

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, 19th September, 2017
TIME: 2.00 pm

BROADCASTING NOTICE

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Items for Discussion:

- | | PageNo. |
|---|----------------|
| 1. Apologies for Absence | |
| 2. To consider the extent, if any, to which the public and press are to be excluded from the meeting. | |

Jo Miller
Chief Executive

Issued on: Monday, 11 September 2017

Senior Governance Officer
for this meeting:

David M Taylor
(01302) 736712

| | | |
|-----------|--|---------|
| 3. | Declarations of Interest, if any. | |
| 4. | Minutes of the Planning Committee Meeting held on 22nd August, 2017. | 1 - 6 |
| A. | Reports where the Public and Press may not be excluded. | |
| | <u>For Decision</u> | |
| 5. | Schedule of Applications | 7 - 62 |
| | <u>For Information</u> | |
| 6. | Appeal Decisions | 63 - 72 |
| B. | Items where the Public and Press may be excluded in accordance with grounds specified in the Local Government Act 1972, as amended. | |
| 7. | Enforcement Cases Received and Closed for the Period of 9th August to 5th September, 2017 (Exclusion paragraph 6). | 73 - 90 |

Members of the Planning Committee

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

Councillors Duncan Anderson, Mick Cooper, Susan Durant, John Healy, Sue McGuinness, Andy Pickering, Tina Reid, Dave Shaw and Jonathan Wood

Agenda Item 4.

DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE

TUESDAY, 22ND AUGUST, 2017

A MEETING of the PLANNING COMMITTEE was held at the COUNCIL CHAMBER, CIVIC OFFICE on TUESDAY, 22ND AUGUST, 2017, at 2.00 pm.

PRESENT:

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

Councillors Duncan Anderson, Mick Cooper, John Healy, Sue McGuinness, Andy Pickering and Jonathan Wood.

APOLOGIES:

An apology for absence was received from Councillor Dave Shaw.

20 DECLARATIONS OF INTEREST, IF ANY

In accordance with the Members' Code of Conduct, Councillor Mick Cooper declared a Disclosable Pecuniary Interest in Application No. 17/01369/FULM (Agenda Item 5 (1)) by virtue of undertaking a Tree Survey for the Applicant, Strata Homes Ltd, to support the Planning Application and therefore, took no part in the discussion at the meeting and vacated the room during consideration thereof.

21 MINUTES OF THE PLANNING MEETING HELD ON 25TH JULY, 2017

RESOLVED that the minutes of the meeting held on the 25th July, 2017, be approved as a correct record and signed by the Chair.

22 SCHEDULE OF APPLICATIONS

RESOLVED that upon consideration of a Schedule of Planning and Other Applications received, together with the recommendations in respect thereof, the recommendations be approved in accordance with Schedule and marked Appendix 'A'.

23 TOWN AND COUNTY PLANNING ACT 1990, SECTION 106 AGREEMENT

RESOLVED that prior to the issue of planning permission in respect of the following planning application, which is included in the Schedule of Planning and Other Applications marked Appendix 'A' and attached hereto, the applicant be required to enter into an Agreement under Section 106 of the Town and Country Planning Act 1990, regulating the development:-

| Application No | Description and Location |
|----------------|---|
| 17/01369/FULM | Erection of 31 dwellings on land off Malton Way, Adwick Le Street, Doncaster. |

24 APPEAL DECISIONS

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

| Application No | Application Description & Location | Appeal Decision |
|----------------|--|--------------------------------|
| 16/01898/FUL | Change of use of garages to form a self-contained one bedroom flat at 3 St Marys Cottages, St Marys Road, Tickhill, Doncaster. | Appeal Dismissed 08/08/2017 |
| 16/02221/FUL | Erection of detached house with detached garage at land in front of 12 Cantley Lane, Cantley, Doncaster. | Appeal Dismissed 20/07/2017 |

25 ATTERO HGV PARK PLANNING APPLICATION - POSITION STATEMENT

The Committee received a report updating Members on the consideration of the temporary Attero HGV Park under Planning Reference 16/02386/COUM.

It was reported that at the Committee meeting held on 30th May, 2017, the application was deferred for a Site Visit which was subsequently undertaken on 22nd June, 2017. In addition, Officers had also conducted a separate visit and identified a potential breach of planning control with the Attero operations having expanded outside of its permitted area. Officers had taken on board comments raised at the Planning Committee and sought further legal advice concerning the current actions of Attero and the potential implications for the proposal for a temporary Attero HGV Park.

It was noted that on the 7th August, 2017, two Planning Contravention Notices (PCNs) were served on Attero. These would allow the Council to formally request and receive information within a specified timescale, about any use or operations being carried out on land, and could be used to invite a constructive response about how any suspected breach of planning control may be able to be satisfactorily remedied.

Members were advised that a decision on the proposal for a temporary Attero HGV Park must be made as soon as possible. However, Officers and concurrent with legal advice, were of the opinion that the application could not be determined without consideration as to whether the current activities taking place at the site, were having an impact on the lawful use at the site, particularly in terms of HGV movements. Therefore, it was imperative that Officers consider the information received as a result of the PCNs, as this could affect the overall planning balance when considering the temporary Attero HGV Park application.

RESOLVED the progress report relating to the temporary Attero HGV Park Planning Application, be noted.

26 ENFORCEMENT CASES RECEIVED AND CLOSED FOR THE PERIOD OF 13TH JULY TO 8TH AUGUST, 2017

The Committee considered a report which detailed all Planning Enforcement complaints and cases received, and closed during the period 13th July to 8th August, 2017.

RESOLVED that all Planning Enforcement Cases received and closed for the period 13th July to 8th August, 2017, be noted.

DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE – 22nd August, 2017

| | | | |
|------------------------------|--|---------------------------------|-------------------------------|
| Application | 1 | | |
| Application Number: | 17/01369/FULM | Application Expiry Date: | 1st September, 2017 |
| Application Type: | Full Planning Major | | |
| Proposal Description: | Erection of 31 dwellings | | |
| At: | Land off Malton Way, Adwick Le Street, Doncaster | | |
| For: | Strata Homes Ltd | | |
| Third Party Reps: | 0 | Parish: | |
| | | Ward: | Adwick-Le-Street and Carcroft |

A proposal was made to grant the application subject to a Section 106 Legal Agreement.

Proposed by: **Councillor John Healy**

Seconded by: **Councillor Sue McGuinness**

For: 7 Against: 0 Abstain: 0

Decision: Planning Permission granted subject to the completion of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) in relation to the following matters and the Head of Planning be authorised to issue the planning permission on completion of the Agreement:-

- (i) £91,485 towards the provision of School places for Adwick Outwood Academy; and**
- (ii) £96,604 towards the provision of off-site Affordable Housing provision.**

In accordance with Planning Guidance 'Having Your Say at Planning Committee', Mr. Ian Corner, Strata Homes Ltd, spoke in support of the application for the duration of up to 5 minutes.

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| Application | 2 |
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|----------------------------|--------------|---------------------------------|-----------------|
| Application Number: | 17/01207/FUL | Application Expiry Date: | 12th July, 2017 |
|----------------------------|--------------|---------------------------------|-----------------|

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|--------------------------|------------------|
| Application Type: | Full Application |
|--------------------------|------------------|

| | |
|------------------------------|---|
| Proposal Description: | Change of use from Community facility to form 7 room hostel at ground floor (C1), 6 bed HiMO (C4) to first floor, and 2 studio apartments to new second floor (C3); with associated works |
| At: | Church Hall, 61A Carr House Road, Hyde Park, Doncaster |

| | |
|-------------|------------|
| For: | Mr R Bhatt |
|-------------|------------|

| | | | |
|--------------------------|----|----------------|------|
| Third Party Reps: | 19 | Parish: | |
| | | Ward: | Town |

A proposal was made to refuse the application.

Proposed by: **Councillor Iris Beech**

Seconded by: **Councillor Andy Pickering**

For: 8 Against: 0 Abstain: 0

Decision: Planning permission refused.

In accordance with Planning Guidance 'Having Your Say at Planning Committee', Mr. Ian Lord, the Agent and Mr. Raj Bhatt, the Applicant, spoke in support of the application for the duration of up to 5 minutes.

In accordance with Planning Guidance, 'Having Your Say at Planning Committee', Councillor John McHale, Local Ward Member, spoke in opposition to the application for the duration of up to 5 minutes.

(The receipt of an additional objection from neighbouring residents was reported at the meeting. With the agreement of the Chair, Councillor Eva Hughes, the Applicant distributed a document relating to his Company to Members of the Committee present at the meeting).

| | |
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| Application | 3 |
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|----------------------------|--------------|---------------------------------|-----------------|
| Application Number: | 17/01262/COU | Application Expiry Date: | 17th July, 2017 |
|----------------------------|--------------|---------------------------------|-----------------|

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| Application Type: | Full Application |
|--------------------------|------------------|

| | |
|------------------------------|---|
| Proposal Description: | Change of use of domestic shed to a dog grooming business |
| At: | 1 Clifton Byres, Clifton, Rotherham S66 7RS |

| | |
|-------------|------------------------|
| For: | Miss Hannah Burkinshaw |
|-------------|------------------------|

| | | | |
|--------------------------|---|----------------|----------------------------------|
| Third Party Reps: | 5 | Parish: | Conisbrough Parks Parish Council |
| | | Ward: | Conisbrough |

A proposal was made to grant the application.

Proposed by: **Councillor Jonathan Wood**

Seconded by: **Councillor Duncan Anderson**

For: 7 Against: 0 Abstain: 0

Decision: Planning permission granted subject to an amended floor plan being submitted to the Local Planning Authority showing the correct dimensions of the existing shed and upon receipt and acceptance of the amended floor plan, the Head of Planning be authorised to issue the decision.

In accordance with Planning Guidance, 'Having Your Say at Planning Committee', Mr. Colin Lightfoot 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', Miss Hannah Burkinshaw, the Applicant, and Mrs Dianne Burkinshaw, the land owner, spoke in support of the application for the duration of up to 5 minutes each.

(The receipt of an additional representation from Conisbrough Park Parish Council relating to further details of the covenant on the land and outlining the communities opinion of the upset caused by the Application, were reported at the meeting).

DONCASTER METROPOLITAN BOROUGH COUNCIL

Date 19th September 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. | 17/01587/FUL | Adwick Le Street And Carcroft | |
| 2. | 17/01577/FUL | Town | |
| 3. | 17/01656/FUL | Sprotbrough | Adwick-on-Deerne Parish Council |
| 4. | 17/01887/3FUL | Bessacarr | |

DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE - 19th September 2017

Application 1

| | | | |
|----------------------------|--------------|---------------------------------|------------------|
| Application Number: | 17/01587/FUL | Application Expiry Date: | 18th August 2017 |
|----------------------------|--------------|---------------------------------|------------------|

| | |
|--------------------------|------------------|
| Application Type: | Full Application |
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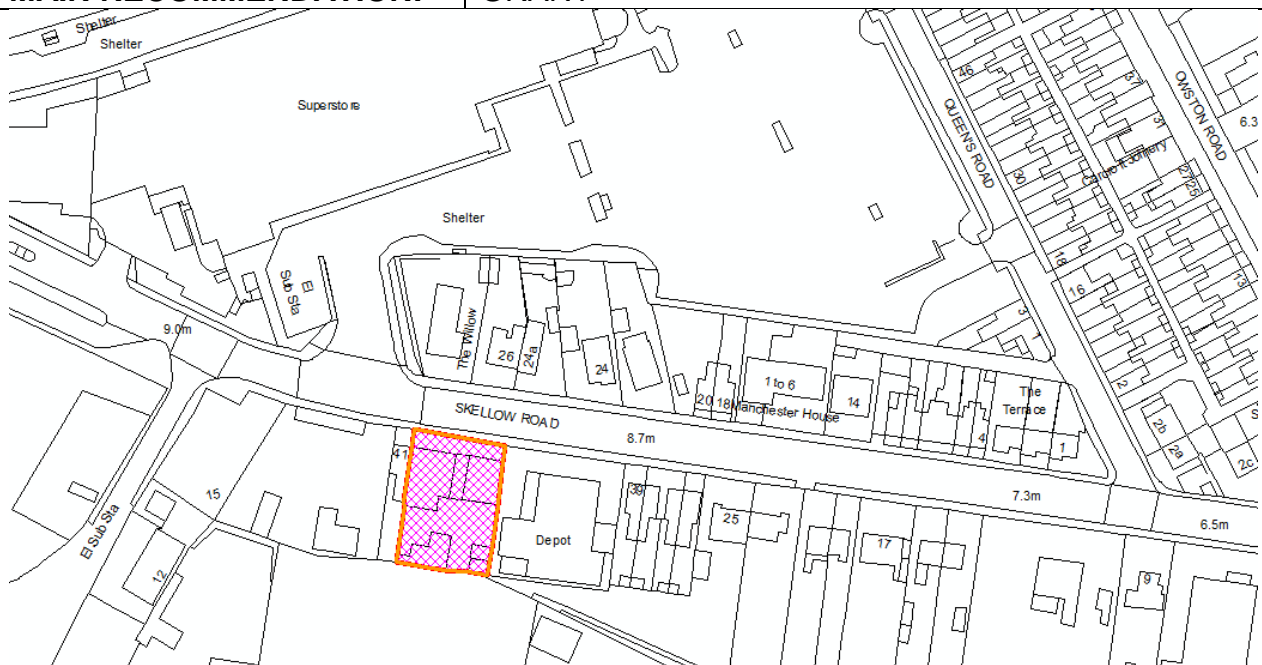
| | |
|------------------------------|--|
| Proposal Description: | Conversion of 1st floor commercial space to form 6 apartments and alterations to rear elevation. Conversion of out-building store to form 1 apartment and associated external alterations. Use of rear courtyard for a private car park. |
| At: | Suite Express House 39A Skellow Road Carcroft Doncaster |

| | |
|-------------|--------------------------------|
| For: | Suite Express - Mr Grant Berry |
|-------------|--------------------------------|

| | | | |
|--------------------------|------------------------|----------------|-------------------------------|
| Third Party Reps: | 8 letters of objection | Parish: | |
| | | Ward: | Adwick Le Street And Carcroft |

| | |
|-------------------------|---------------|
| Author of Report | Elizabeth Maw |
|-------------------------|---------------|

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| MAIN RECOMMENDATION: | GRANT |
|-----------------------------|-------|



1.0 Reason for Report

1.1 The application is being presented to committee due to the significant public interest shown in the application.

2.0 Proposal and Background

2.1 The proposal is for:

- a) Conversion of a first floor above a row of shops to 6 flats.
- b) Conversion of an outbuilding to a dwelling.
- c) Creation of a private parking area following demolition of an outbuilding.
- d) Minor alterations to the exterior.

2.2 In 2010 an almost identical scheme was approved by the Local Planning Authority. This scheme is a slight improvement to the 2010 scheme because it includes a bin storage area, obscured windows to protect a neighbour and better residential amenity for the occupier of the proposed outbuilding.

2.2 The application site is located on the main thoroughfare in Skellow being accessed from Skellow Road. Opposite is the entrance to the Asda superstore with various access points to residential dwellings along the route.

2.3 The building is two storeys and divided up into four commercial uses on the ground floor. The first floor is not used. The property benefits from access through the middle of the premises at ground floor creating an arch into the rear courtyard.

2.4 The site is allocated in the local plan as Residential Policy Area.

3.0 Relevant Planning History

3.1 Planning reference 10/03511/ FUL, Granted on 24.03.2011:
Conversion of 1st floor commercial space to form 6no. apartments and conversion of outside store building to 1no. form apartment and demolition of the other outbuilding to form additional car parking.

4.0 Representations

4.1 The application has been publicised by notifying properties directly opposite and those that share a boundary with the site.

