



# Doncaster Council

## Agenda

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To all Members of the

## **PLANNING COMMITTEE**

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

**Venue:** Council Chamber - Civic Office Waterdale, Doncaster

**Date:** Tuesday, 6th February, 2018

**Time:** 2.00 pm

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**Jo Miller**  
**Chief Executive**

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Issued on: Monday, 29 January 2018

**Governance Services Officer for this meeting:**

David M Taylor  
(01302) 736712

**Doncaster Metropolitan Borough Council**  
**[www.doncaster.gov.uk](http://www.doncaster.gov.uk)**

## Items for Discussion:

## PageNo.

1. Apologies for Absence
  2. To consider the extent, if any, to which the public and press are to be excluded from the meeting.
  3. Declarations of Interest, if any.
  4. Minutes of the Planning Committee Meeting held on 9th January, 2018 1 - 10
- A. Reports where the Public and Press may not be excluded.**
- For Decision**
5. Schedule of Applications 11 - 164
- For Information**
6. Appeal Decisions. 165 - 174
- B. Items where the Public and Press may be excluded in accordance with grounds specified in the Local Government Act 1972, as amended.**
7. Enforcement Cases Received and Closed for the Period of 19 December 2017 to 22 January 2018 (Exclusion paragraph 6). 175 - 188

### **Members of the Planning Committee**

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

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

# Agenda Item 4.

## DONCASTER METROPOLITAN BOROUGH COUNCIL

### PLANNING COMMITTEE

TUESDAY, 9TH JANUARY, 2018

A MEETING of the PLANNING COMMITTEE was held at the COUNCIL CHAMBER, CIVIC OFFICE on TUESDAY, 9TH JANUARY, 2018, at 2.00 pm.

#### PRESENT:

Vice-Chair - Councillor Iris Beech

Councillors Duncan Anderson, Mick Cooper, Sue McGuinness, Andy Pickering, Tina Reid, Dave Shaw and Jonathan Wood.

#### APOLOGIES:

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

#### 64 DECLARATIONS OF INTEREST, IF ANY

In accordance with the Members Code of Conduct, the Vice-Chair, Councillor Iris Beech declared that she had received correspondence from Mrs Jenny Worthington, the Clerk to Auckley Parish Council and Mr. N. Fulton with regard to Application No. 17/02189/OUTM, Agenda Item 5(1), but had not given her opinion thereon.

In accordance with the Members' Code of Conduct, Councillor Mick Cooper declared an interest in Application No. 17/02189/OUTM, Agenda Item 5 (1), and took no part in the discussion at the meeting and vacated the room during consideration thereof.

#### 65 MINUTES OF THE PLANNING COMMITTEE MEETING HELD ON 12TH DECEMBER, 2017

RESOLVED that the minutes of the meeting held on 12th December, 2017, be approved as a correct record and signed by the Vice-Chair.

#### 66 SCHEDULE OF APPLICATIONS

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

#### 67 ADJOURNMENT OF MEETING

RESOLVED that in accordance with Council Procedure Rule 18.11(f), the meeting stand adjourned at 4.45 p.m. to be reconvened on this day at 4.50 p.m.

68 RECONVENING OF MEETING

The meeting reconvened at 4.50 p.m.

69 DURATION OF MEETING

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

70 TOWN AND COUNTRY PLANNING ACT 1990, SECTION 106 AGREEMENTS

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

<b>Application No</b>	<b>Description and Location</b>
17/02189/OUTA	Hybrid Planning Application - Change of use of land to facilitate expansion of Yorkshire Wildlife Park, creation of new access, parking and associated works with outline approval for animal enclosures, visitor hub, service compound, energy centre and connecting bridges. Yorkshire Wildlife Park, Brockholes Lane, Branton, Doncaster.

71 APPEALS DECISIONS

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

<b>Application No</b>	<b>Application Description and Location</b>	<b>Appeal Decision</b>
16/00195/M	Appeal against enforcement action for alleged unauthorised installation of external roller shutters without planning permission under grounds that planning permission should be granted for what is alleged in the notice at 1 Silver Street, Doncaster, DN1 1HG.	Appeal Dismissed

17/00519/FUL	Proposed erection of 4 bed detached dwelling with associated single garage, on approx 0.05ha of land at land Adj to, Beechwood, Park Drive, Sprotbrough.	Appeal Allowed 12/12/2017
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72 EXCLUSION OF PUBLIC AND PRESS

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

73 ENFORCEMENT CASES RECEIVED AND CLOSED FOR THE PERIOD OF 28TH NOVEMBER TO 18TH DECEMBER 2017 ( EXCLUSION PARAGRAPH 6)

The Committee considered a report which detailed all Planning Enforcement complaints and cases received, and closed during the period 28th November to 18th December, 2017.

RESOLVED that all Planning Enforcement Cases received and closed for the period 28th November to 18th December, 2017, be noted.

## DONCASTER METROPOLITAN BOROUGH COUNCIL

## PLANNING COMMITTEE – 9th January, 2018

<b>Application</b>	1		
<b>Application Number:</b>	17/02189/OUTA	<b>Application Expiry Date:</b>	11th January 2018
<b>Application Type:</b>	Outline With Environmental Assessment		
<b>Proposal Description:</b>	Hybrid Planning Application - Change of use of land to facilitate expansion of Yorkshire Wildlife Park, creation of new access, parking and associated works with outline approval for animal enclosures, visitor hub, service compound, energy centre and connecting bridges		
<b>At:</b>	Yorkshire Wildlife Park, Brockholes Lane, Branton, Doncaster		
<b>For:</b>	Yorkshire Wildlife Park		
<b>Third Party Reps:</b>	108 In opposition. 463 Petition in support. 36 letters in support.	<b>Parish:</b>	Cantley with Branton Parish Council
		<b>Ward:</b>	Finningley

**A proposal was made to grant the application.**

Proposed by: **Councillor Sue McGuinness**

Seconded by: **Councillor Iris Beech**

**For: 3 Against: 2 Abstain: 1**

**Decision:** Planning permission granted subject the addition of an additional Condition and Informative, amendment to Condition 54 to read as follows, the completion of an Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) in relation to the following matters and the Head of Planning be authorised to issue the Decision Notice in the event that no retrospective financial contribution for infrastructure projects is considered necessary by the Head of Planning in consultation with the Assistant Director of Legal and Democratic Services and the Chief Financial Officer; should any contribution be required in

accordance with the Community Infrastructure Regulations or not be considered to be viable by the applicant, then the application shall return to Planning Committee for determination:-

- A) £32,472 towards a Travel Plan Bond;
- B) £26,577 Commuted sum towards signal junction improvement maintenance; and
- C) Retrospective contributions to major infrastructure projects.

#### Condition 54

Prior to the submission of the first reserved matters, a phasing plan shall be submitted and agreed in writing by the Local Planning Authority. The development approved shall be carried out in accordance with the approved phasing plan unless otherwise agreed in writing by the Local Planning Authority.

#### REASON

To allow flexibility to accommodate the needs of the applicant and potential completions and therefore allow for occupation over different timescales, in line with the aspirations of the NPPF 2012.

#### Additional Informative:

Any changes to the speed limit, or repositioning of speed limits will require amendment to an existing Traffic Regulation Order (TRO) or a new order being introduced. The TRO process is subject to a statutory procedure, including a period for objection, which is managed by the Local Highway Authority. However, any costs associated with the TRO process or highway works in respect of these changes are to be borne by the applicant. The applicant should make contact with Dave Haig - Tel 01302 734594 or e-mail [dave.haig@doncaster.gov.uk](mailto:dave.haig@doncaster.gov.uk) as soon as possible regarding Traffic Regulation Orders.

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

In accordance with Planning Guidance 'Having Your Say at Planning Committee', Councillors R. Allan Jones, Jane Cox and Steve Cox, Local Ward Members, spoke in opposition of the application for the duration of up to 5 minutes each.

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

In accordance with Planning Guidance, 'Having Your Say at Planning Committee', Mrs Dianne Holgate representing DCH Consulting and Mr Mark Staniland representing Mott McDonald, spoke in support of the application for the duration of up to 5 minutes.

(Receipt of amendments to the Recommendation, Financial Contributions and a clarification relating to the Visitor Hub within the report, additional representations from Local Ward Member, Councillor Jane Cox, the additional of a further Condition and Informative and the amendment to Condition 54, were reported at the meeting.)

<b>Application</b>	<b>2</b>
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<b>Application Number:</b>	17/01087/FULM	<b>Application Expiry Date:</b>	7th August 2017
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<b>Application Type:</b>	Planning FULL Major
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<b>Proposal Description:</b>	Use of building for 11 self-contained flats, retention and conversion of outbuilding to 1 self-contained flat, re-roof building and other alterations (retrospective) and new front boundary wall
<b>At:</b>	24 Avenue Road, Wheatley, Doncaster, DN2 4AQ

<b>For:</b>	Empire Property Concepts
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<b>Third Party Reps:</b>	6 objections	<b>Parish:</b>	
		<b>Ward:</b>	Town

**A proposal was made to grant the application.**

Proposed by: **Councillor Jonathan Wood**

Seconded by: **Councillor Mick Cooper**

**For: 4 Against: 3 Abstain: 0**

**Decision: Planning permission granted subject to the deletion of Conditions 2, 4 and 5 and the addition of the following condition and informative to read as follows:-**



- 03. Within three months of the date of the permission hereby granted, an outdoor landscaping scheme and a plan for a new front boundary wall shall be submitted to and approved in writing by the Local Planning Authority. The boundary wall shall be a low bricked wall with railings and an ornamental pedestrian gate to one side. The outdoor landscaping scheme shall include; a schedule providing details of the species, nursery stock specification in accordance with British Standard 3936: 1992 Nursery Stock Part One and planting locations of trees and shrubs; a specification of planting and staking/guying; a timescale of implementation; and details of aftercare for a minimum of 5 years following practical completion of the landscape works. The agreed landscape scheme and front boundary wall plan shall be implemented within 3 months of approval and the Local Planning Authority shall be notified in writing within 7 working days to approve practical completion. Any part of the landscaping 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 the appearance of the Conservation Area.**

**INFORMATIVE**

**To discharge condition 3, the plan of the new front wall shall be similar to its former appearance, which consisted of a low bricked wall with railings and an ornamental pedestrian gate to one side. In addition, the landscape scheme should include provision for planting, tree planting and a reduction in concrete in both the front and rear gardens. The landscaping scheme should also seek to have a design and use planting specimens that reflects the Victorian/Edwardian character of the property and the area.**

**In accordance with Planning Guidance ‘Having Your Say at Planning Committee’, Dr. Marina Sheppard spoke in opposition to the application for the duration of up to 5 minutes.**

**In accordance with Planning Guidance ‘Having Your Say at Planning Committee’, Mrs Dianne Holgate representing DCH Consulting instead of Mrs. Emma Thompson of Empire Property Concepts, the Applicant, spoke in support of the application for the duration of up to 5 minutes.**

**(Receipt of the deletion of Conditions 2, 4 and 5 and the addition of a further Condition, were reported at the meeting.)**

<b>Application</b>	<b>3</b>
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<b>Application Number:</b>	17/02334/FUL	<b>Application Expiry Date:</b>	14th November 2017
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<b>Application Type:</b>	Full Application
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<b>Proposal Description:</b>	Increase in the height of the butt stop walls to 6.1 metres
<b>At:</b>	Rifle Range, Hoyle Croft Lane, Braithwell, Rotherham

<b>For:</b>	Rotherham Chantry Rifle Club
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<b>Third Party Reps:</b>	The proposal received objections from 13 persons.	<b>Parish:</b>	Braithwell/Micklebring Parish Council
		<b>Ward:</b>	Tickhill & Wadworth

**A proposal was made to grant the application.**

Proposed by: **Councillor Sue McGuinness**

Seconded by: **Councillor Mick Cooper**

**For: 6 Against: 0 Abstain: 0**

**Decision: Planning permission granted.**

**In accordance with Planning Guidance ‘Having Your Say at Planning Committee’, Mr. Arnold Pawson spoke in opposition to the application for the duration of up to 5 minutes.**

**In accordance with Planning Guidance ‘Having Your Say at Planning Committee’, Mr Dave Boden-Hook, the Applicant, answered questions from Elected Member in support of the application.**

**(Receipt of an additional representation from Mr. Fowler raising concerns in response to the Applicants further information, additional consultation responses from the South Yorkshire Police Firearms Officer, the South Yorkshire Police Designing Out Crime Officer and the Environmental Health Officer raising no objections and further information from the Applicant in response to the objection, were reported at the meeting.)**

<b>Application</b>	<b>4</b>
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<b>Application Number:</b>	17/02996/COU	<b>Application Expiry Date:</b>	29th January 2018
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<b>Application Type:</b>	Change of Use
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<b>Proposal Description:</b>	Change of use to form a swimming baths (being resubmission of application ref: 17/02312/COU refused on 13/11/17).
<b>At:</b>	Unit 3B, Marrtree Business Park, Silk Road, Wheatley

<b>For:</b>	Ms Pegden - Go Swimstars
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<b>Third Party Reprs:</b>	52	<b>Parish:</b>	
		<b>Ward:</b>	Town

**A proposal was made to grant the application.**

Proposed by: **Councillor Dave Shaw**

Seconded by: **Councillor Sue McGuinness**

**For: 6 Against: 0 Abstain: 0**

**Decision: Planning permission granted contrary to officer recommendations subject to the addition of the following Conditions to be agreed by the Head of Planning:-**

- 01. 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. Unless otherwise agreed in writing, prior to the commencement of development, details of the proposed internal and external door barriers shall be submitted to and approved in writing by the Local Planning Authority. The barriers shall be installed and in operation prior to the commencement of the approved use and kept in use throughout the lifetime of the development.**

**REASON**

**To improve pedestrian safety in and around the site in line with Policy CS14 of the Doncaster Core Strategy.**

- 03. No development shall take place until details of the proposed means of disposal of foul water and that arising from the swimming pool, 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, no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.**

**REASON**

**To ensure that no foul water including that from the swimming pool discharges take place until proper provision has been made for their disposal.**

- 04. If provision for emptying any swimming pool is to be made (e.g. for maintenance or repair etc.) then the water must NOT be discharged to a public surface water sewer.**

**REASON**

**To prevent overloading of the public foul or combined sewer network, any such discharge must be at a controlled rate to be agreed.**

**In accordance with Planning Guidance 'Having Your Say at Planning Committee', Councillor John McHale, Local Ward Member and Ms. Sarah Pegden, the Applicant, spoke in support to the application for the duration of up to 5 minutes each.**

**(Receipt of additional consultation responses from Yorkshire Water and Environmental Health raising no objections and a further consultation response from Public Health and an additional letter of support from Waverley Academy, were reported at the meeting.)**

## DONCASTER METROPOLITAN BOROUGH COUNCIL

Date 6th February 2018

To the Chair and Members of the

### **PLANNING COMMITTEE**

#### **PLANNING APPLICATIONS PROCESSING SYSTEM**

##### Purpose of the Report

1. A schedule of planning applications for consideration by Members is attached.
2. Each application comprises an individual report and recommendation to assist the determination process.

##### **Human Rights Implications**

Member should take account of and protect the rights of individuals affected when making decisions on planning applications. In general Members should consider:-

1. Whether the activity for which consent is sought interferes with any Convention rights.
2. Whether the interference pursues a legitimate aim, such as economic well being or the rights of others to enjoy their property.
3. Whether restriction on one is proportionate to the benefit of the other.

##### **Copyright Implications**

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Scott Cardwell  
Assistant Director of Development  
Directorate of Regeneration and Environment

Contact Officers: Mr R Sykes (Tel: 734555)

Background Papers: Planning Application reports refer to relevant background papers

## Summary List of Planning Committee Applications

NOTE:- Site Visited applications are marked 'SV' and Major Proposals are marked 'M'

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Application	Application No	Ward	Parish
1. M	17/00537/OUTM	Edlington And Warmsworth	Warmsworth Parish Council
2.	17/02763/FUL	Hatfield	Hatfield Parish Council
3. M	06/00427/FULM	Thorne And Moorends	Thorne Town Council
4.	17/00029/LBC	Thorne And Moorends	Thorne Town Council
5.	17/02990/COU	Tickhill And Wadworth	Tickhill Parish Council
6.	17/01308/FUL	Tickhill And Wadworth	Tickhill Parish Council
7.	17/02233/FUL	Hatfield	Hatfield Parish Council
8.	17/02591/FUL	Hatfield	Hatfield Parish Council

**DONCASTER METROPOLITAN BOROUGH COUNCIL**

**PLANNING COMMITTEE - 6<sup>th</sup> February 2018**

<b>Application</b>	1
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<b>Application Number:</b>	17/00537/OUTM	<b>Application Expiry Date:</b>	9th February 2018 Extension of Time agreed
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<b>Application Type:</b>	Outline Planning Major
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<b>Proposal Description:</b>	Outline application for the erection of up to 23 dwellings on approx 0.62ha of land following demolition of reservoir structures, (Approval being sought for access only)
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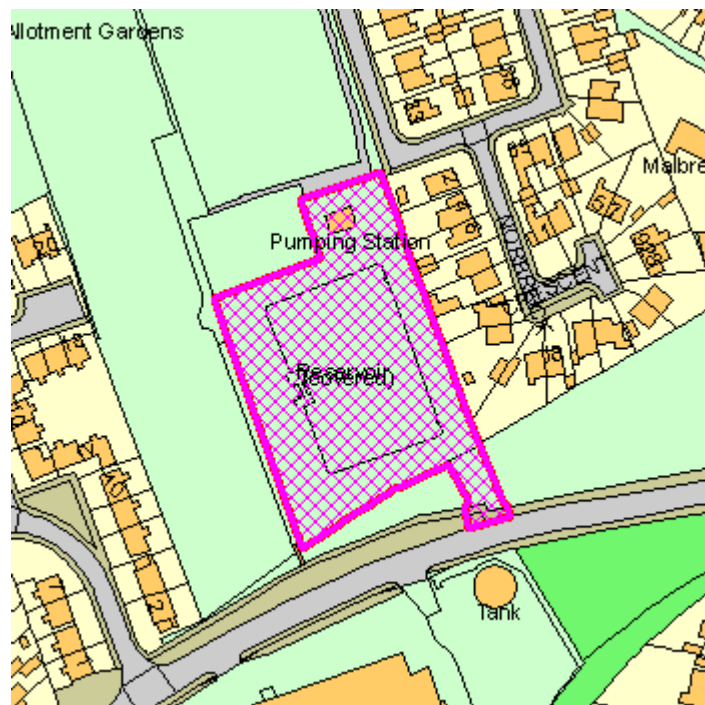
<b>At:</b>	Covered Reservoir Sheffield Road Warmsworth Doncaster
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<b>For:</b>	Mr Axe
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<b>Third Party Reps:</b>	18 objections from 8 individual residents	<b>Parish:</b>	Warmsworth Parish Council
		<b>Ward:</b>	Edlington And Warmsworth

<b>Author of Report</b>	Mrs Andrea Suddes
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<b>MAIN RECOMMENDATION:</b>	GRANT Subject to s106 legal agreement
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## **1.0 Reason for Report**

1.1 The application is being presented to Planning Committee on account of the significant amount of public interest shown in the application.

## **2.0 Proposal and Background**

2.1 The application seeks approval for the erection of up to 23 dwellings on approximately 0.62 ha of land following demolition of the existing reservoir structures. Approval is being sought for access only, with all matters of appearance, landscaping, layout and scale being reserved. Notwithstanding this, an illustrative layout has been submitted for 23 dwellings on site. The site has been subject to pre application advice

2.2 The site is located in the settlement of Warmsworth, approximately 4.5km to the south-west of Doncaster town centre. It is located to the north of Warmsworth Halt and is approximately 1.5 acres in area.

2.3 The site is currently occupied by a covered Yorkshire Water reservoir, which is now disused and surplus to requirements. The site is relatively flat around the boundary, however there is an embankment around the covered reservoir structure. The top of the reservoir structure is relatively level and sits approximately 2-2.5m above the rest of the site.

2.4 A grassed wedge of land forms the southern boundary and separates the site from Warmsworth Halt. The wedge is allocated Public Open Space and is owned by the council.

2.5 There is existing housing to the east of the site (Norbreck Crescent), the rear garden fences of which bound the site to the east. Allotment gardens bound the site to the north and the west. There is a pumping station to the north of the site which is no longer operational. To the south of Warmsworth Halt is an industrial estate comprising of buildings with a manufacturing use that has an existing access from Warmsworth Halt and opposite the application site.

2.6 Access is currently obtained via an existing access to the site from the north western corner via a track through the adjacent allotment gardens.

2.7 There are two existing trees to the south-eastern corner of the site.

## **3.0 Relevant Planning History**

3.1 A pre application advice request was received under reference 16/02659/PREAPP for the redevelopment of the former Yorkshire Water reservoir site for the erection of approximately 24 dwellings. The request was closed 30.11.2016.



## **4.0 Representations**

4.1 This application has been advertised in accordance with Article 13 of the Development Management Procedure Order (DMPO), by means of site notice and 14 individual letters of notification to nearby neighbours. In total 17 letters of representation have been received from 8 individual neighbours during the course of the original advertisement of the application and a further 2 occasions of re notification following the re location of the access road. Concerns have been raised regarding the following issues;

- Loss of public open space as Warmsworth is already deficient
- The proposal is contrary to public open space policy RL1
- Increased traffic on Warmsworth Halt
- The existing access used by Yorkshire Water could be used to serve the development
- Proposed access would make properties on Norbreck Crescent vulnerable to burglaries

4.2 The applicant has also carried out a public consultation event which was held on 13th February 2017 between 6-7pm. The event was held in the Warmsworth Community Centre; Approximately 250 leaflets were distributed to local residents prior to the public exhibition, including all neighbouring streets to the site i.e. Norbreck Road, Norbreck Crescent, Low Road West, Edlington Lane and Ash Dale Road.

4.3 The exhibition was also advertised on the Parish Council website during the run up to the event. The exhibition was held from 6-7pm, prior to the monthly Parish Council meeting in order to offer Councillors the opportunity to comment and ask questions on the scheme.

4.4 Overall approximately 35 people attended the meeting and 22 public consultation feedback forms were received. 15 attendees or 68% were not supportive of the development due to a number of issues relating to increased traffic, uncertainty of the design of the development, noise issues and security and privacy issues. The applicant states these comments have been taken into account with the submitted scheme.

## **5.0 Parish Council**

5.1 Warmsworth Parish Council have been consulted and made no comments on the application although have provided input with regards to the public open space project.

## **6.0 Relevant Consultations**

6.1 Council's Ecologist: A phase 1 habitat survey has been carried out and submitted that identified rough neutral grassland, amenity grassland and trees and scrub as being present on site and none of these are of anything other than of low ecological value. Therefore no objections are raised subject to condition for submission of an ecological enhancement plan and advisory notes for nesting birds and bats.

6.2 Council's Tree Officer: A tree survey has been submitted that makes a fair assessment of the condition and quality of existing trees affected by the development. Overall there are no arboriculture objections to the proposal subject to mitigation by condition for a detailed landscape scheme to be submitted and agreed. There are 2 existing trees proposed to be removed that is outside of the application site and on council land; As such the applicant has agreed to replacement planting and which is included as such in the s106 legal agreement.

6.3 Council's Internal Drainage: No objections raised subject to condition for details of the foul, surface water and land drainage systems to be submitted and agreed.

6.4 Severn Trent Water: No objection subject to condition for details of surface water disposal and advisory note that there is a public sewer located within the site that will require consent from the water authority to build over, close to or divert.

6.5 Local Plans (Open Space): There is a requirement for a 10% commuted sum for the provision of POS within the vicinity of the site. A number of sites were identified as a project for the s106 monies and local ward councillors have agreed the sum will be utilised on the Warmsworth Quarry Park improvements project. The site also crosses land allocated as public open space and the applicant was advised to carry out a public consultation with local residents to justify the loss of the portion of open space. The Officer is satisfied with the consultation and on balance considers the access will impact on only a small part of the space and will not drastically impact on visual amenity or the ability of local residents to use the site for recreational purposes as the majority of the site can still be used.

6.6 Council's Highways: A number of comments were raised in relation to the initially proposed access and the subsequent relocation. However following the relocation of the access the highway officer is satisfied with the proposed access subject to standard conditions and advisory informative notes regarding works within the public highway. It is however noted that whilst no objections are raised in principle, the Highway Officer raises concerns with the proposed layout in that it does not conform to the technical requirements of the South Yorkshire Residential Design Guide. Given that the layout shown is indicative only, an advisory informative note is included to inform the applicant.

6.7 Council's Transportation: The development is below the threshold that would normally require a detailed assessment; nevertheless a Transport Statement has been submitted with this application and this has been reviewed. The Officer is satisfied with the information and that the highway can accommodate the additional vehicle movements.

6.8 Council's Pollution Control: A Geo Environmental Desk Study was submitted and no objections raised overall however as part of the phase 2 site investigation, the site walkover was carried out in 2006 and is therefore not up to date. As such therefore conditions are recommended for a contaminated land assessment and remedial strategy to be submitted and agreed, and a condition for any unexpected contamination and material brought on to site.

## **7.0 Relevant Policy and Strategic Context**

7.1 The site is mainly allocated within Residential Policy Area, however the access crosses an allocated Open Space Policy Area as designated within the Saved Doncaster Unitary Development Plan.

Planning policy relevant to the consideration of this application includes:

### **7.2 National Planning Policy Framework:**

Section 6 requires development that delivers a wide choice of high quality homes

Section 7 requires good design

### **7.3 Doncaster Council's Core Strategy:**

Policy CS1 seeks to secure and improve economic prosperity, enhance quality of place and quality of life

Policy CS 9 relates to housing mix and provision of affordable housing.

Policy CS14 requires developments to be of high quality design.

Policy CS16 seeks to protect the natural environment

Policy CS17 Criteria D) ensures provision for open space facilities

### **7.4 Saved Doncaster Unitary Development Plan:**

Policy PH11 supports residential development in Residential Policy Areas

Policy RL1 seeks to retain Open Space Policy Areas

Policy RL4 requires developments of more than 10 family units to provide a commuted sum in lieu of open space provision.

### **7.5 Other Policy Considerations:**

Supplementary Planning Document: Development Guidance and Requirements (Adopted July 2015)

## 8.0 Planning Issues and Discussion

8.1 The application is seeking outline consent for the erection of up to 23 dwellings with approval of access only. All other matters of design, layout and appearance are reserved. The main issues for consideration are therefore the principle of residential development, legal contributions and highways. However as the scheme includes an indicative layout the design officer has made initial comments with regards to the layout and any future reserved matters application, therefore design has had some consideration.

### Principle

8.2 The site is primarily allocated within Residential Policy Area as designated within the Doncaster Unitary Development Plan; as such residential development is acceptable in principle, subject to assessment against other policy criteria.

8.3 Although the majority of the site is allocated for residential purposes; the proposed access crosses land allocated in the UDP as open space policy area, and the 2013 green spaces audit identifies the site as no. 684, Warmsworth Halt (Amenity Road Verge). As such the application should be assessed against UDP Policy RL 1. Policy RL 1 seeks to retain open space policy areas for outdoor and ancillary indoor facilities and development for other uses is not normally permitted except in exceptional circumstances.

8.4 Local and National Policy allows applicants to demonstrate exceptional circumstances to justify that a development will have overall benefits to the community to outweigh the loss of public open space, by carrying out a public consultation exercise to determine whether the local community attach any importance to the site.

8.5 In this case there is a loss of open space, and therefore in order to be fully satisfied that this will not result in the unacceptable loss of public open space, the applicant has carried out a consultation with the public to determine whether the local community attach any importance to this site, which is to be severed by the road. The results of which have been submitted to the Council. A number of objections have also been received to the application from local residents, regarding the loss of public open space.

8.6 The consultation carried out by the applicant did not raise a significant number of objections (6/19), and comments specific to the impact of the access road on the open space, as opposed to the site overall (which is not open space) are also seemingly limited.

8.7 On balance, this access will impact on a relatively small part of this space, where it narrows as you head west on Warmsworth Halt. Although it will provide a break in the open space, the access road is not of such a size that it would drastically impact on the visual amenity or ability of local people to use the site for recreational purposes, as the large majority of the site towards the junction of Warmsworth Halt and Edlington Lane can still be used, including for the recreational purposes raised by some residents in the consultation. Furthermore, land to the east of the road will also be retained as open space and can similarly still be utilised. The application is thereby deemed to satisfy Policy RL1.

## Design

8.8 Although the only issue being considered at this outline stage is the means of access to the site, an indicative layout has been submitted together with a Design and Access Statement (See Appendix 1).

8.9 In terms of the location of the access, the Design Officer suggested that this be re positioned as it would result in a better design layout. The applicant took on board this advice and amended the position of the access. However this resulted in highway concerns and has therefore been subsequently moved back to the original position.

8.10 The indicative layout sets out a number of design principles including the provision of an estate road that will serve the site. The scheme has been designed with consideration to Core Strategy CS 14 'Design and Sustainable Construction and the council's Supplementary Planning Document development Guidance and Requirements. However, the Highways Officer is not supportive of the indicative layout as it does not conform to the highway technical requirements; see highways considerations later in this report.

8.11 It is expected that the development will be similar in scale and design to surrounding residential properties but this will be subject to agreement at reserved matters stage.

8.12 Landscape details will also be agreed during the reserved matters submission although it is noted that the development will result in the loss of 2 trees immediately outside the site. The Tree Officer has therefore requested replacement planting to compensate for the loss of the trees. The applicant has agreed to replacement planting via a financial contribution to the council that will be incorporated as part of the S106 legal agreement.

8.13 The principles set out at this stage confirm that a suitable layout can be agreed at the reserved matters stage and the application therefore accords with policy CS14 of the Doncaster Core Strategy.

## Planning Obligations

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

8.15 In paragraph 204 it is stated that planning obligations should only be sought where they meet all of the following tests (Community Infrastructure Levy Regulations 2010);

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

8.16 This proposal includes a Section 106 Agreement which provides for the direct provision on site, or necessary contributions towards mitigating the direct impacts that arise from this development off-site which includes the following;

## Public Open Space

8.17 Doncaster UDP Policy RL 4 is relevant which states that the council will seek to remedy local public open space deficiencies within existing residential areas and will require the provision of public open space principally of benefit to the development itself in accordance with a criterion of standards as set out a-f within the policy.

8.18 In line with UDP Policy RL4 c), given the Warmsworth Community Profile Area is deficient in only 2 of the 5 types of measured open space (Formal Open Space and Informal Open Space), and the development is not of a suitable size to accept on site open space, provision of a 10% commuted sum is requested in accordance with Policy RL4.

8.19 The applicant has agreed to the land valuation and a commuted sum figure of £55,000 in lieu of public open space payable prior to the occupation of the 15th unit. Local ward councillors have identified a project for improvements for Warmsworth Quarry Park.

## Affordable Housing

8.20 As the development proposes more than 15 units this triggers the requirement for a 26% affordable housing contribution in accordance with Core Strategy Policy CS 12. The starting point for provision in the first instance is on site in accordance with criteria A) 1 of the policy which states that sites of 15 or more houses should include affordable houses on site with the proportion, type and tenure split reflecting the latest Strategic Housing Market Assessment.

8.21 In the event that the development results in 23 units, the applicant has agreed to the provision of 6 on site units which will comprise of 4 affordable rent and 2 intermediate tenure. This is considered necessary and directly related to the development, to meet an affordable housing need in this area.

## Education

8.22 Policy CS 1 (A) of the Core Strategy states that as a means to securing and improving economic prosperity, enhancing the quality of place, and the quality of life in Doncaster, proposals will be supported which contribute to the Core Strategy objectives and in particular provide opportunity for people to get jobs, learn new skills, and have access to good quality housing, local services, sport, leisure, religious and cultural facilities. As such, the Education team have been consulted and have identified that there is a deficiency in primary school places at Warmsworth Primary School. Given the number of properties proposed that are likely to attract families due to their size, a further 5 places are required at a cost of £60,715. This is considered necessary and directly related to the development, as without this sum there would be a deficiency in primary school places which would be a direct result of this development.

## Ecology

8.23 A phase 1 habitat survey has been carried out and submitted that identified rough neutral grassland, amenity grassland and trees and scrub as being present on site and none of these are of anything other than of low ecological value.

As such, no objections are raised to the proposals on ecological grounds, subject to condition for an ecological enhancement plan to be submitted on the first reserved matters application.

