### Application

<table>
<thead>
<tr>
<th>Application Number:</th>
<th>11/00719/REMM</th>
<th>Application Expiry Date:</th>
<th>7th June 2011</th>
</tr>
</thead>
</table>

### Application Type:
Approval of Reserved Matters Major

### Proposal Description:
Details of appearance, landscaping, layout and scale for the erection of 276 dwellings forming Phase 1 of the Mixed Use Development (Being matters reserved at outline, previously granted permission under ref. 01/1201/P on 13.01.2010)

### At:
Manor Farm Bessacarr Lane Bessacarr Doncaster

### For:
Persimmon Homes Yorkshire Ltd

### Third Party Reps:
3

### Parish:
Cantley With Branton Parish Council

### Ward:
Finningley

### Author of Report:
Garry Hildersley

### MAIN RECOMMENDATION:
GRANT
1.0 Reason for Report

Although there are only 3 letters of objection to this application the site is known to be of much public interest and therefore prudent to bring the application before Planning Committee for determination.

2.0 Proposal and Background

2.1 The proposed Reserved Matters application seeks approval for 276 houses as part of Phase 1 of the development of Manor Farm. This equates to a third of the overall size of the development site. The 276 dwellings are predominantly family houses with a mixture of 2,3,4 and a limited number of 5 bed units.

2.2 Phase 1 involves the construction of a mixture of detached, semi detached and terraced properties and associated infrastructure required to implement the development. Phase 1 also includes the balancing ponds to the south of the site and includes details of landscaping as part of the proposal.

2.3 The development site forms part of a housing/community benefit site as designated by Doncaster’s Unitary Development Plan, adopted in 1998. Consultations have taken place with a wide range of consultees and the application has been submitted in compliance with the conditions and legal agreements set out in the previous outline application.

2.4 The site is a Greenfield site and comprises mainly former farmland and existing woodland. The woodland of particular interest is situated at Back Wood being classed as an Ancient Woodland. The site is separated from the main settlement of Bessacarr by Doncaster -Lincoln railway line that runs adjacent to the north of the site. To the north of the site are two level crossings that allow for pedestrian access across the track to Bessacarr. To the west, the East Coast Main line lies between the site and Potteric Carr. In addition the site is bound to the south east by the M18 motorway. The site will be accessed via Bawtry Road and road improvements have been indicated on the submitted plans showing how the Manor Farm development intends to connect to the existing network.

2.5 Within the site itself are two underground gas pipelines that run parallel to one another. These pipelines run from north to south and intersect the site. Issues relating to the proposed impact of the development on the existing pipelines have been previously considered by the Planning Inspectorate and indeed the Secretary of State and appropriately worded conditions have been attached to the previous outline approval.

3.0 Relevant Planning History

3.1 Outline planning permission was originally granted in January 2010 by the Secretary of State (Application Reference 01/1201/P) for the outline permission for mixed use development of housing, retirement village employment, education and retail uses, ancillary amenities and public open spaces including associated landscaping and means of access on approx. 70.07ha of land. The site forms a housing/community benefit site as designated by Doncaster’s Unitary Development Plan, adopted in 1998 and has its own
specific policy (PH3) The permission included a Master Plan for the mixed uses of the site. This permission required that reserved matters be submitted no later than 3 years from the date of the planning permission (i.e. 3 years from 13th of January 2010).

4.0 Representations

At the time of preparing this report, letters of representation have been received in opposition to the proposal this includes one from Bessacarr and Cantley Community Forum. The issues raised in these letters include:

* Concerns with regard to safety in particular at the two level crossings located to the north of the site have been raised. The Forum are firmly against any houses being occupied before the two level crossings are closed.
* The Bessacarr and Cantley Community Forum believes that the High Pressure Gas Installation on the Manor Farm site poses a significant risk to the public and for homes in the vicinity.
* One objection has been received in respect to commercial development of the site. Although as part of Phase 1 of the development no commercial development is proposed.