Eight letters have been received objecting to the development. The concerns of these objectors are:

- a) Residential amenity concerns: problem tenants, noise, rubbish and anti-social behaviour.
- b) Highways: The access is unsafe due to visibility and the high volume of traffic using Skellow Road.

c) Construction noise and dust causing a disruption to nearby homes and businesses.

d) More flats are unnecessary because there are already numerous flats in the nearby area.

5.0 Relevant Consultations

5.1 Environmental Health

No objections, subject to conditions which relate to soundproofing the ceiling so the commercial properties are not disturbed and a condition to control dust and construction times.

The condition to control dust and construction times will be imposed as informative because any nuisance is controlled by other legislation, this is a small residential scheme, the site is on a main road and most works are internal.

5.2 Highways Development Control

No objections. Parking provision is acceptable. The traffic generated by the development is minimal.

5.3 Environment Agency

No objections, subject to conditions.

5.4 South Yorkshire Police

No response received.

6.0 Relevant Policy and Strategic Context

National Planning Policy Framework (NPPF)

Doncaster Council's Core Strategy:

CS4: Flooding and Drainage

CS14: Design and Sustainable Construction

Saved Doncaster Unitary Development Plan:

PH11: Residential Uses and Residential Policy Areas

ENV54: Alterations and Extensions

7.0 Planning Issues and Discussion

Principle

7.1 Using the upper floors of commercial buildings for residential is not uncommon and tends to be a good way of maximising the use of a building. The conversion of the redundant outbuilding is also acceptable in principle. Furthermore, given the sustainable location of the site and the land allocation as a residential policy area, a residential use is generally suitable in these areas.

Character and Appearance

7.2 The changes to the exterior consist of:

Alterations to the openings of the outbuilding
Removing the existing first floor staircase and the door replaced with a window.
Blocking up one window

7.3 The changes have no material effect to the building or the character of the surrounding area.

Highways and Parking

7.4 Six of the eight representations have objected for highway and parking reasons. Local residents advise Skellow Road is already a busy road because it provides access to the A1 and gives access to the nearby ASDA supermarket. The additional vehicular movements on and off this site is in the residents view deemed to be unsafe due to visibility and the high volume of traffic using Skellow Road.

7.5 The rear courtyard is currently unused. There is no vehicular access to it because it is locked by a gate. The proposal will create 15 new parking spaces, which will be for private use. 15 spaces for this 7 flat scheme are sufficient for a scheme of this size.

7.6 Highways Development Management has assessed the scheme. They advise this is an identical scheme to the April 2011 planning consent and it is not considered that there has been a material change in circumstances which would alter the views of Highways Development Management. The proposal provides the required level of parking in accordance with the council's parking standards and the traffic generated by such a proposal is minimal and therefore the impact on the B1220, Skellow Road is considered to be negligible.

Overlooking

7.7 There are no overlooking concerns for the following reasons:

- a) The proposal makes use of existing windows.
- b) There are two windows on the side elevation alongside the garden of 41 Skellow Road. The applicant has agreed to block up one window and have the remaining window as obscure glazed and non-opening.
- c) Three of the flats will face onto Skellow Road, which is deemed acceptable, as front elevations facing busy roads have reduced privacy and there is a 25m separation distance to the properties on the opposite side of the road. The other three flats face the rear have views into the industrial estate.
- d) The single storey outbuilding is contained within the rear courtyard and therefore has no material impact to surrounding land.

Other Residential Amenity Concerns

7.8 Some objectors consider the size of the flats to be small and therefore could attract problem tenants. Local residents are also worried for the potential associated noise, rubbish and anti-social behaviour.

7.9 Class G, Schedule 2 of the Town and Country Planning (General Permitted Development) (England)(Order) 2015 states it is permitted development to have two flats above a shop (Class A1). There are four commercial units at ground floor and three are defined as shops (Class A1). Therefore, the owner could convert the upstairs to six flats without planning consent. The benefit of this application is the owner can have a floor layout to suit his requirements and the Local Planning Authority can control additional aspects such as obscure glazed windows alongside No41 and retention of car parking.

7.10 With regards to the merits of the proposal, it is very common for flats to be above shops and they are an important housing source for couples and single persons. Where flats are located alongside busy main roads (such as this site) the comings and goings should not be easily distinguishable to nearby residents.

7.11 The flats are accessed and serviced from a self-contained rear yard so any comings and goings should be almost unnoticeable to nearby residents. The officer is aware of some crime and vandalism problems in the ground floor shops but the creation of a residential property in the rear yard and 6 new flats will provide natural surveillance to the site 24 hours a day. South Yorkshire Police were consulted but at the time of writing this report have not made comment. Any consultation response received will be reported at committee as a pre committee amendment.

7.12 Amended plans have been received to show a bin store large enough for waste and recycling.

Flooding

7.13 The site is within flood zone 3 (high probability of flooding).

7.14 Paragraph 100 of the NPPF states "inappropriate development in areas at risk from flooding should be avoided by directing development away from areas at risk but where development is necessary, making it safe without increasing flooding elsewhere".

7.15 The rear outbuilding is most vulnerable to flooding but the outbuilding is over a metre higher than predicted floor levels. The owner has agreed to raise the floor level in the outbuilding by 300mm for additional protection. The site did not flood in the flood events of 2007, 2000 and 1947.

7.16 The Environment Agency has checked the flood risk assessment and raises no objections, subject to conditions.

7.17 The submitted proposal is safe because the upper floor apartments and the outbuilding are above predicted floor levels. An informative note is included advising tenants to sign up to flood warnings. In addition, the preparation of a flood evacuation plan will be a condition of the planning approval and all households should have a copy when they move in.

7.18 No sequential test is required because this is a conversion with no extensions. The Doncaster Flooding SPD states that "Where a change of use proposal involves only minor operational development, which would not create additional living space or operational floor space, a Sequential Test will not be required".

8.0 Summary and Conclusion

8.1 The conversion is appropriate in principle. The material considerations (flooding, highway safety, residential amenity, crime and community cohesion) have been assessed and the representations received have been taken into consideration. The proposal is deemed to be acceptable and in compliance with policies as set out in the NPPF, Core Strategy, UDP and supplementary planning documents.

9.0 Recommendation

GRANT Full planning permission subject to the following conditions:

01. STAT1 The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.
REASON
Condition required to be imposed by Section 91(as amended) of the Town and Country Planning Act 1990.

02. 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. U54902 The development hereby permitted shall be carried out in complete accordance with the details shown on the amended plans referenced and dated as follows:
Proposed plans main building: Drawing number BDS-2017-16-04 Revision A stamped 'AMENDED PLANS 30.08.2017'
Existing and proposed plans outbuilding: Drawing number BDS-2017-16-05 revision A stamped AMENDED PLANS 30.08.2017
Site Plan: Drawing number BDS-2017-16-02 Revision A stamped AMENDED PLANS 30.08.2017
REASON
To ensure that the development is carried out in accordance with the application as approved.

04. 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.

05. U54906

Prior to occupation of the residential properties hereby approved, the private parking spaces shall be available for use. Unless otherwise agreed in writing by the Local Planning Authority, the parking spaces shall be retained for the lifetime of the development.

REASON

To ensure parking spaces are always available for tenants throughout the lifetime of the development, in the interests of reducing the potential nuisance that can be created from on street parking.

06. 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.

07. U54907

Prior to occupation, sound insulation between the ceiling of the commercial units and the floor of the residential units and the party wall with 41 Skellow Road shall be installed in accordance with Building Regulations Approved Document E.

REASON

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

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. U54923

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) for the change of use and conversion of 1st floor commercial space to form 6 apartments and alterations to rear elevation.

Conversion of out-building store to form 1 apartment and associated external alterations. | Suite Express House 39A Skellow Road Carcroft Doncaster DN6 8HQ <June 2017> and the following mitigation measures detailed within the FRA:

Finished floor levels are set no lower than 300mm above the existing ground level as shown in drawing No. BDS-2017-16-02.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

REASON

To reduce the risk of flooding to the proposed development and future occupants.

10. U54924

Prior to occupation of the residential properties hereby approved, a flood evacuation plan shall be submitted to and approved in writing by the Local Planning Authority. A copy of the approved flood evacuation plan shall be handed to each household when they move into the flats hereby approved. The flood evacuation plan shall be updated annually or after a flood event (whichever date is the sooner).

REASON

To ensure the occupiers of the flats are aware of the flood risk and they are prepared for possible flood events in accordance with Core Strategy Policy CS4: Flooding and Drainage.

01. U11648

INFORMATIVE

To ensure neighbouring properties are not adversely affected by the conversion, the LPA recommends deliveries to and from the site, the loading or unloading of raw materials and operation hours during the construction phase of the development shall be restricted to the hours of 08:00 to 18.00 Monday to Friday and 08.00 to 14.00 on a Saturday.

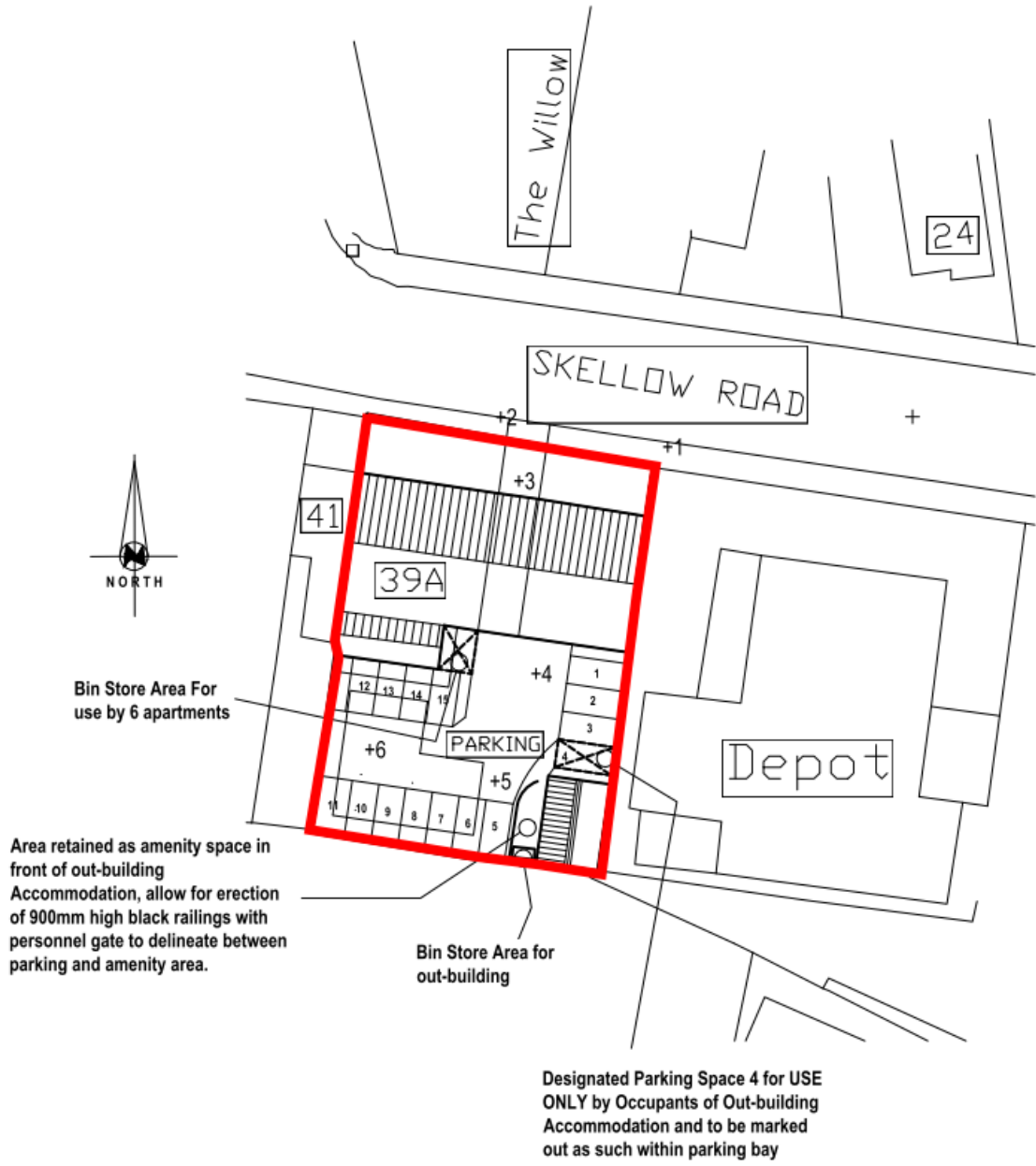
02. U11654

INFORMATIVE

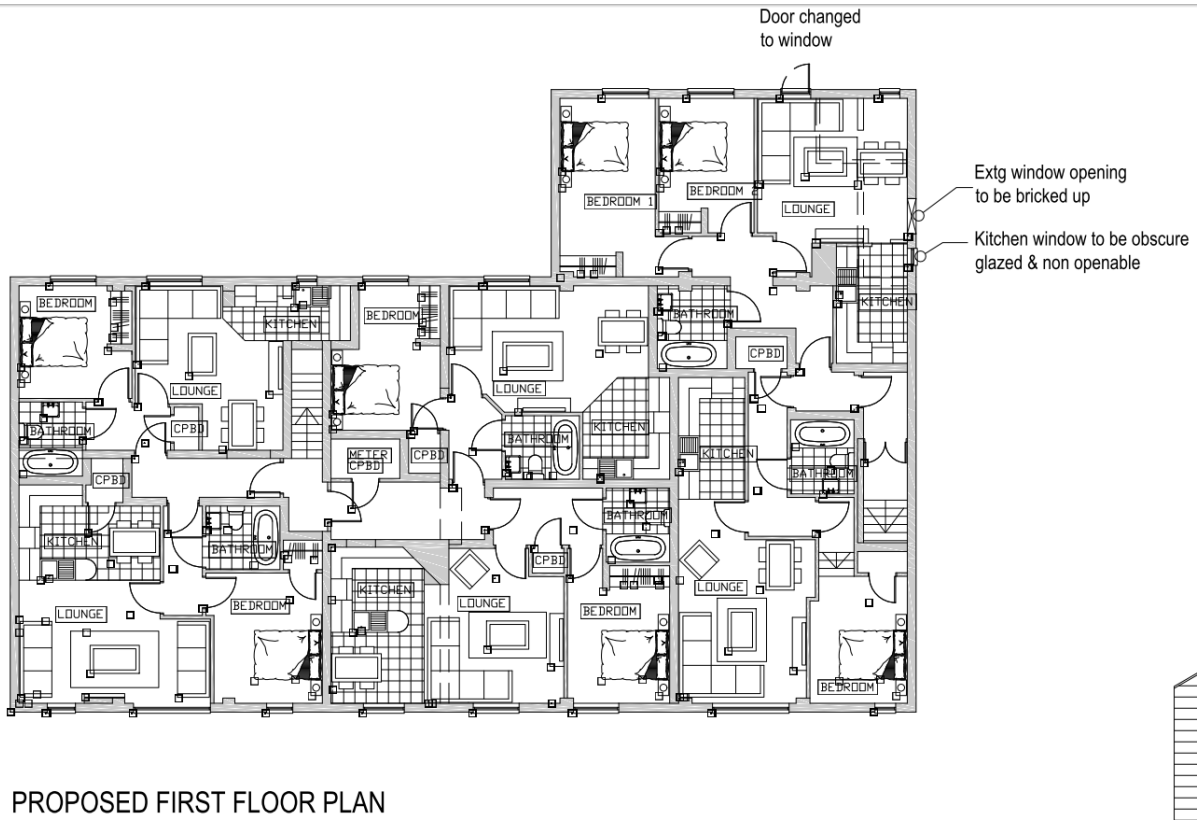
The outbuilding to be demolished is close to a residential property at 41 Skellow Road. Therefore, whilst the outbuilding is being demolished the developer should ensure the transmission and effects of dust associated with the demolition of the outbuilding is minimised.