## Highways

8.24 The application seeks approval for the access into the site. In this case Policy CS14 is pertinent in that safety and security of the highway is one of the 9 criteria set out in Policy CS 14 to ensure that there are no negative effects upon the amenity of neighbouring land or the environment. Additionally Policy CS 9: Providing Travel Choice is also pertinent as it seeks to ensure that new developments provide the delivery of travel choice and sustainable opportunities for travel.

8.25 A development of this size, less than 50 dwellings, would not normally require any detailed assessment; however a Transport Statement has been submitted with the application. The transport statement concludes that the existing highway network is capable of accommodating the additional traffic generated from this proposal and Highways (Transportation) accept this. Concerns have been raised by local residents regarding the increased traffic on Warmsworth Halt, however given the Transportation Officer is satisfied with the information provided within the Transport Statement no highway objections are raised.

8.26 The new access into the site was originally proposed from the south eastern corner; however this was amended and repositioned to the middle of the southern boundary at the request of the Design Officer. Following this amendment the highways officer raised concerns on account of the close proximity to the existing access across the road that gives access to an existing industrial use site (Wavin). Highway technical requirements in terms of distances or junction spacing should be 20m (centreline to centreline). As such the access has now been repositioned to the south eastern corner as originally proposed and which has now overcome highway concerns regarding proximity to the existing access. Objecting neighbours have suggested that the existing access from Norbreck Crescent could be utilised to serve the development. In response to this, the applicant has proposed this new access for consideration and not the existing, but in any event the access is not a formal access to the site but a track to the allotments.

8.27 There is an existing handrail and seating provided to assist mobility along the inclined section of footway on Warmsworth Halt that will need to be relocated to allow the proposed access. As such a condition is included for details to be submitted and agreed for the alterations to the handrail and relocation of the bench prior to the commencement of any works commencing on site.

8.28 It is also noted that the Highway Officer has commented that the current indicative layout would not be supported as it does not conform to the technical requirements of the South Yorkshire Residential Design Guide. Given that the application seeks approval of access only and not details of layout, an advisory note is included for the applicant to take these comments into consideration for any future reserved matters application.

8.29 There have been a number of concerns raised by local residents regarding the highway visibility at the proposed access which may result in highway safety issues for drivers. However the Highways Officer is satisfied with the access in that it conforms with Technical standards and therefore raises no issues of concern.

## **9.0 Summary and Conclusion**

9.1 In summary, taking account of all of the material planning issues it is considered that residential development is acceptable in this location subject to consideration of other issues such as appearance, layout, scale and landscaping, with a reserved matters application. Additionally, the proposed access will not result in a significant detrimental impact on highway or pedestrian safety.

9.2 The application is thereby deemed acceptable and recommended for approval subject to the terms of the s106 agreement.

## **10.0 Recommendation**

MEMBERS RESOLVE TO GRANT PLANNING PERMISSION FOR THE PROPOSED DEVELOPMENT, SUBJECT TO THE CONDITIONS BELOW AND FOLLOWING THE COMPLETION OF AN AGREEMENT UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 IN RELATION TO THE FOLLOWING MATTERS:

- A) 26% affordable housing as on site provision equating to 6 units.
- B) Education contribution based on a formula for a further 5 primary school places at Warmsworth Primary School at a cost of £60,715.
- C) Public Open Space contribution of £55,000 to be used for improvements to Warmsworth Quarry Park.

THE HEAD OF DEVELOPMENT BE AUTHORISED TO ISSUE THE PLANNING PERMISSION UPON COMPLETION OF THE AGREEMENT.

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

**REASON**

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



02. U58388 In the case of the reserved matters, application for approval must be made not later than the expiration of three years beginning with the date of this permission.  
REASON  
Condition required to be imposed by Section 92(as amended) of the Town and Country Planning Act 1990.
03. U58389 Approval of the details of the appearance, landscaping, layout and scale (hereinafter referred to as reserved matters) shall be obtained from the Local Planning Authority before the commencement of any works.  
REASON  
The application is in outline and no details having yet been furnished of the matters referred to in the outline they are reserved for subsequent approval by the Local Planning Authority.
04. U58393 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:  
Location Plan Dwg No 0600-EA-A-1000  
Site Plan Dwg No 0600-EA-A-2001 Rev J  
Indicative Landscape Plan 0600-EA-A-2002 Rev G  
REASON  
To ensure that the development is carried out in accordance with the application as approved.
05. U58394 Notwithstanding the approved plan the proposed layout as shown on the Site Plan Dwg No 0600-EA-A-2001 Rev J is indicative only and does not comprise of any part of this consent.  
REASON  
For the avoidance of doubt and clarity as to the extent of this consent.
06. CON1 No development approved by this permission shall be commenced prior to a contaminated land assessment and associated remedial strategy, together with a timetable of works, being accepted and approved by the Local Planning Authority (LPA), unless otherwise approved in writing with the LPA.
- a) The Phase I desktop study, site walkover and initial assessment must be submitted to the LPA for approval. Potential risks to human health, property (existing or proposed) including buildings, livestock, pets, crops, woodland, service lines and pipes, adjoining ground, groundwater, surface water, ecological systems, archaeological sites and ancient monuments must be considered. The Phase 1 shall include a full site history, details of a site walkover and initial risk assessment. The Phase 1 shall propose further Phase 2 site investigation and risk assessment works, if appropriate, based on the relevant information discovered during the initial Phase 1 assessment.

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

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

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

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

#### REASON

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

07. CON2                   Should any unexpected significant contamination be encountered during development, all associated works shall cease and the Local Planning Authority (LPA) be notified in writing immediately. A Phase 3 remediation and Phase 4 verification report shall be submitted to the LPA for approval. The associated works shall not re-commence until the reports have been approved by the LPA.  
REASON  
To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to guidance set out in the National Planning Policy Framework.
08. CON3                   Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filing and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and be approved in writing by the LPA prior to any soil or soil forming materials being brought onto site. The approved contamination testing shall then be carried out and verification evidence submitted to and approved in writing by the LPA prior to any soil and soil forming material being brought on to site.  
REASON  
To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to guidance set out in the National Planning Policy Framework.
09. 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.
010. 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.
011. U58315              Detailed layout, engineering and drainage details for the proposed access arrangements shall be submitted for inspection and written approval by the Local highway authority before works commence on site. The design shall include for alteration to the existing handrail and relocating the existing bench.  
REASON  
In the interests of highway safety.

12. U57828 No development shall take place on the site until a detailed landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a soft landscape plan that provides tree planting in accordance with the Council's Development Guidance and Requirements Supplementary Planning Document; a schedule providing details of the species, nursery stock specification in accordance with British Standard 3936: 1992 Nursery Stock Part One and planting distances/density of trees and shrubs; a specification of tree planting and staking/guying; a timescale of implementation; and details of aftercare for a minimum of 5 years following practical completion of the landscape works. Thereafter the landscape scheme shall be implemented in full accordance with the approved details and the Local Planning Authority notified in writing within 7 working days to approve practical completion. Any part of the scheme which fails to achieve independence in the landscape or is damaged or removed within five years of planting shall be replaced during the next available planting season in full accordance with the approved scheme, unless the local planning authority gives its written approval to any variation.  
REASON  
In the interests of environmental quality and core strategy policy CS16: Valuing our natural environment
13. U57825 On the submission of the first reserved matters application an Ecological Enhancement scheme based on the recommendations in the Brooks Ecological Report February 2017 paragraph 47 and to include:  
o A range of bird boxes incorporated into new dwellings for use by the following species: swifts, house sparrows and house martins.  
o A range of bat boxes incorporated into the new dwellings suitable for a range of bat species.  
o The use of high species content grass seed in amenity areas to enhance the ecological value of wider grassland areas.  
REASON  
To ensure the ecological interests of the site are maintained in accordance with policy CS16 of the Doncaster Core Strategy.
14. U58317 Private single and shared driveways are to be surfaced with a bound material to prevent any stones, gravel or similar items from being deposited on the adoptable area.  
REASON  
In the interests of highway safety.
15. U58316 The development hereby permitted shall not be commenced until details of measures to be taken within the curtilage of the site during construction to prevent the deposition of mud or debris on the public highway, has been submitted to and approved in writing by the Local Planning Authority.  
REASON  
In the interests of road safety.

16. DA01 The development hereby granted shall not be begun until details of the foul, surface water and land drainage systems and all related works necessary to drain the site have been submitted to and approved by the Local Planning Authority. These works shall be carried out concurrently with the development and the drainage system shall be operating to the satisfaction of the Local Planning Authority prior to the occupation of the development.  
REASON  
To ensure that the site is connected to suitable drainage systems and to ensure that full details thereof are approved by the Local Planning Authority before any works begin.
17. U58454 Development shall not begin until a scheme for protecting residents in the proposed dwellings from noise from the nearby industrial/commercial premises has been submitted to and approved in writing by the local planning authority. All works which form part of the approved scheme shall be completed before occupation of the permitted dwellings, unless otherwise agreed in writing by the Local Planning Authority. The protection measures in the agreed scheme shall be maintained throughout the life of the development  
REASON  
In order to safeguard the amenities of the occupiers of the proposed dwellings.
18. U58455 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for and identify the location of:-
- i) - the parking of vehicles of site operatives and visitors
  - ii) - loading and unloading of plant and materials
  - iii) - storage of plant and materials used in constructing the development
  - iv) - the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
  - v) - wheel washing facilities
  - vi) - measures to control noise, vibration, dust and dirt during construction
  - vii) - a scheme for recycling/disposing of waste resulting from demolition and construction works.
- REASON  
To safeguard the living conditions of neighbouring residents and in the interests of highway safety.
19. U58456 Demolition or construction works shall not take place outside 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays or Bank Holidays.  
REASON  
To safeguard the amenities of the occupiers of the nearby properties.

01. U12004      **INFORMATIVE: LANDSCAPE PLAN**  
Condition 10 refers to independence in the landscape, which is defined in British Standard 8545:2014 Trees: from nursery to independence in the landscape - Recommendations as the point at which a newly planted tree is no longer reliant on excessive or abnormal management intervention in order to grow and flourish with realistic prospects of achieving its full potential to contribute to the landscape.
02. U12082      **INFORMATIVE: WORKS WITHIN PUBLIC HIGHWAY**  
Works tying into or 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.
03. U12083      **INFORMATIVE: PERMIT SCHEME**  
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.
04. U12084      **INFORMATIVE: ALTERATION TO STREET LIGHTING**  
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 Malc Lucas - Tel 01302 735110 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.
05. U12085      **INFORMATIVE: CONSTRUCTION OF ROADS**  
Roads other than shared private drives shall be constructed to an adoptable standard and offered for adoption on completion under (the provisions) Section 38 of The Highways Act (1980). Engineering and surface water drainage details shall be submitted for inspection and approval in writing by the (Local Planning Authority) Highways Authority before works commence on site.

06. U12086      **INFORMATIVE: ROAD SAFETY AUDIT**  
The proposed access and future general layout shall be subject to Road Safety Audits in accordance with DMRB Volume 5 Section 2 Part 2 Road Safety Audit (HD 19/15).
07. U12087      **INFORMATIVE: MUD ON HIGHWAY**  
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.
08. U12088      **INFORMATIVE: HIGHWAY DRAINAGE**  
Whilst no information is given at this stage about the method of disposal of highway drainage, the Applicant/Developer should note the use of a soakaway system has to be located outside the carriageway and at least 6m from any building may further affect the layout shown. It should be noted that a commuted sum of £5000 to be used towards the future maintenance costs of each highway drain soakaway, shall be paid to the Council, prior to the issue of the Part 2 Certificate.
09. U12089      **INFPORMATIVE: TREES IN PUBLIC HIGHWAY**  
Any trees to be provided in the public highway are to have a clear stem of 2m and require a commuted sum for maintenance purposes of £1500 per tree (£300 pounds per annum for a period of 5 years) to be paid to the Council, prior to the issue of the Part 2 Certificate.
10. U12090      **INFORMATIVE: INDICATIVE LAYOUT**  
The Applicant/Developer should note that the Highway Officer has commented that the current indicative layout would not be supported in the event a reserved matters application is submitted, as it does not conform to the technical requirements of the South Yorkshire Residential Design Guide.
11. U12106      **INFORMATIVE: SEVERN TRENT DRAINAGE**  
Severn Trent Water advises that there is a public sewer located within the application site. Public sewers have statutory protection by virtue of the Water Industry Act 1991 as amended by the Water Act 2003 and you may not build close to, directly over or divert a public sewer without consent. You are advised to contact Severn Trent Water to discuss your proposals. Severn Trent Water will seek to assist you in obtaining a solution which protects both the public sewer and the proposed development.
12. U12107      **INFORMATIVE: DRAINAGE**  
It is advised that the Applicant/Developer takes note of the advisory notes contained within the Internal Drainage consultation response with regards to drainage plans for any future reserved matters application, surface water discharge, surface water management and soakaway design guidance.





**DONCASTER METROPOLITAN BOROUGH COUNCIL**

**PLANNING COMMITTEE – 6<sup>th</sup> February 2018**

**Application**      2

<b>Application Number:</b>	17/02763/FUL	<b>Application Expiry Date:</b>	11 <sup>th</sup> January 2018 (Extension of time granted)
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<b>Application Type:</b>	Full Application
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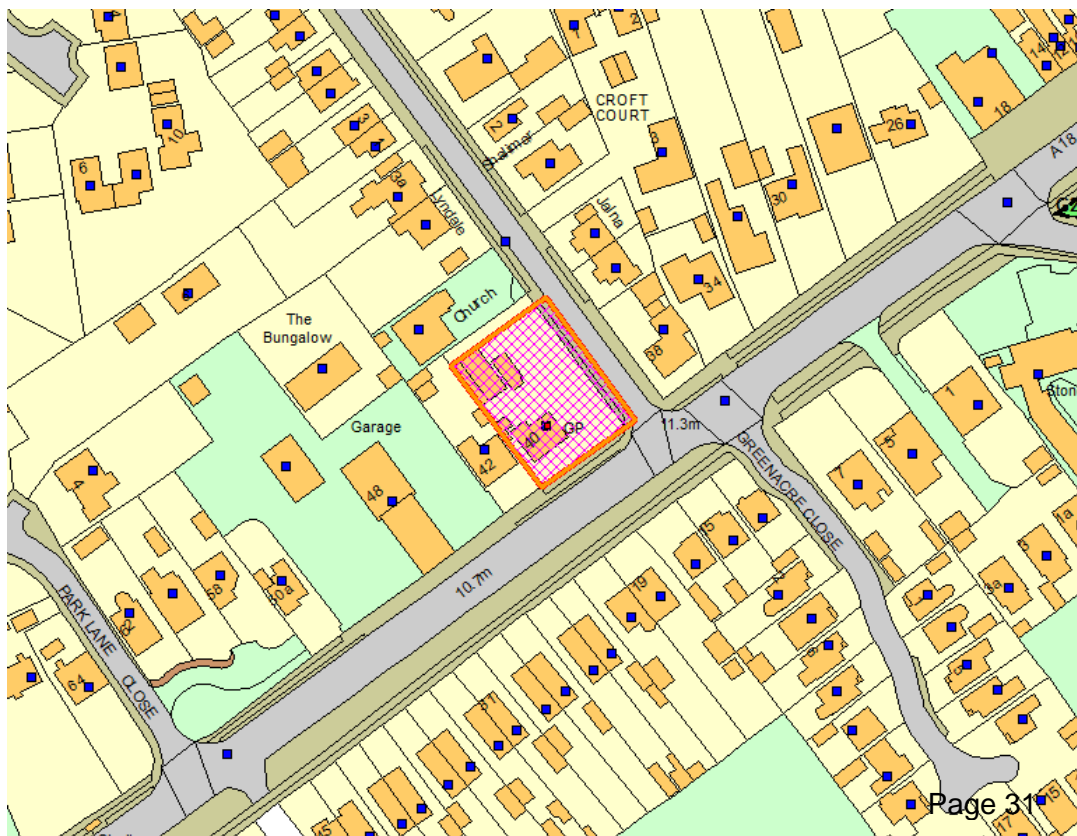
<b>Proposal Description:</b>	Erection of 3 detached dwellings and associated works following demolition of existing buildings (amended plans)
<b>At:</b>	40 High Street, Dunsville, Doncaster, DN7 4BX

<b>For:</b>	Mr Scott Simpson
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<b>Third Party Reps:</b>	8 representations	<b>Parish:</b>	Hatfield Parish Council
		<b>Ward:</b>	Hatfield

<b>Author of Report</b>	Dave Richards
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<b>MAIN RECOMMENDATION:</b>	GRANT
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## **1.0 Reason for Report**

1.1 The application is being presented to Planning Committee due to the number of objections received against the proposal.

## **2.0 Proposal and Background**

2.1 The application proposes the erection of 3 detached dwellings following the demolition of an existing dwelling on the site.

2.2 The development would introduce two detached dwellings facing on to High Street (Plots 1 & 2), with a further dwelling (Plot 3) to the rear facing on to Green's Road. Plots 1 & 2 utilise the existing access on Green's Road with detached garages to be constructed. A new access for Plot 3 would be created. Each plot measures approximately 9m in width, 9.2m in depth (max) and 8.4m in height to ridge. The materials are typical brick and tile construction with rooflights to accommodate a room in the roof.

2.3 The site is located at the corner junction on High Street and Green's Road and contains a bungalow constructed circa 1950 and its large curtilage. A number of outbuildings within the rear garden have been demolished.

2.4 The street scene in the immediate vicinity on High Street is mixed in character with bungalows, dormer properties and 2 storey dwellings present on the north of the road and a more uniform appearance on the opposite side. From the perspective of Green's Road, there is a mixture of bungalows and two storey dwellings and a church building which lies to the rear of the site. More recent development such as St Georges Avenue and Greenacre Close constructed in the 1980s and 1990s sets an example of nearby denser, residential development.

## **3.0 Relevant Planning History**

3.1 No relevant planning history.

## **4.0 Representations**

4.1 The application has been advertised in accordance with the requirements of the Planning Practice Guidance as follows:

- Any neighbour sharing a boundary with the site has received written notification
- Site notice
- Advertised on the Council website

4.2 A total of eight objections have been received from local residents raising the following issues:

- Over development
- Out of keeping with surrounding properties
- Concerns with the junction between High Street and Green's Road
- Concerns with on street parking
- Increase in traffic congestion

## **5.0 Parish Council**

5.1 Hatfield Parish Council object to the application on the basis that:

- The proposed development is over intensive and not in keeping with its surroundings.
- There is insufficient parking and concerns with the access
- The development is not in accordance with the village plan

## **6.0 Relevant Consultations**

### 6.1 Highway Officer

No objection subject to conditions and informatives.

### 6.2 Drainage Officer

No objection subject to conditions and informatives.

### 6.3 Ecology Officer

A bat survey has been carried out on the building proposed for demolition. No evidence of bats was found and the building was assessed as having low potential for use as a roost. No objection subject to a condition.

### 6.4 Pollution Control Officer

Following the receipt of additional information, no further investigation of the site is required.

### 6.5 Shire Drainage Board

No objection subject to conditions and informatives.

## **7.0 Relevant Policy and Strategic Context**

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

7.2 In the case of this application, the development plan consists of the Doncaster Core Strategy and Unitary Development Plan. The most relevant policies are Policies CS1, CS14 and CS16 of the Core Strategy and Policy PH11 of the UDP.

7.3 Other material considerations include the National Planning Policy Framework (NPPF) and the subsequent planning guidance; as well as the Council's supplementary planning guidance.

## **8.0 Planning Issues and Discussion**

8.1 The main issues for consideration on this proposal are:

- The principle of the development
- Impact upon the character and appearance of the surrounding area
- Impact upon highway safety
- Impact upon neighbouring amenity

### Principle

8.2 The NPPF seeks to significantly increase the overall quantity and quality of housing and to ensure that it is built in sustainable locations. Policy PH11 (a) of the UDP accepts the principle of residential development in a residential policy area providing the character of the area or local facilities are maintained and neighbour amenity is protected.

8.3 The application site is located within the settlement boundary of Dunsville where the principle of new residential development is acceptable in principle.

### Impact upon the character and appearance of the surrounding area

8.4 Policies CS1 and CS14 of the Core Strategy and Policy PH11 of the UDP requires that all proposals in Doncaster must be of high quality design that respects the character of the area in regard to a number of principles of good design. These include being of a form, density, and layout sympathetic to the area. Objectors believe that the redevelopment of the site to accommodate 3 dwellings would cause the site to appear overdeveloped and that the design of the properties would not be in character with the existing pattern of development.

8.5 The street scene on High Street is mixed in character with bungalows, dormer properties and 2 storey dwellings present on the north of the road and a more uniform appearance on the opposite side. From the perspective of Green's Road, there is a mixture of bungalows and two storey buildings. There is a mixture in the density and pattern of development with bungalows enjoying large gardens compared with more mixed, concentrated modern development.

8.6 Officers acknowledge there are some concerns with the overall scale and grain of the development proposed, being more in common with the more substantial properties on the south side of High Street in terms of overall scale and massing. The proposed layout would substantially increase the amount of built development on the site and present a contrasting style of bungalows and two storey dwellings in this prominent location.

8.7 Whilst the contrast in appearance to bungalows would be easily apparent, the immediate area around the site hosts a variety of dwelling scales and appearances and therefore the development would not necessarily appear out of character. The development would continue the evolution of the area's character towards a tighter urban form which is evident nearby. The development would comply with respect to the Council's SPD guidance relating to plot size, amenity space, respecting building lines, access requirements and providing sufficient landscaping. The development would also reuse dilapidated previously developed land.

8.8 In summary therefore, whilst acknowledging the prominence and scale of development, the sites lies within a sustainable location where new housing should be encouraged. Although finely balanced, it is considered that the proposal respects the character of the area and is generally in compliance with Policy CS14 of the Core Strategy and Policy PH11 of the UDP.

#### Impact on highway safety

8.9 Policies CS1 and CS14 of the Core Strategy and Policy PH11 of the UDP require development to be of a high quality design which is functional and does not cause any detriment to highway safety. Local residents have commented on the access arrangement and existing congestion on to Green's Road and questioned whether sufficient parking spaces have been provided.

8.10 The development would utilise the existing access arrangement to provide sufficient parking spaces for Plots 1 and 2. A new access would be created to service Plot 3, with sufficient off street parking. Although it is acknowledged that vehicles may reverse on to Green's Road, this is common place on the road and this would be done at low speed with drivers taking appropriate due care and attention to avoid conflict with other motorists and pedestrians. The Highway Officer has been consulted on the application and has no objection.

8.11 Green's Road does not have any parking restrictions in force and on street parking is evident nearby. Whilst this may be an annoyance for some residents, on street parking does not automatically amount to a danger to highway safety. There would be adequate visibility from the access points associated with the new development.

8.12 The application therefore accords with Policy CS14 of the Core Strategy which recognises that a component of good design is to ensure that highway safety is not affected.

#### Impact on neighbouring amenity

8.13 The NPPF emphasises the need to protect the quality of the built environment and ensure a good standard of living conditions for current and future occupiers of housing. Policy CS14 of the Core Strategy and Policy PH11 of the UDP recognises that a component of good design is to ensure that new development does not have a negative effect on residential amenity. Concerns have been raised by an adjacent neighbour relating to loss of privacy

8.14 The rear facing windows of Plot 2 would have views down the newly created garden and, to a lesser extent, the amenity area associated with the property No. 42 High Street. Whilst this would introduce some overlooking where previously there was none, there would be no direct viewing inside the neighbouring property. Similarly, the rear elevation of Plot 3 would direct views towards the end portion of the neighbour's garden at an acceptable distance. In light of the above, despite some overlooking of portions of the neighbouring garden, the levels of privacy as a whole to the neighbour would not be adversely affected.

8.15 In terms of other amenity impacts, the resultant increase in bulk massing of Plot 2 relative to the existing bungalow is likely to result in some additional overshadowing to the garden area of No. 42 in the morning. However, the rear elevation of this property is north facing and receives little direct sunlight and the affected garden area would be shaded by the neighbour's own property during the main part of the day. Plot 2 would not project beyond the rear wall of the neighbour. As such, the impact in terms of loss of light and visual amenity would be minimal.

8.16 Owing to the orientation of development and the separation distances between properties, there would be little impact in terms of loss light, visual amenity or loss of privacy to other properties. The development meets the requirements set out in the Council's SPD guidance relating to protecting privacy, light levels or any over dominance impact.

8.17 As such, the development respects neighbouring amenity and complies with Policy CS14 of the Core Strategy and Policy PH11 of the UDP.

#### Other issues

8.18 Representations have been received referencing a village plan for Dunsville, however this document has not been progressed as part of the Development Plan for Doncaster and has no material weight in the determination of planning applications.

### **9.0 Summary and Conclusion**

9.1 Having regard to all matters raised, including the objections received, the redevelopment of the site would provide new housing in a suitable location without significantly affecting the character or the area or local amenity. Under the provisions of the NPPF, the application is considered to be a sustainable form of development and permission should be granted subject to necessary conditions set out below.

### **10.0 Recommendation**

10.1 GRANT Full planning permission subject to the following conditions.

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

02. U58363 The development hereby permitted shall be carried out in complete accordance with the details shown on the amended plans referenced and dated as follows:
- Drwg. No. 786/3NR2 Site Layout Plan dated 2 Jan 2018 received 09.01.2018  
Drwg. No. 786/7 Plots 1 and 2 3 Bedroom House Type with Detached Garage dated 2 Jan 2018 received 09.01.2018  
Drwg. No. 786/6R Plot 3 3 Bedroom House Type with Integral Garage dated 2 Jan 2018 received 09.01.2018  
Drwg. No. 786/4 Garage Plan dated 17th October 2017 received 06.11.2017
- REASON  
To ensure that the development is carried out in accordance with the application as approved.
03. DA01 The development hereby granted shall not be begun until details of the foul, surface water and land drainage systems and all related works necessary to drain the site have been submitted to and approved by the Local Planning Authority. These works shall be carried out concurrently with the development and the drainage system shall be operating to the satisfaction of the Local Planning Authority prior to the occupation of the development.
- REASON  
To ensure that the site is connected to suitable drainage systems and to ensure that full details thereof are approved by the Local Planning Authority before any works begin.
04. MAT1A Prior to the commencement of the relevant works, details of the proposed external materials shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved materials.
- REASON  
To ensure that the materials are appropriate to the area in accordance with policy CS14 of the Doncaster Core Strategy.
05. MAT4 No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials, height, and type of boundary treatment to be erected on site, including any gates. Unless otherwise approved in writing by the local planning authority, the details as approved shall be completed before the occupation of any buildings on site.
- REASON  
To ensure the satisfactory appearance of the development.

06. CON2                   Should any unexpected significant contamination be encountered during development, all associated works shall cease and the Local Planning Authority (LPA) be notified in writing immediately. A Phase 3 remediation and Phase 4 verification report shall be submitted to the LPA for approval. The associated works shall not re-commence until the reports have been approved by the LPA.  
REASON  
To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to guidance set out in the National Planning Policy Framework.
07. CON3                   Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and be approved in writing by the LPA prior to any soil or soil forming materials being brought onto site. The approved contamination testing shall then be carried out and verification evidence submitted to and approved in writing by the LPA prior to any soil and soil forming material being brought on to site.  
REASON  
To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to guidance set out in the National Planning Policy Framework.
08. NOPD1A               Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (No.596) (England) Order 2015, Article 3, Schedule 2: Part 1 (or any subsequent order or statutory provision revoking or re-enacting that order) no additions, extensions or other alterations other than that expressly authorised by this permission shall be carried out without prior permission of the local planning authority.  
REASON  
The local planning authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties or to the character of the area and for this reason would wish to control any future development to comply with policy PH11 of the Doncaster Unitary Development Plan.
09. 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.



10. U58367 The vehicle parking spaces as shown on the approved plans shall be constructed before the development is brought into use and shall thereafter be maintained as such.  
REASON  
To avoid the necessity of vehicles reversing on to or from the highway and creating a highway hazard.
11. 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.
12. U58368 The method statement detailed in section 4.2.1 of the Bat Roost Inspection Report by Quants Environmental dated November 2017 including the provision of a bat box in the completed scheme shall be followed in full unless otherwise agreed in writing by the Local Planning Authority.  
REASON  
In line with Policy CS16 of the Core Strategy to ensure the ongoing ecological interests of the site with respect to bats are maintained.
13. U58386 Any boundary treatment adjacent to the driveways shall be of a height no greater than 900mm. The boundary treatment to the front of Plots 1 & 2 shall be at a height no greater than 900mm to ensure forward visibility is maintained.  
  
REASON  
To protect visibility in the interests of highway safety as required by Policy Cs14 of the Core Strategy.

## **Informatives**

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](http://www.gov.uk/government/organisations/the-coal-authority)  
  
This Standing Advice is valid from 1st January 2017 until 31st December 2018

02. U12096

INFORMATIVE

The developer's attention is drawn to the information provided by the Council's Drainage Officer. The information may be found by viewing the consultation reply which is attached to the planning application on the Council's website. Please use the following link [www.doncaster.gov.uk/planningapplicationsonline](http://www.doncaster.gov.uk/planningapplicationsonline)

03. IDRAIN

INFORMATIVE

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

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

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

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

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

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

For direct enquiries e-mail: [planning@shiregroup-idbs.gov.uk](mailto:planning@shiregroup-idbs.gov.uk)

04. U12103

INFORMATIVE

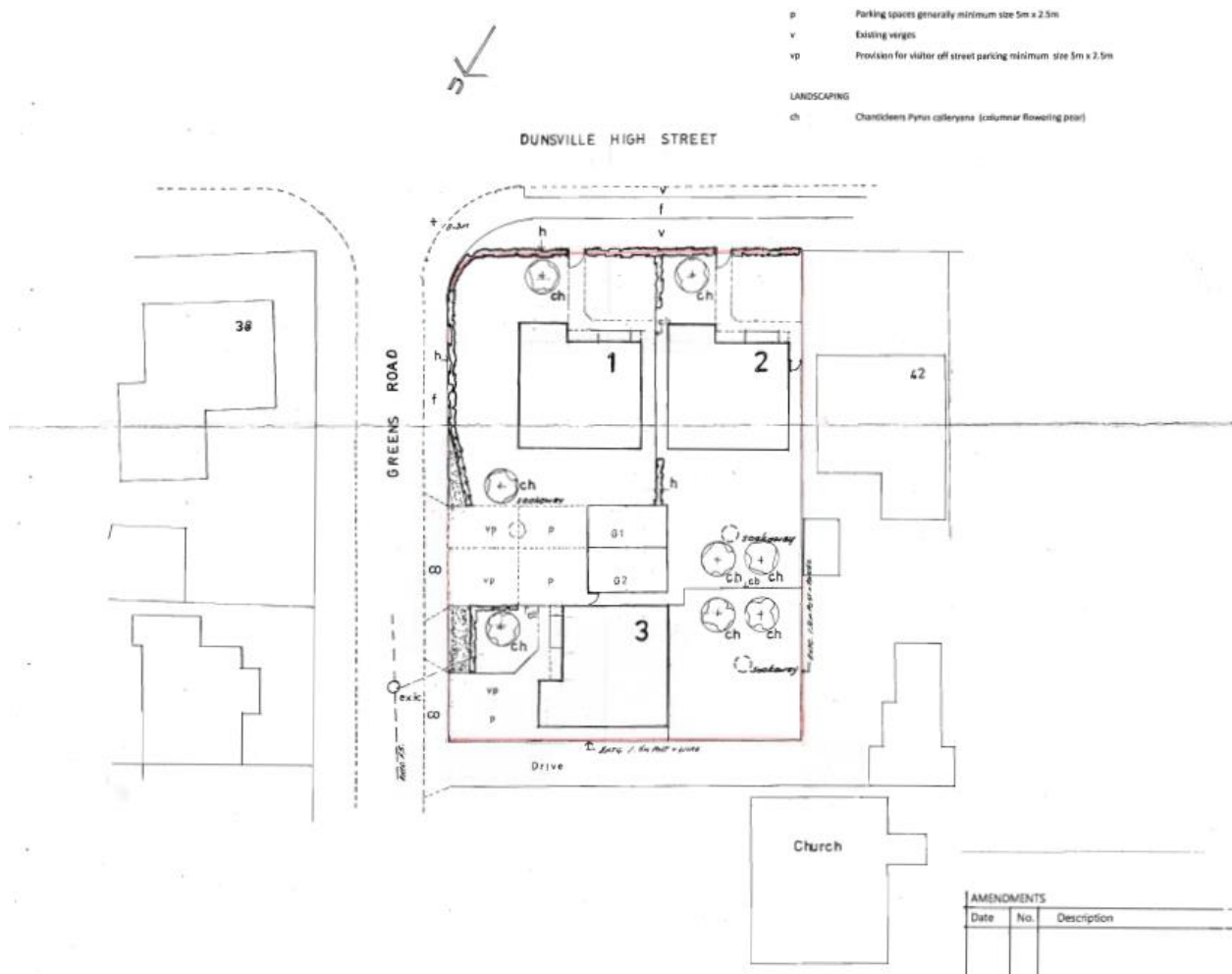
Any works carried out on the public highway by a developer or any one else other than the Highway Authority shall be under the provisions of Section 278 of the Highways Act 1980. The agreement must be in place before any works are commenced. There is a fee involved for the preparation of the agreement, and for on site inspection. The applicant should make contact with Malcolm Lucas, Tel. 01302 745110. Email. [Malcolm.lucas@doncaster.gov.uk](mailto:Malcolm.lucas@doncaster.gov.uk) 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 Tel. 01302 735162. Email. P.Evans@doncaster.gov.uk as soon as possible to arrange the setting up of the permit agreement.

