but the disturbance from additional people living at the property is not deemed significant.

8.9 Residents will be protected from internal noise as soundproofing will be a condition of the planning approval.

HMO Occupants

8.10 Local residents are often concerned about a house being occupied by a large number of residents, who sometimes have different social characteristics. The type of tenant who will live in a HMO cannot be forecasted so it cannot be a reason to refuse an application. Case law also shows that when local planning authorities have tried to forecast the tenants and refused an application they have been unsuccessful at appeal because the objection was based on presumptions rather than actual evidence.

Waste

8.11 An informative will be included to remind the developer to ensure adequate provision of refuse storage for the occupants. It would appear there is space next to the rear access that could be utilised for this purpose. Should there not be enough bins, the owner/ occupiers/ neighbours would need to discuss this with the Council's recycling and waste team.

Residential Standards

8.12 This property is a 3 storey substantial building which can already accommodate a large family unit or 6 people living separately using shared facilities without the need for planning permission. The living standards have been assessed by Environmental Health and will have to meet their required standards in order to be licensed. The proposed layout has not raised objections subject to noise insulation being a condition of the permission.

Highways and Parking

8.13 The property is within walking distance to the town centre and also regular bus services that both serve the town and the wider Dearne Valley pass close by on Adwick Road so occupiers would not need to rely on a car. Furthermore, in the Council's experience, HMO occupiers in areas close to town centres have a low car ownership. Therefore, there are no parking concerns and the Highways Engineer has not raised any objections.

9.0 Summary

9.1 The site lies within the Residential Policy Area so a conversion to a HMO is acceptable in principle. There are no external residential amenity or highway concerns raised by the proposal subject to adequate noise insulation which will be required by a condition.

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.

RECOMMENDATION

Grant 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. MAT2 | The external materials and finishes shall match the existing property.

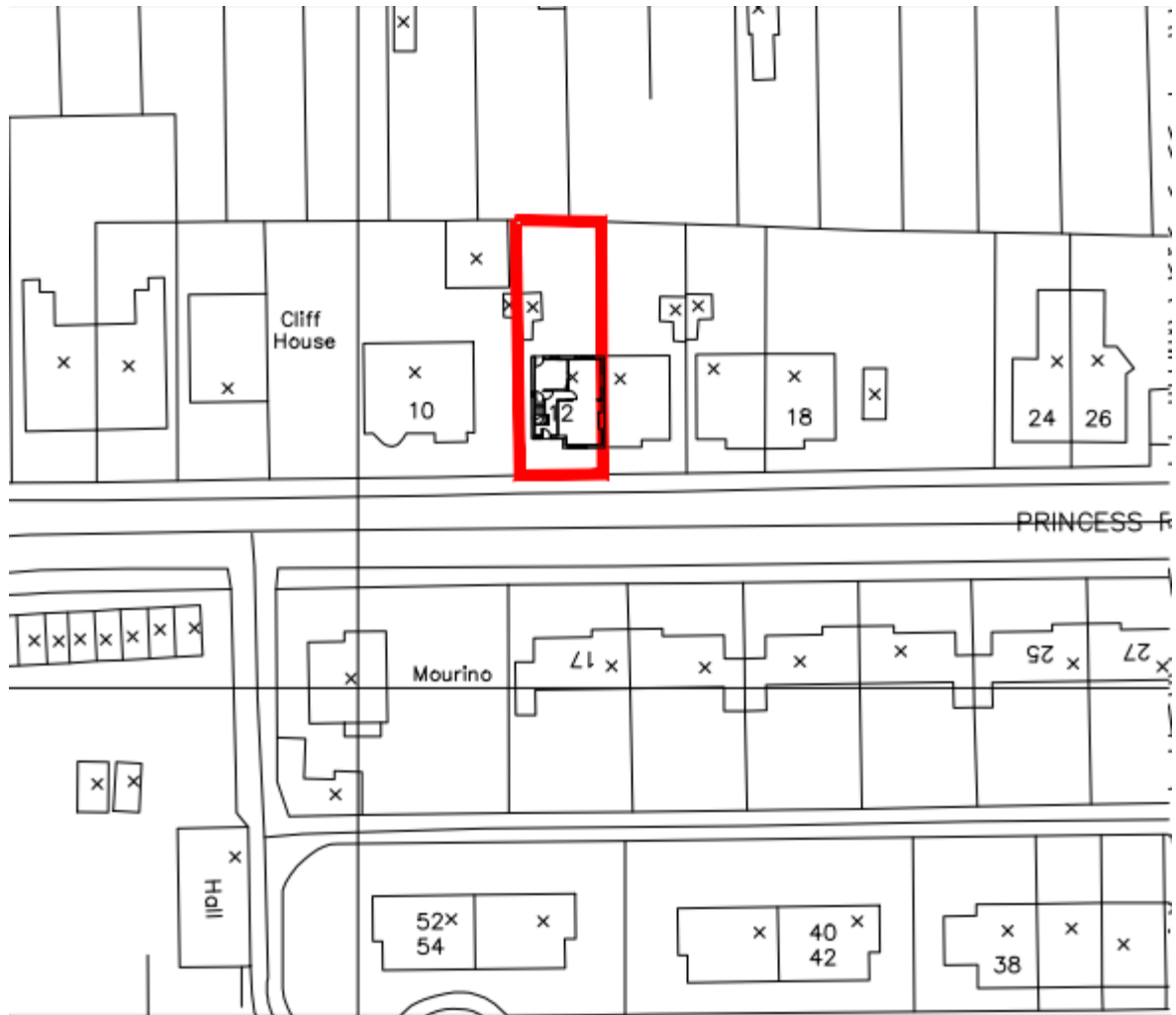
REASON
To ensure the satisfactory appearance of the development in accordance with policy ENV54 of the Doncaster Unitary Development Plan. |
| 03. U49658 | Prior to commencement of the development, a scheme shall be submitted to and approved in writing by the local planning authority, to install soundproofing to the party walls/floors/ceilings (a) separating the development from the adjoining residential uses and (b) separating the converted units. Such soundproofing shall be to a specification that meets or exceeds the appropriate standards of airborne and impact sound insulation, as specified in the Building Regulations Approved Document E and all approved works shall be undertaken prior to first occupation of the premises. |

REASON:

To ensure that the occupants and those of adjacent properties are not unduly affected by noise generated within the development.

- U10777 INFORMATIVE
DEVELOPMENTS NEAR LANDFILLS
The proposed development is within 250 meters of a landfill site about which insufficient information is known to permit an adequate response to be made on the extent to which landfill gas may be present on or off site.
Planning permission has been granted on the basis that there is no sound and clear-cut reason to refuse. The applicant is, however, reminded that the responsibility for safe development and secure occupancy of the site rests with the developer and accordingly is advised to consider the possibility of the presence or future presence of landfill gas and satisfy himself of any gas precaution which may be necessary.
- U10778 INFORMATIVE
Due to the level of floors and bedrooms within the development the applicant will need to apply for a HMO licence and adhere to the requirements of a House in Multiple Occupation before the property is occupied
- IQ171 INFORMATIVE
The developer shall consider incorporating all possible sustainability features into the design of the proposed development.
- U10779 INFORMATIVE
The premises shall include adequate provision for the storage of all waste (including provision for storing separate waste for recycling) that will be produced by residents prior to its collection and disposal, and suitable means by which to place all waste receptacles at the property boundary for collection.
Reason:
In the interests of the amenity of the occupiers

