

DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE - 4th April 2017

Application	01
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Application Number:	17/00176/3FULM	Application Expiry Date:	25th April 2017
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Application Type:	Planning FULL (DMBC Reg 3) Major
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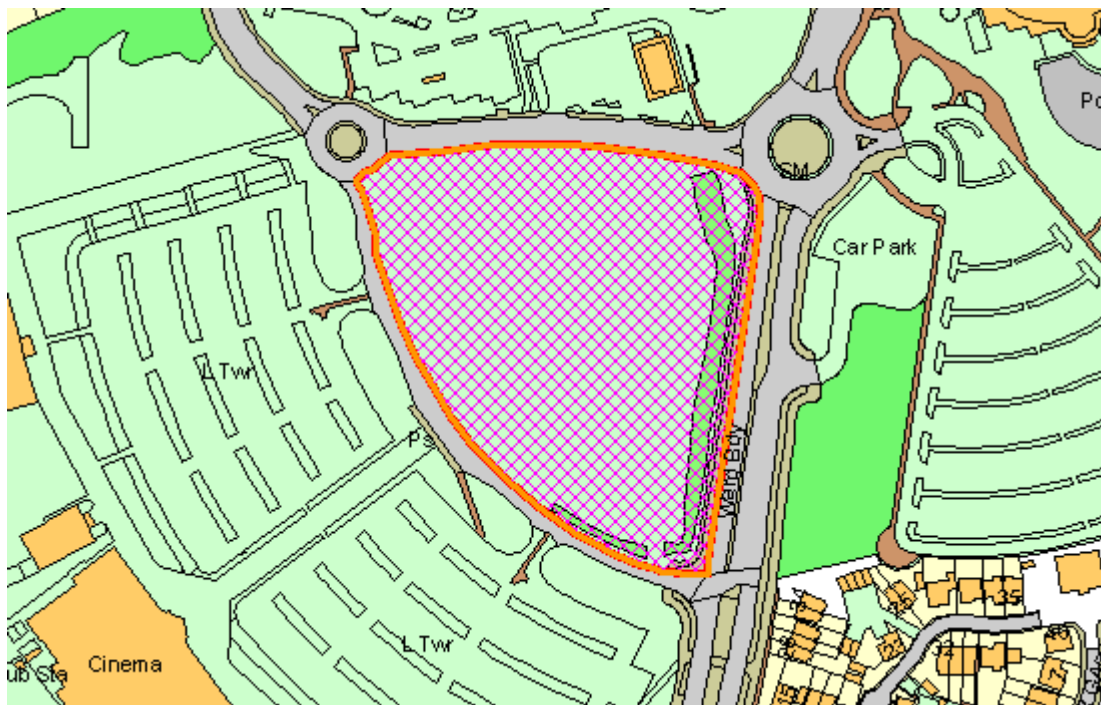
Proposal Description:	Erection of 5 no. restaurant/public house units (Use Classes A3/A4) and 3 no. standalone drive-thru restaurant facilities (Use Classes A3/A5), including associated access, parking, associated infrastructure and landscaping (Being application under Regulation 3 Town & Country Planning (General) Regulations 1992).
At:	Doncaster Leisure Park Bawtry Road Doncaster DN4 7PD

For:	Doncaster MBC
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Third Party Reps:	None	Parish:	
		Ward:	Town

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

1.1 The application is presented to Planning Committee as the applicant is Doncaster MBC and the land is owned by Doncaster MBC.

2.0 Proposal and Background

2.1 Full planning permission is sought for the erection of a terrace of single storey restaurant/public house units (Use Classes A3/A4), three standalone drive-thru restaurant facilities (Use Classes A3/A5) and associated access, parking and landscaping. All units will be single storey in height and will utilise a palette of materials to complement surrounding uses. Buildings will incorporate a brick built base and high level timber cladding, with aluminium louvers. A canopy and colonnade is to be located on the south facing elevation of the restaurant terrace.

2.2 Planning permission had previously been granted for a similar development in 2012 which has now expired.

2.3 The site is located approximately 2 miles south east of Doncaster town centre within the Doncaster Leisure Park. Surrounding uses include a hotel, public house, cinema, restaurants, bowling alley, fast food restaurant, The Dome leisure centre and Asda superstore and associated petrol filling station. A housing development is currently under construction, some have been completed, to the south east. Within the wider regeneration area is housing, offices, industry, a shopping centre and a sports stadium.

2.4 The main route through the Leisure Park is Gliwice Way which joins up to the A638 (Bawtry Road) to the north, and then joins Lakeside Boulevard to the south, which in turn links to White Rose Way and further beyond links to the M18. The site is also well served by public transport and is accessible on foot from Belle Vue and Lakeside.

2.5 The site itself is bounded by Gliwice Way to the east and Herten Way to the south west and north. The site will be accessed via Herten Way, which has recently been made a two way road.

2.6 The development is to be located within an area of vacant land which has a bund surrounding the perimeter. The site is mostly grassed, with a number of trees located on the eastern boundary. There is little difference in land levels, although there is a slight fall from north east to south west. There is a strong desire line between the cinema site and the McDonalds restaurant across this area of land.

With regard to materials and building style, this is mixed, which may be due to the level of corporate advertising and design schemes within the vicinity.

3.0 Relevant Planning History

05/02264/3FULM - Remove topsoil, import fill to raise levels to same as surrounding land, compact fill, reinstate topsoil and grass over (Being application under Regulation 3 Town and Country Planning (General) Regulations 1992) - Granted - 4th August 2005

12/01445/FULM - Hybrid planning application consisting of;
PART 1 Full planning application for the erection of a public house (Use Class A3/A4) and a restaurant terrace consisting 6 no. cafe/restaurant units (Use Class A3) together with access, car parking, landscaping and public realm works.