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.

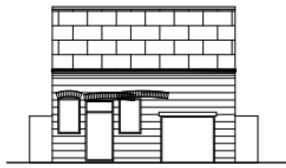
Appendix 1: Site Plan



Appendix 2: Proposed Plans: Flats



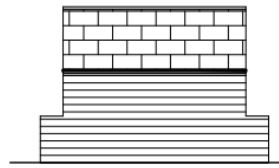
Appendix 3: Proposed Plans: Outbuilding



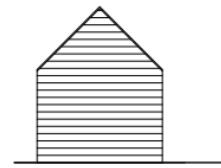
EXISTING FRONT ELEVATION
(West)



EXISTING SIDE ELEVATION
(North)



EXISTING REAR ELEVATION
(East)



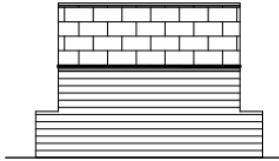
EXISTING SIDE ELEVATION
(South)



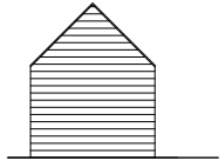
PROPOSED FRONT ELEVATION
(West)



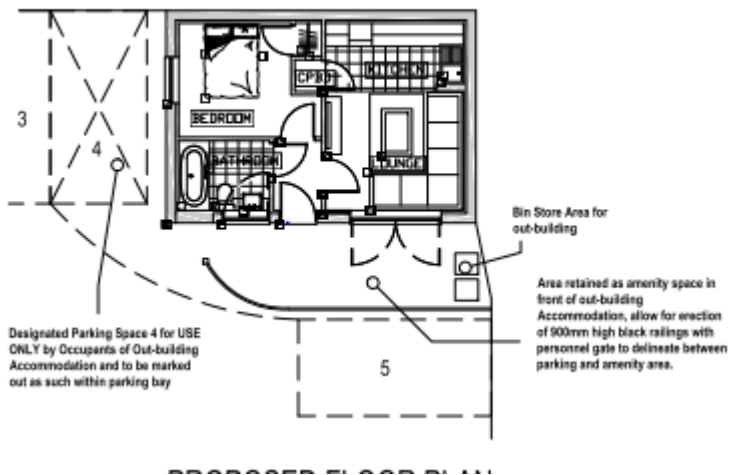
PROPOSED SIDE ELEVATION
(North)



PROPOSED REAR ELEVATION
(East)



PROPOSED SIDE ELEVATION
(South)



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DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE -

Application 2

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| Application Number: | 17/01577/FUL | Application Expiry Date: | 15th August 2017 |
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| Application Type: | Full Application |
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| Proposal Description: | Erection of a bronze statue placed on top of 4-sided stone plinth, together with the placing of a small dedication plinth with inscriptions (as a dedication to the Kings Own Yorkshire Light Infantry). |
| At: | Rose Garden Elmfield Park Roman Road Bennetthorpe |

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| For: | Major Derek Searby |
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| Third Party Reps: | 5 | Parish: | |
| | | Ward: | Town |

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| Author of Report | Roy Sykes |
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| MAIN RECOMMENDATION: | GRANT PLANNING PERMISSION but to allow delegated authority to the Head of Planning to issue the decision following the expiry of the renewed publicity period and taking into account any issues should they arise. |
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1.0 Reason for Report

1.1 This application is being presented to the Planning Committee as the Council is the owner of the land.

2.0 Proposal and Background

2.1 The proposal seeks permission for the change of use of land for the siting of a memorial statue to commemorate the King's Own Yorkshire Light Infantry (KOYLI) within Elmfield Park - in the area of a rose garden.

2.2 The proposal itself involves:

- a) A bronze statue of a KOYLI soldier - c. 2.1m high;
- b) A stone plinth upon which the statue will stand - c. 1.5m high (and 1.5m wide);
- c) A stand-alone dedication plinth - c. 1.1m high (and 0.6m wide).

2.3 By way of background, the KOYLI regiment were active between 1881 and 1968 and have strong links to Doncaster and next year (1st August 2018) commemorates 50 years since the regiment was removed from the British Army order of battle and taken from the list of line regiments.

2.4 The rose garden itself lies to the front of Elmfield House which is a Grade II Listed Building and lies within the Doncaster - Bennetthorpe Conservation Area. Bennetthorpe and its continuation as South Parade is an impressive approach into Doncaster and is characterised by town houses lining the streets, which are broken on the south by Elmfield House and its ground. The House and its former grounds are also considered a Park and Garden of Local Historic Interest

2.5 Elmfield House was built in 1803 and is stucco with painted ashlar dressings and a slate roof. The principal elevation of the house faces north-east towards the great north road with a secondary south east elevation overlooking the parkland, now Elmfield Park (and including the rose garden). The original significance of the park as forming the setting of Elmfield House has been augmented by its significance as a municipal park from the interwar period. This is a typical park of the time when similar areas of private parkland close to town centres came under the control of local authorities who converted them for the amenity of local people. The main entrance to the park from Bennetthorpe is at the foot of Hall Cross Hill, where the town cenotaph, which is now also Grade II listed, is located.

3.0 Relevant Planning History

3.1 None relevant.

4.0 Representations

4.1 The application has been advertised by two site notices. The second site notice was required as it was noticed that the first notice was erroneously advertised as being due to 'Public Interest', when in fact it should have been due to the 'Affecting the setting of a Listed building/Conservation Area'. A corrected site notice was posted on the 22nd August 2017 with a deadline of 12th September for any observations. However, the Press Notice expiry date for the revised site notice does not expire until 29th September 2017. This is a purely procedural matter to ensure compliance with the Regulations.

4.2 In total, 4 individual letters of objection have been received raising matters including:

- i) Statue is too large and overbearing
- ii) Soldier and gun is not appropriate

4.3 In total there has been 1 individual letter of support.

4.4 A representation has also been received from Cllr McDonald, neither supporting nor objecting to the proposal, but raised a number of concerns in relation to the design and that the proposal may be subject to vandalism.

4.5 For Members information, Officers have also been made aware of a Radio Sheffield Facebook page, which was set up following a Radio Sheffield news item on the concerns raised by local residents. Numerous public comments (329 as of 6 Sept 2017) have been posted - the significant majority of which are in support of the scheme.

5.0 Parish Council

5.1 There is no Parish Council.

6.0 Relevant Consultations

DMBC Conservation and Design Officer - No objections and advises that the proposal is considered to be in keeping with its setting and is therefore supported.

DMBC Assets - No objections.

Doncaster Civic Trust – Objects. The sculpture is considered to be good but its setting is inappropriate. The aggression is totally alien to the tranquillity of the rose garden.

7.0 Relevant Policy and Strategic Context

Saved UDP Policies:

RL1 - Open Space Policy Area

ENV25 - Conservation Areas

National Planning Policy Framework:

8.0 Planning Issues and Discussion

8.1 The main issues are:

- a) Principle of the proposal
- b) Impact on the Conservation Area or setting of the Listed Building

Principle

8.2 The proposal is located within an area defined by the Proposals Map of the Unitary Development Plan (UDP) as both Open Space Policy Area and a Conservation Area. Accordingly saved UDP Policies RL1 and ENV25 are relevant.

8.3 Saved UDP Policy RL1 states that development will only be permitted for outdoor recreation and ancillary indoor facilities, allotment, nature conservation, or cemetery uses - provided that there is no significant loss of outdoor play space; the visual amenity of the space is retained and where possible enhanced; and the environmental value of open space is retained.

8.4 The proposal will not lead to a significant loss of open space and would only utilise a very small part of this much wider and expansive area. Indeed, the proposal will be used in conjunction with the designated open space, landscaping and seating areas. The proposal is for a stationary statue atop a plinth with dedication stone and will not cause noise, disturbance or any harm to neighbouring amenity. In addition, the proposal is on land set well away from the highway and its scale will not harm the character or appearance of the area. This is assessed in more detail in the Listed Building/Conservation Area assessment below.

8.5 The use can also be seen to be akin to a 'cemetery use' in that it commemorates the service given by the KOYLI's to the country in the various theatres in which it operated. This is reinforced by the dedication plinth, which proposes the wording '*This memorial remembers all those who served and those who fell in the service of the 51st and 105th regiments*'.

8.6 The proposal is therefore considered to be in accordance with saved UDP Policy RL1.

Setting of Listed Building & Conservation Area

8.7 Saved UDP Policy ENV25 details that development will not be permitted if it would detract from the character or appearance of the area by virtue of its nature, height, density, form, scale, materials or design or by the removal of trees or other important landscape features.

8.8 The high quality nature of the statue together with its location, which is set-back from the main footpath crossing Elmfield Park (thereby allowing people interested in the subject matter to divert from the footpath to approach it) is considered to be acceptable in planning terms. Its setting will be against the back-drop of Elmfield House and the surrounding rose garden, which raises no planning-harm.

8.9 The Conservation Officer having been consulted on the proposal raises no objections and advises that the proposal is considered to be in-keeping with its setting and thus is supported. The siting of the statue, plinth and dedication stone will not involve the removal of trees or other important landscape features. The proposal is therefore acceptable and in accordance with saved UDP Policy ENV25.

Other Matters

8.10 The remaining issues detailed in the representations that have been received relating to the aggressive nature of the statue (potentially as a result of only seeing the 'to-scale' drawing – see Fig. 3); the celebrating of war; equalities and ethics are not material planning considerations.

Summary and Conclusion

9.0 Summary

9.1 The statue, plinth and dedication stone are considered to be in accordance with saved UDP Policies RL1 and ENV25. Their siting within an area designated as Open Space and a Conservation Area is considered to be acceptable and will not result in any planning harm. The majority of the park will still fulfil its function as an open space open for the enjoyment of all with the proposal taking up only a very modest footprint that indeed utilises the surrounding features. The Conservation Officer advises that the proposal is in-keeping with the surrounding area.

9.2 Whilst concerns have been raised over the 'subject matter' i.e. war memorial - this is an ethical and not a material planning consideration.

9.3 The recommendation is therefore to GRANT PLANNING PERMISSION but to allow delegated authority to the Head of Planning to issue the decision following the expiry of the renewed publicity period to advertise the fact that the development has an impact on the setting of a Listed Building/Conservation Area and taking into account any issues should they arise.

9.4 To reiterate, the Conservation Officer supports the proposal by advising it is in-keeping with the surrounding area.

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

Planning Permission **GRANTED** 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. U55021 The development hereby permitted must be carried out and completed entirely in accordance with the terms of this permission and the details shown on the approved plans listed below:

1. To scale - statue (undated)
2. To scale - plinth (undated)
3. To scale – dedication stone (undated)
4. Location Plan

REASON

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

03. U55037 Prior to the commencement of the relevant works, details of the proposed 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.

REASON

To ensure that the materials are appropriate to the area in accordance with policy CS14 of the Doncaster Core Strategy.

Reasons(s) for Granting Planning Permission:

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.

APPENDIX 1 – PLANS & PHOTOS



Fig. 1 - Google Earth image of the site and surrounding environs



Fig. 2 – A wax model of the proposed statue to be sited

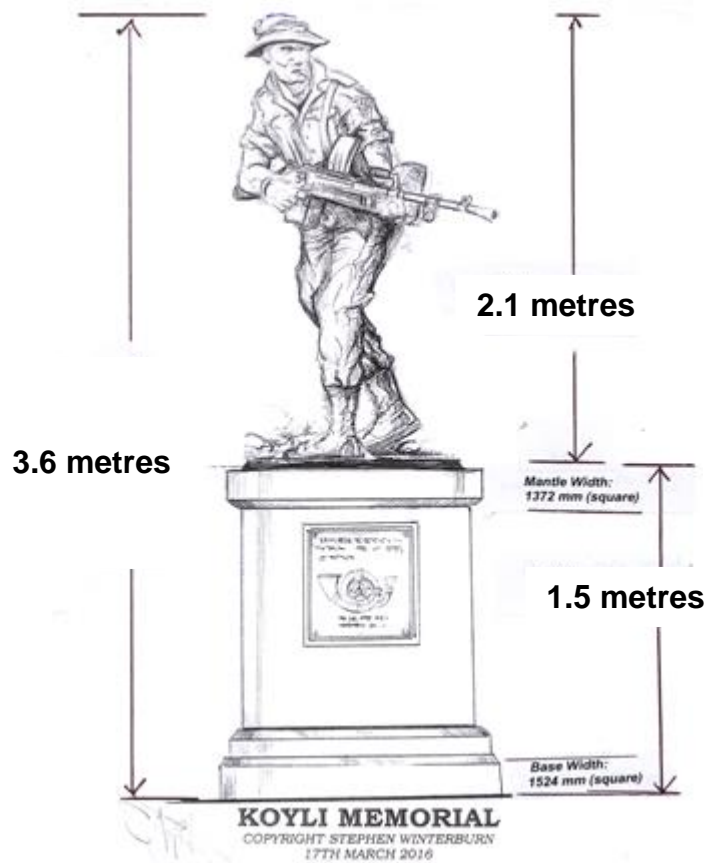


Fig. 3 – To scale (statue & plinth)

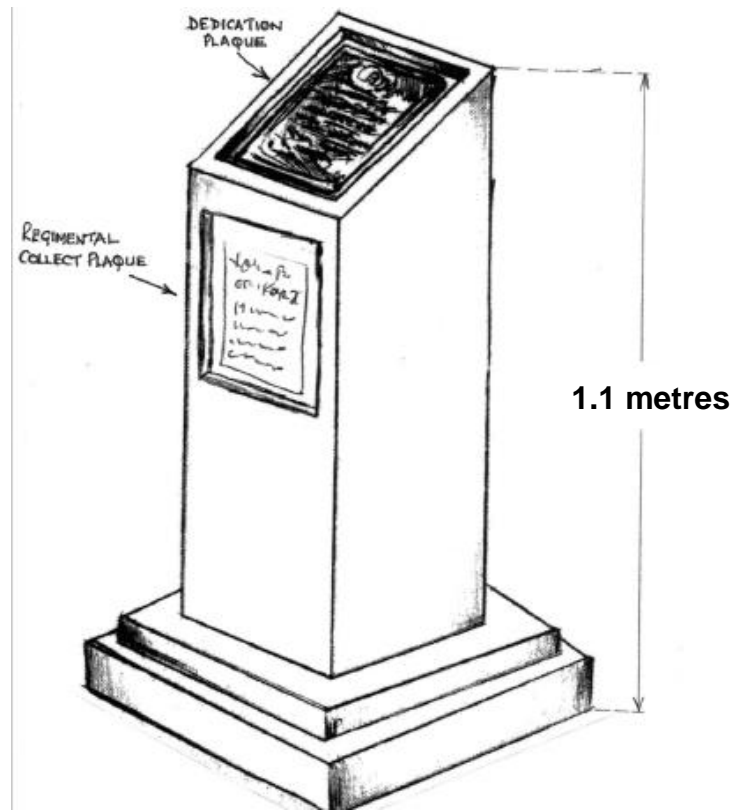


Fig. 3 – To scale (dedication stone)

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DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE - 19th September 2017