Appendix A : Site Plan

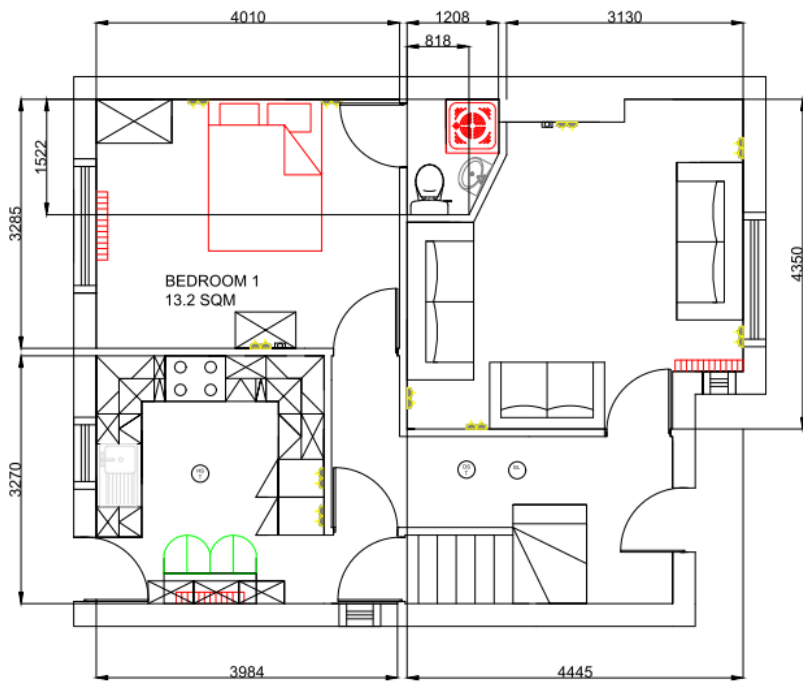


Appendix B : Altered front elevation

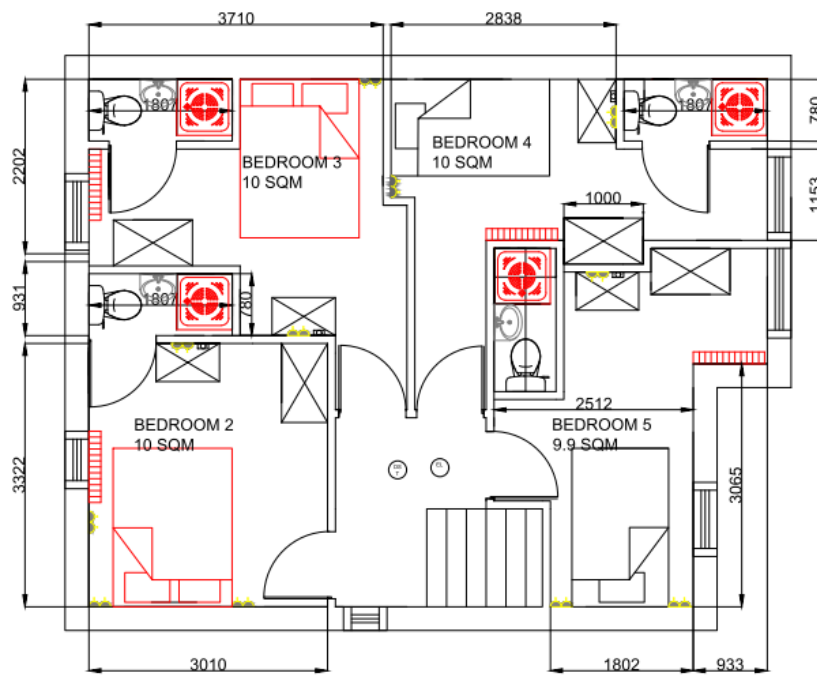


Existing opening split to serve two rooms

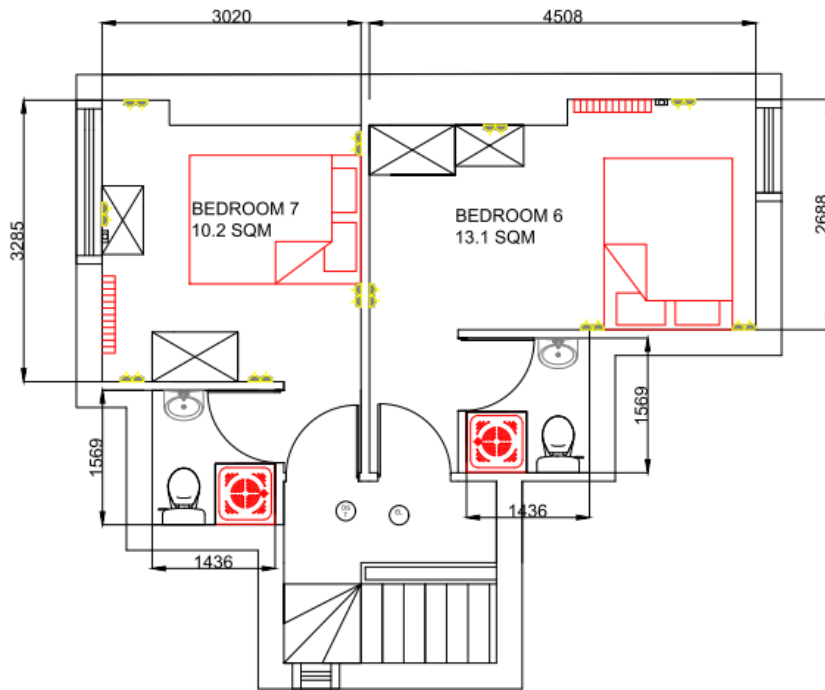
Appendix C : Floor plans



Ground Floor Plan 1:50



First Floor Plan 1:50



Second Floor Plan 1:50

DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE - 10th January 2016

Application	2
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Application Number:	16/02779/4OUT	Application Expiry Date:	3rd February 2017
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Application Type:	Outline Planning (DMBC Reg 4)
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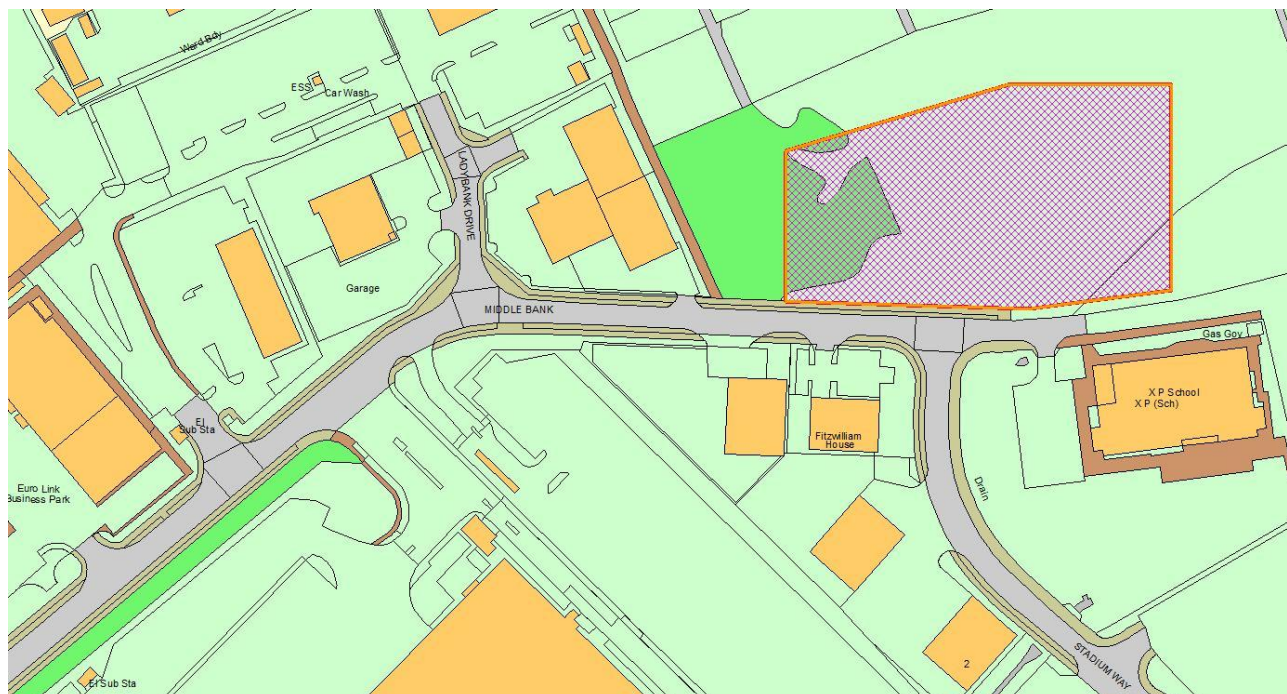
Proposal Description:	Outline application for the erection of a new Yorkshire Ambulance Service Hub on approx 0.93 ha of land (Approval being sought for Access) (being application under Regulation 4 Town and Country Planning (General) Regulation 1992)
At:	Land North Of Middle Bank Lakeside Doncaster

For:	Ambulance Service Yorkshire
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Third Party Reps:	None	Parish:	N/A
		Ward:	Town

Author of Report	Mark Ramsay
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MAIN RECOMMENDATION:	GRANT
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1.0 Reason for Report

1.1 This application is being presented to committee because it represents an application for development that is a departure from the local plan. The site is in an employment zone and also mixed use development area but policy states that it 'will be developed for employment uses (B1, B2, B8 and other appropriate industrial/business/commercial uses (in accordance with relevant plan policies) and a retail warehouse park'; By virtue of the use class order an ambulance station is, while employing people, considered 'sui generis' and therefore does not fall within any use class.

2.0 Proposal and Background

2.1 The proposal is an Outline Planning Application for the creation of an Ambulance station with access being the only matter to be agreed at this stage. An indicative layout is provided with the application that shows the building and parking area, although this is subject to alteration and agreement at the reserved matters stage.

2.2 The site is a field covering approximately 0.9 hectares in area, located to the north of Middle Bank at its eastern limit. It is bound to the north by allotments, to the east by a cleared brownfield site, to the south by Middle Bank and to the west by a footpath linking Middle Bank to the Hyde Park residential area.

2.3 There are a range of uses surrounding the site with employment uses to the west and south, housing to the north and to the south is XP school and sports facilities including Club Doncaster Sports Village and the Keepmoat Stadium. The area to the east comprises fields and leisure uses.

3.0 Relevant Planning History

3.1 No relevant historic applications

4.0 Representations

4.1 The application was publicised by site notice and press advert and no representations were received.

5.0 Parish/Town Council

5.1 The site is not in a parished area.

6.0 Relevant Consultations

Doncaster East Internal Drainage Board

6.1 No objections raised - noted that the consent of the IDB will be required and an informative will be included in the decision.

Environment Agency

6.2 No objections subject to prior approval of a site investigation scheme taking account of all surrounding receptors and a condition preventing piling without permission.

Ecologist

6.3 The ecological appraisal carried out as an extended Phase 1 habitat survey (Whitcher Wildlife, 30th September 2016) is fine and has been carried out according to accepted methods and structure. However it was put together without sight of the indicative layout. The protection and enhancement of the ecological features of the site should be subject to a condition at reserved matters stage in order that the detailed specifications for a range of biodiversity avoidance, mitigation and compensation measures can be put in place.

6.4 Such measures and recommended actions are set out in sections 4 and 5 of the Whitcher Wildlife report. The outline proposal for the site will have no adverse impact upon statutory (Potteric Carr SSSI) and non-statutory sites at Decoy bank and Doncaster Common. No objections on ecological grounds

Policy

6.5 Noted that the site is in an employment policy area and mixed use area with the main purpose being the redevelopment of the Lakeside area with Business, Leisure and other employment uses being supported in principal

Highways

6.6 No objections subject to conditions requiring a drop kerb and surfacing and sealing of the site.

Pollution Control

6.7 The applicant's own survey the conceptual site model identifies the risk from gas to be moderate and further investigation is proposed. Conditions are requested that require a contamination survey.

Trees

6.8 There is no objection to the principle of development or means of access to the land on arboricultural grounds subject a condition requiring a landscaping scheme

Transportation

6.9 No objections

Coal Authority

6.10 No objections and standing advice applies.

7.0 Relevant Policy and Strategic Context

National Planning Policy Framework

Achieving Sustainable Development
Requiring Good Design

Local Development Framework: Core Strategy

CS5 Employment

Unitary Development Plan

EMP6 Employment Policy Area
RP2 Doncaster Leisure Park

8.0 Planning Issues and Discussion

8.1 The proposal involves developing currently vacant and overgrown land to create an ambulance station with a parking area and new building providing maintenance and depot facilities for the ambulance service. The proposal is in outline with the principle of development and access being the matters that would be agreed if the proposal were allowed.

Principle of development

8.2 The site sits in an employment policy area and is also being disposed of from by the Local Authority. While an ambulance station is classified as 'sui generis' for the purposes of planning regulations it will see over 30 ambulance staff and vehicles based at this location as well as management and maintenance staff. The site is also classified as being within a mixed use development area and this is reflected by the development of an adjacent 'free' school, sporting and recreational facilities around lakeside and the approval of the 'HS2' college. There is more undeveloped land directly to the east of this site and the proposal would not conflict with other employment uses alongside it.