PART 2 Outline planning application (all matters reserved) for the erection of one restaurant (Use Class A3) and 2 no. drive-thru restaurants (Use Class A3/A5) - Granted - 25th December 2012

13/00634/WCC - Hybrid planning application consisting of;
PART 1 Full planning application for the erection of a public house (Use Class A3/A4) and a restaurant terrace consisting 6 no. cafe/restaurant units (Use Class A3) together with access, car parking, landscaping and public realm works. PART 2 Outline planning application (all matters reserved) for the erection of one restaurant (Use Class A3) and 2 no. drive-thru restaurants (Use Class A3/A5). (without compliance with condition 4 of planning application 12/01445/FULM granted on 24.12.2012 (amendments)
- Finally Disposed Of - 15th September 2016

Adjacent site (McDonalds);

17/00401/FUL - Proposed refurbishment including changes to circulation of site, car park, drive thru lane and kerb lines along with proposed erection of extension, and new island - Pending consideration

4.0 Representations

4.1 The application has been advertised in accordance with Article 15 of the Development Management Procedure Order as a major application by means of site notice and press advertisement.

4.2 No representations have been received as a result.

5.0 Parish Council

5.1 There is no parish council in this area.

6.0 Relevant Consultations

Local Plans (Retail) - In conclusion, whilst it is impossible to be certain when assessing long-term impacts it is considered that this development represents an over-concentration of restaurant uses in an out-of-town location, the evidence suggests that the development will not have an unacceptable impact upon Doncaster Town Centre. Likewise the evidence also suggests that this development will not affect the viability of proposed town centre schemes, as the success of these schemes is dependent on wider factors, such as the success of CCQ and its other leisure outlets and crucially, the delivery of a mixed use scheme in the town centre which includes restaurants alongside a multiplex cinema.

Design Officer - The application follows the previous submission and a number of pre-application discussions. As you are aware I have previously raised concerns regarding the urban form of this type of development and the negative urban design consequences. In response the applicants committed to a number of design measures which would help to overcome these concerns. This included retaining and enhancing substantial landscape screening to the eastern edge, a commitment to a high quality hard and soft landscaping and lighting scheme within the body of the site, good quality sustainable architecture and a consistent character for all the buildings proposed. I am pleased to see most of these points have been addressed in the submitted scheme, however there are a few areas of inconsistency that require addressing in regard to the hard landscape, and further details required in relation to soft landscape, lighting, materials and sustainable construction.

Further information is requested in relation to a sustainable construction statement and hard and soft landscaping by condition.

South Yorkshire Police Architectural Liaison Officer - I have looked at the crime statistics for this site and the surrounding area, which are quite low. However, recommendations were made in respect of glazing, lighting, landscaping and CCTV.

Highways Development Control - Amendments were requested to overcome highway concerns. There is no objection in principle, subject to condition.

Transportation - No objections, subject to submission of a full Travel Plan.

Trees and Landscaping Officer - Despite the possibility that 3 of the established Lime Trees may be lost, subject to condition, there are no objections from an arboricultural perspective.

Ecologist Planning - I am happy with the ecology survey information that has been provided with this application. I do not require any further survey work. The main impact from an ecology point of view is the loss of the large area of semi improved neutral grassland. I have looked at the landscaping plan and agree with the Tree Officer's comments that this represents a nice scheme. It is good to see areas of wildflower grassland incorporated into the planting and having looked at the seed mixes proposed think that this will help towards compensation for the loss of the existing grassland sites. My one request is that for all grassed areas the seeding is done with the proposed 'Grass and wildflower seeding' mix rather than some being the 'General grass seeding' mix.

Yorkshire Water - No objections, subject to condition.

Severn Trent Water - No objection.

Environment Agency - No objections, subject to condition. Surface water is now the responsibility of the Council as Local Lead Flood Authority (LLFA).

Internal Drainage - No objections, subject to condition.

Doncaster East Internal Drainage Team - No objections, subject to condition.

Northern Powergrid - No objections received.

National Grid - No objections received.

South Yorkshire Archaeology Service - No comments received.

South Yorkshire Passenger Transport Executive - No comments received.

Pollution Control (Contaminated Land) - No objections, subject to condition.

Pollution Control (Air Quality) - No objection, subject to condition.

The Coal Authority - Standing Advice.

Environmental Health - No objections, subject to condition.

Public Rights of Way - There are no legally recorded public rights of way across the site; however, I am aware that there are a number of pedestrian desire lines. The plans accompanying the application show that these desire lines have been considered and accommodated within the development. I do not, therefore, wish to raise any objections to the proposals.

Investment Team - No comments received.

Licensing - No comments received.

Noise Team - No comments received.

7.0 Relevant Policy and Strategic Context

National Planning Policy Framework (NPPF);

Section 1 - Building a strong, competitive economy
Section 2 - Ensuring the vitality of town centres
Section 4 - Promoting sustainability transport
Section 7 - Requiring good design
Section 10 - Meeting the challenge of climate change

Doncaster Council Core Strategy 2011 - 2028;

Policy CS 2 - Growth and Regeneration Strategy
Policy CS 4 - Flooding and Drainage
Policy CS 8 - Doncaster Town Centre
Policy CS 9 - Providing Travel Choice
Policy CS 14 - Design and Sustainable Construction
Policy CS 16 - Valuing our Natural Environment

Doncaster Unitary Development Plan (UDP);

RP 2 - Mixed Use Regeneration Policy Area - Doncaster Leisure Park/Doncaster Carr

Doncaster Council Supplementary Planning Document - Development Guidance and Requirements.

8.0 Planning Issues and Discussion

8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that the determination of a planning application must be made in accordance with the development plan unless material considerations indicate otherwise.

Principle of Development

8.2 The application site is located within a Mixed Use Regeneration Policy Area, as such saved UDP policy RP 2 identifies the uses acceptable in this location. Within this policy it is stated that Doncaster Leisure Park will be developed as a mixed use area comprising leisure and recreation, tourism uses, employment uses, housing and appropriate specialist service and retail uses. The development proposes 5 restaurant/cafe units and 3 drive-thrus in an area designated for mixed use, it is therefore considered acceptable in principle.