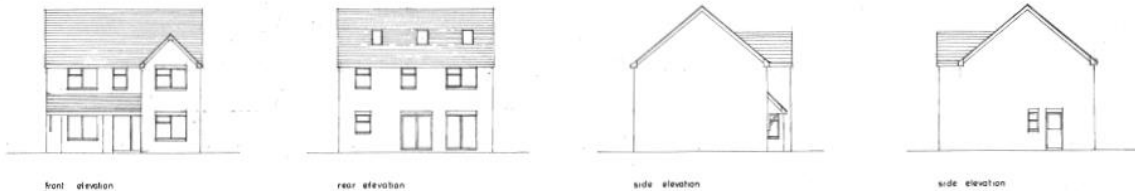
The developer shall ensure that no vehicle leaving the development hereby permitted enter the public highway unless its wheels and chassis are clean. It should be noted that to deposit mud and debris on the highway is an offence under provisions of The Highways Act 1980.

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

# APPENDIX 1 - PROPOSED SITE PLAN



# APPENDIX 2 PROPOSED PLOTS 1 & 2 ELEVATIONS and FLOOR PLANS



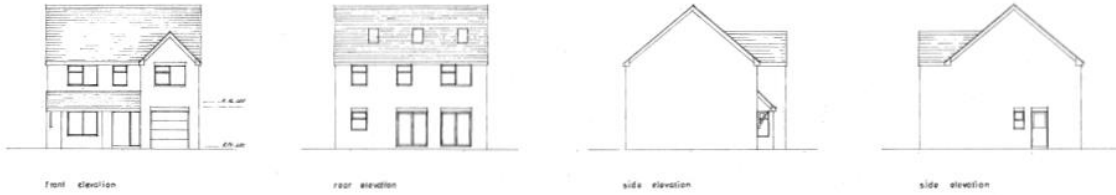
- KEY TO ROOMS & SIZES**
- 1: Hall
  - 2: Living Room
  - 3: Kitchen/Family 3
  - 4: Utility
  - 5: WC
  - 6: Lounge
  - 7: Bedroom 1
  - 8: Bedroom 2
  - 9: Bedroom 3
  - 10: Bathroom
  - 11: Multipurpose
  - 12: Store
  - 13: Landscaping
  - 14: Porch/Screen

- Materials (MESH)**
- Walls: Facing Brick
  - Roof: Slate/Asph/C
  - Architrave: Ply
  - Windows: UPVC
  - Doors: UPVC
  - Base: Painted Iron

**AMENDMENTS**

Date	No.	Desc

## APPENDIX 3 PROPOSED PLOTS 3 ELEVATIONS and FLOOR PLAN



### KEY TO ROOMS & SIZES

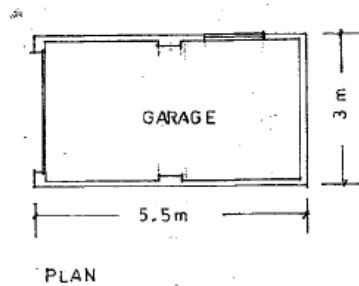
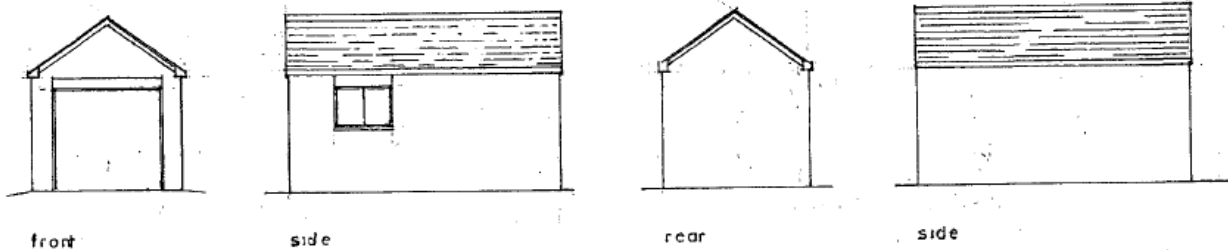
1	Hall	1800 x
2	Dining Room	3600 x
3	Kitchen/Breaky Room	2200 x
4	Living	2000 x
5	WC	2000 x
6	Garage	2800 x
7	Bedroom 1	3600 x
8	Bedroom 2	3200 x
9	Bedroom 3	2200 x
10	Bedroom 4	2200 x
11	Masterroom	3200 x
12	Bath	2000 x
13	Landings	various
14	Patio Area	

### Materials Detail

Walls	Facing Brick Buff Rustic
Roof	Sandtoft Cassius Antique Slate
Windows	Off White uPVC
Doors	Off White uPVC
Rwp	Round Black PVC

AMENDMENTS		
Date	Ref	Description

## APPENDIX 3 PROPOSED GARAGE ELEVATIONS and FLOOR PLAN



### Materials details

Walls	Facing Brick Buff Rustic
Roof	Sandtoft Cassius Antique Slate
Window	Off White uPVC
Doors	Coated steel up & over
Rwp	Round Black PVC

### PROPOSED RESIDENTIAL DEVELOPMENT GARAGE PLAN

40 High Street, Dunsville, Doncaster DN1  
Scale: 1:100

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**DONCASTER METROPOLITAN BOROUGH COUNCIL**

**PLANNING COMMITTEE – 6<sup>th</sup> February 2018**

**Application**      3

<b>Application Number:</b>	06/00427/FULM	<b>Application Expiry Date:</b>	25th May 2006
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<b>Application Type:</b>	Planning FULL Major
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<b>Proposal Description:</b>	Erection of new retail outlet following the demolition and reconstruction of 1 & 2 Market Place and No.8 Silver Street
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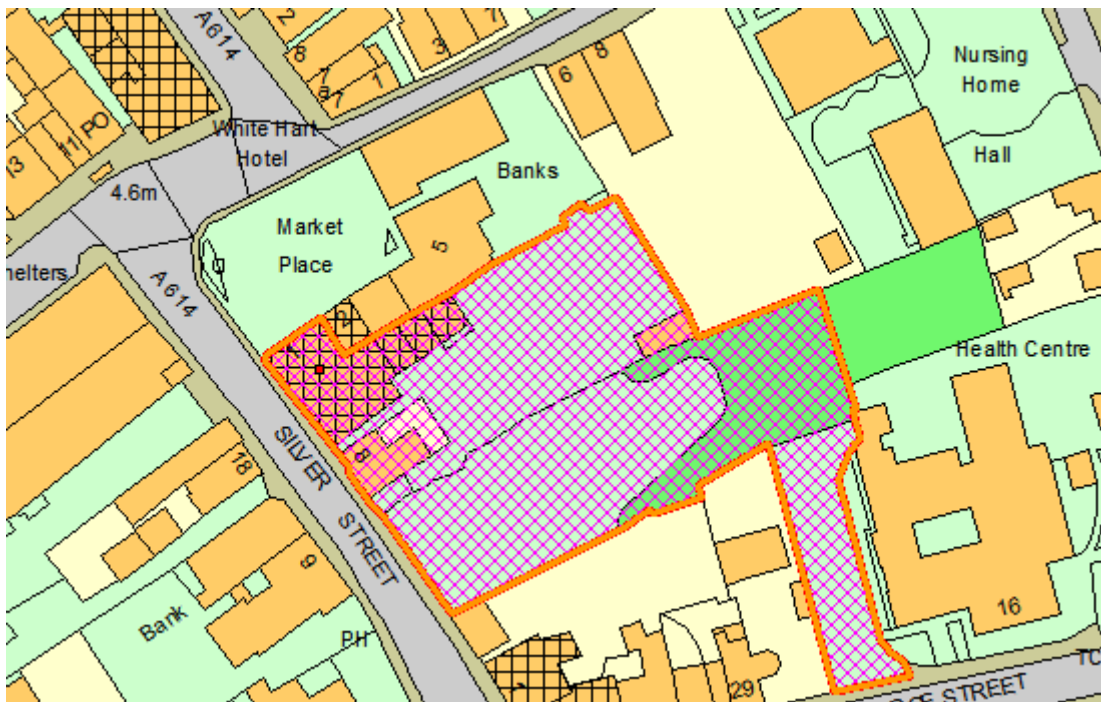
<b>At:</b>	1/2 Market Place And 8 Silver Street Thorne Doncaster South Yorkshire
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<b>For:</b>	Commercial Development Projects Ltd
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<b>Third Party Reps:</b>	7	<b>Parish:</b>	Thorne Town Council
		<b>Ward:</b>	Thorne And Moorends

<b>Author of Report</b>	Gareth Stent
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<b>MAIN RECOMMENDATION:</b>	Grant
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## **1.0 Reason for Report**

- 1.1 The application is presented to committee as the application had been previously reported to planning committee on the 16<sup>th</sup> May 2006. This was due to the opposition from the Civic Societies and was deferred to allow further discussions to take place regarding possible reuse of the building. The application was also presented to the 29.8.2006 committee and again deferred. Since 2006, the application site has increased in size and now includes land owned by Doncaster Council and is not regarded as a routine minor development.
- 1.2 The application therefore is required to be represented to committee for determination and therefore cannot be determined by delegated powers.

## **2.0 Proposal and Background**

- 2.1 This application seeks the demolition of the group of buildings known as 1-2 Market Place and No.8 Silver Street, Thorne and the sites redevelopment for an A1 retail store, car park and new accesses. The site lies within the Thorne Town centre. 1-2 Market Place fronts onto the small Market Place and continues around the corner onto Silver Street where a small gap separates it from 8 Silver Street, a detached property. The properties extend to the rear opening onto a grassed area where there is a further detached, derelict building boarded up and inaccessible. 1-2 Market Place was once a hardware store, known locally as Hirsts and included a small market chip shop at No.2. No.8 Silver Street is a black and white rendered building known as the Old Police House.
- 2.2 The buildings have had a long protracted history and were once important features within the Thorne Conservation Area, however over time through neglect and none operation use, they have fallen into disrepair. No 1 & 2 Market Place are Grade II Listed Buildings. This proposal now seeks the demolition of all buildings and the total redevelopment of the site.
- 2.3 This 2006 application has been resurrected by the submission of amended plans along with the submission of a Listed Building Consent which seeks total demolition of 1 & 2 Market Place (17/00029/LBC). The demolition of No.8 Silver Street can now be considered under this full application as this is not a Listed Building but within the Conservation Area.
- 2.4 The accompanying Listed Building Consent is supported by a Heritage Statement that justifies the demolition of the building and details what attempts have been made to dispose of the building and to secure the building from the weather.



2.5 Finally the plans were amended on several occasions over recent months to primarily address the concerns raised by Historic England and the councils Conservation Officer with regards to the design and appearance of the replacement building. Further highway modelling was also commissioned along with further written justification for the scheme. A new planning Certificate B was also submitted to reflect new land that has been included within the application and falls within Doncaster MBC ownership.

### **3.0 Relevant Planning History**

3.1 The history section shows that back in 2005 an attempt was made to redevelop this site by the submission of a Conservation Area Consent (05/01725 CAC) to demolish 1 & 2 Market Place and No.8 Silver Street and redevelop the site for a retail facility under planning reference 05/01724/FULM.

3.2 During these negotiations and consideration of the Conservation Area Consent, buildings 1-2 Market Place were listed on the 8th November 2005. As such 1 & 2 Market Place were removed from the consideration of the Conservation Area Consent application and a separate Listed Building Consent for demolition of 1 & 2 Market Place was applied for. The full application was refused, as it was deemed the building was capable of being repaired and insufficient efforts had been made to secure the reuse of the property.

3.3 The Listed Building application was also refused by the planning committee as the building was not in a structurally dangerous condition and could easily be repaired. The committee considered insufficient efforts have been made to secure the repair or reuse of the building through maintenance, grant assistance or offer for sale or lease. No suitable scheme for the redevelopment of the site has been put forward. The view was that the building is an important part of Thorne Conservation Area and contains historic elements that should be preserved.

3.4 The Conservation Area Consent (05/01725/CAC) now limited to No.8 Silver Street was part granted for the demolition of the rear buildings connected with No.8 and refused for the frontage building No.8.

3.5 Following the above refusals, 3 further applications were submitted, a new Conservation Area Consent for No.8 Silver Street (06/00429/CAC), similarly a Listed Building application for 1 & 2 Market Place 06/00428/LBD and this current application 06/00427/FULM. The proposal was to retain the frontages of the buildings in connection with the sites redevelopment. All three applications were deferred from planning committee over 10 years ago. The Listed Building application and Conservation Area Consent have since been withdrawn.

3.6 The scheme has been 'moth balled' over recent years pending further discussions over the design and more importantly the condition of the buildings with a view to still seeking total demolition and rebuild. The relevant references are as follows:

- 01/1807/P Change of use of dwelling to offices and formation of car park to rear. Granted. 10.07.2001 No.8 Silver Street
- 05/01724/FULM Erection of retail development on approximately 0.21ha of land following demolition of existing buildings. Refused 20.02.2006
- 05/01725/CAC Conservation Area Consent for the demolition of 8 Market Place. Part Granted (Rear buildings) and Part refused (frontage) on the 20.2.2006
- 05/03534/LBD Listed Building Consent to demolish buildings (1 & 2 Market Place) in connection with proposed retail development refused 20.2.2006.
- 06/00429/CAC Conservation Area Consent for demolition of offices retaining existing facade and demolition of brick barn in connection with erection of new retail outlet. (No 8 Silver Street). Withdrawn.
- 06/00428/LBD - Listed Building Consent for demolition of shop/offices and retention of existing facade in connection with erection of new retail outlet (1/2 Market Place) withdrawn.
- 17/00029/LBC - Listed building consent for demolition of 1 & 2 Market Place in connection with proposed redevelopment of the site. Pending.

#### **4.0 Representations**

4.1 The application was originally advertised in 2006 by the means of a site notice and in the local post office. Adjoining properties were also consulted directly in writing. Having examined the historical committee report it was noted that this attracted two individual letters of objection from local residents on the grounds of the character of the existing building.

4.2 Since the amended plans have been received the application has been advertised on site by x3 sites notices, advertised in the Press (appeared Thursday 26th Jan 17) and by letter to adjoining landowners within the vicinity of the site. The application has also appeared on the social media site of the Thorne Times. This accords with Article 13 of the Town and Country Planning (Development Management Procedure) Order.

4.3 2 letters of representation have been received from a local resident. The observation is as follows:

- The detail on plans coupled with the lack of a Planning Statement and a Design and Access Statement makes it difficult to know what is going on.
- Does Thorne/Moorends needs another supermarket given it has LIDL, Sainsburys, Aldi and the Co-op at the petrol station. This is combined with Heron & Fultons which takes Thorne beyond the capacity.
- The town has gone through a substantial change in recent years resulting in the closure of a number of small shops, banks and this gives the opportunity to redevelop the market place in tandem with the applicant's site.

- The front of Silver Street (with or without 8 Silver Street) and backland sites could be developed for residential purposes with properties consistent with the townscape. The Conservation Area and/or the Commercial Policy Area should be reconsidered in the light of the radical change to the shopping area of the town.
- Any CIL could be invested in Flood Risk attenuation or alternatively in updating the infrastructure of Thorne.
- In mitigation for the loss of the building more attention should be paid to the interior of the new building i.e. replacing as much of the lobby as possible and keeping key furniture (fire places stair cases) for display purposes.
- Part of the building would make "an ideal setting for a small local history museum and information centre inside the building would be in the 'Market Chippie, where a 17th Century fireplace still remains; in other parts of the building we would like to include the history and information of Thorne and Hatfield Moors together with the RSPB; perhaps a coffee shop or tea rooms extending onto the Market Place in the summer. This building would be used to educate our local community, especially our younger generation, also visitors with regards to our local history, provide craft skills and employment while creating accommodation for local people."
- One idea is to locate Thorne/Moorends Town Council in the premises so as to be central and could give some security for the above proposal.
- The Thorne Town Centre Review (by URS), part of the Thorne Neighbourhood Plan should be introduced as evidence as emerging legislation as it is undoubtedly relevant. This document addresses regeneration, which can only really happen, if the population were to increase. The Thorne Conservation Area Appraisal describes the area as 'deteriorating'.

4.4 1 letter of support was received;

- The property has been in a very poor state of repair for many years and is now beyond any reconstruction and unsafe, demolition is the only option. The proposed new build will be of great benefit to the community, the conservation group should be discounted as they do not want the area to be improved. The new build has been developed to enhance the historical features.

4.5 1 letter of interest from a local ecologist;

- With the exception of the parish church, the structure is probably the oldest remaining in Thorne and requires detailed recording and dendrochronological dating. Hopefully these can be added to the planning conditions.

- One other interest is in the local insect fauna, in particular the distribution of Deathwatch and its relation to climate change. It would be interested to know whether the timbers have any extant populations.

4.6 A full round of reconsultation took place in January 2018 based on the amended plans. 3 responses were received. Many of the comments simply reiterated the concerns previously expressed above, over the need for another retail unit and favoured residential and parking instead. Also the need for Silver Street to have an enclosed frontage was reiterated.

- A representation wanted to know what retail out would be formed.
- When Thorne-Moorends town council purchased these properties they envisaged demolition and the creation of a viable development site in keeping with the character of the town including Doncaster's land.

## **5.0 Thorne Town Council**

5.1 This application was considered by the Town Council at its meeting of 24th January 2017. The Town Council welcomes this proposal and the associated site redevelopment in that it would remove a long standing eyesore which has blighted the Town centre for many years. The removal of these derelict buildings will be a major boost for Thorne Town Centre.

## **6.0 Relevant Consultations**

6.1 Many of the responses from the Civic Societies are as per the January 2017 consultation and relate to both the full and listed building consent simultaneously. These will therefore be updated as pre committee notes once received as a result of the latest round of consultation on the amended plans.

6.2 Environmental Health - No objections. The officer noted the commercial and residential split within the town centre and suggested conditions covering the need to provide further details of extraction/planting location and details, demolition and construction operational hours and lighting details. This will ensure the nearby residential properties are safeguarded against nuisance.

6.3 Environment Agency - The site lies within Flood Zone 1, therefore have no comments on the application.

6.4 Fire officer - No objections. 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 are to be provided in accordance with Approved Document B Volume 2 Part B5 Section 15.

6.5 Ecologist – Initial holding objection based lack of a bat survey as the buildings could be capable of accommodating bats. An ecological appraisal of the site was also required to consider habitat loss and relevant compensation. This survey work only commissioned in September despite being requested in February 2017. Whilst the surveys were undertaken at a suboptimal time of year, the ecologist is confident that bats are unlikely to be using the building. Conditions covering the need for mitigation and compensation measures are suggested, along with the need for bat roosting bricks to be incorporated into the design of the building.

- 6.6 Yorkshire Water: No objections subject to a condition covering the need for separate systems of foul and surface water drainage which will be imposed on any approval. The local system does not have the capacity to deal with surface water and therefore SUDs are a requirement.
- 6.7 Highways DM - Highways raised an initial objection over the access from Silver Street, the inadequate delivery yard / servicing. HGV delivery vehicles will undoubtedly restrict vehicles exiting the car park via the one-way system to Bridge Street. A lack of detail was provided over delivery vehicles negotiate the exit onto Bridge Street and its visibility on to Bridge Street for exiting vehicles. Also concern of how the one way access / egress arrangement will be controlled. Mayer Brown Ltd were commissioned to assess the highway concerns and produced a technical note and stage 1 Road Safety Audit. This combined with amended plans resulted in a satisfactory scheme.
- 6.8 Victorian Society - Objection. The proposal would result in the total and unjustified loss of designated heritage assets and cause serious harm to the special interest of the Conservation Area. The society echo the concerns raised by others over the proposed demolition of 1-2 Market Place and are not convinced that the loss of these buildings has been justified in accordance with the NPPF.

In addition to 1-2 Market Place, the application also proposes the demolition of 8 Silver Street. The building is noted in the Thorne Conservation Area Appraisal as the late nineteenth-century Old Police Office and its poor condition and future is rightly highlighted by the Council as a particular concern. It is a modest but attractive structure, which makes a positive contribution to the character and appearance of the Conservation Area. It is both a non-designated heritage asset and an intrinsic part of the designated heritage asset that is the Conservation Area.

- 6.9 Georgian Group - The Georgian Group wishes to register its objection to the proposed total demolition of the listed building. At the time of listing in 2005 the building retained seventeenth and eighteenth century fixtures and fittings of considerable interest including two eighteenth century staircases, panelling, and chimneypieces.

The Group wishes to defer to Historic England on the impact of the design of the proposed replacement building on the surrounding conservation area, and to the Victorian Society over the proposed demolition of the late nineteenth century former Police Station on Silver Street.

The Group Note the efforts that have been made to find a sustainable new use for the historic buildings on the site and to secure grant aid for its repair. What is less clear from available documents, is what efforts have been made in recent years to prevent the further deterioration of the building's fabric.

Whilst the Group is aware from the supporting documentation that the building is in a state of considerable disrepair, it is not clear what now survives internally. It is also not clear whether it would be practicable to retain the most important of the surviving elements of the building's historic fabric within any new development of the site as a whole. Further work should be undertaken to assess the practicability of this option.

As the proposed works of demolition would cause the total loss of a Grade II listed building, and substantial harm to the surrounding core of the Conservation area which includes the Market Place, demolition must be necessary to achieve substantial public benefits. From the available supporting documents The Group cannot be convinced that the total redevelopment of the site represents the only viable option for achieving the public benefit which the applicants aim to achieve, or that the four key tests set out in para 133 of the NPPF have been met.

6.10 Conservation Officer – No objection. The Conservation officer has been working with the applicant to achieve a suitable design for the replacement building should the principle be supported. Whilst 8 Silver Street is considered to make a positive contribution if the overall redevelopment of the site enhances the Conservation Area this would be considered to be in accordance with Para 137 of the NPPF and saved policy ENV26 of Doncaster's UDP.

The proposal has seen significant amendments to the design and form of the building over recent months, with amendments being made to the detailing of the shop fronts, spacing of the buildings to create an ordered approach, amendments to the rear and form of No.8 Silver Street, materials and boundary walls. The Conservation officer suggested it would have been preferable for the gap between the proposal and the neighbouring 1 Silver Street to have been filled with a building to improve the townscape but this was not considered viable, however a tall brick wall and bike shelter is proposed.

Overall the proposal is welcomed as it replaces the existing historic buildings with buildings of similar forms.

6.11 Historic England (HE) – No objection providing the council is satisfied that the requirements of paragraphs 132 and 133 of the NPPF are met in determining the application. Historic England's preference would be to see the repair and retention of the existing buildings in conjunction with the redevelopment of the site. However, they acknowledge the poor and deteriorating condition of 1-2 Market Place and 8 Silver Street and the visual impact these buildings currently have on the appearance of the Conservation Area.

HE state that the demolition of 1 & 2 is regrettable and that they have worked with the authority and building owners for many years to try and find a solution for this key site within the Conservation Area. HE agree with the changes requested to the design and are satisfied with the documents and justification given with regards to the upkeep of the building and alternative uses.

6.12 SPAB – The Society for the Protection of Ancient buildings. Objection

The SPAB visited Thorne in 2013 and were struck by the history and great character of the town. SPAB were also mindful of the challenging social, economic and employment circumstances of Thorne and how some of these difficulties manifested in the redundancy and neglect of a number of buildings and areas. However, there appeared to us to be great potential to improve the town's future by building upon its inherent special qualities and charm, but sadly such opportunities had not yet been embraced.

A few years since that visit, with several buildings at risk, and the condition of the conservation area categorised as 'very bad' and 'deteriorating' the ongoing situation in Thorne is quite worrying.

SPAB were concerned why the 2006 application had been left undetermined and concerned that the council were in discussions over the past decade with the owners regarding the redevelopment scheme and the design of the replacement buildings(s) when no consent had been given for demolition and no evidence of actions taken to remove the ongoing and worsening risks posed to and by the buildings.

SPAB fail to see how the demolition of all the buildings and replacement with a pseudo historic simulacrum would preserve or enhance the character or appearance of the conservation area. SPAB were also concerned with the measures the applicant had undertaken to keep the building in good health and 'stop the rot' and to find alternative uses since they acquired it in 2004.

SPAB also seek to understand the reasons why the Local Planning Authority do not appear to have used the statutory tools available to them to prevent the building from falling into further disrepair, i.e. Compulsory Purchase Order.

SPAB does not consider this to be an exceptional case and are not convinced that the substantial harm and loss that would result from the proposed demolition and redevelopment is necessary to achieve substantial public benefits that outweigh that harm or loss, or that all of the following tests have been met. For this reason and the reasons set out above SPAB advise that the current applications fail to meet the requirements of Sections 16, 66 & 72 of the Planning (Listed Buildings and Conservation Area) Act 1990 and paragraphs 128, 130, 132, & 133 of the National Planning Policy Framework and should be refused.

6.13 South Yorkshire Archaeological Service – In matters relating to listed buildings and buildings within conservation areas, SYAS defers to the advice given by DMBC's Conservation Officers and Historic England. That is the case in this instance. However, we also wish to reiterate the recommendations we made on this application in 2006. Our preference would be for the retention of these historic buildings but, if consent is granted, a condition should be attached to secure a scheme of historic building recording and archaeological evaluation of any below ground deposits in order that a scheme of mitigation can be agreed.

6.14 Pollution Control – No objection.

## **7.0 Relevant Policy and Strategic Context**

7.1 The site lies within an area allocated as Commercial Policy Area and partially within the Primary Shopping Frontage within the adopted Doncaster Unitary Development Plan. The application is also within Thorne Town Centre Conservation Area. The following text details the relevant National and Local Planning Policies (Core Strategy and Unitary Development Plan) and also highlights relevant parts of the Town and Country Planning Act.

## National Planning Policy Framework (NPPF)

- 7.2 The National Planning Policy Framework (NPPF) (2012) is the national tier of planning guidance and is a material planning consideration in the determination of planning applications. In terms of the NPPF, the overarching aim is for sustainable development, which should be seen as a golden thread running through both plan-making and decision taking. Paragraph 7 of the NPPF identifies that planning should perform the following three roles in the delivery of sustainable development: i.e. the economic role, social role and an environmental role.
- 7.3 Section 12 of the NPPF has the most relevance to this application entitled 'Conserving and enhancing the historic environment'. More specifically paragraph 132 of the NPPF advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. It further states that as heritage assets are irreplaceable, any harm or loss should require clear and convincing justification; and that substantial harm to or loss of a grade II listed building should be exceptional.
- 7.4 It is a core planning principle that heritage assets are conserved "in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations".
- 7.5 Paragraph 130 of the NPPF states that; 'Where there is evidence of deliberate neglect of or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision.'
- 7.6 Paragraph 131 of the NPPF states that local planning authorities should take account of the "desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation". It highlights also the positive contribution that the conservation of heritage assets can make to sustainable communities including their economic vitality. Paragraph 132 stresses that "great weight" should be given to the preservation of heritage assets. It further states that as heritage assets are irreplaceable, any harm or loss should require clear and convincing justification; and that substantial harm to or loss of a grade II listed building should be exceptional
- 7.7 In addition, paragraph 135 of the NPPF states that "the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application". Paragraph 58 compels the Council to ensure that developments "respond to local character and history, and reflect the identity of local surroundings and materials".
- 7.8 Given that under Para. 132 of the NPPF demolition of a listed building is considered exceptional as heritage assets are irreplaceable there needs to be clear and convincing justification. Under Para. 133 of the NPPF this is by demonstrating that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:



- the nature of the heritage asset prevents all reasonable uses of the site; and
- no viable use of the heritage asset itself can be found in the medium term
- through appropriate marketing that will enable its conservation; and
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and the harm or loss is outweighed by the benefit of bringing the site back into use.

7.9 Other relevant parts of the NPPF include:

- Chapter 1 - Building a strong, competitive economy
- Chapter 4 - Promoting sustainable transport
- Chapter 7: Requiring good design. Paragraph 55 requires that developments should add to the overall quality of the area and respond to local character/history and reflect the identity of local surroundings.
- Chapter 10 - Meeting the challenge of climate change, flooding and coastal change
- Chapter 11 – Conserving and enhancing the natural environment.

### Doncaster Development Plan

7.10 This consists of the Core Strategy and the saved policies from the 1998 UDP:

#### Core Strategy:

7.11 The LDF Core Strategy's 10 objectives are also of relevance which promote economic engagement to achieve widespread economic, social and environmental regeneration for all sectors of all our communities, and to allow Doncaster's economy to realise its potential. This proposal will redevelop a derelict site and enable a new retail offer for the principal town, diversifying the retail opportunities and creating wealth and jobs.

Objective 2 seeks to be pro business to stimulate employment opportunities. Whilst the end retailer is not yet know the scheme due to its size will create employment.

Objective 3: To make best use of our excellent road, rail and canal links – Thorne is certainly well served by road and rail and is one of the reasons why it's a growth town. The town is sustainable having a full range of local services, schools, health care. This development will help underpin this growth and develop one of the few remaining gap sites left in the town centre.

Objective 9: To ensure that new development for jobs minimises the loss of Green Belt, countryside and agricultural land by making the most of existing buildings and land that has been used before and maximising opportunities for regeneration, whilst avoiding areas vulnerable to flooding where possible. This site is already within the settlement boundary and reuses a former vacant and derelict site.

Core Strategy Policy CS1: Quality of Life, is also relevant and sets out a number of general development criterion that will be used to assesses all development with the borough. Specifically this policy states that "As a means to securing and improving economic prosperity, enhancing the quality of place, and the quality of life in Doncaster, proposals will be supported which contribute to the Core Strategy objectives, and in particular:

- A) Provide opportunity for people to get jobs, learn new skills, and have access to good quality housing, local services, sport, leisure, religious and cultural facilities.
- B) Strengthen communities and enhance their well-being by providing a benefit to the area in which they are located, and ensuring healthy, safe places where existing amenities are protected.
- C) Are place-specific in their design and which work with their surroundings protecting and enhancing the built and natural environment, including green spaces, buildings, heritage assets, trees, waterways and public spaces.
- D) Are accessible by a range of transport modes which offer choice, and are open and inclusive to all.
- E) Protect local amenity and are well-designed, being: attractive; fit for purpose; locally distinctive; and; capable of achieving nationally recognised environmental, anti-crime and design standards.

Proposals should aim to follow all criteria, demonstrate how each objective has been considered and balanced against any other priorities, and is in accordance with all other relevant development plan policies.

7.11 The proposal is compliant with CS 1 in that it will provide a number of jobs, strengthen local employment sources, utilise an area of derelict land, thus reducing the development pressure placed on greenfield sites.

7.12 Other more detailed policies include:

- CS 2 - Growth and Regeneration Strategy
- CS 4 - Flooding and Drainage
- CS 9 - Providing Travel Choice
- CS 14 - Design and Sustainable Construction
- CS 17 - Providing Green Infrastructure
- CS 16 – Valuing natural environment.