8.3 The design and appearance of the building would be agreed at the reserved matters stage and the building is not sufficiently close to residential properties to cause an issue of overlooking or loss of privacy

Highways

8.4 The site will accommodate a large number of vehicles based there between shifts as well as staff vehicles and maintenance facilities. The shifts are staggered throughout the day so the transport assessment concludes that the impact on the local highway network caused by additional traffic movements should be negligible. The transportation department has reviewed the statement provided by the applicant and have not raised any objections to the proposal.

Other matters

8.5 The applicant has submitted ecology assessments and the recommendations do not prevent the proposal going forward. There is a drain that crosses the site and is indicated on the plans to be diverted around it and/or culverted.

8.6 While the ecologist noted that the assessment had been done without sight of the layout plan, this is purely indicative and would be unreasonable to insist this is worked up, as it could change significantly prior to submission of the reserved matters. A condition requiring a full impact assessment of the drain needs to be provided prior to the reserved matters application so any mitigation and methods of implementation are worked out in advance.

8.7 The Coal Mining Assessment did not reveal any risk to the development from any historic or current workings.

9.0 Summary and Conclusion

9.1 The proposal while technically a departure from the original plan adopted in 1998 for the Lakeside area is acceptable as it provides employment opportunities as well as providing a well-connected base for the ambulance service.

RECOMMENDATION

Planning Permission GRANTED subject to the following conditions.

01. STAT2 The development to which this permission relates must be begun not later than whichever is the later of the following dates:- i.) The expiration of three years from the date of this permission or ii) The expiration of two years from the final approval of the reserved matters or in the case of different dates the final approval of the last such matter to be approved.

REASON

Condition required to be imposed by Section 92 (as amended) of the Town and Country Planning Act 1990.

02. U49387 Approval of the details of the Appearance, Layout, Landscaping and Scale (hereinafter referred to as reserved matters) shall be obtained from the Local Planning Authority before the commencement of any works.

REASON

The application is in outline and no details having yet been furnished of the matters referred to in the outline they are reserved for subsequent approval by the Local Planning Authority.

03. STAT3 In the case of the reserved matters, application for approval must be made not later than the expiration of three years beginning with the date of this permission.

REASON

Condition required to be imposed by Section 92(as amended) of the Town and Country Planning Act 1990.

04. CON1 No development approved by this permission shall be commenced prior to a contaminated land assessment and associated remedial strategy, together with a timetable of works, being accepted and approved by the Local Planning Authority (LPA), unless otherwise approved in writing with the LPA.

a) The Phase I desktop study, site walkover and initial assessment must be submitted to the LPA for approval. Potential risks to human health, property (existing or proposed) including buildings, livestock, pets, crops, woodland, service lines and pipes, adjoining ground, groundwater, surface water, ecological systems, archaeological sites and ancient monuments must be considered. The Phase 1 shall include a full site history, details of a site walkover and initial risk assessment. The Phase 1 shall propose further Phase 2 site investigation and risk assessment works, if appropriate, based on the relevant information discovered during the initial Phase 1 assessment.

b) The Phase 2 site investigation and risk assessment, if appropriate, must be approved by the LPA prior to investigations commencing on site. The Phase 2 investigation shall include relevant soil, soil gas, surface and groundwater sampling and shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a quality assured sampling and analysis methodology and current best practice. All the investigative works and sampling on site, together with the results of analysis, and risk assessment to any receptors shall be submitted to the LPA for approval.

c) If as a consequence of the Phase 2 Site investigation a Phase 3 remediation report is required, then this shall be approved by the LPA prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters, the site must not qualify as contaminated land under Part 2A of the Environment Protection Act 1990 in relation to the intended use of the land after remediation.

d) The approved Phase 3 remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. The LPA must be given two weeks written notification of commencement of the remediation scheme works. If during the works, contamination is encountered which has not previously been identified, then all associated works shall cease until the additional contamination is fully assessed and an appropriate remediation scheme approved by the LPA.

e) Upon completion of the Phase 3 works, a Phase 4 verification report shall be submitted to and approved by the LPA. The verification report shall include details of the remediation works and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the verification report together with the necessary documentation detailing what waste materials have been removed from the site. The site shall not be brought into use until such time as all verification data has 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. This is required prior to commencement to ensure that the necessary mitigation measures can be put in place should any contamination be found.

05. 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.

06. CON3

Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling 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.

07. U49454

No development shall take place on the site until a detailed landscape scheme incorporating tree planting has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a soft landscape plan; a schedule providing details of the species, nursery stock specification in accordance with British Standard 3936: 1992 Nursery Stock Part One and planting distances of trees and shrubs; a specification of planting and staking/guying; a timescale of implementation; and details of aftercare for a minimum of 5 years following practical completion of the landscape works. Thereafter the landscape scheme shall be implemented in full accordance with the approved details and the Local Planning Authority notified in writing within 7 working days to approve practical completion. Any part of the scheme which fails to achieve independence in the landscape or is damaged or removed within five years of planting shall be replaced during the next available planting season in full accordance with the approved scheme, unless the local planning authority gives its written approval to any variation.

REASON

In the interests of environmental quality and core strategy policy CS16: Valuing our natural environment

08. 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.

09. U49699

No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- 1) A site investigation scheme, based on the Sirius Preliminary Geoenvironmental Appraisal Report (dated September 2016) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- 2) The results of the site investigation and detailed risk assessment referred to above and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- 3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

REASON

To ensure the protection of controlled waters. The site is underlain by an historic landfill site and the proposed intrusive investigation will enable this to be investigated and any risks posed to the Principal Aquifer (Nottingham Castle Sandstone) that underlies the site to be addressed, as well as any surface water receptors.

10. U49700 No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

REASON

To ensure that controlled waters are remediated in line with the agreed strategy

11. U49701 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated (in a foundation risk assessment) that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

REASON

There is the potential for contamination to be present beneath the site; this will be investigated and remediated as appropriate as part of the works required by our other recommended conditions. There is the potential for residual or unexpected contamination to remain on site and as such, the foundation risk assessment should look at the risks posed to controlled waters by different foundation types. The most appropriate foundation type should be proposed, taking into account the conditions on site.

12. U49702 Unless otherwise agreed in writing with the Local Planning authority no building shall be erected within 5-8 meters of an ordinary watercourse and a minimum 3 meters for a culverted watercourse (increases with size of culvert)

REASON

To ensure adequate access at all times and to protect the culvert / watercourse from damage.

13. U49703 No development shall take place until a detailed design and associated management and maintenance plan of surface water drainage for the site, based upon sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted in accordance with the approved detailed design, prior to the use of the development commencing.

The scheme to be submitted shall demonstrate that the surface water drainage system(s) are designed in accordance with the South Yorkshire Interim Local Guidance for SuDS.

REASON

To prevent the increased risk of flooding; to ensure the future maintenance of the SuDS system, to improve water quality, habitat and amenity all in accordance with NPPF. This is necessary prior to development commencing as sustainable drainage is an integral part of the build process.

14. U49705

On the submission of the first Reserved Matters application a Biodiversity Enhancement Master Plan shall be submitted and approved in writing by the LPA. The content of the Plan shall include;

- An ecological impact assessment of the proposed development on the ecological features of the site, specifically the drains and water bodies.
- Detailed working measures and timings to avoid excessive harm to ecological features to be retained though details on timing and duration of site clearance works.
- Detailed specifications for biodiversity creation and enhancement works based on the recommendations of the Whitcher Wildlife report (Ref: 160392) and Local Biodiversity Action plan priorities.
- Provision of roosting and nesting opportunities in woodland and new built structures.
- The use of native species of tree and shrubs in planting and landscape schemes to protect the green infrastructure networks.

REASON:

To ensure the ecological interests of the site are maintained in accordance with Core Strategy Policy 16

00. IDNLS

INFORMATIVE

DEVELOPMENTS NEAR LANDFILLS

The proposed development is within 250 meters of a landfill site about which insufficient information is known to permit an adequate response to be made on the extent to which landfill gas may be present on or off site.

Planning permission has been granted on the basis that there is no sound and clear-cut reason to refuse. The applicant is, however, reminded that the responsibility for safe development and secure occupancy of the site rests with the developer and accordingly is advised to consider the possibility of the presence or future presence of landfill gas and satisfy himself of any gas precaution which may be necessary.

00. INF1A

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. It should also be noted that this site may lie in an area where a current licence exists for underground coal mining.

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

Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com

This Standing Advice is valid from 1st January 2015 until 31st December 2016

00. U10699

Independence in the Landscape

Condition 07 refers to independence in the landscape, which is defined in British Standard 8545:2014 Trees: from nursery to independence in the landscape - Recommendations as the point at which a newly planted tree is no longer reliant on excessive or abnormal management intervention in order to grow and flourish with realistic prospects of achieving its full potential to contribute to the landscape.

00. ICON1

INFORMATIVE

Prior to preparing any reports in support of conditions relating to land contamination, the applicant is strongly advised to refer to the document entitled Development on land affected by contamination. Technical Guidance for Developers, Landowners and Consultants. Yorkshire and Humberside Pollution Advisory Council.

The document can be found at the following web address:

<http://www.doncaster.gov.uk/services/environmental/developing-on-contaminated-land>

Or alternatively you can request a paper copy from the LPA.

00. IDRAIN

INFORMATIVE

ANY surface water discharge into ANY watercourses in, on, under or near the site requires CONSENT from the Drainage Board.

If the surface water were to be disposed of via a soakaway system, the IDB would have no objection in principle but would advise that the ground conditions in this area may not be suitable for soakaway drainage. It is therefore essential that percolation tests are undertaken to establish if the ground conditions are suitable for soakaway drainage throughout the year.

If surface water is to be directed to a mains sewer system the IDB would again have no objection in principle, providing that the Water Authority are satisfied that the existing system will accept this additional flow.

If the surface water is to be discharged to any watercourse within the Drainage District, Consent from the IDB would be required in addition to Planning Permission, and would be restricted to 1.4 litres per second per hectare or greenfield runoff.