5.0 Parish Council

Parish Council - Supports the concerns of the Health and Safety Executive to ensure the safety and security of residents and the parish.

6.0 Relevant Consultations

National Grid
No objections in respect of their ownership and management of the grid in respect of both gas and electricity. Guidance provided in respect to working in the vicinity of High Pressure Pipelines and Overhead lines.

Northern Gas Networks
No objections in terms of their responsibility for distributing gas.

Fisher German Pipelines
No objections in terms of managing the gas network and provision of gas.

Gas Transportation Co Ltd
No objections in terms of managing the gas network and provision of gas.

Network Rail
Removal of their initial objection subject to conditions and other legal agreements relating to safety and security of the railway line.

Health and Safety Executive
Holding objection until further details are submitted with respect to the risk related to the pipeline and the pipeline operator has been consulted.

South Yorkshire Archaeology Service
No objections.

Potteric Carr IDB
No objections.

Yorkshire Wildlife Trust
No objections.
Highways Agency
No objections in terms of the impact on the strategic road network.

South Yorkshire Passenger Transport Executive
No objections in terms of public transport co-ordination.

Ramblers Association
No objections.

The Woodland Trust
No objections.

South Yorkshire Fire And Rescue Authority
No objections.

Severn Trent Water Ltd
No objections in terms of water supply.

Environment Agency Planning Team
No objections in terms of flood risk.

Natural England
No objections and agree with the comments of the Ecologist and that Yorkshire Wildlife Trust will manage some of the habitats.

Highways Development Control
No objections.

Pollution Control
No objections.

Bessacarr And Cantley Neighbourhood Manager
No objections.

Police Architectural Liaison Officer
No objections.

Environmental Planning Group (Trees)
No objections subject to conditions relating to landscaping and tree protection.

Internal Drainage Board
No objections.

Public Rights Of Way
No objections.

Built Environment Team
No objections.

Natural Environment Policy Team
No objections, guidance provided with respect to the management and maintenance of the open spaces.

Environmental Planning Group (Ecology)
No objections subject to conditions relating to protection of flora and fauna and woodland management.

7.0 Relevant Policy and Strategic Context

PH 1 - Housing Provision
PH 3 - Housing Provision
PH 13 - Housing Design
PH 19 - Affordable Housing
ENV 21 - Trees and Woodlands
ENV 35-38 – Archaeology
8.0 Planning Issues and Discussion

8.1 The main issues for Members to consider on this reserved matters application are:

- Built environment of the development
- Proximity to Gas Main
- Railway Safety
- Tree and Hedgerow Issues
- Ecological constraints
- Archaeological issues
- Highways Impact

8.2 The site is allocated as a residential development site under Policies PH11 and PH3 of the adopted UDP, the saved policies of which form an important part of the development plan.

8.3 The plan supports the principle of the release of the land for housing development, subject to the detailed assessment of the points of the policy. The UDP carries significant weight as an adopted statutory plan in a planning system that requires that decisions be made in accordance with the development plan unless material considerations indicate otherwise. Outline planning permission exists for this development.

Build Environment of the Development

8.4 The application has been assessed using Building for Life Criteria. Original plans submitted had scored the proposal as a potentially 'good' scheme subject to amendments relating to the orientation of windows, the increase of parking spaces, alterations to landscaping details, additional pedestrian connections and details of materials.

8.5 The proposal allows for adequate separation between properties so as not to lead to issues of overlooking or loss of privacy. In addition, the proposal allows an accommodation mix that reflects local and national policy. The proposal has been
designed to ensure that site is easy to navigate coupled with a well structured building layout. Moreover, the buildings and spaces outperform statutory minima, such as Building Regulations and would make a positive contribution to the overall housing mix of the area. Careful consideration has been given to the layout, character and appearance of the proposal to ensure that it results in a well integrated form of development.

8.6 The subsequent amendments have resulted in the proposed development achieving a Building For Life score of 15.5/20 which is comfortably in the ‘Good’ range.