7.13 Finally the relevant saved Unitary Development Plan sections include:

- ENV 26 - Demolition in Conservation Area
- ENV 25 - Conservation Areas
- ENV 30 - Listed Buildings
- ENV 32 - Alterations and additions to Listed Buildings
- ENV 34 - Development affecting the setting of Listed Buildings.
- SH1 – Commercial Policy Areas.
- SH5 - Primary shopping frontage

7.14 Also of relevance to this application is the 1990 The Planning (Listed Buildings and Conservation Areas) Act 1990. Section 72 obliges the Council to ensure that any development “preserves or enhances the conservation area.” Also the act requires that in the exercise of planning functions and in considering works to Listed Buildings (s.16 & 66) decision makers are required to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

## **8.0 Planning Issues**

### Main Issues

- 8.1 This application is 11 years old and several legislative and policy changes have occurred over the passage of time, in particular the abolishment of Conservation Area Consents, meaning the demolition of No.8 Silver Street is now to be considered under this application. The demolition of 1&2 Market Place is being considered under the standalone Listed Building Consent application.
- 8.2 Notwithstanding this the main issues are simple in that they require an assessment of the loss of No.8 Silver Street with the Conservation Area, the loss and impact of the new rebuilding of 1&2 Market Place, with its significant rear single storey extension, the principle of the retail use within the town centre, the impact on the local highway network, impact on adjoining landowners and finally the impact on the ecological value of the site.

### Principle

- 8.3 The proposal involves the redevelopment of a former retail unit, chip shop and Police House in the town centre of Thorne. The proposed A1 retail use is an acceptable use and encouraged within town centres. Policy SH1 of the Unitary Plan states that within small town centres, permission will normally be granted for commercial uses and policy SH5 seeks to retain retail uses within primary shopping frontages.

- 8.4 Concern has been expressed over whether Thorne needs another supermarket, however no end user has been stated at this stage and the market will determine if this is needed. The redevelopment of this site may well attract investment back into the centre of Thorne and balance out the new investment which has recently moved to the north of Thorne with the attraction of Aldi and B & M stores. The proposal will also reopen what is currently an inactive part of the primary shopping frontage at 1-2 Market Place and will breathe new life into the historical market square, which is currently suffering from partial inactive frontages and the closures to some banks.
- 8.5 Representations have been made about why alternative uses are not considered i.e. residential units, museums, smaller shops, however the Local Planning Authority has duty to determine the application as applied for and this is an appropriate use. The proposal will make use of a redundant site, create new jobs, create growth in the retail offer and remove a building that currently detracts from the Thorne Town centre. The principle of the scheme is therefore acceptable. No retail sequential testing is required given its town centre location.

### Design and Layout

- 8.6 Planning Policy Principle 7 of the NPPF states that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and contributes positively to making places better for people. Policy CS 14 of the Doncaster Council Core Strategy sets out the local policy in relation to design and sustainable construction.
- 8.7 The proposed site layout plan indicates that 1-2 Market Place and No.8 Silver Street are to be taken down and rebuilt in a form and character very similar to the buildings that currently occupy the site. A large flat roof building will then extend to the rear in an easterly direction providing 1104 sq m of retail floor space. Access will be taken from Silver Street into a car parking area, where cars will exit a newly formed access onto Bridge Street. Bridge Street will also provide the access for servicing vehicles.
- 8.8 The scale and massing of the frontage buildings pretty much replicates what currently exists and the new rear flat roofed building will provide the necessary floor space for a viable scheme to be produced. The flat roof nature will also safeguard views of the Church to the east of the site when viewed from Silver Street and cause no issue of overbearing or impact to surrounding buildings within the market square. The creation of a wall and bike shelter on Silver Street will recreate some sense of enclosure.
- 8.9 Several representations have been made about why a building cannot plug this gap, however it is required for access and any new enclosure is better than what currently exists. The proposal is unlikely to have any impact on No.1 Silver Street as the wall, which separates the 2 sites will remain and be upgraded. The car parking will only be used during opening hours and the adjoining property and residents are unlikely to suffer from the wider use or sites redevelopment. This accords with Policy CS 14 of the Core Strategy which requires that new development should have no unacceptable negative effects upon the amenity of neighbouring land uses or the environment.

## Highways and Parking

- 8.10 With regard to highway safety and parking, this should be considered against policy CS 14 of the Doncaster Unitary Development Plan which states that new development should ensure quality, stability, safety and security of private property, public areas and the highway, permeability and legibility. The proposal includes a new vehicular access off Silver Street for cars and users of the store with 51 new car parking spaces parking spaces to the southern edge of the site. The car park will operate a one way system where vehicles will exit the site onto Bridge Street, which is also the access for HGV's and servicing of the retail facility. A cycle store is also proposed onto Silver Street. The building is also now set back from Silver Street to allow the existing narrow footway to be widened which is planning gain.
- 8.11 The highway officer had initial concerns over the vehicular access from Silver Street due to its proximity to the existing zebra crossing on Silver Street, concerns over the inadequate delivery yard/servicing a problem and the need for HGV to cut across parking spaces. There were also concerns over the visibility onto Bridge Street and over how the one way system will be controlled. The applicants commissioned Mayer Brown Ltd to undertake a stage 1 road safety audit, swept path analysis and a technical note on the highway matters. This was assessed by the council's highways officer and overcome the original concerns.
- 8.12 Conditions covering detailed layout, engineering and highway drainage drawings are suggested along with site surfacing details and a Traffic Management Plan (TMP) for both demolition and construction phase of development is submitted to and subsequently approved in writing by the Local Highway Authority.

## Ecology

- 8.13 Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment, in regards to: valued landscapes, ecosystem services, biodiversity, pollution, and contaminated and unstable land. Paragraph 118 of the NPPF states Local Planning Authorities should aim to conserve and enhance biodiversity. Core Strategy Policy CS16: Valuing our Natural Environment, seeks to ensure that Doncaster's natural environment will be protected and enhanced. No assessment of the sites ecological value was initially submitted with the application.
- 8.14 The council's ecologist intimated that all the buildings on site proposed for demolition have the potential to be used by roosting bats and that necessary surveys would have to be undertaken. The ecologist requested an ecological appraisal of the site that looks at the potential for other protected species to be using the habitats present and discusses potential compensation for habitat losses.

- 8.15 This was put to the applicants and they initially wished for this to be treated by condition and were reluctant to grant access to the building given its poor condition and liability issues. It is however quite normal situation for a building to be considered unsafe such that an internal building inspection, that is usually included as part of a bat survey, cannot be undertaken. The applicants commissioned the necessary Ecological Impact Assessment in September 2017 despite it being requested in February. The report dated Oct 17 Rev A was undertaken by Access Ecology. This focussed on an initial inspection survey and nocturnal activity surveys. The surveys have found that the site is of low ecological value and the loss of habitats will have, at most with suitable mitigation in place, a minor negative insignificant impact at local level.
- 8.16 The surveys were undertaken at a suboptimal time of year, however the council's ecologist is confident with the work undertaken and suggests it's unlikely that bats are using the building. Conditions covering the need for ecological mitigation and compensation measures are suggested, along with the need for bat roosting bricks to be incorporated into the design of the building.

### Flooding/Drainage

- 8.17 Paragraph 99 of the NPPF relates to Flood Risk and the related environment stating that: 'Local Plans should take account of climate change over the longer term, including factors such as flood risk, coastal change, water supply and changes to biodiversity and landscape. New development should be planned to avoid increased vulnerability to the range of impacts arising from climate change.'
- 8.18 The site is located within Flood Risk Zone 1 (low probability of flooding) as shown on the Environment Agency flood maps and within the Doncaster Strategic Flood Risk Assessment. The development is regarded as being 'less vulnerable' in terms of its use classification in table 2 of the flood risk vulnerability classification. The development is therefore regarded as appropriate within a flood zone. Likewise the proposal is not required to pass either sequential or exceptions test.
- 8.19 Whilst being a major application the site area is not more than 1 hectare (0.35ha) and therefore a Flood Risk Assessment is not required. The flood zone 1 classification also negates the need for the applicant to undertake a sequential test. Notwithstanding the above the site is not known to have flooded.
- 8.20 Foul water will connect to the existing sewer network and the surface water will be disposed of by a soakaway which will be controlled by condition. The council's drainage officer has raised no objections and no further objections are raised from the EA or IDB. Overall the scheme represents no conflict with the aforementioned policy and the drainage strategy is well considered and appropriate.

## Conservation

- 8.21 1-2 Market Place and 8 Silver Street lie within Thorne Conservation Area with the former also being a Grade II Listed Building. Much of Thorne's central core of the town is within the conservation area. The appearance of the area is established by a predominance of small scale residential and commercial properties in the main from the 18<sup>th</sup> and 19<sup>th</sup> century, although some properties also survive from the 17<sup>th</sup> century, including 1-2 Market Place. The Market Place forms an important heart to the conservation area and is surrounded by many historic buildings that form a positive townscape to the area. There is a limited palette of historic materials, being mainly reddish-brown bricks and red clay pantiles, although there are rendered buildings and there is also some use of slate. Tall brick walls are another important feature especially on Southfield Road and Stonegate.
- 8.22 1-2 Market Place is Grade II listed as it is considered that the building is of special architectural interest as it represents the substantial survival in Thorne town centre of a 17<sup>th</sup> century lobby entrance plan house, remodelled and extended in the mid-18<sup>th</sup> century. Despite its unremarkable external appearance, at the time of listing it did retain much early fabric, and significant internal features, including a 17<sup>th</sup> century fireplace and two 18<sup>th</sup> century staircases. The 18<sup>th</sup> century refinement of earlier fabric and plan form is important evidence of the transition from vernacular to polite architectural form in an urban context. It has been empty for approximately 30 years and its condition is considered to be at extreme risk with fabric having deteriorated due to vandalism and being vacant. 8 Silver Street is considered to make a positive contribution to the conservation area due to its traditional form and street presence.
- 8.23 Whilst 8 Silver Street is considered to make a positive contribution if the overall redevelopment of the site enhances the conservation area this would be considered to be in accordance with Para. 137 of the NPPF and saved policy ENV26 of Doncaster's UDP.
- 8.24 The proposal has been subject to lengthy discussions with Historic England's and the council's conservation team over the design of the newly proposed building. Overall the proposal is welcomed by the Conservation officer as it replaces the existing historic buildings with buildings of similar forms with some enhancements as detailed below.
- 8.25 The shop fronts have been redesigned to simplify the design, and more vertical divisions were added to reduce chance of breakages – especially to avoid the use of external roller shutters a real problem in the conservation area. In addition render was added, the design and form of No.8 was changed with steeper pitch roof added and has a narrower gable to the end which looks more balanced. The elevational treatment of the single storey rear element of '8 Silver Street' has been detailed as a plain wall with coping rather than rendered with brick pilasters. Bricks are to be reclaimed. This gives it the appearance of a tall boundary wall in line with a key characteristic of Thorne.

8.26 Finally as detailed above there has been significant concern from the civic societies over the applications particularly as they were not convinced that the buildings need to be demolished or what attempts had been made to secure alternatives uses and funding. There was also particular concern over what measures had been put in place to secure the building from the elements and stop its deterioration. The applicants provided additional justification and information in support of this and whilst more could have been done to keep the building from falling into disrepair, the applicants had not actively encouraged its deterioration.

8.27 The application needs to progress to a conclusion and whilst harm will be created by the loss of the existing buildings this is outweighed by the benefit of bringing the site back into use, in particular to the appearance of the Conservation Area. The application has received support from Historic England and as such is recommended favourably. Conditions controlling the quality of the materials and measures such as building recording and a contract for demolition are all suggested.

8.28 Additional conditions securing appropriate materials, landscaping and contracts for demolition will be added as pre committee amendments once drafted.

#### Archaeology:

8.29 Policy CS 15 seeks to ensure Doncaster's heritage is protected in particular its archaeological remains. The NPPF (para. 128) requires "an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting". The South Yorkshire Archaeological Service were consulted and explained in matters relating to listed buildings and buildings within conservation areas, SYAS defers to the advice given by DMBC's Conservation Officers and Historic England. They did however wish to reiterate the recommendations they made on this application in 2006 over a preference to retain the historic buildings but, if consent is granted, a condition should be attached to secure a scheme of historic building recording and archaeological evaluation of any below ground deposits in order that a scheme of mitigation can be agreed.

## **9.0 Summary and Conclusion**

9.1 In conclusion the application has remained stagnant for many years in which time no alternative uses of the building have been sought. The buildings condition has slowly deteriorated and now the final designs for the replacement building have been agreed. These have received support from Historic England and officers feel that whilst some harm is created by the loss of No.8 this is outweighed by the regeneration benefits of Thorne's town centre. The redevelopment of this site is in the public interest and will reintroduce a vibrant active frontage in the heart of the town centre and provide much needed investment into the historical core. On this basis the recommendation is for approval.



9.2 The decision cannot be issued until the accompanying Listed Building Consent has been sent to the National casework unit.

## 10.0 Recommendation

MEMBERS RESOLVE TO GRANT FULL PLANNING PERMISSION ONCE THE LISTED BUILDING CONSENT (17/00029/LBC) HAS BEEN REFERRED TO THE NATIONAL CASEWORK UNIT AND AGREED.

THE HEAD OF DEVELOPMENT BE AUTHORISED TO ISSUE THE PERMISSION SUBJECT TO CONFIRMATION FROM THE CASEWORK UNIT SUBJECT TO THE FOLLOWING CONDITIONS.

01. STAT1            The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.  
REASON  
Condition required to be imposed by Section 91(as amended) of the Town and Country Planning Act 1990.
02. ACC1            The development hereby permitted must be carried out and completed entirely in accordance with the terms of this permission and the details shown on the amended plans and specifications.  
REASON  
To ensure that the development is carried out in accordance with the application as approved.
03. DA01            The development hereby granted shall not be begun until details of the foul, surface water and land drainage systems and all related works necessary to drain the site have been submitted to and approved by the Local Planning Authority. These works shall be carried out concurrently with the development and the drainage system shall be operating to the satisfaction of the Local Planning Authority prior to the occupation of the development.  
REASON  
To ensure that the site is connected to suitable drainage systems and to ensure that full details thereof are approved by the Local Planning Authority before any works begin.
04.                    The development hereby permitted shall not be commenced until a Traffic Management Plan (TMP) for both demolition and construction phase of development is submitted to and subsequently approved in writing by the Local Highway Authority. The approved plan shall be adhered to throughout the relevant phases. I would expect the TMP to contain information relating to (but not limited to):

- Volumes and types of vehicles
- Parking of contractors vehicles
- identification of delivery routes;
- Contractors method for controlling demolition / construction traffic and adherence to routes
- Size, route and numbers of abnormal loads (as required)
- Swept path analysis (as required)
- Construction Period
- Temporary signage
- Measures to be taken within the curtilage of the site to prevent the deposition of mud and debris on the public highway.

REASON: In the interests of highway safety.

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

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.

06 HIGH 2 The vehicle turning space as shown on the approved plans shall be constructed before the development is brought into use and shall thereafter be maintained as such.

REASON

To avoid the necessity of vehicles reversing on to or from the highway and creating a highway hazard.

07. 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.

08. Visibility Before the development is brought into use, the visibility splay as shown on the approved plan (ref MBSK171122-1 Rev P1) shall be rendered effective by removing or reducing the height of anything existing on the land within the splay which obstructs visibility at any height greater than 900mm above the level of the nearside channel of the public highway.

REASON

In the interests of highway safety.

09. Prior to development commencing detailed layout, engineering and highway drainage drawings for the proposed access arrangements shall be submitted for inspection and approval by the Highway Authority before works commence on site. The detailed design will be subject to Road Safety Audits in accordance with DMRB Volume 5 Section 2 Part 2 Road Safety Audit (HD 19/03).  
REASON  
In the interests of highway safety.
10. Prior to installation full details of any external plant i.e. ventilation, heating, refrigeration or cooling units installed for use within the building shall be submitted to and approved in writing with the Local Planning Authority. Unless otherwise agreed these shall be located on the eastern façade of the building.  
REASON  
To safeguard the living conditions of adjacent occupiers in accordance with Policy CS 14.
11. Demolition or construction works shall not take place outside 08:00 hours to 19:00 hours Mondays to Fridays and 08:00 hours to 17:00 hours on Saturdays or at any time on Sundays or Bank Holidays.  
REASON  
To safeguard the amenities of the occupiers of the adjoining properties.
12. All the mitigation measures detailed in chapter G.4 and compensation measures detailed in chapter H.1 of the Ecological Impact Assessment report by Access Ecology dated October 2017 and submitted with this application shall be carried out as described in full unless agreed otherwise in writing with the local planning authority.  
REASON  
In line with Core Strategy Policy 16 to ensure the ongoing ecological impacts of the site are maintained.
13. Prior to the commencement of development details of the type and siting of 3 bat roosting bricks to be installed in the new buildings on site shall be submitted to the local planning authority for approval in writing. The bat roosting bricks will be installed before the first occupation of the site.  
REASON  
In line with Core Strategy Policy 16 to ensure the ongoing ecological impacts of the site are maintained.
14. U46158 Prior to the commencement of work, full details of the proposed hard and soft landscaping and the design, materials and type of boundary treatment to be erected shall be submitted to and approved in writing by the Local Planning Authority. Such details should include details of design, materials, and finish of all gates proposed for the site.  
REASON  
In the interests of the character or appearance of the Conservation Area

15. CON2                   Should any unexpected significant contamination be encountered during development, all associated works shall cease and the Local Planning Authority (LPA) be notified in writing immediately. A Phase 3 remediation and Phase 4 verification report shall be submitted to the LPA for approval. The associated works shall not re-commence until the reports have been approved by the LPA.

REASON

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

16.                           Prior to the retail unit hereby approved being brought into use details of the proposed store's opening hours shall be submitted to and approved in writing by the Local Planning Authority. Once agreed the store should operate in accordance with these approved details for the lifetime of the development.

REASON

To ensure that the development does not prejudice the local amenity.

17. Archaeology           Part A (pre-commencement)

No development, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation and this has been approved in writing by the Local Planning Authority. The WSI shall include:

- o       The programme and method of site investigation and recording.
- o       The requirement to seek preservation in situ of identified features of importance.
- o       The programme for post-investigation assessment.
- o       The provision to be made for analysis and reporting.
- o       The provision to be made for publication and dissemination of the results.
- o       The provision to be made for deposition of the archive created.
- o       Nomination of a competent person/persons or organisation to undertake the works.
- o       The timetable for completion of all site investigation and post-investigation works.

Part B (pre-occupation/use)

Thereafter the development shall only take place in accordance with the approved WSI and the development shall not be brought into use until the Local Planning Authority has confirmed in writing that the requirements of the WSI have been fulfilled or alternative timescales agreed.

REASON

To ensure that any archaeological remains present, whether buried or part of a standing building, are investigated and a proper understanding of their nature, date, extent and significance gained, before those remains are damaged or destroyed and that knowledge gained is then disseminated.

18. Prior to installation, details of lighting for the site shall be submitted to and approved by the Local Planning Authority. The lighting once approved shall be installed in accordance with the approved details. External lighting shall not spill illumination beyond the boundary of the site.

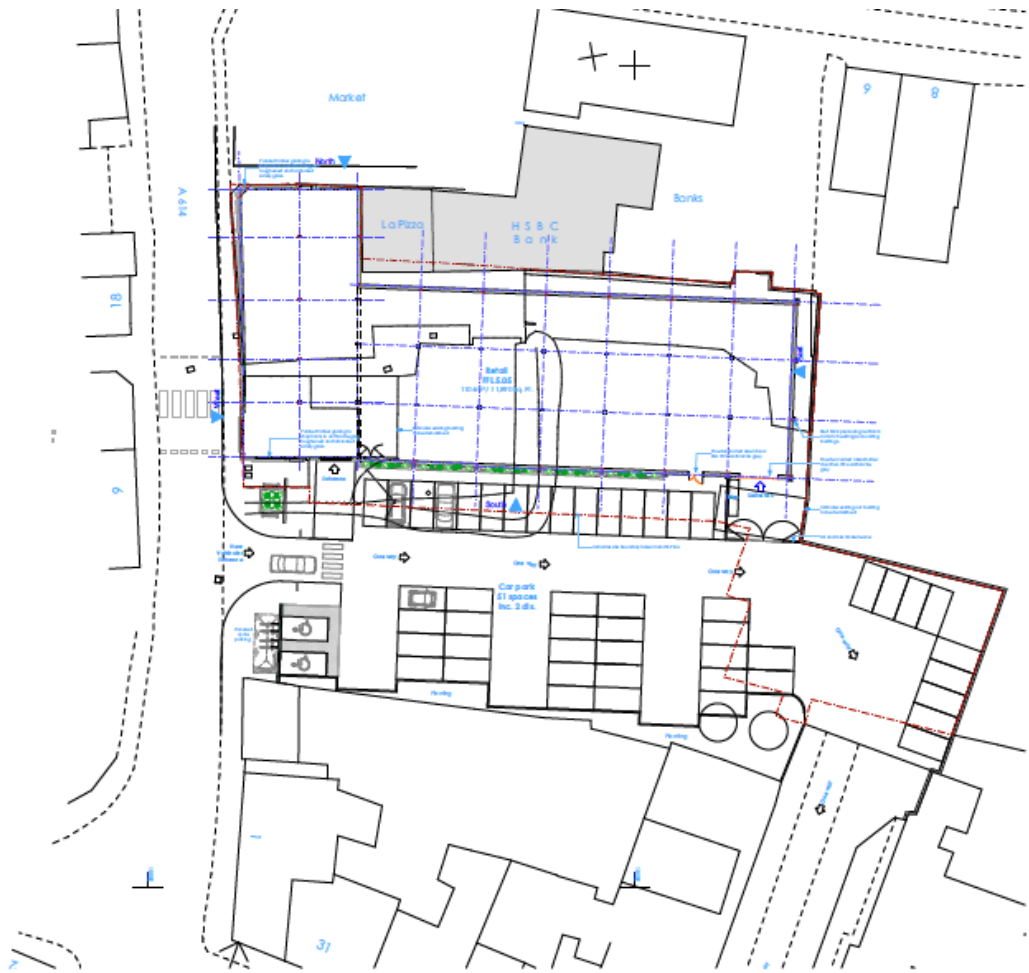
REASON

To safeguard the amenities of the occupiers of the adjoining properties.

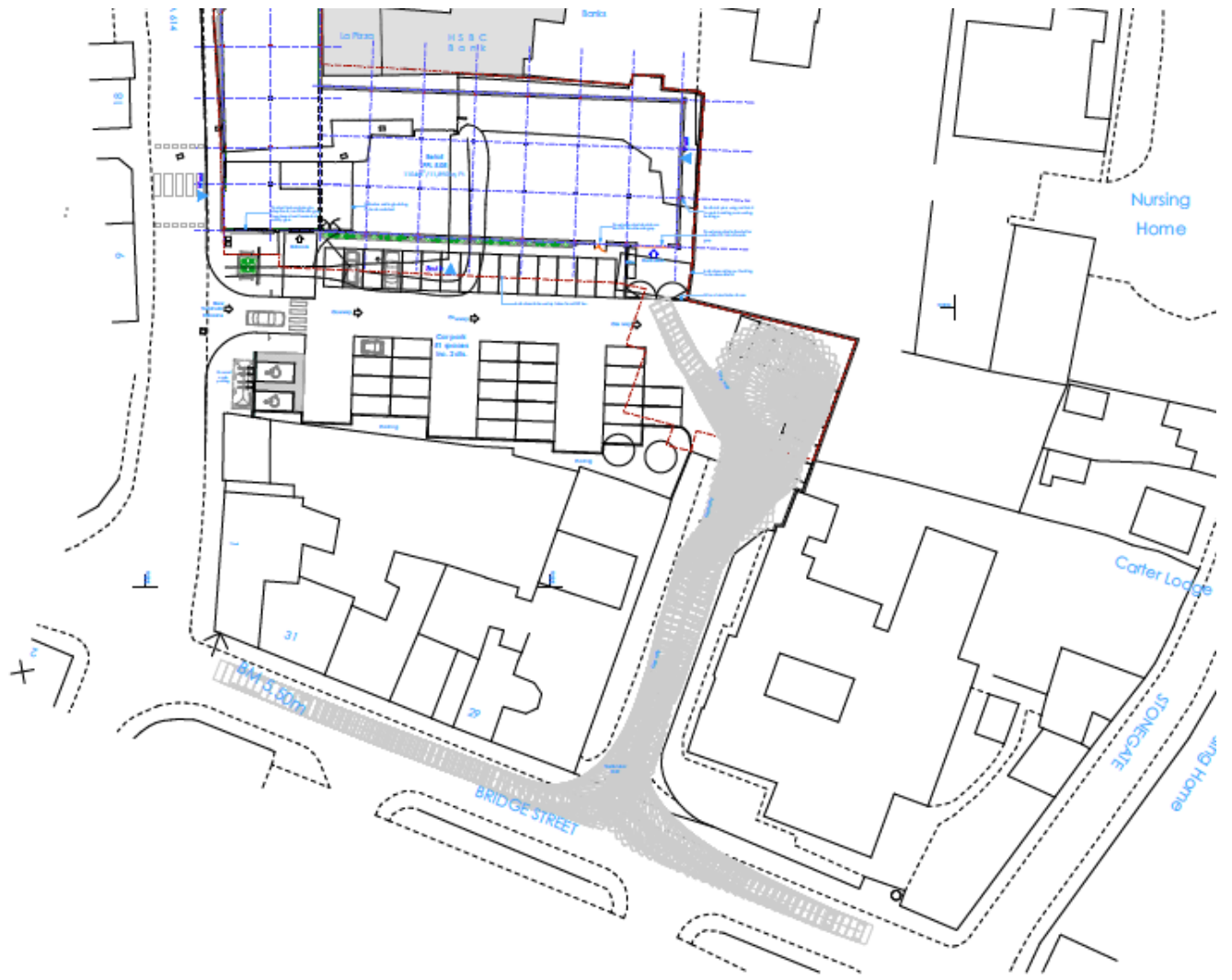
19. Additional conditions from conservation will be added as pre committee amendments.

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

Appendix 1- Site Plan



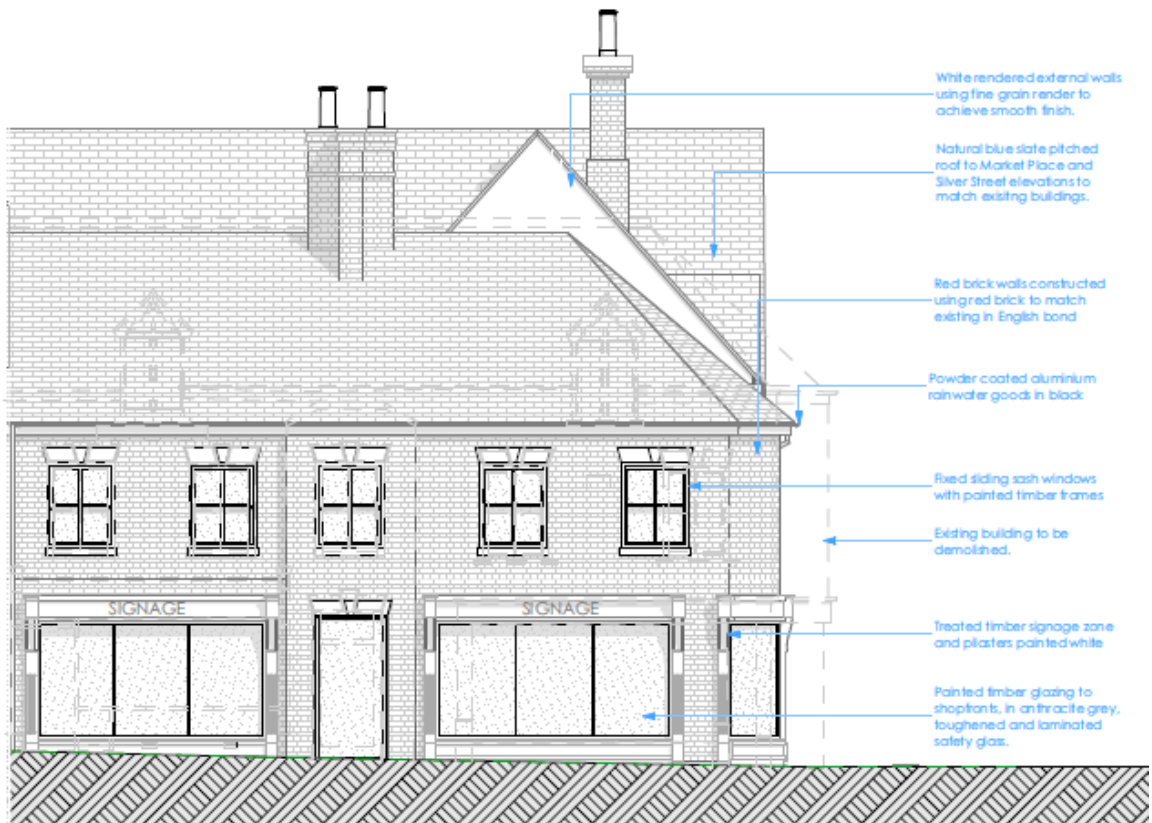
Appendix 2 showing access onto Bridge Street



# Appendix 3 – Silver Street elevation

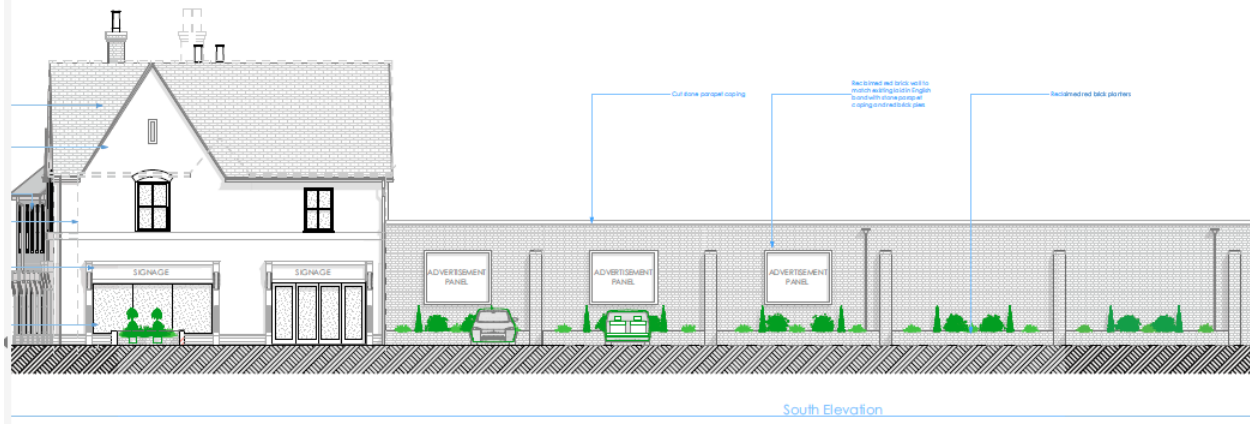


# Market Place elevation





Elevation from within the site



3-D images



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**DONCASTER METROPOLITAN BOROUGH COUNCIL**

**PLANNING COMMITTEE – 6.02.2018**

**Application**      4

<b>Application Number:</b>	17/00029/LBC	<b>Application Expiry Date:</b>	7th March 2017
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<b>Application Type:</b>	Listed Building Consent
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<b>Proposal Description:</b>	Listed building consent for demolition of 1 & 2 Market Place in connection with proposed redevelopment of the site.
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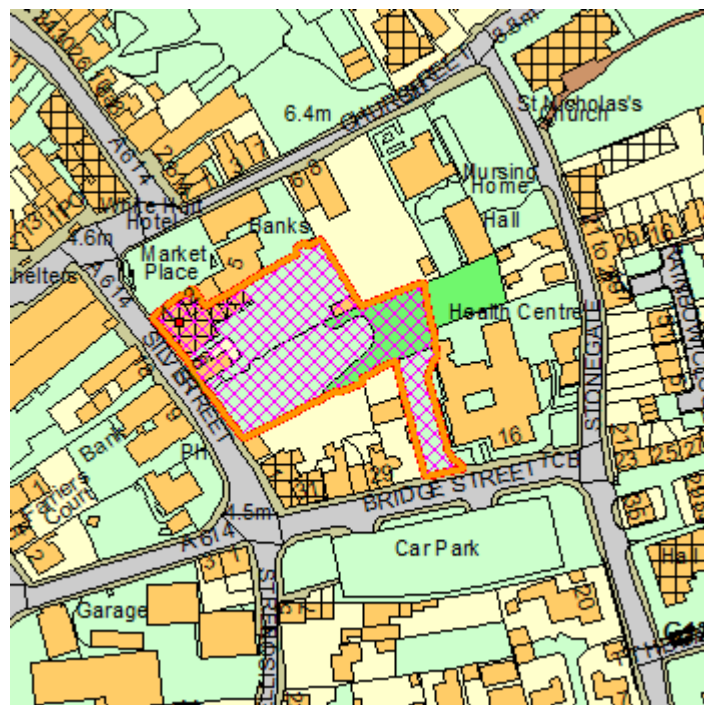
<b>At:</b>	1 - 2 Market Place Thorne Doncaster DN8 5DW
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<b>For:</b>	Commercial Development Projects Ltd
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<b>Third Party Reps:</b>	4	<b>Parish:</b>	Thorne Town Council
		<b>Ward:</b>	Thorne And Moorends

<b>Author of Report</b>	Gareth Stent
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<b>MAIN RECOMMENDATION:</b>	Grant subject to referral to the case work unit.
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## **1.0 Reason for Report**

1.1 The application is presented to committee as the accompanying full application reference 06/00427/FULM is required to be presented to committee. The application also involves the demolition of a Listed Building and has received objections from several Civic Societies and is not regarded as a routine minor development. The application therefore is required to be represented to committee for determination and therefore cannot be determined by my delegated powers.

