

Public Document Pack

To all Members of the

PLANNING COMMITTEE

AGENDA

Notice is given that a Meeting of the above Committee is to be held as follows:

VENUE Council Chamber - Civic Office Waterdale, Doncaster
DATE: Tuesday, 14th November, 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. | |
| 3. Declarations of Interest, if any. | |

Jo Miller
Chief Executive

Issued on: Monday, 6 November 2017

Democratic Services Officer
for this meeting:

Amber Torrington
Tel: 01302 737462

4.	Minutes of the Planning Committee Meeting held on 17th October, 2017.	1 - 14
A.	Reports where the Public and Press may not be excluded.	
	<u>For Decision</u>	
5.	Schedule of Applications.	15 - 154
6.	Section 106 Agreement following Viability Assessment for Residential Development at White Lane, Thorne (15/02275/OUTM).	155-162
	<u>For Information</u>	
7.	Appeal Decisions.	163-172
B.	Items where the Public and Press may be excluded in accordance with grounds specified in the Local Government Act 1972, as amended.	
8.	Enforcement Cases Received and Closed for the Period of 4th October to 1st November, 2017. (Exclusion Paragraph 6)	173-186

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.

Public Document Pack Agenda Item 4.

DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE

TUESDAY, 17TH OCTOBER, 2017

A MEETING of the PLANNING COMMITTEE was held at the COUNCIL CHAMBER - CIVIC OFFICE on TUESDAY, 17TH OCTOBER, 2017, at 2.00 pm.

PRESENT:

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

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

APOLOGIES:

Apologies for absence were received from Councillors Tina Reid.

32 DECLARATIONS OF INTEREST, IF ANY.

In accordance with the Members' Code of Conduct, Councillor Mick Cooper declared a Disclosable Pecuniary Interest in Application No. 17/00879/FULM (Agenda Item 5 (4)) by virtue of that he had carried out a Tree Survey for the applicant and therefore took no part in the discussion at the meeting and vacated the room during consideration thereof.

In accordance with the Members' Code of Conduct, Councillor Sue McGuinness declared an interest in Application Nos 16/02224/OUTM and 12/00188/OUTM (Agenda Item 5 (2&3)) by virtue of being involved with the discussions and the production of the Armthorpe Neighbourhood Plan. She stated that she would abstain from the vote.

In accordance with the Members' Code of Conduct, Councillor Andy Pickering declared an interest in Application No 17/01495/FUL (Agenda Item 5 (7)) by virtue of being a local ward member and being lobbied on the application but had not given his opinion thereon.

33 MINUTES OF THE PLANNING COMMITTEE MEETING HELD ON 19TH SEPTEMBER, 2017

RESOLVED that the minutes of the meeting held on the 19th September, 2017, be approved as a correct record and signed by the Chair.

34 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'.

35 ADJOURNMENT OF MEETING.

RESOLVED that in accordance with Council Procedure Rule 18.11(f), the meeting stand adjourned at 4.00 p.m. to be reconvened on this day at 4.05 p.m.

36 RECONVENING OF MEETING.

The meeting reconvened at 4.05 p.m

37 TOWN AND COUNTRY PLANNING ACT 1990, SECTION 106 AGREEMENTS.

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

Application No	Description and Location
16/02224/OUTM	Outline application for the erection of residential development of up to 400 dwellings, Primary School, Open Space including green wedge, formal open space and children's play areas, landscape works including retained and new woodland planting, principle of access from Hatfield Lane, internal road network, cycle and pedestrian network, provision of utilities, drainage and necessary diversions and demolition and any engineering and ground remodelling works (All Matters Reserved). Land North West of Hatfield Lane, Armthorpe, Doncaster.
12/00188/OUTM	Proposed residential and commercial/employment (B1, B2 and B8) development (being resubmission of application 10/01725/OUTM, refused on 18/10/11). Land on the East side of Hatfield Lane, Armthorpe.

38 DURATION OF MEETING.

RESOLVED that in accordance with Council Procedure Rule 33.1, the Committee, having sat continuously for 3 hours, continue to consider the items of business on the agenda.

39 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
16/02552/O UT	Outline application for erection of stables, toilets and hay store (Approval being sought for Access, Appearance and Landscaping) at Skelbrooke Stables, Bannister Lane, Skelbrooke, Doncaster.	Appeal Dismissed 12/09/2017
16/02977/F UL	Change of use from retail (Class A1) to betting shop (Sui Generis) and alterations to shop frontage at 1 St Sepulchre Gate, Doncaster, DN1 1TD.	Appeal Allowed 20/09/2017

40 EXCLUSION OF PUBLIC AND PRESS.

RESOLVED that the public and press be excluded from the remaining proceedings of the meeting, in accordance with Section 100(A)(4) of the Local Government Act 1972, as amended, on the grounds that exempt information as defined in Paragraph 6 of Schedule 12A to the Act, is likely to be disclosed.

41 ENFORCEMENT CASES RECEIVED AND CLOSED FOR THE PERIOD 6TH SEPTEMBER TO 3RD OCTOBER, 2017 (EXCLUSION PARAGRAPH 6).

The Committee considered a report which detailed all Planning Enforcement complaints and cases received, and closed during the period 6th September to 3rd October, 2017.

In response to Councillor Sue McGuinness seeking further clarification with regard Enforcement Case 17/00423/M, the Head of Planning, Richard Purcell, undertook to provide Councillor McGuinness with a progress report on the specific details of the case following the meeting.

In response to Councillor Susan Durant seeking further clarification with regard Enforcement Case 17/00412/M, the Head of Planning, Richard Purcell, undertook to provide Councillor Durant with a progress report on the specific details of the case following the meeting.

Councillor Susan Durant also stated that the time taken for members to receive a response to their enquiries on specific enforcement cases required improvement.

RESOLVED that all Planning Enforcement Cases received and closed for the period 6th September to 3rd October, 2017, be noted.

DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE – 17th October, 2017

Application	1		
Application Number:	17/01887/3FUL	Application Expiry Date:	21st September 2017
Application Type:	Planning FULL (DMBC Reg3)		
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)		
At:	The Dome, Gliwice Way, Doncaster DN4 7PD		
For:	Doncaster Metropolitan Borough Council - Leisure Services		
Third Party Reps:	112	Parish:	
		Ward:	Bessacarr

A proposal was made to grant the application.

Proposed by: **Councillor Susan Durant**

Seconded by: **Councillor Iris Beech**

For: 10 Against: 0 Abstain: 0

Decision: Planning Permission granted subject to the amendment of the following Condition 8 to read as follows:-

08. Prior to the development commencing a Biodiversity Enhancement Master Plan shall be submitted to and approved in writing by the LPA. The content of the Plan shall include:-

- **Using the LPA's Biodiversity Offsetting method, a scheme of habitat compensation should be proposed to ensure that there is a no 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 should be harvested from the adjoining LWS Doncaster Common as a means of ensuring consistency in species content and local genetic integrity;

- A detailed management schedule for the acid grassland areas to ensure that no adverse impacts are caused to the newly created grassland by ancillary activities on event days and for the acid grassland to be retained in perpetuity;
- 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;
- A lighting scheme that reduces impact of lighting on nocturnal species through type and positioning of individual lighting sources.

The scheme once agreed shall be implemented prior to the use of the track commencing and shall be retained for the lifetime of the development.

REASON

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

In accordance with Planning Guidance ‘Having Your Say at Planning Committee’, Andy Maddox, Business Development Manager, Leisure Services spoke in support of the application for the duration of up to 5 minutes.

(The receipt of a new landscaping plan approved by British Cycling and an additional representation from Mr A Sinclair was reported at the meeting).

Application	2
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Application Number:	16/02224/OUTM	Application Expiry Date:	12th December 2016
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Application Type:	Outline Planning Major
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Proposal Description:	Outline application for the erection of residential development of up to 400 dwellings, Primary School, Open Space including green wedge, formal open space and children's play areas, landscape works including retained and new woodland planting, principle of access from Hatfield Lane, internal road network, cycle and pedestrian network, provision of utilities, drainage and necessary diversions and demolition and any engineering and ground remodelling works (All Matters Reserved).
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At:	Land North West of Hatfield Lane, Armthorpe, Doncaster		
For:	O&H Properties Ltd		
Third Party Reps:	17	Parish:	Armthorpe Parish Council
		Ward:	Armthorpe

A proposal was made to grant the application.

Proposed by: **Councillor Susan Durant**

Seconded by: **Councillor John Healy**

For: 9 Against: 0 Abstain: 1

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:-

- A) 26% affordable housing;**
- B) Education contribution based on a formula and transfer of land for primary school;**
- C) Contribution of £387,855 towards West Moor Link widening scheme;**
- D) Off-site highways improvements as identified within the submitted Transport Assessment**
- E) Transport Bond of £42,020.**
- F) Owner and DMBC to use reasonable endeavours to secure the provision of pedestrian and cycleway connections to Fernbank Drive and Mere Lane.**

In accordance with Planning Guidance 'Having Your Say at Planning Committee', Harry Jones, representative of David Lock Associates (on behalf of the applicant O&H Properties Ltd) 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 Chris McGuinness, Ward Member spoke in support of the application for the duration of up to 5 minutes.

(Clarification was reported at the meeting with regard to the following:-

- The West Moor Link contribution of £387,855 to be used for the bridge widening works on phase 1 of the project; and
- Paragraph 7.25 of the report which refers to the Examiner of the Armthorpe Neighbourhood Development Plan recommending that the Green Wedge be removed from the northern part of the application site. This recommendation of this examiner does not relate to this development).

Application	3
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Application Number:	12/00188/OUTM	Application Expiry Date:	27 th April 2012
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Application Type:	Outline Planning Major
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Proposal Description:	Proposed residential and commercial/employment (B1, B2 and B8) development (being resubmission of application 10/01725/OUTM, refused on 18/10/11)
At:	Land on the East side of Hatfield Lane, Armthorpe

For:	MPSL Planning and Design
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Third Party Reps:	20	Parish:	Armthorpe Parish Council
		Ward:	Armthorpe

A proposal was made to grant the application.

Proposed by: **Councillor Eva Hughes**

Seconded by: **Councillor Susan Durant**

For: 9 Against: 0 Abstain: 1

Decision: Planning Permission granted subject to the amendment of condition 4 to read as follows and 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:-

A) 26% affordable housing;

B) Education contribution based on a formula;

- C) Contribution of £349,961 towards West Moor Link improvement scheme;
- D) Works to West Moor Link/Hatfield Lane and Sainsbury's roundabouts prior to the occupation of the 174th dwelling;
- E) Transport Bond of £43,296 and monitoring;
- F) The three bus stops on Mercel Avenue and Hatfield Lane to be upgraded or replaced; and
- G) Travel Plan measures to include the appointment of a travel co-ordinator, the provision of information about alternative means of transport to the private car, the promotion of car-sharing schemes and a travel pass for discounted travel by public transport for one year and a voucher towards a bicycle and/or bicycle equipment.

04. The reserved matters shall be prepared in accordance with the proposed indicative master plan and in particular the same proportion of green wedge as indicated along the northern part of the site.

REASON

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

In accordance with Planning Guidance 'Having Your Say at Planning Committee', Tony McAteer (agent) 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 Chris McGuinness, Ward Member spoke in support of the application for the duration of up to 5 minutes.

(Clarification with regard to the West Moor Link contribution of £349,961 to be used for the bridge widening works on phase 1 of the project was reported at the meeting).

Application	4
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Application Number:	17/00879/FULM	Application Expiry Date:	7th July 2017
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Application Type:	Planning FULL Major
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Proposal Description:	Erection of 8 dwellings and 6 1-bed flats, parking and new access following demolition of existing building.
At:	Land at former The Warrenne Youth Centre, Broadway, Dunscroft Doncaster

For:	Mr J Holt
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Third Party Reps:	19	Parish:	Hatfield Parish Council
		Ward:	Hatfield

A proposal was made to defer the application for a Site Visit to be undertaken at school times to assess the impact of the proposal on the existing traffic situation.

Proposed by: **Councillor Sue McGuinness**

Seconded by: **Councillor Dave Shaw**

For: 7 Against: 1 Abstain: 0

Decision: Defer the application for a Site Visit to be undertaken at school times to assess the impact of the proposal on the existing traffic situation.

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

(The receipt of additional information with regard to a preliminary bat report undertaken was reported at the meeting).

Application	5
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Application Number:	16/02589/FUL	Application Expiry Date:	27 th December 2016
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Application Type:	Full application
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Proposal Description:	Proposed conversion and extension of existing dwelling to form six apartments.
At:	63 Woodfield Road, Balby

For:	Mr Adrian Kadria
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Third Party Reps:	54	Parish:	
		Ward:	Balby South

A proposal was made to defer the application for a site visit to assess the impact on the local highway network and to assess whether the proposal is over intensive.

Proposed by: **Councillor John Healy**

Seconded by: **Councillor Sue McGuinness**

For: 10 Against: 0 Abstain: 0

Decision: Defer the for a Site Visit to assess the impact on the local highway network and to assess whether the proposal is over intensive.

Application	6
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Application Number:	17/01208/FUL	Application Expiry Date:	10th October 2017
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Application Type:	Full Application
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Proposal Description:	Single storey extension
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At:	KFC, Unit 3, Sprotbrough Road, Sprotbrough
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For:	QFM
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Third Party Reps:	81 objections 18 in support	Parish:	Sprotbrough & Cusworth Parish Council
		Ward:	Bentley

A proposal was made to grant the application.

Proposed by: **Councillor Dave Shaw**

Seconded by: **Councillor Sue McGuinness**

For: 10 Against: 0 Abstain: 0

Decision: Planning permission granted subject to the addition of the following condition:-

- 04. The hours of construction are restricted to:
07:30-18:00 Monday to Friday
Sat 07:30-13:00 and not at all on Sundays or Bank Holidays
REASON
In the interests of residential amenity.**

In accordance with Planning Guidance, 'Having Your Say at Planning Committee', Mr Cousins, resident spoke in opposition to the application for the duration of up to 5 minutes.

In accordance with Planning Guidance, 'Having Your Say at Planning Committee', Councillor Charlie Hogarth, ward member 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', Geoffrey Eaton, agent spoke in support of the application for the duration of up to 5 minutes.

Application	7
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Application Number:	17/01495/FUL	Application Expiry Date:	4th August 2017
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Application Type:	Full Application
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Proposal Description:	Erection of building for use as childrens nursery
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At:	Mexborough Business Centre, College Road, Mexborough, S64 9JP
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For:	Mr Peter Newman
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Third Party Reps:	13	Parish:	N/A
		Ward:	Mexborough

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

Proposed by: **Councillor Dave Shaw**

Seconded by: **Councillor Sue McGuinness**

For: 10 Against: 0 Abstain: 0

Decision: Planning permission refused for the following reason:-

- 01. Loss of amenity to adjacent occupiers.**

In accordance with Planning Guidance, 'Having Your Say at Planning Committee', Robert Eames, resident spoke in opposition to the application for the duration of up to 5 minutes.

In accordance with Planning Guidance, 'Having Your Say at Planning Committee', Councillor Bev Chapman, ward member spoke in opposition to the application for the duration of up to 5 minutes.

Application	8
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Application Number:	17/01645/FUL	Application Expiry Date:	22nd August 2017
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Application Type:	Full Application
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Proposal Description:	Erection of a single storey detached dwelling on approx 0.08ha of land following demolition of side extension and garage to The Croft
At:	The Croft, Lindrick Lane, Tickhill, Doncaster

For:	Mr & Mrs Duncan Donald
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Third Party Reps:	5	Parish:	Tickhill Parish Council
		Ward:	Tickhill And Wadworth

A proposal was made to grant the application.

Proposed by: **Councillor Jonathan Wood**

Seconded by: **Councillor Dave Shaw**

For: 5 Against: 4 Abstain: 1

Decision: Planning permission granted

In accordance with Planning Guidance, 'Having Your Say at Planning Committee', Richard Harrison, resident spoke in opposition to the application for the duration of up to 5 minutes.

In accordance with Planning Guidance, 'Having Your Say at Planning Committee', Councillor J Bergin, Tickhill Town Council, 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', Roger Eyre, agent spoke in support of the application for the duration of up to 5 minutes.

(The receipt of additional representations from Councillor Cannings and Tickhill Town Council were reported at the meeting).

Application	9
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Application Number:	17/01300/FUL	Application Expiry Date:	3rd August 2017
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Application Type:	Full Application
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Proposal Description:	Erection of a detached garage/outbuilding.
At:	Land off St Martins, Bawtry, Doncaster, DN10 6NJ

For:	Mr & Mrs Jackson
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Third Party Reps:	8	Parish:	Bawtry Town Council
		Ward:	Rossington & Bawtry

A proposal was made to defer the application for a Site Visit to assess the site and to understand the concerns raised by highways

Proposed by: **Councillor Mick Cooper**

Seconded by: **Councillor Dave Shaw**

For: 10 Against: 0 Abstain: 0

Decision: Defer the application for a Site Visit to assess the site and to understand the concerns raised by highways.

In accordance with Planning Guidance, 'Having Your Say at Planning Committee', Councillor Rachael Blake, ward member spoke in opposition to the application for the duration of up to 5 minutes.

In accordance with Planning Guidance, 'Having Your Say at Planning Committee', Mr Peter Wainwright, resident spoke in opposition to the application for the duration of up to 5 minutes.

In accordance with Planning Guidance, 'Having Your Say at Planning Committee', Mr Matt Jackson, applicant spoke in support of the application for the duration of up to 5 minutes.

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DONCASTER METROPOLITAN BOROUGH COUNCIL

Date 14th November 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.

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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. SV	17/01300/FUL	Rossington And Bawtry	Bawtry Town Council
2.	17/00808/FUL	Sprotbrough	High Melton Parish Council
3.	17/02025/COU	Thorne And Moorends	Thorne Town Council
4.	16/02589/FUL	Balby South	
5. M	17/00879/FULM	Hatfield	Hatfield Parish Council
6. M	17/02001/3FULM	Town	
7. M	17/02332/3FULM	Town	
8.	17/02333/LB13	Town	
9.	15/01306/FUL	Hatfield	Hatfield Parish Council

DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE – 14th November 2017

Application **01**

Application Number:	17/01300/FUL	Application Expiry Date:	3rd August 2017
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Application Type:	Full Application
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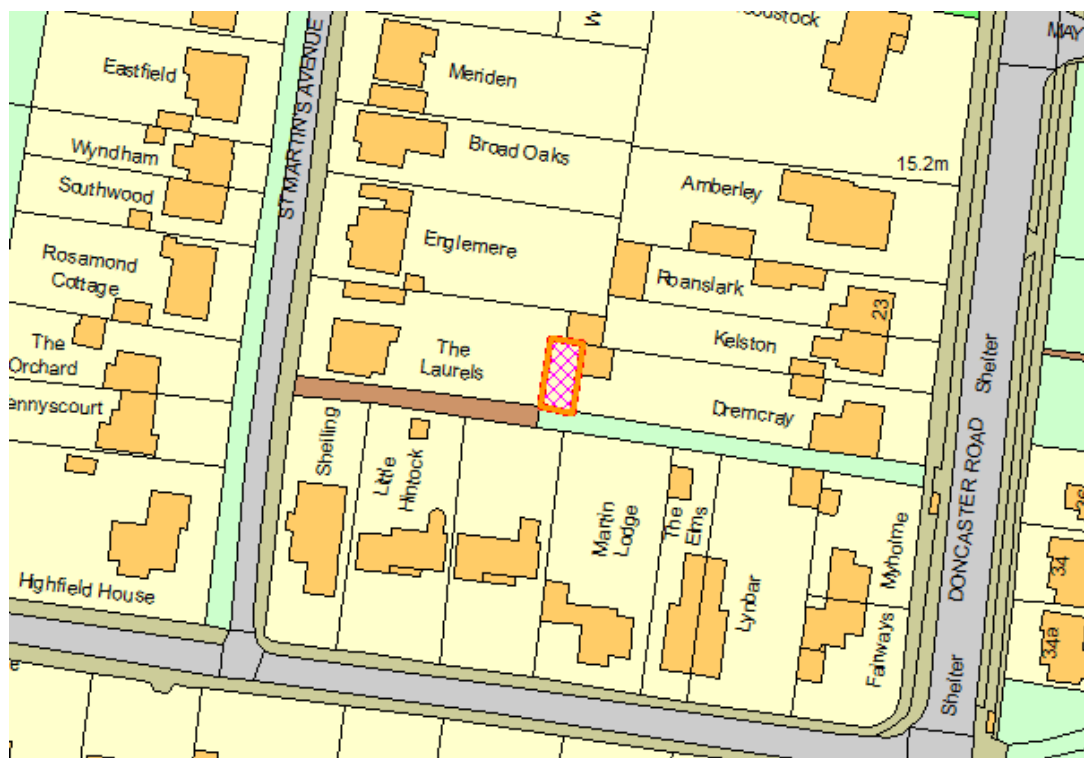
Proposal Description:	Erection of a detached garage/outbuilding.
At:	Land Off St Martins Bawtry Doncaster DN10 6NJ

For:	Mr & Mrs Jackson
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Third Party Reps:	8	Parish:	Bawtry Town Council
		Ward:	Rossington And Bawtry

Author of Report	Sara Dodds
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MAIN RECOMMENDATION:	GRANT
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1.0 Reason for Report

1.1 This application is being presented to Planning Committee, following the deferral of the application from the Planning Committee of the 17th of October 2017 for a site visit. The site visit was conducted on the 10th of November 2017 to enable Members of the Planning Committee to assess the access to the site and to understand the concerns raised by highways.

1.2 This application is being presented to Committee at the request of Councillor Rachael Blake on the grounds of residential amenity, and as a result of the level of objection received.

2.0 Proposal and Background

2.1 The application seeks planning permission for the erection of a detached garage/outbuilding.

2.2 The application site is an area of land located off St Martins Avenue, Bawtry and is separate from the remainder of the residential property of The Elms, Martin Lane. The application site is, however, in the ownership of the applicant.

2.3 This site is an area of land which is served by an access track/lane. The track/lane has boundary treatment to both sides in the form of timber fencing, and as you progress further down the track/lane the area becomes more over grown by tress and greenery from the surrounding area. Other residential garden areas and outbuildings surround the proposed garage site.

3.0 Relevant Planning History

No relevant history on the application site.

The Elms;

14/01071/FUL - Erection of pitched roof study/utility/wc extension to rear, bricking up of doorway and erection of new glazed canopy supported on cast iron columns to side of semi-detached house following demolition of existing outbuilding - Granted 01/09/2014.

15/01775/PD - 1. New side dormer window - Permitted Development 10/08/2015.

The Laurels;

15/00521/FUL – Erection of pitched roof single storey extension to rear of detached dwelling – Granted 31.03.2015

4.0 Representations

4.1 This application has been advertised in accordance with Article 15 of the Development Management Procedure Order (DMPO), and includes neighbour notification and Planning Applications Online. Seven letters of objection have been received in connection with this application on the following grounds:

- Description of the location of the site.
- Access from Doncaster Road, but not St Martins Avenue.
- The size of the proposal/solar panels being part of the proposal.
- Is the structure to house a weekend fun car.

- Possible damage to drains in Backlane.
- The sheet describing the site refers to "access from St Martins Avenue".
- The implication of unlimited access to the Avenue by non-residents. It is a private road maintained as necessary by residents as circumstances dictate.
- The Avenue already suffers from the impact of motor vehicles and should not be subject to any more.
- It should be noted that vehicular access to Highfield House is, and always has been, via the Avenue.
- St Martins Avenue is a private road, and as such is maintained and paid for by the householders who access their property from this road.
- The site is not accessed from St Martins Avenue, but from a track that is accessible from the applicants own property directly through his drive or Doncaster Road. The fact that this track is not overgrown to the extent of the Doncaster Road end is due to the diligence of the three properties that abut this track.
- The track is narrow and to be used on a regular basis will have an impact on the quality of life on these three properties, also on the two properties on St Martins Avenue which face the entrance to the track with an increase in traffic and Light pollution.
- The only building which has been on the site is a small greenhouse, as the plot has always been used as an allotment.
- The main drain for the properties abutting the track runs underneath, which is just a path.
- St Martins Avenue is a privately owned and unadopted road and no rights of access to the land (site) is accessible.
- The fold down bollard to ensure only controlled access onto the track, this is located at St Martins Avenue end of the track.
- Access to the track should be available from Doncaster Road.
- The land (site) was sold for use as an allotment only and with pedestrian only access rights from the track via a narrow gate. This status remains unchanged.
- Possible damage to sewer pipe.
- Other vehicles of a non-domestic nature may use the track
- Lack of action by others could lead to allowing access to a private road which residents maintain. The solution is to clear the track from Doncaster Road.

A further representation was then received following the receipt of an amendment to reduce the footprint of the garage. The comments received are as follows;

- The plans do not accurately show the proximity of the Laurels as a result of an extension
- The width of the access road is different to that shown on the deeds
- Height of the proposed garage above ground level

5.0 Parish Council

5.1 No response/comments have been received.

6.0 Relevant Consultations

6.1 The Coal Authority standing advice in the form of an advisory informative note in the event of any coal mining feature is encountered during development.

6.2 Highways Development Control - the following comments have been received;

The lane adjacent to the application site is unadopted and does not currently appear to be used for vehicular access, being grassed and overgrown in parts from images. The applicant should ensure that they have a right to use this lane for vehicular access in the first instance and if in private ownership, it may be shared by neighbouring properties who may have interest in the proposal. As presented Highways initially had concerns with the application as proposed. The positioning of the garage leaves, what appears to be, insufficient space for a car to manoeuvre in or out however the plan does not measure to scale and the Highways Officer has been unable to assess this fully. It may also be difficult to drive out of the access given the width of the lane.

The need for the proposed new access is questioned as it is apparent that the site already benefits from an access and driveway to the front of the property and Highways would have concerns over the use and adequacy of the side lane for vehicular use, particularly if the intention was to exit directly on to Bawtry Road.

The application was then amended to reduce the footprint of the garage to improve manoeuvrability. Further Highways comments were subsequently received;

Whilst the amendments have made the manoeuvrability within the site better, Highways still have concerns over promoting this lane for use by vehicles. There is no way of preventing vehicles from accessing or exiting the lane from and onto Doncaster Road which raises serious road safety concerns. Doncaster Road is a well-used classified route, there is a bus stop located immediately adjacent to the access and visibility is extremely poor. Notwithstanding the above, there is still the issue over rights of access. Taking all of these factors into consideration Highways Development Control view this proposal unfavourably.

6.3 Built and Natural Environment Section (Trees and Hedgerows Officer) - the following comments have been received:

With the further information on the fabrication of the building Mr Jenkinson is correct in that damage to the tree roots through direct loss/damage is reduced and there is no issue with the construction method. The comparison to the fencing isn't quite accurate in the Tree Officer's opinion in that although it is correct that the fencing required excavation and is near to the tree that this proposal would be, the total surface area of the root plate affected is tiny compared to root plate area potentially affected by the garage, which could cause compaction and change the air and moisture exchange with the soil.

Overall, knowing that the garage will be implemented without the need for significant excavation and the surrounding area likely to allow the trees to compensate for the potential root plate loss although it isn't ideal because as per BS5837:2012 section 5.3. As such a tree survey is no longer required and there are no objections to the proposal on arboriculture grounds.

7.0 Relevant Policy and Strategic Context

7.1 The site is allocated as Residential Policy Area, as defined by the Doncaster Unitary Development Plan (Adopted July 1998) and saved by the Secretary of State September 2007.

Planning policy relevant to the consideration of this application includes:

Doncaster Council's Core Strategy:
Policy CS14: Design and Sustainable Construction.

National Planning Policy Framework
Chapter 7 - Requiring Good Design

Supplementary Planning Document: Development Guidance and Requirements, Adopted July 2015.

8.0 Planning Issues and Discussion

8.1 The main issues relating to this application are the impact of the development on the character of the area, highway safety and any impact on residential amenity.

Principle of development

8.2 The proposal is for a garage and the applicant has confirmed that the building is intended for domestic use and not for business use, which is a concern of local residents. The applicant also states that access would only be occasional and for a domestic vehicle. Whilst the site is separated from the main residential curtilage of The Elms, the application site is owned by the applicant. Interested parties comment that the land was previously used as an allotment. It is currently overgrown and is bound by timber fencing. As such, the proposal for a domestic garage on the site is acceptable in principle.

Highway safety

8.3 Policy CS 14 of the Doncaster Council Core Strategy sets out the design criteria for all proposals. Included within this is a requirement to ensure quality, stability, safety and security of private property, public areas and the highway. The proposal will be accessed from a track which has access from St Martins Avenue, and also leads to Doncaster Road, where there is a dropped kerb onto the A638.

8.4 The applicant intends to access the site via the track from St Martins Avenue, and given that, neither the track or St Martins Avenue are classified roads, planning permission would not be required for the formation of an access. The access onto St Martins Avenue and Doncaster Road is also already in existence. The applicant is not seeking to form an access onto Doncaster Road, however, given that there is already access and other properties have access gates, the local planning authority have no control should residents wish to utilise this. The applicant confirms that the lane is overgrown towards Doncaster Road and is currently not used as an access, and he has no intention of doing this.

8.5 Highways Development Control raise concern that whilst this application is for the erection of a detached garage to the rear of the property, which by its very nature will

require vehicle access. It is implied that the applicant currently has vehicular access to the rear of his property and similarly the neighbouring property “Dremcray” also, however from the site photos and photographic evidence provided by the applicant there is no evidence that vehicle access has been taken across this stretch of the adjoining lane in recent times.

8.6 St Martin’s Avenue and the access lane forming part of this application are un-adopted and whilst technically outside of the Highways Officer’s remit for consideration, they feel it would be remiss of them not to raise their concerns at this stage. Should this application be granted it could set a precedent for the other properties along this lane to apply for vehicular access also and with that, clear any overgrowth that is currently in place and create a vehicular link between St Martin’s Avenue and Doncaster Road which raises very serious road safety concerns. Furthermore, having read the associated representations, it is clear that there are ownership and right of access issues and it begs the question that if the applicants neighbouring land owners are refusing access over their land, how is this being used currently.

8.7 It is noted that the Highways Officer initially raised concerns with regards to manoeuvrability within the site and the garage has now been reduced to 6.75 m in length from 10.5m which is a reduction of over 3.5m. In addition the garage door height has been reduced which has brought down the eaves height slightly and the roof pitch has been reduced from 15 degrees to 12.5 degrees which has lowered the ridge line from 2.85m to 2.65m. The reduction in the length of the garage means that there is now an increased area to manoeuvre a vehicle in and out of the garage. Whilst Highways Development Control agree that this has improved manoeuvrability, their concerns relating to the promotion of this lane by vehicles remains.

8.8 Whilst the concerns of the Highways Officer are noted, the fundamental point here is that given that the formation of an access would not require planning permission, the local planning authority has no control over its use. The lane and access is already in existence and should the applicant wish to merely utilise the access, without constructing a garage, planning permission would not be required.

8.9 The matters raised by local residents in relation to rights of access are civil matters and not material planning considerations. The applicant maintains that they have a right of access stated within their deeds, however this is not a consideration for the Planning Committee.

Impact on character of the area

8.10 The Council’s SPD states that residential extensions and alterations (which includes outbuildings) will be supported which complement and enhance existing buildings and their settings, avoiding negative impacts on neighbours and the quality of the local environment in line with the in line with a number of design principles. Policy CS 14 of the Core Strategy requires proposals to respond positively to existing site features and integrates well with its immediate and surrounding local area.

8.11 The proposed garage is 5m in width and 6.75m in length. A double garage is normally 6m by 6m, as set out in the SPD when advising developers of parking requirements to enable parking for 2 cars. The footprint is therefore of reasonable proportions for the intended use. The height is 2m to eaves level and 2.7m to ridge

height. It is therefore considered that a development of this limited scale will have little impact on the character of the surrounding area, especially when sat behind a boundary fence.

8.12 The garage will be constructed from pebble dashed precast concrete panels, with profiled roofing sheets. The development is to be located down an access road and will not be in a highly prominent location, as such it is not considered to detract from the character of the surrounding area, in accordance with policy CS 14 and the SPD.

Impact on residential amenity

8.13 It is not considered that the proposal will detrimentally affect residential amenity given the scale of the development and its intended use. Whilst the comments of occupiers of The Laurels, situated to the west of the application site, are noted in that the site plan does not accurately show the proximity of the garage from this property as a result of a large rear extension, considering the approved development, there still remains 20.5m from the rear terrace shown on the approved plans for The Laurels to the application site. Therefore, given this limited scale of the proposal, this is a sufficient distance away from The Laurels. It is also located alongside an outbuilding/garage to Demcray to the east of the site.

Other matters

8.14 Matters relating to rights of access and the maintenance of St Martins Avenue and the track, and any legal covenant restricting the use of the site to an allotment are civil matters and are not material planning considerations.

9.0 Summary and Conclusion

9.1 In summary, the proposed erection of a garage in this location is acceptable. The garage is of a use, scale and design which is appropriate to the residential area and will not compromise residential amenity or the character of the surrounding area. Whilst the concerns of the Highways team are noted, the formation of the access is outside of the local planning authority's control.

10.0 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. U55708 The development hereby permitted shall be carried out in complete accordance with the details shown on the amended plans referenced and dated as follows;
PP1092 - (90)003 Rev A - Amended 24.07.2017
PP1092 - (20)004 Rev A - Amended 24.07.2017
PP1092 - (90)003 Rev C – Dated 12.10.2017
REASON
To ensure that the development is carried out in accordance with the application as approved.

01. U11444 INFORMATIVE

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848. It should also be noted that this site may lie in an area where a current licence exists for underground coal mining.

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

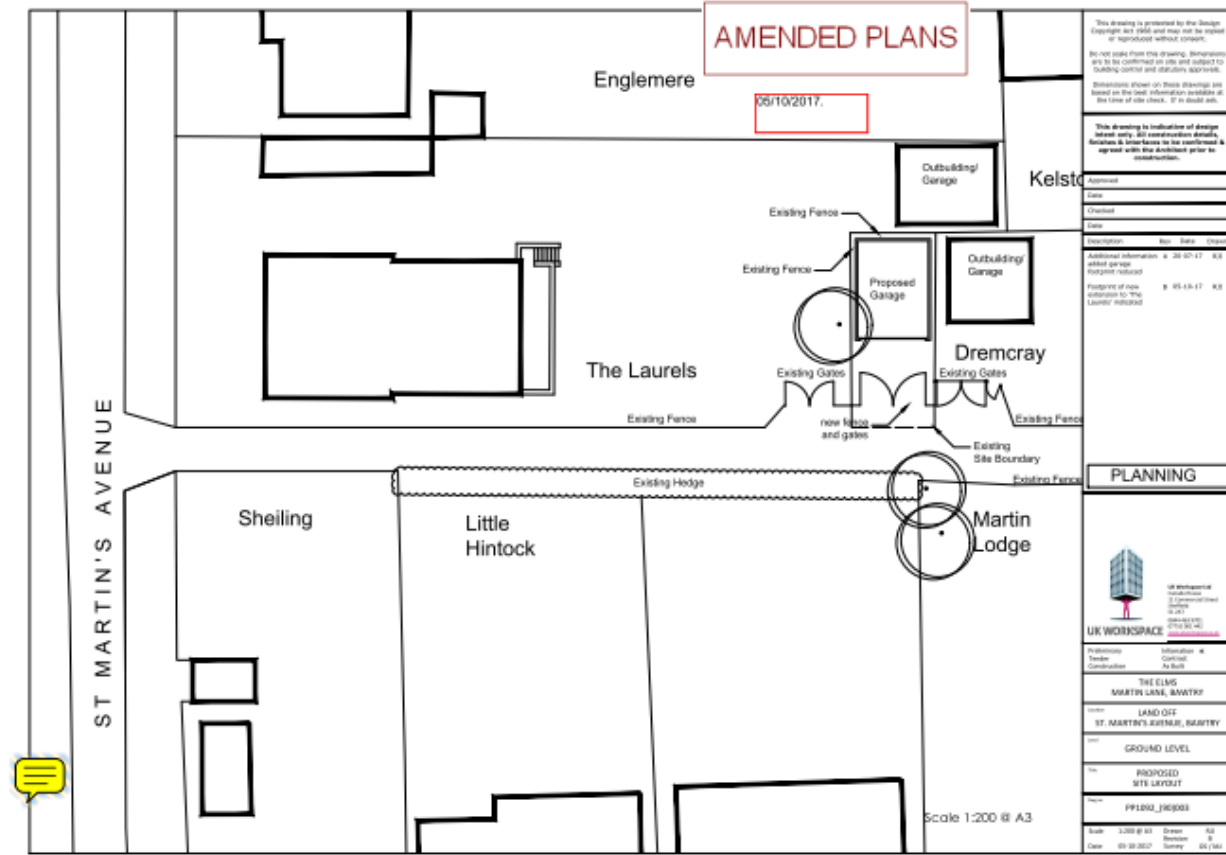
Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com

The above objections, considerations and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence.