No obstructions within 9 metres of the edge of a watercourse are permitted without Consent from the IDB.

For further application information, consent guidance & forms Visit: www.shiregroup-idbs.gov.uk, Select 'IDB', then select 'Doncaster East IDB', and select 'Planning, Consent & Byelaws'.

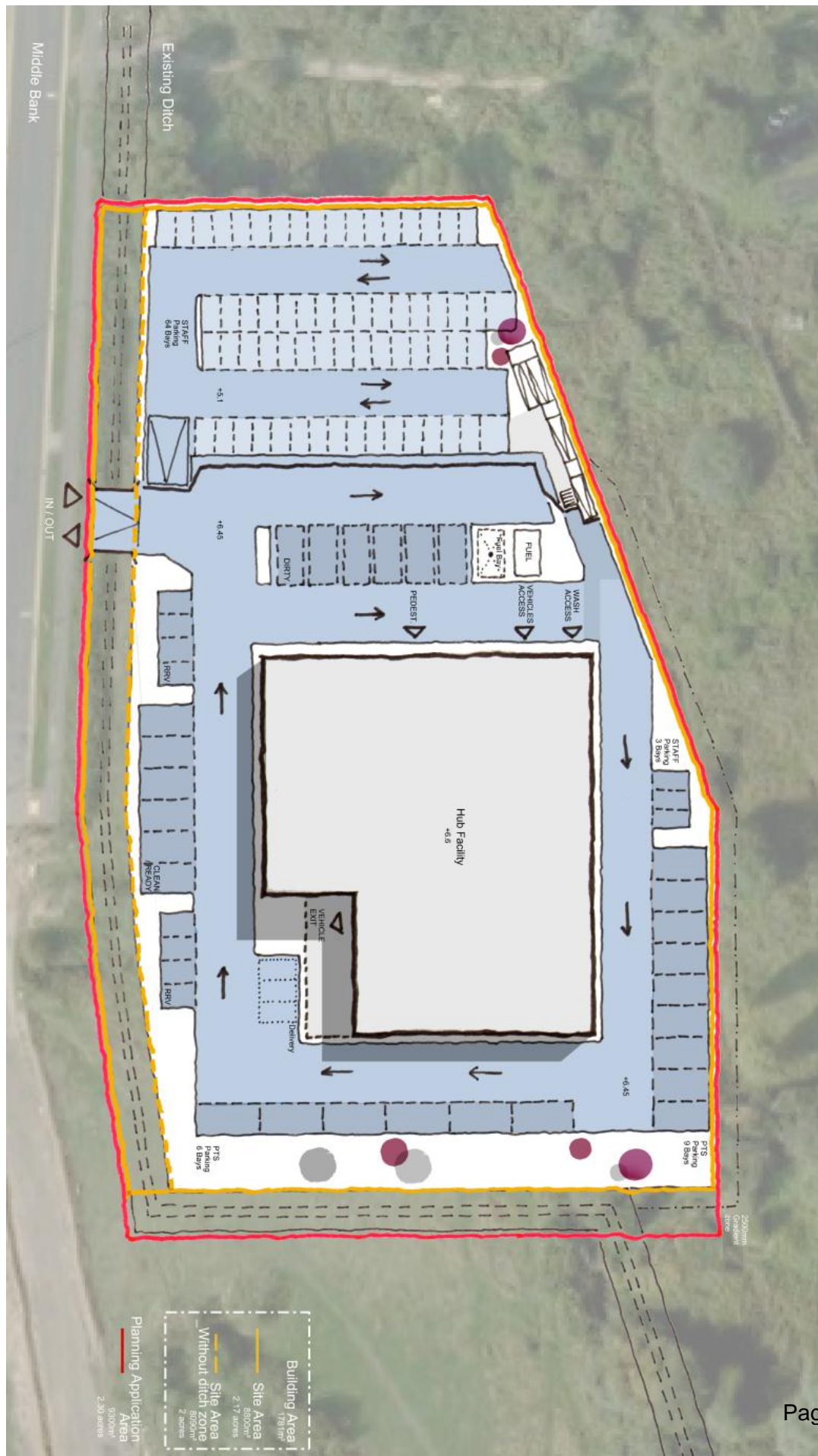
For direct enquiries e-mail: planning@shiregroup-idbs.gov.uk

STATEMENT OF COMPLIANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY DEVELOPMENT MANAGEMENT PROCEDURE ORDER 2015

It has not been necessary to make contact with the applicant to request amendments to the proposal during the consideration of the application, as it was deemed acceptable.

[illegible]

Appendix B Indicative layout



Agenda Annex

DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE – 10 January 2017

Application	3
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Application Number:	16/02890/FUL	Application Expiry Date:	04 January 2017
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Application Type:	Full Application
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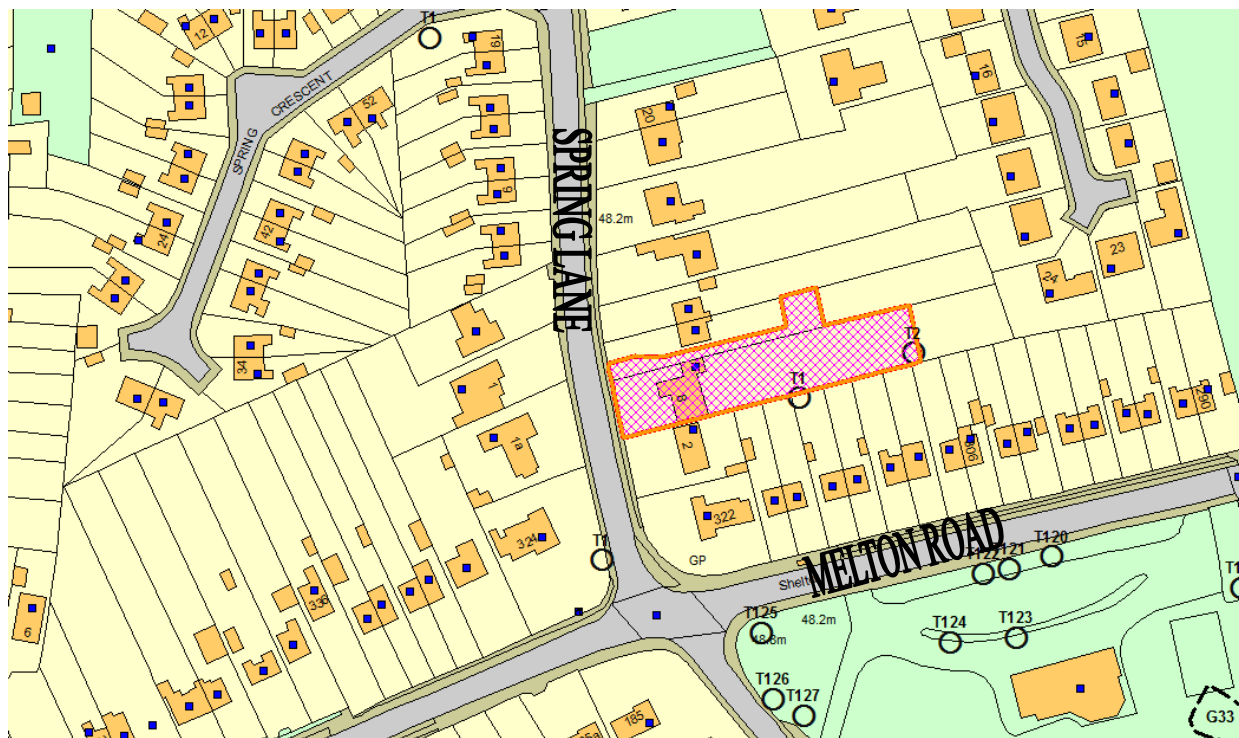
Proposal Description:	Erection of extension to existing bungalow to create two storey dwelling and erection of two storey detached house and two detached garages.
At:	8 Sprotbrough Doncaster DN5 7QG

For:	Mr Matthew Sylvester
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Third Party Reps:	11 objections	Parish:	Sprotbrough And Cusworth Parish Council
		Ward:	Sprotbrough

Author of Report	Mark Ramsay
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MAIN RECOMMENDATION:	GRANT
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1.0 Reason for Report

1.1 The application is being presented to Planning Committee for determination because of a significant level of public interest shown in the application.

2.0 Proposal and Background

2.1 A previous application for backland development in outline was approved in 2014 for two dwellings to the rear of 8 and 10 Spring Lane with a new access in between. The approval was conditioned to be single storey dwellings only, due to the frontage dwelling (No.8) being single storey.

2.2 An application with similarities to this one 16/00706/FUL was heard by Planning Committee on the 20 September 2016 and following an earlier site visit recommended refusal because *'the proposal is unacceptable due to the negative impact the redevelopment of No.8 will have on the living conditions of the occupiers of No.2 Spring Lane with regard to the loss of outlook and the over dominance the development will cause thus contrary to Core Strategy Policy CS 14 and saved Unitary Development Plan Policy ENV 54.'*

2.3 The application now submitted differs from this after the applicant took account of the reasons Planning Committee gave to refuse the previous application. It comprises three elements of development with access provided to a back land development and a potential additional plot.

2.4 The first element is the demolition of the garage on the side of number 8 and its extension by building upwards to create a two storey dwelling. The layout and scale has been altered with a greater separation distance included between no 2 and no 8 and the ridge and eaves height also reduced.

2.5 The resultant space between 8 and 10 creates space for the second element being the access drive that would run between the properties to the backland site. The access will serve a new single garage to the rear of number 8 and leads to a turning head in front of plot 2.

2.6 The third element is the development of Plot 2, being designed as a two storey house on a backland plot, being slightly lower in height than the frontage development, being the extended No 8.

2.7 The land to the north of No 10 (referred as plot 1 in the outline application) is not included in this application and if it were to be developed as another dwelling plot (as indicated in the Outline application from 2014), this would need a further application. The access is adequate to serve an additional unit in such a position.

3.0 Relevant Planning History

3.1 In 2010 an application (10/03171/FUL) was received to extend the existing property to the rear with a 9.4m single storey flat roofed extension. This was refused due to the excessive in scale being over dominant and harm to the outlook of the adjacent residential dwelling at No.12. Its excessive flat roof design would have harmed the character and appearance of the host dwelling.