## **2.0 Proposal and Background**

2.1. The application seeks to demolish the Listed Buildings known as 1-2 Market Place Thorne. The application as originally described included No.8 Silver Street, however this was omitted from the description as No.8 isn't listed and isn't regarded as a curtilage building. The demolition of No.8 is being considered under the full application 06/00427/FULM for the demolition of buildings and the wider sites redevelopment which is also on this committee.

2.2 The buildings have had a long protracted history and were once important features within the Thorne Conservation Area, however over time through neglect and none operation use, they have fallen into disrepair. No 1 & 2 Market Place are Grade II Listed Buildings. This proposal now seeks the demolition of all buildings and the total redevelopment of the site.

2.3 This 2006 full application has been resurrected by the submission of amended plans. The demolition of 1 & 2 hence therefore requires a standalone Listed Building consent for demolition.

2.4 The application is supported by a Heritage Statement that justifies the demolition of the building and details what attempts have been made to dispose of the building and to secure the building from the weather.

2.5 1-2 Market Place occupies a corner plot within the Market Place and within Thorne Conservation Area. No. 1 Market Place was once a hardware store known locally as Hirsts. No.2 was the market Chip shop.

## **3.0 Relevant Planning History**

3.1 The history section shows that back in 2005 an attempt was made to redevelop this site by the submission of a Conservation Area Consent (05/01725 CAC) to demolish 1 & 2 Market Place and No.8 Silver Street and redevelop the site for a retail facility under planning reference 05/01724/FULM.

3.2 During these negotiations and consideration of the Conservation Area Consent, buildings 1-2 Market Place were listed on the 8th November 2005. As such 1 & 2 Market Place were removed from the consideration of the Conservation Area Consent application and a separate Listed Building Consent for demolition of 1 & 2 Market Place was applied for. The full application was refused, as it was deemed the building is capable of being repaired and insufficient efforts have been made to secure the reuse of the property.

- 3.3 The Listed Building application was also refused by the planning committee as the building was not in a structurally dangerous condition and could easily be repaired. The committee considered insufficient efforts had been made to secure the repair or reuse of the building through maintenance, grant assistance or offer for sale or lease. No suitable scheme for the redevelopment of the site had been put forward. The view was that the building is an important part of Thorne Conservation Area and contains historic elements that should be preserved.
- 3.4 The Conservation Area Consent (05/01725/CAC) now limited to No.8 Silver Street was part granted for the demolition of the rear buildings connected with No.8 and refused for the frontage building No.8.
- 3.5 Following the above refusals, 3 further applications were submitted, a new Conservation Area Consent for No.8 Silver Street (06/00429/CAC), similarly a Listed Building application for 1 & 2 Market Place 06/00428/LBD and the current application 06/00427/FULM. The proposal was to retain the frontages of the buildings in connection with the sites redevelopment. All three applications were deferred from planning committee over 10 years ago. The Listed Building application and Conservation Area Consent have since been withdrawn.
- 3.6 The scheme has been 'moth balled' over recent years pending further discussions over the design and more importantly the condition of the buildings with a view to still seeking total demolition and rebuild. The relevant references are as follows:
- 01/1807/P Change of use of dwelling to offices and formation of car park to rear. Granted. 10.07.2001 No.8 Silver Street
  - 05/01724/FULM Erection of retail development on approximately 0.21ha of land following demolition of existing buildings. Refused 20.02.2006
  - 05/01725/CAC Conservation Area Consent for the demolition of 8 Market Place. Part Granted (Rear buildings) and Part refused (frontage) on the 20.2.2006
  - 05/03534/LBD Listed Building Consent to demolish buildings (1 & 2 Market Place) in connection with proposed retail development refused 20.2.2006.
  - 06/00429/CAC Conservation Area Consent for demolition of offices retaining existing facade and demolition of brick barn in connection with erection of new retail outlet. (No 8 Silver Street). Withdrawn.
  - 06/00428/LBD - Listed Building Consent for demolition of shop/offices and retention of existing facade in connection with erection of new retail outlet (1/2 Market Place) withdrawn.
  - 06/00427/FULM –Demolition of 8 Silver Street and the sites redevelopment for A1 purposes. Also on committee.(pending)

#### **4.0 Representations**

- 4.1 The application was advertised along with the re-advertisement of application 06/00427/FULM. This involved the posting of x3 sites notices, advertised in the Press (appeared Thursday 26th Jan 17) and by letter to adjoining landowners within the vicinity of the site. The application has also appeared on the social media site of the Thorne Times.

This accords with Article 13 of the Town and Country Planning (Development Management Procedure) Order. The applications received a small number of responses which were mainly directed at the full application as opposed to the Listed Building Consent. This are shown more fully in the 06/00427 and highlighted only where they relate to Listed Building issues for the purpose of this report.

4.2 2 letters of representation have been received from a local resident. The observation is as follows:

- In mitigation for the loss of the building more attention should be paid to the interior of the new building i.e. replacing as much of the lobby as possible and keeping key furniture (fire places stair cases) for display purposes.
- Part of the building would make "an ideal setting for a small local history museum and information centre inside the building would be in the 'Market Chippie, where a 17th Century fireplace still remains; in other parts of the building we would like to include the history and information of Thorne and Hatfield Moors together with the RSPB; perhaps a coffee shop or tea rooms extending onto the Market Place in the summer. This building would be used to educate our local community, especially our younger generation, also visitors with regards to our local history, provide craft skills and employment while creating accommodation for local people."
- One idea is to locate Thorne/Moorends Town Council in the premises so as to be central and could give some security for the above proposal.

4.4 1 letter of support was received;

- The property has been in a very poor state of repair for many years and is now beyond any reconstruction and unsafe, demolition is the only option. The proposed new build will be of great benefit to the community, the conservation group should be discounted as they do not want the area to be improved. The new build has been developed to enhance the historical features.
- The buildings in question are in a dilapidated state and whilst the demolition of listed buildings isn't favoured, in this case it would be more beneficial to Thorne and the area in question.
- We have recently seen the transformation of the old mailed horse public house, into a well presented, well fitting addition to a prominent place in Thorne.
- If the same attention to detail is used to re-build the Market place buildings in keeping with original design, yet providing a useful retail offering to the heart of Thorne, would benefit the local economy and bring life back into the Market Place.

#### 4.5 1 letter objection:

- A report to Council dated as recently as January 7th 2013 among the documents under this reference number should be highlighted. The Report quotes a structural report by Ove Arup as saying "it [the property] is more than capable of being brought back into use". A Report for English Heritage indicated that there is insufficient justification to demolish the building on structural grounds. These Reports cast a different light on the quality of the building albeit with the passage of four years. I would second Mr Lamb's suggestion that three reports be added. Having said that it is clear that it will take a considerable amount of money to return the building back to something like a workable structure. Thorne has always been a poor relation and it is very doubtful whether the necessary funds will be available to reconstitute it.
- Nos 1 & 2 Market Place have been treasured by the inhabitants of Thorne. On the other hand the state of the building presents a degree of blight on the townscape and the people of the town are tired of the situation. 'Something must be done' is the virtually unanimous feeling.
- Mitigation- Having said that, it pertains to the structure as a whole and the evidence presented by the applicants emphasises largely the exterior. There is considerable evidence that parts of the interior have merit, which ought to receive attention. It is believed that the technical term is 'mitigation'; meaning to preserve some parts of the fabric from the wreck of the whole. The List entry Description of the Listed Building Designation tells of important features worth preserving. The applicants should address this, not only by keeping a record as part of a planning condition, but also by physical preservation. The example called to mind is the Down and Weald Museum where historic buildings are brought together as story of the development of building in this country. It is not known if there is any like facility in this region, but Normanby Hall at Scunthorpe hosted a wattle and daub reconstruction some years ago. Maybe Brodsworth Hall or Cusworth Hall in the vicinity of Doncaster could find a home for the features of historical merit to be found in 1&2 Market Place.

## 5.0 Thorne Town Council

5.1 This application was considered by the Town Council at its meeting of 24th January 2017. The Town Council welcomes this proposal and the associated site redevelopment in that it would remove a long standing eyesore which has blighted the Town centre for many years. The removal of these derelict buildings will be a major boost for Thorne Town Centre.

## 6.0 Relevant Consultations

- 6.1 Many of the responses from the Civic Societies are as per the January 2017 consultation and relate to both the full and listed building consent simultaneously. The full application has been recently re consulted upon, however no further re consultation has been required for this demolition Listed Building application. The civic societies in their responses tend to comment on both the full and listed building consents simultaneously. These will be updated where necessary as pre committee updates.
- 6.2 Victorian Society - Objection. The proposal would result in the total and unjustified loss of designated heritage assets and cause serious harm to the special interest of the Conservation Area. The society echo the concerns raised by others over the proposed demolition of 1-2 Market Place and are not convinced that the loss of these buildings has been justified in accordance with the NPPF. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 obliges the Council to ensure that any development preserves or enhances the conservation area. The demolition of a building of local significance, one that makes a positive contribution to the character and appearance of the Thorne Conservation Area, would therefore conflict with legislation. Paragraph 137 of the National Planning Policy Framework also emphasises that proposals that preserve those elements of a Conservation Area that contribute to its significance “should be treated favourably”.
- 6.3 Georgian Group - The Georgian Group wishes to register its objection to the proposed total demolition of the listed building. At the time of listing in 2005 the building retained seventeenth and eighteenth century fixtures and fittings of considerable interest including two eighteenth century staircases, panelling, and chimneypieces. The Group Note the efforts that have been made to find a sustainable new use for the historic buildings on the site and to secure grant aid for its repair. What is less clear from available documents, is what efforts have been made in recent years to prevent the further deterioration of the building’s fabric.

Whilst the Group is aware from the supporting documentation that the building is in a state of considerable disrepair, it is not clear what now survives internally. It is also not clear whether it would be practicable to retain the most important of the surviving elements of the building’s historic fabric within any new development of the site as a whole. Further work should be undertaken to assess the practicability of this option.

As the proposed works of demolition would cause the total loss of a Grade II listed building, and substantial harm to the surrounding core of the Conservation area which includes the Market Place, demolition must be necessary to achieve substantial public benefits. From the available supporting documents The Group cannot be convinced that the total redevelopment of the site represents the only viable option for achieving the public benefit which the applicants aim to achieve, or that the four key tests set out in para 133 of the NPPF have been met.



6.4 Doncaster Civic Trust: Objects to the demolition and the associated loss of historic fabric. All the buildings should be restored and integrated into the new development. The evidence for the demolition/reconstruction approach needs to be thoroughly tested. If it is accepted by Historic England and ultimately by the Secretary of State that the loss of the buildings can be justified on grounds of their condition and the problematic viability of repair/restoration, then the new development needs to be more carefully designed. Although efforts have been made to replicate the existing buildings, faithful reproduction is required. The current proposals show an olde-worlde appearance when a more robust appearance would be appropriate for Thorne. Accurate details and carefully selected materials will be essential.

6.5 Conservation Officer – Overall the exceptional circumstance of demolition of 1/2 Market Place is considered to have been justified subject to the acceptability of the replacement scheme.

6.6 Ancient Monument Society (AMS): Defer to Historic England's advice. The Ancient Monuments Society (AMS) has seen Historic England's representations on the proposed demolition of 1-2 Market Place and 8 Silver Street (letter of 2 February 2017, Ref L00547734). The AMS is happy to defer to them on the acceptability of the demolition of 1-2 Market Place and understand there have been detailed discussions between them, your authority and the applicant over the years and that many attempts have been made to secure a future for the site.

6.7 Historic England (HE) – No objection providing the council is satisfied that the requirements of paragraphs 132 and 133 of the NPPF are met in determining the application. Historic England's preference would be to see the repair and retention of the existing buildings in conjunction with the redevelopment of the site. However, they acknowledge the poor and deteriorating condition of 1-2 Market Place and the visual impact these buildings currently have on the appearance of the Conservation Area.

HE state that the demolition of 1 & 2 is regrettable and that they have worked with the authority and building owners for many years to try and find a solution for this key site within the Conservation Area. HE agree with the changes requested to the design and are satisfied with the documents and justification given with regards to the upkeep of the building and alternative uses.

6.8 SPAB – The Society for the Protection of Ancient buildings. Objection

The SPAB visited Thorne in 2013 and were struck by the history and great character of the town. SPAB were also mindful of the challenging social, economic and employment circumstances of Thorne and how some of these difficulties manifested in the redundancy and neglect of a number of buildings and areas. However, there appeared to us to be great potential to improve the town's future by building upon its inherent special qualities and charm, but sadly such opportunities had not yet been embraced. A few years since that visit, with several buildings at risk, and the condition of the conservation area categorised as 'very bad' and 'deteriorating' the ongoing situation in Thorne is quite worrying.

SPAB were concerned why the 2006 application had been left undetermined and concerned that the council were in discussions over the past decade with the owners regarding the redevelopment scheme and the design of the replacement buildings(s) when no consent had been given for demolition and no evidence of actions taken to remove the ongoing and worsening risks posed to and by the buildings.

SPAB fail to see how the demolition of all the buildings and replacement with a pseudo historic simulacrum would preserve or enhance the character or appearance of the conservation area. SPAB were also concerned with the measures the applicant had undertaken to keep the building in good health and 'stop the rot' and to find alternative uses since they acquired it in 2004.

SPAB also seek to understand the reasons why the Local Planning Authority do not appear to have used the statutory tools available to them to prevent the building from falling into further disrepair, i.e. Compulsory Purchase Order.

SPAB does not consider this to be an exceptional case and are not convinced that the substantial harm and loss that would result from the proposed demolition and redevelopment is necessary to achieve substantial public benefits that outweigh that harm or loss, or that all of the following tests have been met. For this reason and the reasons set out above SPAB advise that the current applications fail to meet the requirements of Sections 16, 66 & 72 of the Planning (Listed Buildings and Conservation Area) Act 1990 and paragraphs 128, 130, 132, & 133 of the National Planning Policy Framework and should be refused.

6.9 South Yorkshire Archaeological Service – In matters relating to listed buildings and buildings within conservation areas, SYAS defers to the advice given by DMBC's Conservation Officers and Historic England. That is the case in this instance. However, we also wish to reiterate the recommendations we made on this application in 2006. Our preference would be for the retention of these historic buildings but, if consent is granted, a condition should be attached to secure a scheme of historic building recording and archaeological evaluation of any below ground deposits in order that a scheme of mitigation can be agreed.

6.10 Highways - If approved then Highways Network Management would need to be involved if a road closure was necessary for demolition works.

## **7.0 Relevant Policy and Strategic Context**

7.1 The policies which relate to Listed buildings are referenced as the full application details the wider planning policies.

### National Planning Policy Framework (NPPF)

7.2 The National Planning Policy Framework (NPPF) (2012) is the national tier of planning guidance and is a material planning consideration in the determination of planning applications.

7.3 Section 12 of the NPPF has the most relevance to this application entitled 'Conserving and enhancing the historic environment'. More specifically paragraph 132 of the NPPF advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. It further states that as heritage assets are irreplaceable, any harm or loss should require clear and convincing justification; and that substantial harm to or loss of a grade II listed building should be exceptional.

7.4 It is a core planning principle that heritage assets are conserved "in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations".

7.5 Paragraph 130 of the NPPF states that; 'Where there is evidence of deliberate neglect of or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision.'

7.6 Paragraph 131 of the NPPF states that local planning authorities should take account of the "desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation". It highlights also the positive contribution that the conservation of heritage assets can make to sustainable communities including their economic vitality. Paragraph 132 stresses that "great weight" should be given to the preservation of heritage assets. It further states that as heritage assets are irreplaceable, any harm or loss should require clear and convincing justification; and that substantial harm to or loss of a grade II listed building should be exceptional.

7.7 Given that under Para. 132 of the NPPF demolition of a listed building is considered exceptional as heritage assets are irreplaceable there needs to be clear and convincing justification. Under Para. 133 of the NPPF this is by demonstrating that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site; and
- no viable use of the heritage asset itself can be found in the medium term
- through appropriate marketing that will enable its conservation; and
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and the harm or loss is outweighed by the benefit of bringing the site back into use.

#### Core Strategy:

7.8 CS 16 – Valuing our historic environment.

7.9 Finally the relevant saved Unitary Development Plan sections include:

ENV 30 - Listed Buildings

7.10 Also of relevance to this application is the 1990 The Planning (Listed Buildings and Conservation Areas) Act 1990. Also the act requires that in the exercise of planning functions and in considering works to Listed Buildings (s.16 & 66) decision makers are required to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

## **8.0 Planning Issues**

8.1 The council do not receive many applications for the demolition of Listed Buildings as generally such buildings should be preserved and enhanced. However in unique cases such as this where the presence of the building can inhibit a sites wider development then demolition can be considered. The main issue is simply whether the relevant tests outlined in Paragraph 133 of the NPPF are satisfied. The demolition will then allow the implementation of the scheme being considered under reference 06/00427/FULM.

8.2 The application was supported by a Heritage Statement which details the case for demolition and describes what measures have been taken to secure the building from further damage, the attempts to sell, find alternative uses and funding streams for the redevelopment of the building. This has been assessed by Historic England and the councils Conservation officer who have been working with the applicant to devise a suitable replacement scheme should demolition be permitted. The replacement scheme in terms of its design and impact on the Conservation Area is now fit for purpose.

8.3 1- 2 Market Place is a 17<sup>th</sup> century a Grade II Listed Building. The Market Place forms an important heart to the conservation area and is surrounded by many historic buildings that form a positive townscape to the area. 1 - 2 Market Place is considered as a building of special architectural interest as it represents the substantial survival in Thorne town centre of a 17<sup>th</sup> century lobby entrance plan house, remodelled and extended in the mid-18<sup>th</sup> century. Despite its unremarkable external appearance, at the time of listing it did retain much early fabric, and significant internal features, including a 17<sup>th</sup> century fireplace and two 18<sup>th</sup> century staircases. The 18<sup>th</sup> century refinement of earlier fabric and plan form is important evidence of the transition from vernacular to polite architectural form in an urban context. It has been empty for approximately 30 years and its condition is considered to be at extreme risk with fabric having deteriorated due to vandalism and being vacant.

8.4 The proposal is for its demolition and replacement. The history section shows that the building has previously been subject to listed building consent application for demolition in 2005 (under 05/03534/LBD) which was refused at the time as it was considered not to be justified. This was followed by application to retain its façade but demolish the rest in 2006 (under 06/00428/LBD). Given the main interest of the building was its interior layout and internal features rather than its exterior this was illogical and has now been withdrawn.

8.5 Given that under Para. 132 of the NPPF demolition of a listed building is considered exceptional as heritage assets are irreplaceable there needs to be clear and convincing justification. Under Para. 133 of the NPPF this is by demonstrating that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site; and
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use

8.6 This is similar to criteria considered under saved policy ENV 30 of the Doncaster's UDP when considering demolition of a listed building.

8.7 Since the initial application in 2005 the owner, CDP, has looked at ways to potentially reuse the building but has not found one that would be viable as outlined in the application's Heritage Statement. The building has suffered from neglect and in 2007 needed the addition of replacement roof covering and scaffolding to prop the building. Whilst this has saved the building in the short-term it is also now difficult to find a practical way to remove this and ensure the building's long-term structural salvation. Also contained within the statement is that even after substantial marketing no plausible buyer has come forward.

8.8 At the same time there has been extensive dialogue and investigations to try to find grant assistance to help fund the restoration of the building by the Council with assistance from South Yorkshire Building Preservation Trust and Historic England (previously known as English Heritage) as again outlined in the statement. Despite this unfortunately no solution has been found to restore the building.

8.9 It has however been important that all of the above has been thoroughly investigated as without this the above criteria could not have been satisfied which given the complexity of the circumstances has taken time to be undertaken.

8.10 The final criterion is the benefit of bringing the site back into use. The merits of the scheme are discussed under the planning application (under 06/00427/FULM).

8.11 Finally as detailed above there has been significant concern from the Civic Societies over the applications particularly as they were not convinced that the buildings need to be demolished or what attempts had been made to secure alternatives uses and funding. There was also particular concern over what measures had been put in place to secure the building from the elements and stop its deterioration. The applicants provided additional justification and information in support of this and whilst more could have been done to keep the building from falling into disrepair, the applicants had not actively encouraged its deterioration.

8.12 The application needs to progress to a conclusion and whilst harm will be created by the loss of the existing buildings this is outweighed by the benefit of bringing the site back into use, in particular to the appearance of the Conservation Area. Officers consider the tests outlined in para 133 of the NPPF and ENV 30 to have been satisfied, particularly as general; support is offered from Historic England. Conditions controlling the quality of the materials, building recording and a contract for demolition are all suggested.

### Highways

8.13 The site lies adjacent to the footway on the busy A614 which runs through the town centre of Thorne. Officers consulted highways DM to ascertain if the building's demolition would impact on the safety of pedestrians and the wider highway network with a view to rubble falling onto the highway. No demolition management plans have been submitted; however it's possible that the footway would need temporarily closing to allow redevelopment to occur. On this basis an informative is added which encourages the client to contact Highways Network Management prior to demolition occurring to ensure the highway if temporarily closed if necessary.

### Archaeology:

8.14 Policy CS 15 seeks to ensure Doncaster's heritage is protected in particular its archaeological remains. The NPPF (para. 128) requires "an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting". The South Yorkshire Archaeological Service were consulted and explained in matters relating to listed buildings and buildings within conservation areas, SYAS defers to the advice given by DMBC's Conservation Officers and Historic England. They did however wish to reiterate the recommendations they made on this application in 2006 over a preference to retain the historic buildings but, if consent is granted, a condition should be attached to secure a scheme of historic building recording and archaeological evaluation of any below ground deposits in order that a scheme of mitigation can be agreed.

## **9.0 Summary and Conclusion**

9.1 Overall the exceptional circumstance of demolition of 1/2 Market Place is considered to have been justified subject to the acceptability of the replacement scheme being permitted. These will be added as pre committee amendments once drafted.

9.2 The application requires referral to the National Casework Unit due to the objections maintained by the National Amenity societies.

## 10.0 Recommendation

MEMBERS RESOLVE TO GRANT LISTED BUILDING CONSENT FOR THE PROPOSED DEMOLITION, SUBJECT TO THE REFERRAL OF THE APPLICATION TO THE NATIONAL CASEWORK UNIT.

THE HEAD OF DEVELOPMENT BE AUTHORISED TO ISSUE THE PERMISSION SUBJECT TO CONFIRMATION FROM THE CASEWORK UNIT SUBJECT TO THE FOLLOWING CONDITIONS.

01. STAT7            The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.  
REASON  
To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

02. SYAS            **Part A (pre-commencement)**

No development, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation and this has been approved in writing by the Local Planning Authority. The WSI shall include:

- The programme and method of site investigation and recording.
- The requirement to seek preservation *in situ* of identified features of importance.
- The programme for post-investigation assessment.
- The provision to be made for analysis and reporting.
- The provision to be made for publication and dissemination of the results.
- The provision to be made for deposition of the archive created.
- Nomination of a competent person/persons or organisation to undertake the works.
- The timetable for completion of all site investigation and post-investigation works.

**Part B (pre-occupation/use)**

Thereafter the development shall only take place in accordance with the approved WSI and the development shall not be brought into use until the Local Planning Authority has confirmed in writing that the requirements of the WSI have been fulfilled or alternative timescales agreed.

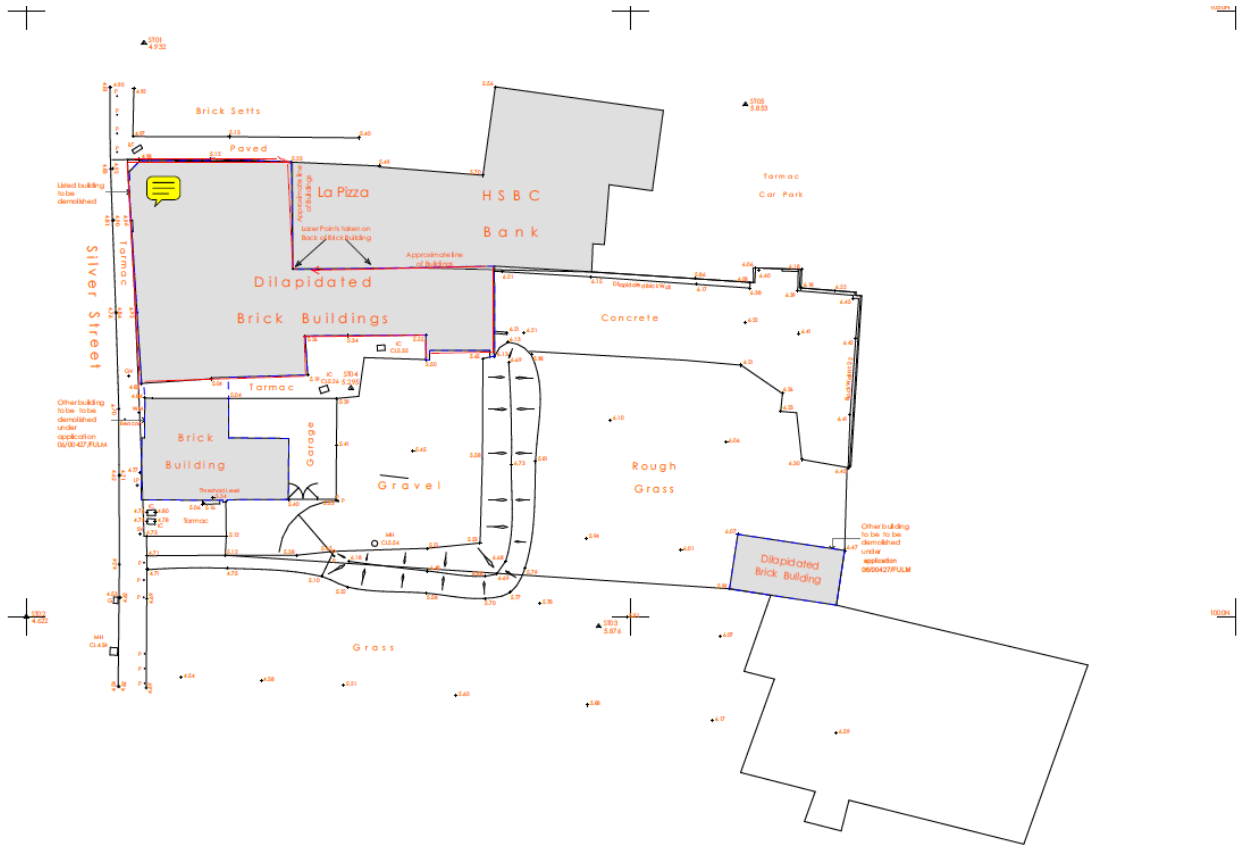
REASON

To ensure that any archaeological remains present, whether buried or part of a standing building, are investigated and a proper understanding of their nature, date, extent and significance gained, before those remains are damaged or destroyed and that knowledge gained is then disseminated.

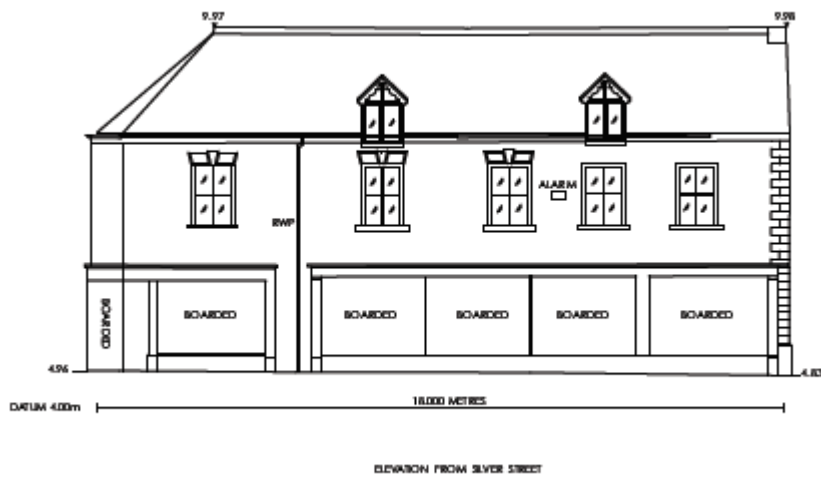
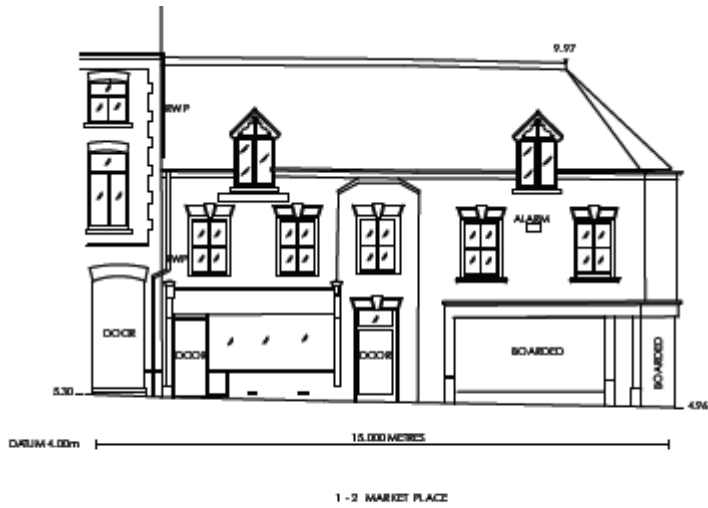
**The above objections, considerations and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and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



Appendix 1-showing the extent of the demolition.