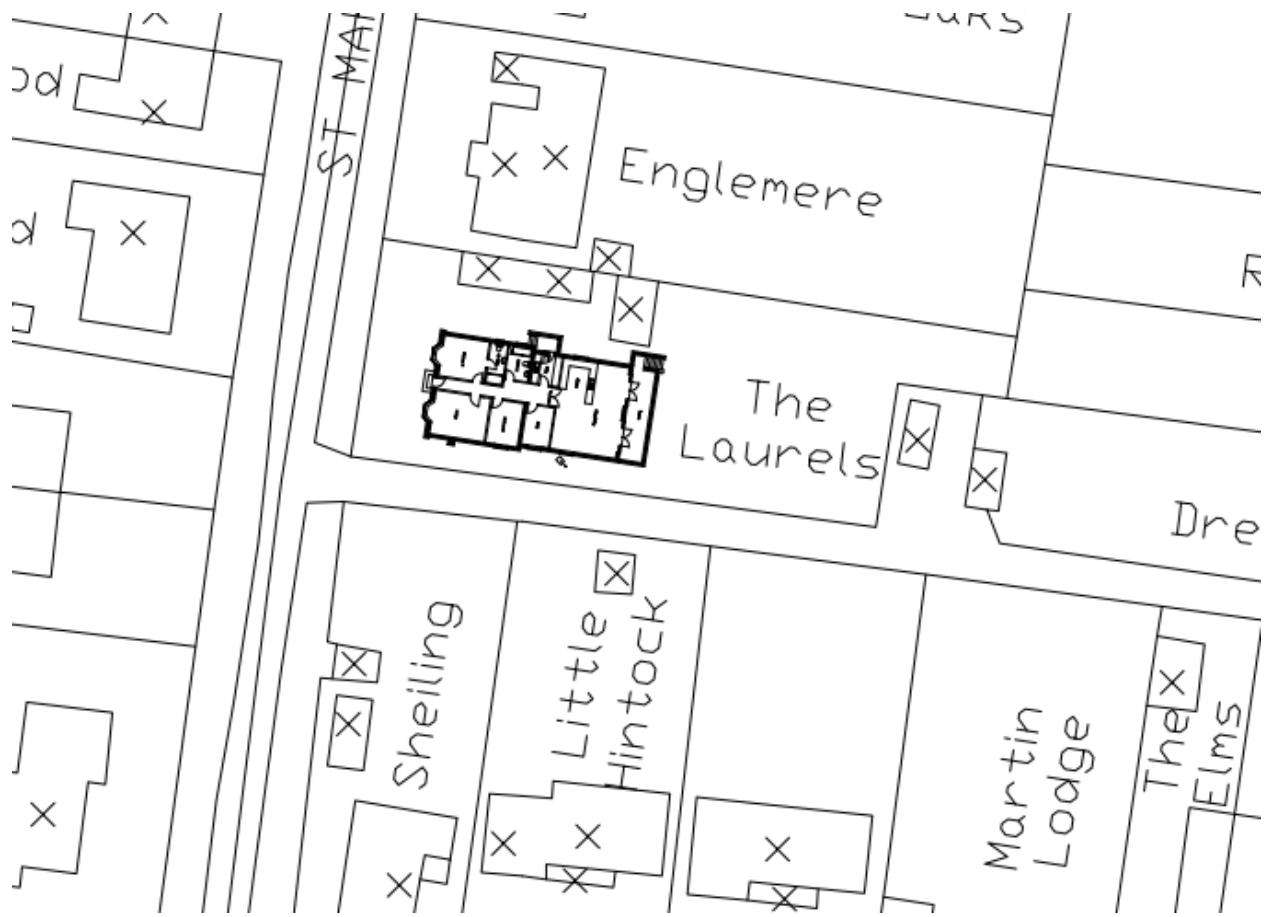
APPENDIX 1 - Location Plan



APPENDIX 2 - Proposed Site Plan



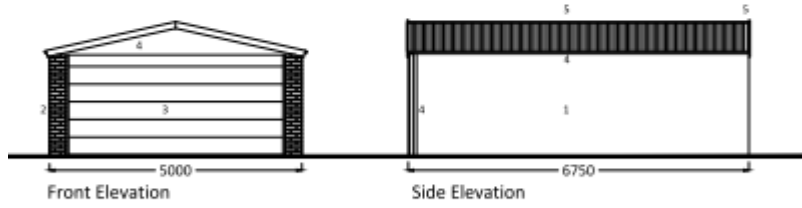
APPENDIX 3 - Approved extension to The Laurels



APPENDIX 4 - Proposed Floor and proposed elevation plans

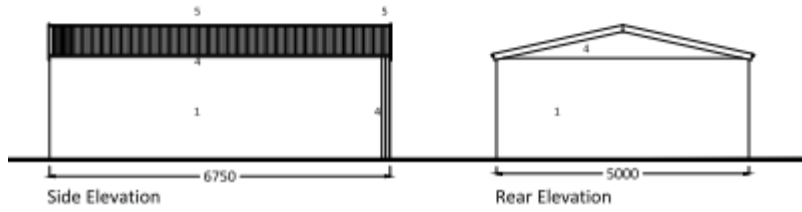


Floor Plan



Front Elevation

Side Elevation



Side Elevation

Rear Elevation

DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE - 14th November 2017

Application 02

Application Number:	17/00808/FUL	Application Expiry Date:	29th May 2017
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Application Type:	Full Application
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Proposal Description:	Proposed excavation and installation of biofertiliser lagoon, access area and 1.8m stock proof fence - also Underground pipe conduit under SHEEP LANE.
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At:	Land To The West Of Hangman Stone Lane High Melton Doncaster
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For:	Mr Stewart Woolhouse
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Third Party Reps:	626 and 100 name petition	Parish:	High Melton Parish Council
		Ward:	Sprotbrough

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

1.1 This application is being presented to committee due to the high level of interest in the proposal.

1.2 A site visit and a technical briefing for members of Planning Committee are scheduled to take place prior to the application being presented to the meeting.

2.0 Proposal and Background

2.1 The application is in two parts. The first part seeks full planning permission for the formation and use of a lagoon for the storage of a liquid biofertiliser which will be used on adjacent agricultural fields that are owned and farmed by the applicant. The site is an isolated rural location on land close to the junction between Hangman Stone Road and Hangman Stone Lane approximately 1.5km to the North West of High Melton Village and south of the Marr wind farm. The land sits on a bluff known as Barnburgh Cliff and is over 1km from the nearest dwelling. Melton Wood lies to the east and there are various trees and vegetation along the edge of the bluff to the west.

2.2 The storage lagoon will have a maximum holding capacity of 6,074m³ allowing for a .75m freeboard cover, over an area of 4141m² with a holding depth of 3.8m. A 2m high earth bank will be constructed around the lagoon with a 1.5m safety fence erected no closer than 1.5m to the adjacent track. The lagoon will be installed with a fully fitted cover which includes a valve system for the filling of the lagoon and will rise and fall depending on how full the lagoon becomes.

2.3 The site will receive deliveries of the liquid fertiliser from a local Anaerobic Digestion (AD) facility known locally as ReFood (part of the Prosper De Mulder Group) via the existing road network. The applicant already takes this material from ReFood on a regular basis and in the 2016-17 season has had 168 tanker deliveries to the farmyard in High Melton that fills a 'bladder' in the yard and that is then decanted into a tanker which runs to various points on the farmstead.

2.4 The lagoon would be used to store the fertiliser, receiving deliveries 11 times a week during the closed season to fill the lagoon. The biofertiliser can then be spread on crops on the farm which comprises 190ha of land by connecting an umbilical hose to the lagoon and will extend to various parts of the holding as required.

2.5 The biofertiliser can be used at the most efficient opportunity, rather than having to wait for a delivery to come directly from the supplier and risk missing the best time because of changeable weather conditions.

2.6 The second part of the application is for a conduit under Sheep Lane so the umbilical can be linked from the lagoon to land belonging to the applicant to the east of the lane.

2.7 The development will involve making alterations to the access from Hangman Stone Road so vehicles can access the site to deposit the fertiliser into the lagoon. The application has changed since its original submission and because of poor site lines on the junction between Hangman Stone Road and Lane, the vehicles will continue along the farm track to the farmer's yard in High Melton where they will leave the site. Much of the track is also designated as a Public Bridleway up to a point just north of the village, where it turns east towards the northern extent of the farmyard.

3.0 Relevant Planning History

3.1 There are no relevant planning applications

4.0 Representations

4.1 The application has been advertised in accordance with the Development Management Procedure Order and advertised by site notices and press advertisements. In light of the amendments and updated information provided, this was repeated on 12th October and the original contributors were also re-notified.

4.2 At the time of preparing this report, there have been 623 individual representations received objecting to the proposal and 3 in support. There was also a petition against the application numbering 100 signatures. The amended proposal was still out for consultation and the final numbers and any additional planning matters will be reported in pre committee notes;

The matters raised in representations include

- Proximity of the proposal to residential areas;
- Odour that will be emitted as a result of the open storage;
- Potential for adverse health impacts;
- Concern over the potential for pollution of the ground water (aquifer);
- The nature of the material to be stored in the lagoon;
- Increased risk of vermin/flies;
- Flood risk/over-topping of the lagoon;
- That this is a commercial venture rather than agricultural one;
- Increase in the amount of HGVs;
- Unsuitable nature of the current access track;
- Impact on users of the Public Bridleway;
- Access from the Farmyard in High Melton unsuitable for HGVs;
- Decrease in the value of house prices (this is not a material planning consideration);
- Impact on the conservation area.

5.0 Parish Council

5.1 The following objections and concerns have been raised by Sprotbrough and Cusworth Parish Council;

- concerned that the development will attract vermin.
- use of barbed wire on the boundary fence.
- loss of amenity from conflicting uses on, and harm to the bridleway.
- odour from the site.
- problems with similar facilities elsewhere in the borough.

- impact on local highway network.
- bad odour during trials of spraying the fertiliser.
- this would be a commercial operation rather than for the benefit of the farm itself.
- requested that the hours of operation and delivery routes could be controlled.

6.0 Relevant Consultations

ECOLOGIST

6.1 No objections on ecological grounds, an ecological enhancement scheme to be approved by condition.

HIGHWAYS

6.2 Initial concerns were raised that the use of the track would lead to the deterioration of the bridleway and that sight lines were insufficient for vehicles leaving the site toward Hangman Stone Road and insufficient turning space. The application has been amended so there is sufficient turning space for vehicles depositing to the lagoon and a one way system proposed so vehicles are not crossing Hangman Stone Road.

PUBLIC RIGHTS OF WAY

6.3 Initial objections overcome as a one way system is to be introduced, a vehicle gate and horse gate will be introduced sufficiently far from the highway so delivery vehicles can park off the highway before opening the gate and proceeding onto the farm track.

INTERNAL DRAINAGE BOARD

6.4 Site is within an Internal Drainage Board area and any discharge to a ditch or drain needs the Board's consent

YORKSHIRE WATER

6.5 No objections

NATURAL ENGLAND

6.6 No objections and no conditions requested.

YORKSHIRE WILDLIFE TRUST

6.7 No objections and support recommendations from Council Ecologist for some enhancement measures.

ENVIRONMENT AGENCY

6.8 No objections in principle. The site is on an aquifer but noted that the Agency must be notified 14 days before construction work and that work must be agreed with the agency. An informative can be added to the decision of this application.

ENVIRONMENTAL HEALTH

6.9 The odour assessment identifies that there are no properties within 1km of the proposed lagoon and that the closest properties are all to the west/south-west. There are no properties within 1.5km to the north-west/west, which is downwind of the prevailing wind direction. The location is therefore isolated and a considerable distance from sensitive receptors. The assessment concludes that, with the stated mitigation measures in place, the Environment Agency's benchmark for exposure to offensive odours will not be exceeded.

6.10 There may be some short term exposure along Hangman Stone Lane but there are no sensitive receptors in this location. The main mitigation measure proposed is the permanent use of an impermeable lagoon cover constructed of PVC film. This cover will remain in place except for periods of significant maintenance. Furthermore, it must remain in place to demonstrate that best practicable means are being employed to control odour emissions.

6.11 A secondary measure is the implementation of an odour management plan, to be used as a working document through the life of the development. The plan submitted with the application, dated 2017, includes a requirement for routine of monitoring and regular maintenance check. It also includes a complaints response procedure. The odour management plan is agreed and should be implemented at the commencement of the development. If any changes are proposed to this document then they should be agreed in advance with the LPA.

TREE OFFICER

6.12 No objection on arboricultural grounds subject to landscaping, planting and management scheme

7.0 Relevant Policy and Strategic Context

National Planning Policy Framework

Principle 3 - Supporting a Prosperous Rural Economy

Principle 4 - Promoting Sustainable Transport

Principle 7 - Requiring Good Design

Principle 8 - Promoting Healthy Communities

Principle 10 - Meeting the Challenge of Climate Change, Flooding and Coastal Change

Principle 11 - Conserving and Enhancing the Natural Environment

National Planning Policy

Planning Policy Statement 10: Planning for Sustainable Waste Management

Doncaster Council's Core Strategy

CS3 - Countryside

CS4 - Flooding and Drainage

CS14 - Sustainable Construction

CS16 - Valuing our Natural Environment

CS18 - Air, Water and Agricultural Land

8.0 Planning Issues and Discussion

8.1 The proposal has been screened for an Environmental Impact Assessment (EIA) in accordance with The Town and Country Planning (Environmental Impact Assessment) Regulation 2011. The proposal is not Schedule 1 development requiring mandatory EIA. The proposal is, however, potentially caught by Schedule 2 (Part 11) i.e. Installations for the disposal of waste (within 100 metres of controlled waters). The proposal is not strictly speaking 'disposal' as it is to be stored for the beneficial use as a fertiliser on adjacent land. Nevertheless, it is akin to such considerations and the assessment criteria laid out in Schedule 3 have been assessed. The cumulative impact of both storage and spreading of this material over the land holding has been considered and in summary it is considered that it is unlikely that the proposal will have a significant effect on the environment in terms of the characteristic of the development, the location of the development or the characteristics of the potential impact. Indeed, the material is already spread onto this agricultural land and subject to regulations laid down by the Department of Food and Rural Affairs.

8.2 The main issues to consider in the determination of this application therefore are:

- The principle of the development.
- The nature of the material.
- Residential amenity (odour, dust, noise, vermin).
- Groundwater protection (including flooding and drainage matters).
- Landscape and visual impact.
- Ecology and trees.
- Highways/Public Rights of Way.

PRINCIPLE OF DEVELOPMENT

8.3 The proposal is located within an area of the borough designated as Green Belt. As such, saved Unitary Development Plan (UDP) Policy ENV3 is relevant as too is the more recently adopted Core Strategy Policy CS3.

8.4 In terms of overall national policy, NPPF Principle 3 states that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. Specifically, planning should help to promote a strong rural economy by amongst other things promoting the development and diversification of agricultural and other land-based rural businesses.

8.5 Saved UDP Policy ENV3 states that developments in the Green Belt will not normally be permitted for purposes, other than, agriculture and other such uses appropriate to a rural area. Policy ENV 6 expands on agricultural development stating that the storage of slurry 'would not give rise to an unacceptable loss of amenity for occupiers of protected buildings.'

8.7 Core Strategy Policy CS18 importantly states that proposals will be supported which facilitate the efficient use of Doncaster's significant agricultural land and soil resources, including proposals which support the primary purpose of food production whilst maximising opportunities for recreation and wildlife.

8.8 The proposal is for the construction and use of a storage lagoon for liquid fertiliser/irrigation purposes for agricultural purposes and to be utilised on adjacent agricultural land that is owned by the applicant. The Environment Agency have advised that it is good practice to apply fertiliser at times when the crops can utilise it and to therefore have the ability to store the material and use it when the field conditions are suitable is good for the environment/food production.

8.9 In terms of the principle therefore, the proposal being directly associated with improved agricultural practices is therefore in accordance with the main thrust of the NPPF, Core Strategy Policies CS3 and CS18 and saved Unitary Development Plan Policy ENV3.

NATURE OF THE MATERIAL TO BE STORED

8.10 The material to be imported and stored at this site derives from the local ReFood Anaerobic Digestion (AD) facility located just outside of Doncaster town centre. AD is an advanced waste treatment technology that diverts food and organic waste from landfill in order to produce renewable sources of electricity. The Quality Protocol for Anaerobic Digestion (QPAD) only allows source-segregated wastes to be used i.e. wastes that are from a single stream and not from mixed waste sources such as would be typical for black bin bag waste. Wastes that are permitted under the QPAD have been deemed not only suitable for processing through an AD system, but also for spreading on agricultural land.

8.11 Any AD plant that accepts wastes that include the processing of meat tissue are required to achieve approval by the AHVLA. The plant is subject to veterinary supervision by DEFRA, guaranteeing that every aspect of its operation meets the requirements of the European Animal By-Product Regulation (2002/1774/EC).

8.12 The operator is also working in line with the measures laid out in Publicly Accessible Specification 110 (PAS110). The purpose of PAS110 is primarily two-fold. Firstly to ensure that digested materials are made using suitable inputs and effectively processed by the AD process for a sufficient period of time and secondly to ensure that the process has been well managed and monitored so as to produce digested material that meets market needs whilst importantly protecting the environment. ReFood gained their BioFertiliser Certification as certified by the Organic Growers and Farmers in April 2013 (see Fig. 12). This means permits that from the Environment Agency to spread this material to land (or indeed to store it) are not required as the material is not technically deemed to be a waste.

8.13 In terms of content, the digestate is used as a fertiliser in land-spreading to release valuable nutrients (Nitrogen, Potassium etc.) needed by the land to produce crops. The proposed development of the lagoon will assist in boosting cropping rates from a source of nutrients.

8.14 In terms of planning policy, PPS10 has at its heart the key planning objective of delivering sustainable development by driving the management of waste up the waste hierarchy. In summary, waste should be treated as a resource through reuse and recycling with disposal being deemed to be a last option. Although the material is no longer technically deemed to be a waste (as a result of the PAS110 and QPAD certification), it is still nevertheless material derived from a waste processing facility and as such national waste policy is still considered relevant in determining potential issues. Annex 5 of PPS10 includes the following considerations:

- Protection of water resources;
- Visual intrusion;
- Nature conservation;
- Traffic and access;
- Odour;
- Dust;
- Vermin and birds;
- Noise.

8.15 All of these matters have been considered within the following report, but in general terms the proposal to store the digestate on this site for agricultural benefit fundamentally moves from disposal of a substance to its reuse and in so doing conforms to the waste hierarchy principle. This material is already inspected by the AHVLA at source (i.e. the ReFood facility) and is currently applied to land with the Environment Agency's approval. ReFood have achieved PAS110 and QPAD certification and the application has considered and addressed all the matters laid out in Annex 5 of PPS10. Accordingly, the proposal is deemed to comply with PPS10.

RESIDENTIAL AMENITY

8.16 Principle 11 of the NPPF requires that the planning system contributes to the natural and local environment by preventing both new and existing developments from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise.

8.17 PPS10 requires that in relation to odour, dust and vermin, consideration should be given to the proximity of sensitive receptors and the extent to which adverse emissions can be controlled through the use of appropriate and well-maintained and managed equipment and vehicles.

8.18 As part of the application, an Odour Mitigation Plans (OMPs) has been submitted. It deals with the storage of the material in the proposed lagoon. The aim is to lay out steps to reduce any potential for adverse odour impacts. The OMP is a key consideration - especially given the level of local objection received in relation to this concern in relation to odour. The plan sets out the possible eventualities during the operation or maintenance of the lagoon and will be used alongside an Environmental Management System (EMS) and Accident Management Plan (AMP) that will be developed for the proposed operation.

8.19 In terms of the additional odour survey work, a modelling exercise was carried out to assess the impact of the nearest receptors to the site. There are no receptors within 1km of the site and predicts that on occasions there may be a faint odour detectable from the lagoon along a short distance of Hangman Stone Road and moderate to strong odours might be encountered along a short distance of the lane directly to the east of the site.

8.20 The Environmental Health Officers have assessed the modelling data and do not raise any objections subject to conditions requiring compliance with the Odour Management Plan

8.21 With regard to vermin, this will be controlled primarily as part of the cover over the lagoon, which will prevent direct access. No digestate will therefore be open to the air except from the vents to allow for a small amount of biogas to be released due to the continuing biodigestate process and the connection that will allow the lagoon to be filled and for the umbilical to draw off the biofertiliser.

8.22 The remaining environmental matters such as noise and dust are most likely to be generated during the construction of the irrigation lagoon with the operational phase being effectively an agricultural process in an agricultural area. It is proposed to attach a planning condition requiring a Construction Impact Management Plan to be approved prior to development commencing so that the construction phase can be managed sympathetically.

8.23 The proposal, subject to proposed conditions, is deemed to be in accordance with the NPPF and PPS10.

8.24 Mention has been made in some representations about the experience of a similar development in another part of the borough near Barnby Dun. This lagoon is roughly half the size of the one constructed between Barnby Dun and Hatfield and was installed with a different type of cover that would form a crust over the liquid which required substantial modification before it worked correctly. This development is proposed to be covered with an impermeable membrane, although the digestate will continue to produce some biogas so a series of vents is required to be installed but the assessment indicates that this should not affect any nearby residential receptors.

LANDSCAPE AND VISUAL IMPACT

8.25 The NPPF attaches great weight to the design of the built environment and states that planning decisions should aim to ensure that developments are visually attractive as a result of appropriate landscaping.

8.26 Core Strategy Policy CS3 states that proposals will be supported where they are appropriate to a countryside location and protect and enhance the countryside for the sake of its intrinsic character and beauty.

8.27 In terms of the existing landscape, the area is dominated by both arable and pasture fields, clumps of trees and Melton Wood. The key part of the design in its final appearance is safe and secure storage area for digestate and one that isn't intrusive into the surrounding landscape.

8.28 The proposal will comprise the principle excavation of the lagoon, which will provide material necessary to create a low raised bund and a secure fence part way up the bund. This will reduce its visual impact in the landscape. This is then screened with existing planting to the west and north, screening this from Hangman Stone Road and the landscaping around the lagoon/fence will help soften further the proposed development's impact directly adjacent to the track/bridleway.

8.29 Given the relatively modest low level rise of the bund, which will become naturally colonised by native species, it is considered that the visual impact of the actual lagoon structure will be negligible.

8.30 Some representations highlight that part of the farmstead is within the High Melton Conservation Area. None of the operational development is within the Conservation Area and will not be visible, unaided, from within it. Vehicles will run through the conservation area in that part of the yard inside it, but as referenced elsewhere in the report this will only be during certain times of the year and will result in the reduction of movements during the planting season.

8.31 The proposal is therefore in accordance with the main aims of the NPPF, Core Strategy Policy CS3 and saved UDP Policy ENV4.

TREES AND ECOLOGY

8.32 Principle 11 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. As such opportunities to incorporate biodiversity in and around developments should be encouraged.

8.33 The proposed development is proposed on a currently farmed field and as such the biodiversity value of the site is low. In order to provide visual screening of the raised bunding surrounding the lagoon, a landscaping scheme is required to be agreed with the Local Planning Authority. This in itself will have a positive biodiversity result by creating a new habitat, for example for nesting birds etc. on this site. The applicants have already put forward some landscaping proposals to the west of the site and these are agreed in principle with the ecologist.

8.34 The proposal is therefore in accordance with the NPPF and Core Strategy Policy CS16.

DRAINAGE AND GROUND WATER PROTECTION

8.35 In terms of groundwater protection, the Environment Agency, Yorkshire Water and Internal Drainage Board have raised no objections in principle subject to a condition recommended by the Environment Agency. Detailed advice given by the Environment Agency emphasises the need for any facility such as this to be built in accordance with primary legislation i.e. The Silage, Slurry and Agricultural Fuel Oil (SSAFO) Regulations and The Nitrate Pollution Prevention Regulations. Should the fertiliser be allowed to enter surface water and result in a water pollution incident then this would be an offence under The Environmental Permitting Regulations.

8.36 The SSAFO also requires notification to be given to the Environment Agency prior to construction of a lagoon and a scheme agreed with the agency before they will issue the relevant certification. Water that falls onto the lagoon will be channelled away to the nearest drain. This will require approval of the Environment Agency as part of their regulatory approval of the construction and also any discharge to an adopted drain will need the consent of the Internal Drainage Board.

HIGHWAYS AND PUBLIC RIGHTS OF WAY

8.37 Principle 4 of the NPPF states that transport policies have an important role to play in facilitating sustainable development and in contributing to wider sustainability and health objectives. Specifically in relation to the current proposal, the NPPF requires that safe and suitable access to a site can be achieved for all people.

8.38 Principle 8 of the NPPF requires that proposals should protect and enhance public rights of way and access.

8.39 The current access to the site is along a hard surface track leading from the farmyard at High Melton through the farmer's fields, becoming a public bridleway at the edge of the village. The track leads to the junction with Hangman Stone Road which is currently blocked off by large concrete obstructions

8.40 In terms of deliveries, the access from Hangman Stone Road will be opened up, upgraded with separate horse and vehicle gates and HGV's will primarily approach the site from the north from Marr before arriving at the lagoon. A turning space will be included along the northern boundary of the lagoon so that vehicles are not parked on the track/bridleway when filling up the lagoon. They will then proceed south-easterly toward the farmyard along the farm track which is hard surfaced. The tankers will then leave the yard onto Doncaster Road which has already been happening during the last growing season and would need to continue if the application was not approved.

8.41 The proposal will be to fill the lagoon in the closed season ready for spreading during the spring and summer months. The deliveries will be 11 per week on weekdays (2/3 per day) from the beginning of October to the end of January using tankers with a capacity of 27m³. During 2016-17, the farmer has had 168 trips direct to the farmyard by tanker which would then leave the yard following delivery. Using the current bladder system, further trips are required using the farmers own vehicles up Hangman Stone Lane and out to the fields to the east of High Melton. These also take place during the growing season when demand for using the bridleway would likely be at its highest.

8.42 As the biofertiliser would already be on site, the requirement for internal movements and deliveries to be made during the growing season is removed and would see a significant fall in the use of the bridleway in the spring and summer. The umbilical will be required to cross over the bridleway when in use but the access management information supplied by the applicant indicates that warning signs can be temporarily displayed at the point the pipe would cross over the track. The applicant states that riders and other users can step off the track onto the adjacent field when vehicles are traversing the farm track as happens now when tractors and combine harvesters are using the track. The track is on the farmers land and it is the responsibility of the landowner to risk assesses the use by vehicles as is the case with the existing farm operation.

8.43 The movements would come relatively close to the end of a row of houses on Hangman Stone Lane that are at the northern edge of the village before turning directly east along a track that leads to the north end of the farmyard. A condition limiting deliveries to weekday daytimes could be put in place and a maximum number of deliveries per week would limit any harm to the amenity of occupiers located near to the part of the track leading towards the farm yard, as would be the operation of the one way system in terms of deliveries to the lagoon.

8.44 Highways (Development Control and Transportation) and Public Rights of Way have raised no objections subject to conditions primarily as a result of the access arrangement proposed in tandem with the relatively small number of HGV's visiting the site in any one day and for a limited period of the year. The proposal is therefore in accordance with the NPPF.

9.0 Summary

9.1 The proposal to construct a liquid fertiliser and irrigation lagoon for use on adjacent agricultural land complies with both national and local policies for such developments in terms of principle, residential amenity, groundwater, biodiversity, visual impact and highways/public rights of way considerations.

9.2 In terms of the principle, the proposal is both integrally associated and needed for the agricultural practices carried out by the applicant in this area and proposals for improving and diversifying agricultural practices are supported. The material to be used is derived from a facility that is monitored by both the AHVLA and Environment Agency and is deemed to be PAS110 and QPAD compliant.

9.3 Although there have been a large number of representations against this proposal, the concerns raised have been considered and, where possible, mitigated against. Conditions requiring various measures to be in place both prior to and following construction of the lagoon, in particular a permanently maintained cover system will safeguard the living conditions of residents. The Environment Agency has not raised any objection in relation to groundwater protection and subject to its own regulatory process.

9.4 The visual impact of the proposal in the Green Belt is limited by its location being partially screened from many view points by existing landscape features and will be further mitigated through the low-key design and screening by the bund which will be soft landscaped.

9.5 In terms of safety of users of the bridleway, the access track is already a substantial hard surface and the entrance from Hangman Stone Road will be upgraded to accommodate vehicles and other users entitled to use the track in its status as a bridleway. The use of the bridleway by vehicles connected with the farm will reduce in the growing season as the land can be fertilised directly from the lagoon using the umbilical pipe. HGV's visiting the site will be limited to four months in the 'off' season being October to the end of January, 11 times a week and only on weekdays. The one way system also reduces the movements of lorries and agricultural vehicles leaving the farmyard in High Melton onto Doncaster Road which is a concern raised in representations.

9.6 Accordingly, the proposal is recommended for planning approval subject to conditions and informatives.

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. U56112 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 bellow
GS Ref EC030c-11 Location Plan
GS Ref EC030c-12 Site Plan date 01/08/2017
GS Ref EC030c-14 Lagoon Cross section
GS Ref EC030c-17 Pipeline Site Plan
GS Ref EC030c-18 Pipeline Cross Section
GS Ref EC030c-19 Gate and Fence Front Elevation
GS Ref EC030c-20 Fence Side Elevation
Dwg No 1738.1.1 Planting Plan & Schedule
REASON
To ensure that the development is carried out in accordance with the application as approved.
03. U56139 Detailed engineering and surface water drainage details shall be submitted for inspection and approval by the Highway Authority before works commence on site.
REASON:
In the interests of road safety.
04. U56140 Gate to the vehicular access shall be no less than 20 metres from the edge of the carriageway of the public highway and hung as to be opened inwards.
REASON:
To provide adequate space to allow an arriving vehicle to be driven clear of the carriageway of the highway in the event that the gate is closed.

05. U56141 No works associated with the installation of a private pipe beneath Sheep Lane shall commence until a licence under Section 50 of the New Roads and Streetworks Act 1991 has been obtained from the Local Highway Authority.
REASON
In the interests of Highway safety
06. U56142 All delivery vehicles shall arrive at the lagoon from Hangman Stone Road and on departing proceed along Hangman Stone Lane to the farmyard of Red House Farm before leaving the site onto Doncaster Road and by no other route and only in the stated direction.
REASON
To create a one way route, in the interests of Highway safety at the junction of Hangman Stone Lane and Hangman Stone Road and to limit the number of trips along Hangman Stone Lane.
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. U56143 Unless otherwise approved in writing by the Local Planning Authority, the maximum number of HGVs leaving the site per day during the operational phase of the development (excluding construction and the initial filling of the lagoon) shall not exceed 4 with a maximum of no more than 16 HGVs in any weekly period.
REASON
In the interest of highway and pedestrian safety
09. U56144 The operator shall maintain records of all HGVs and collection vehicles entering the site and these records shall be made available for inspection by the Local Planning Authority within two working days of a verbal or written request.
REASON
To assist in the monitoring and compliance with the above condition
10. U56145 No development shall take place until a Traffic Management Plan for the construction and filling of the lagoon has been submitted to the Local Planning Authority for written approval. The approved plan shall be adhered to throughout the construction and filling phase.
REASON
In order to mitigate the impact of construction traffic in the interest of highway/pedestrian safety.

11. U56146 Unless otherwise approved in writing by the Local Planning Authority, site deliveries of the liquid digestate shall be restricted to the following hours:
0900 - 1700 hrs Mondays to Fridays;
and at no time on Saturdays, Sundays or Bank Holidays or Public Holidays.
REASON
To ensure that the amenity impact of operations remain within acceptable limits.
12. U56147 The Development shall not commence until a scheme for the proposed surface water run-off works has been submitted to and approved by the Local Planning Authority. The development shall be carried out in full accordance with the approved scheme.
REASON
To prevent surface water flooding.
13. U56148 No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials, height, and type of fencing to be erected on site, including gates and warning signs. Unless otherwise approved in writing by the local planning authority, the details as approved shall be completed before the development is brought into use.
REASON
To ensure the satisfactory appearance of the development.
14. U56149 No development shall take place until a Construction Impact Management Plan has been submitted to the Local Planning Authority for written approval. The approved plan shall be adhered to throughout the construction phase.
REASON
In order to mitigate the impact of construction impacts in the interest of residential amenity and highway/pedestrian safety.
15. U56150 Prior to the commencement of the development hereby granted a landscape planting and management scheme outlining proposed felling and planting operations within Hangman Stone Wood and planting operations on the earth bund shall be submitted to and approved in writing by the Local Planning Authority. This plan shall include a plan indicating all felling work within Hangman Stone Wood and the planting location of all trees and shrubs; a schedule including the nursery stock specification for all shrubs and trees that complies with British Standard 3936: Part 1: 1992 Specification for Trees and Shrubs and are characteristic of the C2 Cadeby to Adwick Limestone Plateau Landscape Character Area; details of planting, staking and rabbit protection; and a maintenance specification. Thereafter the landscape scheme shall be implemented before the first use of the lagoon and maintained in full accordance with the approved scheme. Any tree or shrub planted as part of the scheme that is removed or is found to be dying, diseased or seriously damaged within five years of practical completion of the planting works 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 Landscape

16. U56151 The submitted odour management plan shall be in place and adhered to at all times throughout the life of the development. Records of all monitoring required by the odour management plan shall be kept for a period of 2 years and made available to the local planning authority for inspection when requested. The odour management plan dated September 2017, submitted with the application, is agreed by the LPA and any proposed changes that materially impact on its requirements must be submitted to the LPA for agreement prior to the change being implemented.
REASON:
To ensure that the development does not prejudice the local amenity.
17. U56152 A permanent cover, as specified in the application supporting documentation, shall remain over the lagoon at all times, except for the purposes of allowing access for routine and emergency maintenance. All instances when the cover is to be removed shall be notified to the LPA at least seven days prior to its removal in the case of routine works. In the event that the cover must be removed for emergency access then the LPA shall be notified within 48 hours following the cover being removed.
REASON:
To ensure that the development does not prejudice the local amenity.
01. U11781 INFORMATIVE
The applicant is advised to review the existing on-farm slurry and manure storage and ensure compliance with The Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (England) (SSAFO) Regulations 2010 and as amended 2013.
02. U11782 INFORMATIVE
The applicant must inform the Environment Agency, verbally (Tel: 03708 506 506) or in writing, of a new, reconstructed or enlarged slurry store, silage clamp or fuel stores at least 14 days before starting any construction work. The notification must include the type of structure, the proposed design and construction, and once an agreed proposal has been constructed we will ask them to send us a completed WQE3 notification form before you start using the facility.

03. U11783 INFORMATIVE
Works carried out on the public highway or tying in to the public highway by a developer or anyone else other than the Highway Authority shall be under the provisions of Section 278 of the Highways Act 1980. The S278 agreement must be in place before any works are commenced. There is a fee involved for the preparation of the agreement and for on-site inspection. The applicant should make contact with Malc Lucas - Tel 01302 735110 as soon as possible to arrange the setting up of the agreement.
04. U11784 INFORMATIVE
Doncaster Borough Council Permit Scheme (12th June 2012) - (Under section 34(2) of the Traffic Management Act 2004, the Secretary of State has approved the creation of the Doncaster Borough Council Permit Scheme for all works that take place or impact on streets specified as Traffic Sensitive or have a reinstatement category of 0, 1 or 2. Agreement under the Doncaster Borough Council Permit Scheme's provisions must be granted before works can take place. There is a fee involved for the coordination, noticing and agreement of the works. The applicant should make contact with Paul Evans - Email: p.evans@doncaster.gov.uk or Tel 01302 735162 as soon as possible to arrange the setting up of the permit agreement.
05. U11785 INFORMATIVE
The placement of private apparatus in the public highway requires a licence under section 50 of the New Roads and Streetworks Act 1991. A section 50 licence application form can be obtained via the following link <http://www.doncaster.gov.uk/services/transport-streets-parking/licence-for-street-works-aka-section-50-licence> . Alternatively, The applicant should make contact with Paul Evans - Email: p.evans@doncaster.gov.uk or Tel 01302 735162 as soon as possible to arrange the setting up of the permit agreement.
06. U11786 INFORMATIVE
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.
07. IDRAIN INFORMATIVE
ANY surface water discharge into ANY watercourses in, on, under or near the site requires CONSENT from the Drainage Board.
- If the surface water were to be disposed of via a soakaway system, the IDB would have no objection in principle but would advise that the ground conditions in this area may not be suitable for soakaway drainage. It is therefore essential that percolation tests are undertaken to establish if the ground conditions are suitable for soakaway drainage throughout the year.

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

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

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

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

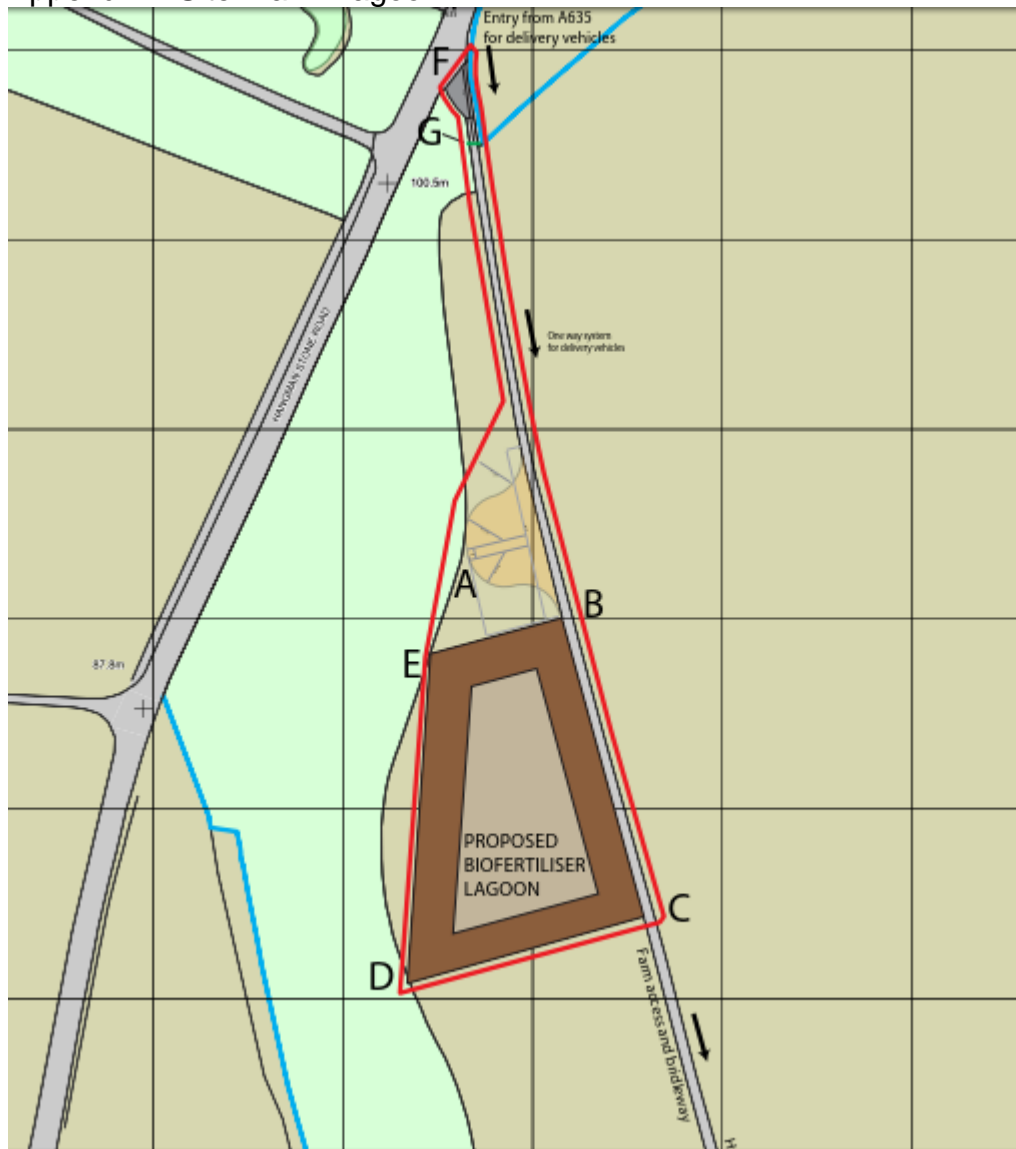
For direct enquiries e-mail: planning@shiregroup-idbs.gov.uk

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

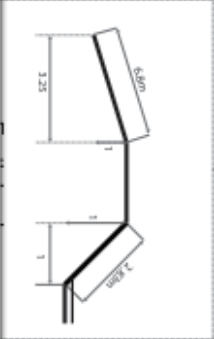
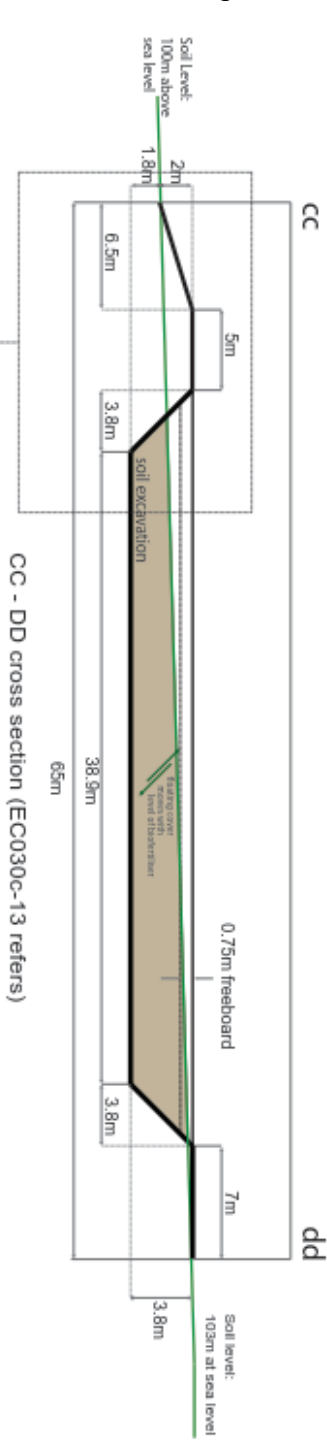
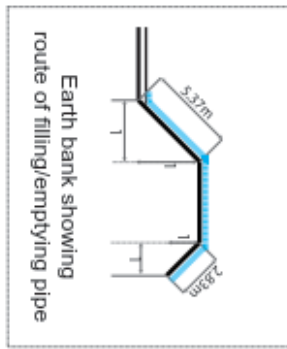
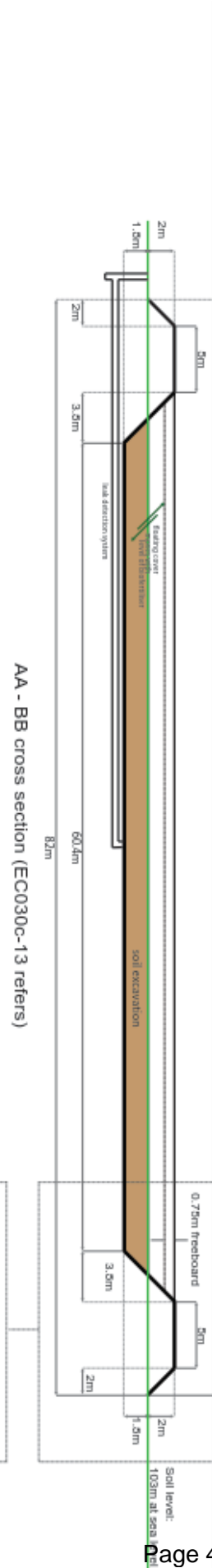
In dealing with the application, the Local Planning Authority has worked with the applicant to find solutions to the following issues that arose whilst dealing with the planning application:

Additional information required to establish the covering of the lagoon, odour management, changes to the access to and from the site.