3.2 An application for erection of single storey pitched roof extension to rear of semi-detached house following demolition of existing extension (being re-submission of application 10/03171/FUL refused 11/01/11) was granted in 2011 with a reduced length of 5.7metres (11/01294/FUL).

3.3 In 2014 an application in Outline for the erection of 2 detached dwellings with attached garages on approx. 0.16ha of land to the rear of the site (following demolition of existing garage to no. 8) was approved for access from Spring Lane and the layout which included a new access road between No 8 and No 10. The other matters; scale, appearance and landscaping were all reserved.

3.4 In 2016 an application 16/00706/FUL similar to this one was refused by Planning Committee for the reasons given in paragraph 2.2.

4.0 Representations

4.1 11 representations were received objecting to the proposal from 9 individuals and the concerns raised include;

- The development of No 8 would be overbearing to and harming the amenities of No 2
- Not following the condition in the 2014 application that the development should be single storey
- Not in keeping with the street scene
- Overlooking to neighbouring properties
- Concern about the notification of being near a landfill

5.0 Parish Council

5.1 The Parish Council consider that there should only be single storey development on this site, the impact on No 2 would be overbearing and a greater distance between the 2 buildings is required. A dormer style single storey bungalow should only be considered.

6.0 Relevant Consultations

Trees

6.1 The site layout is unchanged from the previous scheme (with the exception of reducing the footprint of No 8) under ref: 16/00706/FUL, which was refused but was deemed acceptable from an arboricultural perspective.

6.2 Consequently, there is no objection to the proposal on arboricultural grounds subject to conditions requiring a protection scheme during development and an arboricultural method statement for the driveway and garage. A landscaping scheme is also required to be agreed prior to development.

Pollution Control

6.3 The site is close to a landfill site and a contaminated land survey is required due to being a sensitive end use.

7.0 Relevant Policy and Strategic Context

7.1 National Planning Policy Framework (NPPF, March 2012)

Section 6: Delivering a wide choice of high quality homes

Section 7: Requiring good design

Section 11: Conserving and enhancing the natural environment

7.2 Doncaster Council's Core Strategy (CS, May 2012)

CS 14: Design and Sustainable Construction

CS16: Valuing our Natural Environment

7.3 Saved Doncaster Unitary Development Plan (UDP, Adopted July 1998)

PH 11 - Residential Development in Residential Policy Areas

ENV 59 - Protection of Trees

ENV 54 –Extensions and alterations

7.4 Supplementary Planning Document (SPD)

Development Guidance and Requirements SPD (July 2015)

8.0 Planning Issues and Discussion

8.1 The main issues for the site are; the principle of the development, impact on the character of the area, the impact on the highway network, residential amenity and on the trees in and around the site.

Principle

8.2 The site lies within a Residential Policy Area and therefore is an appropriate use in principle subject to the below material considerations. Backland development has also already been approved in 2014 in outline. The previously refused application was on the basis that the enlarged building would be too close to No2 and adversely affect the amenities of the adjacent property No 2.

8.3 The scheme has been amended and the enlarged No 8 has been reduced in scale and the side elevation would be rebuilt further from the boundary and outside the 45 degree sphere of influence of No 2. The eaves and ridge heights also have been reduced in comparison to the previous application.

Residential Amenity

8.4 The main concern when development of this site was last brought to Planning Committee was the impact on the amenities of the adjacent property. In terms of impact upon neighbouring properties local policy CS14 of the Core Strategy seeks to ensure there are no unacceptable negative impacts on the amenity of neighbouring land uses. 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.

8.5 The properties have been designed so that there is no direct overlooking or loss of privacy of adjacent properties and the separation distances between high occupancy windows is at least 21m, which meets the best practise guidance for separation distances.

8.6 While No 8 and No 2 Spring Lane do sit close to each other, No 8 sits directly to the north so there will be no loss of direct sunlight. This application differs from the previous application in that the side elevation wall will be rebuilt to sit 2.8m away from the side elevation of No 2 therefore completely taking the building out of the 45 degree sphere of influence of the nearest opening on the rear of No 2. Additionally the height of the eaves and ridge has been reduced to 4.8m and 7.8m above ground level respectively. This further lessens the difference between the two building when compared to the previous application.

8.7 Therefore, it is considered that the proposal will not cause significant harm to the neighbouring properties by virtue of overlooking or overshadowing and the window and door positions are considered appropriate. Thus the proposal accords with policy PH 11 (b) and CS14.

Character and Appearance

8.8 Policy CS14 states that new buildings should respect their townscape and landscape setting/character by virtue of their design, layout, density, and form. This includes scale, height, materials and massing. Section 7 of the NPPF states that developments should optimise the potential of the site for development and respond to the local character. 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.

8.9 The layout has considered the trees on site and the provision of parking and turning area. The layout does allow for a new property to the rear and access to a building plot alongside it. The reduced curtilages of Numbers 8 and 11 are still sufficient to service those dwellings, each being larger than the footprint of the respective dwelling. The garden of plot 2 also meets this threshold.

8.10 Objectors have raised concerns that the proposal does not respect the character of the area and should follow the proposal in the Outline permission granted in 2014. Each application should be judged on its own merits. The condition included in the 2014 permission was on the basis that there would be no change to no. 8 (so remaining a bungalow) so the condition was only required to ensure plot 2 was kept subservient to the frontage development should a reserved matters application be submitted.

8.11 The principal of an additional access has already been approved between numbers 8 and 10 and it is also noted that there are developments that are similar in character further along Spring Lane to the rear of No.20 Spring Lane and on Springhill Close.

8.12 The proposal, therefore, is viewed as a continuation of this in depth development and whilst not being directly adjacent to other backland sites, the principle of allowing rear gardens to be developed has already been established.

8.13 The frontage development while two storeys is more squat and the roof is designed to appear more like a dormer property than in the proposal that was refused. It is considered that the reduced width and height as well as the hip style roof are of an appropriate design and appearance commensurate with the buildings to the north that are all two storey and of a similar roof type.

8.14 The front facing single storey projection adds interest to the appearance of the enlarged number 8 and reduces the impact of the massing of the frontage. The curved entrance road and proposed planting further enhances the appearance within the street scene.

8.15 This proposal, therefore, meets the guidance within the backland SPD, by allowing the frontage properties to remain dominant with the extension of No 8 to form a two storey dwelling and rear dwellings to be subservient, the ridge line of plot 2 being lower, thus respecting the street scene.

8.16 In terms of density it is not felt that the proposal would overdevelop the site as it still leaves large gardens to the frontage properties. The density including the access is 15 dwellings per hectare (when including 8 & 10 – it comes even lower when calculated without number 10).

8.17 Materials and boundary treatments have been conditioned for approval prior to development.

8.18 There has also been concern that the scheme does not accord with the Village Design Statement (VDS) as it is a tandem development. This document was produced by the Parish Council and whilst being a good guide for future development carries very limited weight. The statement was not adopted by the Local Planning Authority as part of its local policy. In Officers' view the total removal of tandem development within its content is too restrictive and therefore Officers have justified this application on the basis of its adopted local policy referred to in the above.

Highway Network

8.19 Policy CS14 of the Core Strategy states that one of the components of good design is to ensure that developments take into consideration highway safety. Concerns raised have been in regard to the impact of the development on the highway network.

8.20 The proposed development has parking spaces for each of the properties in the red line. The enlarged number 8 has a single detached garage and space for two cars parked in front of the garage. Plot 2 is proposed to have an integral garage with space in front that could be occupied by another vehicle. The turning head is sufficiently wide to provide for additional visitor parking if necessary. While No 10 is not shown to have a garage or driveway, access could be provided from the private drive and this was indicated in the previous approval. This would not need planning permission and the driveway could still be treated as private status, as it would only serve three properties and even if the building plot was developed this would only still be four.

8.21 The driveway has a similar layout to that previously approved in 2014, with a width of 4.5m to allow two vehicles to pass each other at the entrance to Spring Lane. Visibility at the entrance to Spring Lane is acceptable and a turning head is provided within the site to ensure cars can leave in a forward gear. It is not felt that the increase in usage will be significant to cause harm to highway safety.

Trees and Ecology

8.22 In assessing such schemes it is important to retain as many of the existing trees as possible in line with Policy ENV 59 of the UDP. The trees are surveyed and were assessed in the previous application.

8.23. The tree officer now has no objections to the plans as they show that the layout is unchanged from the scheme previously before committee and are subject to the garage being built on a raft so foundations do not compromise the root protection zone.

8.24 The front gardens of No.8 and No.10 contain ornamental species that are not of sufficient landscape value to affect development.

8.25 Due to the likely loss of trees across the site some replacement planting would be expected. Planting at the front of the proposed properties, as indicated on the plan, will help filter views from Spring Lane. A condition for details of a landscaping scheme is proposed to be included in the decision.

8.26 Furthermore the canopy of the trees has been shown on the plans and is not felt to harmfully overshadow the rooms of the proposed dwellings or their gardens, leaving adequate amenity area and standards of living. It is therefore felt that the proposal does protect the trees of merit on the site and provides planting for the mitigation of the loss of trees thus is in accordance with policy ENV59 subject to a condition for tree protection during construction.

8.27 The loss of wildlife and their habitats at the site has previously been raised as a concern. The Local Authority ecologist took the view on the previous application that the change will not cause significant harm and, in terms of the natural environment, there is no significant difference between this and the previous scheme. The ecological enhancement plan previously recommended is proposed to be a condition of granting this application.

Other matters

8.28 Pollution Control have notified the authority that the application site is within 250m of a landfill site. It is not the case the site or surrounding houses are themselves on a landfill and the nearest recorded site is in a former railway cutting nearby. However there is the possibility that pollutants were spilled during the operation of the landfill and migration of gas even after its closure.

9.0 Summary and Conclusion

9.1 The proposal to extend No 8, reduce the curtilage of No10 and create an access to the rear to serve a new dwelling on 'plot 2' is considered to be acceptable in principle. The change to the proposal for No 8 to have a rebuilt side elevation further from the boundary with No 2 is considered to take the development out of the 45 degree sphere of influence of the adjacent property and therefore cannot be considered to be overbearing or over dominant.