Application 3

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|----------------------------|--------------|---------------------------------|------------------|
| Application Number: | 17/01656/FUL | Application Expiry Date: | 22nd August 2017 |
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| Application Type: | Full Application |
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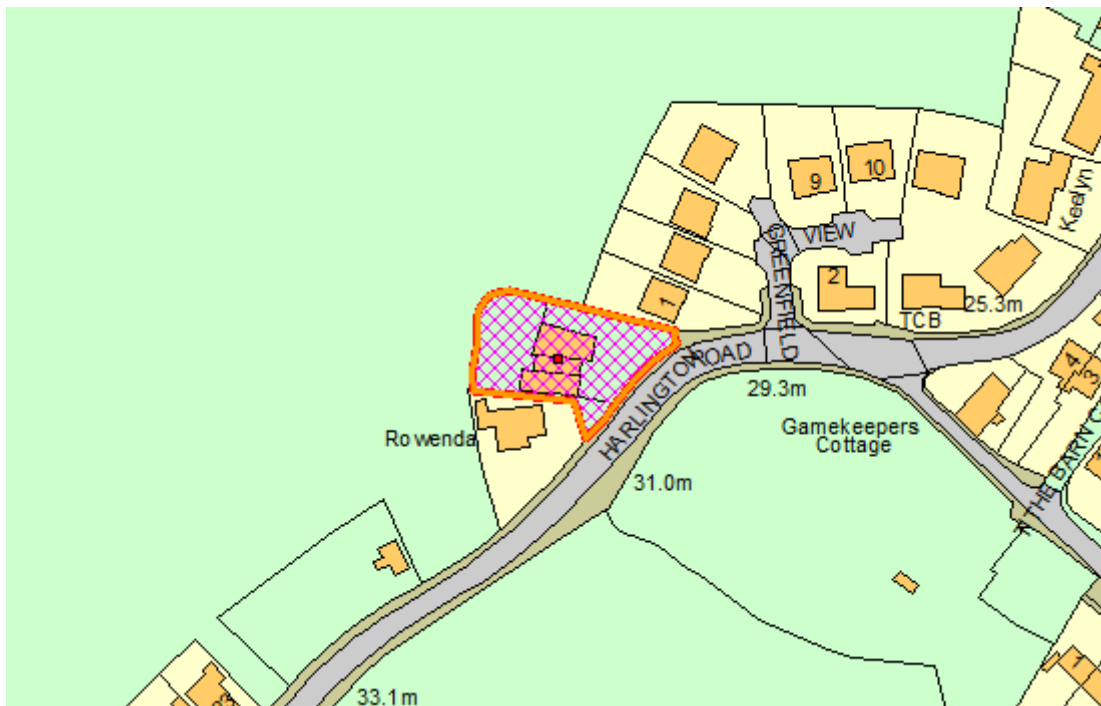
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| Proposal Description: | Erection of bungalow following demolition of existing building |
| At: | Unit 3 Harlington Road Adwick Upon Dearne Mexborough |

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| For: | Mr Brian Hargreaves |
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| Third Party Reps: | 1 | Parish: | Adwick-on-Dearne Parish Council |
| | | Ward: | Sprotbrough |

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| 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 the committee as it represents a departure from the allocation shown in proposals maps that accompany the Unitary Development Plan, being within the Green Belt.

2.0 Proposal and Background

2.1 This is an application for the erection of a bungalow on the site of a commercial garage site fronting Harlington Road on the edge of Adwick on Dearne. Previously the site housed a bus company. The site is designated as Green Belt in the Unitary Development Plan.

2.2 The site is a garage site fronting Harlington Road with a modern cul de sac of houses just to the north and a ribbon of older single storey and two storey houses to the south. To the east and west is open countryside.

3.0 Relevant Planning History

07/03655/OUT Outline application for erection of one dormer bungalow on approx. 0.05ha of land
Inappropriate in the Green Belt Highway Safety
Refused 05/11/2007

08/02491/FUL Erection of detached dormer bungalow on approx. 0.09ha of land
Inappropriate in the Green Belt
Refused 29/10/2008 Appeal dismissed 21/05/2009

09/01858/FUL Erection of 1no detached bungalow on approx. 0.9ha of land.
Inappropriate in the Green Belt
Refused 25/09/2009 Appeal dismissed 12/02/2010

10/00838/RET Retrospective application for erection of block work frontage and installation of roller shutters to existing garages.
Granted 28/05/2010

10/02555/FUL Change of use of highway to part service yard and part garden.
Granted 3/11/2010

3.1 While previous applications sought to resist residential development, National Policy has since altered in relation to the redevelopment of Brown Field sites.

4.0 Representations

This application has been advertised in accordance with article 13 of the Development Management Procedure Order 2015 by way of site notice, press advert and letters to neighbouring properties. One representation received with no objections to the erection of a single dwelling as shown on the plans. Concerns were raised if more than one dwelling were proposed and also previous acts by the owner in relation to a boundary hedge.

5.0 Parish Council

No comments received

6.0 Relevant Consultations

HIGHWAYS

6.1 The proposal seeks to use an existing access which currently serves commercial use. Given that one residential dwelling will be a less intensive use of the site and the proposal meets the required minimum parking standards there are no objections subject to condition for surface and sealing hard standing and any boundary treatment to the front of the development not exceeding a height of 900mm.

POLLUTION CONTROL

6.2 No indication of any previous potentially contaminative use at the site. A screening assessment was provided and a full contamination assessment is not required, however given this is currently a commercial site, conditions requiring the testing of soil brought on to site and the reporting to the authority in the eventuality of discovering contamination have been requested.

{b 7.0 Relevant Policy and Strategic Context}

SITE ALLOCATION

7.1 The site is allocated as Green Belt as defined by the Doncaster Unitary Development Plan 1998.

7.2 The following policies are relevant to consideration of the proposal;

Unitary Development Plan

ENV 3 Green Belt

Core Strategy

CS3 Countryside

CS14 Sustainable Construction

National Planning Policy Framework

Core Planning Principles - paragraph 17

9. Green Belt Land - Paragraph 89

7.3 While the site is designated as Green Belt it is, by definition of the National Planning Policy Framework, previously developed land or 'Brown Field'. National Policy allows for the redevelopment of Brown Field sites. Core Strategy policy, which in part supersedes the Unitary Development Plan, on Green Belt land also requires that decisions follow National Policy.

{b 8.0 Planning Issues and Discussion}

8.1 The main issues are:

- * Principal of development
- * Design and appearance
- * Sustainability

PRINCIPLE OF DEVELOPMENT

8.2 The site is allocated in the proposals map of the Unitary Development Plan as Green Belt and has been publicised as a departure from that plan. Previous applications have been turned down and dismissed on appeal on the basis of its allocation. However, since then, the Core Strategy of the Local Development Framework has been adopted and the National Planning Policy Framework has been published by Government. The Core Strategy states that while the general extent of the Green Belt will be retained, National Planning Policy will be applied in decisions.

8.3 National Planning Policy allows for 'the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value' and the section about Green Belt states that an exception to the rule that Local Planning Authorities should regard new buildings as inappropriate is '... the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.'

8.4 The site is currently commercial so meets the criteria of being brownfield land and eligible for the exemption from the presumption of being inappropriate development in the Green Belt. The site currently comprises a large single storey flat roof block work building that sprawls across the land and the area in front is almost completely covered by hard standing. The proposal for a bungalow covers roughly 60% of the equivalent footprint and has a tightly defined parking and turning area in front of it. It is considered therefore that the proposal to redevelop this brown field site meets the tests of the exception and therefore should not be viewed as inappropriate.

8.5 Further the current use of the site does not provide high environmental value and the removal of a commercial enterprise and replacement with a dwelling would enhance the environment, through its appearance and also by the provision of soft landscaping. In applying national policy, therefore, in this instance the proposal is in accordance with the Core Strategy in strategic terms.

DESIGN AND APPEARANCE

8.6 The proposal would sit at one end of a ribbon of low rise dwellings and next to a more modern estate of two storey dwellings. The design is as simple single storey dwelling with modest eaves and ridge height and positioned so it does not project into the street scene any more than the neighbouring property. Its appearance therefore would not be out of character with the street scene and would complement the dwellings further to the south.

SUSTAINABILITY

8.7 The proposal is on the edge of a village, although one that has few services. However, the applicants have noted that there is a regular bus service that links much of the Dearne Valley from the main road approx. 160m away from the site. The site is also a relatively short drive from the commercial areas of Mexborough and Manvers. It is, therefore, not considered so unsustainable that the proposal would warrant refusal on this basis alone.

OTHER MATTERS

8.8 Details of the materials to be used have not been provided or specifics in regard to restoring the site from its current state to a dwelling with soft landscaping, so conditions requiring prior approval of both are necessary.

8.9 Provision of off street parking in front of the dwelling has been provided and the scale of the development will not adversely impact the local highway network.

8.10 If approved, permitted development allowances could allow significant expansion of the dwelling through extensions and the erection of outbuildings covering much of the rear curtilage of the house. This could lead to a greater loss of openness of the Green Belt than the current building and not meet the intentions of national policy in allowing redevelopment of 'Brownfield' sites. It would appear sensible, therefore, to remove permitted development rights for both extensions and outbuildings in order that the Local Planning Authority can scrutinise the scale of any development that might be proposed in order to protect the openness of the Greenbelt.

9.0 Summary

9.1 The proposal, despite its allocation in the Unitary Development Plan, is considered to be a redevelopment of a Brownfield site and meets the requirements set out in the National Planning Policy Framework and in turn the requirement in the Core Strategy to apply national policy in Green Belt decisions. The design and layout is considered acceptable and not out of character in the street scene and has a lower impact on the openness of the Green Belt than the existing development. For the above reasons the proposal is recommended for approval.

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

Planning Permission **GRANTED** 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. ACC1 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.
REASON
To ensure that the development is carried out in accordance with the application as approved.
03. MAT1A 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.
REASON
To ensure that the materials are appropriate to the area in accordance with policy CS14 of the Doncaster Core Strategy.
04. V30D Prior to the commencement of the development hereby granted full details of the proposed landscaping and natural ground treatments shall be submitted to and approved by the Local Planning Authority. These details should include plans and specifications of layout, drainage, soils, grass seed mixes, turfing, tree and/or shrub planting together with proposals for maintenance and other horticultural operations necessary to implement the development and in particular of any area to be retained for indigenous ecological conservation purposes.
REASON
In order that the Council may be satisfied about the landscaping details of the proposal.
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, filing and level raising shall be tested for contamination and suitability for use on site. Proposals for

contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and be approved in writing by the LPA prior to any soil or soil forming materials being brought onto site. The approved contamination testing shall then be carried out and verification evidence submitted to and approved in writing by the LPA prior to any soil and soil forming material being brought on to site.

REASON

To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to guidance set out in the National Planning Policy Framework.

07. 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.

08. U54494

Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 as amended, all walls, fences, gates and enclosures forward of the principal elevation towards the highway shall be no higher than 900mm above ground level.

REASON

In the interest of highway safety.

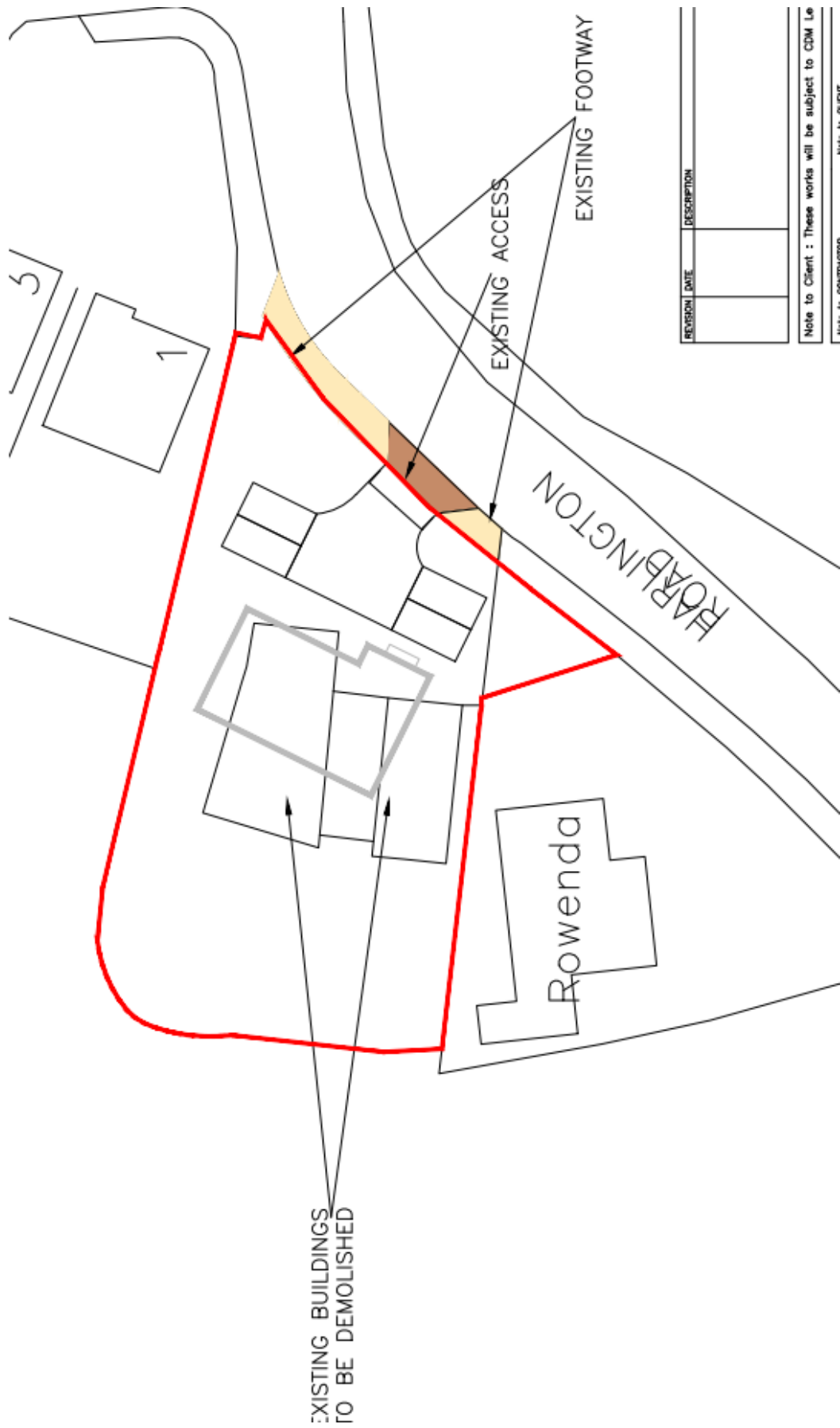
09. U55063

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, Schedule 2, Article 3, Part 1 (or any subsequent order or statutory provision revoking or re-enacting that order); no enlargements (that otherwise would be allowed by Class A of Part 1), and no erection of buildings within the curtilage of the dwelling house (otherwise allowed by Class E of Part 1), other than that expressly authorised by this permission, shall be carried out without prior permission of the local planning authority.

REASON

The local planning authority considers that further development could cause a significant loss of openness of the Green Belt beyond that of the original building and should have an opportunity to consider the scale of any extensions or outbuildings that may be developed.