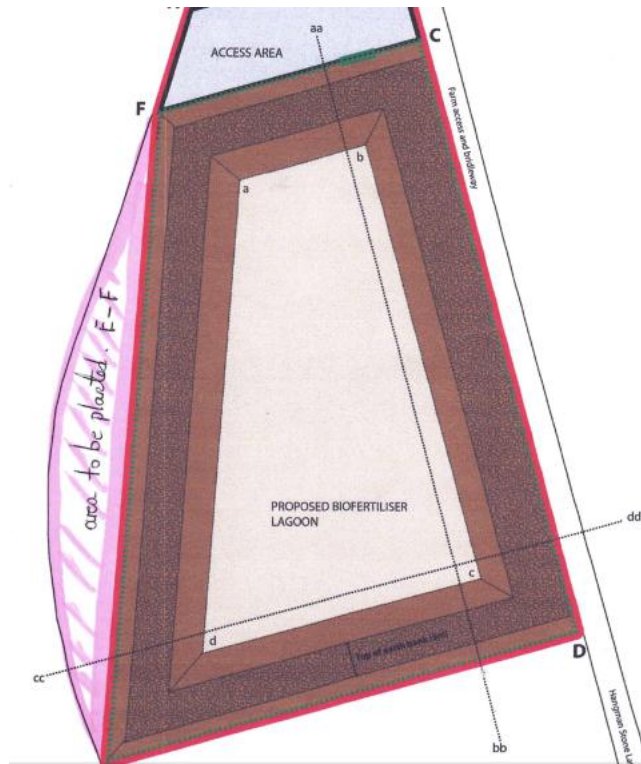
Appendix 1 Site Plan - Lagoon



Appendix 2 Cross Sections - Lagoon



Appendix 3 Landscaping Plan



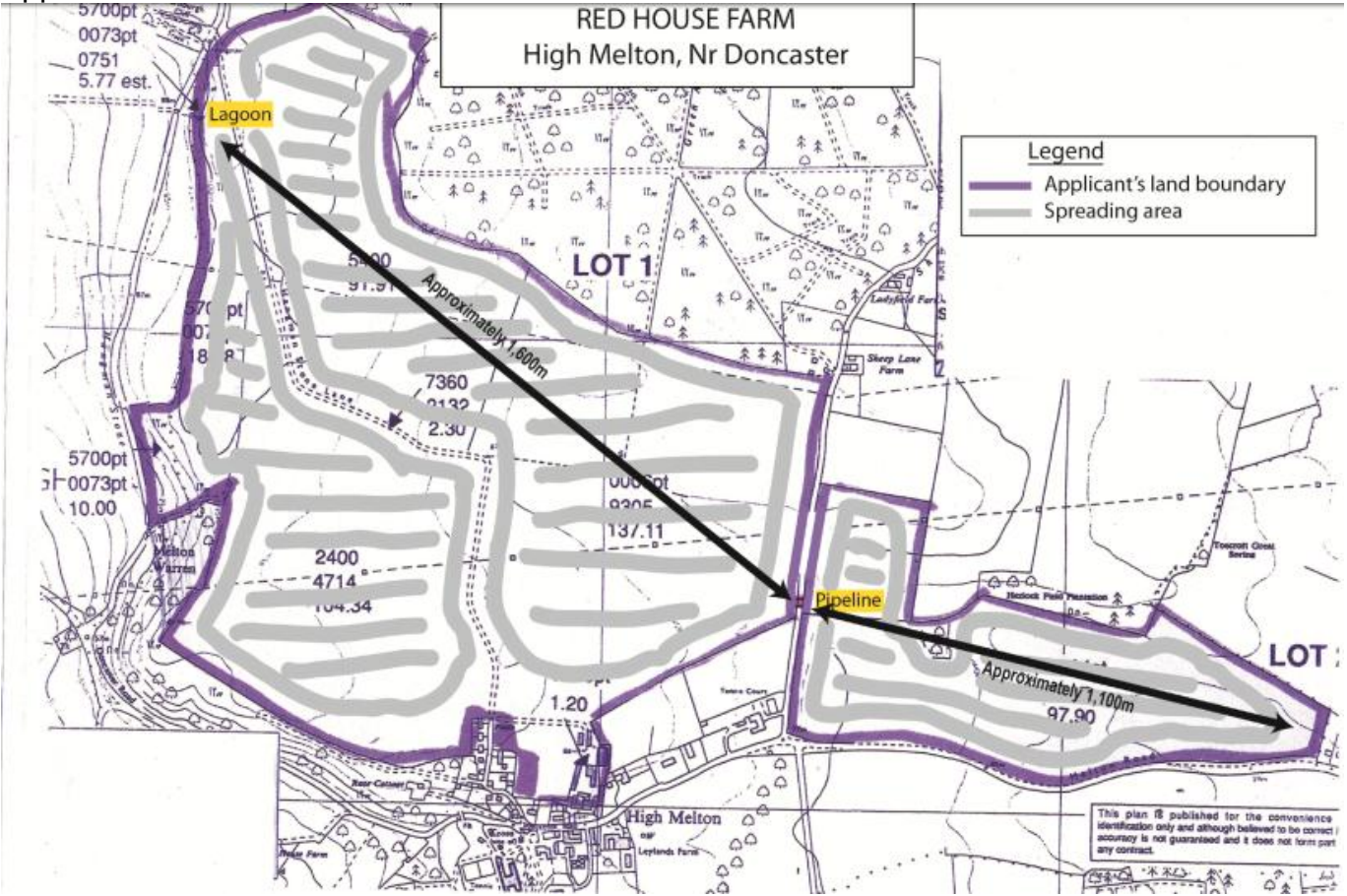
Species		Plant size and container	Number
Latin name	English name		
Cornus sanguinea	Dogwood	60-80cm 1+1 BR	50
Crataegus monogyna	Hawthorn	60-80cm 1+1 BR	50
Viburnum opulus	Guelder rose	60-80cm 1+1 BR	50
Rosa canina	Dog rose	60-80cm 1+1 BR	50
Prunus spinosa	Blackthorn	60-80cm 1+1 BR	50

PLANTING ALL PLANTED IN 1.0M X 1.0M X 1.0M TREE PIT, BACKFILLED WITH TOPSOIL, SUPPORTED WITH SINGLE STAKE, WITH RUBBER TIE AND SPACER TO 1/3 HEIGHT OF THE TREE. ALL DEAD & DEFECTIVE PLANT MATERIAL TO BE REPLACED WITHIN 5 YEAR ESTABLISHMENT PERIOD. TREE TIES CHECKED AND LOOSENED REGULARLY, REMOVED WHEN ESTABLISHED.

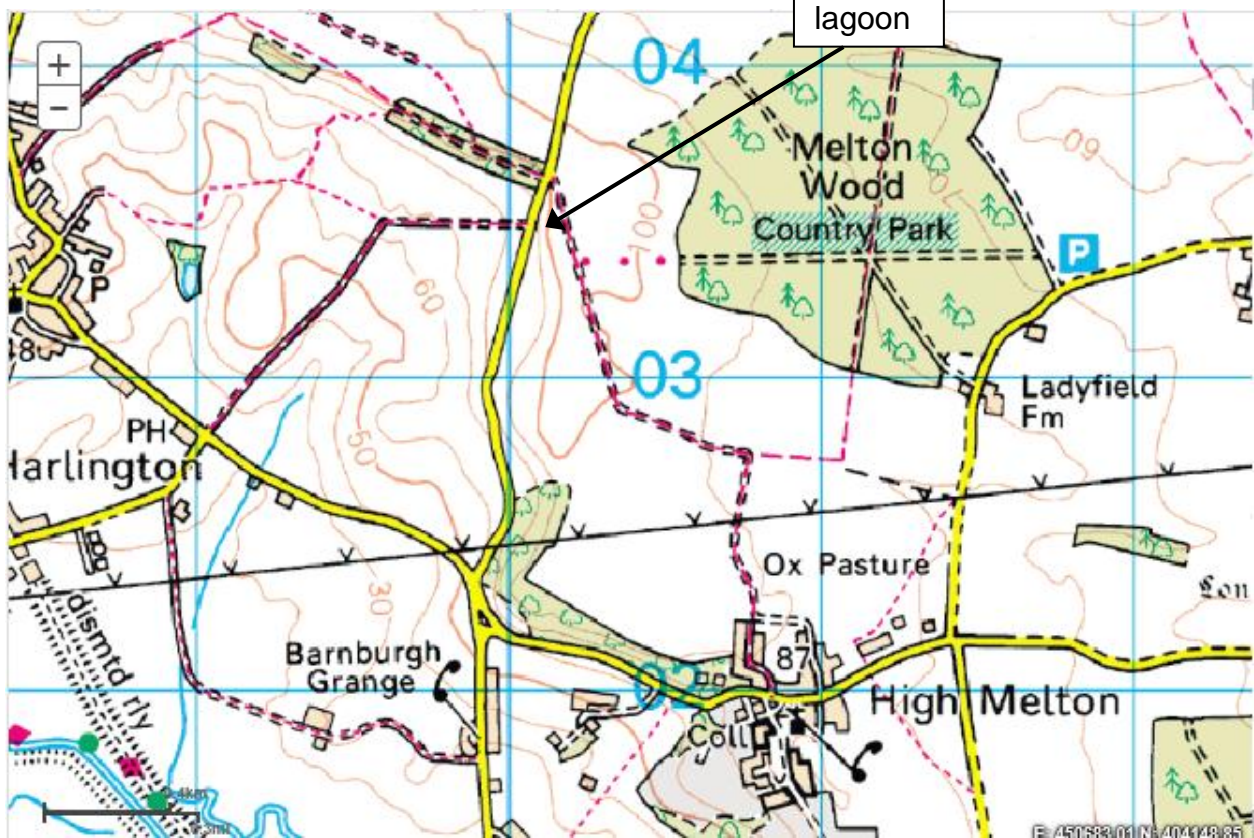
Wildflower seeding
 Bund around lagoon to be seeded with sheeps fescue (*Festuca ovina*), dogstail (*Cynosurus cristatus*), meadowgrass (*Poa pratensis*), catstail (*Phleum pratense bertolonii*), meadow fescue (*Festuca pratensis*), bentgrass (*agrostis capillaris*), and Boston Seeds BS2M: Chalk & Limestone Soils Wildflower Seed mix, or similar approved, applied at a rate of 5g/m².

WelchDesign

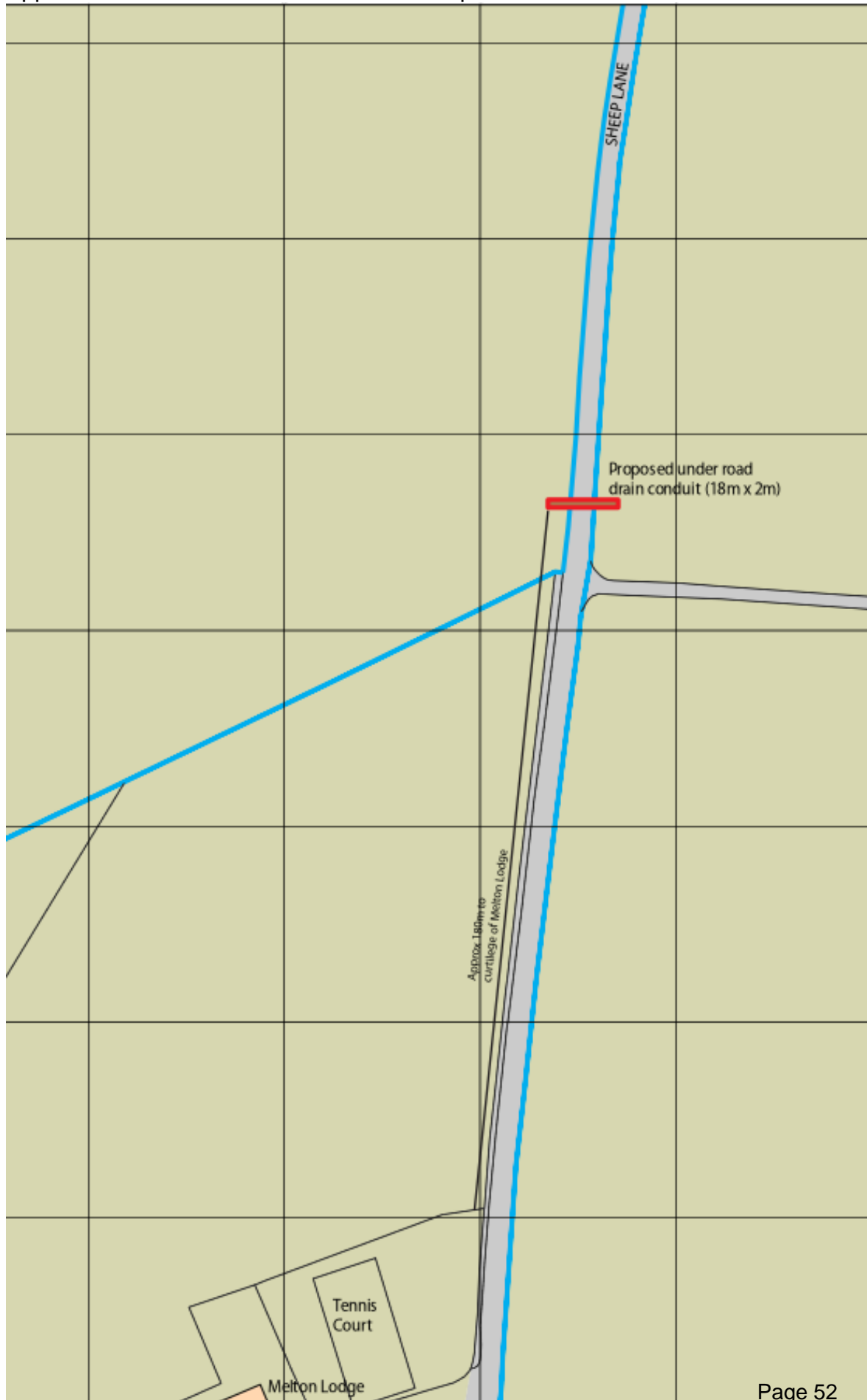
Appendix 4 Extent of Red House Farm



Appendix 5 wider map including bridleways and footpaths



Appendix 6 Site Plan – Conduit under Sheep Lane



DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE - 14th November 2017

Application **03**

Application Number:	17/02025/COU	Application Expiry Date:	9th November 2017
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Application Type:	Change of Use
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Proposal Description:	Change of use of unit from general industrial/warehouse in use class B2 & B8 to soft play centre with cafe (ancillary) in use class D2 and A3
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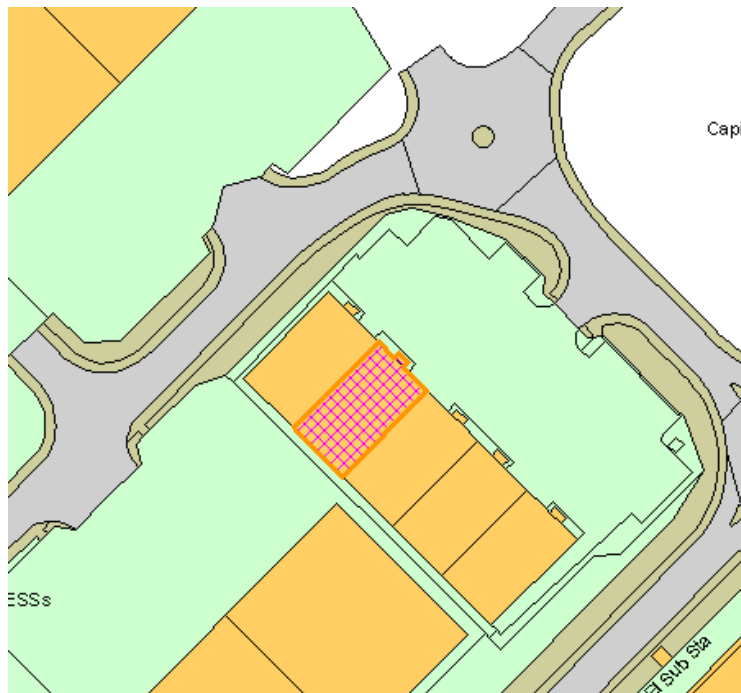
At:	1D Island Drive Thorne Doncaster DN8 5UE
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For:	Mrs Tracey Ebbage
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Third Party Reps:	19 letters of support were received.	Parish:	Thorne Town Council
		Ward:	Thorne And Moorends

Author of Report	Tim Goodall
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MAIN RECOMMENDATION:	REFUSE
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1.0 Reason for Report

1.1 This planning application is brought before Members as it represents a departure from the Development Plan.

2.0 Proposal and Background

2.1 Planning permission is sought for the change of use of unit from general industrial/warehouse in use class B2 & B8 to soft play centre with cafe (ancillary) in use classes D2 and A3. The proposed soft play centre would employ 2 full time staff and 6 part time staff. Proposed open times are 9.30 am until 6.00 pm Monday to Saturday and 10.00am until 4.30pm on Sundays.

2.2 The application site is a vacant single storey industrial unit located on Island Drive, Thorne which is part of the Capitol Park development near junction 6 of the M18. Other uses in Capitol Park include employment uses, a supermarket (Aldi) and discount store (B&M) and a drive thru restaurant (McDonalds). The unit lies within an existing block of 5 units. There is a parking area directly to the front of the units with a single vehicular entrance onto Island Drive.

2.3 The application site is allocated as a Strategic Employment Site as set out in Policy EMP 1 (3).

3.0 Relevant Planning History

3.1 10/03149/OUTM - Outline application for mixed use development comprising employment (use classes B1, B2 or B8), hotel (use class C1), public house (use class A4), restaurant and take away (use class A3 or A5), retail (use class A1) including petrol filling station, crèche, education and training (use class D1), access infrastructure, parking and hard and soft landscaping - Permitted subject to Section 106 agreement

4.0 Representations

4.1 19 letters of support were received. The reasons given for supporting the application were as follows:

- Excellent opportunity for local area and great investment idea. Closest soft play is 20 minutes away by car. Fun environment for children of various ages
- Safe and managed area for children in Thorne and Moorends to go where they can enjoy a playtime with others.
- Bring more business and recognition to the villages
- Filling up Capitol Park is good for Thorne
- Nice to have a soft play as nothing local.
- Fantastic addition to community, play areas in short supply
- Soft play areas are good for exercise, building confidence and for friends and families to socialise
- Better facilities for families
- Parents won't have to take their children into Doncaster
- Good for the community
- Help with loneliness for stay at home mums
- Within walking distance

5.0 Parish Council

5.1 Thorne Town Council - Support.

6.0 Relevant Consultations

6.1 Local Plans - Regarding the above consultation: the site is allocated as a Strategic Employment Site - EMP 1 (3) therefore classes B1, B2 and B8. Proposals for other industrial, business or commercial uses will be considered on their merits. The applicant needs to demonstrate that the unit has been vacant for a while and that important there is no demand for the unit.

6.2 Highways Development Control - The levels of parking proposed would be sufficient for the levels of staff proposed. However, concerns have been raised over the mix of children within a shared carpark that has larger vehicles accessing daily, who may not be aware or consider that small children may be in the area. There are instances where D2 leisure use has been introduced within an industrial park in the borough, however these tend to be in units with dedicated enclosed parking provision or their hours of operation are outside of those of the adjoining units.

6.3 Environment Agency - Whilst we have no objection to the proposed change of use, we recommend that the developer uses this opportunity to reduce the potential impact of flooding by raising floor levels wherever possible and incorporating flood proofing and resilience measures. Physical barriers; raised electrical fittings and special construction materials are just some of the ways to help reduce flood damage.

6.4 Head of Community Safety - Concerns. "Without a dedicated Car Park I do think this may cause issues for young children being escorted from the mixed use parking area to the actual facility. The other facilities I am aware of in Doncaster all have a dedicated Car Park to ensure the safety of Children. Whilst there is a certain degree of responsibility placed on parents to supervise children, the greater numbers of children arriving at these premises (often by car) mean that a dedicated parking facility reduces the risk. I am not aware of the uses of the other units located within this area, but there would be an expectation of delivery drivers and potentially lorries visiting the premises, where manoeuvring in confined spaces (perhaps around parked vehicles) has its obvious danger and risk to members of the public."

6.5 Stronger Communities Coordinator - Capitol Park in general is a very busy industrial area and I would concur with points raised in particular that these types of businesses usually have an high volume of customers per day visit them. The other comment would be that when the designated car parking spaces are full this will most likely cause parking issues/congestion at other areas around Capitol Park.

7.0 Relevant Policy and Strategic Context

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

7.2 In the case of this application, the Development Plan consists of the Doncaster Core Strategy and the saved policies of the Unitary Development Plan 1998.

Doncaster Core Strategy
Policy CS1 Quality of Life
Policy CS2 Growth and Regeneration Strategy
Policy CS4 Flooding and Drainage
Policy CS5 Employment Strategy
Policy CS7 Retail and Town Centres
Policy CS14 Design and Sustainable Construction

Doncaster Unitary Development Plan (UDP) saved policies 1998
EMP1 Strategic Employment Sites

Development Guidance and Requirements SPD
Development and Flood Risk SPD
National Planning Policy Framework

8.0 Planning Issues and Discussion

Principle of Development

8.1 The application site is allocated as a Strategic Employment Site - EMP 1 (3). Therefore use classes B1, B2 and B8 are normally acceptable. Proposals for other industrial, business or commercial uses will be considered on their merits. Policy CS5 of the Core Strategy states that major employment sites will be retained for employment uses which may include some small scale supporting uses. The proposed use is for a children's soft play centre, which would fall into use class D2. An ancillary café is also proposed within the building in use class A3.

8.2 As the proposed use falls outside of class B1, B2, B8 it represents a departure from the development plan and as per policy should be considered on its merits. In terms of more appropriate sites for the use in the Thorne area, the applicant has confirmed that they have searched for site via local estate agents, the internet and Business Doncaster and have not found any other units.

8.3 Furthermore, Business Doncaster have advised the applicant via email that "The Thorne Park units developed by Henry Boot have been completed for over 12 months and were marketed throughout the process of development too. Whilst this is now the last remaining vacant unit of this final phase of development at this location we are not aware of any competing interest in it either now or within the past year."

8.4 It is also noted that the soft play centre, with café would provide employment with 2 full time and 6 part time employees. As such, the principle of a soft play centre could be acceptable subject to consideration of the details of the application such as flood risk, amenity and highway safety.

Flooding

8.5 Paragraph 100 of the National Planning Policy Framework states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. Policy CS4 of the Core Strategy states that development within flood risk areas will be supported where they pass the Sequential and /or Exception Tests (if they are required). The Doncaster Council Development and Flood Risk SPD states that minor development does not require the Sequential or Exception Test, set the floor space limit for minor development at 250 square metres.

8.6 However, the floor area of the application site measures 332 square metres. The application site also lies within flood zone 3A. The applicant submitted a flood risk assessment by Ark Environment Consultancy Ltd, who note that while the change of use would be to a more vulnerable use, in conclusion the development is appropriate in this location and complies with national planning policy. The submitted flood risk assessment has been considered by the Environment Agency which has no objection to the proposed change of use.

Highways and Parking

8.7 Policy CS14 of the Core Strategy states that the design of new development should make a positive contribution towards quality, stability, safety and security of private property, public areas and the highway.

8.8 The proposed change of use of the existing building from an employment use to a leisure use has been considered by the Council's Highways Development Control Officer who stated that "my view on this matter is that in this particular location, the proposal of a soft play area is not ideal and I have some concerns with regards to the mix of children within a shared carpark that has larger vehicles accessing daily, who may not be aware or consider that small children may be in the area. There are instances where D2 leisure use has been introduced within an industrial park in the borough, however these tend to be in units with dedicated enclosed parking provision or their hours of operation are outside of those of the adjoining units."

8.9 It is noted that while there is off street parking for the units these are not designated for the individual units. The views of the Council's Community Safety Officer and the Safer Communities Coordinator were sought and they shared the concerns of the Highways officer with regard to the mix of vehicle uses in close proximity to children leaving and entering the site.

8.12 It is the view of the planning officer that the proposed location of the site would fail to meet the standards of Policy CS14 of the Core Strategy in that the new development would not make a positive contribution to safety for potential users of the site. This is due to the lack of dedicated parking, the commercial uses of the other units and the single vehicular entrance/exit. While the potential for congestion was noted by the Council's Safer Communities Coordinator, this did not seem an issue on the occasions the planning officer visited the site and was not raised by the Highways Officer.

Amenity

8.13 Policy CS1 of the Core Strategy supports development proposals that protect local amenity. Policy CS14 states that new development should also have no unacceptable negative effects upon the amenity of neighbouring land uses or the environment.

8.14 The proposed change of use would be in an existing building that adjoins neighbouring commercial buildings. There are no residential buildings in close proximity to the application site. Due to the nature of the proposed use, the existing uses of neighbouring buildings and the hours of opening, there are not considered to be any negative impacts on amenity such as noise or privacy.

9.0 Summary and Conclusion

9.1 In conclusion, while the levels of public support for the application are recognised and understood given the lack of facilities in the Thorne area, the application site is not considered to be suitable for a child's soft play centre given the mix of commercial uses in the adjoining units on Island Drive that could lead to safety issues for children in the car park. As such refusal is recommended for the following reason.

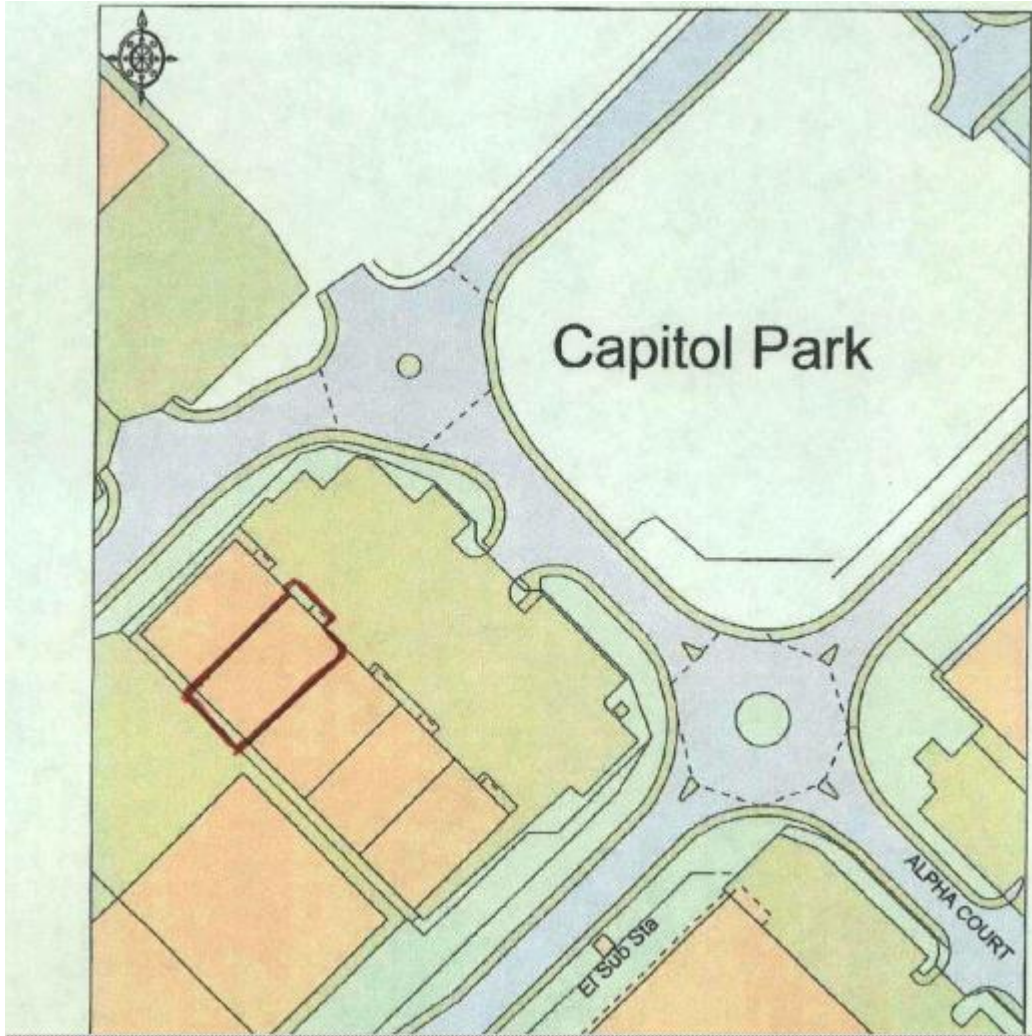
RECOMMENDATION

Planning Permission REFUSED for the following reason.

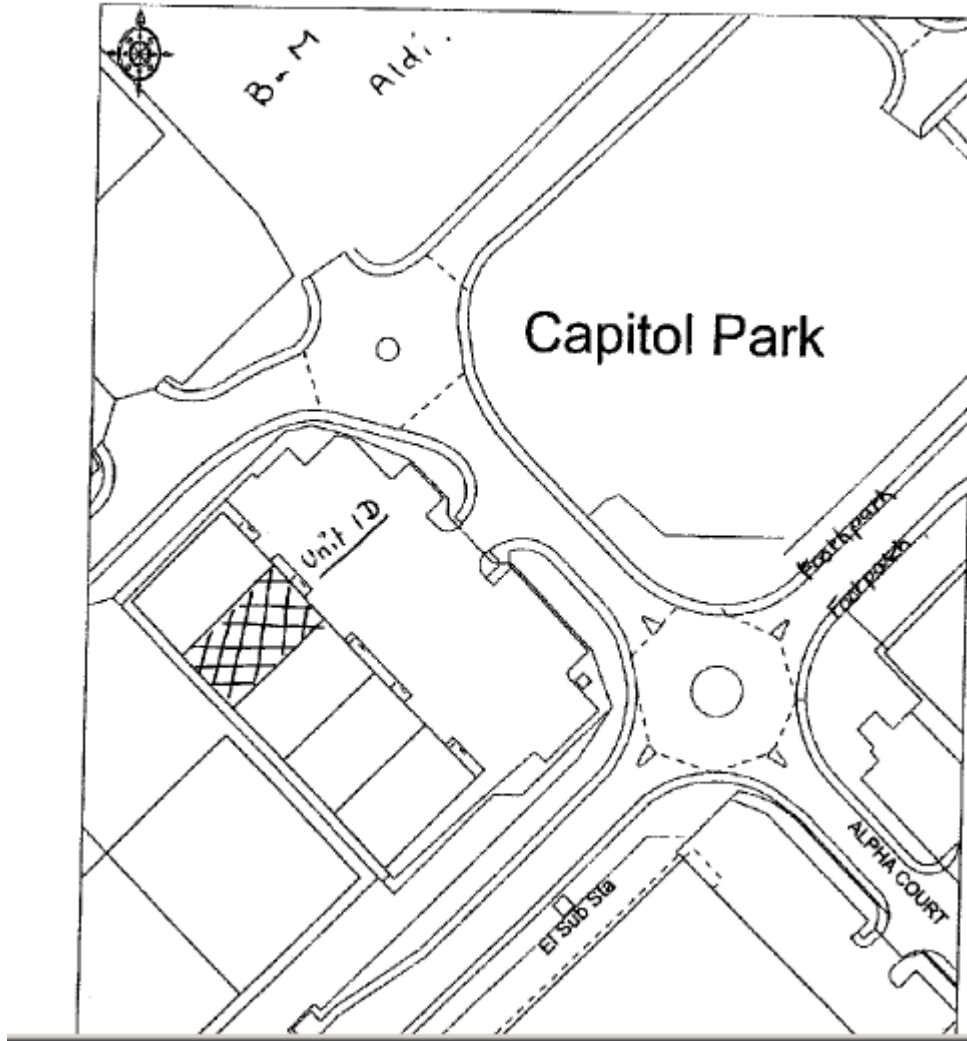
01. U56306 The proposed use of the unit a child soft play centre without dedicated parking in an existing commercial area would conflict with Policy CS 14 of the Doncaster Core Strategy in that it would lead to an unacceptable risk to child safety given the levels of comings and goings of commercial vehicles to the adjoining units.

The above objections, considerations and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence.

Appendix 1 – Location Plan



Appendix 2 – Site Plan



DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE – 14th November 2017

Application **04**

Application Number:	16/02589/FUL	Application Expiry Date:	27 th December 2016
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Application Type:	Full application
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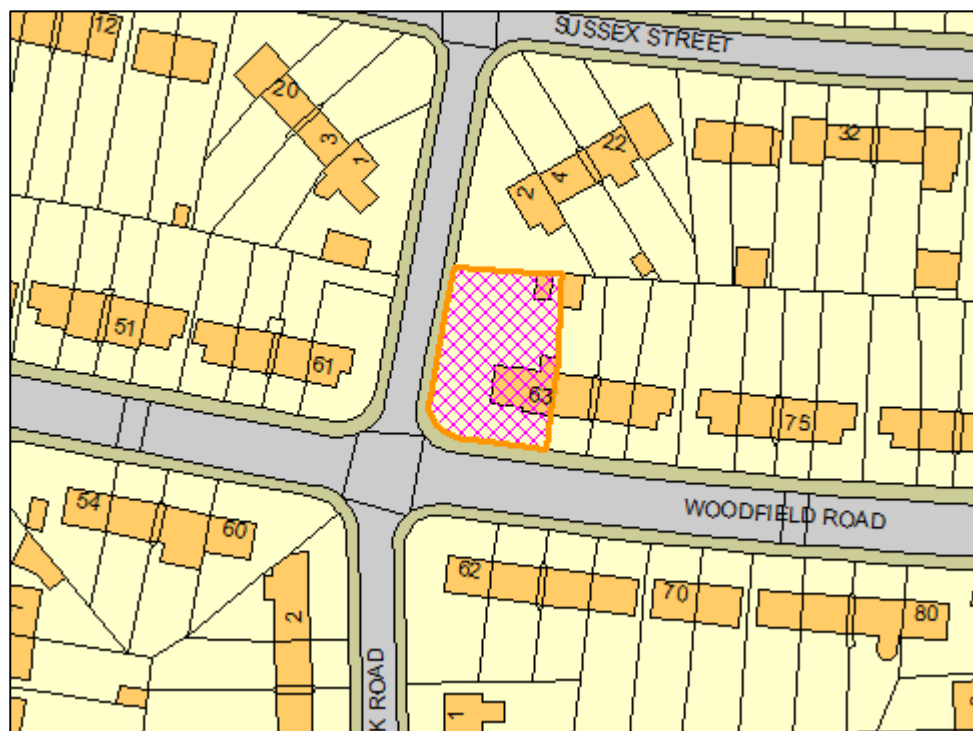
Proposal Description:	Proposed conversion and extension of existing dwelling to form six apartments.
At:	63 Woodfield Road, Balby

For:	Mr Adrian Kadria
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Third Party Reps:	54	Parish:	
		Ward:	Balby South

Author of Report	Mel Roberts
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MAIN RECOMMENDATION:	GRANT
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1.0 Reason for Report

1.1 This application is being reported to planning committee because of the public interest shown in the proposal.

1.2 The application was also deferred from the 17th October Planning Committee for a site visit, to assess the impact on the local highway network and to assess whether the proposal is over intensive.

2.0 Proposal and Background

2.1 This application seeks planning permission for the proposed conversion and extension of an existing dwelling to form six apartments. The proposal is to convert number 63 Woodfield Road from a single dwelling to 2 one bedroom flats and this includes a first floor extension over the existing single storey extension at the rear of the property. The application also includes the extension of the existing property to the side to create another 4 two bedroomed flats; the existing single storey garage at the side of the property is to be demolished. There are 2 parking spaces proposed at the front of the proposed flats off Woodfield Road and a further 4 spaces at the rear of the flats accessed off Kent Road. There is also an amenity area proposed at the rear of the flats.