9.2 The principle of a new access to the rear of the site has been accepted in the 2014 permission and the principle of similar scale backland development is visible further along Spring Lane. The development will not adversely impact the amenities of adjacent occupiers and the impact of the extended No 8 is not considered to be out of character with the surrounding street scene or be over dominant to adjacent properties.

10.0 Recommendation

GRANT Planning Permission subject to the following conditions;

- | | |
|------------|--|
| 01. STAT1 | <p>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.</p> <p>REASON
Condition required to be imposed by Section 91(as amended) of the Town and Country Planning Act 1990.</p> |
| 02. ACC1 | <p>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 and specifications.</p> <p>REASON

To ensure that the development is carried out in accordance with the application as approved.</p> |
| 03. MAT1A | <p>Prior to the commencement of the relevant works, details of the proposed external materials shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved materials.</p> <p>REASON
To ensure that the materials are appropriate to the area in accordance with policy CS14 of the Doncaster Core Strategy.</p> |
| 04. U49544 | <p>The erection of impact resistant barriers for the protection of all retained tree shall be undertaken in accordance with the approved Site Plan (reference 14.007.2) and the local planning authority notified of implementation to approve the setting out of the tree protection scheme before any equipment, machinery or materials have been brought on to site for the purposes of the development. Thereafter, all tree protection shall be maintained in full accordance with the approved details until all equipment, machinery and surplus materials have been removed from the site, unless the local planning authority gives its written approval to any variation. 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.</p> |

REASON:

To ensure that all trees are protected from damage during construction in accordance with core strategy policy CS16: Valuing our natural environment

05. U49545

Prior to the commencement of the garage and private driveway for 8 Spring Lane an Arboricultural Method Statement for their construction and installation that complies with section 6 of British Standard 5837: 2012 Trees in Relation to Design, Demolition and Construction - Recommendations shall be 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 the following:

- o the design of the garage foundation and working methods to be employed to protect tree roots during preparation of the ground, installation of the foundation and construction of the garage;
- o the design of the driveway utilising a professionally recognised 3-dimensional load-bearing system and porous surfacing and working methods to be employed to protect tree roots during preparation of the ground and installation; and
- o a timescale of implementation, which ensures that the load-bearing base is in position prior to the use of the driveway and garage by any vehicle.

REASON

To protect the roots and rooting environment of the sycamore tree (denoted T1 on the site plan), which is shown for retention on the Approved Plan, in accordance with saved UDP policies ENV21 and ENV59

06. U49546

No development shall take place on the site until a detailed landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a soft landscape plan; a schedule providing details of the species, nursery stock specification in accordance with British Standard 3936: 1992 Nursery Stock Part One and planting distances of trees and shrubs; a specification of planting and staking/guying; a timescale of implementation; and details of aftercare for a minimum of 5 years following practical completion of the landscape works. Thereafter the landscape scheme shall be implemented in full accordance with the approved details and the Local Planning Authority notified in writing within 7 working days to approve practical completion. Any part of the scheme which fails to achieve independence in the landscape or is damaged or removed within five years of planting shall be replaced during the next available planting season in full accordance with the approved scheme, unless the local planning authority gives its written approval to any variation.

REASON

In the interests of environmental quality and core strategy policy
CS16: Valuing our natural environment

07. CON1

No development approved by this permission shall be commenced prior to a contaminated land assessment and associated remedial strategy, together with a timetable of works, being accepted and approved by the Local Planning Authority (LPA), unless otherwise approved in writing with the LPA.

a) The Phase I desktop study, site walkover and initial assessment must be submitted to the LPA for approval. Potential risks to human health, property (existing or proposed) including buildings, livestock, pets, crops, woodland, service lines and pipes, adjoining ground, groundwater, surface water, ecological systems, archaeological sites and ancient monuments must be considered. The Phase 1 shall include a full site history, details of a site walkover and initial risk assessment. The Phase 1 shall propose further Phase 2 site investigation and risk assessment works, if appropriate, based on the relevant information discovered during the initial Phase 1 assessment.

b) The Phase 2 site investigation and risk assessment, if appropriate, must be approved by the LPA prior to investigations commencing on site. The Phase 2 investigation shall include relevant soil, soil gas, surface and groundwater sampling and shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a quality assured sampling and analysis methodology and current best practice. All the investigative works and sampling on site, together with the results of analysis, and risk assessment to any receptors shall be submitted to the LPA for approval.

c) If as a consequence of the Phase 2 Site investigation a Phase 3 remediation report is required, then this shall be approved by the LPA prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters, the site must not qualify as contaminated land under Part 2A of the Environment Protection Act 1990 in relation to the intended use of the land after remediation.

d) The approved Phase 3 remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. The LPA must be given two weeks written notification of commencement of the remediation scheme works. If during the works, contamination is encountered which has not previously been identified, then all associated works shall cease until the additional contamination is fully assessed and an appropriate remediation scheme approved by the LPA.

e) Upon completion of the Phase 3 works, a Phase 4 verification report shall be submitted to and approved by the LPA. The verification report shall include details of the remediation works and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the verification report together with the necessary documentation detailing what waste materials have been removed from the site. The site shall not be brought into use until such time as all verification data has 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. This is required prior to commencement to ensure that the necessary mitigation measures can be put in place should any contamination be found.

08. 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.

09. CON3

Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling 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.

10. 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.
11. U49664 Prior to the commencement of development, an ecological enhancement plan shall be submitted to the local planning authority for approval in writing. This plan shall include details of the following measures, all of which shall be implemented prior to the first occupation of the site or an alternative timescale to be approved in writing with the local planning authority:
- A wall mounted bat brick of the lbstock bat brick type or similar shall be installed in each of the new dwellings oriented east south or west, above 4m high and away from any night or safety or security lighting.
 - A swift box of suitable design in wood or woodcrete shall be sited in the upper eaves of the each of the two new dwellings, orientated west or east.
- REASON
To ensure the ecological interests of the site are maintained in accordance with Core Strategy Policy 16.
12. 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.
13. HIGH2 The vehicle turning space as shown on the approved plans shall be constructed before the development is brought into use and shall thereafter be maintained as such.
- REASON
To avoid the necessity of vehicles reversing on to or from the highway and creating a highway hazard.

14. 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.
15. U49665 When the proposed (replacement) access has been constructed the existing access(s) shall be permanently closed in a manner to be approved by the Local Planning Authority.
- REASON
In the interests of road safety
- ICON1 INFORMATIVE
Prior to preparing any reports in support of conditions relating to land contamination, the applicant is strongly advised to refer to the document entitled Development on land affected by contamination. Technical Guidance for Developers, Landowners and Consultants. Yorkshire and Humberside Pollution Advisory Council.
- The document can be found at the following web address:
- <http://www.doncaster.gov.uk/services/environmental/developing-on-contaminated-land>
- Or alternatively you can request a paper copy from the LPA.
- U10744 INFORMATIVE Independence in the Landscape
Condition XX refers to independence in the landscape, which is defined in British Standard 8545:2014 Trees: from nursery to independence in the landscape - Recommendations as the point at which a newly planted tree is no longer reliant on excessive or abnormal management intervention in order to grow and flourish with realistic prospects of achieving its full potential to contribute to the landscape.
- IQ171 INFORMATIVE
The developer shall consider incorporating all possible sustainability features into the design of the proposed development.
- IDNLS INFORMATIVE
DEVELOPMENTS NEAR LANDFILLS
The proposed development is within 250 meters of a landfill site about which insufficient information is known to permit an adequate response to be made on the extent to which landfill gas may be present on or off site.

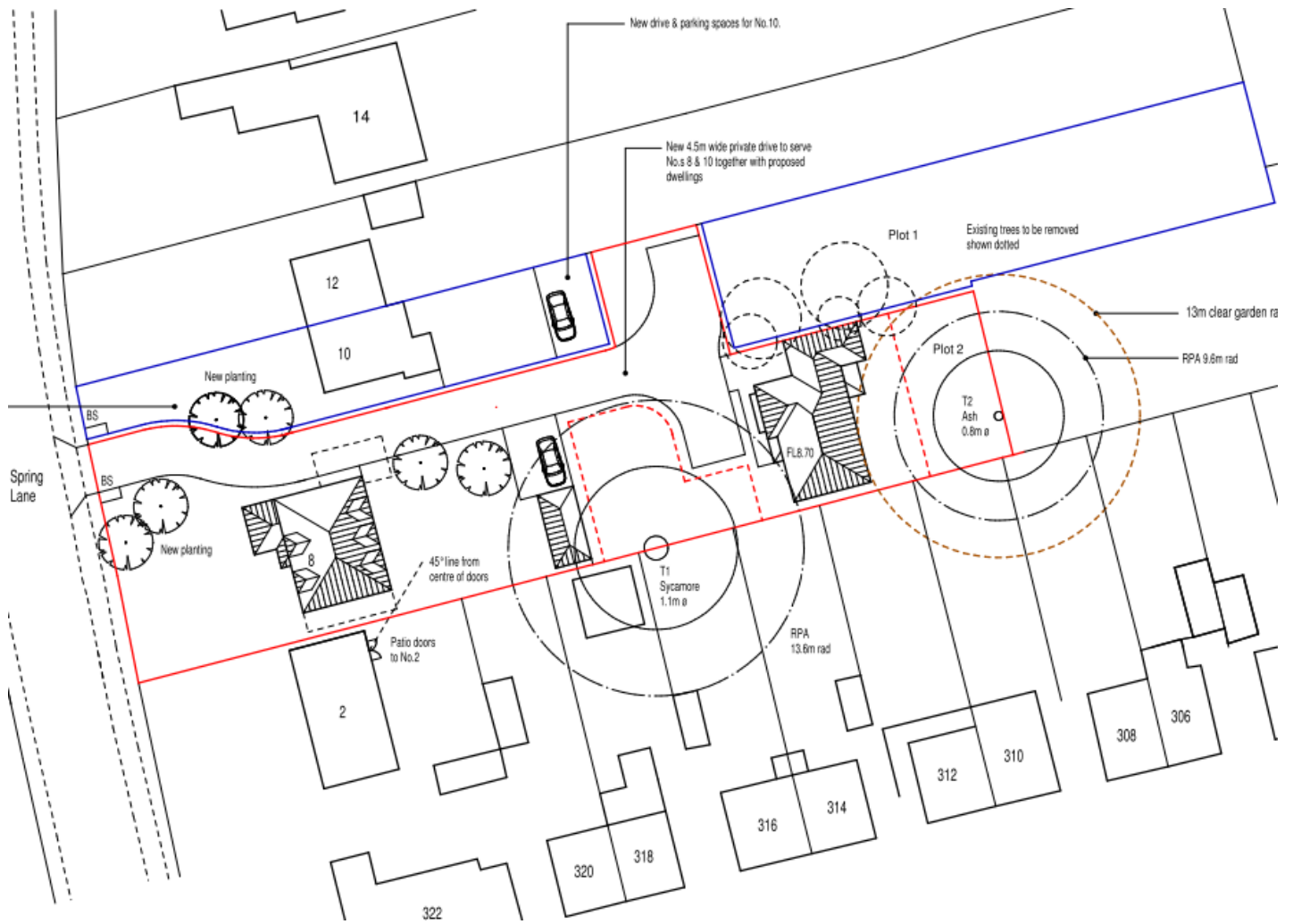
Planning permission has been granted on the basis that there is no sound and clear-cut reason to refuse. The applicant is, however, reminded that the responsibility for safe development and secure occupancy of the site rests with the developer and accordingly is advised to consider the possibility of the presence or future presence of landfill gas and satisfy himself of any gas precaution which may be necessary.