Annex 1 Site Plan

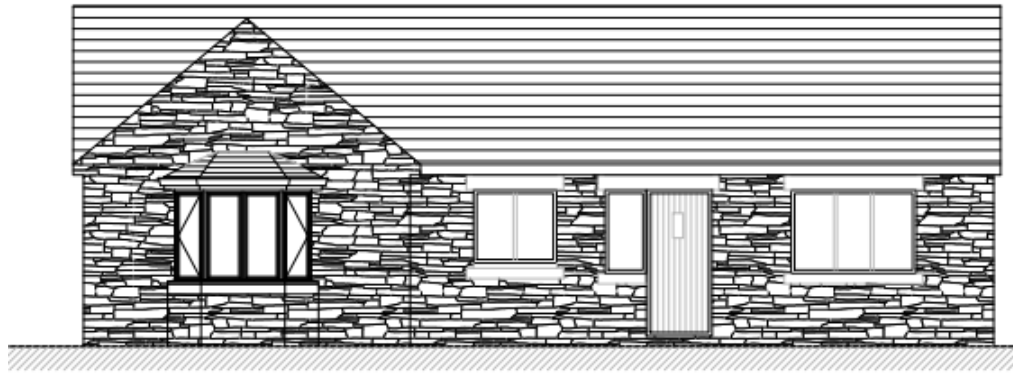


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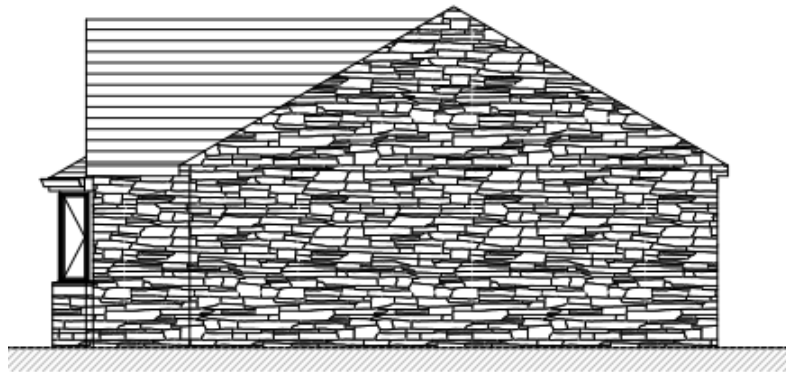
Note to Client : These works will be subject to CDM Le

DATE: 11/11/2011 11:00:00 AM

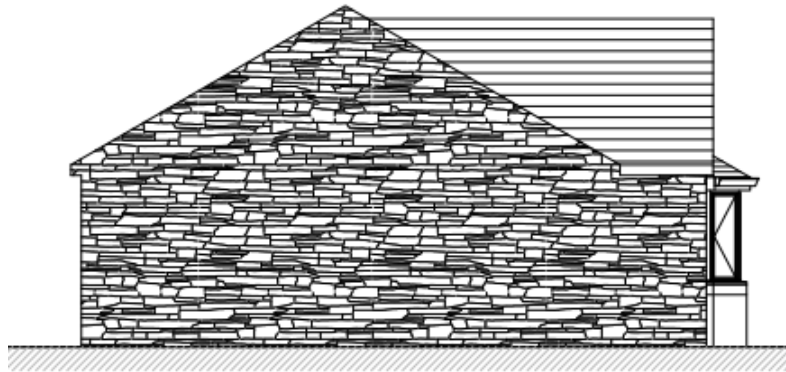
Annex 2: Elevations



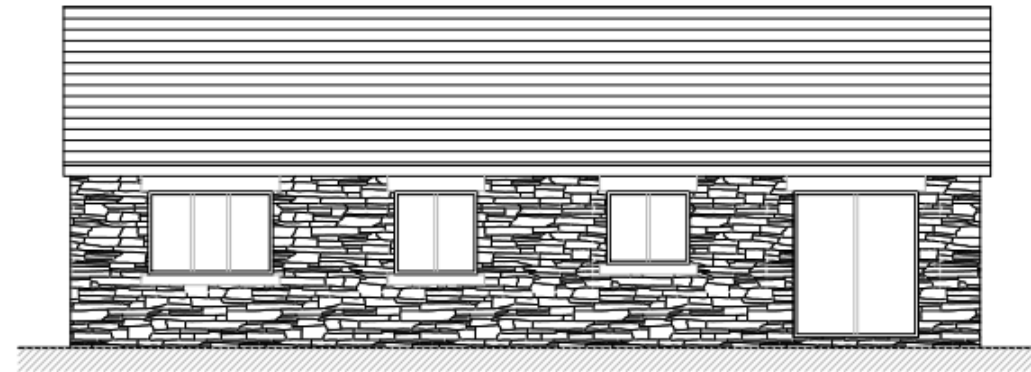
Front elevation



Side elevation

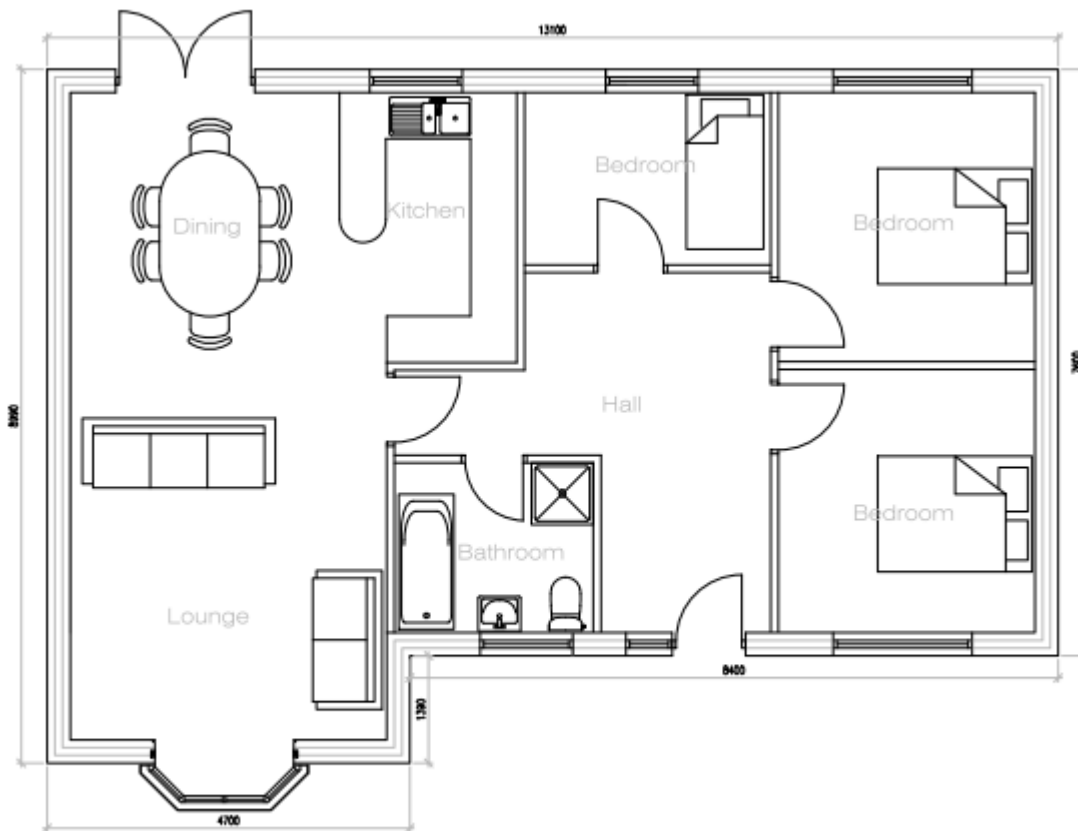


Side elevation



Rear elevation

Annex 3 Floor Plan



Floor plan as proposed

DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE - 19th September 2017

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| Application | 4 |
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|----------------------------|---------------|---------------------------------|---------------------|
| Application Number: | 17/01887/3FUL | Application Expiry Date: | 21st September 2017 |
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| Application Type: | Planning FULL (DMBC Reg3) |
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| Proposal Description: | Construction and laying out of a new closed circuit cycle track within the grounds of the Doncaster Dome Leisure Complex, including the re-modelling of existing car parking associated landscaping and ancillary works. (Being application under Regulation 3 Town & Country Planning (General) Regulations 1992) |
|------------------------------|--|

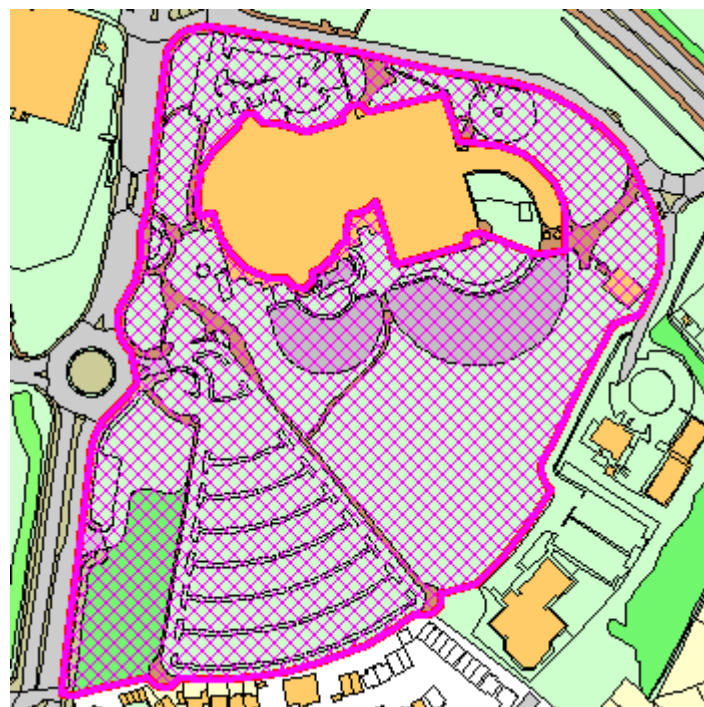
| | |
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| At: | The Dome Gliwice Way Doncaster DN4 7PD |
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| For: | Doncaster Metropolitan Borough Council - Leisure Services |
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| Third Party Reps: | 112 | Parish: | |
| | | Ward: | Bessacarr |

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| Author of Report | Gareth Stent |
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| MAIN RECOMMENDATION: | Grant |
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1.0 Reason for Report

1.1 The application is presented to committee as the application is submitted by AECOM on behalf of Doncaster Council who are the land owners and developers of the proposal. The proposal is not regarded as a routine minor development and therefore needs to be considered by the Planning Committee.

2.0 Proposal and Background

2.1 The proposal is to create an outdoor closed road cycling circuit within part of the Dome's car park and the surrounding unused land. The proposal involves the loss of the rear most section of the main car park to create the proposed track, which then loops around the Dome perimeter to the east and west. The lost spaces will be provided for at the front of the Dome through extensions to the two existing parking areas. The proposal will involve some significant tree loss to the eastern and western flanks of the car park, which will inevitably open up wider views, however neither of the trees groups are regarded as significant in tree quality terms. The trees to the west do however provide a visual screen for the houses to the south in terms of protecting views across and the wider area and noise from the main road. This is raised as a significant concern to residents to the south. The proposal also involves the reconfiguration of the two ponds within the Dome, into one smaller pond.

2.2 In terms of the general context the cycling facility is to be part funded by the British Cycling Facilities Fund. The circuit will be flexible and accommodate different types of uses, and will primarily be used by clubs, enthusiasts and will be controlled by the Dome as a bolt on facility who will manage bookings etc. The facility will host competitions, accommodate cycle clubs and have a pay and play facility. It is expected that visitor numbers would reach around 43,250 per year.

2.3 The track requires good lines of sight through the course, needs to be 1km in length, the track needs to be 6m wide, have a series of bends, 30m radii, have run off areas, be fenced secure (1.8m), illuminated, have start and finish straights etc. These are all components that have influenced the design and location of the facility and will in turn affect its attractiveness.

2.4 The initiative generally is aimed at increasing levels of physical activity in Doncaster and is part of a raft of wider measures which look to engage Doncaster's communities in becoming active. Since 2014 DMBC has developed and continues to develop a number of programmes which have provided a pathway from engagement and participation through to performance in cycling. This has included the following initiatives:

- Town Centre Races within Doncaster which have attracted 14,000 spectators over the 4 years since the first event with over 1500 riders taking part in the races;
- Engagement with schools has continued to grow by delivering 4156 positive experiences to pupils, their teachers and parents, through playground skills sessions;
- During the Big Pedal 3 week cycle challenge 2016, 7137 journeys to schools in Doncaster by bike and scooter were recorded and cycling levels at Bike it Schools in Doncaster increased by approximately 20%.

2.5 The DMBC is looking to increase participation and recognises that cycling area is changing dramatically with increased growth to cycle club structures particular in respect of youth cycling. This was supported by the recent hosting of the Tour de Yorkshire stage in 2016 had in excess of 50,000 people spectating across the borough, with significant associated positive benefits.

2.6 Notwithstanding the considerable growth and interest, activity is being held back by a lack of appropriate cycling facilities within the DMBC area with good accessibility to the local populations. The proposed Dome cycle track is regarded as a key cycling development within the Borough and its location was chosen to complement the well-established and successful leisure complex. Furthermore, it will enhance the 'Lakeside' as a destination location and support the 'pull' of the facility to cyclists outside of the Doncaster area.

2.7 The application is accompanied by a series of documents which include:

- Planning Supporting Statement (AECOM);
- Pre-liminary Ecological Appraisal Report (AECOM);
- An Arboricultural Assessment Report (AECOM);
- Transport Assessment (AECOM)
- A Flood Risk Assessment (FRA) (DMBC);
- Application drawings (DMBC).

3.0 Relevant Planning History

3.1 Whilst the Dome has had a series of planning permissions over the years none are relevant to this particular proposal.

4.0 Representations

4.1 The application was advertised by means of several site notices positioned in and around the Dome, including land to the north of the Dome where the car parks are to be extended, adverts on Gliwice Way and a notice within the new residential estate to the south known as Buttermere Crescent. The application was also advertised in the Doncaster Star and individual letters were sent to dwellings which bound the site to the south and adjoining businesses.

Objections

4.2 The application received 5 letters of objection mainly from residents on Buttermere Crescent & Derwent Drive. The comments were as follows:

- The proposal this will spoil the wildlife, cause noise pollution and will spoil the appeal to the lakeside area and will affect the houses that are built next to the Dome car park.

- No objections with regards to the constructing of a bike track in that area per se, rather the specific plans themselves. The tree removal on Gliwice way and outside the Salvation Army church are rich in wildlife and provide natural beauty against a stark backdrop and their removal will be devastating for the overall appearance of the area, opening up views of McDonalds, The Dome, Camponile Hotel and Asda. Residents on Buttermere Crescent have first floor lounges and balconies that overlook this site.
- The trees filter disturbing sounds from the road and in particular ASDA, it is already difficult to sleep with ones windows open in summer due to the night time deliveries and the rear reverse warning on the large articulated vehicles. The same applies from the noise associated with Bawtry road.
- Will there be any precautions to stop motorcycles using the track in the same way which they currently use the land around the Keepmoat? Will the present amount of trees be replaced as they act as a noise barrier?
- The removal of the trees will mean litter blows in from Herten triangle.
- Concern that the Dome car park isn't locked at night, which exacerbates noise and rubbish for cars, meeting and eating takeaways in the car park.
- There are very few proposed trees shown on the indicative landscape plan when considering the extensive tree removal required to accommodate the track layout. A group of 5 extra heavy size trees proposed adjacent the Gliwice Way roundabout and a single tree within the island of the track is indisputably inadequate mitigation for the loss of the woodland and low-level vegetation in this area.
- Concern over light spillage from the 5.5m high lighting columns into neighbouring gardens.
- The proposed 2m high weldmesh fence alignment to the rear of our boundary wall creates a narrow passageway and would be a problematic area to maintain. We also have security concerns that people could climb between the wall and fence to access our garden.

General letters

4.3 3 letters of general representation were received, commenting that a bespoke road circuit is a nice idea and no doubt will be enjoyed by the few who want it. My view is that money and time would be better spent on making more and safer dedicated cycle routes within the town which could be used by commuters, children, leisure cyclists. Also concern raised that the access is in a poor location where the Dome's service yard is. Also concern about the lack of public access through the site, however the plan shows the footpath access retained. Finally concerned that the traffic reports may not be entire accurate.

Letters of support

4.4 The application received 104 letters of support. These were from all over the borough and from persons outside the borough.