2.2 The proposal has been amended since it was originally submitted. The original proposal was for conversion of the existing dwelling to 2 one bedroomed flats and an extension to create an additional 6 one bedroomed flats (8 flats in total). This scheme was considered over-intensive development of the site with overlooking of number 2 Kent Road and dominant frontage parking to the detriment of the street scene and so was amended to the scheme as currently proposed.

3.0 Relevant Site characteristics

3.1 Number 63 Woodfield Road sits at the end of a terrace of similar 2 storey properties. The property has garden area to the side, which is to be used for the extension and is currently covered in hard standing. The area to the rear of the property is currently used as a garden to serve the existing dwelling.

3.2 The application site slopes down from number 62 Woodfield Road towards the properties to the north on Kent Road. There is an existing low wall surrounding the site on both Woodfield Road and Kent Road with vehicle access to the property currently gained from Woodfield Road. The surrounding area is residential in nature with 2 storey houses comprising a mixture of terrace and semi-detached properties.

4.0 Relevant Planning History

4.1 There is no relevant planning history to this site.

5.0 Representations

5.1 A petition with 52 signatures was submitted in opposition to the application as originally proposed. No reasons for opposing the development were given in the petition.

2 letters of objection were also received against the original proposal, which can be summarised as follows:

- i) The size of the proposed new building is not in keeping with area.
- ii) The junction onto Woodfield Road from Kent Road is already a slightly blind corner on the right and the proposed changes will compound the problem on the left side.
- iii) Parking would result in pollution and traffic congestion.
- iv) Loss of privacy from overlooking.
- v) Disruption from building works.
- vi) Loss of value to surrounding properties.
- vii) Loss of light to neighbouring properties.
- viii) Noise from potential tenants.
- ix) Danger to children walking to school from additional traffic.

5.2 Following receipt of the above objections, the scheme was amended to reduce the number of flats and therefore the impact of the development on the character of the area and on neighbours. Letters were sent out to all original objectors stating that amended plans had been received. No further objections have been received to the amended scheme.

6.0 Relevant Consultations

6.1 Highways have raised no objections to the application because each flat will have a parking space and there is adequate visitor parking space on the existing road network.

6.2 Pollution Control has responded and has raised no objections.

6.3 The Shire Group of Internal Drainage Boards has responded and has raised no objections.

7.0 Relevant Policy and Strategic Context

National Planning Policy Framework

7.1 The National Planning Policy Framework (NPPF) has as its central theme a presumption in favour of sustainable development. It does not change the statutory status of the Development Plan as the starting point for decision making set out at Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 (Paragraph 12). It confirms that planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

Doncaster Core Strategy

7.2 Policy CS2 states that the main urban area (including Balby) will be the main focus for growth and regeneration.

7.3 Policy CS14 relates to design and sustainable construction and states that all proposals in Doncaster must be of high quality design that contributes to local distinctiveness, reinforces the character of local landscapes and building traditions, responds positively to existing site features and integrates well with its immediate and surrounding local area.

Doncaster UDP

7.4 Policy PH11 states that within Residential Policy Areas, development for housing will normally be permitted except where the development would be at a density or of a form which would be out of character with the area or would result in an over-intensive development of the site, or the effect on the amenities of nearby properties would be unacceptable.

8.0 Planning Issues and Discussion

Principle

8.1 The site lies within a Residential Policy Area as allocated in the Doncaster UDP, where policies allow for additional housing. The site also lies within the main urban area and policy CS2 of the Core Strategy states that this should be the focus for growth. The site lies within Flood Zone 1 and so is not at risk from flooding. The site is in a sustainable location being located close to local amenities and bus stops. The proposal will provide additional housing and add to the mix of accommodation in this area. The proposal is therefore acceptable in principle.

Design and Residential amenity

8.2 The proposal has been designed to ensure that the extension follows the scale and design of the existing dwellings along Woodfield Road. The proposal will extend the existing terrace and will replicate the larger terraces on the opposite side of Woodfield Road and so will not appear out of character with the area. The roof is to be hipped to match the other properties in the area. The proposed materials are to be secured by a condition, but it is envisaged that the materials will match those of the adjacent dwelling. The proposal is not an over-intensive development of the site and retains a useable amenity area at the rear.

8.3 The proposal has been amended to ensure that there is no longer any loss of amenity to number 2 Kent Road through either overlooking or overshadowing. Although the land is raised above that of number 2 Kent Road, the separation distance of 21 metres will ensure that overlooking is not harmful. There are adequate separation distances to the properties on the other side of Woodfield Road and no windows on the side elevation that face towards 61 Kent Road. The application therefore accords with policies CS14 of the Core Strategy and policy PH11 of the Doncaster UDP.

Highways

8.4 There are no highways issues in terms of the impact that the development will have on highway safety. There is 1 car parking space per flat and adequate room on the wide roads to provide for visitor parking.

Other issues

8.5 In terms of the other issues raised by residents, there is always likely to be some disruption during construction of the development, but there are powers available to Environmental Health to ensure that this does not become problematic. The potential loss of value to surrounding properties is not a material planning consideration and so no weight can be given to this. There is no reason to suggest that noise from tenants will create such a disturbance that planning permission should be refused. The additional traffic that this development will create will be minimal and will not create danger to children walking to school.

9.0 Summary and recommendation

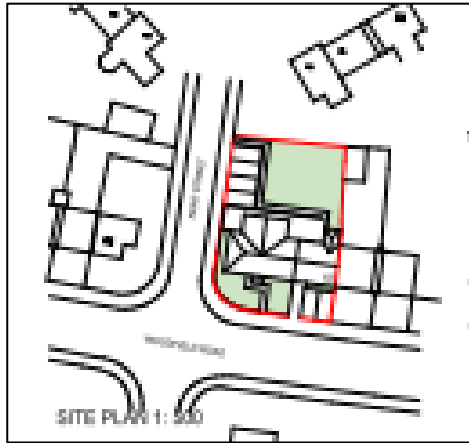
9.1 The proposal will add to the housing mix in a sustainable location. The design is in keeping with the area and will avoid any loss of amenity to surrounding properties. There will be no impact on highway safety and the amount of parking provided is adequate for the type of accommodation proposed in this location.

9.2 It is therefore recommended that planning permission be granted subject to the following conditions:

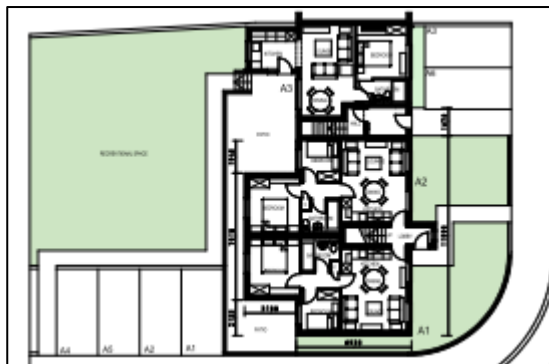
1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.
REASON
Condition required to be imposed by Section 91(as amended) of the Town and Country Planning Act 1990.
2. The development hereby permitted must be carried out and completed entirely in accordance with the terms of this permission and the details shown on the approved plans listed below:
Drawing number 016/057/PD/REV C.
REASON
To ensure that the development is carried out in accordance with the application as approved.
3. 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.
4. 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.

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.

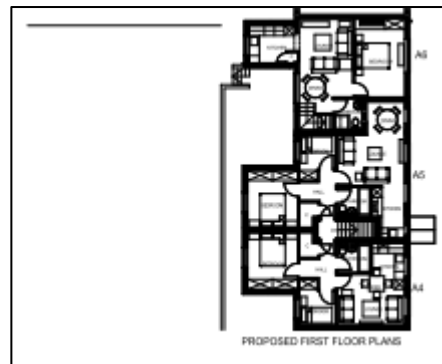
Appendix



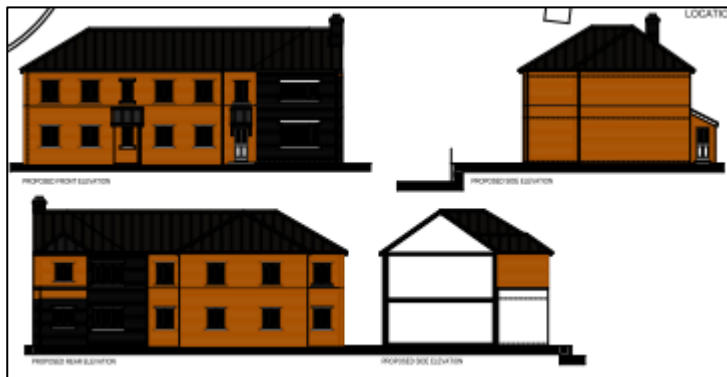
Plan 1 Site layout plan.



Proposed ground floor plan



Proposed first floor plan



Proposed elevations

DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE - 14th November 2017

Application 05

Application Number:	17/00879/FULM	Application Expiry Date:	7th July 2017
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Application Type:	Planning FULL Major
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Proposal Description:	Erection of 8 dwellings and 6 1-bed flats, parking and new access following demolition of existing building.
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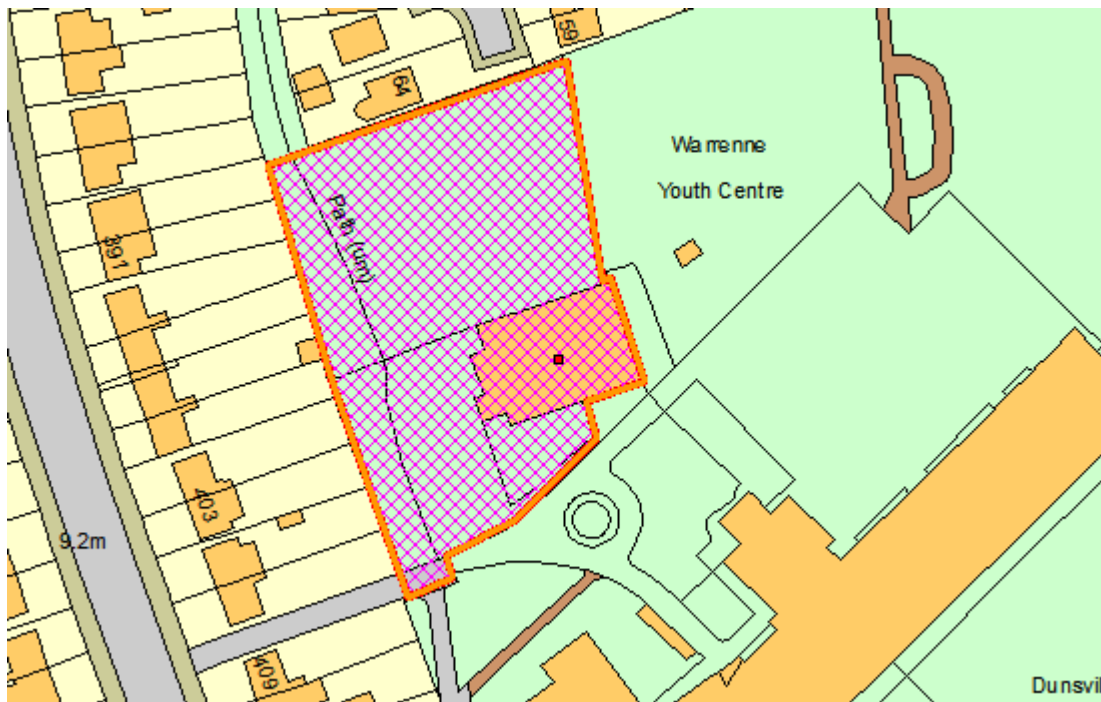
At:	Land At Former The Warrenne Youth Centre Broadway Dunscroft Doncaster
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For:	Mr J Holt
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Third Party Reps:	19	Parish:	Hatfield Parish Council
		Ward:	Hatfield

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 due to the amount of public representations received in objection to the application.

1.2 The application was also deferred from the 17th October Planning Committee for a site visit, to assess the impact of the proposal on the local highway network in particular during school pick up and drop of times on Hoddesdon Crescent.

2.0 Proposal and Background

2.1 This application is for the erection of 14 dwellings on the former Warrenne Youth Centre at Broadway Dunscroft. The building and land is currently owned by Doncaster MBC and the applicant has an agreement to purchase the site subject to planning approval being obtained.

2.2 The scheme has been amended several times since the initial submission being reduced from 14 family dwellings to 8 dwellings and x6 1-bed flats to ensure the scheme does not meet the necessary triggers for education, affordable housing or public open space contributions. Amendments to the layout and house type designs have also been necessary to overcome the objections raised in the consultation responses.

2.3 The red line site boundary has also been amended during the course of the application as part of the site was a tarmac area in the southern corner of the site, which provides access to the school from the pedestrian access leading from Broadway. Some confusion existed as the applicant thought this land was to be included in the sale from the council. Its sale would prohibit access for the school and has since been excluded from the application and full pedestrian access to the school from Broadway remains.

2.4 The proposal has raised several concerns with nearby residents which primarily stemmed from the amount and principle of redeveloping the site and the disturbance cause by the construction traffic, additional vehicle movements in an area already congested by cars lining the proposed access routes at school drop off and pick up times. No actual concerns were registered over the design or layout of the scheme, however this is explored further in the report.

3.0 Relevant Site Characteristics

3.1 The site lies in the village of Dunscroft and is sandwiched between the Dunsville Primary School to the south of the site, several residential dwellings on Broadway to the west of the site and the Hoddesdon Crescent to the north of the site where access is proposed. The site forms part of the land known as the Warrenne youth centre and contains a two storey hall on the site.

3.2 The site is otherwise grassed and contains a number of mature trees. To the north west of the site is the school playing field of the primary school. Pedestrian access to the site is served from Broadway.

3.3 The building has been closed for a number of years and is currently in a poor state of repair and contains no amenities.

4.0 Relevant Site History

4.1 None relevant.

5.0 Representations

5.1 This application has been advertised in accordance with Article 15 of the Town & Country Planning (Development Management Procedure) Order 2015. This was by press notice (Doncaster star 11th May 17), site notice and neighbour notification.

5.2 The proposal received 7 objections and a petition with 4 signatures:

- No objection in principle but concerns over the construction traffic, disruption, noise disturbance.
- The street is very narrow and already busy at peak school pick up and drop periods. Also refuse vehicles struggle to service this street. Children play in the street this will turn a cul-de-sac into a road serving 14 more households. The double parking on the street would already prohibit access for emergency vehicles.
- Concern over notification of the application (site notices were posted after the initial neighbour letters were sent out).
- Concern over the hazard materials in the building and need assurances that this will be taken care of.
- Hoddesdon Crescent is used to access Dunsville Primary School so conflict would exist between the children and traffic.
- Lack of parking in the street generally. This would be lost as a result of the new access and residents' fear of damage to vehicles that are parked on street and increased wear to the road surface.
- The proposed plan shows the access behind Broadway, which is used by tenants and home owners on Broadway and Hoddesdon Crescent to gain access to the rear of their properties. The plans look like they will hinder egress and access to this.
- Residents are not inherently opposed to the building of these properties, however we do have concerns over the access to the site and the traffic which would be using the road both long and short term. If alternative access/egress would be granted avoiding Hoddesdon/Harpenden Crescent for construction traffic, we believe it would make a better alternative solution to the problem.
- If extra school places are needed then wouldn't it be better to use this land to extend the school.

Amended plan - reconsultation

5.3 Reconsultation was undertaken based on the amended plans and 6 further letters of objection were received. These reiterated the concerns above and suggested the amended plans/house types do nothing to overcome the original concerns regarding the disturbance and extra traffic during construction. Also the objections state the redevelopment of the site would lose a valuable habitat for bats.

5.4 2 further representations were received from Councillor Linda Curran and Councillor Derek Smith over lack of parking, disturbance to existing residents through delivery of materials and the work force parking and the impact on parking around the school. 14 additional dwellings will exacerbate an already difficult situation. The dwelling numbers should be reduced and increase the level of off street parking.

6.0 Town Council

6.1. A Hatfield town councillor made 1 representation: The derelict youth club was reopened some years ago and the building was full of hazardous materials. Allegedly due to the cost of safely disposing of the waste, the project was abandoned. Residents need assurances that if the building is demolished the hazardous materials are disposed of in a safe manner.

6.2 The site is over developed with little consideration of access for refuse lorries. Access to the site is poor. Hoddesdon Crescent has major parking issues particularly at school times and DMBC have failed to address this issue over the years. The site also includes land which was formerly used for access to the rear of properties on Broadway.

6.3 14 dwellings on this site is over intensive development. The increase traffic flow of most probably 28 homeowner vehicles, visitors, delivery vehicles along the already congested Hoddesdon Crescent on a daily basis would have a significant impact on the area. The proposed access along Hoddesdon Crescent for construction vehicles is unsuitable for this type of vehicle with additional issue of increased parking in the area at school times making safe vehicle movement impossible. There is also a concern in respect of Plot 1 & 2 facing the access point for light infringement when vehicles entering the development.

7.0 Relevant Consultations

Pollution Control - While there is no indication from the information derived from the historic maps that the site in question has had a former contaminative use, as the application is for a sensitive end use, as such, in line with current guidance (NPPF) a contaminated land risk assessment will be required. The former Youth club is "alleged" to be full of hazardous material so this will also need to be considered and risk assessed in appropriate manner through a contamination assessment of the site. This can all be conditioned.

Local Plans Team (Public Open Space) - The site is recorded as 'Education Facilities' in the UDP, and is not identified in the 2013 Green Spaces Audit. UDP Policy RL4 is relevant which states that:

"The borough council will seek to remedy local public open space deficiencies within existing residential areas and will require the provision of local public open space, principally of benefit to the development itself, within new residential developments in accordance with the following standards:

C) Where the size of the development site is such that 10 - 15% of the site area would result in an area of local public open space of less than 0.4 ha (1 acre) the borough council may require the applicant to provide a commuted sum, in lieu of an area of open space, to be used for the creation of a suitable area of open space elsewhere or for the enhancement of an area of existing public open space in the vicinity of the development site.

D) Developers of schemes comprising 10-20 family dwellings will normally be expected to provide a commuted sum to the borough council for the enhancement of existing local public open space."

NPPF paragraph 74 states that:

"Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- o An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements
- o The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location
- o The development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss."

Additionally, according to the Green Spaces Audit, the Duncroft community profile area where this site is located is deficient in 4 out of 5 open space typologies (informal, public parks, woodlands and nature conservation areas and allotments). Therefore, if the decision is for approval of more than 9 family dwellings, then a commuted sum of 15% is requested in line with UDP Policy RL4. Decisions on potential receptor sites would need to be subject to discussions between the neighbourhood manager and ward members.

Public Rights of Way - The PROW officer is not aware of any claims across this site. A claim could arise from the route from Broadway to the rear gardens of the properties on Broadway which crosses the site. For a footpath claim the public would have to prove that they have used it for a continuous period of 20 years or more unchallenged. THE PROW officer noticed a few years ago it was blocked off and there were some signs up stating no public thoroughfare so the claims would have to predate this period.

Education - Schools affected are Dunsville Primary and Hungerhill secondary school: Both are currently over capacity and therefore the primary school contribution is calculated at £36,429 and a secondary contribution £54,891 meaning a total contribution of £91,320.00. Due to the sites location this was questioned by the applicant. Given the access will not receive a new road from Broadway as first thought, but will be added to the existing road known as Hoddesden Crescent, this has resulted in the housing still falling under Dunsville catchment area but this section of the Secondary catchment students would attend Ashhill Academy not Hungerhill as previously thought, therefore in light of these changes there is no Secondary Contribution required. The requirement is therefore £36,429.

Officers Note - The amendment to the scheme to 8 family dwellings now takes it under the threshold for any contributions as less than 10 family homes are created.

Internal Drainage Board - No objections, subject to conditions however these duplicate the normal drainage conditions suggested by internal drainage.

Ecology - The site is dominated by the large youth centre building which is over 5m to the roof. This has the potential for roosting bats. A preliminary bat roost assessment has been undertaken and confirmed negligible features which bats could access for roosting. No further surveys are required but to ensure a precautionary approach is taken, an ecologist should be present when areas of potential value for bats are removed. A condition is added accordingly.

The vegetation on the site is generally overgrown amenity area which has limited ecological value that does not need to be surveyed but there will be some loss of greenspace that should be compensated for by minor ecological enhancements if the site is developed.

Internal Drainage - No objections subject to condition.

Highways - Initial concerns that the land included within the application site includes an area which forms part of the pedestrian access directly into Dunsville Primary School from Broadway. There were also highway design issues, concerning footpaths, hard margins, boundary treatments, vehicle tracking, parking space widths, visitor parking provision, garage sizes, driveway lengths. These were eventually overcome by a series of amended plans.

The highway officer also noted the concern registered in the objections with regard to the construction traffic. Access for construction traffic will be taken from the existing turning area at the end of Hoddesdon Crescent. There is a pedestrian access into the school from Hoddesdon Crescent and at school start and finish times this area is very heavily parked which will cause significant problems for construction traffic using this route, and also impact on residential amenity for existing residents during the build period. As such there would need to be an extremely robust construction traffic management plan agreed subject to planning approval, prior to works commencing on site.

Overall no objections based on the amended plans subject to conditions.

Strategic Transport - No concerns with 14 dwellings from a trip generation perspective. Highways DM will look at the impact on the local highway network and may suggest a Construction Traffic Management plan to deal with the construction traffic is managed in relation to the school.

Design officer - Whilst the scale and type of housing proposed will generally suit this suburban location, the design officer had several concerns regarding divergences from the Council's policy and SPD in terms of residential layout. These included inadequate garden sizes, lack of visitor parking, the location of dwellings in relation to No.64 Hoddesden Crescent, house type style through loss of outlook, lack of dedicated internal storage space, the lack of design quality in the house type style, and a lack of landscaping/boundary treatments.

A series of amended plans have gradually overcome these concerns, subject to series of conditions covering materials, boundary treatments and landscaping.

Severn Trent - No response.

Environmental Health - No objections, noted the development is next to a primary school and surrounded by nearby residential dwellings as such suggested conditions covering piling, no burning, delivery times, dust transmission and the need for an acoustic barrier on the southern boundary.

Trees - No objections: The site will involve the loss of trees however these can be suitably replaced by condition.

Yorkshire Water - No objections subject to conditions. (covered by internal drainage conditions).

8.0 Relevant Policy and Strategic Context

The site is allocated as an education facility (CF 3) as defined by the Doncaster Unitary Development Plan 1998. The allocation also includes the Dunsville Primary School to the south of the site.

Relevant, Local, National Policies

National Planning Policy Framework;

Chapter 1 - Building a strong, competitive economy

Chapter 4 - Promoting sustainable transport

Chapter 6 - Delivering a wide choice of high quality homes

Chapter 8 - Promoting healthy communities;

Chapter 7 - Requiring good design

Chapter 11- Conserving and enhancing the natural environment;

Doncaster Council Core Strategy; 2011-2028 (CS

CS 1 - Quality of Life

CS 2 - Growth and Regeneration Strategy

CS 4 - Flooding and Drainage

CS 9 - Providing Travel Choice

CS 12 - Housing Mix and Affordable Housing

CS 14 - Design and Sustainable Construction

CS 17 - Providing Green Infrastructure

Doncaster Unitary Development Plan; 1998

Saved policy: CF3 Educational Facility.

CS 4 Surplus facilities.

RL 4 - Local Public Open Space Provision

ENV 59 - Protection of Trees

9.0 Planning Issues and Discussion

Main Issues

9.1 The main issues to consider are the principle of developing a former educational site, the detailed design and layout of the proposed dwellings, their relationship with adjoining residents, trees, the impact on the local highway network and the manoeuvrability within the site and parking levels.

Principle

9.2 In terms of the wider principle of the site, the allocation is that of an education facility. This allocation carries on from the allocation of the school to the south of the site, even though the particular site is self-contained and was formally a youth centre, which has now closed. The allocation is linked to the school as the site was formally within the school grounds and was therefore washed over as an allocation in the 1998 UDP. Whilst the policy designation is CF3 - Educational facilities, this is not in educational use and now separated from the school.

9.3 Policy CF 4 requires justification for the loss of such a facility to ensure they are not unnecessarily closed. If they are declared surplus to requirements, proposals for their future alternative use will be acceptable where;

- a) No suitable alternative community use could be provided through the reuse of the building,
- b) No other community facilities provider wishes to acquire it for their own community use
- c) It does not lie within an area deficient in community facilities

9.4 This exercise has been fully examined in 2002 where 2 adverts were placed in the Free Press calling for all former users and potential new users to attend a meeting arranged on the 22.10.2002. This was organised by the landowners (The council's estates team) when the council were considering selling the site. The building has been empty for around 15 years and is merely a hall with no kitchen and toilets. The building is also in a poor condition with asbestos in the external materials and a very old heating system. This put many potential community groups off the building, despite being interested in the good space. The costs of bringing the building up to a standard where it could be successfully reused were simply too great. There has been no further interest in the building over recent years.

9.5 The option was therefore to sell the site and the applicant was approached by the council as he owns a ransom strip at the end of Hoddesden Crescent, which was the natural entrance to the site.

9.6 Officers are therefore content that the building is now surplus to requirement and a genuine attempt has been made to dispose of the building to community groups but the costs of upgrading the building were too great. The school has no interest in acquiring the building for future expansion and therefore the site's redevelopment for housing accords with CF 4.

Design and Layout

9.7 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.

9.8 The initial 14 family dwelling scheme provided for a relatively high density being 14 dwellings on 0.33 hectares of land being 42 dwellings per hectare. The initial scheme had a host of design and layout concerns, for instance a lack of rear garden space, lack of visitor parking, insufficient garage spaces and parking space widths.

9.9 Also the layout caused concern for the outlook and aspect currently enjoyed by No .64 Hoddesden Crescent. In addition some of the house types had poor aspects and outlooks. The internal design of the dwellings lacked storage space, which is not good for family homes. Also in design terms, whilst the surrounding architectural context is unremarkable, so too were the proposed dwellings. Their design lacked architectural character and distinctiveness.

9.10 The layout was amended several times, resulting in the reduction of family dwellings from 14 to 8 and the provision of 6 1-bed flats to the east of the site. This maintained the density of the site, however it reduced the dwelling sizes and overall parking requirements. This created a better mix of house types and styles and a more varied housing offer. The relationship between plot 14 and 64 Hoddesden Crescent was also improved with the plot 14 being offset from the boundary and pulled forward.

9.11 In terms of parking provision 27 spaces are being proposed, with the family dwellings having x2 spaces each (plot 4 x3 spaces), the flats x1 space and 4 visitor spaces.

9.12 The amended scheme represents no outlook and privacy concerns with all window to window distances being maintained over and above current standards to the dwellings facing Broadway. The remaining dwellings face the school playing fields. The amended scheme is considered to accord with CS14 subject to conditions controlling boundary treatments, facing materials and landscaping.

Highways and Parking

9.13 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. In this proposal it's necessary to ensure the new layout of the estate and parking provision meets current standards and that the site can be appropriately accessed and serviced during construction without causing highway safety concerns. It is inevitable that the construction traffic will cause some temporary disturbance.

9.14 The site is to be accessed from the estate road Hoddesden Crescent. Hoddesden Crescent is a relatively quiet cul-de-sac and the access will punch through the existing fence in the turning area. There has been significant representation from local residents on Hoddesden Crescent that raise concern over a loss of parking at the head of the cul-de-sac, the narrowness of the road and the disturbance caused by the development. Also the cul-de-sac will become an estate road serving 14 other dwellings. In addition, Hoddesden Crescent has a pedestrian access to Dunsville Primary School and problems exist within the estate at school drop off and pick up times. The residents supplied photographs of this occurring with cars lining both sides of the road reducing the carriage way to a single width.

9.15 The Transportation team have also been consulted and raise no concerns from a trip generation perspective. The highways DM officer has noted the problems that exist with parking on Hoddesden Crescent, which is generated by parents double parking to use the pedestrian access to the school. This is likely to cause significant problems for construction traffic during school start and finish times. The only way to overcome this is to have an extremely robust construction traffic management plan that regulates delivery times which need to be agreed prior to construction occurring. Also whilst this is an existing problem, permission cannot be refused on account of this. It is accepted that some disturbance will be caused by the construction of the proposed development, however this is not uncommon within existing residential areas and is a temporary occurrence. The additional vehicle movements are not considered to cause harm to highway safety or significantly increase vehicle usage across the estate.

9.16 In terms of the wider layout of the estate, this has had several iterations to ensure that parking standards are achieved which included residential and visitor space numbers and widths. The amended plans have also redesigned the geometry of the turning areas, footpaths and hard margins. The amended scheme now functions as it should with appropriate levels of parking for visitors and residents and will ensure refuse vehicles can adequately access the site. The southern part of the site that provides access to the school has also now been omitted from the proposal. The proposal is therefore in compliance with CS 14.

Residential Amenity

9.17 Policy CS 14 of the Core Strategy requires that new development should have no unacceptable negative effects upon the amenity of neighbouring land uses or the environment.

9.18 In terms of the general amenity from the construction of the development, the site is surrounded by existing residential development and the primary school. It is therefore appropriate to control matters such as delivery times, dust suppression, burning, noise from any piling activities all to ensure the living conditions of nearby residents and the welfare of members of the school remain protected. These are controlled by suitably worded planning conditions.

9.19 In addition it is necessary to ensure that any future occupants of the dwellings are safeguarded from noise from the school and as such a condition requiring a 2m acoustic fence along the southern boundary of the site is proposed by condition.

Ecology

9.20 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.

9.21 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.

9.22 The site is dominated by the large youth centre building which is over 5m to the roof. This has the potential for roosting bats. The council's ecologist requested that a preliminary bat roost assessment should be carried out and the results submitted. If further emergence surveys are proposed then these should also be carried out prior to any determination of this application.

9.23 This was undertaken by a suitable qualified ecologist and the results showed that the building had negligible features which bats could access for roosting. No further surveys are required but to ensure a precautionary approach is taken, an ecologist should be present when areas of potential value for bats are removed. A condition is added accordingly.

9.24 Also the vegetation on the site is generally overgrown amenity area which has limited ecological value that does not need to be surveyed but there will be some loss of greenspace that should be compensated for by minor ecological enhancements if the site is developed.

Trees

9.25 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.

9.26 There are a number of trees and hedgerows on the site. Following the receipt of the tree survey the tree officer conceded that whilst the trees within the site are prominent and numerous, tree quality throughout the site is poor. The tree officer agrees with the findings of the tree survey and notes regrettably that to allow the site to be redeveloped the trees would have to be lost and suitably replaced. It is noted that in none of the numerous objections express concern with the loss of trees.

9.27 In terms of replacing the tree stock there is opportunity for impact landscaping at the entrance to the site, including structural elements (i.e. medium/large trees). Other opportunities exist for small specimens of which can be suitably secured by a planning condition and will provide compliance with CS 16.

Planning Obligations and Viability

9.28 Paragraph 203 of the NPPF states that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

9.29 In paragraph 204 it is stated that planning obligations should only be sought where they meet all of the following tests;

- 1.necessary to make the development acceptable in planning terms
- 2.directly related to the development; and
- 3.fairly and reasonably related in scale and kind to the development.

These are the statutory tests as set out in the Community Infrastructure Levy Regulations 2010.

9.30 The initial scheme for 14 family dwellings met the trigger for both a public open space contribution and education contribution being x10 or more 2-bed dwellings. Considerable discussion was held with the agent over these triggers and the likely contributions. No affordable housing contributions are necessary as the scheme does not meet the 15 dwelling trigger point.

9.31 The applicant took the decision to amend the scheme in order to avoid the need for such contributions. The amended scheme now proposes 8 family dwellings and the remaining 6 1-bed flats are not liable for any contributions, as the public open space and education contributions are 10 or more family dwelling i.e. 2-bed. On this basis no contributions are necessary.

Contamination

9.32 Paragraph 120 of the NPPF states: 'Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.' Paragraph 121 of the NPPF states: 'Planning policies and decisions should also ensure that:

- The site is suitable for its new use taking account of ground conditions and land instability, including from natural hazards or former activities such a mining, pollution arising from previous uses and any proposals for mitigation including land remediation or impacts on the natural environment arising from that remediation;
- After remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990;
- Adequate site investigation information, prepared by a competent person, is presented.'

9.33 Core Strategy Policy CS18: Air, Water and Agricultural Land, seeks to ensure that Doncaster's air, water and land resources will be conserved, protected and enhanced, both in terms of quantity and quality.

9.34 Within the representations there have been allegations that the building on the site is full of hazardous materials, mainly asbestos. The application was not supported by a contamination assessment and given the sensitive end use a full contamination assessment of the site and buildings will need undertaking. If asbestos is found then this will have to be dealt with appropriately and this will be demonstrated in any such assessment. Conditions requiring a contamination assessment will form part of any approval.

Public Rights of Way

9.35 The site appears informally used by pedestrians walking on the lane to the rear of the dwellings on Broadway and then out through the access between No.409-407 Broadway. The council's Public Rights of Way team have been consulted and have confirmed that whilst the land might be used informally, no claims for public right of way have been made and no new claims exist. The officer has suggested that a claim could arise from this route however, for a footpath claim the public would have to prove that they have used it for a continuous period of 20 years or more unchallenged. The officer notes that the route was blocked off some years ago and there were some signs up stating no public thoroughfare so the claims would have to predate this period.

9.36 Therefore to conclude that whilst the land is informally used, no new footpath claims have been made and this should therefore not delay the determination of the planning application.

10.0 Summary and Conclusion

10.1 The amended scheme provides a low density, purposeful layout that has good garden sizes. The design and layout maintains the privacy and outlook of neighbouring residential dwellings. The scheme has been designed to provide acceptable parking standards for residents and visitors parking. On the whole, the scheme accords with the terms of the outline and provides a sustainable small well connected residential development and is therefore recommended for approval.

11.0 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. 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.

03. U52519

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 112/14/1F
112/14/5A one bedroom flats
House type A 112/14/2E
House type B and C 112/14/3E

REASON

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

04. U52520

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 that provides replacement tree planting in accordance with the Council's Development Guidance and Requirements Supplementary Planning Document; 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 (if elements of the planting scheme fall outside of domestic curtilage). 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.

05. DA01

The development hereby granted shall not be begun until details of the foul, surface water and land drainage systems and all related works necessary to drain the site have been submitted to and approved by the Local Planning Authority. These works shall be carried out concurrently with the development and the drainage system shall be operating to the satisfaction of the Local Planning Authority prior to the occupation of the development.

REASON

To ensure that the site is connected to suitable drainage systems and to ensure that full details thereof are approved by the Local Planning Authority before any works begin.

06. U54246 Details of intended piling activities (including time frames) are submitted to and approved by the Local Planning Authority prior to the development commencing.

REASON

In the interests of preserving the living conditions of surrounding residential dwellings.

07. U54248 Before the development commences a scheme shall be submitted to and approved in writing by the LPA detailing the measures to be taken to minimise dust and fumes from the site. The scheme shall specify the mitigation measures to be taken during site preparation, material import and export, the temporary stock piling of materials, the construction of the relief road and associated vehicle movements to/from and on site including vehicles awaiting entry to site. The development shall then be carried out in accordance with the approved scheme.

REASON

To protect amenities of nearby neighbours from adverse effects due to noise, dust and fume pollution.

08. U54249 No open burning of any waste material shall be permitted within the site. Any inadvertent fire should be treated as an emergency and extinguished immediately.

REASON

In the interests of preserving the living conditions of surrounding residential dwellings and school.

09. U54250 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 07:30 and 18:00 Monday to Friday and 08:00 to 13:00 on a Saturday, except as may otherwise be agreed in writing with the Local Planning Authority. No deliveries or operation hours shall take place on Sundays or Bank Holidays.

REASON

In the interests of preserving the living conditions of surrounding residential dwellings.

10. U54251 An acoustic barrier comprising of at least 2m high acoustic fence shall be erected along the southern boundary (plots 4 and flats 5-12) of the site. Such fence constructed shall be imperforate (no gaps) with a minimum density of 10kg/m². Any acoustic fence installed shall be maintained during the life of the development.

REASON

To safeguard the future residents from noise from the adjacent school in accordance with CS 14.

11. MAT4

No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials, height, and type of boundary treatment to be erected on site, including any gates. Unless otherwise approved in writing by the local planning authority, the details as approved shall be completed before the occupation of any buildings on site.

REASON

To ensure the satisfactory appearance of the development.

12. HIGH 1

Before the development is brought into use, that part of the site to be used by vehicles shall be surfaced, drained and where necessary marked out in a manner to be approved in writing by the local planning authority.

REASON

To ensure adequate provision for the disposal of surface water and ensure that the use of the land will not give rise to mud hazards at entrance/exit points in the interests of public safety.

13. HIGH 11

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.

14. CMT

No phase of development shall commence until Construction Traffic Management Plan (CTMP) for that phase of development is submitted to and subsequently approved in writing by the Local Highway Authority. The approved plan shall be adhered to throughout the construction phase. I would expect the CTMP to contain information relating to (but not limited to):

- Volumes and types of construction vehicles
- identification of delivery routes;
- identification of agreed access point
- Contractors method for controlling construction traffic and adherence to plan.
- Parking of construction / contractors vehicles
- Size, route and numbers of abnormal loads
- Swept path analysis (as required)
- Construction Period
- Temporary signage
- Measures to control mud and dust being transferred to the public highway
- Timing of deliveries
- Before and after dilapidation survey to be carried out on the existing highway.

REASON

To ensure the development doesn't cause harm and nuisance to the living conditions of neighbouring occupiers. In addition to ensure no damage is caused to the existing carriageway.

15

During the removal of parts of the building identified in Section 6 of the Estrada Ecology report of 29th September 2017 a suitably qualified ecologist should be present to ensure a precautionary watching brief is maintained as a precautionary measure.

REASON

To ensure the ecological interests of the site are maintained in accordance with Core Strategy Policy 16 and that no offence is committed in respect of protected species legislation.