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.

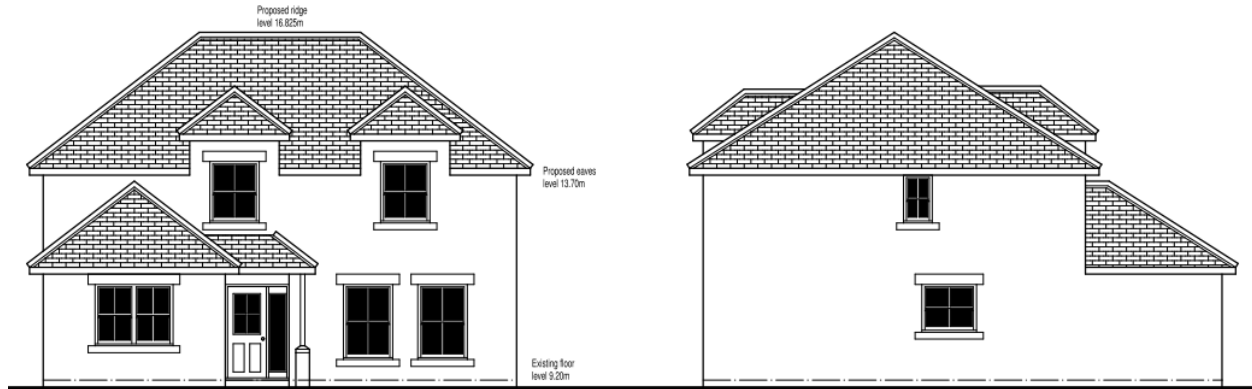
Appendix 1 : Location Plan



Appendix 2: Site Plan



Appendix 2 : Extension No 8 Spring Lane



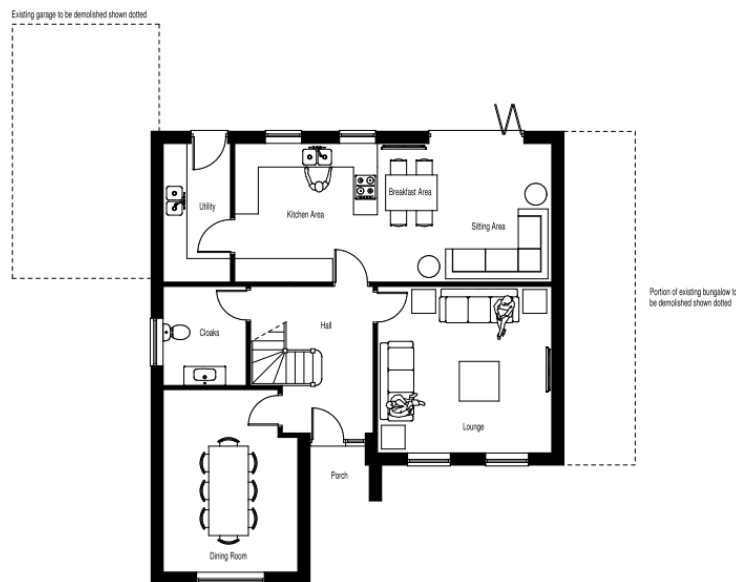
Proposed Front Elevation

Proposed Side Elevation

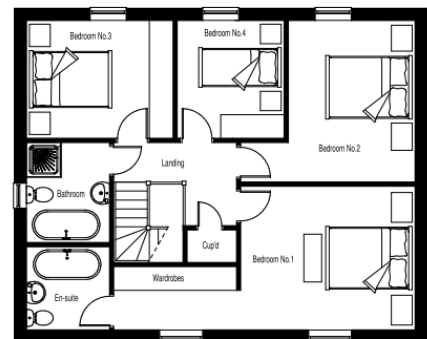


Proposed Rear Elevation

Proposed Side Elevation

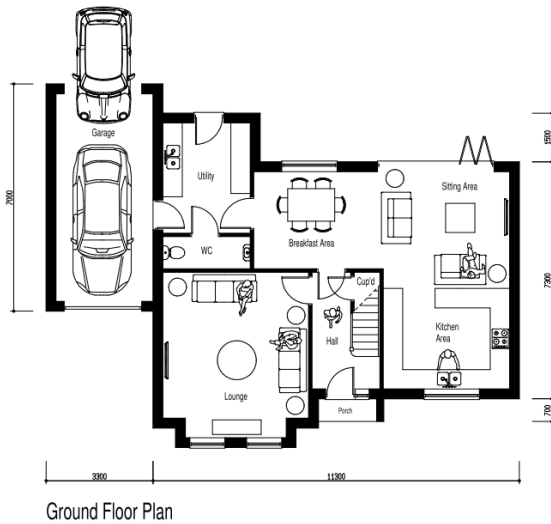
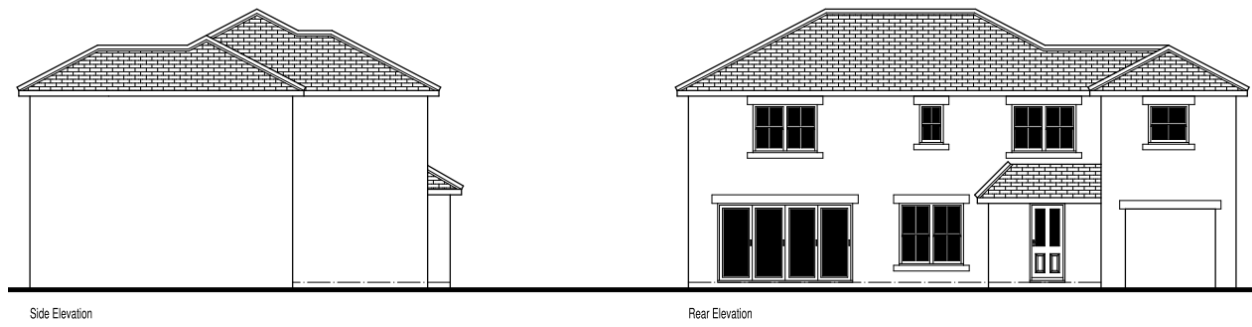
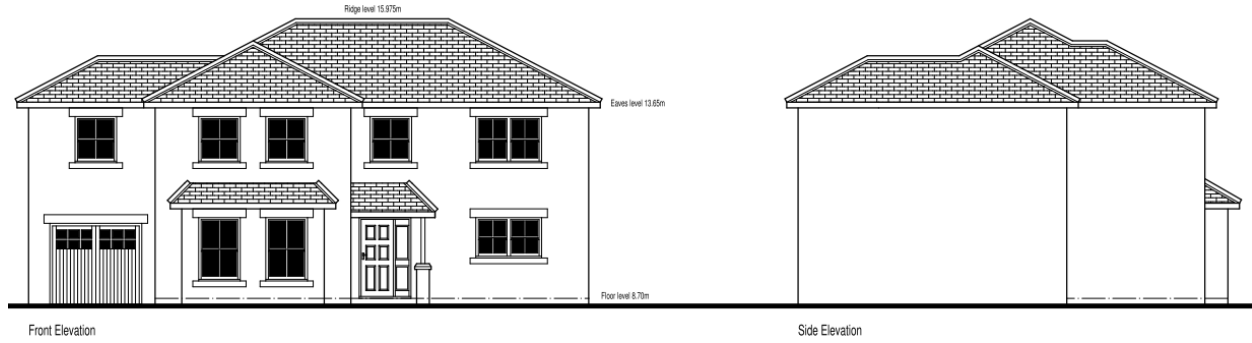


Proposed Ground Floor Plan



Proposed First Floor Plan

Appendix 3 Plot 2



10th January, 2017

**To the Chair and Members of the
PLANNING COMMITTEE**

Sterefibre (SF), Hazel Lane Quarry, Hampole, Doncaster – Forthcoming Appeals

EXECUTIVE SUMMARY

- 1.1 On the 17th November 2015 planning application 15/00728/TIP - *The stockpiling of 'Sterefibre' and the retention of an engineered fibre storage pad for a temporary period of 6 years (Retrospective)* – was refused by the Planning Committee. The reason for refusal was:

The application is contrary to the NPPF and saved policy ENV3 of the Doncaster Unitary Development Plan. The development is inappropriate in the Green Belt and there are no very special circumstances to override the general presumption against inappropriate development in the Green Belt. The Sterefibre stockpile has a visual impact, albeit limited, and it also encroaches into the Green Belt. The use of the site for the storage of Sterefibre has an impact on the openness of the Green Belt.