Impact of the existing gas pipeline

8.7 An objection has been received by the Bessacarr and Cantley Community Forum in relation to the potential health and safety issues of the development given the proximity to the existing pipeline. As previously stated, two gas pipelines run parallel through the western section of Phase 1.

8.8 During the application process consultation has taken place with both the Heath and Safety Executive (HSE) and National Grid. An automated response produced by the HSE, resulted in a holding objection to the proposal, until such time as the gas operator had been formally consulted. Following formal consideration of the proposals National Grid raised no objections.

8.9 During the original outline application consideration was given to the potential impact of the development on the existing pipeline. Consultation took place with both HSE and National Grid and no objections, subject to a condition requiring any built development to take place 6m away from the pipeline. This condition was imposed by the Secretary of State on the outline application.

8.10 In addition to the condition previously imposed, Persimmon Homes Ltd are in contact with National Grid with a view to investigating the integrity of the welded joints of the pipeline. Should any of the joints show signs of degradation there will be a requirement to undertake works to protect the integrity of the pipe. With the agreement or National Grid Persimmon are to excavate all the points where roads and paths cross the pipelines put in a reinforced concrete slab to protect the pipes and then build the roads. During construction the pipe line will be fenced off so that only these reinforced crossing points are used.

Railway Crossings

8.11 Bessacarr and Cantley Community Forum raise objections in relation to the potential risk of this housing development leading to more people using the two level crossings on the Lincoln line to the north of the site. One of the crossings is a bridleway leading to Carr Lane. The other was, at the time of the outline planning permission, a Byway Open to All Traffic (BOAT) crossing to Bessacarr Lane. A closure order for the BOAT was confirmed in June 2011 with the caveat that a new cycle track and footpath is created in its line instead. In effect this removed the right of vehicles and horses to use the level crossing. Network Rail expressed concerns about the Bessacarr Lane crossing remaining open, being so close to Phase 1 of the development. Although it is recognised that the redline
boundary of the application site does not include either level crossing, consideration has been given to the potential impact of residential development and the increase usage of the crossings.

8.12 A meeting held between the Local Planning Authority, Network Rail and Persimmon Homes took place on the 2nd of November 2011. The intension of the meeting was to gain an understanding of the timings and the requirements set out in the S106 agreement and to mitigate any potential risk to pedestrian safety. Subsequent discussions have taken place between legal representatives of both Network Rail and Persimmon Homes in order to reach an agreement in which all parties are satisfied.

8.13 Network Rail have an obligation to ensure that any further development would not result in an increase in the risk to pedestrian safety. In considering all possible avenues to reduce the potential for further risk to pedestrians and balancing the fact that outline permission has been previously approved, all mitigating measures have been carefully considered. A letter from solicitors acting on behalf of Network Rail has been submitted. On the 30th of November 2011, Network Rail has confirmed the removal of their previous objection to the application subject to conditions and the requirement of a deed of covenant.

8.14 A clear order of events has been established in order to safeguard future residents of proposed development:

1. An agreement that Persimmon would fund a fence as shown on the BP-4A.FID644316 plan to deter pedestrians from crossing at this point. The fencing runs towards the northern boundary of the site which separates the development site from the crossing at Bessacarr Lane. The fencing also runs along the western side of the development and runs from north to south terminating at the bottom of the site. The fencing would be a temporary solution to prevent people from easily accessing the crossing at Bessacarr Lane and Carr Lane until such time as all rail crossing improvements have taken place. The fencing will be implemented prior to the occupation of any dwellings at the earliest opportunity. This will be achieved by way of condition.

2. Persimmon Homes are to seek the closure of the Bessacarr Lane crossing with Network Rail support. Should this fail Persimmon Homes would re-open discussions with Network Rail to establish a solution. Persimmon Homes will seek the closure of the crossing at Bessacarr Lane on safety grounds whilst progressing the underpass at the Carr Lane crossing. This will be secured by way of legal agreement.

3. Persimmon will fund and facilitate the design and construction work for an underpass at the Carr lane crossing to be constructed at Christmas 2015.