Informatives:

Works carried out on the public highway by a developer or anyone else other than the Highway Authority shall be under the provisions of Section 278 of the Highways Act 1980 and adoption of the new access road shall be carried out under Section 38 of the Highways Act. The S38 and S278 agreements must be in place before any works are commenced. There is a fee involved for the preparation of the agreement and for on-site inspection. **The applicant should make contact with Malc Lucas – Tel 01302 735110 as soon as possible to arrange the setting up of the agreement.**

Doncaster Borough Council Permit Scheme (12th June 2012) - (Under section 34(2) of the Traffic Management Act 2004, the Secretary of State has approved the creation of the Doncaster Borough Council Permit Scheme for all works that take place or impact on streets specified as Traffic Sensitive or have a reinstatement category of 0, 1 or 2. Agreement under the Doncaster Borough Council Permit Scheme's provisions must be granted before works can take place. There is a fee involved for the coordination, noticing and agreement of the works. **The applicant should make contact with Paul Evans – Email: p.evans@doncaster.gov.uk or Tel 01302 735162 as soon as possible to arrange the setting up of the permit agreement.**

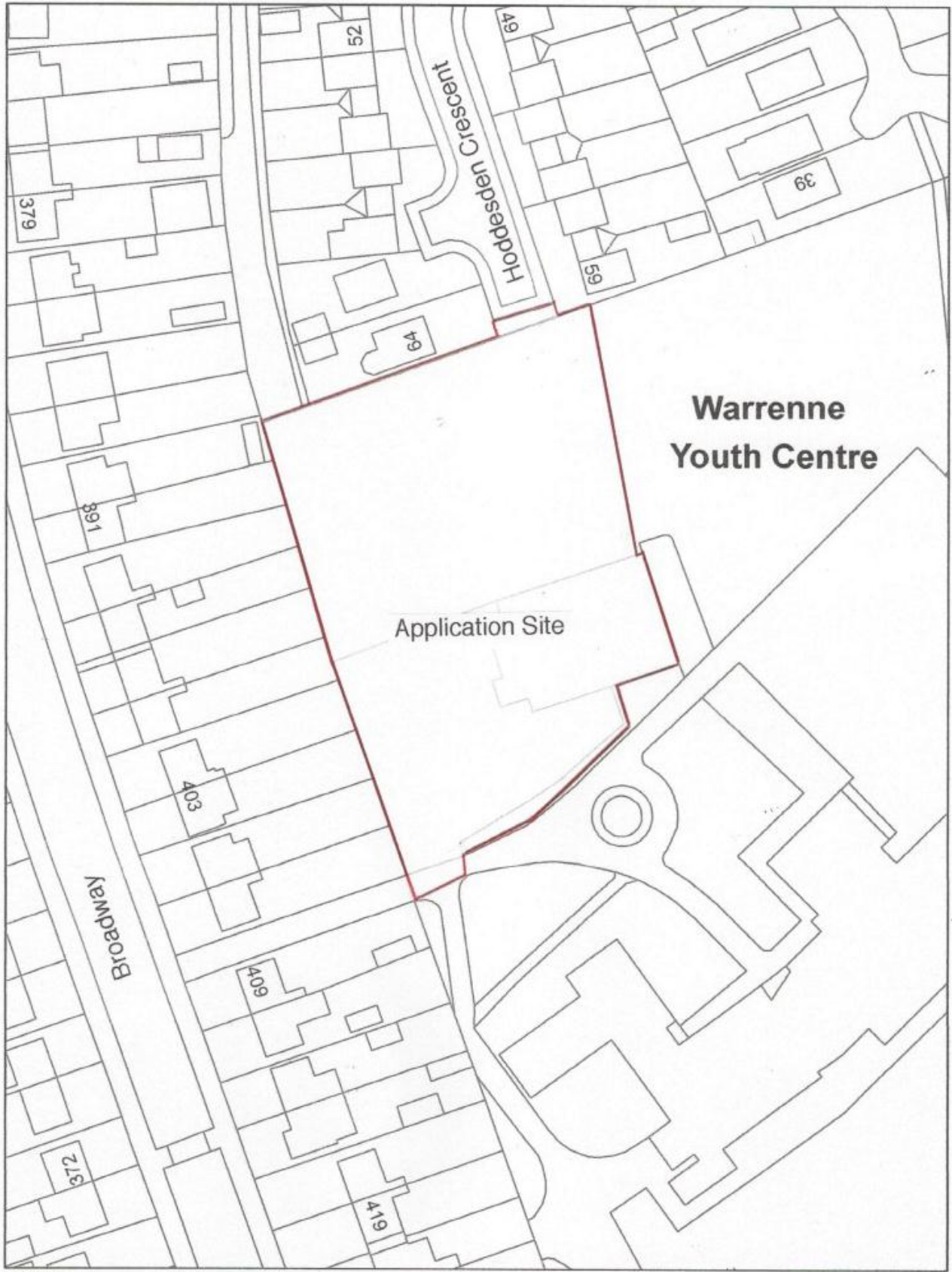
Street lighting design and installation is generally undertaken by the Local Highway Authority. There is a fee payable for this service and the applicant should make contact with **Malc Lucas – Tel 01302 735110** as soon as possible. Further information on the selected DNO / IDNO together with the energy supplier will also be required as soon as possible as they directly affect the adoption process for the street lighting assets.

A commuted sum of £5000 to be used towards the future maintenance costs of each highway drain soakaway, shall be paid to the Council, prior to the issue of the Part 2 Certificate.

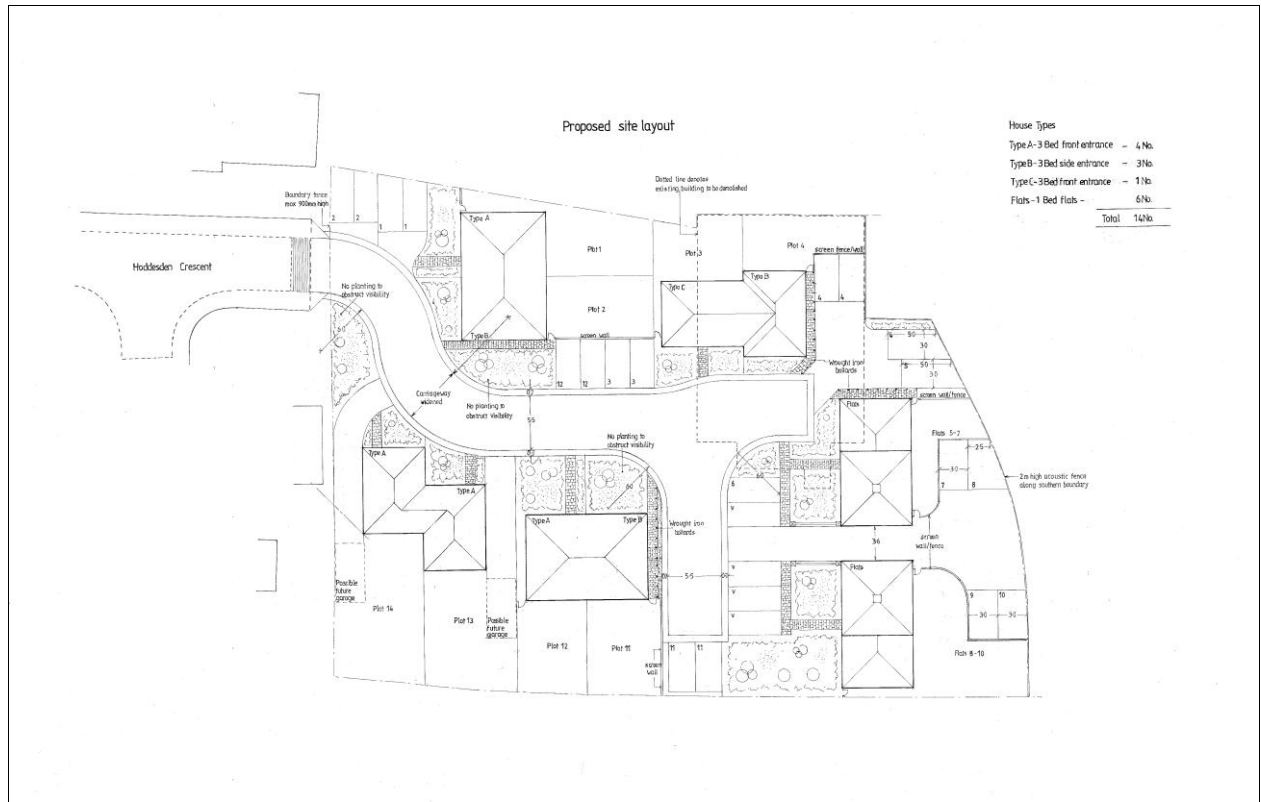
The developer shall ensure that no vehicle leaving the development hereby permitted enter the public highway unless its wheels and chassis are clean. It should be noted that to deposit mud on the highway is an offence under provisions of The Highways Act 1980.

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 – Site Plan



Appendix 2 – Site Layout



Appendix 3 - House type A



House type B&C



1-bed flats



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DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE - 14th November 2017

Application **06**

Application Number:	17/02001/3FULM	Application Expiry Date:	3rd November 2017
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Application Type:	Planning FULL Major
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Proposal Description:	Change of use of former sorting office site to formation of car park and replacement of existing station car park to create new area of public space
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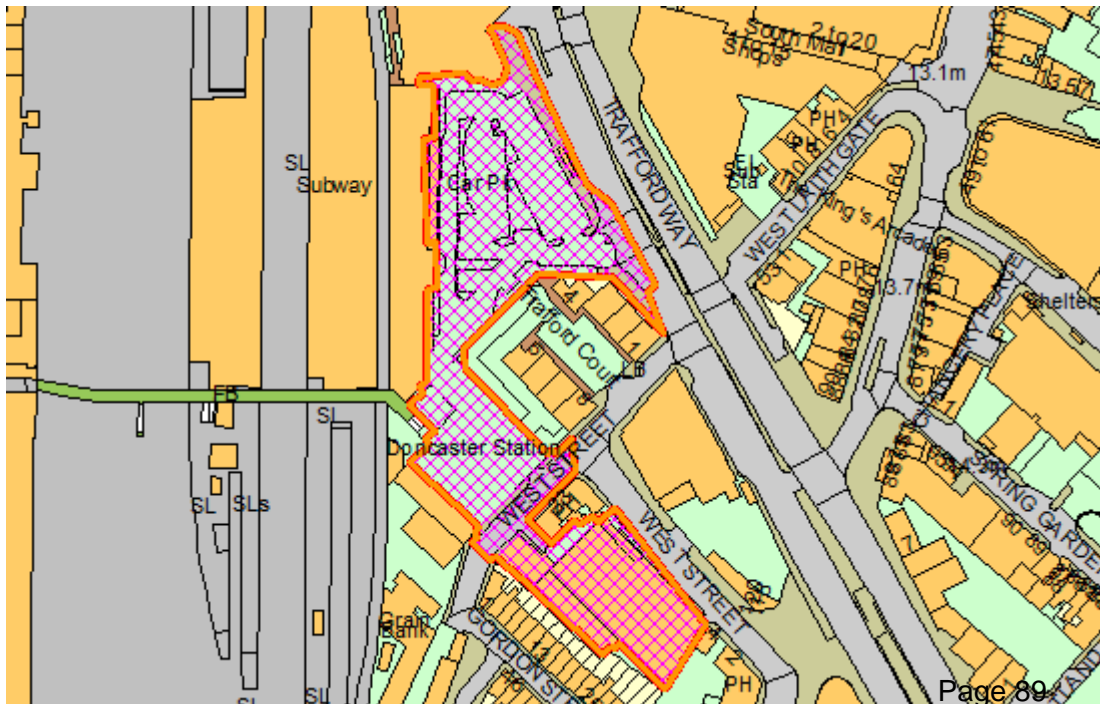
At:	Former Royal Mail Sorting Office And Doncaster Station Forecourt West Street Doncaster DN1 3AA
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For:	Mrs Emma Middleton
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Third Party Reps:	1 letter of objection & 1 letter of support	Parish:	
		Ward:	Town

Author of Report	Mrs Andrea Suddes
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MAIN RECOMMENDATION:	GRANT
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1.0 Reason for Report

1.1 The application is being presented to Planning Committee for determination on account that the application has been submitted by Doncaster Council and the site is part owned by Doncaster Council.

2.0 Proposal and Background

2.1 The scheme proposes a change of use of the former sorting office site to formation of a car park and the replacement of the existing railway station car park to create a new area of public space outside Doncaster Railway Station.

2.2 The site is situated to the west of Doncaster town centre and is dominated by the proximity to the listed station building and Frenchgate shopping centre to the North. The site is limited to the east by Trafford Way, a six lane carriageway that forms part of Doncaster's ring road.

2.3 The land to the front of the station is currently used as car parking, taxi waiting and public pick up and drop off.

2.4 The former sorting office building is now demolished and the site cleared.

2.5 It is also worthy of note that there is also a listed building application currently being considered for removal of the existing canopy and creation of a new canopy to the facade of the Station Building with a new main entrance glazed auto-doors to the Station concourse.

3.0 Relevant Planning History

3.1 17/02535/LBC Listed building consent for removal of the existing canopy and create a new canopy to the facade of the Station Building with new main entrance glazed auto-doors to the Station concourse. Currently under consideration.

4.0 Representations

4.1 This application has been advertised in accordance with Article 13 of the Development Management Procedure Order (DMPO), and includes 2 site notices, press and Public Access. One letter of objection and one letter of support have been received. The comments in objection are regarding the following;

- lack of consideration for disabled users,
- the scheme does not meet the needs of disabled users with a reduction of car parking spaces and the travelling distance from the station to the parking spaces
- Poor design
- Anti-social behaviour in the proposed water feature

4.2 The Applicant has also carried out a public consultation event which was held prior to submission of the application. The events were held at Wabtec, Frenchgate Centre and within the station itself. The event was well attended and the 3 main priorities raised for improvements to the area included;

- Improved access facilities over Trafford Way
- A direct route into the town centre
- A space that is pedestrian friendly and a safe environment for all user groups

4.3 Doncaster Civic Trust has also commented in support of the application stating the following;

“Doncaster Civic Trust welcomes this application for a number of reasons. The proposal to develop the site of the former sorting office on West Street is long overdue, and its use as a car park will allow the creation of a new public space in front of the station. The Trust welcomes improvements to the environment that passengers will experience as they leave the railway station and get their first impressions of the town. The hard and soft landscaping proposed will be a step change from the vehicle-dominated space that has long been an obstacle course for pedestrians. The new direct route towards and across Trafford Way, with narrowing of the carriageways, will enable pedestrians to cross the road more easily, and in one "go". It is very good to see the long-held ambition to have proper access into the town for rail passengers being realised.”

5.0 Relevant Consultations

5.1 Highways: The Highway Officer has raised no objections subject to conditions that the west street car park is brought into use prior to the works on the station forecourt commencing and the site to be used by vehicles to be surfaced and sealed.

5.2 Council’s Transportation Officer: No objections raised as modelling within the Transport Assessment shows that the proposed scheme offers a benefit to pedestrians and cyclists accessing the Rail Station without the impact on general traffic being severe.

5.3 Built Environment (Design): Has commented that overall scheme is supported but raises comments in relation to hard landscaping details which can be easily overcome and made subject to condition.

5.4 South Yorkshire Architectural Liaison Officer: Has advised that the development be designed to Secured by Design and the Safer Parking Scheme standards. The officer has also suggested a meeting to discuss safeguarding the new entrance. This has been relayed to the applicant who has contacted the ALO direct and advised that from early on in the design process the applicant has been liaising with South Yorkshire Police’s Crime Reduction Officer (based in Doncaster) along with colleagues from SYP Counter Terrorism Security Advisors, the North East Counter Terrorism Unit, British Transport Police’s Counter Terrorism Security Advisor, and Department for Transport and Network Rail. A Register of Security Engineers and Specialists consultant has also been employed by Virgin Trains East Coast (whom the applicants are working with) to assist in the production of a Threat & Vulnerability Risk Assessment.

No response has been received following this advice therefore it is assumed that the SYALO raises no further issues of concern.

5.5 Council's Conservation and Design Officer: Although comments are raised with regards to the lack of symmetry of the square, on balance the application is supported.

5.6 Railway Heritage Trust: Fully support the development. The Trust has been aware of, and involved in, the development of this proposal, and considers that it will improve the station frontage, and bring out the heritage features of the station. It will also improve the use of the former post office space to the south of the present car park.

5.7 Council's Pollution Control (Land): No objections raised subject to conditions for any unexpected contamination and material brought on to site.

5.8 Council's Pollution Control (Air Quality): Have recommended provision of charging points for electric vehicles. As such 2 charging points will be installed with a condition ensuring this provision is installed on site.

5.9 No response has been received from the Local Ward Members or Town Centre Manager.

6.0 Relevant Policy and Strategic Context

6.1 The site is allocated as Office Policy Area and Car Park with a unique policy reference number as designated within the Saved Doncaster Unitary Development Plan.

Planning policy relevant to the consideration of this application includes:

6.2 National Planning Policy Framework:

Section 1: Building a strong, competitive economy

Section 4: Promoting sustainable transport

Section 7: Requiring good design

Section 12: Conserving and enhancing the historic environment

6.3 Doncaster Council's Core Strategy:

Policy CS 1: Quality of Life

Policy CS2: Growth and Regeneration Strategy

Policy CS 8: Doncaster Town Centre

Policy CS 9: Providing Travel Choice

Policy CS 14: Design and Sustainable Construction

Policy CS 15: Valuing our Historic Environment

6.4 Saved Doncaster Unitary Development Plan:

ENV 32: Impact of Development on Listed Buildings

TC 11: Office Policy Area

TC 22(9): Identified car park

6.5 Other Policy Considerations:

Doncaster Urban Centre Masterplan

7.0 Planning Issues and Discussion

7.1 The main issues to consider are;

- the principle of the proposed changes in the area,
- design and conservation, and
- highway considerations.

Principle

7.2 The NPPF sets out the Government's commitment to securing economic growth in order to create jobs and prosperity, to build on the country's inherent strengths, and to meet the twin challenges of global competition and of a low carbon future. It further states the Government's commitment to ensuring that the planning system does everything it can to support sustainable economic growth. It also states that planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.

7.3 The NPPF also seeks to ensure the vitality of town centres stating that policies should be 'positive, promote competitive town centres and set out policies for management and growth of centres.' It also states that town centres should be recognised as the heart of their communities.

7.4 At a local level, the saved policies of the Unitary Development Plan and the Core Strategy form the statutory development plan for the Borough. The application proposes an area of public space and car park on land that is allocated as Office Policy Area and designated Car Parking as allocated in the Unitary development plan. The station forecourt area is allocated as designated car parking and supporting text to the relevant policy states that car parking should be retained or developed as public car park. However the Doncaster UDP was published in 1998 and since that time the Core Strategy has been adopted which sets out the overall vision and objectives for Doncaster's future. Policy CS 8 seeks to ensure that the town centre will continue to be developed as a thriving and accessible retail, office and leisure destination of regional importance.

7.5 Criteria D) of policy CS 8 supports particular developments that seek to create high-quality public spaces which includes the railway station. Therefore Core Strategy Policy supports the proposal for a public space despite is UDP allocation.

7.6 Additionally, Doncaster Council's Urban Centre Masterplan is a recently published document that looks at investment in the town centre with a vision that includes ensuring that the centre is a focus for business and enterprise. The Masterplan considers the point of arrival as important as it is "the first impression people have of the centre which guides them through the town and the experience that is to follow. "

7.7 It also refers to the railway station as a 'Gateway' in to the city stating that "The City Gateway will provide a vital new arrival statement at the railway station. It will be of a scale and standard that reflects the city ambitions for Doncaster. Virgin East Coast, as the operator of the station, the council and other partners are working together to deliver the quality development by relocating the current car park through strategic acquisitions of empty properties. Aligned to this there will be an improvement to existing infrastructure to increase the accessibility and visitor experience to the urban centre."

7.8 In summary, given more up to date development plan policy in CS 8 and although Doncaster's Urban Centre Masterplan is not a formally adopted policy document; it is an up to date published document of the current situation within the town centre, and therefore should be attached some weight. Therefore in officer opinion the proposal in principle is in accordance with local and national policies.

Design and Conservation

7.09 The train station booking hall and offices is a Grade II listed building. The listing notes that "*the hall was constructed in 1933, in red brick with stone dressing and clay tile roofs. Visually the building has three main parts, with a central block taller than two flanking two storey structures. The central block has a five bay window set in the middle of the façade, with a round clock face set above. On either side is set a three bay window, with single windows in the flanking wings. The outer two storey structures have four bays. Roofs are hipped/pyramidal in design. The building as a whole has a pleasing symmetry and harmony, clearly showing the importance of the central block and the subsidiarity of the two flanking structures. The red brickwork of the whole building is set off and enlivened by white decorative bands.*"

7.10 The proposal to create an area of public realm immediately to the front of the station should be considered against conservation policies ENV 32 and CS 15 that seek to protect or enhance buildings of heritage significance. Core Strategy Policy CS 14 is also relevant which seeks high quality design that contributes to local distinctiveness.

7.11 The land to the front of the station is currently used as car parking, taxi waiting and public pick up and drop off. There is no vegetation apart from some trees on the east side of Trafford Way and some small shrubs within Trafford Court to the south of the forecourt. As most of the area is currently made up of car parking and pick up and drop off areas for the station, pedestrian users of the station and Frenchgate are not well served. The most direct connection is through the Frenchgate shopping centre, requiring the use of stairs or escalators to travel up and over the A630. An additional pedestrian connection is provided through the forecourt area and across the A630 dual carriageway via a staggered pedestrian crossing point. The area can become very congested at times with users ignoring the vehicle demarcations with pedestrians having to navigate through the cars, crossing their path as many as three times to get to the town centre from both the Frenchgate and the Station Trafford Way. The current arrangement and design creates a poor sense of arrival to the town. Beyond this is a dual carriageway which further detracts from the area and the listed building.

7.12 The submitted scheme seeks to realise the aspirations as set out in the Council's Urban Centre Masterplan with the removal of the taxi rank from the front of the railway building and the removal of the customer car parking to be replaced with three connected but distinct user spaces comprising of; a public square- Directly in front of the station building, forming a welcoming, legible arrival space; Drop off loop, taxi rank and car park- the area for those users arriving or leaving by car, and short stay car parking; new temporary car park - providing additional disabled parking and short and long stay spaces for rail users only.

7.13 The proposed square to the front of the station will be a high quality public realm space with trees, planting and water feature. The area has been designed as a gateway into Doncaster, guiding first time visitors towards the town centre via a high quality streetscape. The aspiration for the square is that this will be flexible to allow small scale outdoor events, food stalls, markets etc.

7.14 The movement areas (drop off loop, taxi rank and car parking area), consist of a through route for traffic to the south of the square and a new taxi rank loop with drop off areas close to the station front, allowing rail users to easily navigate the station area. A new car park, set near the station, but away from the main square, provides the opportunity to park for long or short periods.

7.15 The listed frontage is the key façade of the square. The Council's Design and Conservation Officer and Urban Design Officer have both been involved in developing the concept of the forecourt from an early stage. The Council's Design and Conservation Officer has commented on the scheme that whilst the station has a strong symmetrical design the planned public space does not and has made a number of comments in relation to how the current layout has been derived, such as the proposed avenue of trees indicates the way that should be followed and cuts at an angle across the space shielding the building from open views towards the station. The space itself is unsymmetrical as well as other elements around the space.

7.16 Notwithstanding these comments, the officer concedes the need for a way marked route which is understood and is considered important. Although a more symmetrical appearance to the square would have been preferred, due to constraints this has not been possible.

7.17 Additional comments in relation to creating a sense of enclosure to the space, the applicant has confirmed a piece of public art will be designed and installed to shield the space from the dual carriageway. No details have been provided of public art installations and as such will be subject to condition.

7.18 The Council's Urban Design Officer has also commented and overall supports the proposal but has commented on hard landscape features within the scheme. These comments can be addressed via a suitable condition for details of hard and soft landscaping details, including public art installations to be submitted and agreed.

7.19 On balance, the Conservation and Design Officer and the Urban design Officer both support the proposal which is deemed to accord with UDP Policy ENV 32 and Core Strategy Policies CS 14 and CS 15.

Access/Highways

7.20 Policy 14 of the Core Strategy states that one of the components of good design is to ensure that developments take into consideration highway safety, and also considers new developments and its impact on the wider highway network. Additionally Policy CS 9: Providing Travel Choice is also pertinent as it seeks to ensure that new developments provide the delivery of travel choice and sustainable opportunities for travel.

7.21 In terms of the current situation for vehicles and pedestrians; the station forecourt is currently difficult to navigate and can be very busy at times. The current pedestrian connectivity between the station and the town centre is poor. As already stated in paragraph 7.11, the most direct connection is through the Frenchgate shopping centre, requiring the use of stairs or escalators to travel up and over the A630. An additional pedestrian connection is provided through the forecourt area and across the A630 dual carriageway via a staggered pedestrian crossing point. Pedestrians have to navigate through the cars, crossing their path as many as three times to get to Trafford Way.

7.22 The Railway Station forecourt has an exit only connection onto West Street for vehicles, which is a one-way road leading onto St Sepulchre Gate West. Access in to the station forecourt is via the A630 dual carriageway.

7.23 The application proposes a number of small highway improvements within the site. However the highway works within the site comprise part of a wider overall improvement to the highway network around the railway station area in order to improve connectivity in and around the station for both pedestrians and vehicle users. The proposals within the station area comprise of;

- Removing Existing station forecourt parking to create a pedestrian only zone;
- New pedestrian crossing outside station forecourt;
- A one way system from A630 around the Rail station for taxis, pick up and drop off;
- A new 68 space car park at the former Post Office sorting office with one way system;

7.24 The proposed car park site will be accessed via the A630 to West Street. The car park will operate a one-way system with the access on the north east side and the exit on the North West. The one way system will allow vehicle's to enter back onto the road network at St Sepulchre Gate West onto the A630.

7.25 Traffic is taken away from the pedestrian route and separated from it by planting. A single, legible through route will make it easier for passengers to navigate their way to their pick up or taxi.

7.26 An objection has been received that raises issue with a lack of consideration for disabled users for the station in terms of; not meeting their needs; the insufficient provision of car parking spaces and the distances from the station of those spaces provided, as compared to the current situation. The objector states the current situation provides for 6 spaces within 15metres of the station front, plus 6 within 49 metres within the existing car park and 2 within the executive car park at 48 metres. This is incorrect in that there are no longer an additional 2 spaces within the executive car park and 1 of the 6 spaces within 15 metres is for 'drop off' only. Therefore the current provision is 11 designated disabled parking spaces.

7.27 In response to the objector's comments, the applicant has provided a statement to refute them. The main point being that the number of spaces provided within the scheme does conform to guidance for railway station car parks. The Guidance referred to by the objector is outdated and more current guidance has been used to inform the scheme "Design Standards for Accessible Railway Stations Code of Practice Department for Transport and Transport Scotland (31 March 2015)." This guidance states that 5% of car park spaces should be designated for disabled. 18 car park spaces are for near parking, 7 of those spaces are designated for disabled parking equalling 39%. Near parking for disabled is as close as 3m to the station. 63 car park spaces are for long term parking. 6 spaces are designated for disabled parking that equals 9.5%. In addition, those spaces are nearest to the station. Rest places should be available every 50m. Rest places provided within the scheme are of a shorter distance and provide shelter. The National standard asks for an accessible pathway. The pathway proposed from long term parking is both accessible and sheltered offering a direct route to the station. The proposed provision therefore improves upon the current situation.

7.28 Consultation has also taken place with disability bodies and comprised of meetings with representatives of disabled groups including DIAL, Live Inclusive, The Partially Sighted Society and Councillor Ian Pearson who has extensive experience with Railway Station provision.

7.29 The meetings were used to present the proposed Station Forecourt scheme; the feedback from these meetings was largely supportive as the design had largely improved accessibility for disabled users in comparison to the current provision. As a result of the meetings some comments made were then incorporated into the final design. Examples include (but not limited to): level footpaths, at grade pedestrian crossing that is Guide Dog and wheelchair friendly, bollards that are not reflective silver to assist the partially sighted, tactile paving, at grade crossing from the car park, rest spots along the canopy and forecourt, ANPR system to help ensure that the allocated Disabled Parking is used by blue badge holders only.

7.30 In addition, the Applicant looked at various railway stations, particularly on the East Coast Main Line, for examples of best practice to ensure the Doncaster Railway Station forecourt provides excellent accessibility for disabled users. A car parking survey was also undertaken in partnership with Virgin Rail to establish the car parking needs for the station.

7.31 Comments have also been taken in to consideration from the public consultation events held in the Frenchgate Centre and the Railway Station earlier this year with regard to all aspects of the scheme, including footways, pathways and pedestrian areas – including but not limited to widths, gradients, fences and guardrails, road crossings, dropped kerbs, raised crossings and tactile paving.

7.32 The new proposal provides easier access immediately outside the Station and the parking at West Street Car Park has step free connection to the Station Building. The design proposed will offer at grade accessibility to all disabled car park spaces provided and at grade footpaths to the Town Centre.

7.33 The objector also made comments regarding anti-social behaviour as a result of the development. In response to this the scheme has been designed in liaison with South Yorkshire Police's Crime Reduction Officer, SYP Counter Terrorism Security Advisors, and a number of government bodies covering all aspects of security and safety of railway users.

7.34 The application is thereby deemed to accord with Doncaster's Core Strategy Policies CS 9 and CS 14.

8.0 Summary and Conclusion

8.1 In summary, the proposed scheme will not only improve upon the current situation in that will provide an attractive gateway into Doncaster when arriving from the railway station, but it will also provide a safer environment for both pedestrian and vehicle users when navigating the station forecourt area. The application is therefore recommended for approval.

9.0 Recommendation

GRANT Full planning permission subject to the conditions below;

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. U56212 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:
Forecourt General Arrangement Dwg No 29667/002 Rev E
West Street Car Park general Arrangement Dwg No 29667/004
REASON
To ensure that the development is carried out in accordance with the application as approved.

03. U56210 The station car park on West Street shall be brought into use before the main plaza / forecourt works commence in order to provide parking for rail station users during the course of the works.
REASON
In the interests of highway safety in accordance with Core Strategy Policy CS 14.

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. CON2

Should any unexpected significant contamination be encountered during development, all associated works shall cease and the Local Planning Authority (LPA) be notified in writing immediately. A Phase 3 remediation and Phase 4 verification report shall be submitted to the LPA for approval. The associated works shall not re-commence until the reports have been approved by the LPA.

REASON

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

06. CON3

Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and be approved in writing by the LPA prior to any soil or soil forming materials being brought onto site. The approved contamination testing shall then be carried out and verification evidence submitted to and approved in writing by the LPA prior to any soil and soil forming material being brought on to site.

REASON

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

07. U56281

Prior to commencement of the relevant works, details of hard and soft landscaping along with any public art installations, shall be submitted and approved in writing with the Local Planning Authority.

REASON

In the interests of visual amenity in accordance with Core Strategy Policy CS 14.

08.

Prior to the operation of the development hereby approved, details for the provision of at least two electric vehicle charging points shall be submitted to and approved in writing by the local planning authority. Installation shall comply with current guidance/advice. Such provision shall be retained for the lifetime of the development.

REASON

To contribute towards a reduction in emissions in accordance with air quality objectives and providing sustainable travel choice in accordance with policies CS9 and CS18 of the Doncaster Council Core Strategy.

01. U11798

INFORMATIVE: HIGHWAY WORKS

Works carried out on the public highway by anyone other than the Highway Authority shall be under the provisions of Section 278 of the Highways Act 1980. The agreement must be in place before any works are commenced. There is a fee involved for the preparation of the agreement and for on-site inspection. The applicant should make contact with Malc Lucas - Tel 01302 735110 as soon as possible to arrange the setting up of the agreement.

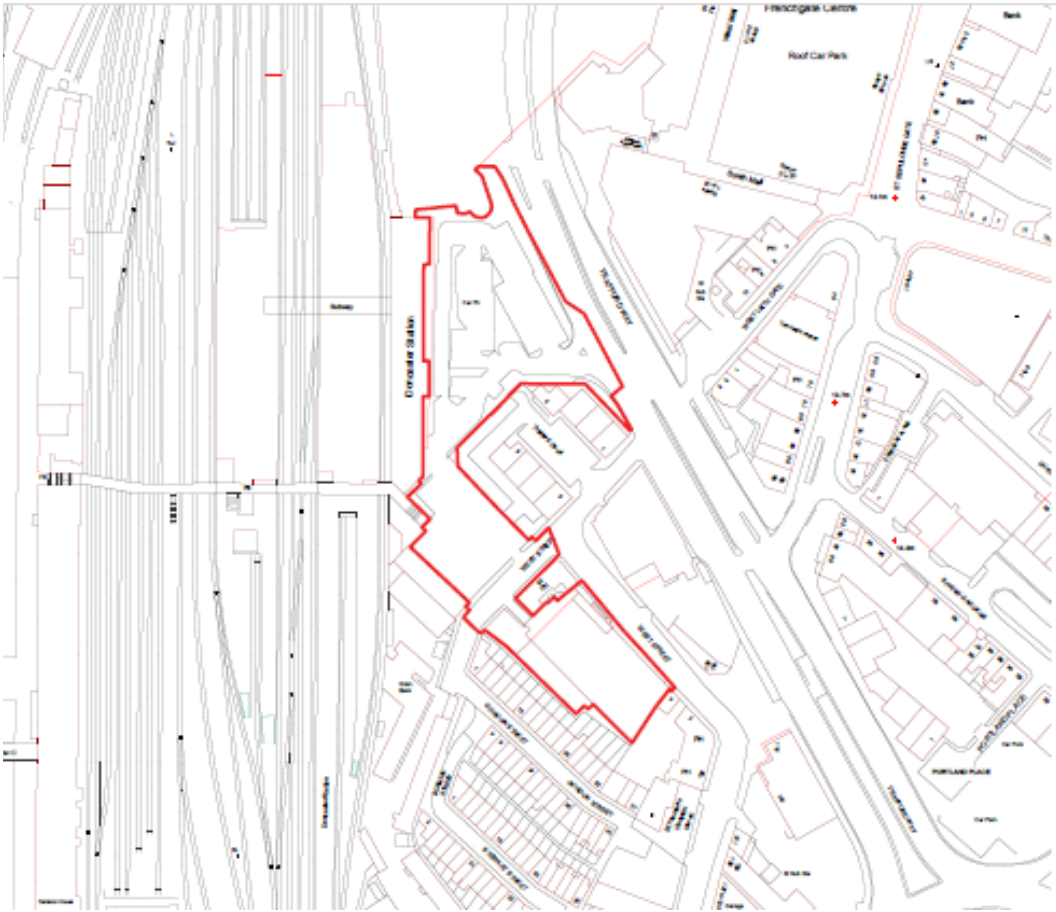
Doncaster Borough Council Permit Scheme (12th June 2012) - (Under section 34(2) of the Traffic Management Act 2004, the Secretary of State has approved the creation of the Doncaster Borough Council Permit Scheme for all works that take place or impact on streets specified as Traffic Sensitive or have a reinstatement category of 0, 1 or 2. Agreement under the Doncaster Borough Council Permit Scheme's provisions must be granted before works can take place. There is a fee involved for the coordination, noticing and agreement of the works. The applicant should make contact with Paul Evans - Email: p.evans@doncaster.gov.uk or Tel 01302 735162 as soon as possible to arrange the setting up of the permit agreement.

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 and debris on the highway is an offence under provisions of The Highways Act 1980.

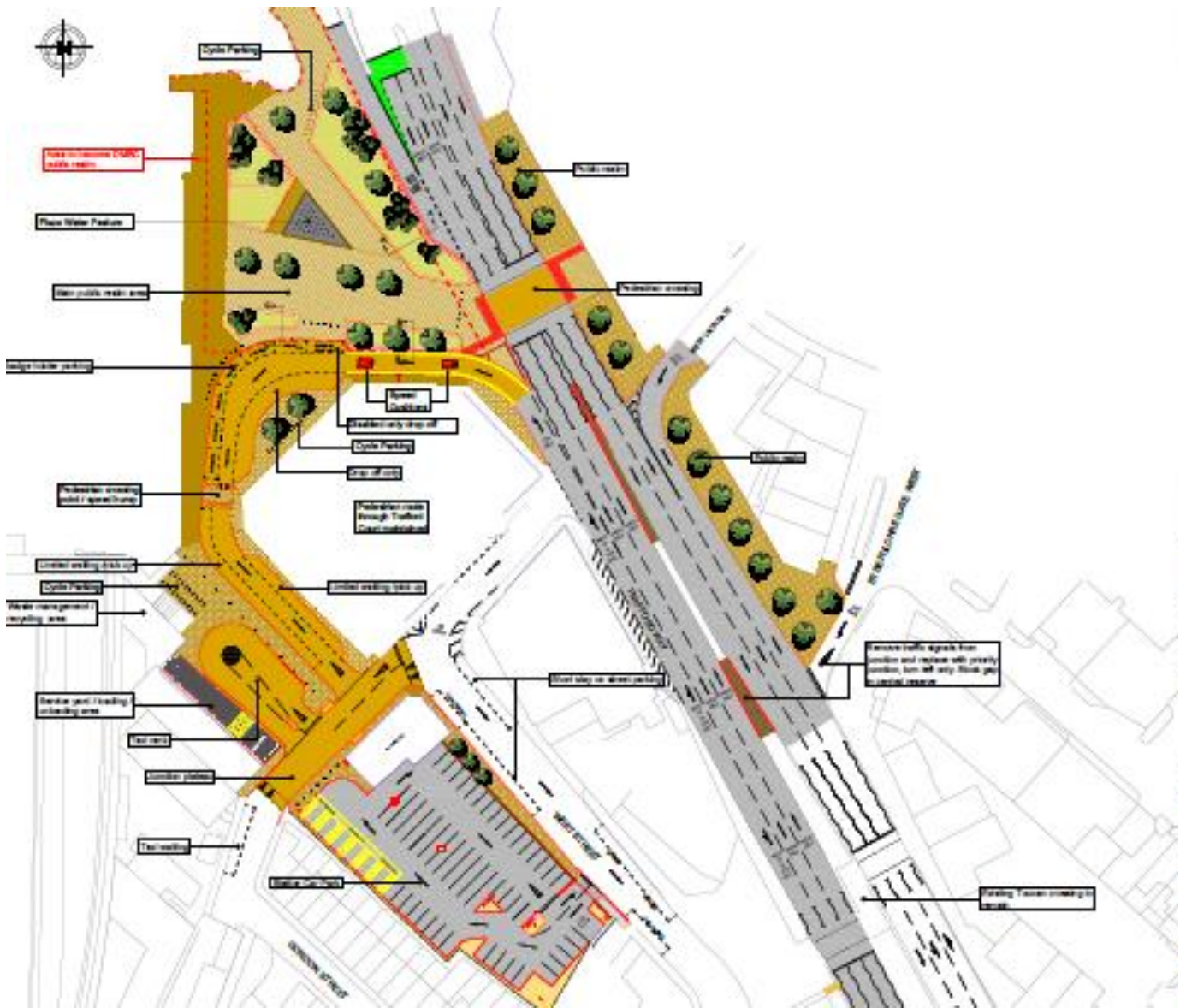
Any abnormal load traffic movements during the construction of the development must be notified to DMBC's Abnormal Loads Officer. Details can be found at <http://www.doncaster.gov.uk/services/transport-streets-parking/abnormal-loads>

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- Proposed Development Site



APPENDIX 2 Proposed Forecourt General Arrangement



APPENDIX 3 Proposed Visuals

6 Visuals
Aerial View



Inside The Square



DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE - 14th November 2017

Application **07**

Application Number:	17/02332/3FULM	Application Expiry Date:	19th December 2017
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Application Type:	Planning FULL (DMBC Reg 3) Major
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Proposal Description:	Refurbishment of wool market with addition of a mixture of new market stalls for retail, drinking and eating facilities including new building services installed throughout, following demolition of existing market buildings within the Irish middle market (Being application under Regulation 3 Town & Country Planning (General) Regulations 1992). (AMENDED DESCRIPTION)
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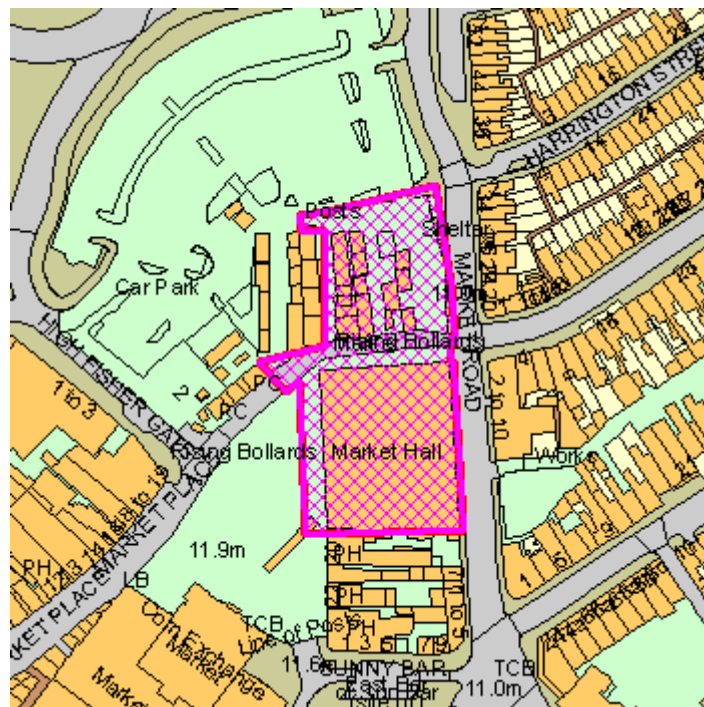
At:	The Wool Market Market Place Doncaster DN1 1NG
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For:	DMBC - Mr Richard Gibbons
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Third Party Reps:	None	Parish:	
		Ward:	Town

Author of Report	Mrs Andrea Suddes
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MAIN RECOMMENDATION:	GRANT
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1.0 Reason for Report

1.1 The application is being presented to Planning Committee for determination on account that the application has been submitted by Doncaster Council and the site is owned by Doncaster Council.