8.3 This area was intended to focus on the need to achieve economic regeneration, with development being centred around leisure, retail, industrial and commercial. Much of the wider regeneration area has been developed for such uses, incorporating a cinema, which has been extended to improve its status as a multiplex cinema with two restaurant/cafe units, a bowling alley, leisure centre, fast food restaurant, superstore, a hotel, public house and restaurant. A large housing development has been constructed, with other phases currently being under construction, and further commercial, industrial, retail and leisure uses have been constructed at Lakeside, which is part of the same regeneration area.

8.4 In conclusion, it is considered that the provision of food uses would be appropriate and would further support the Borough's vision to promote this area as a tourist attraction of regional significance. This also complies with the Government's commitment in securing economic growth in order to create jobs and prosperity and supporting sustainable economic development, as set out within paragraph 19 of the NPPF.

Impact on Town Centre

8.5 Whilst the development may be acceptable in principle, the crucial aspects when considering this application are whether the development for the range of uses proposed would a) seriously damage the town centre, and b) negatively affect the viability of proposed schemes within the town centre. Previously a planning application was approved for a similar proposal with the same uses, the previous footprint was 3990sqm, this new application proposes a total footprint of 2025sqm (e.g. reduction of 1965sqm). Between the previously approved application and this, we have published new evidence in September 2015; Retail, Leisure & Town Centre Study (2015), this provides an update from the previous 2012 study, on current and future retail and leisure requirements including an overview of existing provision within town centres and out-of-centre locations.

8.6 The NPPF defines restaurants and drive-thru restaurants as 'main town centre uses'. The site is defined as an 'out of centre' location. Given the number of restaurants proposed, to comply with the NPPF and policy CS 7 of the Core Strategy, despite the site being located within a mixed-use regeneration area, a sequential test should be applied to applications for main town uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan.

8.7 The applicants have submitted a Commercial Context Report and Leisure Impact study in support of their application. They state in paragraph 6.11 that the observations and overview contained in the 2012 application remain accurate. It remains the case that the leisure park market is competitive and that consumers will drive further to visit a leisure park that they perceive offers a better range of leisure activities and facilities and more choice of dining experience. Doncaster Lakeside has undergone further development and improvement over the last four of five years but it is clear that to optimise the Lakeside Leisure Park as a sub-regional destination the opportunity to bolster its offer and complete the comprehensive site must be grasped.

8.8 The Updated Commercial Context Report contains an updated letter from a retail and property consultant which concludes that in their view the satisfaction of major occupiers' requirements at Lakeside Triangle would not be at the expense of Doncaster Town Centre for a number of reasons including that drive-thru operators are only able to consider out of town or edge of town sites owing to the land-take required; it has been established that some occupiers are happy to be represented in both the town centre and out of town cinema schemes, in line with many other major towns and cities across the UK; certain occupiers will only consider units adjacent to large multiplex cinemas (of which Vue has 11); and that it is the specific nature and scale of the proposed Lakeside Triangle

development, along with the other major nearby leisure and retail anchors in The Dome and the Lakeside Village outlet that is attracting the occupiers to Lakeside Triangle, rather than them having a published requirement for Doncaster, which most of the occupiers do not.

8.9 As with the previous application, the work carried out makes a strong case that the impact this development would have on the town centre would be within acceptable limits. Since the previous approval other leisure developments have been approved within the town centre boundary, so it is of course still a cause a concern that this development, although reduced in floor space, reveals that this development could still take a trade loss of £3 million out of Doncaster's town centre, the study does calculate that this is 2% of the overall trade which is of such a small scale to raise no concern. As this is not a new proposal, the Retail and Leisure Study of 2015, does acknowledge this matter and confirms the concerns that this may serve to dilute demand for operator representation in the town centre.

8.10 When considering the impact upon proposed schemes, the applicant's information demonstrates that the Lakeside Triangle development is operating within a very specific set of parameters that do not currently exist within the town centre. They also demonstrate, building on information already available, that because of Doncaster town centre's reputation for being an evening drinking destination, that it does not attract families in large numbers. It is precisely this family market that the Herten Triangle operators are seeking to attract.

8.11 The previous permission has now lapsed, however all considerations and concerns on the impacts this may place upon Doncaster's town centre had previously been considered. There is no information to suggest that the Lakeside Triangle development would negatively impact upon the delivery of a cinema development in the town centre; and as this is the crucial factor to having these kinds of restaurant uses in the town centre, this is the most important consideration in this case.

8.12 Whilst it is impossible to be 100% certain when assessing long-term impacts, and whilst the development does represent an over-concentration of restaurant uses in an out-of-town location, the evidence suggests that the development will not have an unacceptable impact upon Doncaster Town Centre. Likewise the evidence also suggests that this development will not affect the viability of proposed town centre schemes, as the success of these schemes is dependent on wider factors, such as the success of CCQ and the Young Street development (adjacent to Waterdale Shopping Centre) is nearing completion which will include additional retail floorspace and leisure uses including restaurants. These town centre developments will further strengthen the attractiveness and draw of the centre.

8.13 In order to promote the Borough's vision for this site and its wider surroundings as a tourist attraction of regional significance. It is considered that this proposal will secure economic growth and support a sustainable development as set out in the NPPF.

Employment Creation

8.14 It is stated within the applicant's Impact Statement that development proposed will create a significant quantum of jobs. 122 full time equivalent jobs will be created on site. In addition to the employment created by the proposed development, many jobs will be created during the construction period. This creation of employment will be beneficial to Doncaster's economy and as such the proposal accords with the Government's

commitment to securing economic growth (paragraph 18 of the NPPF) and will support the aim of policy CS 5 of the Core Strategy in relation to employment strategy.