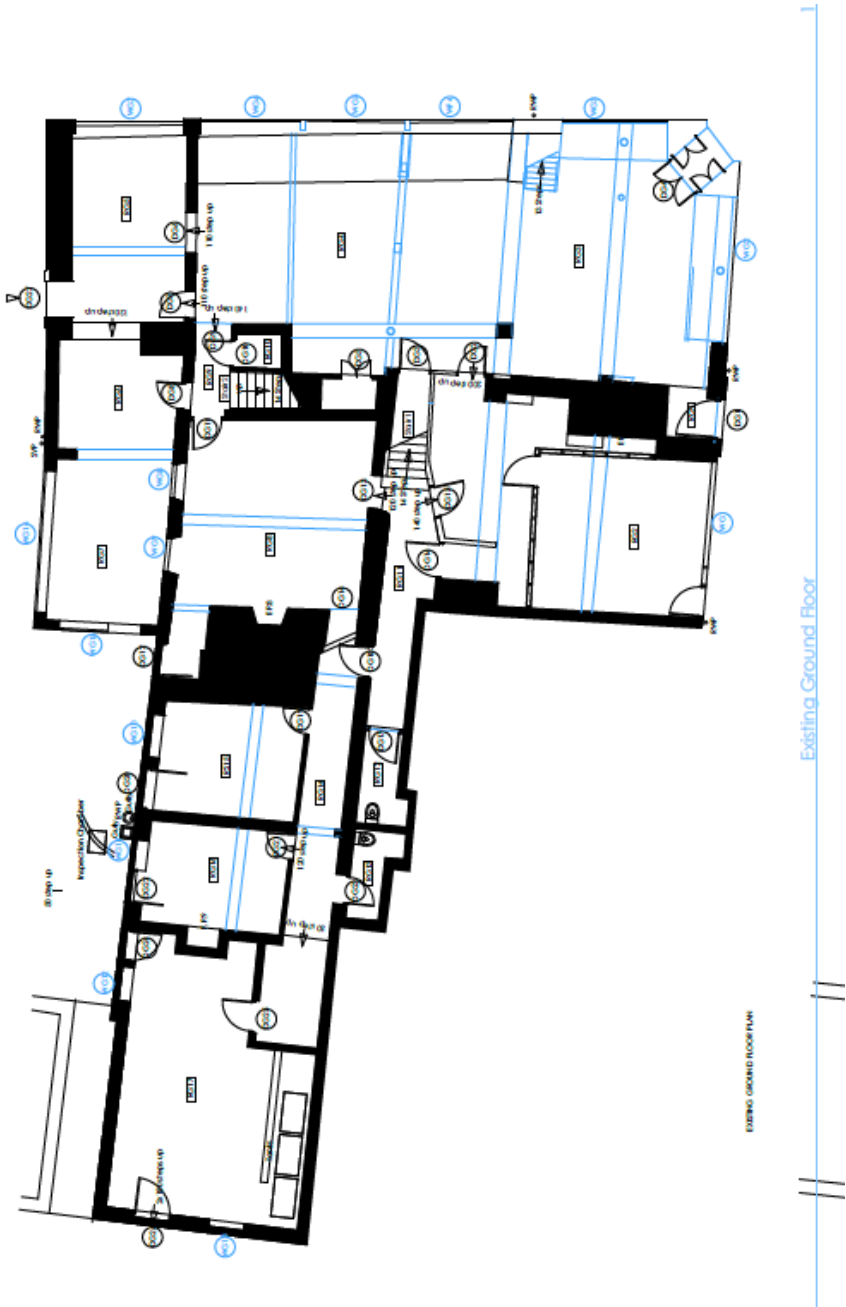


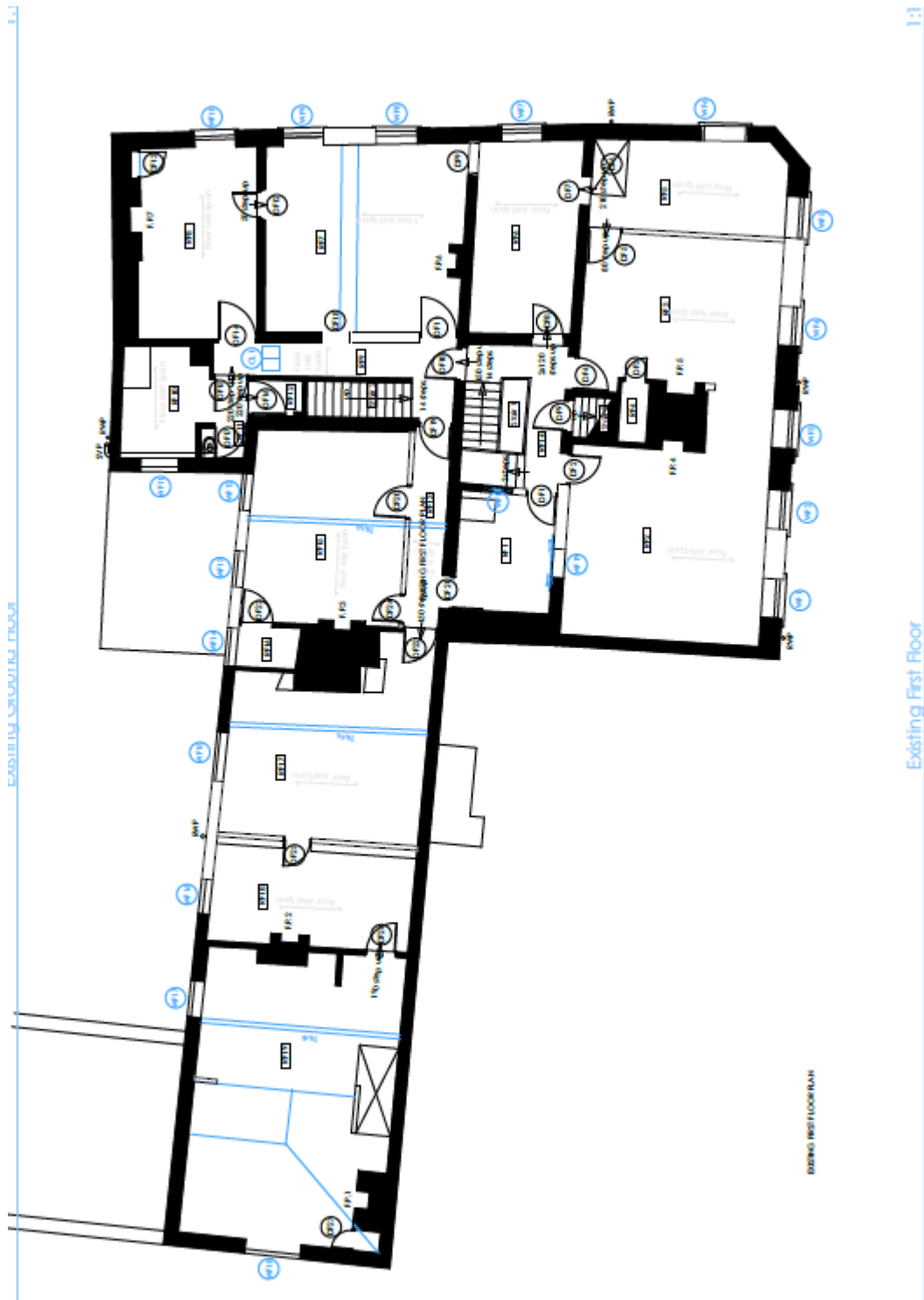
Appendix 2 – Existing elevations



Appendix 3 – Floor plans

Ground -

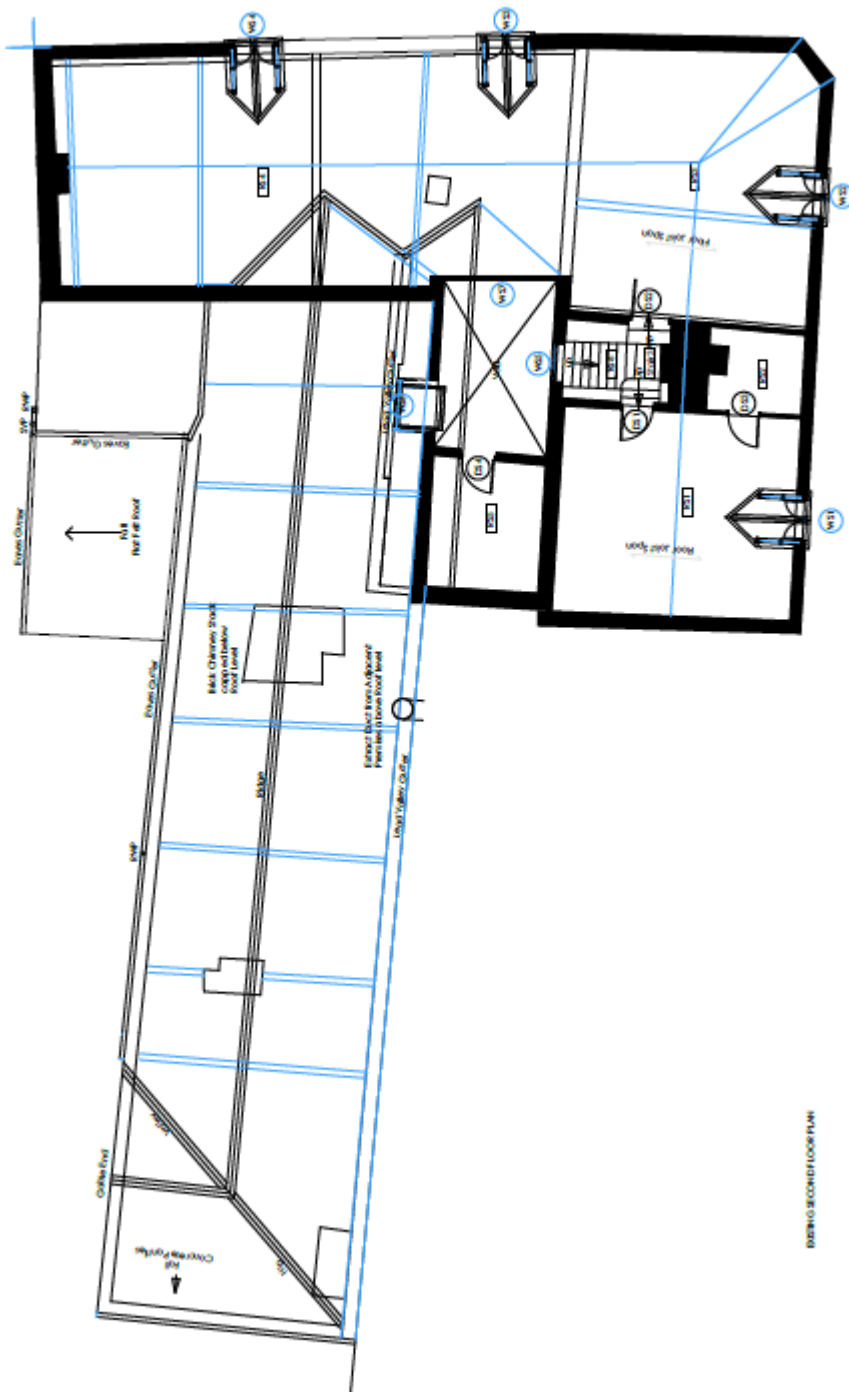




Second floor.-

1:100

EXISTING FLOOR PLAN



EXISTING SECOND FLOOR PLAN

1:100

Existing Second Floor

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**DONCASTER METROPOLITAN BOROUGH COUNCIL**

**PLANNING COMMITTEE – 6<sup>th</sup> February 2018**

**Application**      5

<b>Application Number:</b>	17/02990/COU	<b>Application Expiry Date:</b>	16th February 2018
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<b>Application Type:</b>	Change of Use
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<b>Proposal Description:</b>	Change of use of land to recreational use, including new parking and creation of football pitches
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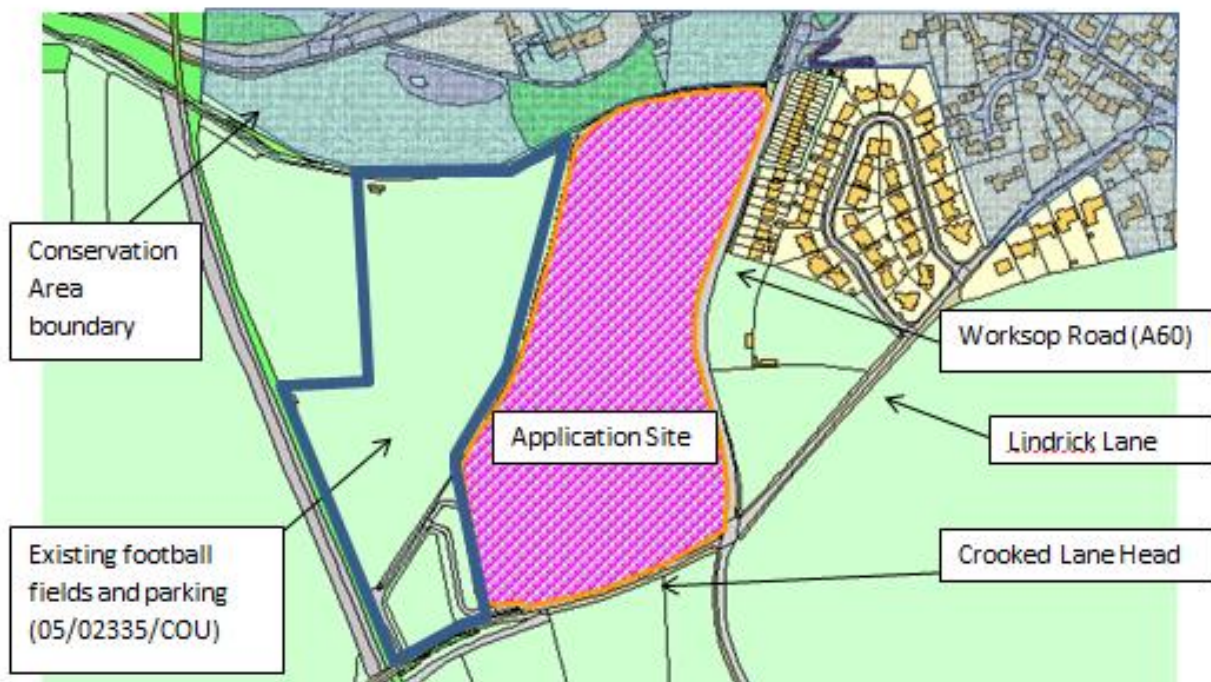
<b>At:</b>	Land At Friars Hill Closes, Crooked Lane Head, Tickhill, Doncaster. DN11 9RB
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<b>For:</b>	Mr David Brookfield
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<b>Third Party Reps:</b>	11	<b>Parish:</b>	Tickhill Parish Council
		<b>Ward:</b>	Tickhill And Wadworth

<b>Author of Report</b>	Hannah Wilson
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<b>MAIN RECOMMENDATION:</b>	<b>GRANT</b>
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## **1.0 Reason for Report**

1.1 This application is before Planning Committee given the number of representations received in objection of the application.

## **2.0 Proposal and Background**

2.1 The application seeks consent to change of use of land from agricultural to recreational use, including new parking and creation of football pitches.

2.2 The application site is to extend an existing football use on the neighbouring field for Tickhill Juniors Football Club (TJFC) which is a non-profit organisation staffed by volunteers, and where all monies go back into running the club. The club is growing and for the first time has registered two new U7 football teams in the Doncaster and District Junior Football Team. There is a waiting list at this age group and the U6/5s currently. The availability of additional land would allow the club to take on more children in this age group. Also for the first time, TJFC U16s age group wish to continue beyond this season and carry on into the U18s. To do this they would require 2 new full size football pitches. Currently, this is not possible with the land that has permission adjacent to this site. In addition the land could be used for more varied groups such as junior girls, senior girls, open age women, over 35's men and even over 50 walking football.

2.3 The applicant is a farmer and owns both the proposed site and existing site. He rents the current site to the club on a 6 month agreement so that if the agricultural land is needed it can be returned to that use quickly.

2.4 The site is currently an open agricultural field on the edge of Tickhill. The site is bounded by Crooked Lane Head to the South where access is currently taken from to the existing football field to the West. The A60 (Worksop Road) bounds to the East where there are residential properties and to the North is Friars Lane with the more historic part of Tickhill beyond this.

## **3.0 Relevant Planning History**

3.1 In 2005 planning permission was approved for the change of use of land from agricultural to recreational (to be used as football pitches for locally based community junior football club) (05/02335/COU). This was approved subject to conditions.

## **4.0 Representations**

4.1 The application has been advertised in accordance with the requirements of the Planning Practice Guidance via site notice, newspaper advert and neighbour letters.



4.2 At the time of writing the report 1 letter of support was received and 10 representations have been received in objection to the application: the representations outline that the proposal would:

- \* cause harm to highway safety due to stray balls,
- \* feel that there isn't a need for more land for the club,
- \* a large fence to stop balls would be visually harmful,
- \* noise concerns from the football and spectators,
- \* parking on the main road concerns due to pedestrian access from the corner of Friars Lane and the A60
- \* concerns with the control of rubbish
- \* congestion concerns and visibility on the access junction
- \* hours of usage
- \* volunteers run the current field and what would happen if it fails
- \* harm to wildlife

4.3 These objections were primarily from properties on the A60 opposite the site.

4.4 The Tickhill Juniors have received a letter from Rt Hon Caroline Flint MP. She states that she is happy to support schemes that encourage more children to take part in outdoor activities. The letter also congratulates the club on receiving a grant from the Premier League & The FA Facilities Fund.

## **5.0 Parish Council**

5.1 Tickhill Town Council wishes the public footpath across the field to be protected and as the site is in the Green Belt the applicant should ensure that any container or other structure on the site are painted green or otherwise made to blend in with the background. However there are no structures proposed under this application and so this comment is for future applications.

## **6.0 Relevant Consultations**

6.1 Several responses are awaited and updates will be provided in the pre committee notes.

6.2 Sport England – Consulted the Football Association (FA) who were supportive of the proposal. As such Sport England feel that providing new pitches could help address established playing pitch deficiencies and therefore support the proposal subject to conditions for the management and layout of the pitches.

6.3 Local Plans (Open Space) - The proposal is compliant with Core Strategy policy CS17 (providing green infrastructure) and will provide additional formal open space in Tickhill, which is very positive.

6.4 Coal Authority – Low risk standing advice area and so recommended informative imposed.

6.5 Pollution Control - Soil analysis was undertaken and the results assessed by pollution control. The soils on site will not pose an unacceptable risk to future site users, and no longer require conditions as this assessment has been done and is acceptable.

6.6 Tree Officer – No objections. The works are not significant.

6.7 Environmental Health - This section has no objection in principle to the proposed change of use from farmland to grassed football pitches.

6.8 Natural England - No comments

6.9 Public Rights of Way – The width of the bridleway through the site should be 5m wide and has been conditioned to ensure this.

6.10 Football Foundation - There is no specific advice in relation to buffer zones to houses. From a runoff perspective, they always advise:

- A minimum safety run off 3m must be provided.
- A minimum safety run off of 1.82m for all stadia pitches must be provided.
- Run off areas must be free from obstructions and of the same surface as the playing area.
- The site operator must undertake a risk assessment to ensure the run off area are safe and do not pose a risk of injury to a player or spectator.

They would always advise that ball stop netting is installed where pitches are in close proximity to housing and ball strike becomes a risk.

6.11 South Yorkshire Archaeology Services (SYAS) - No objections, negligible effect.

6.12 Drainage – Materials are permeable and thus conditions not required.

6.13 Ecology – Arable land use can be of great benefit particularly for farmland birds. As a feeding area and an undisturbed roost site large arable fields can be a valuable resource that should not be ignored thus adequate compensation has been discussed and a new hedgerow is proposed and accepted by the ecologist as mitigation subject to condition.

6.14 Conservation –Concerns were raised about the fencing and pedestrian access. Further details were provided and as it is a post and wire fence and no formalisation of the pedestrian access that is already there then the officer raised no objections.

6.15 Highways – No objections subject to conditions for the access road.

## **7.0 Relevant Policy and Strategic Context**

7.1 In the case of this application, the development plan consists of the Tickhill Neighbourhood Plan, Doncaster Core Strategy (CS) and Unitary Development Plan (UDP). The land is allocated as Green Belt on the saved UDP plans. The most relevant policies are:

### Tickhill Neighbourhood Plan

Policy CL3 Open Spaces

Policy NE2 Recreation in the Countryside

Policy L2 Recreational opportunities or young people

### Doncaster Core Strategy

Policy CS3 Green Belt

Policy CS14 Design and Sustainable Construction

Policy CS15 Valuing our Historic Environment

Policy CS16 Valuing our Natural Environment

Policy CS17 Providing Green Infrastructure

### Doncaster Unitary Development Plan (UDP) saved policies 1998

Policy ENV1 Doncaster Green Belt

Policy ENV3 Development in the Green Belt

Policy ENV7 Recreation and Leisure Developments

Policy ENV25 Development adjacent to Conservation Area

Policy ENV34 Affecting the Setting of Listed Buildings

7.2 Other material considerations include the National Planning Policy Framework (NPPF) and the subsequent planning guidance; as well as the Council's supplementary planning guidance including Development Guidance and Requirements SPD. There is also other DMBC non-planning guidance which are pertinent to the application, such as the Doncaster Health and Wellbeing Strategy 2016- 2021, Doncaster Growing Together Strategy and its commitment to 'Get Doncaster Moving'.

## **8.0 Planning Issues and Discussion**

### Principle of Development in the Green Belt

8.1 Paragraph 89 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this include:

- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it

8.2 Policy CS3 of the Core Strategy states that Doncaster's countryside will be protected and enhanced, having regard to the principles set out below. Key considerations for land within the Green Belt are that national policy will be applied, including a presumption against inappropriate development other than in very special circumstances.

8.3 Saved Policy ENV1 states that the purposes of including land in the Doncaster green belt are:

- to regulate the size and shape of urban areas in order to prevent unrestricted sprawl;
- to prevent the coalescence of existing settlements;
- to assist in safeguarding the countryside from encroachment; and
- to assist in urban regeneration by encouraging the recycling of derelict and other urban land.

8.4 Saved Policy ENV3 goes on to set out acceptable development within the green belt. This includes outdoor sport and outdoor recreation including essential facilities for such development subject to the limitations included in Policy ENV7. Thus the principle of the use is not an inappropriate use in the Green Belt in accordance with the Local Policies.

8.5 The Neighbourhood Plan for Tickhill also supports recreational use in the Green Belt. Policy CL3 looks at the existing recreational open spaces and recognises the existing football pitches in this policies map, which is adjacent to this site, as a space to be protected for play and sport and proposals to enhance this facility will be supported.

8.6 Policy NE2 of the Neighbourhood Plan also supports outdoor recreation providing it does not harm the landscape, causes no detriment to the natural environment, nor undue disturbance of the countryside. This is echoed in saved UDP Policy ENV7, which considers recreation and leisure proposals in the green belt. The policy states that such development as is permitted should be predominantly outdoor use, have a low visual impact and impact on agriculture and have a low proportion of built area. A method statement has been provided with the application which sets out how the ground will be treated to form the pitches and car parking area. The ploughing of the land to accommodate the new turf will be to the same depth as it always has been for the agricultural use. The parking will be a permeable membrane and chippings. As such, the proposal will retain the existing openness, having little visual impact with no built structures.

8.7 Furthermore, given the relatively low impact of the proposed accommodating works, the parking area and grassed area could be easily returned to an agricultural field in the future. The applicant is the farmer who owns the field, who proposes to leased out the land to the football club on a 6 monthly contract, so that if there is a need in the future, the land can be easily returned to agriculture. This field is not naturally productive, particularly in dry years, due to the very shallow soil depth. It is also a very stony field which means that the soil cannot retain the moisture in dry periods. This field also suffers from being so close to the urban area, and the applicant states that it gets walked on and played on, even driven over at times. Generally the farmer states that they can yield 25-30% less corn on this field compared to the other arable land in his control. On this basis the change of use of the field would not be a big loss in terms of agricultural production to the farmer, and again could easily be returned if required. All football structures such as nets are moveable and not fixed into the ground. This policy also states that proposals on the edge of urban areas will generally be looked upon more favourably.

8.8 Policy L2 of the Neighbourhood Plan supports new recreational opportunities for young people and it was suggested that existing facilities need improving. The Mayors Doncaster Growing Together Strategy provides support for recreation that gets more people in the borough active and supports the 'Get Doncaster Moving' Strategy. The proposal is to provide larger pitches for better facilities for the existing club, and more pitches to allow greater access to football for more groups of people rather than just the juniors club.

8.9 The proposal would provide recreational sports facilities, which is an appropriate use in the green belt, proposes no permanent or temporary built structures that would be visually harmful to the green belt, and could easily be returned to the agricultural use. The football pitches will also support other council strategies and improve community facilities. Thus the principle of the use is in accordance with policy subject to the below considerations.

8.10 No buildings are proposed such as changing rooms or toilet facilities, if these are required a separate application will be required and will be considered at that point. But as there is an existing site they could be placed on this land further away from neighbours and adjacent to the boundary of that site to have less visual impact. Thus approving the use does not mean that facilities will be approved on this land when there is more suitable land for ancillary buildings, adjacent to the site and already in football use.

### Conservation

8.11 The proposal site is agricultural land to the south of and adjacent to the Tickhill Conservation Area. The contribution the application site makes to the character of the Conservation Area is its open nature which acts as a backdrop to this part of the conservation area. The marking out of new pitches will have a neutral impact on this character as it will remain open and the proposal does not affect the setting of the Friary listed buildings which are visually separated. The car park extension is at some distance and would not have a harmful impact. The conservation officer raised concerns about the pedestrian access being formalised with paving and structures but it was confirmed this is not the case and is not applied for. The fencing was also a concern and additional information has been provided to show it will be less than 1m therefore not requiring planning permission. The applicants have also confirmed that the fence will be post and wire and as such will not have any detrimental effect on the character of the area. Thus it is felt to not be harmful to the heritage of the area in accordance with policies, ENV7, ENV25, ENV34, of the UDP, and policies CS15 of the CS.

### Highways and Parking

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

8.13 The Highways Officer carried out a site visit and considered that the lane to access the parking is not in great condition at the present time. There are numerous potholes along its length and as such some improvement works will need to be undertaken before the development is brought into use. In addition, it would be prudent to lengthen the passing bay as it is clear that vehicles are overrunning the verge in order to utilise the bay itself. This is possible by condition and thus has been imposed.

8.14 Highways have confirmed that the visibility at the junction of the A60 and Crooked Lane Head is not a current concern, but it would be if a hedge or fencing is placed in this location. A condition is imposed for details of the hedge to ensure it does not conflict with visibility and the fencing is 1m in height and details provided show a post and wire fencing. A condition has been imposed to remove permitted development rights for fencing/walls so that a different fence is not erected to the detriment of visibility.

8.15 The location of the site is next to a bus stop on the A60, is on the edge of the town and is within walking distance of the town. It is considered to be a very sustainable location and will benefit the community and wider area with great access links to the site and onsite parking.

8.16 Concerns were also raised with parking on the A60 in front of the neighbouring dwellings. This is an existing situation as there are no double yellow lines. The applicant has proposed more parking on the site to ensure adequate parking for the new pitches and highways have raised no objections to this.

8.17 Concerns were raised that balls would fly onto the road and cause a highway safety concern. The Football Foundation was contacted and there are no guidelines in football for distances to residential properties or roads. There are run off areas but these are small areas of a few metres. However the applicant has done research and found that the average person's kick is no more than 60m. Thus they are in agreement that they will not put a pitch within 60m of the road and are happy with a condition to this effect. If they do put a pitch within 60m of the road the condition stipulates that removable nets shall be erected before the game, be in situ during the game and removed afterwards. This will also ensure that the character of the countryside is maintained as they are removed when not needed.

### Ecology

8.18 The field is currently an agricultural field which attracts birds when it is ploughed and seeded. This can be a habitat for birds. As such the ecologist has suggested mitigation in the form of additional hedge planting along the southern site boundary which would provide a habitat for birds. This would satisfy policy NE2 of the Neighbourhood plan, policy CS16 of the Core Strategy and policy ENV7 of the UDP.

### Amenity

8.19 Policy CS14 states that new development should have no unacceptable negative effects upon the amenity of neighbouring land uses or the environment.

8.20 Questions were raised by residents as to why the existing pitches could not be utilised for longer periods of time rather than forming new pitches, and that given this site is in the green belt there should be a real need to use the land. The applicant has clarified this within the additional information, stating that they wish to expand the use for more groups of people in the community and provide larger pitches, providing more sports facilities. This is in accordance with the government and local aims to get people more active and improve the health of communities, not only the young but also different community groups. Furthermore, such recreation uses are acceptable in principle within the Green Belt

8.21 Concerns were raised in regard to balls flying at the residential properties. A condition as mentioned above would restrict the use of the field with and without nets to protect amenity.

8.22 The hours of use have been confirmed with the applicant and a condition imposed to control these. These times of usage are stated to be between 9:30am and 12pm, however the condition allows for an additional half an hour to 12:30 in order to allow for movement of people and clearing up of the site. It is felt that these limited times will not cause significant harm from noise and disturbance but the benefit to the community will be great from this limited time.

8.23 Rubbish was a concern raised. The applicant has confirmed that the litter would be placed in bins provided around the pitches and after every playing session a scan of the field would take place and any missed would be collected. The bins would be emptied after each weekend and the rubbish disposed of appropriately as it currently is done on the existing pitches. Tickhill Juniors have also just signed a contract with a firm called Viola to take all the rubbish away at regular intervals.

8.24 Neighbours also raised questions of what would happen if the volunteer football use failed. The farmer would still own the field and it would return to an agricultural field. This application would not prejudice or result in the site being more likely to be developed for residential uses, as has been raised in some representations. The proposal creates no built form, maintains the openness of the green belt and is an appropriate use in policy terms. Residential development would require a planning application and be considered separately on its own merits.

### Archaeology

8.25 The South Yorkshire Sites & Monuments Record contains details of cropmark evidence indicating some potential for buried archaeological remains within the proposed application boundary. However, discussions and a meeting with the applicant and the submitted method statement provide good information on the proposed alterations and construction methods for the scheme. There will be no digging out greater than currently undertaken with the ploughing of the field. There will be minimal ground disturbance from the construction and SYAS feel the change of use may even have a slightly beneficial effect by temporarily removing the field from the agricultural regime.

8.26 In light of this, SYAS considers the impact upon any archaeological potential to be negligible and advises that no archaeological investigation is required for this scheme. They have also been consulted on the condition for ball nets as a small support will need to be placed into the ground for the nets to be fitted into when erected. They have seen the specifications for these and raise no concerns with these minimal works.

## **9.0 Summary and Conclusion**

9.1 The proposed use would provide additional football facilities for the Tickhill juniors and the wider community and contribute towards getting the people of Doncaster active. It will have no harmful impact on the openness or visual impact of the green belt and is an appropriate recreational/sport use. The concerns from neighbours have been carefully considered and conditions imposed to protect amenity, including hours of use and ball nets. The highways impacts would not be detrimental subject to condition, no harm will be caused to archaeology and mitigation measures are included in regard to ecology. Furthermore the use is on a short contract and can easily be returned to the current agricultural use in the future.

## 10.0 Recommendation

10.1 GRANT Full planning permission subject to the following conditions.

01. STAT1            The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.  
REASON  
Condition required to be imposed by Section 91(as amended) of the Town and Country Planning Act 1990.
02. U58458            The development hereby permitted must be carried out and completed entirely in accordance with the terms of this permission and the details shown on the approved plans and specifications:  
Additional information (rubbish collection, times, highways, method statement) received 09/01/18  
Additional information (pedestrian access) received 05/01/18  
Additional information (extra information) received 04/01/18  
Additional information (hours of use) received 22/12/17  
Covering letter from Tickhill Juniors received 04/12/17  
Location plan received 13/12/17  
Site plan received 13/12/17  
REASON  
To ensure that the development is carried out in accordance with the application as approved.
03. U58440            No development shall take place unless and until:
- a)        A detailed assessment of ground conditions of the land proposed for the new playing field land shall be undertaken (including drainage and topography) to identify constraints which could affect playing field quality; and
- b)        Based on the results of this assessment to be carried out pursuant to (a) above of this condition, a detailed scheme to ensure that the playing fields will be provided to an acceptable quality (including appropriate drainage where necessary) shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England.
- The works shall be carried out in accordance with the approved scheme within a timescale to be first approved in writing by the Local Planning Authority after consultation with Sport England.
- REASON  
To ensure that site surveys are undertaken for new or replacement playing fields and that any ground condition constraints can be and are mitigated to ensure provision of an adequate quality playing field before use, to accord with CS3.



04. U58441 Prior to the bringing into use of the new playing field and pitches, a Management and Maintenance Scheme for the facility including management responsibilities, a maintenance schedule and a mechanism for review shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The measures set out in the approved scheme shall be complied with in full, with effect from commencement of use of the new playing field and pitches.  
REASON  
To ensure that new facility is capable of being managed and maintained to deliver a facility which is fit for purpose, sustainable and to ensure sufficient benefit of the development to sport (National Planning Policy Framework (NPPF) para 74) and to accord with CS3.
05. U58443 Within one month of commencement of works on site, a hedge planting scheme shall be submitted to the LPA for approval in writing, this shall include proposals to plant the southern boundary of the site where it is bounded by Crooked Head Lane . The hedge shall be planted from the current car park off Crooked Head Lane to a location several meters from its junction with the A60 Worksop Road, so as to ensure highway visibility is safely maintained . The hedge shall be planted during the earliest planting season following approval along a 1.5m strip as a double staggered row of species characteristic of the Limestone Character Area. A landscape establishment specification for a minimum of five years following practical completion shall also be included.  
REASON  
To ensure the ecological interests of the site are maintained in accordance with Core Strategy Policy 16 and the hedge is set back from the A60 for Highway visibility
06. U58457 The development hereby approved shall not be brought into use until that section of Crooked Head Lane between the site entrance and A60 is improved by providing a smooth running surface and improving the existing passing bay(s) in a manner to be approved in writing by the local planning authority.  
REASON  
In the interests of road safety in accordance with CS14
07. U58442 The width of the bridleway through the site shall remain at 5m wide.  
REASON  
In the interests of public rights of way protection.
08. U58459 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (No.596) (England) Order 2015, Article 3, Schedule 2: Part 2 (or any subsequent order or statutory provision revoking or re-enacting that order) no walls, fences or other means of enclosure shall be erected on the land other than that hereby approved, without the prior permission of the local planning authority.

REASON

The local planning authority considers that further development could cause detriment to the character of the area and f concerns to highway visibility.