2.0 Proposal and Background

2.1 The scheme proposes the refurbishment of the wool market which includes the addition of a mix of new market stalls for retail, drinking and eating following the demolition of existing market buildings.

2.2 The application site lies within Doncaster – Market Place Conservation Area and is Grade II Listed. At the heart of the Market Place is the impressive Grade II* listed Corn Exchange and Market Hall and is surrounded by two and three storey buildings that are predominantly 18th and 19th century shops and coaching inns, as well as the Wool Market. The Wool Market is a tall single storey building from the mid-19th century. It presents an open structure (now with roller shutters) to the Market but has a brick elevation with stone dressings and brick pilasters with high level windows to Market Road. It has a hipped Welsh slate roof.

2.3 There is also a listed building application also concurrently being considered for the refurbishment of the wool market.

2.4 The proposal forms part of a wider markets improvement scheme and a further application has also been submitted that proposes to extend the existing car park into the Irish middle area of the market.

3.0 Relevant Planning History

3.1 17/02333/LB13 Listed Building Consent for refurbishment of wool market with addition of a mixture of new market stalls for retail, drinking and eating facilities including new building services installed throughout, following demolition of existing market buildings within the Irish middle market (Being application under Regulation 3 Town & Country Planning (General) Regulations 1992) (AMENDED DESCRIPTION). Currently under consideration.

3.2 17/02552/3FUL Extension of existing car park and associated landscaping following demolition of existing market stalls (being application under Regulation 3 (Town and Country Planning (General) Regulations 1992). Currently under consideration.

4.0 Representation

4.1 This application has been advertised in accordance with Article 13 of the Development Management Procedure Order (DMPO), and includes 3 site notices, press and Public Access. No letters of objection have been received.

4.2 The application was presented to the Doncaster Design Panel on 01.08.2017, which is independent of Doncaster Council and the views expressed do not necessarily reflect the views of council officers.

Generally the panel were supportive of the scheme and no concerns with the proposed refurbishment or internal alterations, overall the scheme received a positive response. Although a number of comments were made for further consideration such as;

- Improvement of landscaping in the car park
- Consideration of any future signage and to set design parameters for stall holders
- How the appearance of pop up stalls should be controlled
- Concerns regarding the robustness of the glazed façade

5.0 Relevant Consultations

5.1 Highways: The Highway Officer has raised no objections subject to condition for a construction traffic management plan.

5.2 Council's Transportation Officer: No objections raised to the refurbishment works.

5.3 Built Environment (Design): Has commented that overall scheme is supported but raises comments in relation to hard landscaping details which can be easily overcome and made subject to condition.

5.4 South Yorkshire Architectural Liaison Officer (SYALO): Has advised that the development be designed to be Secured by Design. The officer has therefore suggested entrance doors and ground floor windows and curtain wall glazing to comply. The applicant has responded that the retractable door out on to the market square are a key component of the development and this type of door is not available to the standard the SYALO suggests. Additionally, they also propose a clear security film to the new glazed elevations.

No response has been received following this advice therefore it is assumed that the SYALO raises no further issues of concern.

5.5 Council's Conservation and Design Officer: Supports the refurbishment works but has made comments relating to detail and further information such as insufficient detail within the Design and Access Statement and discussion of security measures on the boundary with Crystals/Magdalene PH. Following submission of an amended Design and Access Statement and more detailed plans, is now satisfied with the proposal and is fully supportive of the scheme.

5.6 Historic England: No objections raised however have commented on the need for further detailed information and amendment of the Design and Access Statement.

5.7 Council's Trees and Hedgerows: No objection raised subject to a condition for tree protection measures to be submitted and agreed for any trees within the site.

5.8 Council's Ecologist: The bat survey provided with this application showed that the main market building had low potential to be used by roosting bats. A condition is therefore included in line with the results of the survey to ensure no impacts on bats or nesting birds.

5.9 South Yorkshire Fire and Rescue: Standard informative notes to be included regarding access for appliances and water supplies for fire fighting.

5.10 No response has been received from the Local Ward Members or Town Centre Manager.

6.0 Relevant Policy and Strategic Context

6.1 The site is allocated as Shopping/Office Policy Area and Market Place Doncaster Conservation Area as designated within the Saved Doncaster Unitary Development Plan.

Planning policy relevant to the consideration of this application includes:

6.2 National Planning Policy Framework:

Section 1: Building a strong, competitive economy

Section 4: Promoting sustainable transport

Section 7: Requiring good design

Section 12: Conserving and enhancing the historic environment

6.3 Doncaster Council's Core Strategy:

Policy CS 1: Quality of Life

Policy CS2: Growth and Regeneration Strategy

Policy CS 8: Doncaster Town Centre

Policy CS 9: Providing Travel Choice

Policy CS 14: Design and Sustainable Construction

Policy CS 15: Valuing our Historic Environment

6.4 Saved Doncaster Unitary Development Plan:

ENV 25: Development within a Conservation Area

ENV 32: Impact of Development on Listed Buildings

RNV 54: Extension and Alteration to Existing Buildings

TC 10: Development within the Market Area

6.5 Other Policy Considerations:

Doncaster Urban Centre Masterplan

7.0 Planning Issues and Discussion

7.1 The main issues to consider are;

- the principle of the proposed refurbishment works,
- design and conservation, and
- highway considerations.

Principle

7.2 The National Planning Policy Framework seeks to ensure the vitality of town centres stating that policies should be 'positive, promote competitive town centres and set out policies for management and growth of centres.' It also states that town centres should be recognised as the heart of their communities.

7.3 At a local level, the saved policies of the Unitary Development Plan and the Core Strategy form the statutory development plan for the Borough.

7.4 Doncaster's Core Strategy has been adopted which sets out the overall vision and objectives for Doncaster's economic future. Policy CS 8 seeks to ensure that the town centre will continue to be developed as a thriving and accessible retail, office and leisure destination of regional importance.

7.5 Criteria D) of policy CS 8 supports particular developments that seeks to provide better opportunities for the independent retail and commercial sectors, particularly around the market. Doncaster UDP Policy TC 10 also supports the continued operation and improvement of the retail market.

7.6 Additionally, Doncaster Council's Urban Centre Masterplan is a recently published document that looks at investment in the town centre with a vision that includes "building on the success of current markets and raising the aspirations and functions of the markets."

7.7 Therefore the proposal is in accordance with local and national policies.

Design and Conservation

7.8 The wool market is a Grade II listed building. The listing notes that the "*Wool market, now general market. 1861-3, designed by J Butterfield for Doncaster Corporation. Brick and cast and wrought iron construction with slate and glass roof. Tall single storey, 9 bays by 7 bays with 4 internal arcades supporting 4 ranges of roof. Market Road elevation is of brick with stone dressings and has 9 bays, articulated by brick pilasters with stone capitals. Each bay except entrance to left, has 3 adjoining semi-circular headed openings with stone sills, flush brick arches with stepped voussoirs and metal windows, which have radial glazing to the heads. Bay 7 has inserted entrance below the windows. Original entrance to left has segmental arched opening with corniced ashlar keystone and ashlar imposts; C20 door and glazing within. Gable above with raked cornice and stone copings. Corbelled cornice and stone copings to other bays. Hipped roofs. Other sides of the building to north and west have arcades of cast iron columns with arched braces over the capitals, supporting decorative pierced iron beams with cornice-like gutters to top. All arches are now filled in with later glazing or blocking. Entrance to Market Place, to right of western elevation, has segmental iron arch with pierced beam over flanked by panelled piers with ball finials to top, all now filled in with later doors and glazing. Hipped slate roofs with ridges glazed. Interior has 4 arcades of similar piers and beams supporting roof made up of thin tensioned wrought iron rods, bolted together.*"

7.9 The proposal to refurbish the wool market and immediately surrounding area should be considered against conservation policies ENV 25, ENV 54, ENV 32 and CS 15 that seek to protect or enhance buildings of heritage significance. Core Strategy Policy CS 14 is also relevant which seeks high quality design that contributes to local distinctiveness.

7.10 The proposal is seeking to generate a modern and vibrant environment for the Market stalls to operate throughout the day and into the evening. The proposed layout is intended to provide a more flexible and modern market space for shoppers and sellers allowing the organisation of the market to adapt during different trading conditions to create an environment that stimulates vibrant retail and social activity.

7.11 The scheme proposes a number of components, including;

- replacement of the existing roller façade with a glazed façade
- to provide a central seating area for eating and socialising that can spill out towards the existing market square
- the inclusion of three large sliding folding doors to the market place towards the west and multiple entry and exit doors towards the current Irish middle market
- The existing timber soffit is to be repainted, the internal brickwork / sandstone facades to be cleaned and stripped of the old paint layers

7.12 The Council's Design and Conservation Officer and Urban Design Officer have both been involved in developing the concept of the wool market from an early stage.

7.13 The Council's Design and Conservation Officer is fully supportive of the works. In terms of proposed alterations to the building the removal of existing stalls which are of little interest and their replacement would cause no concerns. Similarly the replacement of the external roller shutters with glazed infill's is also welcomed but initially raised a number of comments including the little amount of detail provided on actual works to the fabric of the Wool Market that will contribute to its refurbishment i.e. stripping back of paintwork, installation of services which is needed so that their impact can be properly assessed. Comment was also made regarding the insufficient detail within the Design and Access Statement and discussion of security measures on the boundary with Crystals/Magdalene PH. Following submission of an amended Design and Access Statement and more detailed plans, the officer is now satisfied with the proposal and is fully supportive of the scheme.

7.14 The Council's Urban Design Officer has also commented and defers to the Conservation Officer's comments but makes comment that overall the proposals will make a positive contribution to the offer in the markets area and the town centre more generally. The project flows from- and aligns to- the town centre masterplan and therefore in general terms is very welcome.

7.15 No details have been provided of external areas, and it is noted that the scheme includes the relocation of the electricity substation to the north of the wool market and adjacent to market Road; therefore a condition is included for details of hard and soft landscaping, including details of the substation to be submitted and agreed.

7.16 In summary, the application preserves and enhances the character and appearance of the conservation area and does not adversely affect the architectural or historic features of the listed building. The Council's Conservation and Design Officer and the Urban Design Officer both support the proposal which is thereby deemed to accord with UDP Policies ENV 25, ENV 32 and Core Strategy Policies CS 14 and CS 15.

Highway Considerations

7.17 Policy 14 of the Core Strategy states that one of the components of good design is to ensure that developments take into consideration highway safety, and also considers new developments and its impact on the wider highway network. Additionally Policy CS 9: Providing Travel Choice is also pertinent as it seeks to ensure that new developments provide the delivery of travel choice and sustainable opportunities for travel.

7.18 As stated previously, the proposal forms part of a wider markets improvement scheme and a further application is currently being considered that proposes to extend the current market car park to extend into the Irish middle market. This current application is for refurbishment of the wool market only, therefore highway implications will be fully considered as part of the car park extension application. There are no highway objections to the application subject to the agreement of a satisfactory construction traffic management plan. A construction traffic management plan is therefore requested via suitable condition.

7.19 The application is thereby deemed to accord with Doncaster's Core Strategy Policies CS 9 and CS 14.

8.0 Summary and Conclusion

8.1 In summary, the proposed scheme preserves and enhances the character and appearance of the Doncaster Market Conservation Area and does not adversely affect the architectural or historic features of the listed wool market building. The application is therefore recommended for approval.

9.0 Recommendation

GRANT Full planning permission subject to the conditions below;

- | | |
|------------|---|
| 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. U56288 | 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:
Site Layout Plan Dwg No DWMKT-ALA-00-XX-DR-L-2006 Rev P01
Amended Elevation Dwg No EMP1-BBA-Z0-ZZ-DR-A-3100 |

Ventilation Plan Dwg No EMP1-SDA-ZZ-00-DR-M-50001 Rev P4
Drainage Plan Dwg No EMP1-SDA-ZZ-00-DR-M-52001 Rev P3
Lighting Layout Dwg No EMP1-SDA-ZZ-00-DR-E-63001 Rev P6
Electrical Layout Dwg No EMP1-SDA-ZZ-00-DR-E-61002 Rev P3
Amended Crystals Remedial Works Dwg No EMP1-BBA-Z0-ZZ-DR-A-10150
Proposed Section Dwg No DWMKT-BBA-Z0-ZZ-DR-A-4100 Rev P08
Proposed Mezzanine Dwg No DWMKT-BBA-Z0-01-DR-A-2001
Proposed Roof Plan Dwg No DWMKT-BBA-Z0-RF-DR-A-2001
Proposed Ground Floor Dwg No DWMKT-BBA-Z0-00-DR-A-2001
REASON

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

03. U55780

The mitigation measures with respect to nesting birds and bats as outlined in section 6.4 and Appendix G of the ecology report by Wildscapes, dated August 2017, and submitted with this application shall be followed in full unless otherwise agreed in writing by the local planning authority.

REASON

In line with Core Strategy Policy 16 to ensure the interests of the site with respect to birds and bats are maintained.

04. U56289

The erection of impact resistant barriers for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars (Arboricultural Implications Assessment reference ECN17 007 dated 25th July 2017) and the local planning authority notified of implementation to approve the setting out of the tree protection scheme before any equipment, machinery or materials have been brought on to site for the purposes of the development. Thereafter, all tree protection shall be maintained in full accordance with the approved details until all equipment, machinery and surplus materials have been removed from the site, unless the local planning authority gives its written approval to any variation. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

REASON

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

05. U56303

Prior to the relevant works commencing, details of hard and soft landscaping shall be submitted to and agreed with the Local Planning Authority.

REASON

In the interests of preserving and enhancing the listed building and the character or appearance of the conservation area in accordance with Core Strategy Policy CS 15 and Doncaster's UDP policies ENV 25 and ENV 32.

06. U56307

Notwithstanding the plans hereby approved, prior to the relevant works commencing the details of the siting and location of the substation shall be submitted and agreed with the Local Planning Authority.

REASON

In the interests of preserving and enhancing the listed building and the character or appearance of the conservation area in accordance with Core Strategy Policy CS 15 and Doncaster's UDP policies ENV 25 and ENV 32.

07. U56308

Prior to the commencement of development a Construction Impact Management Plan (CIMP) shall be submitted to and approved in writing by the Local Planning Authority. The CIMP shall be adhered to throughout the construction period (unless otherwise approved in writing by the LPA) and shall include details of (but not limited to):

- o Routeing, volumes and timing of construction vehicles
- o Hours of working
- o Measures to control mud and dust from the site by construction vehicles during works.
- o Provision of parking for onsite workers
- o Details of dilapidation surveys, pre commencement and post completion construction activity (to determine any damage attributable to the construction traffic and remedial measures thereafter)

REASON

In the interest of road safety and to mitigate the impact of construction traffic generated by the development.

08. U56372

Prior to commencement of works on new and replacement areas of render a 1x1m sample panel of the render shall be constructed on site and approved in writing by the local planning authority. Render to be lime based to an agreed mixture. Works to be carried out in accordance with approved details.

REASON

To protect the special interest of the listed building and the character and appearance of the conservation area

09. U56373

Prior to commencement of relevant works details of the redecoration shall be submitted to and approved in writing by the local planning authority. Details shall include the preliminary works to strip back brickwork, ironwork and the timber underside of the roof and the proposed finish of surfaces. Works to be carried out in accordance with approved details.

REASON

To protect the special interest of the listed building and the character and appearance of the conservation area

10. U56374 Prior to commencement of relevant works details of the blocking in of the large opening to Market Road including any public art shall be submitted to and approved in writing by the local planning authority. Details shall include elevational drawings at 1:20 of the door and louvres with cross-sections at 1:5 unless otherwise agreed in writing by the local planning authority. Specification shall also be provided of the colour and finish. Works to be carried out in accordance with approved details.

REASON

To protect the special interest of the listed building and the character and appearance of the conservation area

11. U56375 Prior to commencement of relevant works details of the glazed doors and glazing for new infills including any manifestations shall be submitted to and approved in writing by the local planning authority. Details shall include the elevational drawings at 1:20 of the doors and glazing with cross-sections at 1:5 unless otherwise agreed in writing by the local planning authority. Specification shall also be provided of the colour and finish of the glass and its framework. Works to be carried out in accordance with approved details.

REASON

To protect the special interest of the listed building and the character and appearance of the conservation area

12. U56376 Prior to commencement of relevant works details of the service vent to Market Road shall be submitted to and approved in writing by the local planning authority. Details shall include its design, size and colour/finish. Works to be carried out in accordance with approved details.

REASON

To protect the special interest of the listed building and the character and appearance of the conservation area

13. U56377 Prior to commencement of relevant works details of the security measures between Crystals and Woolmarket shall be submitted to and approved in writing by the local planning authority. Specification shall include the colour. Works to be carried out in accordance with approved details.

REASON

To protect the special interest of the listed building and the character and appearance of the conservation area

14. U56378 Prior to commencement of relevant works details of any new and/or replacement signage shall be submitted to and approved in writing by the local planning authority. Specification shall include the font, size, material and colour. Works to be carried out in accordance with approved details.

REASON

To protect the special interest of the listed building and the character and appearance of the conservation area

01. U11812

INFORMATIVE: Fire Appliances

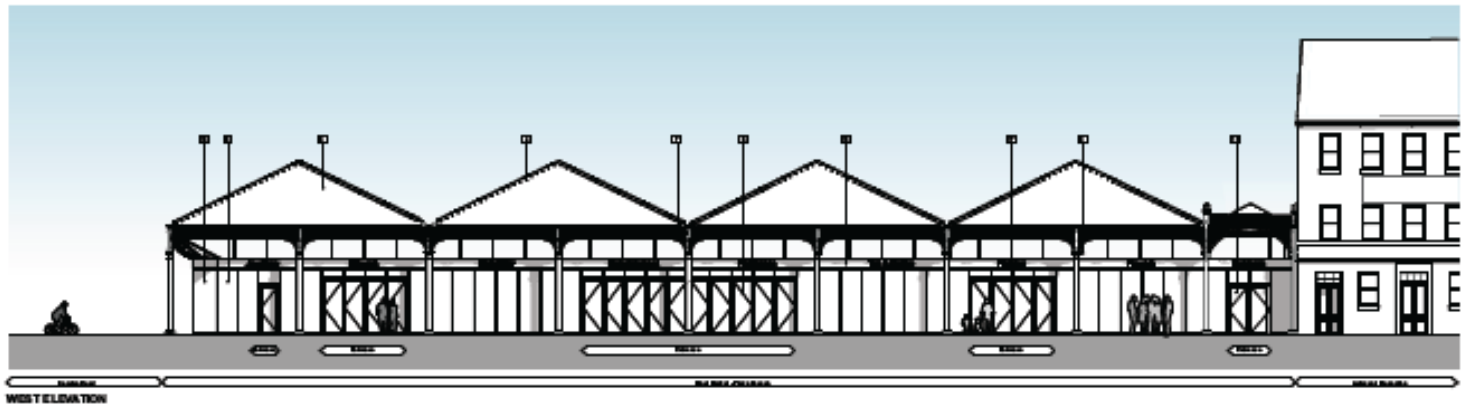
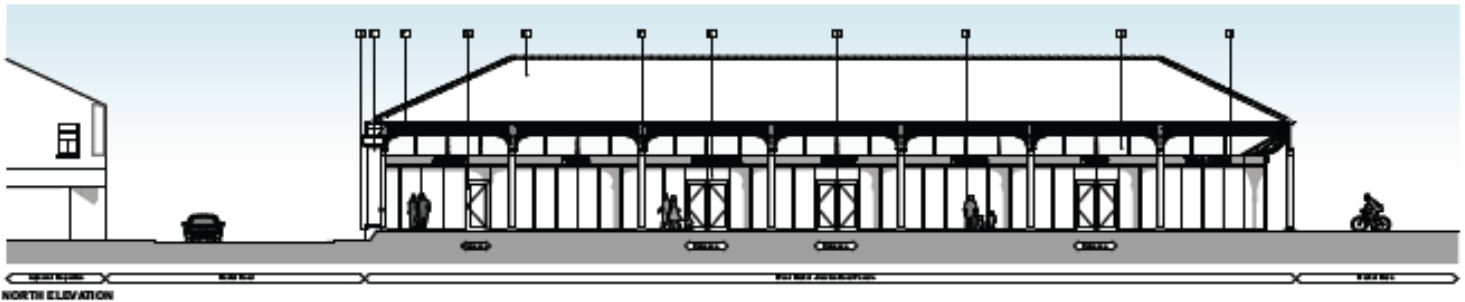
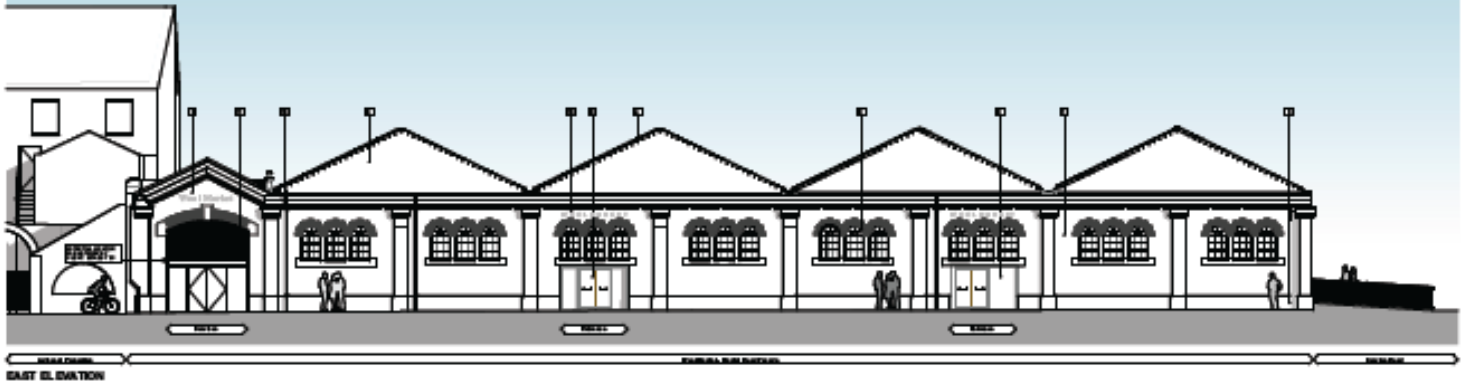
The applicants attention is drawn to the South Yorkshire Fire and Rescue Service comments which states that: Access is to be in accordance with Approved Document b Volume 2 Part B5 Section 16.2 16.11 and Table 20. Pumping appliances in South Yorkshire will weigh 26 tonnes. Table 20 references to pumping appliances should be read as 26 tonnes.

Water supplies are to be provided in accordance with Approved Document B Volume 2 Part B5 Section 15.

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 2 Proposed Elevations

PROPOSED ELEVATIONS



APPENDIX 3 Proposed Visuals



Artist Impression Only - Illustrative view of Market Building Corner



Artist Impression Only - Illustrative Internal view

DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE - 14th November 2017

Application **08**

Application Number:	17/02333/LB13	Application Expiry Date:	14th November 2017
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Application Type:	Listed Building Consent (DMBC Reg 13)
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Proposal Description:	Listed Building Consent for refurbishment of wool market with addition of a mixture of new market stalls for retail, drinking and eating facilities including new building services installed throughout, following demolition of existing market buildings within the Irish middle market (Being application under Regulation 3 Town & Country Planning (General) Regulations 1992) (AMENDED DESCRIPTION)
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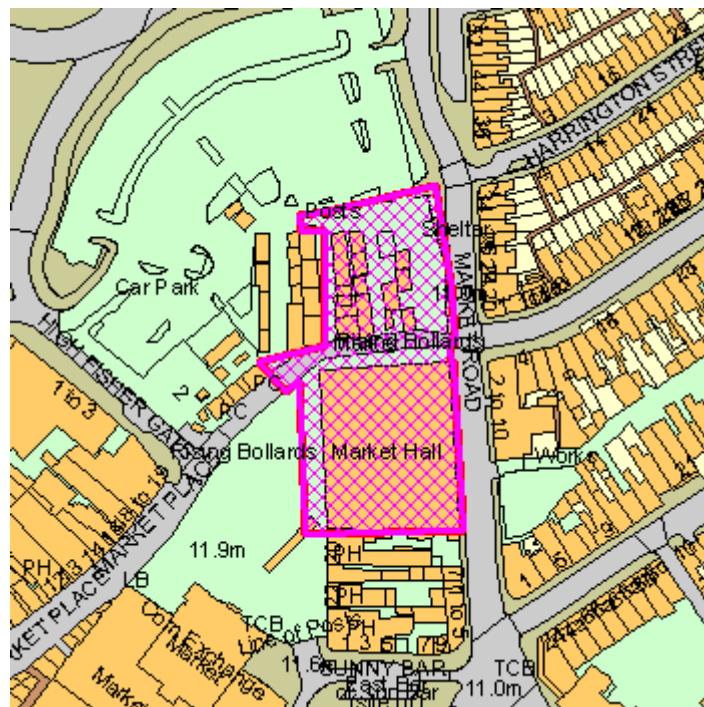
At:	The Wool Market Market Place Doncaster DN1 1NG
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For:	DMBC - Mr Richard Gibbons
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Third Party Reps:	None	Parish:	
		Ward:	Town

Author of Report	Mrs Andrea Suddes
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MAIN RECOMMENDATION:	GRANT
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1.0 Reason for Report

1.1 The application is being presented to Planning Committee for determination on account that the application has been submitted by Doncaster Council and the site is owned by Doncaster Council.

2.0 Proposal and Background

2.1 The scheme proposes the refurbishment of the wool market which includes the addition of a mix of new market stalls for retail, drinking and eating following the demolition of existing market buildings.

2.2 The application site lies within Doncaster – Market Place Conservation Area and is Grade II Listed. At the heart of the Market Place is the impressive Grade II* listed Corn Exchange and Market Hall and is surrounded by two and three storey buildings that are predominantly 18th and 19th century shops and coaching inns, as well as the Wool Market. The Wool Market is a tall single storey building from the mid-19th century. It presents an open structure (now with roller shutters) to the Market but has a brick elevation with stone dressings and brick pilasters with high level windows to Market Road. It has a hipped Welsh slate roof.

2.3 There is also a full planning application currently being considered for the refurbishment of the wool market.

2.4 The proposal forms part of a wider markets improvement scheme and a further application has also been submitted that proposes to extend the existing car park into the Irish middle area of the market.

3.0 Relevant Planning History

3.1 17/02332/3FULM Refurbishment of wool market with addition of a mixture of new market stalls for retail, drinking and eating facilities including new building services installed throughout, following demolition of existing market buildings within the Irish middle market (Being application under Regulation 3 Town & Country Planning (General) Regulations 1992) (AMENDED DESCRIPTION). Currently under consideration.

3.2 17/02552/3FUL Extension of existing car park and associated landscaping following demolition of existing market stalls (being application under Regulation 3 (Town and Country Planning (General) Regulations 1992). Currently under consideration.

4.0 Representation

4.1 This application has been advertised in accordance with Article 13 of the Development Management Procedure Order (DMPO), and includes 3 site notices, press and Public Access. No letters of representation have been received.

5.0 Relevant Consultations

5.1 Historic England: No objections raised however have commented on the need for further detailed information and amendment of the Design and Access Statement. Comments in relation to further information required have also been raised by the Council's Conservation and Design Officer.

5.2 Council's Design and Conservation: Supports the refurbishment works but has made comments relating to detail and further information such as insufficient detail within the Design and Access Statement and discussion of security measures on the boundary with Crystals/Magdalene PH. Following submission of an amended Design and Access Statement and more detailed plans, is now satisfied with the proposal and is fully supportive of the scheme.

6.0 Relevant Policy and Strategic Context

6.1 The site is allocated as Shopping/Office Policy Area and Market Place Doncaster Conservation Area as designated within the Saved Doncaster Unitary Development Plan.

Planning policy relevant to the consideration of this application includes:

6.2 National Planning Policy Framework:

Section 12: Conserving and enhancing the historic environment

6.3 Doncaster Council's Core Strategy:

Policy CS 15: Valuing our Historic Environment

6.4 Saved Doncaster Unitary Development Plan:

ENV 25: Development within a Conservation Area

ENV 32: Impact of Development on Listed Buildings

7.0 Planning Issues and Discussion

7.1 The main issues to consider are whether there are any adverse impacts on the architectural or historic features of the listed building.

7.2 The wool market is a Grade II listed building. The listing notes that the "*Wool market, now general market. 1861-3, designed by J Butterfield for Doncaster Corporation. Brick and cast and wrought iron construction with slate and glass roof. Tall single storey, 9 bays by 7 bays with 4 internal arcades supporting 4 ranges of roof. Market Road elevation is of brick with stone dressings and has 9 bays, articulated by brick pilasters with stone capitals. Each bay except entrance to left, has 3 adjoining semi-circular headed openings with stone sills, flush brick arches with stepped voussoirs and metal windows, which have radial glazing to the heads. Bay 7 has inserted entrance below the windows. Original entrance to left has segmental arched opening with corniced ashlar keystone and ashlar imposts; C20 door and glazing within. Gable above with raked cornice and stone copings. Corbelled cornice and stone copings to other bays. Hipped roofs. Other sides of the building to north and west have arcades of cast iron columns with arched braces over the capitals, supporting decorative pierced iron beams with cornice-like gutters to top. All arches are now filled in with later glazing or blocking. Entrance to Market Place, to right of western elevation, has segmental iron arch with pierced beam over flanked by panelled piers with ball finials to top, all now filled in with later doors and glazing. Hipped slate roofs with ridges glazed. Interior has 4 arcades of similar piers and beams supporting roof made up of thin tensioned wrought iron rods, bolted together.*"

7.3 Doncaster's UDP Policy ENV 32 and Core Strategy Policy CS 15 seek to protect or enhance buildings of heritage significance and to ensure that alterations or additions to a listed building will not adversely affect its architectural or historic features or detract from its overall character or appearance.

7.4 The proposal is seeking to generate a modern and vibrant environment for the Market stalls to operate throughout the day and into the evening. The proposed layout is intended to provide a more flexible and modern market space for shoppers and sellers allowing the organisation of the market to adapt during different trading conditions to create an environment that stimulates vibrant retail and social activity.

7.5 The scheme proposes a number of components, including;

- Replacement of the existing roller façade with a glazed façade
- To provide a central seating area for eating and socialising that can spill out towards the existing market square
- The inclusion of three large sliding folding doors to the market place towards the west and multiple entry and exit doors towards the current Irish middle market
- The existing timber soffit is to be repainted, the internal brickwork / sandstone facades to be cleaned and stripped of the old paint layers

7.6 The Council's Design and Conservation Officer is fully supportive of the works. In terms of proposed alterations to the building the removal of existing stalls which are of little interest and their replacement would cause no concerns. Similarly the replacement of the external roller shutters with glazed infill's is also welcomed but initially raised a number of comments including the little amount of detail provided on actual works to the fabric of the Wool Market that will contribute to its refurbishment i.e. stripping back of paintwork, installation of services which is needed so that their impact can be properly assessed. Comment was also made regarding the insufficient detail within the Design and Access Statement and discussion of security measures on the boundary with Crystals/Magdalene PH. Following submission of an amended Design and Access Statement and more detailed plans, the officer is now satisfied with the proposal and is fully supportive of the scheme.

8.0 Summary and Conclusion

8.1 In summary, the proposed scheme preserves and enhances the character and appearance of the Doncaster Market Conservation Area and does not adversely affect the architectural or historic features of the listed wool market building. The application is therefore recommended for approval.

9.0 Recommendation

GRANT Listed Building consent subject to the conditions below;

01. STAT7 The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.

REASON

To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

02. U56317

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:

Site Layout Plan Dwg No DWMKT-ALA-00-XX-DR-L-2006 Rev P01

Amended Elevation Dwg No EMP1-BBA-Z0-ZZ-DR-A-3100

Ventilation Plan Dwg No EMP1-SDA-ZZ-00-DR-M-50001 Rev P4

Drainage Plan Dwg No EMP1-SDA-ZZ-00-DR-M-52001 Rev P3

Lighting Layout Dwg No EMP1-SDA-ZZ-00-DR-E-63001 Rev P6

Electrical Layout Dwg No EMP1-SDA-ZZ-00-DR-E-61002 Rev P3

Amended Crystals Remedial Works Dwg No EMP1-BBA-Z0-ZZ-DR-A-10150

Proposed Section Dwg No DWMKT-BBA-Z0-ZZ-DR-A-4100 Rev P08

Proposed Mezzanine Dwg No DWMKT-BBA-Z0-01-DR-A-2001

Proposed Roof Plan Dwg No DWMKT-BBA-Z0-RF-DR-A-2001

Proposed Ground Floor Dwg No DWMKT-BBA-Z0-00-DR-A-2001

REASON

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

03. U56367

Prior to commencement of relevant works a method statement for the roof repairs shall be submitted to and approved in writing by the local planning authority. The statement shall outline the timescales for the works, how preliminary works will be undertaken to investigate the condition of the roof, how this will inform repairs to roof and setting out a procedure to approve any necessary repairs. Works to be carried out in accordance with approved details.

REASON

To protect the special interest of the listed building

04. U56368

Prior to commencement of relevant works details of the flooring shall be submitted to and approved in writing by the local planning authority. Details shall include the proposed materials, colour and finish of the flooring. Works to be carried out in accordance with approved details.

REASON

To protect the special interest of the listed building

05. U56369

Prior to commencement of relevant works details of the replacement stalls shall be submitted to and approved and in writing by the local planning authority. Details shall include elevational drawings at 1:20 of the stall frontages and details of their junction with walls and columns. Works to be carried out in accordance with approved details.