Design and Appearance

8.15 Section 7 of the NPPF emphasises the importance of good design. Paragraph 56 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 should contribute positively to making places better for people. It is further stated that it is important to plan positively for the achievement of high quality and inclusive design for all development, including buildings, public and private spaces and wider area development schemes.

8.16 Policy CS 14 of the Core Strategy requires development in Doncaster to be of high quality design that contributes to local distinctiveness, reinforces the character of local landscapes and buildings traditions, responds positively to existing site features and integrates well with its immediate and surrounding area.

8.17 The design of the proposal has evolved over the application process due to involvement from officers and the commercial aspirations of the development. Initially concerns had been raised regarding the urban form of this type of development and the negative urban design consequences. In response the applicants committed to a number of design measures which would help to overcome these concerns. This included retaining and enhancing substantial landscape screening to the eastern edge, a commitment to a high quality hard and soft landscaping and lighting scheme within the body of the site, good quality sustainable architecture and a consistent character for all the buildings proposed. Most of these points are incorporated in the submitted scheme, with some being left to condition.

8.18 The scale of the buildings is appropriate to the surrounding area, and not substantially different from the 2012 permission. The layout of the buildings within the site has been determined by the key pedestrian routes through the site. Pedestrian circulation around the site consists of wide paved routes with landscaped borders. The layout also ensures that each building has ample external space for pedestrian circulation and public outdoor seating/activity areas. The external areas have been developed to pick up on the landscaping and pedestrian layout leading to the cinema to the south west, enhancing its connection.

8.19 Vehicular access to the site is gained from two access points along Herten Way to the west. A service access for the terrace of restaurant units is gained from Herten Way to the north. Service parking and access points have been placed throughout the site to allow for deliveries to each of the units. Bin stores are placed around the site adjacent to service parking bays to allow refuse collection. The site also provides cycle parking to the north and has 181 total car parking spaces, including 15 dedicated disabled and parent and child spaces.

8.20 It is considered that, subject to condition for further detail on materials, hard and soft landscaping and external works and sustainability measures the proposal is appropriate to the surrounding context and is in accordance with policy CS 14 and the NPPF.

Impact on Highways and Transportation

8.21 Policy CS 9 (G) of the Core Strategy states that new developments will provide, as appropriate, transport assessments and travel plans to ensure the delivery of travel choice

and sustainable opportunities for travel. Policy CS 14 (A) states that permeability is a component of development which contributes to achieving high quality design. Developments should aim for (3) quality, stability, safety and security of private property, public areas and the highway; and (4) for ease of pedestrian movement with good access to local facilities and public transport services.

8.22 Paragraph 32 of the NPPF states that all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Decisions should then take account of; the opportunities for sustainable transport modes to reduce the need for major transport infrastructure, safe and suitable access to the site can be achieved for all people, improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual impacts of development are severe. Paragraph 37 states that planning policies should aim for a balance of land uses within their area so that people can be encouraged to minimise journey lengths for employment, shopping, leisure, education and other activities.

8.23 A Transport Assessment and Framework Travel Plan have been submitted in support of the application. The development site is sustainably located having good access to public transport, as demonstrated by the Transport Assessment. The site is also accessible from the M18 and the A638. It is also within walking distance from properties around Lakeside and Belle Vue. A previous application for similar uses on this site was granted in 2012 and expired in 2015. The quantum of development for this application has decreased and trip generation has also decreased as would be expected.

8.24 A number of highway improvements have taken place in the area since the previous application was granted, a new egress from ASDA onto Gliwice Way, changes to lane markings on the exit from ASDA onto the Dome Roundabout and making Herten Way (South) 2-way. These changes have relieved some of the congestion and make the movement of vehicles around the area much easier. The opening of Great Yorkshire Way in early 2016 has led to a decrease in the flow of traffic through the Lakeside area in order to access the motorway network (M18), further aiding the free movement of vehicles in the vicinity. The decrease in trip generation and the improvements detailed above mean that this development will not have a severe impact on the surrounding highway network. To encourage travel by sustainable modes, there is adequate cycle parking provided and EV charging points have also been included within the development.

8.25 The site layout demonstrates that the existing desire line will be incorporated as closely as possible, a wide plateau has already been provided on site to provide pedestrian access between the cinema and the development site. A total of 181 car parking spaces is accommodated on site and cycle storage is requested by condition. Following the receipt of amended plans in relation to the vehicle tracking, there are no objections from a highway point of view, subject to condition. It is requested that details of offsite highway works, to include an informal pedestrian crossing over Herten Way (north) between McDonalds and the site, are also provided by condition.

Residential Amenity

8.26 Policy CS 14 of the Core Strategy states that new development should have no unacceptable negative effects upon the amenity of neighbouring land uses or the environment. With regard to the impact of the development on residential amenity, the nearest residential properties are approximately 90m away at the Serenity development at Lakeside (south east of the development). Residential properties are also located

approximately 110m to the north west on St Anne's Road and a new residential development on the Belle Vue Football Ground is under construction approximately 180m away from the site. The area already contains a 24 hour supermarket and leisure and food uses, therefore is currently in use in the evening. The noise report submitted states that the main noise emissions from the proposed development will be due to deliveries, general traffic movements, noise from air conditioning and refrigeration plant and noise from entertainment and patrons at the proposed restaurants and pub. There may also be a loss of amenity during construction due to noise and dust. Following consultation with the Environmental Team, there are no objections subject to condition. Noise impact has been assessed by the applicant and Environmental Health are satisfied that the proposals will not cause adverse impact to residents.

8.27 The proposal is therefore considered to accord with paragraph 17, core land-use planning principle 4 of the NPPF which states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings and Core Strategy policy CS 14.