4. The development is to be carried out in accordance with the deed of covenant that prevents Persimmon Homes constructing a cycle track Phase 1 to Bessacarr Lane crossing. This would alleviate Network Rail concerns regarding safety at the Bessacarr Lane crossing. This shall be required in a legal agreement.
5. No more than 150 dwellings shall be occupied until such time as the Carr Lane underpass has been implemented. This would restrict the amount of residential development until additional improvement works have been undertaken. This shall be achieved by way of condition

8.15 Whilst the deed of Covenant between Network Rail and Persimmon Homes has not been completed, it is anticipated that this will be done so before the next planning meeting and an update will be presented to Committee Members.

8.16 There is a clear momentum among officers and the applicants to agree with Network Rail a scheme to create a safe underpass across the Lincoln Line at the Carr Lane level crossing and this would tie in with the condition set out above in which a timetable of the works has been suggested. It is envisaged that the earliest opportunity in which the underpass can be fully implemented would be December 2015.

8.17 Additional conditions have been attached to the permission relating to drainage, the use of cranes and other equipment in proximity to the railway and the design of any earthworks/excavation in the vicinity of Network Rail property.

Trees and Landscaping

8.18 Having consulted with the Tree Officer it has been commented that there are no objections to the proposal subject to appropriately worded conditions referring to tree protection fencing and the development being carried out in accordance with the agreed landscaping details.

Ecology and Wildlife

8.19 In assessing the proposal regard must be had for policies ENV41 and ENV43 of Doncaster’s Unitary Development Plan, adopted in 1998. Policy ENV41 states that development likely to have an adverse effect either directly or indirectly on the conservation value of a site of scientific interest (SSI), local nature reserve or non statutory nature reserve will not be permitted unless it can be clearly demonstrated that there are reasons for the proposal which outweigh the need to safeguard the intrinsic nature conservation value of the site. Policy ENV43 states that development proposals in respect of non designated sites containing natural features and supporting wildlife will be expected to conserve and enhance existing features of nature conservation interest and to maximise opportunities for creating new semi natural habitats where such requirements can reasonably be included as part of site layouts and landscaping works.

8.20 Having consulted with Ecology it has been commented that there are no objections to the proposal subject to conditions relating to the implementation of amended method statements and management schemes.

Archeology

8.21 Condition 22 of the outline application makes reference to the implementation of programme of archaeological work being carried out in accordance with a written scheme of investigation which has been previously submitted by the applicant. In addition, South
Yorkshire Archaeological Service (SYAS) have requested a watching brief statement to be submitted for their perusal. Informatives have been suggested to be and attached should the application be approved.

**Highways, Parking and internal road layout**

8.22 As part of the proposal a new roundabout has been proposed at the entrance to the site at Bawtry Road. This is consistent with condition 13 of the outline permission that states that no development shall take place until the roundabout on Bawtry road and the access from Bawtry Road are constructed in accordance with details previously submitted. A schedule of work is currently being considered by Highways Development Control.

8.23 The bus route proposed follows a shortened ‘loop’ through the first phase of the development. Consultations have taken place with SYPTE to establish the best location for the bus stops. The route follows the ‘Main Village Street’ and establishes this as the primary network through the first phase.

8.24 The car parking standards have been set out in accordance with Manual for streets and has allowed for a mix of parking provision including on-street, on-plot and in small courts.

8.25 The existing cycle link is to be maintained through the greenway and is supplemented by a new connection to the Bawtry Road roundabout.

8.26 Having consulted with Highways Development Control there are no objections to the proposal subject to the conditions attached the previous outline application.

**9.0 Summary and Conclusion**

9.1 In summary, the Reserved Matters for details of appearance, landscaping, layout and scale for the erection of 276 dwellings is considered to be acceptable. The details demonstrate that this scheme will deliver a good quality housing environment and vibrant new development that includes a mixture of accommodation which will make a positive contribution to the area. Careful consideration has been given to the layout, character and appearance of the proposal to ensure that it will deliver a well integrated form of development. The new housing areas will support the maintenance and ongoing supervision of the green spaces that define the site. The site is set within a highly attractive and mature natural environment and the design concept demonstrates the retention and enhancement of the existing green infrastructure.