09. U58460 No pitches shall be laid out or used within 60m of the road unless removable ball nets are erected before the game, left in situ during the game and remove immediately after the game.

REASON

In the interests of highway safety and neighbouring amenity.

10. U58461 The hours of use shall be limited to:  
Saturdays and Sundays 0900 hours to 1230 hours  
and not at all on Mondays- Fridays

REASON

To ensure that the development does not prejudice the local amenity.

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](http://www.gov.uk/government/organisations/the-coal-authority)

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

02. U12113 INFORMATIVE

The applicants attention is drawn to the South Yorkshire Fire and Rescue Service comments which states that: Access is to be in accordance with Approved Document b Volume 2 Part B5 Section 16.3 16.11 and Table 20. Also water supplies are to be provided in accordance with Approved Document B Volume 2 Part B5 Section 15.

03. U12116 INFORMATIVE

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

**Reasons(s) for Granting Planning Permission:**

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

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

Additional information provided in regard to fencing, litter, highways, method statement, hours of use, pedestrian access, and hedge details.

Appendix 1: Site and Location Plan



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**DONCASTER METROPOLITAN BOROUGH COUNCIL**

**PLANNING COMMITTEE - 6th February 2018**

**Application**      6

<b>Application Number:</b>	17/01308/FUL	<b>Application Expiry Date:</b>	7th August 2017
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<b>Application Type:</b>	Full Application
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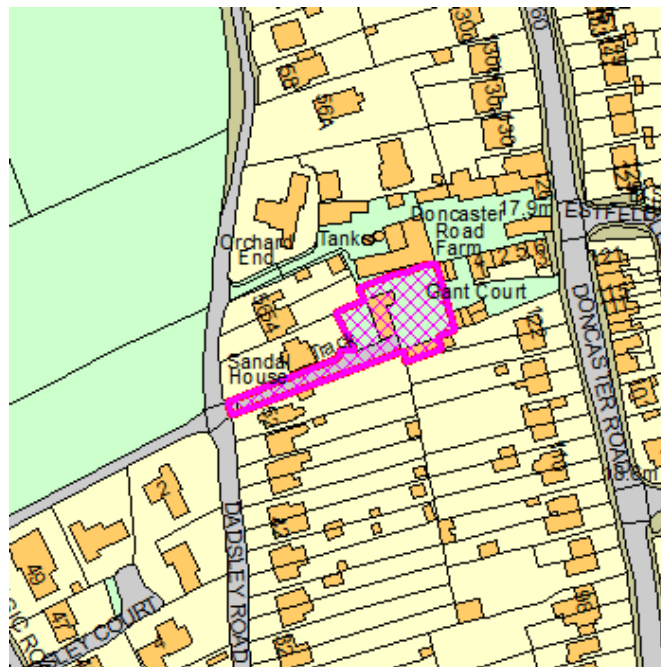
<b>Proposal Description:</b>	Erection of detached dwelling (revised plans received 08.01.2018)
<b>At:</b>	Land To Rear Of Sandall House Dadsley Road Tickhill Doncaster

<b>For:</b>	Mr Johnson
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<b>Third Party Reps:</b>	The proposal received objections from 6 persons. The issues raised in the objections are set out below.	<b>Parish:</b>	Tickhill Parish Council
		<b>Ward:</b>	Tickhill And Wadworth

<b>Author of Report</b>	Tim Goodall
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<b>MAIN RECOMMENDATION:</b>	<b>GRANT</b>
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## **1.0 Reason for Report**

1.1 The report is being presented to members at Planning Committee for consideration and determination due to the level of public interest. Objections have been received, meaning that under Doncaster Council's scheme of delegation for the determination of planning applications it is to be presented to Planning Committee.

## **2.0 Proposal and Background**

2.1 The planning application is for the proposed erection of a five bedroomed detached dwelling to the rear of the existing Sandall House off Dadsley Road, Tickhill. The site lies within the Residential Policy Area and in Flood Zone 1.

2.2 The character of the area is that of a backland plot that formerly contained a barn, demolished several years ago. To the north there is a complex of historic buildings associated with 126 Doncaster Road which was formerly a farmstead. The nearest of these is an L shape range comprised of an imposing grade 2 listed threshing barn with gable to the property boundary and a modern single storey farm building at right angle to this and parallel to the site boundary. The houses to the west on Dadsley Road are predominantly of brick construction with generous front gardens allowing for a set back from the public highway. To the east of the site is the residential street known as Gant Court with garages closest to the application site.

2.3 In the north west corner of the site is a mature Walnut tree that is the subject of a tree preservation order.

2.4 The dwelling would be two storeys in height with a dual pitched roof and a double width gable frontage. The dwelling would be constructed of lime stone with a clay pantile roof. The existing access is off Dadsley Road to the south of Sandall House.

## **3.0 Relevant Planning History**

3.1 14/01572/FUL - Erection of detached dwelling and garage following demolition of existing barn including formation of new vehicular access - Refused for the following three reasons.

- o The proposed dwelling is considered to be harmful to the distinctive character of the surrounding area by means form, scale, massing and detailing, contrary to the provisions of H4 of the Tickhill Neighbourhood Plan and Policy CS14 of the Doncaster Council Core Strategy 2011 - 2028.

- o The proposed site layout would result in a significant negative impact on the protected tree within the site (Doncaster Borough Council Tree Preservation Order (No.367) 2014) and is therefore considered to be contrary to core strategy policy CS16: Valuing our Natural Environment and Tickhill Neighbourhood Plan policy NE3 Tree planting.

- o The proposed access arrangements are considered to be unsatisfactory in terms of highway safety, providing inadequate width to allow two cars to pass safely, resulting in the potential need for vehicles having to wait on the main highway to allow another to leave, contrary to the provisions of Policy CS14 of the Doncaster Council Core Strategy 2011-2028.

## **4.0 Representations**

4.1 The application was advertised via neighbour notification, site notice, press notice and on Public Access on the Council's website. Following submission of revised plans, two further consultations were undertaken. In total objections from six residents were received in response to the application raising the following concerns:

- Highway safety
- Large size of the proposal in relation to the plot and surroundings
- Not in keeping with the surrounding area
- Impact on drains and ecology

## **5.0 Parish Council**

5.1 Tickhill Town Council made the following initial comments:

5.2 "Please ensure the tree roots are protected. The design/specifications must be in keeping with the Neighbourhood Plan."

5.3 There was no objection raised to the revised plans by the Town Council.

## **6.0 Relevant Consultations**

6.1 Design and Conservation Officer - No objection to revised plans

6.2 Tree Officer - The Walnut tree that is located within the proposed development site is currently protected by Doncaster Borough Council Tree Preservation Order (No.367) 2014 Land To Rear Of Sandall House, Dadsley Road, Tickhill and is listed as T1 within the order. From the tree survey provided I'm satisfied that the Walnut has been accommodated within the proposal and is able to be retained on site without any significant harm. No objection, conditions required

6.3 Highways Officer - Having looked into the history of the site, a similar application was submitted in 2014 which did not overcome the highway requirements. I note that this application has sought to address the previous concerns and has widened the access to the minimum 4.5m required for two cars to pass. There is an increased area of hard standing included in the layout with the removal of the previously proposed detached garage which provides adequate space for a fire appliance to turn within the site and sufficient room for two cars plus and visitors to park within the site curtilage.

6.4 Ecology Officer - No objection, condition required.

6.5 Contaminated Land Officer - No objection, conditions required

## **7.0 Relevant Policy and Strategic Context**

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

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

Doncaster Core Strategy 2012  
Policy CS1: Quality of Life  
Policy CS2: Growth and Regeneration Strategy  
Policy CS 4: Flooding and Drainage  
Policy CS14: Design and Sustainable Construction  
Policy CS15: Conserving our Historic Environment  
Policy CS16: Conserving our Natural Environment

Doncaster Unitary Development Plan 1998, saved policies  
PH 11 Development in Residential Policy Areas  
ENV21 Trees and Woodlands  
ENV34 Setting of Listed Buildings  
ENV59 Protection of Trees

Tickhill Neighbourhood Plan  
H4 Remainder of Tickhill  
DE 1 New Building  
F1 Building Development

Residential Backland and Infill Development Supplementary Planning Document (SPD)

Development Guidance and Requirements SPD

South Yorkshire Residential Design Guide SPD

National Planning Policy Framework

## **8.0 Planning Issues and Discussion**

8.1 The National Planning Policy Framework states that housing applications should be considered in the context of the presumption in favour of sustainable development (para 49). The Doncaster Core Strategy's Growth and Regeneration Policy (CS2) includes Tickhill as a 'Conservation Town' in its settlement hierarchy. The Policy goes on to state that in Conservation Towns the priority will be conservation and enhancement, with only quality infill within existing settlement boundaries being supported.

8.2 As per saved Policy PH11, within residential policy areas development for housing will normally be permitted except where:-

- A) the development would be at a density or of a form which would be detrimental to the character of the surrounding area or would result in an over-intensive development of the site;
- B) the effect of the development on the amenities of occupiers of nearby properties would be unacceptable;
- C) tandem or backland development would result in an unsatisfactory access, overlooking or over-intensive development;



D) the development would result in the loss of social, community and recreational or other local facilities for which there is a demonstrated need.

8.3 As the site lies within the Residential Policy Area, the principle of a dwelling is acceptable provided it meets grounds A to D of saved Policy PH11. These matters are considered in greater detail below.

### Design

8.4 In accordance with Policy CS14, all development proposals must be of a high quality design that contributes to local distinctiveness, reinforces the character of local landscapes and building traditions, responds positively to existing site features and integrates well with its immediate and surrounding local area.

8.5 As set out in the Residential Backland and Infill Development SPD, infill development should respect the character of the surrounding area and the amenity of the neighbours. It should re-enforce the uniformity of the street by developing in proportion to its neighbouring properties, where architectural features and building materials should be reflected. This is important in re-enforcing the local context and ensuring that the character of the street-scene is not adversely compromised.

8.6 Policy DE1 of the Tickhill Neighbourhood Plan states that new development should be designed to fit into the character of Tickhill, with proposals demonstrating a thorough understanding of local character as part of the design process.

8.7 Policy H4 of the approved Tickhill Neighbourhood Plan for the remainder of Tickhill (outside the conservation area) states that;

New housing development should satisfy the following characteristics:

1. be constructed of materials in keeping with its immediate environs
2. have a front garden and boundary treatment which respects the surrounding street scene
3. retain existing limestone boundary walls; any new treatment should complement the historical character of the area
4. retain existing trees
5. provide adequate storage space for refuse and recycling bins provided by the local authority
6. be of a size, scale and height appropriate to its location and the size of the plot

8.8 The Council's Design and Conservation Officer stated in their response to the updated plans that "this proposal has been subject to a number of amendments in terms of details and materials with a marginal reduction in massing since submission though it remains a substantial building. However, the simplification of the details to stone quoins and dressings around windows and the use of stone (if this is limestone) for the facades together with clay pantile for the roof gives a more vernacular character to the building which reflects the traditional building materials of the local area on the limestone ridge and contributes to local distinctiveness."

8.9 As is evident from the planning history of the site, there is a previous refusal of planning permission for the erection of a detached dwelling and garage that was determined in 2016. The decision at the time took account of the current planning policy context including the Doncaster Core Strategy, the Tickhill Neighbourhood Plan and the Council's Supplementary Planning Documents. The previous application was refused for three reasons (design, trees and highways) and there was no appeal.

8.10 In design terms, the previously refused dwelling was considered to be harmful to the distinctive character of the surrounding area by means form, scale, massing and detailing, contrary to the provisions of H4 of the Tickhill Neighbourhood Plan and Policy CS14 of the Doncaster Council Core Strategy 2011 - 2028. The refused dwelling was roughly cross shaped and measured 9.4 metres in height, 16.3 metres in width and a maximum to 13.5 metres in depth. The proposal included front and rear gable projections, a set down side projection and a total of twelve rooflights on the main building. A detached double garage with rooflights was also proposed.

8.11 The current proposal is for a dwelling measuring 8.55 metres high (excluding one chimney to the side elevation). The dwelling would be 14.8 metres wide and a maximum of 10.6 metres deep. While, the massing of the proposal is acknowledged within the backland plot is noted, there is a noticeable reduction in height of almost a metre from the previous refusal. The proposed dwelling should also be considered in the context of the large barn directly to the north, and with this in mind the reduced massing and height is considered on balance to be acceptable. Since the validation of the application there have been a number of revisions including altering the proposed materials to limestone and pantile and simplifying the design detail.

8.12 Given the reduction in the dimensions of the proposal, the simplification of the design and the removal of the detached double garage, the proposal is considered to accord with saved Policy PH11 part A. Given the size of the plot, the proposed dwelling would not be of a scale to result in an over intensive use of the site as per saved Policy PH11 part C.

8.13 In design terms, the proposed development is on balance considered to accord with the relevant national, local and neighbourhood policies.

### Residential Amenity

8.14 Policy CS1 of the Core Strategy supports development proposals that protect local amenity. Policy CS14 states that new development should also have no unacceptable negative effects upon the amenity of neighbouring land uses or the environment. The Design Guidance and Requirements SPD states that habitable room windows that overlook neighbouring garden space should normally be at least 10 metres from the boundary. Where a new property overlooks an existing garden these distances may need to be increased. Oblique or obscured outlook from habitable room windows within 10m of the boundary may be allowed at the discretion of the case officer dependent upon site specific considerations. The internal layout of the proposed dwelling should also meet the internal space standards set out in Table 4A.1 (Space Standards) of the South Yorkshire Residential Design Guide 2011 SPD (p130).

8.15 The front elevation of the proposed dwelling would face approximately west and would be meet the required separation distance from Sandall House as set out in the Design Guidance and Requirements SPD. It would be 18 metres from the rear garden and 31 metres from the rear windows of the house. The rear garden of no 54 would be closer than the normal 10 metre minimum distance from the closest first floor window at approximately 8.4 metres, however the proposed dwelling is at a slight angle, reducing overlooking and there is also the existing mature tree further obscuring the view. The rear elevation of the dwelling would be approximately 21 metres from the side elevation of the nearest dwellings on Gant Court. The internal layout of the proposed dwelling would also meet the requirements of the South Yorkshire Residential Guidelines SPD in terms of minimum room sizes, providing an acceptable living standard for future occupiers of the dwelling. On balance, the proposal is considered to be acceptable in amenity terms.

### Setting of Listed Building

8.16 Policy CS15 of the Core Strategy states that Doncaster's historic environment will be preserved, protected or enhanced. Saved Policy ENV 34 states that planning permission will not normally be granted for development which would adversely affect the setting of a listed building by virtue of its nature, height, form, scale, materials or design.

8.17 Following initial concerns raised by the Conservation Officer, the proposal has been revised, resulting in a modest reduction in the massing of the building, a simplification in the design and a change in the proposed materials. The Conservation Officer considers that the revised proposal "allows the building to stand more comfortably adjacent to the large listed barn which is of similar materials and eases concerns over the juxtaposition of the two buildings. Despite the massing I do not think I can sustain an objection based on harm to the setting of the adjacent listed buildings."

8.17 In line with the consultation response of the Conservation Officer, the impact on the listed building is considered to accord with policy.

### Trees and Landscaping

8.19 Saved Policy ENV21 seeks to protect and conserve existing trees and woodlands by steering development away from trees and woodlands. Saved Policy ENV59 states the Council will attach considerable importance to the need to protect existing trees and hedgerows and will require that new developments do not cause unnecessary loss of trees, nor imperil trees by building works.

8.20 The Walnut tree that is located within the proposed development site is currently protected by Doncaster Borough Council Tree Preservation Order (No.367) 2014 Land To Rear Of Sandall House, Dadsley Road, Tickhill and is listed as T1 within the order . The potential impact of the previous planning proposal on this tree resulted in a reason for the refusal of that planning application. The revised scheme is further away from the tree and no longer includes a stand-alone detached garage. The planning application was accompanied by a Tree Survey and the Council's Tree Officer has no objection to the revised scheme "as the tree survey report within section 3.2.3 clearly states that the proposed building is 10.1m from the Walnut (T1), which has a RPA/exclusion zone of 6.6m radius.

As a result this should allow for the full rooting area and crown to be retained and protected by fencing to the specification suggested in Appendix 4: tree protection, protective fencing detail and ground protection detail and BS5837:2012 while still allowing approximately 3.5m of working space between the fencing and proposed building. From the tree survey provided I'm satisfied that the Walnut has been accommodated within the proposal and is able to be retained on site without any significant harm."

8.21 It is worth noting that as a result of revisions to the current planning application, the proposed dwelling is now approximately a metre further away from the tree than at the time of the aforementioned survey (approximately 11 metres distant). The Tree Officer has recommended conditions if permission is granted to cover protection during the construction period, ongoing protection of the tree and a landscaping scheme.

### Ecology and Wildlife

8.22 Policy CS16 of the Core Strategy states that protected habitats and species will be given the highest levels of protection in accordance with the relevant legislation and policy. The Council's Ecologist has no objection but noted "there was a considerable amount of communication on a previous application on this site in respect of bats. It was finally concluded and we were satisfied by the conclusion that there was little/negligible risk of bats be present in the building that previously occupied the site.

8.23 The bat survey did show however that there was frequent use of the site by commuting and foraging bats (Pg. 12 Table 5). In response to the requirements of policy CS16 to maintain the boroughs ecological networks I believe that this could be delivered through condition by the inclusion of potential bat roost facilities."

8.24 The proposal is therefore considered to accord with policy CS16 in terms of the protection of habitats and species, subject to an ecological enhancement plan condition.

### Highways and Parking

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

8.26 Highway safety formed a reason for refusal for the previous planning application at this site and the applicant has sought to address this through the widening of the access and a turning space for the donor property (Sandall House). While the current highway arrangement is acknowledged and is a concern raised by local residents, it is noted that this is an existing vehicular access for Sandall House and also a gated access to the former building on the application site. The Highways Development Control Officer has been consulted on the application and has no objection to the proposal given the parking proposal and the increased width, which meets their requirements. As such, the proposal is considered to be acceptable in terms of highway safety.

## Drainage

8.27 Policy F1 of the Tickhill Neighbourhood Plan states that proposals for new development should ensure that there is no increase in the rate of surface water run-off into the existing formal drainage system. Within identified flood risk areas prone to flooding through inadequate capacity of existing drainage infrastructure, a reduction of surface water run-off on brownfield sites will be required. Sustainable Urban Drainage Systems (SUDS) will be used whenever possible.

8.28 Concerns were raised by local residents regarding the impact on the local drainage network. The application site lies in flood zone 1 and no response was received from Severn Trent Water in relation to the planning consultation. A drainage condition will be imposed to ensure full details of the proposed drainage are required prior to the commencement of development on the site, as such the proposal is considered to accord with policy F1 of the Tickhill Neighbourhood Plan, and policy CS 4 of the Doncaster Council Core Strategy.

## **9.0 Summary and Conclusion**

9.1 The proposed development for a dwelling on the site is considered to have overcome the three reasons for refusal on the previous planning application at the site in 2016. The application will ensure the protection of the Walnut Tree in the north west corner of the site and has overcome previous highway concerns. Given the location of the proposed dwelling adjacent to buildings of a similar scale directly to the north, the proposed dwelling with its reduced height is considered to be appropriate for its location. The proposal is considered to comply with national, local and neighbourhood planning policies and is recommended for approval subject to conditions.

## **10.0 Recommendation**

10.1 GRANT Full planning permission subject to the following conditions.

- |           |  |
|-----------|--|
| 01. STAT1 | The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.<br>REASON<br>Condition required to be imposed by Section 91(as amended) of the Town and Country Planning Act 1990.                             |
| 02. ACC1  | The development hereby permitted must be carried out and completed entirely in accordance with the terms of this permission and the details shown on the approved plans and specifications.<br>REASON<br>To ensure that the development is carried out in accordance with the application as approved. |

03. U58539 Prior to the commencement of the relevant site works samples or details of the clay pantile and ridge tiles (and of the bay window roof material if different) to be used in the construction of the new building shall be submitted to and approved in writing by the local planning authority. Any verges to the gables and gable projections of the new building shall be mortared verges.  
REASON  
To preserve the setting of the listed building in accordance with saved policy ENV34 of the Doncaster Unitary Development Plan
04. U58540 (a) Samples or details of the limestone walling material and dressings shall be submitted to and approved in writing by the local planning authority prior to the construction of the external walls of the building.  
(b) The construction of the external walls of the new building shall only take place after a one-metre-square sample panel of stonework showing the pointing, coursing and mortar colour to be used in the construction of the building has been constructed on site and the details approved in writing by the local planning authority.  
REASON  
To preserve the setting of the listed building in accordance with saved policy ENV34 of the Doncaster Unitary Development Plan
05. U58541 Rainwater goods, pipework, and any fascias to be used in the construction of the building shall be black unless otherwise agreed in writing by the local planning authority.  
REASON  
To preserve the setting of a listed building in accordance with saved policy ENV34 of the Doncaster Unitary Development Plan
06. DA01 The development hereby granted shall not be begun until details of the foul, surface water and land drainage systems and all related works necessary to drain the site have been submitted to and approved by the Local Planning Authority. These works shall be carried out concurrently with the development and the drainage system shall be operating to the satisfaction of the Local Planning Authority prior to the occupation of the development.  
REASON  
To ensure that the site is connected to suitable drainage systems and to ensure that full details thereof are approved by the Local Planning Authority before any works begin.
07. V41P During the construction of the development hereby approved the following activities are prohibited:  
1) the stockpiling of building materials under the canopies of the trees on the site  
2) the parking or operating of machinery under the tree canopies  
3) the movement of traffic over root systems  
4) fires within the vicinity of trees  
5) chemical spillages (including the rinsing out of cement mixers) under the canopy of trees

REASON

To ensure that all trees are protected from damage during construction in accordance with British Standards Institute Specification 5837 (1991) and the Local Planning Authority's Code of Practice in Relation to Trees on Development Sites

08. VU21

The development hereby granted shall not be commenced nor materials or machinery brought onto the site until the trees which it has been agreed shall be retained are fenced off to the satisfaction of the Local Planning Authority. A scheme of fencing shall be submitted to the Local Planning Authority which shall comply with B.S. Specification No. 5837 'Trees in relation to Construction (1991)', with the Council's 'Code of Practice in Relation to Trees on Development Sites' and with the Council's illustrated guidelines 'Protection of Trees on Development Sites'. The satisfactory implementation of the scheme on the site shall be confirmed in writing by the Local Planning Authority before any works are begun.

REASON

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

09. VQ17

No development shall take place on the site until details of a landscaping/planting scheme have been agreed in writing with the Local Planning Authority. This scheme shall indicate all existing trees and hedgerows on the site, showing their respective size, species and condition. It shall distinguish between those which are to be retained, those proposed for removal and those requiring surgery. The scheme should also indicate, where appropriate, full details of new or replacement planting. All planting material included in the scheme shall comply with Local Planning Authority's 'Landscape Specifications in Relation to Development Sites'. Planting shall take place in the first suitable planting season, following the commencement of the development. Any tree or shrub planted in accordance with the scheme and becoming damaged, diseased, dying or removed within five years of planting shall be replaced in accordance with the above document.

REASON

To ensure that replacement trees are of a suitable type and standard in the interests of amenity.

10. VP16

No trees, shrubs or hedges existing within or on the boundaries of the site shall be topped, lopped or felled, uprooted or otherwise damaged for five years after the date of consent without the prior written permission of the Local Planning Authority. Any trees removed or becoming damaged or becoming diseased before the end of the period shall be replaced with trees of such size and species as may be agreed by the Local Planning Authority.

REASON

To ensure that all retained trees are in a healthy condition on the completion of the development and for the specified period afterwards.

11. 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.
11. U58538 Within one month of the commencement of development an ecological enhancement plan shall be submitted to the local planning authority for approval in writing. This plan shall include details of the following measures, all of which shall be implemented prior to the first occupation of the site or an alternative timescale to be approved in writing with the local planning authority:  
-The installation of two integrated bat roost boxes in suitable walls of the new dwelling, using Ibstock bat brick, the Schwegler 1FR or similar. The siting and height of the installations can be detailed by a suitably qualified bat ecologist.  
REASON  
To ensure the ecological interests of the site are maintained in accordance with Core Strategy Policy 16.
12. CON2 Should any unexpected significant contamination be encountered during development, all associated works shall cease and the Local Planning Authority (LPA) be notified in writing immediately. A Phase 3 remediation and Phase 4 verification report shall be submitted to the LPA for approval. The associated works shall not re-commence until the reports have been approved by the LPA.  
REASON  
To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to guidance set out in the National Planning Policy Framework.
13. CON3 Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and be approved in writing by the LPA prior to any soil or soil forming materials being brought onto site. The approved contamination testing shall then be carried out and verification evidence submitted to and approved in writing by the LPA prior to any soil and soil forming material being brought on to site.  
REASON  
To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to guidance set out in the National Planning Policy Framework.



14. NOPD1A Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (No.596) (England) Order 2015, Article 3, Schedule 2: Part 1 (or any subsequent order or statutory provision revoking or re-enacting that order) no additions, extensions or other alterations other than that expressly authorised by this permission shall be carried out without prior permission of the local planning authority.

REASON

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

01. INF1B INFORMATIVE

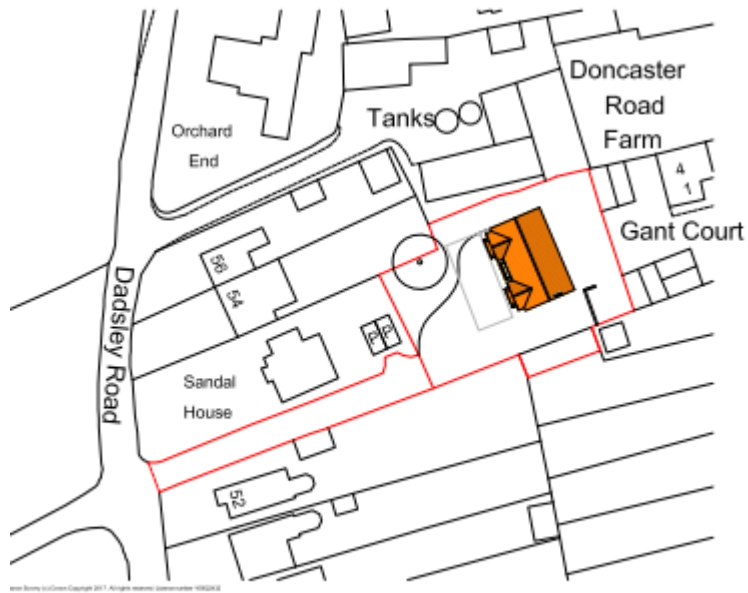
The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

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

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

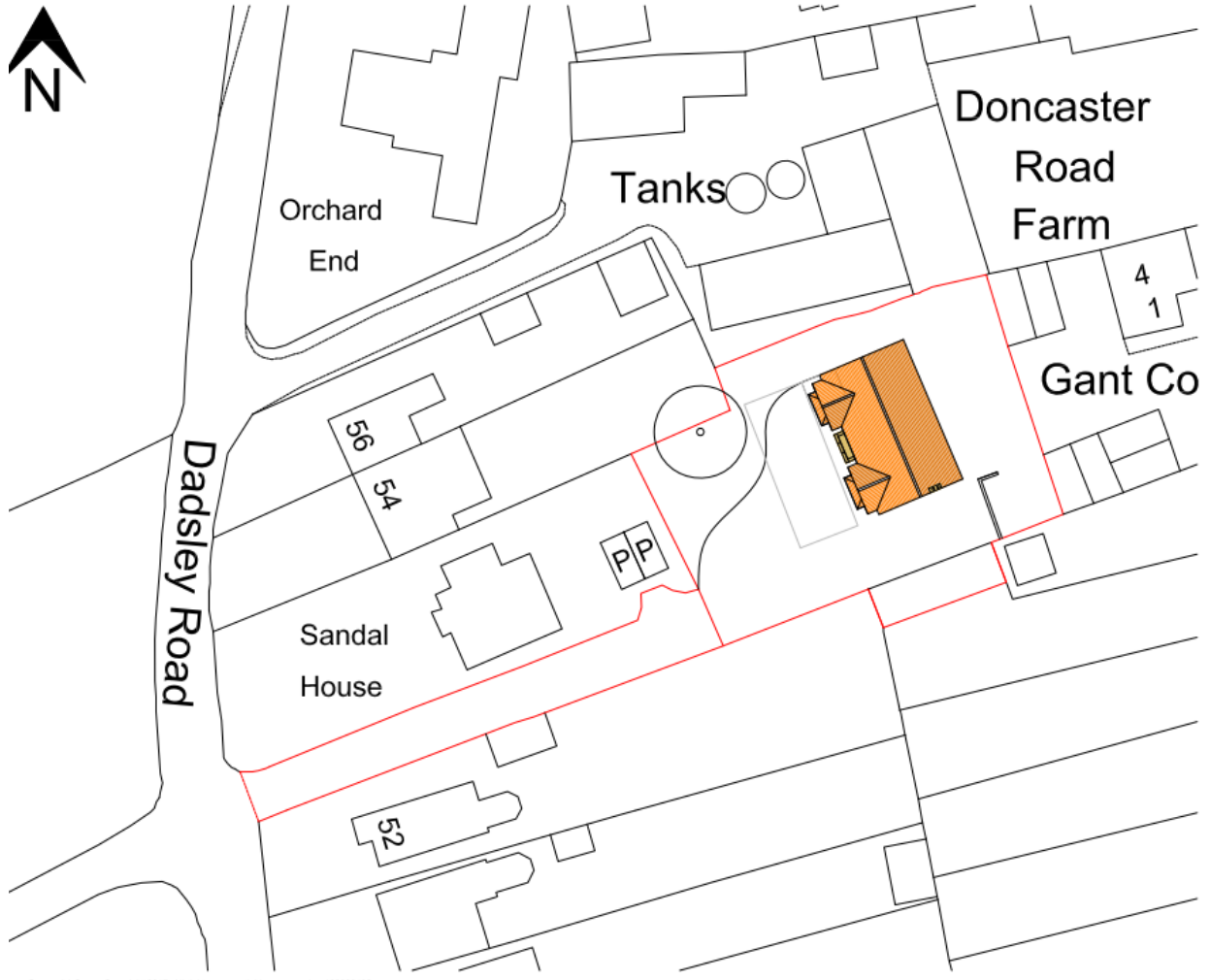
**The above objections, considerations and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and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

# Appendix 1 Proposed Location Plan



Proposed Location Plan 1:1250

Appendix 2 Proposed Site Plan



ance Survey (c) Crown Copyright 2017. All rights reserved. Licence number 100022432