Flooding and Drainage

8.28 The site is located within Flood Zone 1. Given the site area, a Flood Risk Assessment was submitted with the application to which the Environment Agency raise no objections, subject to condition. Furthermore, Yorkshire Water and the Council's Drainage Officer raise no objections, subject to condition. Therefore, it is considered that the proposal accords with Section 10 of the NPPF in that the development proposes a low flood risk. The proposal also accords with policy CS 4 (C) of the Doncaster Council Core Strategy which states that all development over 1 hectare will be supported where the development meets a certain criteria. It is considered that by adherence to the requested conditions, the development will meet as much of this criteria as possible.

Trees and Landscaping

8.29 Policy CS 16 (D) states that proposals will be supported which enhance the borough's landscape and trees by: being appropriate to the landscape's character, sensitivity and capacity; including measures to mitigate any negative impacts on the landscape; 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 retaining and protecting appropriate trees and hedgerows, and incorporating new tree, woodland and hedgerow planting.

8.30 Overall, the amended layout has had no adverse arboricultural impacts. Indeed, the removal of the link footpath has eliminated impact on trees in G2 and also allowed the landscape scheme to be shuffled to provide increased rooting areas for new trees. The most noticeable amendment from an arboricultural perspective is the identification of three trees adjacent to unit 8 for possible removal. As previously commented, these trees are young and vigorous and the area lost to encroachment can be satisfactorily compensated for elsewhere, contiguous with their RPAs so they should survive development provided that appropriate tree protection practices are implemented. In addition, the replacement of three trees in a single species avenue (acknowledging the presence of one Norway maple amongst the existing limes) would adversely affect the aesthetic of the line. Replacement should be like for like. The finalised landscape scheme will provide a strong landscape structure and includes a mixture of ultimately large, medium and small stature trees with appropriate rooting volumes for the species. Planting is predominantly at extra-heavy standard (girth 14-16cm) size with some semi-mature size (girth 25-30cm) pin oak - a strong architectural tree. As such, there are no objections, subject to condition.

Ecology and Wildlife

8.31 Policy CS16 of the Core Strategy is concerned with the Natural Environment and sets out requirements in respect of the impact of developments upon ecology and trees and hedgerows. Proposals will be supported which enhance ecological networks, as well as retaining and protecting appropriate trees and hedgerows, incorporating new tree, woodland and hedgerow planting.

8.32 Paragraph 109 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. Paragraph 118 further states that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles: if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts) adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

8.33 No objections have been received from the Council's Ecologist. No additional survey work is required and the main impact from an ecology point of view is the loss of the large area of semi improved neutral grassland. Following consideration of the proposed landscaping scheme, it is considered that the proposed areas of wildflower grassland incorporated into the planting and the seed mixes proposed, this will help towards compensation for the loss of the existing grassland sites. It is however requested that all grassed areas the seeding is done with the proposed 'Grass and wildflower seeding' mix rather than some being the 'General grass seeding' mix, which can be subject to condition. This overcomes the previous need for biodiversity offsetting as requested by a Section 106 Agreement attached to the previous permission.

Archaeology

8.34 Policy CS 15 (B) of the Core Strategy states that proposals will be supported which protect or enhance the heritage significance and setting of locally identified heritage assets such as buildings of local architectural or historic interest, locally important archaeological sites and parks and gardens of local interest. Whilst no comments have been received from South Yorkshire Archaeology Service following consultation on the now expired application it is considered that the archaeological potential of the site to be negligible. Extensive landscaping has been carried out in the surrounding areas which has probably had an impact on this site. Further disturbance may also have taken place during works to remove topsoil. Historically, part of the site is shown as a tip and the runway for Doncaster Airfield also went through this site. It is therefore considered that any archaeological remains are likely to have been destroyed by this land use. As such, South Yorkshire Archaeology Service recommended that no archaeological work is required.

Summary and Conclusion

9.1 In summary, it is considered that the proposed development is acceptable. The use is appropriate to the existing leisure park, and evidence suggests that the development will not have an unacceptable impact on Doncaster Town Centre, or the viability of proposed town centre schemes. The development is acceptable in design terms, utilising building styles appropriate to the surrounding area, which will be blended with the use of

appropriate materials. The proposed landscaping scheme is considered acceptable and will ensure the retention of the established line of trees, which was a previous concern.

9.2 The site is easily accessible with excellent access to public transport and increased opportunities for linked trips to neighbouring uses. It is further considered that given the number of potential jobs to be created and the benefit to the local and wider economy, a recommendation of approval, subject to adherence to conditions, is justified.

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. U51243 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:
4142-PL-002A PROPOSED SITE PLAN Rev A
4142-PL-003A PROPOSED ROOF PLAN Rev A
4142-PL-004 PROPOSED ELEVATIONS STREET SCENE VIEWS
4142-PL-005 PROPOSED TERRACE GROUND FLOOR UNITS 1-5
4142-PL-006 PROPOSED TERRACE ELEVATIONS UNITS 1-5
4142-PL-007 UNIT GROUND FLOOR PLAN
4142-PL-008 UNIT 6 PROPOSED ELEVATIONS
4142-PL-009 UNIT 7 GROUND FLOOR PLAN
4142-PL-010 PROPOSED ELEVATIONS UNIT 7 ELEVATIONS
4142-PL-011 UNIT 8 GROUND FLOOR PLAN
4142-PL-012 UNIT 8 PROPOSED ELEVATIONS
4142-PL-014 PROPOSED 3D AERIALS
4142-PL-014 PROPOSED VIEWS 3D IMAGES
SF 2624 LL01 LANDSCAPE PROPOSAL - SOFTWORKS Rev E
SF 2624 LL05 LANDSCAPE SECTIONS Rev -
16020_DR0001-B DRAINAGE STRATEGY LAYOUT Rev B
SF 2624 LL01 Rev E
SF 2624 LL05
170204 Herten Triangle Doncaster CO2 Reduction Report
HL1135-LTG PLOT External Lighting Plot Rev B
REASON
To ensure that the development is carried out in accordance with the application as approved.
03. U51246 Before construction of the proposed buildings commences, details of the proposed external building materials including the architectural lighting strategy and proposed fixtures, shall be submitted to and

approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved materials.