- This will be a fantastic addition to the south yorkshire sporting facilities and will be widely used by all age groups.
- This will be an amazing facility for current riders and the future riders to come.
- The track can be used for coaching sessions teaching cycle safely, awareness and cycle handling and proficiency. This would provide a safe place for juniors to learn valuable cycling skills and older children and adults to train and race. This would be a very well used and cherished facility.
- It will give a safe area to give all age groups experience on cycle riding , introduce new riders before they venture onto the roads.
- This will encourage people to start cycling to maintain a healthy lifestyle.
- Doncaster has a huge number of Cycling Clubs in the surrounding area who will benefit from such a circuit - both leisure and competitive Riders. Additionally the area boasts many professional Riders and I firmly believe that young people would and should have such a facility to enable them to investigate a career in this wonderful sport.
- A circuit such as this would bring Riders from other areas into Doncaster, allow the Sheffield leagues to extend to Doncaster and show them what we have to offer and how forward thinking Doncaster is as a town.
- A purpose built cycle racing circuit for Doncaster would be a brilliant addition to Doncaster's leisure and tourism portfolio. It will encourage growth in the sport and compliment the other facilities in the area.
- The site is sustainable, good access from Public transport. Its close to large residential areas as well as the town centre means that this proposal is in a very sustainable position.
- The scheme is low impact and will have a positive impact on the area.

5.0 Relevant Consultations

5.1 Environmental Health - No objections. The proposal is unlikely to lead to adverse impact in the locality, providing issues of noise and lighting are addressed, as the course does run close to new housing. However, the trade-off of moving some car parking further away from the housing is a positive. The construction of the track will need to be controlled so as to prevent nuisance during this phase. Conditions covering noise and hours of operation are suggested.

5.2 National Grid (pipelines): No objections. Apparatus within the vicinity of the site.

5.3 Area manager: No response.

5.4 Yorkshire Water: No objections.

5.5 Shire Group Internal Drainage Board: No objection subject to conditions covering surface water run-off.

5.6 Pollution Control: No objections, informatives recommended.

5.7 Ecology: No objections subject to a condition requiring a biodiversity master plan being submitted to include off setting.

5.8 Doncaster Highways Transportation team: No objections.

5.9 Trees: No objections in principle to the loss of the tree groupings, however the trees do act as an important landscape feature. Appropriate replacement planting within the perimeter of the site needs to occur to soften the appearance of the area. This can be controlled by a suitably worded planning condition seeking a revised tree planting scheme.

5.10 Highways DM: No objections and support the request by the Councils' Environmental Health Officer for a condition to be imposed on any approval for a Construction Management Scheme to be submitted and approved in writing prior development.

5.11 Environment Agency: No response received.

5.12 Internal drainage: Response awaited.

6.0 Relevant Policy and Strategic Context

National Context

6.1 National Planning Policy Framework relevant chapters include:

Chapter 1 - Building a strong, competitive economy

Chapter 4 - Promoting sustainable transport

Chapter 7 - Requiring good design

Chapter 10 - Meeting the challenge of climate change, flooding and coastal change

6.2 The National Planning Policy Framework (NPPF) published in March 2012 and sets out the governments objectives for the planning system at the national level. One of the core aspects is the achievement of sustainable development, which should be seen as a 'golden thread' running through decision making.

- 6.3 In respect of sustainable development, the NPPF sets out that there are three dimensions to sustainable development, economic, social and environmental. In respect of a social role, the need to support strong vibrant healthy communities is highlighted, along with the value of delivering accessible local services that support the community's needs and its health, social and cultural well-being.
- 6.4 In more general terms the NPPF promotes the importance of mixed use developments, and emphasises the value of promoting healthy communities, recognising that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of local communities.
- 6.5 The NPPF details the importance of good design for the long-term functionality and duration of development. Good design should consider the local character and be visually pleasing in order to create a sense of place.
- 6.6 Also of wider relevance to this application is flood risk. The NPPF states that new developments should consider the risks of flooding and the changes to biodiversity and water supply. Finally the NPPF champions the importance of conserving and enhancing the natural and local environment. Attention should be given in using brown-field sites, minimising pollution and developing on land with the least environmental or amenity value. The policy emphasises the importance of conserving designated sites and protected species whilst ensuring development is not adversely affected by unacceptable levels of soil, air, water or noise pollution.

Local Planning Policy (UDP)

Doncaster Unitary Development Plan;
RP 2 - Mixed Use Regeneration Projects - Doncaster Leisure Park
RL 2 - Open Space
ENV 59 - Protection of Trees
CF6 - CF 8 Community Facilities

- 6.7 Doncaster's Planning policy derives from the saved policies within the 1998 Doncaster Unitary Development Plan (UDP) 1998 and policies contained within the Core Strategy 2012.
- 6.8 In terms of the land allocation the site forms part of the Doncaster Leisure Park mixed use regeneration project area known as Policy RP2 - Doncaster Leisure Park. This relates to new mixed use development, including recreation, leisure and tourism. The policy states that the entire area is well connected to road and rail networks. As an existing tourist attraction the 'Dome' and Leisure Park are accessible by a large population, with leisure facilities within the vicinity.

- 6.9 Another policy of relevance to this proposal is Policy RL2. This relates to the change of use of Open Space not designated as formal Open Space stating new development will not be permitted on such land if it would adversely impact the use of the Open Space for the following:
- a) As a facility for casual play;
 - b) As a buffer area between incompatible uses;
 - c) As visual/environmental amenity;
 - d) As a contribution to the setting of individual buildings or groups of buildings;
 - e) As an area of existing or potential nature conservation interest;
 - f) As a link between other open spaces.
- 6.10 Finally Policy CF6 - Community Facilities is of relevance as this proposal is creating a new facility. The policy advises that new facilities or the change of use to create new facilities will normally be permitted provided:
- a) The development would not be likely to have a significantly detrimental impact on amenity including traffic impact;
 - b) The location would allow the needs of the community to be adequately served or would be suitable for community use by virtue of its environment and accessibility.
- 6.11 As a compliment to policy CF6, policy CF8 states that the Borough Council will promote the wider and more efficient use of all community facilities, where this can be achieved without detriment to the principal users of the facility. In this case the proposal will increase the usage of the Dome without harming the existing facilities offered, such as swimming, skating etc particularly as the car parking is not being displaced.
- 6.12 Tree Protection is covered in ENV59 which seeks to retain where possible tree groupings.

Doncaster Local Development Framework - Core Strategy

Doncaster Council Core Strategy;
CS 1 - Quality of Life
CS 2 - Growth and Regeneration Strategy
CS 4 - Flooding and Drainage
CS 9 - Providing Travel Choice
CS 14 - Design and Sustainable Construction
CS 17 - Providing Green Infrastructure
CS 16 - Valuing natural environment.

- 6.13 The Core Strategy has a number of key policies of relevance to this application which are detailed below:

- 6.14 Policy CS1 - Quality of life, seeks to enhance economic prosperity and enhance quality of place and quality of life for people in the borough. This is detailed through improved access to jobs, transport, skills, good quality housing, local services, sport, leisure, religious and cultural facilities. The policy supports strengthening communities and ensuring healthy, safe places where existing amenities are protected. It also looks at enhancing the built and natural environment, providing green spaces, protecting heritage assets, trees, waterways and public spaces.
- 6.15 Policy CS14 - Design and Sustainable Construction advocates that all new development proposals should be of a high quality design and reflect local distinctiveness, making a positive addition to the existing character of an area.
- 6.16 Policy CS4 - Flooding and Drainage recognises that certain parts of Doncaster are at risk of flooding. The policy advocates a sequential approach to flood risk management seeking to direct flooding to the lowest risk areas. The policy identifies that all developments over 1ha should be supported by a Flood Risk Assessment (FRA) which should demonstrate that flood risks can be adequately managed.
- 6.17 Policy CS16 - Valuing our Natural Environment seeks to protect and enhance the natural environment within Doncaster. In particular, the policy gives protection to designated sites containing important habitats and species. The policy also advocates protection to the Borough's landscape and trees and (amongst other things) retaining and protecting appropriate trees and hedgerows and incorporating new hedgerow and tree planting.
- 6.18 Policy CS17 - Providing Green Infrastructure advises that Doncaster's Green Infrastructure will be protected, maintained and enhanced. In particular, part D of the policy explains that:

Proposals will be supported which have regard to local standards and opportunities, and help to address deficiencies, by making an appropriate contribution to sport, recreation and related community uses, including: providing well designed and accessible, sport, recreation and open space facilities (including children's play space and parks) that meet the needs of the proposal and the wider community.

7.0 Planning Issues and Discussion

- 7.1 The main issue for consideration of this application is the cycle tracks impact on the adjacent residents to the south of the site through noise, visual impact, lighting and tree removal. The remaining issues worthy of consideration are the highway/transportation impacts, ecology and flood risk.

Principle of the scheme

7.2 The proposed facility lies within existing curtilage of the Dome, which is already a well-established multi-purpose leisure complex that attracts over 1million visitors per year. The use is compatible with the existing recreational use and therefore acceptable in principle in line with Policy RP 2 of the Doncaster UDP. Part a) of the policy explains that Doncaster Leisure Park will be developed as a mixed use area comprising leisure and recreation, tourism uses, employment uses amongst others. In particular, the explanatory text associated with the policy explains that:

- The 'Dome', already a tourist attraction of regional significance, is a magnet for other leisure uses.

7.3 The proposal is also supported by saved policies CF6 and CF8 of the UDP which supports the creation of community facilities.

7.4 Whilst part of the proposed cycle track will be accommodated on 'open land' that surrounds the Dome, this is not designated as Public Open Space and is therefore not offered stringent protection from new development. Policy RL2 does offer some protection from new development if it has an adverse impact on casual play, as visual/environmental amenity, contributes to the setting of a group of buildings, has nature conservation interest or forms a link between other open spaces.

7.5 When assessed against the above, this application will remove trees which act as a landscape buffer to surrounding uses and therefore consideration to this needs to be given. This however can be mitigated by some additional tree planting and this tree removal is a necessity to achieve the scheme within the restricted curtilage of the Dome and the need for good sight lines across the track. The tree removal is therefore justified and would not demonstrably harm this amenity value enjoyed by residents in terms of outlook. Also this proposal doesn't introduce 'built' development as such rather a track way, fencing and planting all of which will not be visible from the residential dwellings on Buttermere Crescent at ground floor. It is envisaged that the new planting proposed will soften the landscape and help maintain the leafy general setting of the Dome complex.

7.6 In general terms, the proposal simply intensifies the range and offer of leisure opportunities for the Dome, without having to develop outside the perimeter of the site. The proposed cycle track will naturally encourage participation in sport and recreation and cuts across a range of both local and national policies all of which support this type of initiative. There is also clear demand for this facility as detailed in the public letters of support, albeit many are from existing cycling enthusiasts. The proposal will also undoubtedly strengthen the Dome's attractiveness and it will complement all the other leisure facilities in this part of Doncaster.

7.7 The track will be open to cycling groups, host competitions and have a pay and play facility. The scheme will promote healthy living, encourage cycling in the borough and provide a safe and ready-made off road cycling facility. The potential health benefits are obvious and the principle of this form of development is strongly reinforced by national planning policy objectives as contained within the NPPF.

7.8 The purpose built facility will be capable of hosting events will seek to build upon Doncaster's growing reputation as a cycling city, which will compliment and support the growing body of competitive cycling events that have occurred in Doncaster within recent times, including the 'Tour de Yorkshire.'

Residential amenity

7.9 Planning Policy Principle 7 of the NPPF states that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and contributes positively to making places better for people. Policy CS 14 of the Doncaster Council Core Strategy sets out the local policy in relation to design and sustainable construction.

7.10 The location of the proposed cycle way and the tree removal required to implement the scheme have raised significant concerns to the residents to the south of the site on the new Serenity Housing development. Buttermere Crescent comprises of detached, semi detached and flats, the majority of which have rear elevations that face the proposed site, with some dwellings having lounges and first floor balconies currently overlooking the application site. At ground floor the car park is screened by a continuous 2m wall that stretches throughout the boundary with the Dome. The most southern part of the cycle loop passes this wall and it's important to ensure the new facility does not cause any new harm to residents.

7.11 Officers are aware of the current problems these residents experience with cars loitering in the Dome car park in an evening, therefore this scheme will lessen this as there will be a slight increase in distance between the last row of the car park and new dwellings. The Environmental Health officer concurred with this view and suggested further measures to noise and light pollution through conditions.

Hours of opening and noise

7.12 In terms of hours of operation the application initially suggested this being 7am-9pm Monday to Friday and between the hours of 7am-6pm Saturday and Sunday. Consideration was given to later openings on a weekend to accommodate for any races or events that may exceed 6pm. Through discussion with the Environmental Health officer it was suggested that 7am-9pm Monday to Saturdays and between the hours of 7am-6pm Sunday was not unreasonable. Any further extension of those hours would require a further variation of condition application and would have to be based on a noise impact assessment.

7.13 In general terms it is highly unlikely that that noise concerns would be generated from users of the track as the sport and cycles do not generate noise under normal circumstances. There may be some clunking of gears and the cycles hum as they pass, however this is intermittent and the smooth running surface is unlikely to generate any noise. This is also likely to be subsumed by the existing background noise from the nearby roads and general use of the Dome car park, which often hosts events and functions in an evening.

7.14 Also the environmental health officer suggested a condition which prevents the use of external loud speakers at the track, except on race event days to initiate starts of races, limited to no more than 20 times per year.

- 7.15 Concern was also raised in the objections that the removal of the trees to the west of the site will open up the area and residents would experience more noise from Gilwice way. This may be the case to some degree as the vegetation will act as a buffer between the road and the rear of the new dwellings. However the trees in question are not afforded any special protection and could be removed at any time. The tree removal is a necessity to ensure the scheme goes ahead and unfortunately residents cannot rely on this buffer always remaining in place. Also the area is a busy part of the borough and some disturbance is expected particularly from nearby roads and the wider use of the Dome car park. The actual development its self does not create any undue noise concerns and therefore it would be unreasonable to refuse permission on the basis.
- 7.16 Finally the environmental health officer also suggested a series of other conditions that prevents the track being used by motorised vehicles and suggested the need for a Construction Management Plan (CMS), which controls, hours of working, dust and noise during construction.

Lighting

- 7.17 The application supplied details of the external lighting on a lighting site plan, showing the position and style of the lighting columns. The lighting scheme indicates that a number of properties to the south of the track will experience illumination of 1 lux from the track lighting. Whilst this is less than the Environmental Zone E3 post-curfew illumination limit, it will still cause some additional light spill to the properties. The environmental health officer states that this plan does not give any indication of how the risk of any potential glare from the 5.5m high mounted lighting will be avoided to the residential properties. On this basis a new lighting site plan is required showing a reduction in light spillage and glare to nearby dwellings and details of the lighting shields will be necessary. This is to be provided by condition. A condition is also recommend to ensure the lighting be turned off at night in line with the agreed hours of operation of the track, which will further lessen any wider impact for residents.

Visual impact through tree loss

- 7.18 Core Strategy policy CS 16 (D) states that proposals will be supported which enhance the borough's landscape and trees by: ensuring that design are of high quality, include hard and soft landscaping, a long term maintenance plan and enhance landscape character while protecting its local distinctiveness and retaining and protecting appropriate trees and hedgerows. Policy ENV 59 of the Doncaster Unitary Development Plan seeks to protect existing trees, hedgerows and natural landscape features.
- 7.19 The proposal involves some substantial tree loss to two tree groupings. The first is the grouping along Gilwice Way and the second group that runs exists to the east of the car park. This removal is necessary to allow space for the track. Residents were concerned that the tree loss will open up views to the Dome, Asda and McDonalds. This is acknowledged, however no one has the right to a view, and the loss of a particular view cannot be safeguarded or treated as a material consideration in planning legislation.