REASON

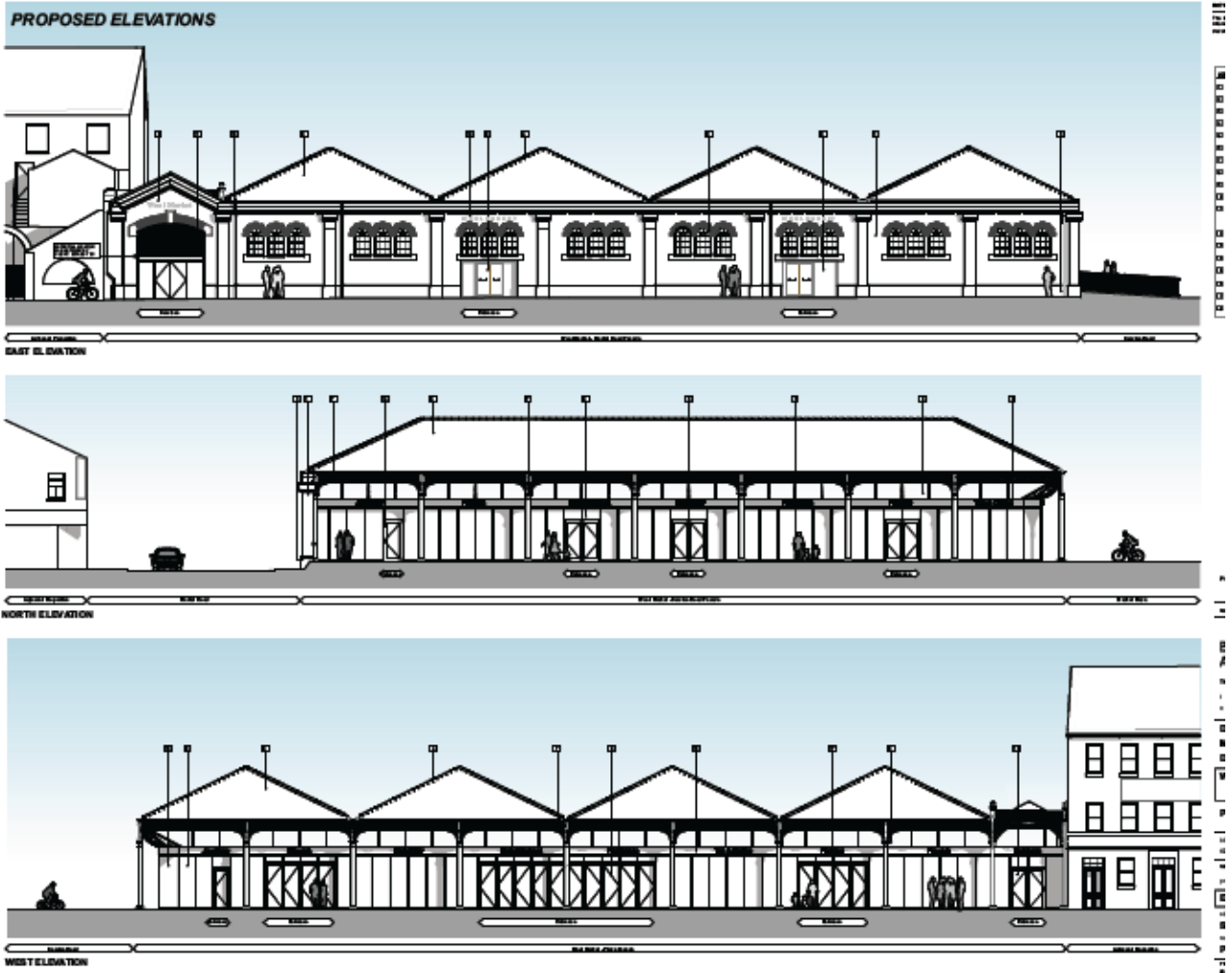
To protect the special interest of the listed building

06. U56370 Prior to commencement of relevant works details of the partitions to form back of house operations shall be submitted to and approved and in writing by the local planning authority. Details shall include their junction with walls and columns. Works to be carried out in accordance with approved details.
REASON
To protect the special interest of the listed building
07. U56371 Prior to commencement of relevant works details of the electrical and mechanical installation shall be submitted to and approved in writing by the local planning authority. Details shall include the proposed appearance of any conduits, cable baskets/trays and ducts including colour and finish, and agreed samples. Works to be carried out in accordance with approved details.
REASON
To protect the special interest of the listed building
08. U56372 Prior to commencement of works on new and replacement areas of render a 1x1m sample panel of the render shall be constructed on site and approved in writing by the local planning authority. Render to be lime based to an agreed mixture. Works to be carried out in accordance with approved details.
REASON
To protect the special interest of the listed building and the character and appearance of the conservation area
09. U56373 Prior to commencement of relevant works details of the redecoration shall be submitted to and approved in writing by the local planning authority. Details shall include the preliminary works to strip back brickwork, ironwork and the timber underside of the roof and the proposed finish of surfaces. Works to be carried out in accordance with approved details.
REASON
To protect the special interest of the listed building and the character and appearance of the conservation area
10. U56374 Prior to commencement of relevant works details of the blocking in of the large opening to Market Road including any public art shall be submitted to and approved in writing by the local planning authority. Details shall include elevational drawings at 1:20 of the door and louvres with cross-sections at 1:5 unless otherwise agreed in writing by the local planning authority. Specification shall also be provided of the colour and finish. Works to be carried out in accordance with approved details.
REASON
To protect the special interest of the listed building and the character and appearance of the conservation area

11. U56375 Prior to commencement of relevant works details of the glazed doors and glazing for new infills including any manifestations shall be submitted to and approved in writing by the local planning authority. Details shall include the elevational drawings at 1:20 of the doors and glazing with cross-sections at 1:5 unless otherwise agreed in writing by the local planning authority. Specification shall also be provided of the colour and finish of the glass and its framework. Works to be carried out in accordance with approved details.
REASON
To protect the special interest of the listed building and the character and appearance of the conservation area
12. U56376 Prior to commencement of relevant works details of the service vent to Market Road shall be submitted to and approved in writing by the local planning authority. Details shall include its design, size and colour/finish. Works to be carried out in accordance with approved details.
REASON
To protect the special interest of the listed building and the character and appearance of the conservation area
13. U56377 Prior to commencement of relevant works details of the security measures between Crystals and Woolmarket shall be submitted to and approved in writing by the local planning authority. Specification shall include the colour. Works to be carried out in accordance with approved details.
REASON
To protect the special interest of the listed building and the character and appearance of the conservation area
14. U56378 Prior to commencement of relevant works details of any new and/or replacement signage shall be submitted to and approved in writing by the local planning authority. Specification shall include the font, size, material and colour. Works to be carried out in accordance with approved details.
REASON
To protect the special interest of the listed building and the character and appearance of the conservation 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.

APPENDIX 2 Proposed Elevations



APPENDIX 3 Proposed Visuals



Artist Impression Only - Illustrative view of Market Building Corner



Artist Impression Only - Illustrative Internal view

DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE - 14th November 2017

Application **09**

Application Number:	15/01306/FUL	Application Expiry Date:	22nd September 2015
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Application Type:	Full Application
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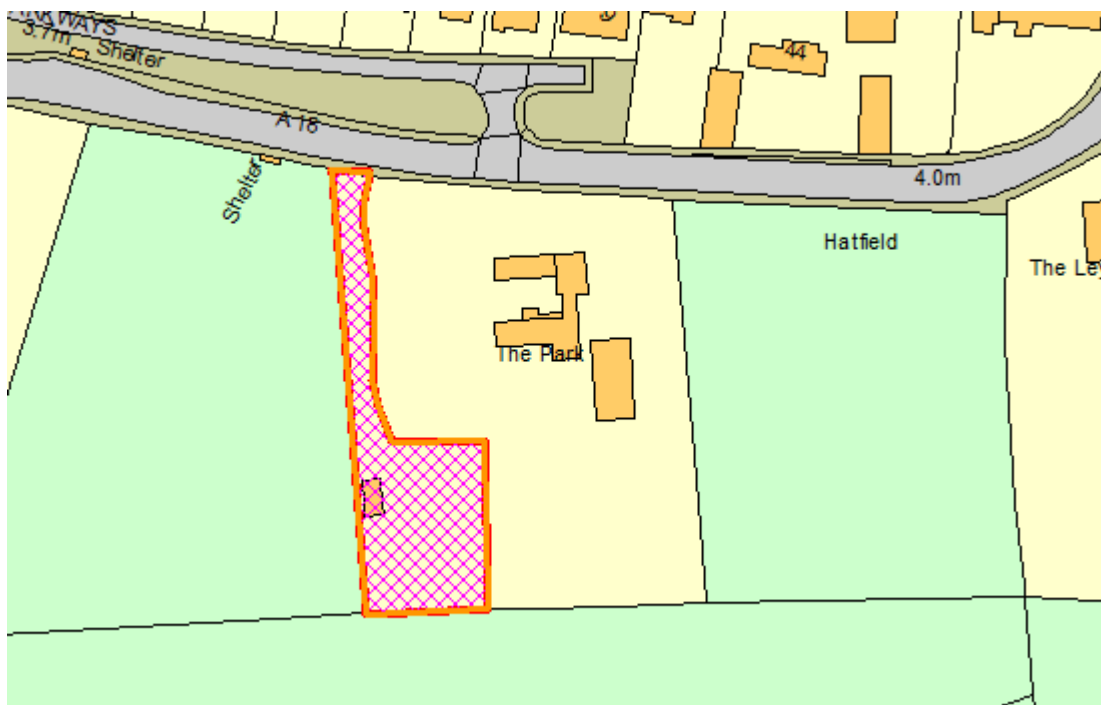
Proposal Description:	Erection of detached bungalow on approx 0.16 ha of land
At:	The Park Manor Road Hatfield Doncaster

For:	Mr P Thompson
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Third Party Reps:	One objection	Parish:	Hatfield Parish Council
		Ward:	Hatfield

Author of Report	Nicola Elliott
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MAIN RECOMMENDATION:	GRANT
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1.0 Reason for Report

1.1 This report is being presented to Planning Committee as it is a departure from the Development Plan, and has been called in by Councillor Derek Smith.

2.0 Proposal and Background

2.1 Planning permission is sought for the erection of a carbon neutral, single storey dwelling within the curtilage of The Park, Manor Road, Hatfield. The proposed dwelling has been amended during the course of the application to try to overcome officer's concerns that the development was not appropriate within the Countryside Policy Area. Those changes include;

- * introduction of a carbon neutral built form
- * redesign to create innovative woodland setting built form
- * re-siting of built form to reduce visual impact from the streetscene
- * introduction of green roof
- * timber clad exterior treatments
- * introduction of domestic solar farm within complex
- * introduction of energy efficient design features and internal heating systems.

2.2 Access is proposed from the existing on Manor Road, which will be widened to 5m and then split to provide access to each dwelling. A suitable turning area and passing place will be incorporated.

2.3 The site is located within the curtilage of The Park, a large detached property with several ancillary buildings and structures set within a large mature garden. The site lies on the south side of Manor Road. The built up residential area is located to the north of Manor Road, and further to the west. Hatfield contains a number of facilities including a secondary school, several public houses, local shops, public transport, places of worship and a community centre. There is a bus stop, served by a regular bus service to Doncaster town centre, located directly outside the site.

2.4 The proposed dwelling is to be sited in the south western corner of the site, replacing a number of polytunnels, greenhouse and stables. It is partly visible from Manor Road.

3.0 Relevant Planning History

There are seven permissions for alterations extensions and structures relating to The Park over the last thirty six years none of which have a bearing on the determination of this application. An eighth application was for a Certificate of Lawfulness that a building to be constructed on the site was permitted development.

14/01507/CPL

Decision: Certificate of Lawfulness Issued

Date Issued: 1st September 2014

Certificate of proposed lawful development for erection of an outbuilding

4.0 Representations

The application has been advertised as a departure from the Development Plan, and development affecting the setting of a Conservation Area; by neighbour notification, press advertisement and site notice.

One objection has been received as a result, stating the following;

I wish to object to the proposed development, on the grounds that it is on the site of a stable block, and as such would be a departure from the use intended. This is a semi-rural location, and could set a precedent for further development, in an area of particular merit, with the conservation area close at hand.

5.0 Parish Council

5.1 No comments received.

6.0 Relevant Consultations

Local Plans Team (Policy) - On balance, it is not believed that the proposal would result in overriding significant harm to the countryside sufficient to warrant a recommendation for refusal on Development Plan housing and countryside policy grounds. As such it is not wished to raise an objection.

Conservation Officer - From a conservation viewpoint there is no objection to the design of the building which is appropriate to its location in the conservation area and generally complements the countryside character. The proposal subject to some further details is not considered to result in any harm to its character and appearance and the overall impact is a slight enhancement.

Design Officer - The building is relatively low key and located in an inconspicuous position to the rear of the spacious grounds of the plot. It will be read, where visible, as subservient to the main building and has a semi-agricultural ancillary building appearance. In terms of the appearance, the building is arguably not very innovative, or particularly distinctive (the location warrants something more low key as proposed). However the commitment to sustainable construction and carbon neutrality is commendable, and to my knowledge would be a first in Doncaster, so in this respect the building could be considered innovative to the local area.

Given the location within an existing curtilage at the edge of the settlement, with little prominence, it could be argued that the proposal is more closely aligned to the village context rather than the countryside despite the designation as CPA. In this respect there might be less concern of setting a negative precedent and in any case each proposal has to be judged on its own considering the context of each site.

Highways Development Control – No objections following amendments to the site access and turning area. It is recommended that contact be made with the Fire Officer in respect of access for a fire appliance.

Environment Agency - No objection, subject to condition requiring floor levels to be set not lower than 4.4m AOD and resilience measures are incorporated. It is stated that the Sequential Test should be applied and evidence added to the public file. Emergency planning issues should also be considered.

Local Plans Team (Flooding) - Having reviewed the addendum to the Sequential Test it is agreed that this additional site search to include Stainforth has not identified any reasonably available sites that are sequentially preferable and capable of accommodating this proposal. The sites identified are either too large and/or already have planning permissions so, in accordance with the adopted Development & Flood Risk SPD, can be discounted. I have recently reviewed the market in the PGT of Hatfield-Stainforth as part of a different application and found similar conclusions.

Drainage Officer - No objections, subject to condition.

Tree Officer – No objections following amendments to the turning area to ensure that the 15m radius root protection area of the historically important Lime tree, and subject to condition.

Ecologist - Remains of the opinion that even with a change in the proposed building footprint there are no significant ecological constraints. Would want to apply the condition for ecological enhancement as a small loss in biodiversity will result from the development. The Ecologist is aware of the arboricultural issue of the proximity of the proposed building to the mature and 'venerable' lime tree and would add that any negative impacts on the tree would have equivalent ecological impacts. Hence, supportive of the tree officers opinion on the value of the lime tree and the need to protect it from any impacts. The scheme has now been amended to the satisfaction of the Tree Officer.

Natural England - No comments to make.

National Grid- No comments received.

Yorkshire Water - No comments received.

Internal Drainage Board - No comments received.

Pollution Control - No objections, subject to conditions.

7.0 Relevant Policy and Strategic Context

The site lies within the Countryside Policy Area, and is partly within the Hatfield Conservation Area. The land is also within Flood Zone 3 as identified by the Environment Agency.

Doncaster Unitary Development Plan (1998);
Policy ENV2 - Countryside Policy Area Designation
Policy ENV4 - Development within Countryside Policy Area
Policy ENV25 - Development within Conservation Areas
Policy ENV59 - Protection of Trees

Doncaster Core Strategy (2012);
Policy CS2 - Growth and Regeneration Strategy
Policy CS3 - Countryside
Policy CS4 - Flooding and Drainage
Policy CS14 - Design and Sustainable Development
Policy CS15 - Valuing our Historic Environment
Policy CS16 - Valuing our Natural Environment

National Planning Policy Framework (2012);
Section 6 - Delivering a wide choice of high quality homes
Section 7 - Design and sustainable construction
Section 10 - Meeting the challenge of climate change
Section 12 - Conserving and enhancing the historic environment

Supplementary Planning Document - Development Guidance and Requirements
Supplementary Planning Document - Residential Backland and Infill Development
(adopted 2010)
Doncaster Local Plan Settlement Audit February 2017 Update

8.0 Planning Issues and Discussion

8.1 The main issues are the principle of residential development in the countryside, impact on the openness of the countryside, impact on the character and appearance of the Conservation Area, arboricultural and ecological issues, flood risk, residential amenity and highway safety.

Principle of Development

8.2 The proposal is for a single dwelling in the curtilage of an existing property (known as 'The Park') within the Unitary Development Plan (UDP) defined Countryside Policy Area. As such it is also considered to lie within the broad extent of the Core Strategy (CS) defined Countryside Protection Policy Area. The site also lies within a Conservation Area. In terms of the Development Plan's housing and countryside policy, the proposal should be primarily assessed against UDP Policies ENV 2 and ENV 4 and CS Policy CS3.

8.3 Policy ENV 2 states that the Borough Council will maintain a Countryside Policy Area in the Eastern part of the Borough and states the purposes of the Countryside Policy, which includes assisting in safeguarding the countryside from encroachment. Policy ENV 4 sets out the development which is acceptable in the countryside.

8.4 Aside from the existing 'The Park' property, and its associated curtilage, the proposal would be largely surrounded by open countryside. The only other existing built form lies to the north of the site beyond the A18 / High Street; and to the west and east but at significant distance. The A18/ High Street in particular strongly defines the southern settlement boundary to Hatfield in this location - the site clearly lies south of this boundary.

8.5 The proposed development is not consistent with the purposes for the designation of Countryside Policy Area in UDP ENV2 or the stated purposes of appropriate development in such areas given in UDP ENV4.

8.6 In terms of the Core Strategy, the proposal lies to the south of Hatfield. Hatfield is part of the Stainforth and Hatfield Potential Growth Town (as defined by CS Policy 2). However, as a single dwelling the proposal cannot contribute in any meaningful way to that settlement's role within the CS' Growth and Regeneration Strategy. It therefore falls to be considered against CS3 Parts B3, B4 and C. (As a single dwelling the development cannot be regarded as an urban extension and given the site's relationship to the built form of Hatfield in this location, i.e. to the south of a strongly defined settlement boundary, it would not constitute an appropriate minor amendment to a settlement boundary - so Parts B1 and B2 are not relevant in this instance).

8.7 The proposal is in principle not compliant with this policy. However, as a single dwelling of the scale and design proposed, in this particular location, lying within a well-defined and landscaped existing residential curtilage, the proposal would, (subject to the restriction of permitted development rights in relation to any further extension of the building or further development within its curtilage) have minimal impact on the intrinsic character and beauty of the countryside (see NPPF para 17). The development proposed at this location would not lead to any encroachment into the countryside and given the nature of the existing landscaping associated with the curtilage of the existing 'The Park' development would be appropriately contained. The site relates reasonably well to the services of Hatfield and Stainforth and lies on a public transport route. From a policy point of view, it is not considered that the proposal would set a precedent for further development in the neighbouring countryside. The proposal's high sustainability credentials give additional benefit.

8.8 Given the well-defined boundaries of the site and its relationship to surrounding development being on the edge of the settlement, the proposal would have no significant impact on the openness of the countryside. Furthermore, it may be worth noting that the building which is subject to the Certificate of Lawful Development would have more impact on the countryside, given its design. The site is reasonably accessible and in a sustainable location close to local facilities and services.

8.9 Although the development would be contrary to the approach to the location and supply of housing and the protection of the countryside set out in policy CS 2 and ENV 2, and would not be in accordance with the development plan, the National Planning Policy Framework indicates that planning permission should not be granted unless material considerations indicate otherwise and in this case, it is not considered that the proposal would result in overriding significant harm to the countryside. This is a material consideration and as such the weight given to it would be sufficient not to warrant a recommendation for refusal on Development Plan housing and countryside policy grounds. There is no objection on these grounds. Identifying the presence or absence of harm in this way is appropriate and consistent with the approach taken by planning inspectors on such matters.

Sustainable Construction

8.10 Policy CS 14 (C) of the Doncaster Council Core Strategy states that the design and layout of development must also be designed to adapt to a changing climate change, by using energy, water and materials in the most efficient way as possible. In order to help achieve this, proposals will be supported which meet or exceed the following minimum standards; (1) all new housing must meet all criteria to achieve Code for Sustainable Homes of at least Level 3 and new non-domestic buildings must meet the BREEAM rating of at least 'Very Good', and (2) all new developments must secure at least 10% of their total regulated energy from decentralised and renewable or low carbon sources.

8.11 The applicants have submitted a Sustainability Appraisal, prepared by an Energy Consultant, with the proposal to explain and evaluate the measures incorporated into the design of the development to reduce predicted carbon emissions, improve energy efficiency and enhance the sustainability of the development, in accordance with policy CS 14 and the SPD. The applicants hope that a carbon neutral building will be an innovative and unique design proposal for the site.

8.12 The report examines the measures that are proposed to;

- * construct a Zero Carbon building through the use of enhanced fabric specification and renewable technology
- * achieve A rating for Energy Efficiency and Environmental Impact
- * improve the environment around the site
- * improve the well-being of the occupants
- * reduce emissions and pollution from the building
- * reduce the use of natural resources

8.13 The report concludes that the dwelling will achieve the highest standards of sustainability in carbon emissions, energy consumption, water efficiency and site activities. The development will be a Zero Carbon dwelling, with additional sustainability measures which will enhance the site and ensure that the dwelling benefits from built-in energy reduction measures and that the development meets the needs of the present without compromising the ability for future generations to meet their needs.

8.14 Such measures include, but are not limited to, enhanced fabric specification and renewable technology in the form of an Air Source Heat Pump and Photovoltaics. A green roof is proposed which provides a habitat for wildlife, and also shields the top of the roof from the UV and heat of direct sunlight. Sedum roofs also have rainwater absorbing properties, holding up water run-off, thus reducing the potential for local flooding. Green roofs also cool the rooms below in summer and insulate them during winter, lowering heating and cooling demands.

8.15 The benefits of passive solar design have been considered and sufficient glazing will be provided to the principal living rooms of the dwelling to ensure sufficient natural lighting, thus reducing the energy consumed in artificially lighting the room. In addition, where possible, glazed elevations are within 30 degrees due south, which is most effective at utilising solar gain, and reducing energy consumption.

8.16 The Design Officer states that the commitment to sustainable construction and carbon neutrality is commendable, and to their knowledge would be a first in Doncaster, so in this respect the building could be considered innovative to the local area. As the sustainability credentials may be a key material consideration in weighing the balance of acceptability, the sustainability measures outlined in the submitted SA doc dated Feb 2017 are to be conditioned to ensure the building takes place as planned. Post completion evidence will need to be presented to discharge sustainability conditions. Although incorporating modern technology the design of the dwelling is not of such exceptional quality to be justified in the countryside on its own merits under paragraph 55 of the NPPF but contributes to the overall planning balance along with other matters being assessed in this application.

Sustainable Location

8.17 The application site, whilst being within the Countryside Policy Area, is part of the residential curtilage of The Park. It is also on the edge of the settlement of Hatfield. As part of the preparation of the Doncaster Local Plan, it is necessary to form a settlement hierarchy on which the development strategy will be based i.e. the location of housing, employment sites and other development. The Settlement Audit forms an important part of the basis for establishing the Hierarchy; its purpose is to set out the key services that each settlement has and then ranked them in order of the number of key services each has. The combined primary and secondary services score for each settlement will form an important component in determining the settlement hierarchy along with population, development potential and constraints, developments in the pipeline and so on.

8.18 Within the Doncaster Local Plan Settlement Audit, Hatfield is merged with Dunscroft, Dunsville and Stainforth, as it is described as a contiguous settlement. This settlement scores 10 out of a possible 12 in terms of access to primary and secondary services/facilities. This determines its position as 7th (out of 55) in the Settlement Hierarchy. The combined area can therefore be considered sustainable in terms of its access to facilities and services.

8.19 It should be noted that the application site falls outside of the residential policy area of the settlement, and is for a standalone dwelling. However, despite the policy allocation, it can be considered as a sustainable location. There is a bus stop located directly out the access to the site which offers a regular service to Doncaster Town Centre (approximately every hour from around 6am to 9pm Monday to Friday).

8.20 Furthermore, from the site access, Ash Hill Academy secondary school is approximately 350m and Coppice school is next door to this, Sheep Dip Lane Primary School is approximately 850m, Hatfields public house is approximately 160m. The centre of the village of Hatfield are approximately 600m from the site access, which includes a church, public houses, post office, newsagent, florist. Hatfield Travis Church of England Primary School is approximately 750m. There is also a parade of shops including a Tesco Express, hairdressers and bakers approximately 750m from the site access.

8.21 The South Yorkshire Residential Design Guide sets out accessibility targets. For development with a corridor (for which this development would fall rather than a rural settlement), local services should be within a 15min walk, bus stop within 5-10min walk and primary health/education 20min walk/30min journey. As a general rule of thumb, a 5min walk equates to a distance of 400m for non-disabled people. Account must be taken of indirect routes and topography. In terms of this site, the facilities noted above can be accessed via a footpath and the topography is relatively flat. Using the 400m/5min walk as a general rule of thumb, the bus stop which provides access to Doncaster town centre is well within a 5min walk, the secondary school would be approximately a 5min walk, and shops/local services within approximately 20min walk.

8.22 It is therefore considered that, despite the site being located within land defined as Countryside Policy Area, it is sustainable in terms of its access to facilities and services, with Hatfield being within an acceptable walking distance.

Design, Scale and Appearance and Impact on the Surrounding Area

8.23 Policy ENV 25 of the Doncaster Unitary Development Plan states that within the Conservation Areas, as defined on the proposals map, new development will be expected to preserve or enhance the character or appearance of the area. 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.

8.24 The curtilage of The Park, where the new bungalow is proposed, lies partly within the Hatfield - Manor Road Conservation Area and wholly within the Countryside Policy Area designation. The rear of the site extends outside the conservation area, such that the bungalow and its curtilage would straddle the conservation area boundary. The proposals would still need to be in keeping with UDP saved policy ENV25 (development in or adjacent to a conservation area).

8.25 This conservation area lies to the south of the village core and its origins are later. It has a more open and green character with detached properties of architectural character dating from the 18th Century onwards. These lie either side of Manor Road set in the middle of larger than average curtilages. Several of these are listed properties. The buildings are mainly made of handmade brick on early buildings with the more recent being brick or render. Roofing material ranges from red clay pantiles on properties of agricultural character to Welsh slate on larger domestic buildings. The Park follows this pattern of development. This conservation area has a distinctive green character derived from the tree-lined Manor Road as well as the garden trees and shrubs of these properties.

8.26 This part of the conservation area is particularly significant as on either side of the host property the flat fields of the countryside come right up to the main road giving views into the countryside and a rural, green and open character to the area.

8.27 As well as the residential property, a large detached house, the site contains a number of other outbuildings and ancillary buildings, as well as garden areas. The large amount of trees and shrubs on the site shield these buildings so they are barely perceived from the road such that the green and open character of the conservation area is maintained.

8.28 The building has a semi courtyard character composed of two rectilinear buildings at right angles to each other with a linking corridor. The form is of a low shallow pitched roof structure with eaves height each side of 2.5m and 3.7m with the slope pitched towards the main road and 2m overhang to the south facing elevation. Both elements of the building have spans of around 8.15m and the single garage is integrated into one of the structures. The building is designed to be carbon neutral and the principle large windows are south and west facing with views towards over the courtyard towards the countryside policy area. The proposal also removes the assorted garden structures to the west of the building.

8.29 In terms of materials, the building has dark brown vertical boarded cladding and similar colour windows, soffits, and overhang and is surmounted by a green roof. From a design and conservation viewpoint the design is low key in relation to its surroundings and is not traditionally domestic in character as the original proposal was. The footprint has been amended slightly away from the boundary such that the development will barely be perceived from the main road and, if seen, the material and colour will denote an ancillary building which might be expected at the back of this plot. The materials (timber cladding/green roof) will complement this well treed plot unlike a traditional brick/pantile building, and not result in an obtrusive structure. In terms of appearance this would be of net benefit to the conservation area considering the removal of some of the existing white framed structures. This is borne out in the pictorial representations of the impact within the planning statement.

8.30 The site is demarcated from the host building and the countryside policy area by green boundaries which complement its character.

8.31 The proposal is supported by a statement of energy efficiency confirming that it would be carbon neutral. Most elements of the carbon neutral proposals complement the character of the conservation area in this location. To the south of the building the proposal shows 14 photovoltaic panels i.e. a mini solar farm which is part of the zero carbon proposals. These are beyond the building facing away from the conservation area and do not impact on it but it would be useful to understand the height at which they are set to fully understand their impact from elsewhere, as such a condition is attached.

8.32 Taking note of the tree officer's comments, the adjacent mature lime tree is also significant to the conservation area and the proposal should consider how its root protection area can be safeguarded both in terms of the hard standing/reversing area and with regard to services. The proposal describes the drive as permeable paving, which should be acceptable provided it was not 'suburban' in character and further details of this which presumably extends to include the reversing area, are requested by condition.

8.33 A significant conservation consideration is the impact of any approval on the status of the open areas either side of the main plot. These fields separate the large properties of the conservation area (Bow House/The Park/The Leylands) and contribute to its character as described above. The introduction of buildings to the rear of the plot adjacent to the countryside would undermine any conservation case to retain the fields either side free from development to retain the significant views of the countryside from the main road. The proposal as described will not be perceived as a separate dwelling and, if approved, this should not be considered as a precedent or justification for further subdivision of the plot.

8.34 The Design Officer is of the opinion that given the location within an existing curtilage at the edge of the settlement, with little prominence, the proposal is more closely aligned to the village context rather than the countryside despite the designation as CPA. In this respect there might be less concern of setting a negative precedent and in any case each proposal has to be judged on its own merits considering the context of each site. In this instance it could be argued that this is a first for Doncaster and in that respect arguably could represent exceptional circumstances.

Flooding and Drainage

8.35 The site is located within Flood Zone 3, as shown on the Environment Agency flood map. Land and property in flood zone 3 have a high probability of flooding. A site specific flood risk assessment has been prepared, and the applicant has undertaken a Sequential Test, in accordance with policy CS 4 and the NPPF.

8.36 The Environment Agency have been consulted on the proposal and state that the proposed development will only meet the requirements of the NPPF if the measures as detailed in the Flood Risk Assessment are implemented and secured by way of a planning condition. This includes internal floor levels being set no lower than 4.4m AOD, and flood resilience measures (as set out) being incorporated. Such resilience measures include all services to be routed in the void and brought down the walls to terminate at least 1.2m above floor level, water sensitive apparatus such as boilers, water heaters etc to be mounted at least 1.2m above ground floor level, ground floor construction to be solid concrete slab with water resistant floor insulation and the dwelling is to be registered on the EA's Flood Warning scheme.

8.37 The topographical survey provided with the Flood Risk Assessment shows that in the area where the dwelling is proposed, site levels are approximately 4m AOD to 4.3m AOD, therefore a floor level of 4.4m AOD will not significantly raise the dwelling.

8.38 Paragraph 101 of the National Planning Policy Framework (NPPF) requires decision-makers to steer new development to areas at the lowest risk of flooding by applying a Sequential Test. The Environment Agency state that avoidance is the most effective flood risk management measure. Even when development can be made 'safe' in flood risk areas, there are always residual risks. In accordance with paragraph 103, consideration should only be given to development in flood risk areas following the Sequential Test.

8.39 Development should not be permitted if there are reasonably available sites, appropriate for the proposed development, in areas with a lower probability of flooding. Evidence to support the sequential test should be added to the planning file for the public record. The Sequential Test has been applied and considered by the Local Plans team who comment that having reviewed the addendum to the Sequential Test it is agreed that this additional site search to include Stainforth has not identified any reasonably available sites that are sequentially preferable and capable of accommodating this proposal. The sites identified are either too large and/or already have planning permissions so, in accordance with the adopted Development & Flood Risk SPD, can be discounted.

8.40 The applicant has also applied the Exceptions Test. Paragraph 102 of the NPPF states that for the Exceptions Test to be passed, (i) it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared; and (ii) a site specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall. The FRA submitted with the application identifies that the local watercourses pose little or no threat of flooding to the site. Pluvial flooding of the proposed bungalow is considered highly unlikely. The surface water system is to incorporate SUDS techniques where possible and ensure that no surface water run-off or flood water is displaced onto third party land. A Flood Evacuation plan will be subject to a separate condition.

Trees and Landscaping

8.41 ENV 54 states that in considering proposals for new development the borough council will attach considerable importance to the need to protect existing trees, hedgerows, wetland habitats, watercourses and other natural landscape features and will require that new developments do not cause unnecessary loss of trees, nor imperil trees by building works.

8.42 Policy CS 16 (D) of the Doncaster Council Core Strategy states that proposals will be supported which enhance the borough's landscape and trees by; (i) being appropriate to the landscape's character, sensitivity and capacity; (ii) including measures to mitigate any negative impacts on the landscape; (iii) ensuring designs are of high quality, include appropriate hard and soft landscaping, a long term maintenance plan and enhance landscape character while protecting its local distinctiveness; and (iv) retaining and protecting appropriate trees and hedgerows, and incorporating new tree, woodland and hedgerow planting.

8.43 The Tree Officer has been consulted and comments that of particular merit at the site is a historic Lime tree in apparent good physiological and structural health. This tree has a stem girth measured at 0.5m of 5.1m and is in the region of 200yrs old. This tree has a root protection area (RPA) of 15m radius with considerable above ground constraints (as defined by British Standards Institute 5837 (2012): Trees in relation to design, demolition and construction - Recommendations). In view of the historic significance of this tree (one could imagine, for example, that it was planted to celebrate the Wellington's victory in the Battle of Waterloo) it deserves the greatest of respect which, means that the RPA (which is a minimum figure in any case) needs to be respected and maximised as much as possible with the above ground constraints of this tree taken in to account and the routeing of proposed service runs avoiding the RPA.

8.44 The proposed turning area has been amended, and the plan annotated to show that services will avoid this 15m root protection area is, at the time of writing this report, expected from the agent shortly and will be presented to Members at Planning Committee. Therefore, there are no objections subject to condition.

Ecology and Wildlife

8.45 Consultation has taken place with the Council's Ecologist who advises that that there were no significant ecological constraints to the original proposal and remains opinion even with a change in the proposed building footprint. It is recommended that a condition is applied for ecological enhancement as a small loss in biodiversity will result from the development. The Ecologist is aware of the arboricultural issue of the proximity of the proposed building to the mature and 'venerable' lime tree and would add that any negative impacts on the tree would have equivalent ecological impacts and is supportive of the tree officers opinion on the value of the lime tree and the need to protect it from any impacts. Following amendments to the turning area, the Tree Officer is satisfied that the Lime will be protected, subject to adherence to conditions.

Highways and Parking

8.46 Policy CS 14 of the Doncaster Council Core Strategy lists the quality, stability, safety and security of private property, public areas and the highway as one of the qualities that will be assessed to ensure that a development is robustly designed and works functionally.

8.47 Highways Development Control have been consulted and following amendments to the access and turning area, raise no objections. They do however comment that contact should be made with the Fire Officer in respect of the ability to turn a fire appliance, however this is a matter for Building Regulations approval, and following discussions between the agent and the Fire Officer, if necessary a water hydrant may be required if a fire appliance cannot access the site.

Residential Amenity

8.48 Policy CS 14 of the Doncaster Council Core Strategy sets out the Council's policy on design and sustainable construction. It states that new development should also have no unacceptable negative effects upon the amenity of neighbouring land uses or the environment. Further to this, the Development Guidance and Requirements SPD and Backland and Infill SPD set out design guidance for new development to ensure that new development is not harmful to residential amenity by virtue of overlooking, overshadowing and over dominance.

8.49 Given the location of the application site, with the host dwelling being the only direct neighbour and the distance away from this property, its limited design and scale, there are no adverse impacts to residential amenity as a result of this development. It is sited approximately 38m away from the host dwelling, and whilst sharing the access point, has a separate drive into the site. The proposal therefore accords with policy CS 14 and the relevant SPDs in this respect.

9.0 Summary and Conclusion

9.1 The application is recommended for approval. The recommendation attaches weight to the fact that the proposal does not represent overriding harm to the openness of the countryside. It is noted that the proposal does not accord with the development plan, but the site is within a well-defined and existing landscaped residential curtilage and would not lead to a harmful encroachment into the countryside. The site relates well to the services of Hatfield and Stainforth and lies on a public transport route with regular access to Doncaster town centre. The high sustainability credentials give the proposal additional benefit and its limited scale and design will ensure that it has little impact on the surrounding area.

9.2 Permitted development rights will be removed to ensure that future development requires consent, and the proposal has been designed to ensure that the private amenity space is screened from public view by the property itself, therefore reducing the possibility of associated domestic paraphernalia littering the site and drawing attention to the dwelling.

9.3 The proposal takes account of flood risk implications, highway safety and respects the ecological and arboricultural issues relating to the site. There is no detrimental impact to residential amenity. As such, the proposal is recommended for approval.

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. U56319 The development hereby permitted shall be carried out in complete accordance with the details shown on the amended plans referenced and dated as follows;
Drg. no. 962/1 D - Amended 06.11.2017
Drg. no. 962/2 B
REASON
To ensure that the development is carried out in accordance with the application as approved.
03. U56353 Prior to the commencement of the development hereby granted a scheme for the protection of all retained trees that complies with clause 6.2 of British Standard 5837: 2012 Trees in Relation to Design, Demolition and Construction - Recommendations shall be submitted to and approved in writing by the Local Planning Authority. Tree protection shall be implemented on site in accordance with the approved details and the local planning authority notified of implementation to approve the setting out of the tree protection scheme before any equipment, machinery or materials have been brought on to site for the purposes of the development. Thereafter, all tree protection shall be maintained in full accordance with the approved details until all equipment, machinery and surplus materials have been removed from the site, unless the local planning authority gives its written approval to any variation. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.
REASON
To ensure that all trees are protected from damage during construction in accordance with core strategy policy CS16: Valuing our natural environment
04. U56350 The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) report reference 34751/C prepared by Peter Brett Associates in July 2015 and the following mitigation measures detailed within the FRA:

* The internal finished floor levels shall be set no lower than 4.4m AOD Above Ordnance Datum.

* The development shall incorporate the flood resilient design and construction measures recommended in section 5.2.1 of the approved FRA and shall give consideration to the recommendations of the Environment Agency and DEFRA report, improving the flood performance of New Buildings - Flood Resilient Construction (ISBN 9781859462874).

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 and to reduce the consequent flooding in the event of a flood.

05. U56351 Prior to the occupation of the development hereby approved, a Flood Evacuation Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved Flood Evacuation Plan.

REASON

To protect occupants during times of flooding.

06. U56352 The development hereby granted shall not be begun until details of the foul, surface water and land drainage systems and all related works necessary to drain the site have been submitted to and approved by the Local Planning Authority. These works shall be carried out concurrently with the development and the drainage system shall be operating to the satisfaction of the Local Planning Authority prior to the occupation of the development.

REASON

To ensure that the site is connected to suitable drainage systems and to ensure that full details thereof are approved by the Local Planning Authority before any works begin.

07. U56354 Prior to the implementation of the relevant site works details of the materials and RAL/BS colour for the external walls, doors, and windows of the development hereby approved shall be submitted to and agreed in writing by the local planning authority.

REASON

To preserve and/or enhance the character and appearance of the conservation area in accordance with saved policy ENV25 of the UDP.

08. U56355 Any new boundary walls are to match the existing walls in height, brick type, and coping details. Prior to the implementation of the relevant site works samples of any new brick to be used for the construction of the boundary walls and details of the height and coping of any piers and details of any new gates and details or samples of drive materials shall be submitted to and agreed in writing by the local planning authority.
REASONS
To preserve and/or enhance the character and appearance of the conservation area in accordance with saved policy ENV25 of the UDP.
09. U56356 Notwithstanding the approved plan, prior to the implementation of the relevant site works details of the height and design of the PV panel array shall be submitted to and agreed in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
REASON
To preserve and/or enhance the character and appearance of the conservation area in accordance with saved policy ENV25 of the UDP
10. U56357 Unless otherwise agreed in writing by the local planning authority a landscaping scheme shall be planted in accordance with the scheme described in drawing 962/1 D and the accompanying schedule and outline specification and completed prior to the occupation of the new dwelling.
REASON
To preserve and/or enhance the character and appearance of the conservation area in accordance with saved policy ENV25 of the UDP.
11. U56359 The following measures shall be implemented prior to the first occupation of the site or an alternative timescale to be approved in writing with the local planning authority:
-An integrated bat box (Schwegler 'bat tube' type or similar) or bird (swift) box shall be built in to the new dwelling in either a westerly or easterly orientation at highest point achievable.
REASON
To ensure the ecological interests of the site are maintained in accordance with Core Strategy Policy 16.
12. CON1 No development approved by this permission shall be commenced prior to a contaminated land assessment and associated remedial strategy, together with a timetable of works, being accepted and approved by the Local Planning Authority (LPA), unless otherwise approved in writing with the LPA.
- a) The Phase I desktop study, site walkover and initial assessment must be submitted to the LPA for approval. Potential risks to human health, property (existing or proposed) including buildings, livestock, pets, crops, woodland, service lines and pipes, adjoining ground, groundwater, surface water, ecological systems, archaeological sites and ancient monuments must be considered. The Phase I shall include a full site history, details of a site walkover and initial risk

assessment. The Phase 1 shall propose further Phase 2 site investigation and risk assessment works, if appropriate, based on the relevant information discovered during the initial Phase 1 assessment.