REASON

To ensure the satisfactory appearance of the development.

04. U51247

Before the development commences, full details of the proposed external works hard landscape and surfacing material palette, public art, street furniture and boundary treatments, shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved materials and details.

REASON

To ensure the satisfactory appearance of the development.

05. U51248

Before the development commences, a statement should be submitted for approval explaining what sustainability measures will be incorporated to aim to achieve a level of sustainability equivalent to BREEAM very good. Unless otherwise agreed, the development must take place in accordance with the approved statement. Prior to the occupation of any building, a post construction review should be carried out and evidence of the implemented measures submitted. 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.

06. U51249

The development shall take place in accordance with the approved CO2 reduction report (dated 8th March 2017), unless otherwise agreed in writing by the local planning authority. Before any building is occupied the local planning authority shall be satisfied that the measures have been installed. This will enable the planning condition to be fully discharged.

REASON

In the interests of sustainability and to minimize the impact of the development on the effects of climate change.

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. HIGH3

Before the development hereby permitted is brought into use, the parking as shown on the approved plans shall be provided. The parking area shall not be used otherwise than for the parking of private motor vehicles belonging to the occupants of and visitors to the development hereby approved.

REASON

To ensure that adequate parking provision is retained on site.

09. HIGH4 The development hereby permitted shall not be commenced until details of secure cycle parking facilities for the occupants of, and/or visitors to the development have been submitted to and approved in writing by the local planning authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

REASON

To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles and to comply with policy CS9 of the Doncaster Core Strategy.

10. HIGH11 The development hereby approved shall not be brought into use until a crossing over the footpath/verge has been constructed in accordance with a scheme previously approved in writing by the local planning authority.

REASON

To avoid damage to the verge.

11. U51250 No development shall take place, including any works of demolition, until a Construction Environmental Management Plan has been submitted to and approved in writing by the local planning authority. The approved plan shall be adhered to throughout the construction period. The statement shall provide for:

- i) - the parking of vehicles of site operatives and visitors
- ii) - loading and unloading of plant and materials
- iii) - storage of plant and materials used in constructing the development
- iv) - the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v) - measures to prevent the egress of mud, water and other detrius onto the public highway
- vi) - measures to control noise and the emission of dust and dirt during construction and the management of Heavy Goods Vehcile (HGV) access to the site

REASON

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

12. U51251 No development shall commence until details of offsite highway works. including an informal pedestrian crossing facility on Herten Way (North), has been submitted to and agreed in writing by the Local Planning Authority. The works shall be carried out in accordance with the agreed details.

REASON

In the interests of highway and pedestrian safety.

13. U51252 Detailed layout, engineering and drainage details for the proposed access arrangements shall be submitted for inspection and approval by the Local highway authority before works commence on site. The

development shall be carried out in accordance with the approved details.

REASON

In the interests of highway safety.

14. U51255

The scheme of protection for all retained trees shall be implemented in full accordance with the approved Arboricultural Method Statement (Ref: RT-MME-123977-03 Rev C) and Arboricultural Impact Assessment (Ref: RT-MME-123977-02 Rev C) before any equipment, machinery or materials have been brought on to site for the purposes of the development. The local planning authority shall be notified of implementation and shall visit site to approve the setting out of the site and location of protective barriers prior to the commencement of development. Thereafter tree protection practices shall be implemented and monitored in full accordance with the approved scheme 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 and saved UDP policies ENV21 and ENV59

15. U51254

Notwithstanding the details hereby approved the lime trees identified as trees 3, 4 and 5 within G2 on the Tree Protection Plan (Ref: C123977-03-01_RevB) shall not be removed without the prior written approval of the Local Planning Authority.

REASON

To preserve the integrity of the line of lime trees in the interests of environmental quality and compliance with core strategy policy CS16: Valuing our Natural Environment.

16. U51282

Should the Local Planning Authority subsequently approve the removal of the lime trees identified in condition 15 they shall be replaced on a one for one basis and at the same position by a lime (*Tilia* spp.) species to be approved in writing by the Local Planning Authority and shall be of minimum extra-heavy standard size in compliance with British Standard 3936: Part 1: 1992 Specification for Trees and Shrubs. Any tree planted as 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

To ensure that replacement trees are planted and maintain the integrity of the lime avenue in the interests of environmental quality and compliance with core strategy policy CS16: Valuing our Natural Environment.

17. U51283 Unless as shall be specifically approved in writing by the Local Planning Authority, the scheme of landscaping shown on the Landscape Proposals Softworks plan (Ref: SF2624 / LL01 / Revision E) and Landscape Sections plan (Ref: SF2624 / LL05) shall be implemented in full accordance with the approved details during the first available planting season following the completion of the development hereby granted and the local planning authority notified in writing within 7 working days of the completion of the landscape works to inspect and approve practical completion in writing. Any part of the scheme which fails to achieve independence in the landscape or is damaged or removed within five years of planting shall be replaced during the next available planting season in full accordance with the approved scheme, unless the local planning authority gives its written approval to any variation.
Reason:
In the interests of environmental quality and core strategy policy CS16: Valuing our Natural Environment
18. U51256 Before any construction works are started on the application site, a Construction Impact Management Plan, indicating measures to be taken to mitigate the effects of the construction activity and associated vehicle movements upon the living conditions of neighbouring residents and highway safety shall be submitted to and approved by the Local Planning Authority. The mitigation measures shall include provision for the following: the limitation of noise, the means of enclosure of the construction sites, and any proposed external security lighting installation; the control of dust emissions; the control of deposition of mud or debris on the highway, and the routing of contractors' vehicles. The mitigation measures so approved shall be carried out at all times during the construction of the development hereby approved.
REASON
To safeguard the living conditions of neighbouring residents.
19. U51257 Prior to the commencement of the development, details of an extraction/ventilation system to control the emission of cooking smells and fumes so as to prevent any odour disamenity to nearby residents shall be submitted for each unit to and approved by the local planning authority in writing. The approved scheme shall be installed and be fully operational when the use commences. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the manufacturer's instructions. The system shall be so designed as to ensure that noise from its operation does not cause noise disamenity to nearby residents.
REASON
To safeguard the amenities of the occupiers of adjacent properties.
20. U51258 Each business within the development shall include adequate provision for the storage of all waste (including provision for storing separate waste for recycling) that will be produced prior to its collection and disposal, and suitable means by which to place all waste receptacles for collection.
REASON
In the interests of the amenity of the locality.