- 1.2 The applicant has appealed the decision to the Planning Inspectorate – Appeal Reference: APP/F4410/W/16/3150426.
- 1.3 In addition to this, the applicant has also submitted:
- a) A Certificate of Lawfulness application (Ref: 16/01360/CPL) to allow SF to be spread on the land; and
 - b) A Condition discharge request (Condition 29 of Planning Permission 01/0817/P) to allow SF to be imported and used for restoration purposes.
- 1.4 Both the Certificate and the condition discharge request have been refused by the Local Planning Authority under delegated powers on 12th July 2016 and 24th August 2016 respectively. These decisions have also been appealed under Appeal References APP/F4410/X/16/3154943 and APP/F4410/X/16/3154943 respectively.
- 1.5 The Planning Inspectorate have linked all three appeals together for the forthcoming Public Inquiry, which is to be held at the Civic Office on the 28th March 2017. The Inquiry is scheduled to last 5 days.
- 1.6 It is Catplant's intention to firstly utilise SF over six of the twelve landfill cells, which have the benefit of an Environmental Permit. This is anticipated to take place over the next 6 years. The six landfill cells in question would utilise approximately 14,300 tonnes of SF, although this is considered

optimistic and likely to be anywhere in the region of 7627 – 14,300 tonnes (depending on where SF is taken from in the existing pile and subject to further tests). Out of the estimated 36,700 tonnes present on site, this would still leave anywhere in the range of 22,400 – 29,073 tonnes of SF remaining on the pad.

- 1.7 Should SF be spread to agricultural land (and the restoration of Hazel Lane Quarry is an agricultural led scheme), as part of the Environment Agency's permitting Improvement Condition, it can never again be used for the growing of food or fodder or for the grazing of livestock. The concern is that the properties of the SF may be taken up into the food chain. Such a proposal will therefore severely limit the full agricultural benefit of the restored land due to the degrading of the soil quality, which was land in full agricultural (arable) use prior to mineral extraction/landfilling taking place.
- 1.8 In preparation for the forthcoming Inquiry, officers are requesting the Planning Committee's approval to have full consideration to the wider implications of Catplant's proposal to utilise SF over the Hazel Lane Quarry site and in so doing detailing the adverse implications that this will have on the site's agricultural/soil resource.

EXEMPT REPORT

2. N/A

RECOMMENDATIONS

3. Planning Committee endorse officers in the forthcoming appeals to have full consideration to the concerns over the downgrading of the agricultural land should SF be used as part of the restoration soil making materials.

WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?

4. Planning Committee endorsing officers to consider the wider implications of using SF on the restored site will ensure that the Planning Inspector at the forthcoming appeal is fully aware of the wider environmental concerns surrounding this case, which is a concern that has been raised previously by the Hampole and Skelbrooke Parish Meeting.

BACKGROUND

- 5.1 Members may recall that on the 17th November 2015 planning application 15/00728/TIP - *The stockpiling of 'Stere fibre' and the retention of an engineered fibre storage pad for a temporary period of 6 years (Retrospective)* – was refused by the Planning Committee on the following basis:

The application is contrary to the NPPF and saved policy ENV3 of the Doncaster Unitary Development Plan. The development is inappropriate in the Green Belt and there are no very special circumstances to override the general presumption against inappropriate development in the Green Belt. The Stere fibre stockpile has a visual impact, albeit limited, and it also encroaches into the Green Belt. The use of the site for the storage of Stere fibre has an impact on the openness of the Green Belt.

- 5.2 Prior to this, Members may also recall that a similar application had been previously refused planning permission (Ref: 10/01971/TIP) by the Council and an Enforcement Notice was subsequently served requiring the importation of SF to cease and the pad to be dismantled.
- 5.3 Both the planning decision and the enforcement notice were appealed and the Planning Inspectorate went on to ultimately dismiss both appeals.
- 5.4 Following the expiry of the Enforcement Notice timescales for compliance, the Planning Committee were asked to consider a number of options available to them to seek compliance. The decision taken by the Planning Committee was to extend the timescale for compliance to allow Catplant additional time to seek the deployment of SF from the site onto suitable non-agricultural restoration schemes. As part of the Planning Committee's decision to extend the timescale for compliance, it was requested that quarterly reports be brought to the Planning Committee to update them on progress. In short, following the production of the quarterly reports – no SF was removed from the site.
- 5.5 On 20th June 2014, Catplant submitted a planning application (Ref: 14/01110/WCCC) that sought to amend the quarry restoration (in part) from an agricultural to a non-agricultural restoration – thereby removing the fundamental concern of using SF on agricultural land. Following confirmation from the LPA that the growing of bio-crops was an agricultural end use the application was withdrawn by Catplant on 16th March 2015.
- 5.6 The application referred to in 5.1 above was accepted and validated by the LPA on 8th April 2015 given the situational change with the proposal. In summary, Sterecycle were no longer operational and as such no further SF was being produced for stockpiling at Hazel Lane Quarry as an active waste transfer site. Following consideration of the merits of the application and having regard to the Planning Inspector's report and decision, a recommendation was made to refuse permission as a result of the ongoing harm to the openness of the Green Belt with no very special circumstances having been demonstrated to outweigh this. This is the subject of the forthcoming planning appeal.
- 5.7 On 17th May 2016 Catplant submitted a Certificate of Lawfulness application to seek approval for the use of SF as a 'soil conditioner' over the entire Hazel Lane Quarry site. The LPA refused the Certificate submission on 12th July 2016, on the basis that the use of SF as a soil conditioner over the Hazel Lane Quarry site requires written approval from the Local Planning Authority under the conditions imposed on planning permission 01/0817/P and no such written approval had been given.
- 5.8 On the 17th May 2016 Catplant also submitted a request to discharge Condition 29 of Planning Permission. Condition 29 reads:

*'All topsoil and subsoil shall be permanently retained on the site for subsequent use in restoration. **No soils or soil making materials for use in restoration shall be brought onto site unless otherwise approved in writing by the Mineral Planning Authority.***

REASON

To protect the soil resource

- 5.9 The submission sought approval for the use of SF to aid the restoration of the site under Condition 29. The application was made without prejudice to the associated application for a Certificate of Lawfulness for the use of SF as a soil conditioner. The basis for the Certificate application is that the SF is not a soil or soil making material and therefore its use did not require the approval of the Mineral Planning Authority under Condition 29.
- 5.10 The applicant's contention was that once re-spread on the landfill surface, the soils can be used for the purposes of agriculture and the production of agricultural crops (biomass) will be enhanced by the use of soil conditioners which add fertiliser and organic material to provide additional nutrients and improve moisture retention.
- 5.11 On the 11th July 2016 Catplant submitted a 'repeat application' following refusal of 15/00728/TIP to seek to retain the SF pad and stockpile for 6 years. The LPA determined to not validate the application having regard to the provisions of Section 70C of the Town and Country Planning Act 1990 (as amended). In summary, the situation was no different to the refused application 2015 application.
- 5.12 The Council's refusal of the planning application (Ref: 15/00728/TIP), the certificate of lawfulness (Ref: 16/01360/CPL) and the condition 29 discharge request are all linked and have implications in terms of the intention to utilise SF on this site for restoration purposes and the resultant impacts that this will have on the agricultural quality of the restored Hazel Lane Quarry site, which goes beyond the planning reason for refusal in terms of inappropriate development in the Green Belt, the continuing harm caused to the openness of the Green Belt and no very special circumstances having been demonstrated.
- 5.13 The appellant's intention to use SF on this site flows throughout these three planning processes. The planning application sought to retain SF on site for at least a further six years whilst the material was either deployed from site (which moving forwards is considered very unlikely) or used on-site for restoration purposes; the certificate application sought permission to use SF as a soil conditioner for the restoration of the site; the condition discharge sought permission to import SF for restoration purposes.
- 5.14 The Planning Committee is therefore requested to endorse Officers at the forthcoming planning appeal to have consideration to the use of SF on the Hazel Lane Quarry site for restoration purposes in terms of the wider adverse impacts on the agricultural/soil resource.

OPTIONS CONSIDERED

6. N/A

REASONS FOR RECOMMENDED OPTION

7. The recommended option will ensure that the LPA at the forthcoming Inquiry (specifically in relation to the planning appeal) is able to fully raise with the Planning Inspector the wider planning concerns with the appellant's

intention to utilise SF as part of the restoration of the Hazel Lane Quarry site.

IMPACT ON THE COUNCIL'S KEY OUTCOMES

8.

	Outcomes	Implications
	<p>All people in Doncaster benefit from a thriving and resilient economy.</p> <ul style="list-style-type: none"> • <i>Mayoral Priority: Creating Jobs and Housing</i> • <i>Mayoral Priority: Be a strong voice for our veterans</i> • <i>Mayoral Priority: Protecting Doncaster's vital services</i> 	N/A
	<p>People live safe, healthy, active and independent lives.</p> <ul style="list-style-type: none"> • <i>Mayoral Priority: Safeguarding our Communities</i> • <i>Mayoral Priority: Bringing down the cost of living</i> 	Planning Committee endorsing Officers to defend the planning appeal re: concerns over the degradation of the agricultural quality of the restored site will ensure that the implications of using SF on this site are fully considered.
	<p>People in Doncaster benefit from a high quality built and natural environment.</p> <ul style="list-style-type: none"> • <i>Mayoral Priority: Creating Jobs and Housing</i> • <i>Mayoral Priority: Safeguarding our Communities</i> • <i>Mayoral Priority: Bringing down the cost of living</i> 	Planning Committee endorsing Officers to defend the planning appeal re: concerns over the degradation of the agricultural quality of the restored site will ensure that the implications of using SF on this site are fully considered.
	<p>All families thrive.</p> <ul style="list-style-type: none"> • <i>Mayoral Priority: Protecting Doncaster's vital services</i> 	N/A
	<p>Council services are modern and value for money.</p>	N/A
	<p>Working with our partners we will provide strong leadership and governance.</p>	N/A

RISKS AND ASSUMPTIONS

9. None

LEGAL IMPLICATIONS

10. The endorsement by the Planning Committee of the approach outlined above within the forthcoming appeal will assist in enabling the Local Planning Authority to fully raise with the Planning Inspector the wider planning concerns of the use of Sterefibre as part of the restoration of the Hazel Lane Quarry site.

FINANCIAL IMPLICATIONS

11. None

HUMAN RESOURCES IMPLICATIONS

12. None

TECHNOLOGY IMPLICATIONS

13. None

EQUALITY IMPLICATIONS

14. None

CONSULTATION

15. Legal Services & Counsel

BACKGROUND PAPERS

16. 15/00728/TIP - *The stockpiling of 'Sterefibre' and the retention of an engineered fibre storage pad for a temporary period of 6 years (Retrospective)*. Refused 20.11.2015.

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

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