7.20 The proposal in itself will not harm the resident's outlook, however the tree removal will open up the site to wider views. Lots of vegetation will still be retained in the Dome's existing car park and where necessary supplemented. The application did show indicative new tree planting positions, which included new planting on the north and north-west corner of the site to help screen outward views to some degree.

7.21 As discussed in the introduction, planting within the site isn't appropriate as sight lines need to be maintained across the site for safety purposes. It may however be possible for some high stemmed planting in certain locations that allow visibility under the tree canopies. The requirement for new planting is to be controlled by a suitable planning condition. It is acknowledged that the tree numbers of trees being removed will not be entirely compensated for, however its envisaged that suitable species selection strategically placed could recreate this leafy feel to this part of the Dome complex and provide some screenings for residents where possible.

Highway, Parking and Transportation impacts

7.22 With regard to highway safety and parking, this should be considered against policy CS 14 of the Doncaster Unitary Development Plan which states that new development should ensure quality, stability, safety and security of private property, public areas and the highway, permeability and legibility.

7.23 In order to assess the highway implications on the proposal a Transport Assessment has been submitted with the application along with detailed plans showing the reconfiguration of all 3 car parks within the Dome complex.

7.24 Part of the proposal involves the loss of part of the rear section to the main car park and as such 104 spaces will be lost. These spaces are to be regained by extensions to the 2 smaller car parks (car park 2 & 3) to the north of the Dome, which currently provide 49 bays (including seven disabled bays) in the larger car park and 25 bays in the smaller car park. The improvements will increase the capacity in the two car parks from 74 standard bays (and 7 disabled spaces) to 160 bays, twelve disabled spaces and four coach park bays.

7.25 A net total of 8 additional disabled bays and four coach bays will be created as part of this development; however there would be a net loss of eighteen standard spaces. The highway Development management officer raised no concerns over the extensions to the two car parks in terms of the layout and manoeuvrability.

7.26 In terms of the wider transportation impact, a Transport Assessment, the council's transportation officer has reviewed the Transport Assessment and it was agreed that this development does not generate significant amounts of traffic in the peak hours with a maximum of 15 vehicles proposed to arrive in any one time period (1 every 4 minutes).

7.27 The site is well connected to existing walking and cycling routes. The car parking surveys which were carried out has shown that, even with the changes to the existing car parking, the level of demand can easily be accommodated within the available car parking capacity. On this basis the proposal represents no highway concern and sufficient parking exists within the site to accommodate the new proposed use in accordance with CS 14.

7.28 In the future, if any events were to be held which would generate extra traffic, over and above the daily operation quoted in the Transport Assessment, this will be discussed with Doncaster Council's Traffic Manager and an Event Traffic Management Plan be formulated and agreed.

Ecology and Wildlife

7.29 Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment, in regards to: valued landscapes, ecosystem services, biodiversity, pollution, and contaminated and unstable land. Paragraph 118 of the NPPF states Local Planning Authorities should aim to conserve and enhance biodiversity and outlines a number of principles which should be applied, including 'if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.'

7.30 Core Strategy Policy CS16: Valuing our Natural Environment, seeks to ensure that Doncaster's natural environment will be protected and enhanced. Policy CS 16 (A) of the Doncaster Council states that proposals will be supported which enhance the borough's Ecological Networks by: (1) including measures that are of an appropriate size, scale, type and have regard to both the nature of the development and its impact on existing or potential networks.

7.31 This proposal does involve substantial tree removal and the reduction and reconfiguration of an existing pond within the Dome complex, all of which have the ability to negatively impact on the ecological value of the site. The application has been the subject of pre application discussions and was accompanied by a detailed ecological appraisal by AECOM. The council's ecologist considers that the appraisal has been carried out using all recommended methods of survey and assessment and it provides an accurate record of the ecological receptors.

7.32 The Phase 1 habitat survey shows that the area is generally managed amenity land with mown grassland a large pond and planted ornamental trees and shrubs. There is a small area of former semi-natural grassland that has reverted to tall ruderal vegetation.

7.33 The presence of protected species has been assessed through standard desk and field survey and assessment methods and this has discounted the presence of great crested newts, badgers, reptiles, water vole, and otter. The potential for roosting bats using the site i.e. the trees on the site, is considered to be very low and using standard assessment methods there is no further need for further surveys.

7.34 The report proposes that the loss of habitats can be compensated for within the area of the proposed cycleway and the ecologist considers this feasible. The proposed use of the Council's Biodiversity Offsetting metric to accurately quantify habitats and their relative value is welcomed, and the habitats created by the grassland can be replaced by a more ecologically valuable grassland habitat.

7.35 The plantation woodland blocks are relatively poor as ecological and arboricultural features and their potential loss does not need to be compensated for on a 'like for like' basis. The planting of additional trees should be avoided to preserve sight lines hence compensation for the loss of trees should look at other types of habitat compensation. The new pond can provides an opportunity to create a smaller pond but with a higher ecological potential.

7.36 The council's ecologist supports the scheme on the basis that the LPA's biodiversity offsetting method are considered to value the existing habitats and a Biodiversity Enhancement Master Plan prepared and secured by condition to ensure that the replacement specie planting and habitat creation enhances the wider ecology of the site.

Flooding and Drainage

7.37 The site is located within Flood Risk Zone 1 (low probability) as shown on the Environment Agency flood maps. In accordance with the NPPF, policy CS 4 of the Core Strategy and the Council's flood risk SPD, a flood risk assessment was prepared as the site area is over 1 hectare. The proposed use (water compatible) combined with the flood zone classification means no sequential test or exceptions test are required.

7.38 The Flood Risk Assessment concluded that the risk from flooding is low (less than 1/1000 (0.1%) chance of river or sea flooding according the Environmental Agencies flood risk map.) The surface water flood maps indicate a low risk of flooding and there is no evidence to suggest sewer or groundwater flooding issues affect the site. The drainage details have been assessed by the relevant authorities and no objections are raised.

8.0 Summary and Conclusion

8.1 In summary the proposal will provide a much needed facility for the cyclists of Doncaster. The proposal will complement the Dome's existing attraction as well as attracting new cyclists to Doncaster and recognising Doncaster new cycling culture. The track will be open to all ages, groups and enthusiasts and will encourage participation in sport in its general sense.

8.2 The proposal will have no adverse impacts on the sites ecological value, which can be satisfactorily mitigated. The proposal will cause no highway safety or parking concerns, however will involve some significant tree loss which is necessary for the success of the scheme. This will open up the site to wider views to the residents on Buttermere Crescent. Control over hours of operation, lighting and additional tree planting will all assist in limiting any adverse impact on nearby residential dwellings and as such the proposal is recommended for approval.

9.0 Recommendation

GRANT Full planning permission subject to the following conditions:

01. STAT1 The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.
REASON
Condition required to be imposed by Section 91(as amended) of the Town and Country Planning Act 1990.
02. U54952 The development hereby permitted shall be carried out in complete accordance with the details shown on the amended plans referenced and dated as follows

Amended site plan car park 1 29695-01-GA Rev B
Amended site plan car park 2 29695-CP-02 Rev A
Amended site plan car park 3 29695-CP-03 Rev A

REASON
To ensure that the development is carried out in accordance with the application as approved.
03. U54333 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) 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
iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
v) wheel washing facilities
vi) measures to control noise
vii) measures to control the emission of dust and dirt
viii) a scheme for recycling/disposing of waste resulting from demolition and construction works
REASON
In the interests of the amenity of nearby occupiers.
04. U54334 The premises shall only be used between the hours of 7am-9pm Monday to Saturdays and between the hours of 7am-6pm Sunday.
REASON
In the interests of the amenity of nearby occupiers.
05. U54335 All track lighting shall be turned off between the hours of 21.00hrs and 07.00hrs Mon-Saturday and 18.00hrs and 0700hrs on Sundays.
REASON
In the interests of the amenity of nearby occupiers.

06. U54336 Unless otherwise agreed in writing by the Local Planning Authority the track shall not be used by motorised vehicles other than for maintenance/repair and emergencies.
REASON
In the interests of the amenity of nearby occupiers.
07. U54337 Unless otherwise agreed in writing there shall be no external loudspeakers to be used at the site except for race events, which shall total no more than 20 days per year. The applicants shall keep a log of such events ready for inspection by the Local Planning Authority.
REASON
In the interests of the amenity of nearby occupiers.
08. U54646 Prior to development commencing a Biodiversity Enhancement Master Plan shall be submitted and approved in writing by the LPA. The content of the Plan shall include;
- o Using the LPA's Biodiversity Offsetting method, a scheme of habitat compensation should be proposed to ensure that there is a net loss of biodiversity on the development site. This scheme should look towards the creation of acid grassland and heathland as a means of responding to DMBC Biodiversity Action Plan priorities and delivering a sustainable ecological enhancement throughout the site. Seed for such habitat creation could be harvested from the adjoining LWS Doncaster Common as a means of ensuring consistency in species content and local genetic integrity.
 - o The replacement of the existing water bodies with an ecologically diverse pond that uses native species and is designed and planted to maximise opportunities for aquatic invertebrates, and other locally occurring aquatic species.
 - o A lighting scheme that reduces impact of lighting on nocturnal species through type and positioning of individual lighting sources.
- REASON
To ensure the ecological interests of the site are maintained in accordance with Core Strategy Policy 16
09. U55001 Prior to development commencing, a new lighting site plan shall be submitted to and approved in writing showing no light spillage or glare to the residents to the south of the site and full details of the lighting shields to be fitted to the external lighting. The development shall then be carried out in accordance with the approved details and maintained throughout the lifetime of the development.
REASON
To ensure light doesn't spill into the curtilages of neighbouring dwellings to the south of the site in accordance with CS 14.
10. U55035 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.

01. U11616 THE CONTAMINATED LAND REGIME

Under the contaminated land regime Doncaster Council has the statutory duty to inspect and determine "contaminated land" within its borough, under this regime land owners/developers/occupiers of "contaminated land" could face liability for remediation at a later date.

02. U11617 DEVELOPMENTS NEAR / ON POTENTIAL CONTAMINATED SITES

Historic maps show that the above planning application is near or on a potential contaminated site, and in light of this it is recommended caution is taken during any excavation works. If any contamination is found it must be reported to the Local Planning Authority

03. U11655 The developer shall ensure that no vehicle leaving the development hereby permitted enter the public highway unless its wheels and chassis are clean. It should be noted that to deposit mud on the highway is an offence under provisions of The Highways Act 1980.

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.

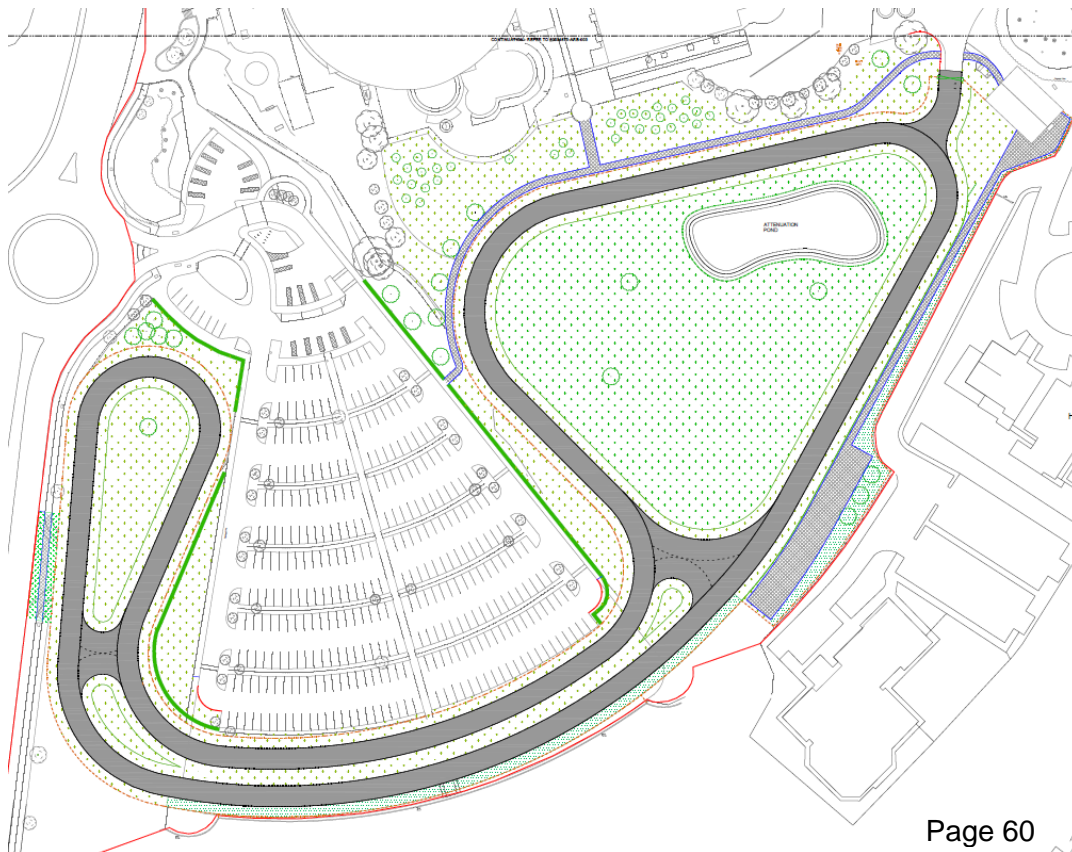
Appendix 1 - showing alterations to main car park