21. U51259

The application site has extensive made ground, and a preliminary risk assessment has identified the need for gas protection measures, therefore the risk of ground gas migration shall be fully investigated prior to the commencement of development on site.

a) The site investigation, including relevant ground gas monitoring 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.

b) A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy, including a diagram of the installation and installation method statement shall be submitted in writing and approved by the LPA prior to any remediation commencing on site.

c) The approved 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.

d) Upon completion of the works, this condition shall not be discharged until a verification report has been submitted to and approved by the LPA. The verification report shall include quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. 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 the National Planning Policy Framework.

22. U51260

Prior to the occupation of the development hereby approved, details of electric vehicle charging provision shall be submitted to and approved in writing by the local planning authority. Installation shall comply with current guidance/advice. The first unit shall not be occupied until the approved connection has been installed and is operational and shall be retained for the lifetime of the development. The development shall be carried out in accordance with the approved details.

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.

23. U51262

Within 3 months of full occupation of each individual unit, a Full Travel 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 details.

REASON

In the interests of sustainable travel in accordance with policy CS 9 of the Doncaster Council Core Strategy.

24. U51263 No building or other obstruction including landscape features shall be located over or within 3.0 (three) metres either side of the centre line of the 300mm surface water sewer & 300mm diameter overflow i.e. protected strip widths of (6) metres, and no building or other obstruction including landscape features shall be located over or within 3.5 (three point five) metres either side of the centre line of the 675mm, and no building or other obstruction including landscape features shall be located over or within 4.0 (four) metres either side of the centre line of the 750mm diameter sewer, that traverse the site. If the required stand-off distance is to be achieved via diversion or closure of the sewer, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker.
REASON
In order to allow sufficient access for maintenance and repair work at all times.
25. U51264 No development shall take place until details of the proposed means of disposal of surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the local planning authority. Furthermore, unless otherwise approved in writing by the local planning authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works.
REASON
To ensure that no surface water discharges take place until proper provision has been made for its disposal.
26. U51265 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.
27. U51266 No building hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. Before these details are submitted, an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in NPPF (or any subsequent version), and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, it shall be designed in accordance with the Non-statutory technical standards for SuDS and local standards

REASON

To comply with current planning legislation - National Planning Policy Framework

28. U51267 No building hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be designed, managed and maintained in accordance with the Non-statutory technical standards and local standards

REASON

To comply with current planning legislation - National Planning Policy Framework.

29. U51268 All surface water run off from the site, excepting roof water, shall be discharged to the public surface water sewer/land drainage system or Highway Drain via a suitable oil/petrol/grit interceptor. Details of these arrangements shall be approved by the Local Planning Authority prior to the commencement of the development and they shall be fully operational before the site is brought into use.

REASON

To avoid pollution of the public sewer and land drainage system.

30. U51270 A Service Delivery Management Plan shall be submitted to and approved in writing by the local planning authority before the development is brought into use. The agreed SDMP shall thereafter be adhered to unless otherwise agreed by the Local Planning Authority.

REASON

In the interests of highway safety.

01. 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

02. U11160 INFORMATIVE

Adequate measures shall be designed within the proposed access and egress to avoid the discharge of surface water from the site onto the public highway.

The proposed arrangement shall be subject to Road Safety Audits in accordance with DMRB Volume 5 Section 2 Part 2 Road Safety Audit (HD 19/15).

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. 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.

Any alteration to the existing street lighting as a result of the new access arrangements will be subject to a costs which are to be borne by the applicant. 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 Fiona Horgan - Tel 01302 735097 or e-mail Fiona.Horgan@doncaster.gov.uk regarding this 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.

Should it be necessary to alter the position of any street furniture to accommodate the approved layout, all necessary agreements shall be obtained from the owners / undertakers prior to the works being undertaken. Associated costs shall be borne by the developer.

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.

03. U11161

INFORMATIVE

Conditions 16 and 17 refer to independence in the landscape, which is defined in British Standard 8545:2014 Trees: from nursery to independence in the landscape - Recommendations as the point at which a newly planted tree is no longer reliant on excessive or abnormal management intervention in order to grow and flourish with

realistic prospects of achieving its full potential to contribute to the landscape.

04. U11162

INFORMATIVE

Groundwater and Contaminated Land

Advice to applicant

1. Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
2. Refer to the Environment Agency Guiding principles for land contamination for the type of information that is required in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.
3. Refer to the contaminated land pages on GOV.UK for more information.

See the CL: AIRE website <http://www.claire.co.uk/>

Foul Drainage

A mains connection has been proposed for foul drainage disposal. You are strongly advised to satisfy yourself, prior to determination, that there is capacity in both the receiving sewer and sewage treatment works to accommodate the discharge proposed. Please contact the sewerage undertaker, to attain this information. If capacity is not available, an alternative means of foul drainage disposal may need to be explored or improvement works to resolve the capacity issue secured as part of the planning permission. If a non-mains solution is to be considered we should be re-consulted, prior to determination, and given the opportunity to comment further.

05. U11164

INFORMATIVE

1. 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.

2. Surface Water Discharge From Greenfield Site

The total surface water discharge from greenfield sites should be limited to green field run-off rates - up to 1 in 100 years storm plus climate change. On site surface water attenuation will be required.