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

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

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

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

REASON

To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to guidance set out in the National Planning Policy Framework. This is required prior to commencement to ensure that the necessary mitigation measures can be put in place should any contamination be found.

13. 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.
14. CON3 Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and be approved in writing by the LPA prior to any soil or soil forming materials being brought onto site. The approved contamination testing shall then be carried out and verification evidence submitted to and approved in writing by the LPA prior to any soil and soil forming material being brought on to site.
REASON
To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to guidance set out in the National Planning Policy Framework.
15. U56366 Unless otherwise agreed with the Local Planning Authority, the development must take place in accordance with the sustainability measures contained within the approved Sustainability Appraisal statement dated Feb 2017. Prior to the occupation of the dwelling, a post construction review should be carried out and evidence of the implemented measures submitted to the Local Planning Authority. This will enable the planning condition to be fully discharged.
REASON
In the interests of sustainability and to minimise the impact of the development on the effects of climate change.
16. NOPD1A Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (No.596) (England) Order 2015, Article 3, Schedule 2: Part 1 (or any subsequent order or statutory provision revoking or re-enacting that order) no additions, extensions or other alterations 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 detriment to the amenities of the occupiers of nearby properties or to the character of the area and for this reason would wish to control any future development to comply with policy PH11 of the Doncaster Unitary Development Plan.

17. NOPD3A Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (No.596) (England) Order 2015, Article 3, Schedule 2: Part 1 (or any subsequent order or statutory provision revoking or re-enacting that order) no development shall be carried out on any part of the land other than that hereby permitted without the prior permission of the local planning authority.

REASON

The local planning authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties or to the character of the area and for this reason would wish to control any future development to comply with policy PH11 of the Doncaster Unitary Development Plan.

01. IFWI INFORMATIVE

At the time of this decision, the site has been identified as being within an area of medium or high flood risk, based on the Environment Agency's flood maps. Therefore, the applicant/occupants should consider registering for the Environment Agency's Floodline Warning Direct, by phoning Floodline on 0345 988 1188 . This is a free service that provides flood warnings direct by telephone, mobile, fax or paper. It also gives practical advice on preparing for a flood, and what to do if one happens. By getting an advanced warning it will allow protection measures to be implemented such as moving high value goods to an elevated level as well as evacuating people off site.

02. IFP INFORMATIVE

We recommend that the developer uses this opportunity to reduce the potential impact of flooding by raising floor levels wherever possible and incorporating flood proofing and resilience measures. Physical barriers, raised electrical fittings and special construction materials are just some of the ways to help reduce flood damage.

Guidance on how to reduce flood damage can be found at the following websites:-

Communities and Local Government: 'Improving the flood performance of new buildings' -
<http://www.communities.gov.uk/publications/planningandbuilding/improvingflood>;

Environment Agency: How to reduce flood damage -
www.environment-agency.gov.uk/homeandleisure/floods/105963.aspx;

Department for Communities and Local Government: Preparing for floods -
www.communities.gov.uk/publications/planningandbuilding/improvingflood;

Ciria: What to do if your property is flooded and how to minimise the damage from flooding - www.ciria.com/flooding/;

National flood forum-

03. INF1B

INFORMATIVE

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

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

This Standing Advice is valid from 1st January 2017 until 31st December 2018

04. U11819

INFORMATIVE

1. Surface Water Discharge From Brownfield Site

There should be no increase in surface water discharge from the site to existing sewers / watercourses. On site surface water attenuation will therefore be required if drained areas to existing sewers / watercourses are to be increased. A 30% net reduction to existing peak discharge (up to a 1/100 yr storm CC) will be required if the site is being re-developed.

Allowances for climate change can be found in National Planning Policy Framework Technical Guidance Document Table 5.

2. On Site Surface Water Management

The site is required to accommodate rainfall volumes up to 1 in 100 year return period (plus 30% for climate change) whilst ensuring no flooding to buildings or adjacent land. This can be achieved by providing additional space for water below or above ground. The applicant will need to provide details and calculations including any below ground storage, overflow paths (flood routes), surface detention and infiltration areas etc to demonstrate how the 100 year +CC rainfall volumes will be controlled and accommodated.

Where cellular storage is proposed and is within areas where it may be susceptible to damage by excavation by other utility contractors, warning signage should be provided to inform of its presence. Cellular storage and infiltration systems should not be positioned within highway.

Allowances for climate change can be found in National Planning Policy Framework Technical Guidance Document Table 5.

If attenuation is to be put forward for adoption by the Sewerage Undertaker, it should be noted that they may only accept volumes up to a 1 in 30 year event by means of oversized pipes or underground tanks. Additional volumes up to 1 in 100 year + CC may therefore have to be provided elsewhere. The applicant should make early consultation with the sewerage undertaker where this applies.

3. Surface water drainage plans should include the following:

- * Rainwater pipes, gullies and drainage channels including cover levels.
- * Inspection chambers, manholes and silt traps including cover and invert levels.
- * Pipe sizes, pipe materials, gradients and flow directions.
- * Soakaways, including size and material.
- * Typical inspection chamber / soakaway / silt trap and SW attenuation details.
- * Site ground levels and finished floor levels.

4. Records indicate history of flooding in this area between 1947 and 2007.

5. Records indicate site to be in Environment Agency Flood Warning Area.

6. 2007 Records indicate that properties in this area were subject to:

- * External area flooding.
- * Internal flooding but properties remained habitable.
- * Major internal flooding which caused property to be temporarily inhabitable.

7. Finished floor levels should be set 300 to 600mm above potential flood water level (refer to DMBC Supplementary Planning Document for guidance).

8. A flood plan including details of escape to a place of refuge should be considered. Residents are also recommended to use the Environment Agency Flood Warning Service.

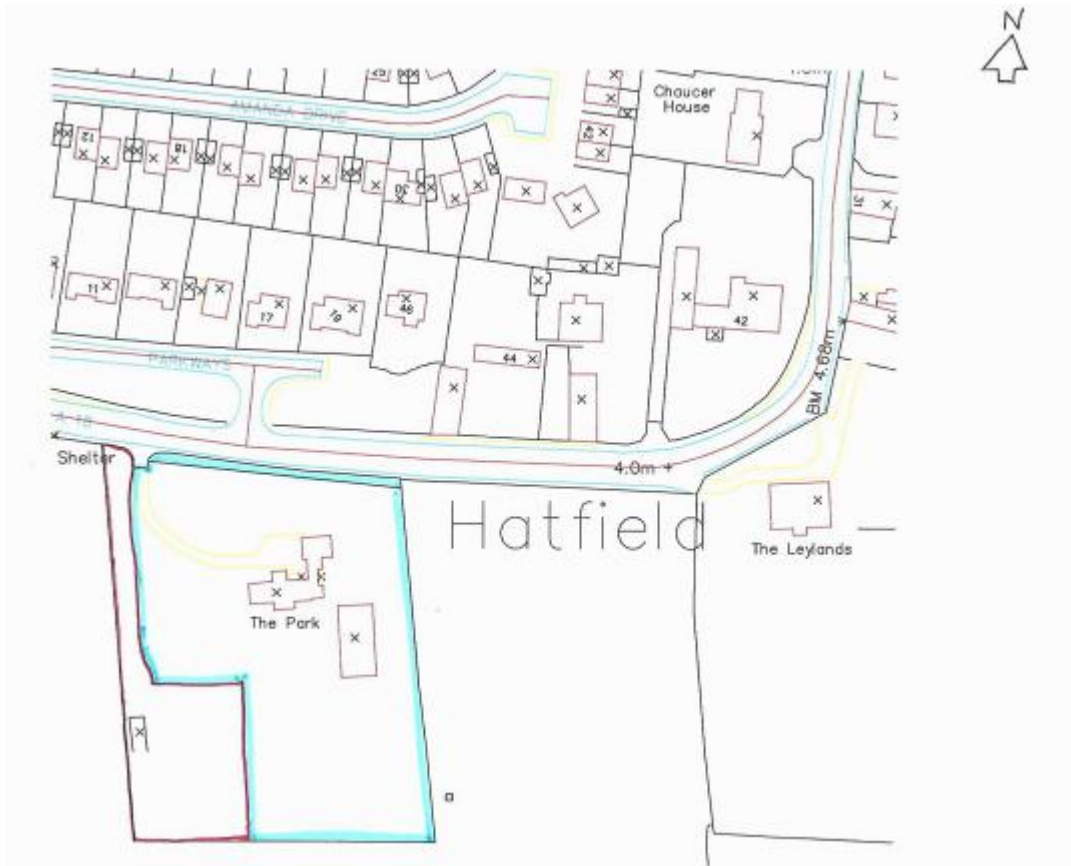
9. If soakaways are to be used, volume design calculations should be undertaken to 1 in 30 year rainfall + 20% climate change standard. Ground percolation test results should be undertaken to ensure viability / correct sizing. Existing ground water levels should be noted.

Where possible, soakaways should be positioned where accessible in soft landscaping and clear of paved areas because of the risk of ground settlement. Soakaways should not be used within 5m of buildings or within highway. Soakaways should not be used where the water table is in close proximity to the soakaway base at any time of the year (1m min clearance from water table recommended).

Soakaway detailed design guidance is given in CIRIA Report 156 and BRE Digest 365. Inspection points should be included, to allow visibility of the base and incoming pipes and for de-silting. To prevent siltation, a sedimentation chamber (silt trap) upstream of the inlet should be included. Where possible these points should be within accessible distance (max 15m) to a jetvac tanker parked on hard standing.

The above objections, considerations and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence.

Appendix 1 – Location Plan



Appendix 2 - Elevations



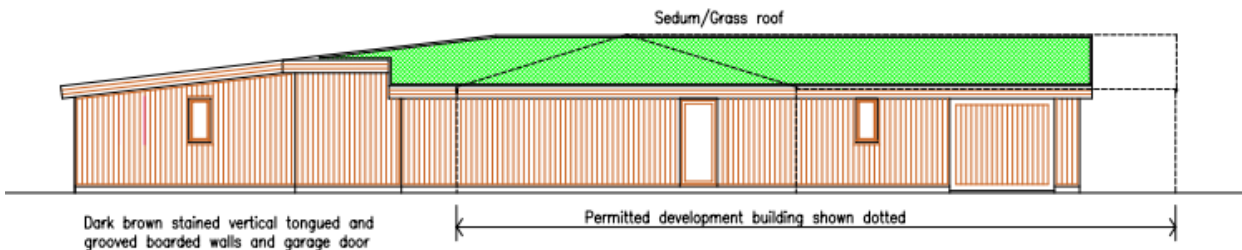
Side Elevation



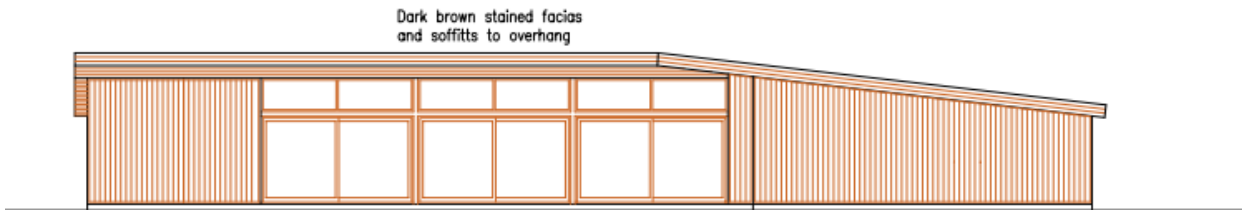
Side Elevation

Vertical boarded personnel door

Two course of brown facing brick up to dpc level



Front Elevation facing Manor Road

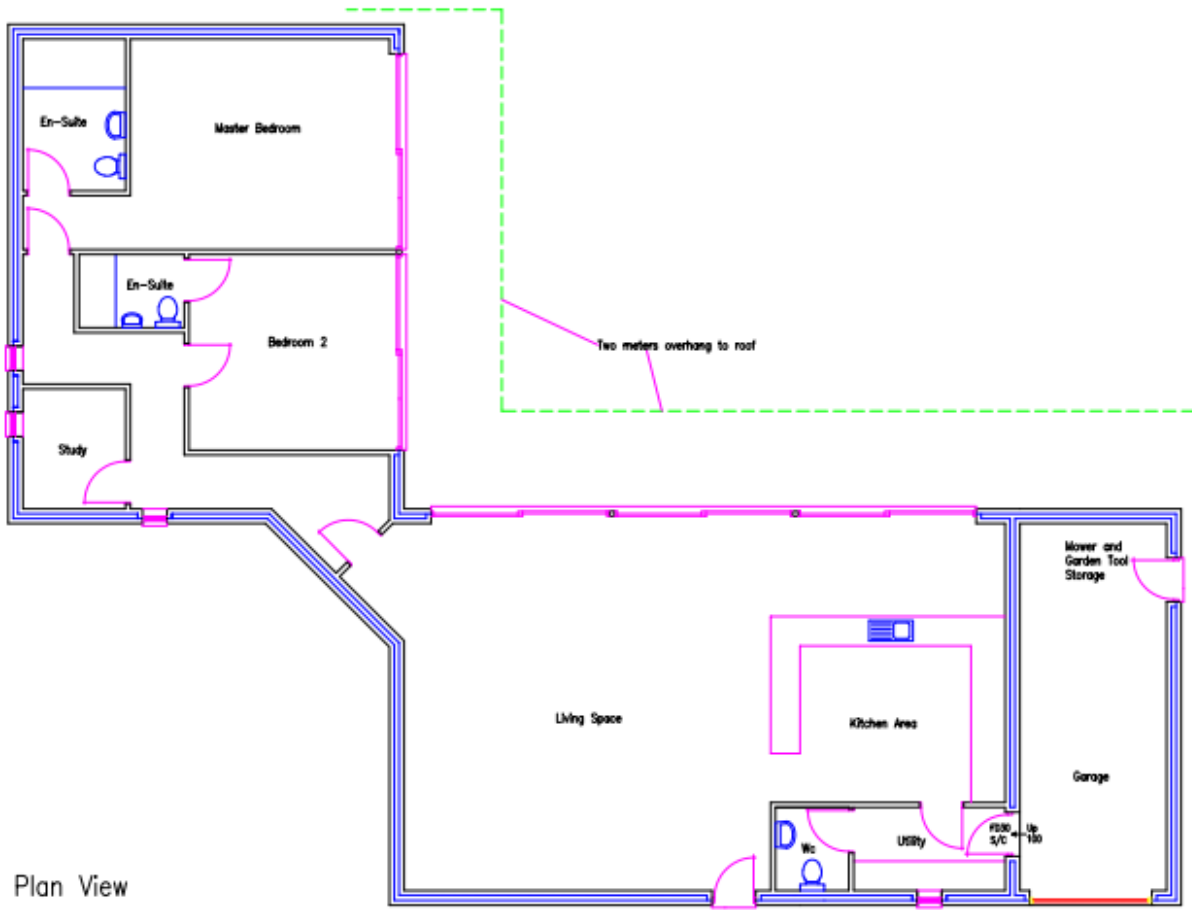


Rear Elevation

Dark brown powder coated aluminum double glazed doors and windows, colour to match boarding

Dark brown stained vertical tongued and grooved boarded walls to all elevations

Appendix 3 – Floor Plans



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

**Reconsideration of Section 106 Agreement following Viability Assessment for
Residential Development at White Lane, Thorne (15/02275/OUTM)**

EXECUTIVE SUMMARY

1. This report seeks the approval of the Planning Committee to a variation to the Section 106 Agreement for a development of 79 dwellings at White Lane, Thorne.
2. Outline planning permission was approved by Planning Committee on the 20th of September 2016, and the decision noticed issued on the 30th of January 2017 following the signing of the Section 106 Agreement. The viability of the scheme had been assessed by the District Valuer Services (DVS) and the signed Section 106 Agreement included the following obligations;
 - 8 built units of affordable housing (10%)
 - Commuted sum of £219,564 to provide 12 secondary school places at Trinity Academy
 - On site Public Open Space and scheme for maintenance
3. The developer has since submitted a further viability appraisal, and supporting evidence in support of a lower Gross Development Value (GDV) than was previously concluded by the DVS. The DVS has reconsidered the proposal in light of the figures and agrees that the site is no longer able to achieve the above and remain viable. However, they do give the option of the scheme providing £100,000 towards s106 contributions, or 2 units of affordable housing.

EXEMPT REPORT

4. The report does not contain exempt information, however the financial information contained within the supporting evidence is confidential and not in the public domain.

RECOMMENDATIONS

5. For the reasons set out below, it is recommended that Planning Committee authorise the Head of Planning to agree a Deed of Variation to vary the terms of the Section 106 Agreement dated 27th January 2017, to remove the requirement to provide a commuted sum in lieu of education, and to amend the affordable housing obligation to the provision of a commuted sum of

£100,000. The provisions relating to POS are unchanged.

WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?

6. The variation to the Section 106 Agreement will remove the requirement to deliver 8 units on the site and instead provide a sum of £100,000 to be used to provide affordable housing elsewhere.
7. The variation will remove the requirement to provide 12 secondary school places at Trinity Academy. However, following a review by the Council's Education team as part of the consideration of this recommendation, it is now recognised that as 16% of the pupils on roll in Thorne are actually classed as out of catchment, it would not be reasonable, or necessary, to ask the developer to make a contribution towards secondary education. This is further explained in paragraph 17.

BACKGROUND

8. Outline Planning Permission was granted by Planning Committee on the 20th of September 2016 for a development of 79 dwellings and construction of access roads (approval sought for access, layout and scale). The decision was issued on the 30th of January 2017 following the signing of a Section 106 agreement.
9. Prior to the determination of the application, a viability assessment had been submitted and subsequently sent to the DVS who concluded that the scheme was fully viable and could provide the Council's policy requirements in relation to affordable housing, on-site public open space and education, with additional funds to support other contributions. This was contested by the developer, who provided additional information in respect of Gross Development Value (GDV) to support their case. This was again considered by the DVS who agreed that the costs submitted were genuine extra costs over and above standard build costs, which had not been made clear when the appraisal was first assessed. As such, the DVS revised their response and added these costs.
10. This presented three scenarios, and it was recommended by officers to Planning Committee that there was greater community benefit in scenario 2 which concluded that with a Section 106 contribution of £219,594, the scheme was viable enough to support 10% affordable housing (8 units). Members of the Planning Committee accepted this recommendation and planning permission was approved accordingly.
11. In March 2017, the local planning authority received notification from the developer that they had commissioned Savills to provide a response to the previous correspondence on the viability of the site, prepared by the DVS. They believed there to be clear evidence based on local values, build costs and appeal decisions that questioned some of the DVS' values and assumptions, which suggested that there should be a re-appraisal of the Section 106 Agreement. Whilst the developer is keen to progress to implementation (indeed the Reserved Matters application is currently being considered, and a discharge of conditions request received), they consider that this has to be on the basis of a viable and fundable project.

12. In their appraisal, Savills highlighted differing opinions on the GDV and Developer's Profit and evidence was provided in respect of this. The report was then forwarded to the DVS for consideration.
13. In August 2017, the DVS provided their formal report on the revised viability assessment. In summary, the DVS is satisfied that the abnormal costs relating to ecological matters and increased specification of foundations have escalated from the estimates used in the earlier viability review by the DVS. The DVS also consider that the evidence supports a lower revenue will be achieved than that envisaged by the DVS in the initial report.
14. As such, the DVS consider that all of these amendments have a negative impact on viability and cumulatively the evidence means that the DVS cannot support the previous conclusion on viability. They conclude that a planning compliant scheme is not viable and in their opinion the scheme cannot provide any affordable housing nor any section 106 contributions. This opinion is subject to an overage clause.
15. An area of disagreement between the DVS and the developer is of sales values. To move the matter forward an overage clause has been suggested which, in the event that the revenues are higher than anticipated in the appraisal, the authority would have the opportunity to secure section 106 contributions retrospectively. An alternative to this would be the developer paying a S106 contribution of £100,000 or agreeing to deliver two affordable housing units on site. This would provide more certainty about sums to be paid. The developer has agreed to do this. Strategic Housing team advise that payment of the £100,000 would be more advantageous for the delivery of affordable housing.
16. The Strategic Housing team have raised no objections to the reduction of affordable housing. They have stated that of the two options available, the commuted sum payment of £100,000 would be preferable, rather than 2 units of affordable housing. The combination of the development at the Willow Estate Phase 3 (around 35 units out of a total of around 110) and the Extra Care facility in Thorne (over 70 units) gives a significant boost to local supply. The commuted sum payment of £100,000 is likely to lever in significant funding elsewhere and so potentially deliver more than the option of 2 homes. The money will be spent to support the current HCA Affordable Housing Investment Programme period (up to 2021).
17. The Education team have undertaken a reassessment of the school places in Thorne. Following further investigation of the pupils on roll in Thorne, 16% are actually classed as out of catchment children and therefore it would not be reasonable to ask the developer to make the contribution when such a large number of students from out of the area are taking available places. Therefore, based on this new information, it is the opinion of officers that the obligation for £219,564 towards the provision of secondary school places at Trinity Academy would no longer meet the tests set out in paragraph 19 of this report, regardless of the fact that this would also mean that the scheme would not remain viable if making this contribution. As such, it is recommended that this obligation be removed from the Section 106 Agreement.

18. The National Planning Policy Framework (NPPF) states that ‘local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.’
19. Planning obligations should only be sought where they meet all of the following tests;
- Necessary to make the development acceptable in planning terms;
 - Directly related to the development; and
 - Fairly and reasonably relating in scale and kind to the development.
- These are the tests set out as statutory tests in the Community Infrastructure Levy Regulations 2010 and as policy tests in the NPPF.
20. The National Planning Policy Guidance (NPPG) states that planning obligations should not be sought where they are clearly not necessary to make the development acceptable in planning terms. Paragraph 205 of the NPPF states that ‘where obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled.’

OPTIONS CONSIDERED

21. To not enter into a Deed of Variation would have a negative effect on the viability of the scheme and/or result non-delivery of the approved scheme.

REASONS FOR RECOMMENDED OPTION

22. To enter into a Deed of Variation to vary the terms of the Section 106 Agreement as discussed would allow the developer to reduce the contributions provided by the scheme, whilst remaining viable for the developer. This would enable timely delivery of the scheme and provide a commuted sum of £100,000 to contribute towards affordable housing.
23. The Education team have confirmed that the sum of £219,564 is no longer required, therefore insisting upon this would be contrary to the policy and statutory tests set out in paragraph 19.
24. The viability has been robustly assessed by an independent consultant.

IMPACT ON THE COUNCIL'S KEY OUTCOMES

	Outcomes	Implications
	<p>All people in Doncaster benefit from a thriving and resilient economy.</p> <ul style="list-style-type: none"> • <i>Mayoral Priority: Creating Jobs and Housing</i> • <i>Mayoral Priority: Be a strong voice for our veterans</i> • <i>Mayoral Priority: Protecting Doncaster's vital services</i> 	<p>Agreeing to the recommendation will reduce the level of affordable housing provision on the site, replacing this with a sum which could be spent elsewhere in the Borough. This has the potential to disadvantage those in need of affordable housing in Thorne.</p> <p>Not to agree with the recommendation will mean that the development of the site will not be brought forward any time soon and that the potential for new and improved housing stock in the settlement will be reduced.</p> <p>The site will not be developed, therefore reducing construction employment opportunities.</p>
	<p>People live safe, healthy, active and independent lives.</p> <ul style="list-style-type: none"> • <i>Mayoral Priority: Safeguarding our Communities</i> • <i>Mayoral Priority: Bringing down the cost of living</i> 	<p>Not to agree with the recommendation will mean that the development of the site will not be brought forward any time soon and that the potential for new and improved housing stock in the settlement will be reduced.</p>
	<p>People in Doncaster benefit from a high quality built and natural environment.</p> <ul style="list-style-type: none"> • <i>Mayoral Priority: Creating Jobs and Housing</i> • <i>Mayoral Priority: Safeguarding our Communities</i> • <i>Mayoral Priority: Bringing down the cost of living</i> 	<p>The site will not be developed, reducing the potential for new families to move to the area which would boost the local economy, and allow existing families to move to new housing and remain in the local area. The site will also provide smaller accommodation for those wishing to downsize and remain in the local area.</p> <p>The delivery of the development will provide an attractive place to live with associated infrastructure and green space.</p>
	<p>All families thrive.</p> <ul style="list-style-type: none"> • <i>Mayoral Priority: Protecting Doncaster's vital services</i> 	<p>Existing and new families will have access to new housing with attractive landscaping and open areas. Without the development being brought forward these facilities would not be provided.</p>
	<p>Council services are modern and value for money.</p>	<p>The development of new homes will deliver additional Council Tax and New Homes Bonuses to the Borough.</p>
	<p>Working with our partners we will provide strong leadership and governance.</p>	<p>The proposed changes have been agreed following consultation with the Housing and Education teams, ensuring that they are involved in the</p>

		decision making process as the implications of this decision will directly affect their service.
--	--	--

RISKS AND ASSUMPTIONS

25. There is a risk that the development will not go ahead if the variation is not agreed.

LEGAL IMPLICATIONS

26. A planning obligation can be modified or discharged by agreement at any time between the appropriate authority and the person or persons against whom it is enforceable. The committee should consider if the obligation still serves a useful planning purpose. In this instance the education team have concluded that the education commuted sum is no longer required and the Strategic Housing team advise that payment of the £100,000 would be more advantageous for the delivery of affordable housing. Any challenge to a refusal of the current application would be subject to a judicial review challenge.

FINANCIAL IMPLICATIONS

27. The legal and administrative costs associated with this variation will be met by the Developer.
28. Agreeing to the variation will remove requirements included in the original Section 106 Agreement to support 8 units of affordable housing and to provide a commuted sum of £219,564 for the provision of 12 secondary school places at Trinity Academy, and instead a Section 106 contribution of £100k will be made by the Developer to support the Borough's Affordable Housing Programme.
29. Section 106 obligations regarding Public Open Spaces will remain unchanged.

HUMAN RESOURCES IMPLICATIONS

30. There is no identified staffing or other resource implications.

TECHNOLOGY IMPLICATIONS

31. There are no identified technology implications.

EQUALITY IMPLICATIONS

32. There are no identified equality implications.

CONSULTATION

33. Consultation has taken place with the Ward Members for Thorne and Moorends and Thorne and Moorends Town Council. At the time of writing

this report, Councillor Blackham has confirmed that he has no objections, and whilst the proposal was discussed verbally with Councillor Mark Houlbrook, a formal response has not been received. No comments have been received from Councillor Susan Durant or Thorne and Moorends Town Council. Any further responses will be reported verbally at the meeting.

34. Consultation has also taken place with the Programme Manager, Strategic Housing and the Planning and Monitoring Officer, School Organisation Service. Their comments are contained within this report.

BACKGROUND PAPERS

35. Planning application 15/02275/OUTM.

REPORT AUTHOR & CONTRIBUTORS

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Peter Dale
Director of Regeneration and Environment

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Date: 14th November 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
16/01358/OUTM	Outline application for the erection of up to 400 dwellings (with means of access to be agreed). at Land Off Hatfield Lane, Armthorpe, Doncaster, DN3 3HA	Appeal Withdrawn 19/10/2017	Armthorpe
15/01364/OUT	Outline application for B1 B2 and B8 development on approx 0.42 ha of land (Approval being sought for Access and Layout) at Land At , Clay Lane West, Long Sandall, Clay Lane	Appeal Dismissed 06/10/2017	Wheatley Hills And Intake

REPORT AUTHOR & CONTRIBUTORS

Ms Jenny Lister TSI Officer
01302 734853 jenny.lister@doncaster.gov.uk

PETER DALE
Director of Regeneration and Environment

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Appeal Decision

Site visit made on 12 September 2017

by Mrs Zoë Hill BA(Hons) Dip Bldg Cons(RICS) MRTPI IHBC

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

Decision date: 6 October 2017

Appeal Ref: APP/F4410/W/17/3172944

Land north of Clay Lane West, Clay Lane West, Long Sandall, Doncaster DN2 4QY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr G Gee against the decision of Doncaster Metropolitan Borough Council.
 - The application Ref: 15/01364/OUT, dated 2 June 2015, was refused by notice dated 3 October 2016.
 - The development proposed is described as B1, B2 & B8 Development including construction of a new access.
-

Preliminary Matters

1. The appeal proposal relates to a number of proposed uses. The Town and Country Planning (Use Classes Order) 1987 as amended describes Use Class B1 as Business, Use Class B2 as General industrial and Use Class B8 as Storage or distribution.
2. The application was made in outline with only access and layout to be determined at this stage.
3. A s.106 Unilateral Undertaking was submitted with the appeal which identifies a Heavy Goods Vehicle (HGV) route and which requires the developer to erect signage regarding that route on site and to provide HGV drivers with details of the route.
4. During the application process revisions were made to the site area and the layout of the proposed development. The appellant, in their appeal documentation confirm that the Council determined the application on the basis of the revised scheme Drawing Ref: 122/14/2D dated June 2016. From the consultation responses it seems the Council undertook consultation on the revised plan and I shall determine the appeal on that basis.

Application for Costs

5. An application for costs was made by Mr G Gee against the Council. This application will be the subject of a separate Decision.

Decision

6. The appeal is dismissed.

Main Issues

7. The main issues in this case are the effect of the proposed development on:
 - (a) the setting of 1-4 Clay Lane, which are grade II listed buildings;
 - (b) the archaeological interest of the site; and,
 - (c) common lizards, having particular regard to the mitigation measures proposed.

Reasons

Listed Buildings

8. Nos 1-4 Clay Lane are two pairs of semi-detached houses. These are red brick dwellings with ashlar dressings under a slate roof. The dwellings are mirrored within each pair with decorative features, including arched brickwork features, mullion windows, a dentil course to the ridge sided chimney and the decoratively finished bargeboards. The pairs of dwellings were designed by J Butterfield for Doncaster Corporation. Dating from 1867 their aesthetic interest is in terms of the architectural detail and their historic interest is as very early and high quality examples of Council housing in a pleasant rural setting is of significance.
9. The key aspects of the immediate setting are the modest cottage gardens and the inter-relationship of the four listed cottages. However, the nearby canal and lock positively contribute to the setting of the houses and their significance as early Council housing of a high quality, as does the derelict farm complex. The agricultural nature of that farm, with its buildings in a ruinous state, and the currently vacant land provide a rural element to the setting and a historic context. However, the setting also includes the large industrial buildings, many of relatively modern construction, which form a backdrop to the dwellings.
10. The listed cottages would be some 80 metres from the nearest point of the appeal site which is on the opposite side of Clay Lane. Notwithstanding the proposed revised layout which illustrates a narrower building along the road-side with larger buildings within the site, the proposed large industrial buildings would detract from the rural aspect of the setting of the listed buildings, beginning to make them appear hemmed in by industrial development rather than retaining their historic relationship to the rural area. Whilst the industrial buildings clearly forms part of the cottages' setting this does not justify exacerbating that existing harm.
11. I appreciate that there would be some scope for landscape planting within the appeal site. However, the areas illustrated would not enable particularly substantial planting belts and while the development would be softened at some of the boundary points, it would be seen as a large-scale industrial and commercial development. Moreover, the application form details the use of particularly industrial materials (cladding/metal/upvc) along with a 2.4m security boundary fence.
12. I have also noted the suggestion that this scheme would help soften the impact of the approved development on the adjoining site, further from the listed buildings. However, I attach little weight to this in terms of improving the setting of the cottages as that site is further away and has not been developed

- as yet. Thus, its development might alter or it might remain undeveloped. Indeed, nothing is provided to clarify the situation with that earlier permission which appears to have been in outline and approved in December of 2012.
13. Furthermore, in the heritage statement it is asserted that the buildings on the adjoining site are likely to be 6m high but to soften the visual impact 'an extensive landscaping belt is proposed along the canal, with additional landscaping proposed along the southern boundary'. Thus, some planting would soften that proposal which gained planning permission on the adjacent site. Moreover, I have some concerns that placing a very large building on the appeal site alongside that boundary would jeopardise the planting for that adjoining scheme were it to be built.
 14. In terms of the impact upon the listed buildings, the Council has concerns about the impact on the attractiveness of the dwellings for use and their long term viability. Clearly the list descriptions indicate 'empty and derelict at time of resurvey' and while three of the four properties appear to currently be occupied, and in reasonable condition, one is unoccupied and requiring some attention. In this respect the setting of the listed buildings plays a part in the attractiveness of the dwellings.
 15. I appreciate that the appeal site has a long history of previous occupation. However, former development was not on the scale now proposed. Thus, the proposed appeal scheme would have an impact upon the historic value of these early Council built houses which, in addition to the detail of their attractive aesthetic, would have been pleasantly located for occupation. I conclude that there would be harm to the setting of 1-4 Clay Lane which are grade II listed buildings. This is a matter to which I must give considerable importance and weight having regard to my statutory duty under s.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
 16. In this regard I also find that the proposal fails to accord with policy CS15 of the Core Strategy which supports proposals provided that they preserve and, where appropriate, enhance the heritage significance and setting of the borough's heritage assets.
 17. I appreciate that, as the appellant notes, the site is part of saved policy RP 9 regeneration area which covers an area that includes land nearer to the listed buildings. However, the mixed use regeneration development allocation includes commercial, industrial, residential and recreational uses. It would be for detailed applications to determine the acceptability or otherwise of those uses and their detailed siting and design, including in respect of the setting of the listed buildings. Indeed the supporting text to saved policy RP 9 specifically notes 'there is scope for development of an initiative to promote and facilitate a mixed use scheme which will take account of the need to protect and enhance existing buildings and settings and to exploit the recreational potential of the South Yorkshire Canal.' Thus, whilst the scheme accords with the principle of this type of use it is evident that it is a broad policy and therefore I attach greater weight to the more detailed and recent policy CS15.
 18. In terms of the Framework, I find that the harm to the listed cottages would amount to less than substantial harm and, as such, I should weigh that harm against the public benefits of the scheme which I shall do before arriving at the planning balance.

Archaeology

19. The appeal site is in an area of known archaeological interest with at least three phases of activity dating to the Roman, medieval and post-medieval periods. Whilst it has a long history of occupation the key period of interest appears to relate to a Roman fort. As a consequence of this archaeological interest there has been investigative trenching on the appeal site and adjoining land.
20. The outcome of the trenching has provided evidence of periods of occupation/activity in the central part of the area investigated for its archaeology. However, this area is to the south of the appeal site. Trenching within the appeal site area provided evidence relating to farm activity probably associated with the now derelict farm. As such, the on-site archaeology is not considered to be of the same interest as that on the adjoining site. Whilst there is potential for on-site archaeology to be of interest The South Yorkshire Archaeology Service considered that impact on archaeology on the appeal site could be dealt with through the use of a condition securing further archaeological work and setting out how to deal with any archaeological deposits that might be found.
21. I am satisfied that, on the basis of the evidence before me and subject to the condition sought, the development would comply with respect to archaeological matters with the requirements of Policy CS15 which requires development to preserve, protect or enhance Doncaster's historic environment.

Common Lizards

22. The appeal site has been found to provide habitat for common lizards which are protected from deliberate killing or injury and from being sold or other forms of trading under the Wildlife and Countryside Act 1981¹. However, the site survey work identified a low population. A method statement to cover the translocation of any common lizards found following an appropriate pre-development search has been agreed with the Council's ecologist and is supported by the Yorkshire Wildlife Trust (YWT). This would result in any common lizards that are found being moved within the site to a 5 metre wide buffer area at the west side of the site which extends as a linear corridor into adjoining land owned by the appellant (within the blue line site area). This buffer area is identified in the appellant's Estrada Ecology Report dated September 2015.
23. The Council's concern in this respect is that the identified buffer area is situated near the canal where there is a footpath which appears is used by people who go there to fish. As such, there is concern that any relocated lizards would not be adequately protected from people or animals. However, the site and the size of the buffer area proposed in the plan, which has potential links to the wildlife corridor formed by the canal bank (although I note that, in places, a wall separates the towpath and other land) and the scope, through the proposed ecology condition, to retain suitable habitat with vegetative areas, places to provide for food and refuge, I am satisfied that the relocation would be acceptable. I am also mindful that the qualified ecologists for the appellant, the Council's ecologist and the YWT were satisfied by the mitigation proposed as shown on Drawing Revision B and in the Ecology Report.

¹ Section 9 (1) and (5)

24. However, I note that the required buffer arrangement is not shown on the drawing on which I am to determine the appeal (Drawing Revision D). That plan includes built development in the buffer area which results from seeking to reduce impacts upon the nearby listed buildings. Indeed the Heritage Statement places reliance on the Revision D scheme as being the plan which was determined. Drawing Revision D does not provide the required buffer and so would not protect the ecological interests of the site. As a consequence, I am not satisfied that the common lizard population would be adequately protected. Thus there would be conflict with Policy CS16 of the Core Strategy which, amongst other things, requires that species will be given the highest level of protection in accordance with the relevant legislation and policy.

Other Matters

25. Local residents express additional concerns regarding traffic and noise disturbance. Traffic is unlikely to cause highway capacity problems and increased activity on roads would be limited because of the hours of operation conditions that are proposed. The s.106 would also manage some HGV traffic matters, albeit the routing would result in all HGV traffic being directed past Rose Cottage. Conditions are also proposed which would assist in controlling noise. However, in terms of the impact on the occupiers of some residential properties, including that nearest the site, noise associated with the proposed B2 and B8 uses, from a direction where there is no significant continuous noise source is likely to compound existing noise and disturbance from the nearby large industrial areas even if controls are sought. Therefore a carefully designed scheme at the detailed matters stage would be important for residential amenity as well as visual amenity.
26. The effect of the proposal on property values is not a matter for consideration in this appeal.

The Benefits of the Scheme and the Planning Balance

27. The scheme would have benefits in that it would bring an active use to the site and thus have a benefit to the economy. However, it would on the basis of the evidence before me have an adverse impact on the setting of the listed dwellings 1-4 Clay Lane, by intensifying the industrial setting and detracting from the more open rural aspect. This weighs against the scheme in the planning balance. Moreover, the revised scheme fails to make adequate provision for the ecology of the site. Thus, on the basis of the outline scheme before me, which includes access and layout for determination at this stage, I conclude that the planning balance is firmly against the proposal. As such, the appeal is dismissed.

Conclusion

28. For the reasons given above, and having had regard to all other matters raised, I conclude that the appeal should fail.

Zoë H R Hill

Inspector

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

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