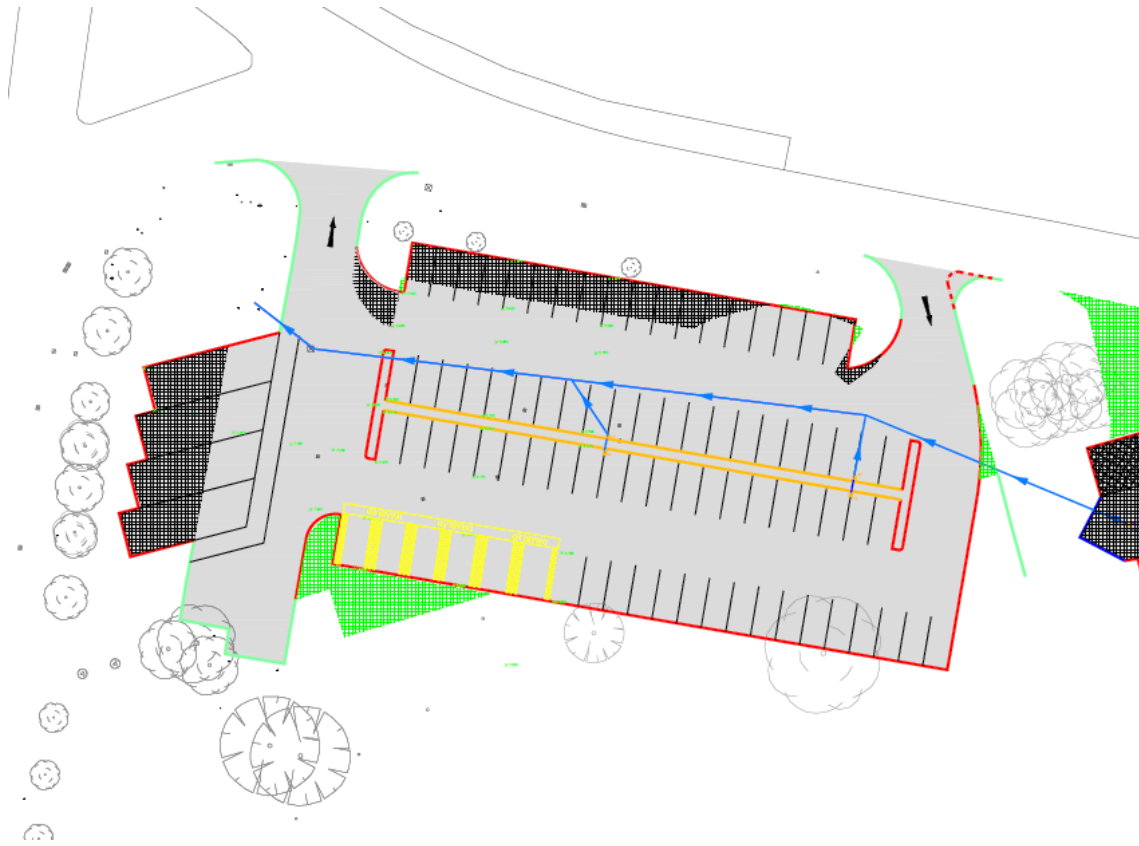
Appendix 2 - Tree Constraints plan



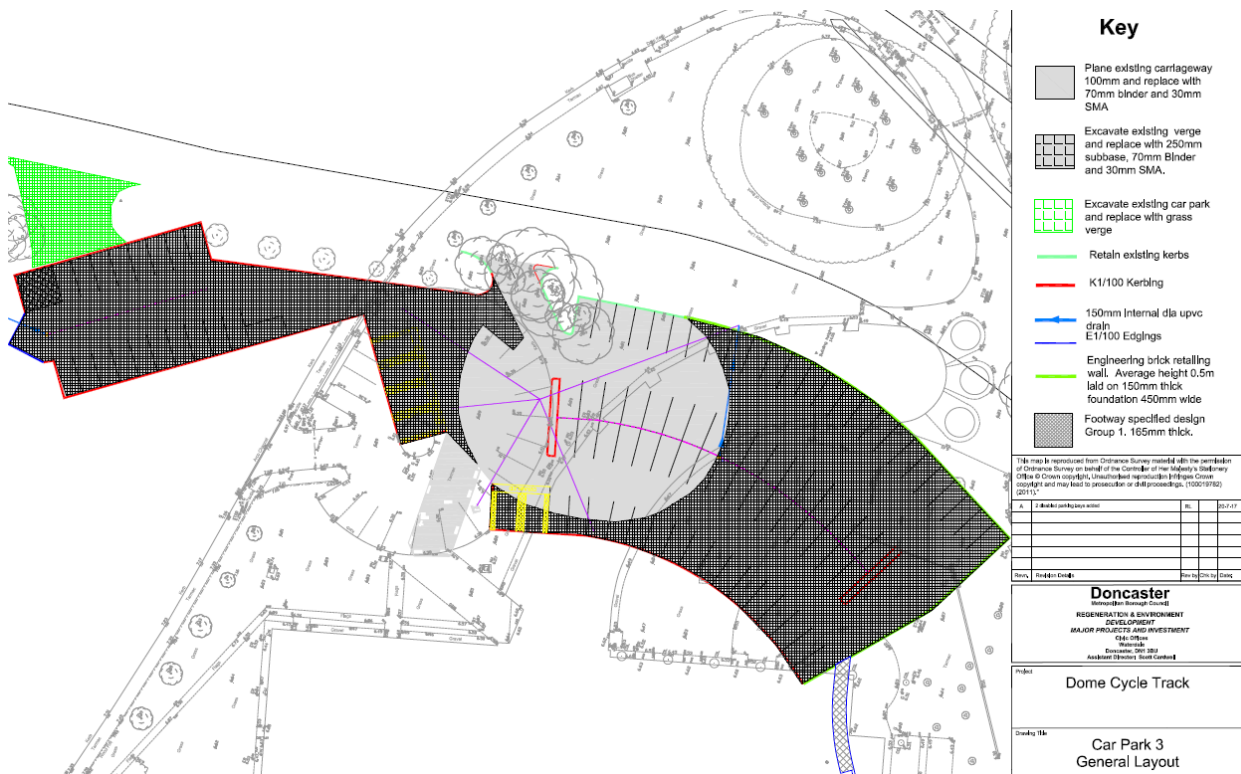
Appendix 3 - Indicative landscaping Plan: to be added to by condition.



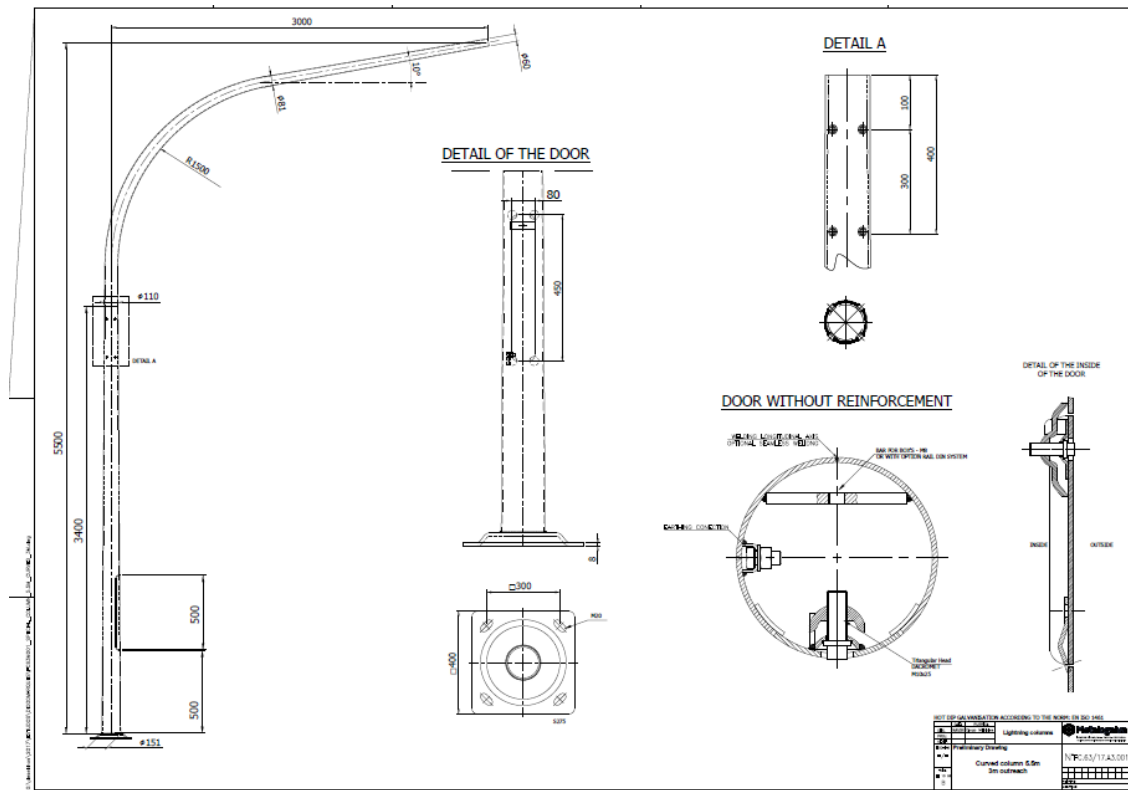
Appendix 4 - Car park 2 to the north of the Dome



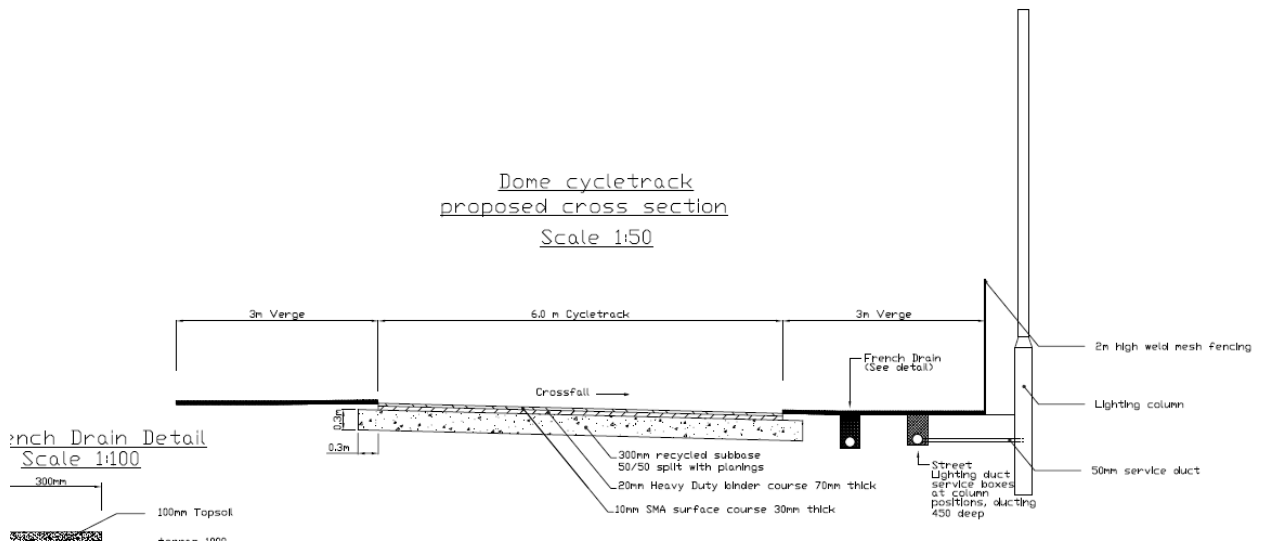
Appendix 5 - Car park 3 north of the Dome



Appendix 6 - Lighting detail



Appendix 7- Cross section:



19 September, 2017

To the Chair and Members of the Planning Committee

APPEAL DECISIONS

EXECUTIVE SUMMARY

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

RECOMMENDATIONS

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

WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?

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

BACKGROUND

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

OPTIONS CONSIDERED

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

REASONS FOR RECOMMENDED OPTION

6. To make the public aware of these decisions.

IMPACT ON THE COUNCIL'S KEY OUTCOMES

7.

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

RISKS AND ASSUMPTIONS

8. N/A

LEGAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

10. The Director of Financial Services has advised that there are no financial implications arising from the above decision.

HUMAN RESOURCES IMPLICATIONS

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

TECHNOLOGY IMPLICATIONS

12. There are no Technology implications arising from the report

EQUALITY IMPLICATIONS

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

CONSULTATION

14. N/A

BACKGROUND PAPERS

15. N/A

CONCLUSIONS

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

| Application No. | Application Description & Location | Appeal Decision | Ward |
|------------------------|--|--------------------------------|-------------------|
| 17/00240/FUL | Erection of single storey front, side and rear extensions, installation of dormer windows and raising of roof height in connection with formation of rooms in roof space. at Crossways, Common Lane, Norton, Doncaster | Appeal Dismissed 11/08/2017 | Norton And Askern |
| 16/02751/FUL | Erection of 5 detached houses following demolition of existing public house at Land At, The Talisman, Chestnut Grove, Conisbrough | Appeal Withdrawn 21/08/2017 | Conisbrough |

REPORT AUTHOR & CONTRIBUTORS

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PETER DALE
Director of Regeneration and Environment

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Appeal Decision

Site visit made on 25 July 2017

by Darren Hendley BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 11th August 2017

Appeal Ref: APP/F4410/D/17/3174705

Crossways, Common Lane, Norton, Doncaster DN6 9HZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Andrew Evans against the decision of Doncaster Metropolitan Borough Council.
 - The application Ref 17/00240/FUL, dated 30 January 2017, was refused by notice dated 23 March 2017.
 - The development proposed is a single storey front, side and rear extension and dormer.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the building and the area.

Reasons

3. The appeal property comprises a bungalow that has been extended to the side and rear, and a detached garage. It is located on a corner plot and contains a long site frontage onto Common Lane and Pinfold Lane. This frontage is defined by a low stone wall with infrequent trees of a modest height set behind the wall. Properties on both Common Lane and Pinfold Lane in the vicinity of the site are also predominately bungalows, and this is a defining characteristic. A bungalow is also under construction at the rear of the appeal site. At the time of my site visit, a mobile home was on the site.
4. The proposal would noticeably increase the scale of the existing bungalow with the sizeable increase of the height of the roof ridge and the footprint size, and with the introduction of the two gable ends on the front elevation that would be both two storeys. The scale of the proposal would be substantially greater than the bungalow properties in the vicinity of the site.
5. The site is prominent due to its location on the corner and with its long frontage affording extensive views from the streetscene. The proposal would also be located closer to the site frontage than the existing bungalow, in particular when nearest Pinfold Lane. When the prominence of the siting of the proposal is combined with the scale, it would appear dominant and markedly out of keeping with the area. The front boundary treatment and the trees would not provide any substantive screening due to their limited height.

6. The site's corner location also gives it a sense of spaciousness that adds appreciably to its own character and lessens to reduce the overall density of development in the area. This role of the site would be substantially reduced with the scale of the proposal and so this would also be to the detriment of its contribution to the character of the area. The property would be left with a reasonable amount of usable garden space, but this does not alter my conclusions over this loss of the site's spaciousness.
7. No 1 Pinfold Lane, adjacent the site, has been extended, including an increase in the height of the roof to create first floor accommodation. It is however located on a less prominent site and still presents some the attributes of a bungalow form, by maintaining a front eaves height at single storey level with the roof slope angling back to the dormers. With the scale and prominence of the proposal, it would not significantly reflect the form of development that has taken place at No 1. Nor would it reflect the design characteristics of the other properties on Pinfold and Common Lane nearest the site, with their predominant single storey form, design and appearance.
8. I conclude the proposal would have an unacceptable effect on the character and appearance of the building and the area. It would not comply with Policy CS14 of the Doncaster Local Development Framework Core Strategy (2012) and 'Saved' Policy ENV54 of the Doncaster Unitary Development Plan (1998) which state that proposals must be of high quality design that contribute to local distinctiveness and should be sympathetic, including in scale to the existing building.
9. Paragraph 56 of the National Planning Policy Framework (Framework) establishes that Government attaches great importance to the design of the built environment. The proposal would not comply with paragraph 60 which states that whilst planning decisions should not make unsubstantiated requirements to conform to certain development forms or styles, it is proper to promote or reinforce local distinctiveness. It would also not comply with similar advice in the Council's Development Guidance and Requirements: Supplementary Planning Document (2015) which sets out the importance of good design and this should be informed by the character of the area.

Other Matters

10. The site benefits from a proximity to bus stops and highways infrastructure that allow access to services in Doncaster and other settlements, and the proposal constitutes the redevelopment of a site that has already been developed; however these neither address nor outweigh my concerns over the effect on character and appearance, given the importance which is attached to good design.
11. Whilst the proposal would be acceptable with regard to highways safety and the effect on the living conditions of the occupiers of adjacent properties, these are neutral matters and therefore do not weigh in favour of the proposal. Nor would conditions address my concerns over character and appearance. I also note comments made about pre-application discussions and how this has informed the planning application and the purchase of the property, although these are not matters for me to comment on in the context of this appeal.

Conclusion

12. I conclude the appeal should be dismissed.

Darren Hendley

INSPECTOR

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Your Ref: 2704
Our Ref: APP/F4410/W/17/3178847

Mr Richard Sixsmith
Peter Wade Consultancy
Peter Wade Consultancy, Stockrail House
Waggon Lane, Upton
PONTEFRACT
WF9 1FE

21 August 2017

Dear Mr Sixsmith,

Town and Country Planning Act 1990
Appeal by H&P Builders Ltd.
Site Address: The Talisman, Chestnut Grove, Conisbrough, Doncaster , DN12
2JA

Thank you for your letter withdrawing the above appeal(s).

I confirm no further action will be taken.

Any event arrangements made for the appeal(s) will be cancelled.

A copy of this letter has been sent to the local planning authority.

Yours sincerely,

Anton Godfrey
Anton Godfrey

Where applicable, you can use the internet to submit documents, to see information and to check the progress of cases through the Planning Portal. The address of our search page is - www.planningportal.gov.uk/planning/appeals/online/search

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Agenda Item 7.

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

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