Note - 2l/s/ha can be used for all storms up to 1/100 years plus 30% CC. However if the site is a known site that is subject to flooding this rate may be decreased. Further advice to the developer will be given.

Allowances for climate change can be found in National Planning Policy Framework Technical Guidance Document Table 5. Please refer to CIRIA C753

3. On Site Surface Water Management

The site is required to accommodate rainfall volumes up to 1 in 100 year return period (plus 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 plus 30% 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

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 + 30% CC may therefore have to be provided elsewhere. The applicant should make early consultation with the sewerage undertaker where this applies. Written evidence is required from the sewerage undertaker or Internal Drainage Board to confirm any adoption agreements and discharge rates.

4. Surface water drainage exceedance (flood route flow paths) or additional storage should be shown to demonstrate how surface water will be "controlled" on site without detriment to buildings and adjacent land when the capacity of the proposed surface water drainage system is exceeded by severe storms (up to 1 in 100 year + 30% climate change). Guidance on flood pathways can be found in BS EN 752.

Overflow paths should be indicated by arrows on plan to demonstrate that flood escapes will flow away from buildings and neighbouring properties.

5. A Flood Risk Assessment (FRA) should be provided for the proposed development site, in accordance with the NPPF (including Technical guidance and DMBC Supplementary Planning Guidance Document). Where the site is at risk of flooding (Fluvial and Pluvial), details of place of refuge/evacuation should be considered and also sign up to the Environment Agency Flood Warning Service.

6. All Micro Drainage calculations and results must be submitted in .MDX format, to the LPA. (Other methods of drainage calculations are acceptable)

06. U11165

INFORMATIVE

ACCESS FOR FIRE APPLIANCES

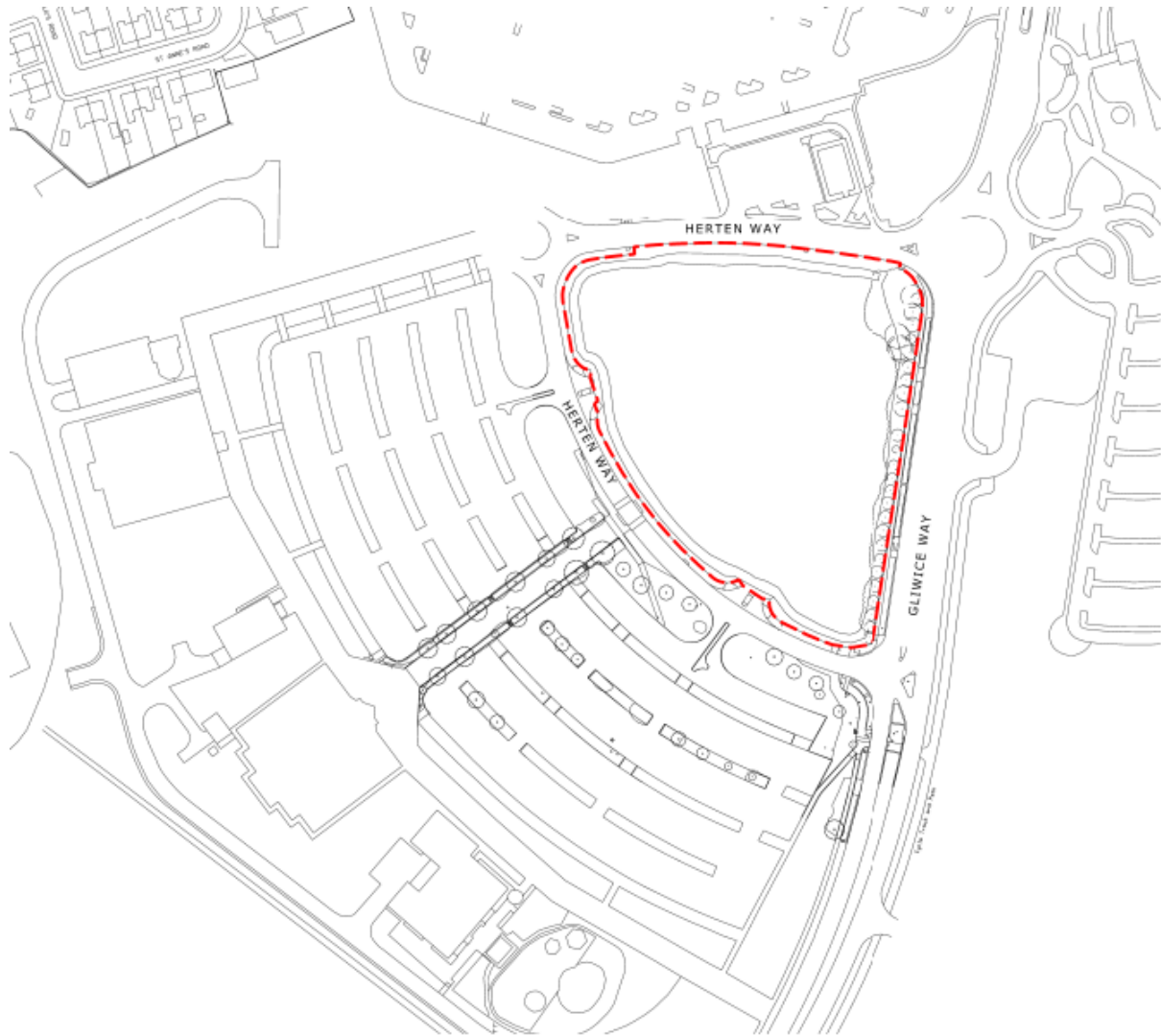
Access is to be in accordance with Approved Document B Volume 2 Part B5 Section 16.2, 16.3, 16.11 and Table 20.

WATER SUPPLIES FOR FIREFIGHTING

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 1 – Site Location Plan



----- APPLICATION SITE BOUNDARY

APPENDIX 2 – Proposed Site Plan



APPENDIX 3 – 3D Illustration