Public access to the site will continue and accessibility will be maintained during the development. The new road hierarchy will include a spine road and memorable features along with various linkages to the existing area of Bessacarr.

Whilst concerns about the use of the two level crossings and the impact on the gas main from interested parties continue to be raised, the proposal will lead to a reduced conflict with the level crossings and measures are to be taken to ensure that there will be no impact from the development or construction methods that will compromise the safe
operation of the pipes. No objections from other consultees relating to highway safety, drainage, flooding, ecology, trees or pollution have been received and the proposal is accordingly recommended for approval subject to the previous outline application and attached conditions.

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.

10.0 RECOMMENDATION

Reserved Matters APPROVED subject to the following conditions.

01. U27405 The guidance provided in the Method Statement for the protection of Flora and Fauna during the site preparation and construction works associated with phase 1 of the Development dated February 2011 Rev. 3rd May 2011 by ERAP shall be implemented as described unless agreed in writing as otherwise by the Local Planning Authority.
REASON
In line with ENV43 to ensure the ongoing ecological interests of the site are maintained.

02. U27406 The woodland management plans for Back Wood and Warren Wood by FDA Landscapes Ltd as amended in May 2011 will be implemented as described unless agreed in writing as otherwise by the Local Planning Authority.
REASON
In line with ENV41 to ensure the ongoing ecological interests of these two local wildlife sites are maintained.

03. U27407 The landscape management plan by FDA Landscape Ltd for Manor Farm, as amended in May 2011 will be implemented as described unless agreed in writing as otherwise by the Local Planning Authority.
REASON
In line with ENV43 to ensure the ecological interests of the site are maintained and enhanced.

04. VS19 The scheme of landscaping which has been agreed as part of this application shall be begun during the first available planting season following the commencement of the development hereby granted. It shall thereafter be maintained by the site owner for a period of five years. Any tree or shrub planted in accordance with the scheme which becomes damaged or diseased, or dies or is removed within the five years shall be replaced during the next planting season. Any staking, tying, weeding, watering and other action deemed necessary by the Local Planning Authority shall be carried out by the owner in accordance with the Authority's publication 'Landscape Specification in Relation to Development Sites'.
05. U27411 The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials have been brought on to site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. 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 prior written consent of the local planning authority.

REASON
To ensure that all retained trees are protected from damage during construction.

06. U29211 All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail’s property, shall at all times be carried out such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.

REASON
In the interest of rail safety.

07. U29212 All excavations/ earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/ structure can occur. Should temporary works compounds be located adjacent to the operational railway, these shall be included in a method statement for approval by the rail undertaker. Prior to the commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker’s boundary fence shall be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker. The works shall then only be carried out in accordance with the approved details.

REASON
In the interest of rail safety.

08. U29216 No development, save for on and off site highway works, site establishment works, ground works and the laying of service media and the construction of a site compound, shall take place until 1.8m high palisade fence is erected on site in the position coloured purple on plan BES-1011PL09, prior to its erection details of the fence shall be submitted to and agreed in writing by the Local Planning Authority, in consultation with the rail undertaker.
REASON
In order to assist in managing access to the level crossing at Bessacarr Holt in the interests of maintaining the pre-development level of safety for users.

09. U29217 No more than 150 dwellings shall be occupied prior to 31 December 2015 and the completion of the improvement works to be agreed pursuant to a scheme to be submitted in accordance with clause 4.1 of the S.106 Agreement dated 23 September 2009.
REASON
In the interests of railway safety.

10. U29218 All surface and foul water arising from the proposed works must be collected and diverted away from Network Rail property. All soakaways must be located so as to discharge away from the railway infrastructure.
REASON
In the interests of railway safety.

01. U04736 INFORMATIVE
The development, for which the reserved matters are hereby approved, shall be carried out in complete accordance with the conditions set out above and those imposed on planning permission reference; 01/1201/P granted on; 13.01.2010.

02. IQ171 INFORMATIVE
The developer shall consider incorporating all possible sustainability features into the design of the proposed development.

03. U05111 INFORMATIVE
The Developer should be aware that any development for residential use adjacent to an operational railway may result in neighbour issues arising. Consequently every endeavour should be made by the developer to provide adequate soundproofing for each dwelling. Please note that in a worst case scenario there could be trains running 24 hours a day and the soundproofing should take this into account.

04. INFORMATIVE
Where development may affect the railway, consultation with the Asset Protection Engineer should be undertaken.

Reasons(s) for Granting Planning Permission:

STATEMENT OF REASONS FOR DECISION TO GRANT PERMISSION

The Local Planning Authority has decided to grant planning permission:-
1. Having regard to the policies and proposals in the adopted Doncaster Unitary Development Plan set out below, and all relevant material planning considerations:

PH 1 - Housing Provision  
PH 3 - Housing Provision  
PH 13 - Housing Design  
PH 19 - Affordable Housing  
ENV 21 - Trees and Woodlands  
ENV 35-38 - Archaeology  
ENV 40 - Sites of National Importance for Nature Conservation  
ENV 41 - Sites of Regional/Local Importance for Nature Conservation  
ENV 42 - Sites of Regional/Local Importance for Nature Conservation  
ENV 50 - Protection of Protected Species  
ENV 59 - Protection of Trees  
RL 4 - Open Space Provision  
T 5 – Transportation

Supplementary Planning Document
Planning for Trees and Hedgerows on Development Sites in Doncaster

National Policy:

PPS1 – Delivering Sustainable Development  
PPS3 - Housing  
PPS 9 - Nature Conservation  
PPG 16 - Planning and Archaeology

2. For the following reasons:

Having taken into account all the planning considerations raised in the consultations and representations, against the policy background referred to above, it has been concluded that the proposed details of appearance, landscaping, layout and scale for the erection of 276 dwellings is acceptable. In particular, the Local Planning Authority is of the view that its accordance with the relevant policies of the Doncaster Unitary Development Plan, taken together with advice in the relevant national planning policy guidance, justifies the development.

The Reserved Matters for details of appearance, landscaping, layout and scale for the erection of 276 dwellings is acceptable as the details demonstrate that this scheme will deliver a good quality housing environment and vibrant new development that includes a mixture of accommodation which will make a positive contribution to the area. Careful consideration has been given to the layout, character and appearance of the proposal to ensure that it will deliver a well integrated form of development.

The new housing areas will support the maintenance and ongoing supervision of the green spaces that define the site. The site is set within a highly attractive and mature natural environment and the design concept demonstrates the retention and enhancement of the existing green infrastructure. Public access to the site will continue and accessibility will be maintained during the development.
Concerns about the use of the two level crossings and the impact on the gas main have been addressed and it has been considered that appropriate mitigation measures are in place to ensure the proposal will lead to a reduced conflict with the level crossings and measures are to be taken to ensure that there will be no impact from the development or construction methods that will compromise the safe operation of the pipes.

N.B. The foregoing Statement is a summary of the main considerations leading to the decision to grant permission. More detailed information may be obtained from the Planning Officer’s Report and the application case file and associated documents, which may be inspected, by appointment, at the offices of the Development and Planning Service (for address see Decision Notice).
Annex 1

3D view aerial view looking south towards node 2

3D Aerial view looking northwards across Node 2
Site Plan

Proposed Plan of site entrance of Phase 1
Plan of southern part of phase 1 and balancing ponds

Plan of proposed 1.8m high fencing
Annex 2

View into the site from Warren Lane looking west.

View of the north of the site looking west
View across the site adjacent to gas compound looking west.

View from within the site of Back Wood
View from within the site of the new access road to link with Bawtry Road

Rail Crossing at Bessacarr Lane looking east