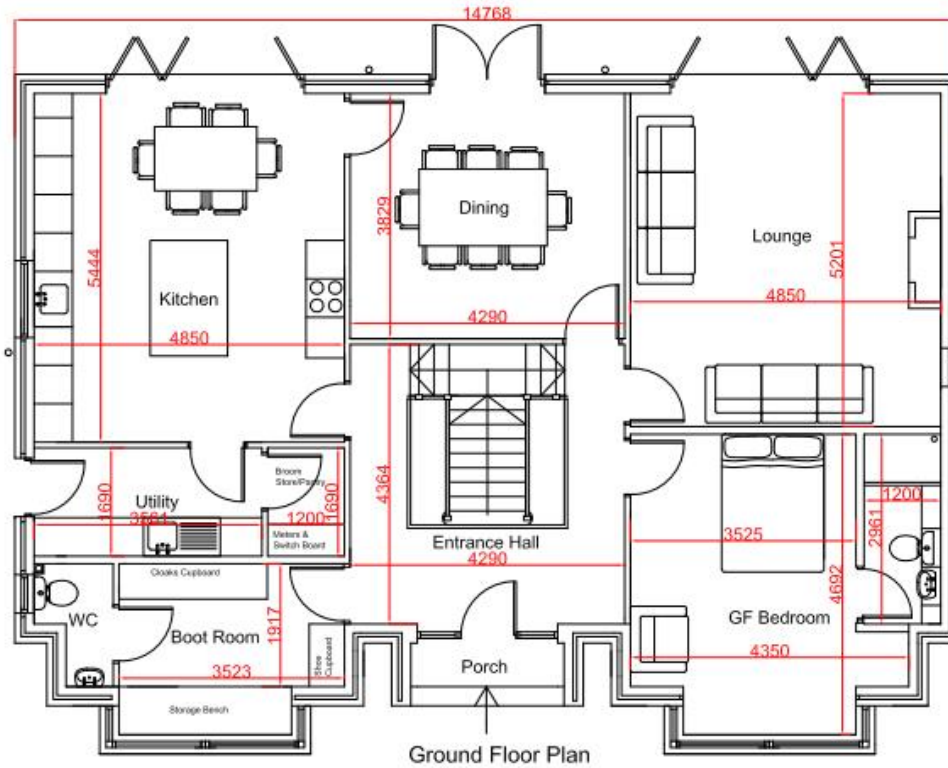
Proposed Site Plan 1:500

# Appendix 3 Proposed Front and Side Elevation and Proposed Ground Floor Plan

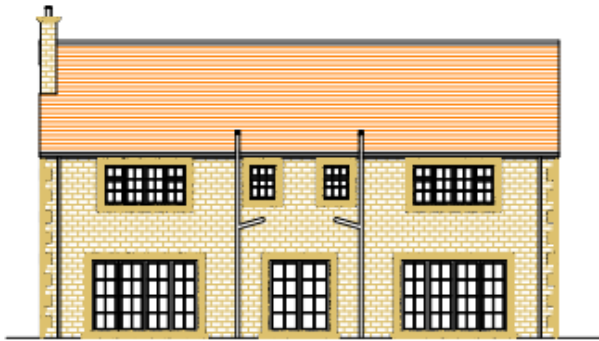


Front Elevation

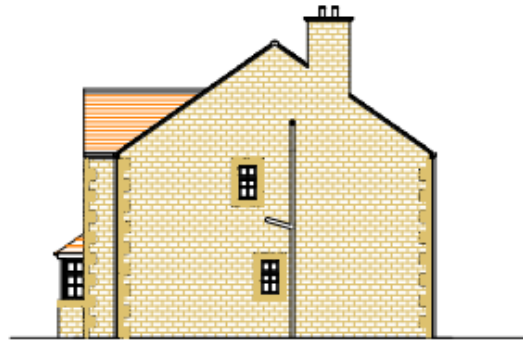
Side Elevation



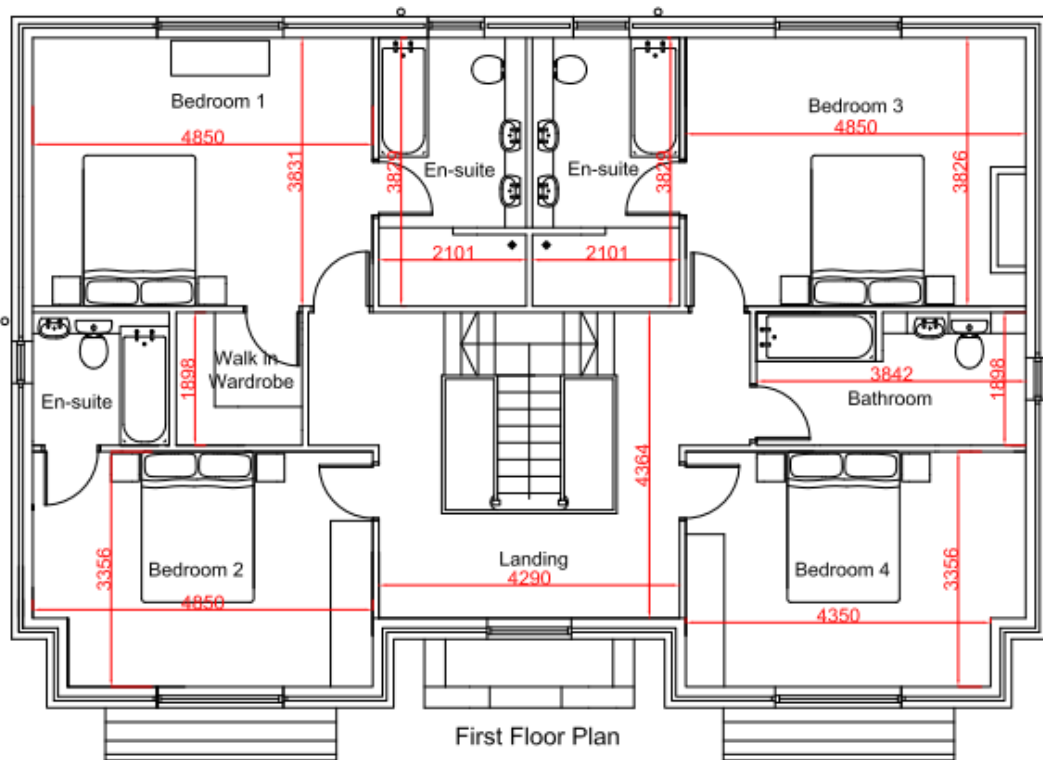
# Appendix 4 Proposed Rear and Side Elevation and Proposed First Floor Plan



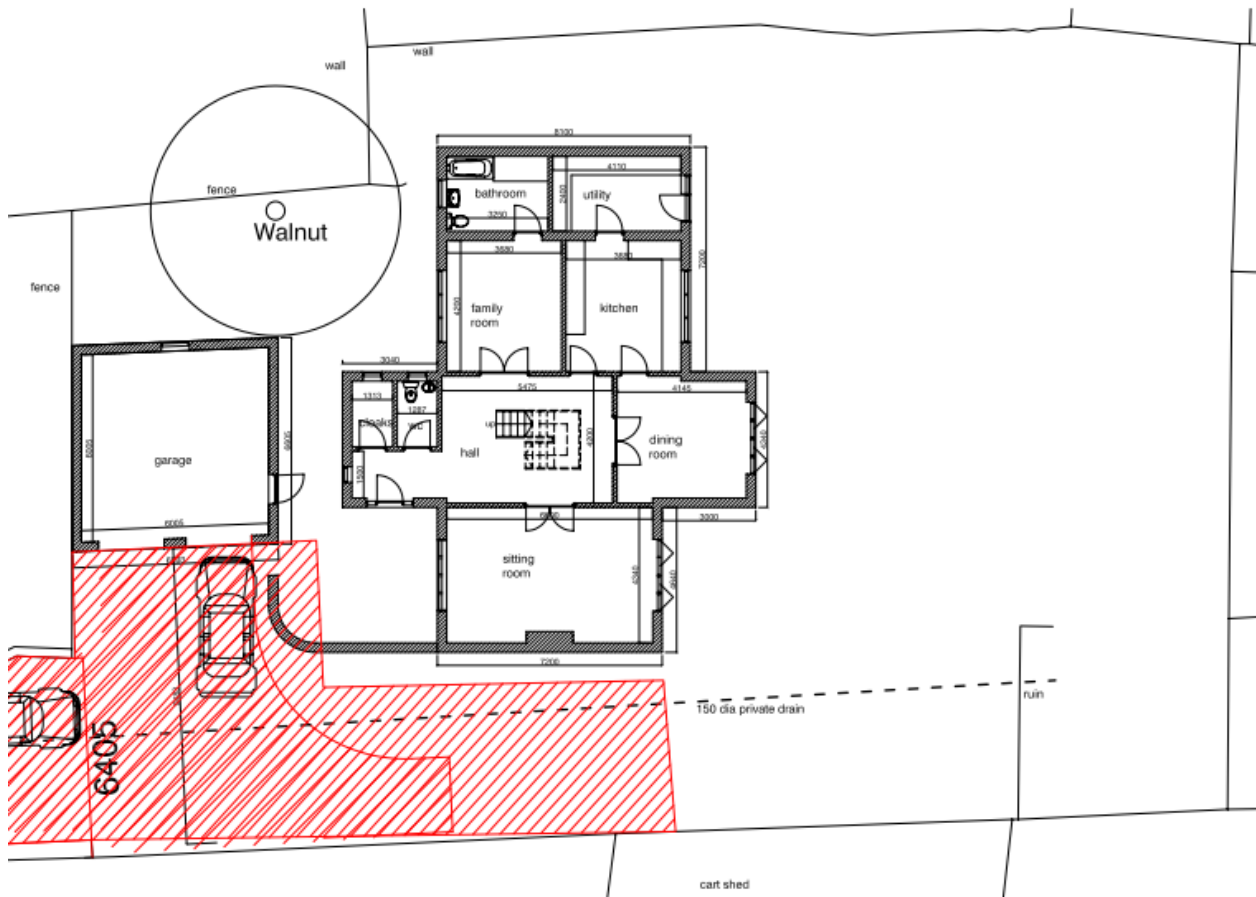
Rear Elevation



Side Elevation

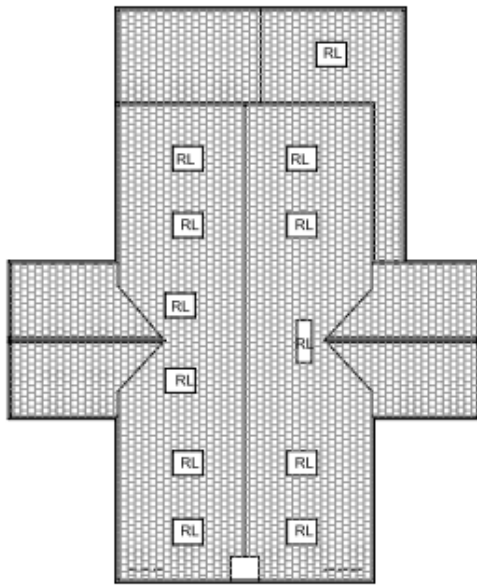


# Appendix 5 2016 Refused Site Plan



# Appendix 6 2016 Refused Elevations and Roof Plan

ROOFING - STEEL CLAY TILES  
 GARAGE WALLS - RED BRICK  
 ROOF - INTERLOCKING CLAY  
 RAINWATER GOODS - DRAW  
 POWDER COATED  
 MAIN HOUSE AND GARAGE



ROOF PLAN



EAST ELEVATION



WEST ELEVATION

**AMENDED PLANS**  
 04/08/2014



SOUTH ELEVATION

amendments

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**DONCASTER METROPOLITAN BOROUGH COUNCIL**

**PLANNING COMMITTEE - 6th February 2018**

**Application**      7

<b>Application Number:</b>	17/02233/FUL	<b>Application Expiry Date:</b>	16th November 2017
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<b>Application Type:</b>	Full Application
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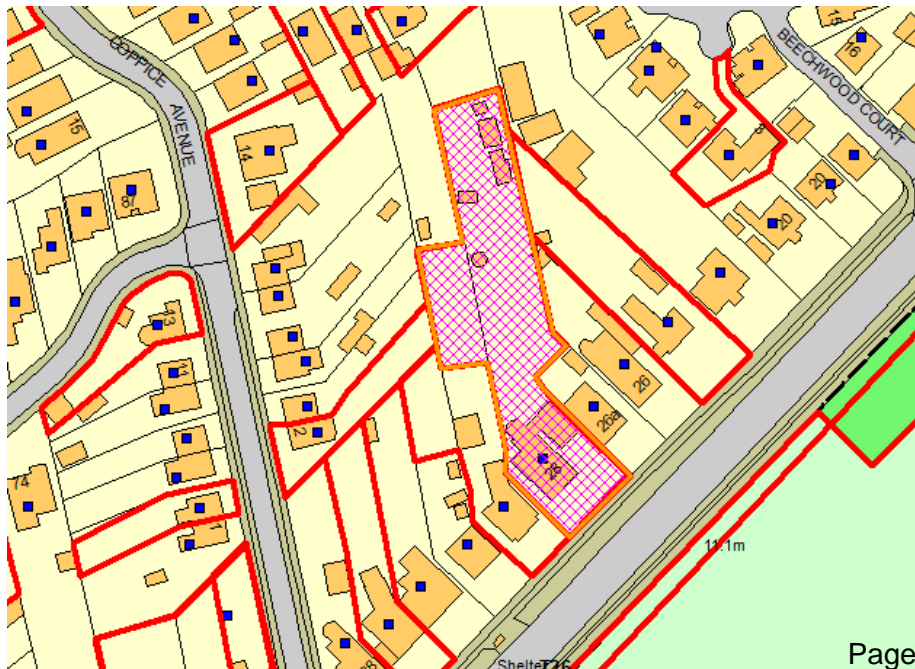
<b>Proposal Description:</b>	Proposed erection of 3 backland dwellings and 1 replacement dwelling (no 28 Doncaster Road) to frontage following the demolition of existing property
<b>At:</b>	28 Doncaster Road Hatfield Doncaster DN7 6AD

<b>For:</b>	Ms S Jackson - Faith Homes Ltd
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<b>Third Party Reps:</b>	The proposal has received objection from 6 persons.	<b>Parish:</b>	Hatfield Parish Council
		<b>Ward:</b>	Hatfield

<b>Author of Report</b>	Tim Goodall
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<b>MAIN RECOMMENDATION:</b>	<b>GRANT</b>
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## **1.0 Reason for Report**

1.1 The report is being presented to members at Planning Committee for consideration and determination due to the level of public interest.

## **2.0 Proposal and Background**

2.1 The proposal is for erection of 3 backland dwellings and 1 replacement dwelling (no 28 Doncaster Road) to frontage following the demolition of the existing property of no 28.

2.2 The existing application site contains no 28 Doncaster Road and the rear garden of the property and also part of no 30 Doncaster Road. The only existing vehicle access is for the off street parking for no 28. Doncaster Road in this part of Hatfield is classified as the A18, taking traffic to Doncaster to the south west and the centre of Hatfield and onto Thorne to the north east. The area is characterised by a mix of one and two storey dwellings along the north western side of the highway with a cul de sac of two storey dwellings to the north east (Beechwood Court). Opposite the site is an agricultural field with outline planning permission granted in 2016 for up to 450 homes. The rear gardens of 28 and 30 Doncaster Road are long, strip gardens which drop away slightly in levels towards the rear. The gardens are surrounded on all sides by the rear gardens of the dwellings on Coppice Avenue.

2.3 The proposal is for the demolition of the existing dwelling at no 28 and its replacement with a one and half storey dwelling with its own vehicular access. A separate access will be provided for 3 new two storey dwellings to the rear. The access will run between no's 28 and 26A Doncaster Road. The proposed dwellings will be detached with separate parking and rear gardens.

2.4 Plot 1 is for a detached dwelling measuring 7.3 metres in height, 12.6 metres in width and 8.8 metres in depth. The dwelling has an integral garage with gable dormers to the front and rear elevations.

2.5 Plot 2 has a detached single garage and is 7.6 metres high, 10.1 metres wide and 9 metres deep, excluding a projecting ground floor bay window. Plot 3 has an integrated garage, is 7.6 metres high is 12.8 metres wide with the garage and is 12 metres deep including a single storey projection. Plot 4 is 7.5 metres high, 11.8 metres wide including the attached garage and 9.6 metres deep. The dwellings are of a relatively uniform design with dual pitched roofs and architectural features including bay windows and gable ends in the front elevation.

## **3.0 Relevant Planning History**

3.1 None relevant

## **4.0 Representations**

4.1 Objections from 6 persons were received raising the following concerns in summary. The full objections are available to view online on Public Access.

- Impact of the more traffic
- Impact of the proposal on privacy and safety if there is a road to the rear of a garden just separated by a fence.
- The footprint of the proposed dwellings are larger than footprints of the existing bungalows prior to their extensions
- The houses are not in keeping with the surrounding area in terms of bungalows
- Concern over access and egress and the cumulative impact of extra traffic given extra approvals in the area
- Lack of amenities, local services oversubscribed
- The proposal is contrary to policy ENV4
- Overlooking, loss of privacy and security
- Objection to proposed bin store location
- Concerns over drainage
- Concern over land ownership
- Light pollution
- Noise pollution of new access road
- Proximity to existing bungalow
- Unnecessary use of land

4.2 These concerns are addressed in the report below, although it is noted that land ownership issues are not a planning matter.

## **5.0 Parish Council**

5.1 Hatfield Town Council - The Town Council would like to take this opportunity to make the following observations in respect of this application. It is considered that there is over intensive development of the site. There is concern that the ingress and egress to the site is not adequate to accommodate the number of vehicles utilising the site. It is also considered that the development does not comply with the backland infill policy.

## **6.0 Relevant Consultations**

Tree Officer - No objection

Ecology Officer - No objection

Contaminated Land Officer - Conditions required

Highways Officer - No objection to revised plans. Conditions required.

Yorkshire Water - No comments

Doncaster East Internal Drainage Board - Informative required

Drainage Officer – No objection. Conditions required.

## **7.0 Relevant Policy and Strategic Context**

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

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

### Doncaster Core Strategy

Policy CS1 Quality of Life  
Policy CS2 Growth and Regeneration Strategy  
Policy CS4 Flooding and Drainage  
Policy CS14 Design and Sustainable Construction  
Policy CS16 Valuing our Natural Environment

### Doncaster Unitary Development Plan (UDP) saved policies 1998

Residential Backland and Infill Development Supplementary Planning Document (SPD)  
Development Guidance and Requirements SPD  
Development and Flood Risk SPD  
South Yorkshire Residential Design Guide SPD

### National Planning Policy Framework

## **8.0 Planning Issues and Discussion**

### Principle of Development

8.1 Policy CS2 of the Core Strategy defines Hatfield as part of a potential growth town where significant housing growth could potentially be accommodated. While an objection makes reference to policy ENV4 of the UDP, this refers to development in the countryside policy area and is not relevant to this site in the residential policy area. Saved Policy PH11 is therefore relevant.

8.2 As per saved Policy PH11, within residential policy areas development for housing will normally be permitted except where:-

- A) the development would be at a density or of a form which would be detrimental to the character of the surrounding area or would result in an over-intensive development of the site;
- B) the effect of the development on the amenities of occupiers of nearby properties would be unacceptable;
- C) tandem or backland development would result in an unsatisfactory access, overlooking or over-intensive development;
- D) the development would result in the loss of social, community and recreational or other local facilities for which there is a demonstrated need.

8.3 In terms of accordance with part A of saved Policy PH11, while the immediate character of the application site is of dwellings fronting onto Doncaster Road, with long and narrow strip rear gardens, the proposed development would be of a similar density to similar developments nearby, including Beechwood Court to the north east and also the site off Coppice Avenue, known as 'Rear of 40-44B Doncaster Road' granted permission in 2015. The impact of the proposal on neighbour amenity and highway safety will be considered in greater detail below (parts B and C of Policy PH11). The development would take place on existing private residential gardens and if approved would retain garden space for existing dwellings. As such the proposal complies with part D of Policy PH11.

#### Residential Amenity

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

8.5 The proposal is for three, two storey dwellings to the rear of the existing houses on Doncaster Road. The proposed dwellings meet the minimum space standards set out in the South Yorkshire Residential Design Guide SPD. The proposed dwellings are orientated at an angle in relation to the existing dwelling, reducing the sense of overlooking. Furthermore, the proposed dwellings broadly meet the required separation distances from existing dwellings in terms of overlooking and the impact on the level of light to dwellings. Plot 2 and Plot 3 would be slightly under the recommended minimum distance of 10 metres from the rear garden of no 26 to the south east at approximately 9 metres, but they would be at an obscure angle to the rear elevation of the building and nearly 17 metres distant. The dwellings on Coppice Avenue to the west and north of the site also benefit from long gardens. The rear elevations of the proposed dwellings would be approximately 10 metres from the garden boundary. The nearest property to the north on Coppice Avenue The original plans did show the bin collection point to be located at the rear of the garden for no Doncaster Road, but this has now been relocated onto Doncaster Road.

8.6 Concerns have been raised over noise pollution from the access road and light pollution. The issue of noise is related to the introduction of vehicles to the rear. However, boundary treatment is proposed and the access would be for just 3 new houses, which in the context of the A18 and the existing residential area are not considered to warrant refusal. The concern over light pollution is also noted, although domestic gardens can also include lights without planning permission and as such, this is not considered to be a reason to refuse the application.

8.7 On balance, the proposal is considered to be acceptable in amenity terms and in accordance with policy.

## Impact on the Character of the Area

8.8 In accordance with Policy CS14 of the Doncaster Core Strategy, all development proposals must be of a high quality design that contributes to local distinctiveness. The Council's Development Guidance and Requirements SPD states that new residential developments must be accommodated in a manner that protects the living conditions of existing residents and contributes to the attractiveness of the borough. These developments should generally be in character with the existing built environment.

8.9 As set out in the Council's Residential Backland and Infill Development SPD, infill development should respect the character of the surrounding area and the amenity of the neighbours. It should re-enforce the uniformity of the street by developing in proportion to its neighbouring properties, where architectural features and building materials should be reflected. This is important in re-enforcing the local context and ensuring that the character of the street-scene is not adversely compromised.

8.10 The proposed dwellings would be detached, two storey in height and with pitched roofs. The prevailing character of the area is also for detached dwellings that are a mix of bungalows and two storey dwellings. As such, the proposal would be in keeping with the surrounding area in terms of house type and layout. As previously discussed there are other examples of recently approved backland development within the immediate area, so this proposal would be in keeping. The siting of the replacement dwelling fronting Doncaster Road (Plot 1) would respect the existing building line of the street. Revised plans have been received showing a reduction in height of the plots 2,3 and 4 by reducing the roof pitches to 30 degrees. The dwellings to the rear would be a maximum of 7.6 metres in height, slightly higher than plot 1 at 7.3 metres, however given the drop in land levels this will not result in the dwellings appearing higher than the frontage building. The design of the dwellings with bay windows and gables in the roof slopes is not untypical for the area and would respect the existing character. Conditions can be imposed regarding material samples. As such, the proposal would be acceptable in terms of Council policies with respect to backland development.

## Flooding and Drainage

8.11 It is noted that concerns have been raised by local residents with regard to drainage at the site. The application site lies within flood zone 1 and if planning permission were to be approved, a condition requiring full drainage details would be imposed. As such, there is not considered to be reasonable grounds for refusal of the application with regard to drainage.

## Trees and Landscaping

8.12 Saved Policy ENV21 seeks to protect and conserve existing trees and woodlands by steering development away from trees and woodlands. Saved Policy ENV59 states the Council will attach considerable importance to the need to protect existing trees and hedgerows and will require that new developments do not cause unnecessary loss of trees, nor imperil trees by building works.

8.13 There are some existing trees within the application site in the rear garden. The Tree Officer was consulted and is satisfied that there are no trees of a quality and landscape amenity to warrant (a) further details and, (b) a redesign or refusal on arboricultural grounds.

#### Ecology and Wildlife

8.14 Policy CS16 of the Core Strategy states that protected habitats and species will be given the highest levels of protection in accordance with the relevant legislation and policy. The Council's Ecologist was consulted on the application and has no objection to the demolition of buildings on the site on ecological grounds. No conditions were considered necessary.

#### Highways and Parking

8.15 Policy CS14 of the Core Strategy states that the design of new development should make a positive contribution towards quality, stability, safety and security of private property, public areas and the highway. The National Planning Policy Framework requires that only development which generates a significant amount of movements should be supported by a Transport Statement or Transport Assessment.

8.16 The proposed development would result in the creation of a new access off Doncaster Road to allow vehicles to reach the three dwellings to the rear. The proposed development has been subject to revision as the request of the Council's Highways Development Control Officer to ensure vehicle movements can be tracked safely. The revised plans, show an adequate width to the proposed access to the backland plots and there is a separate access directly from Doncaster Road for plot 1 as with the existing dwelling. The Highways Officer has no objection to the proposed development on highways safety grounds. While a number of objections have referred to traffic congestion on Doncaster Road, these also refer to the major residential development of approximately 400 new dwellings opposite the site that was granted planning permission in 2016 (ref 16/00998/OUTM). The proposal before members would result in the creation of 3 additional dwellings with a separate highways access that is considered acceptable by the Council's Highways Officer. The proposal is not of the scale that would meet the National Planning Policy Framework criteria for a significant amount of movements on Doncaster Road and therefore it is not considered it would be reasonable to refuse the application on these grounds.

### **9.0 Summary and Conclusion**

9.1 The proposed development for the redevelopment of 28 Doncaster Road, Hatfield with a two storey dwelling and for the creation of a vehicular access and 3 detached dwellings to the rear is considered on balance to be acceptable when considered against national and local planning policies and is recommended for approval subject to the following conditions.

## 10.0 Recommendation

10.1 GRANT Full planning permission subject to the following conditions.

01. STAT1            The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.  
REASON  
Condition required to be imposed by Section 91(as amended) of the Town and Country Planning Act 1990.
02. ACC3            The development hereby permitted shall be carried out in complete accordance with the details shown on the amended plans referenced and dated as follows [INSERT REFERENCE AND DATE].  
REASON  
To ensure that the development is carried out in accordance with the application as approved.
03. MAT1A           Prior to the commencement of the relevant works, details of the proposed external materials shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved materials.  
REASON  
To ensure that the materials are appropriate to the area in accordance with policy CS14 of the Doncaster Core Strategy.
04. HIGH1           Before the development is brought into use, that part of the site to be used by vehicles shall be surfaced, drained and where necessary marked out in a manner to be approved in writing by the local planning authority.  
REASON  
To ensure adequate provision for the disposal of surface water and ensure that the use of the land will not give rise to mud hazards at entrance/exit points in the interests of public safety.
05. 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.
06. CON1            No development approved by this permission shall be commenced prior to a contaminated land assessment and associated remedial strategy, together with a timetable of works, being accepted and approved by the Local Planning Authority (LPA), unless otherwise approved in writing with the LPA.



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

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

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

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

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

REASON

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

07. CON2

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

REASON

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

08. CON3

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

REASON

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

09. DA01

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

REASON

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

10. MAT4 No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials, height, and type of boundary treatment to be erected on site, including any gates. Unless otherwise approved in writing by the local planning authority, the details as approved shall be completed before the occupation of any buildings on site.

REASON

To ensure the satisfactory appearance of the development.

01. U12126 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. If infiltration systems are to be used for surface water disposal, the following information must be provided:

- o Ground percolation tests to BRE 365.
- o Ground water levels records. Minimum 1m clearance from maximum seasonal groundwater level to base of infiltration compound. This should include assessment of relevant groundwater borehole records, maps and on-site monitoring in wells.
- o Soil / rock descriptions in accordance with BS EN ISO 14688-1:2002 or BS EN ISO 14689-1:2003
- o Volume design calculations to 1 in 30 year rainfall + 30% climate change standard. An appropriate factor of safety should be applied to the design in accordance with CIRIA C753 - Table 25.2.
- o Location plans indicating position (Soakaways serving more than one property must be located in an accessible position for maintenance). Soakaways should not be used within 5m of buildings or the highway or any other structure.
- o Drawing details including sizes and material.
- o Details of a sedimentation chamber (silt trap) upstream of the inlet should be included.

Soakaway detailed design guidance is given in CIRIA Report 753, CIRIA Report 156 and BRE Digest 365.

02. IDRAIN

INFORMATIVE

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

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

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

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

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

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

For direct enquiries e-mail: [planning@shiregroup-idbs.gov.uk](mailto:planning@shiregroup-idbs.gov.uk)

03. INF1B

INFORMATIVE

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

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

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

04. ICON1

INFORMATIVE

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

The document can be found at the following web address:

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

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

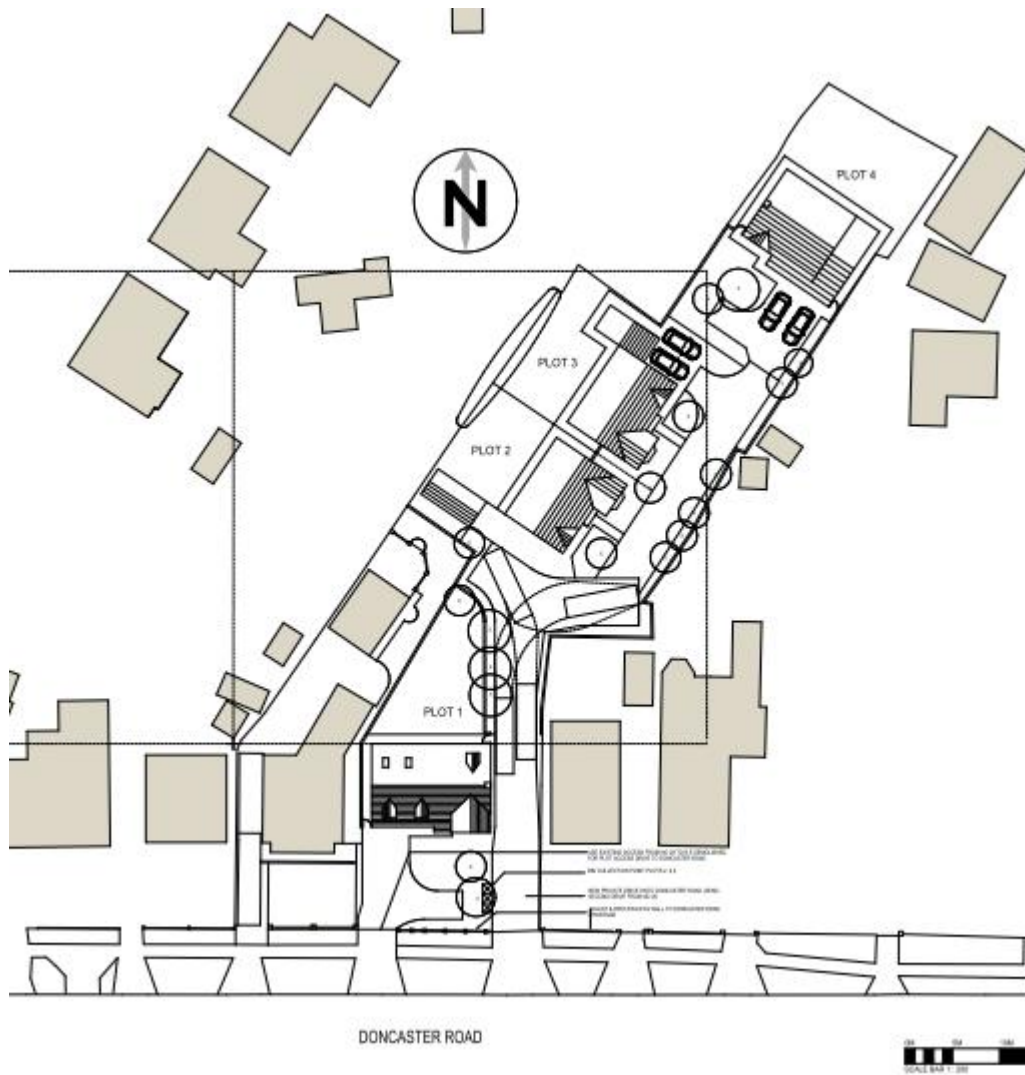
**The above objections, considerations and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and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

# Appendix 1 Location Plan



## LOCATION PLAN 1: 1250

# Appendix 2 Site Plan



### Appendix 3 Plot 1 Plans and Elevation

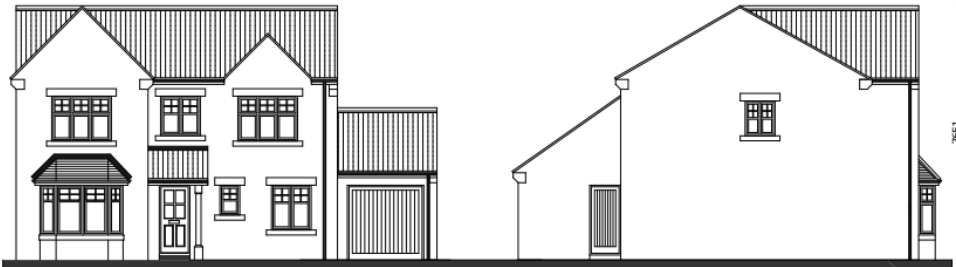


### Appendix 4 Plot 2 Plans and Elevations





# Appendix 5 Plot 3 Plans and Elevations



FRONT ELEVATION

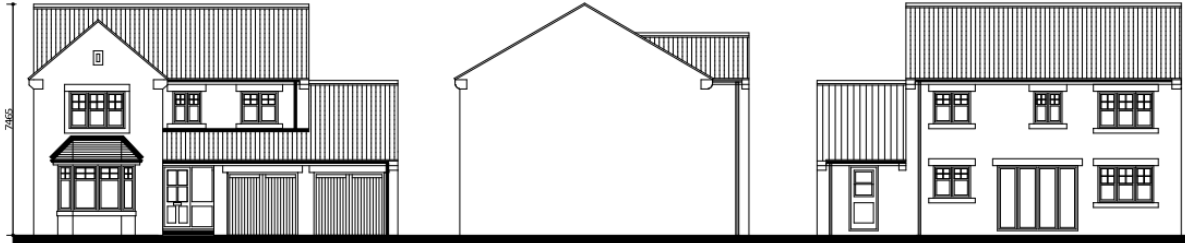


REAR ELEVATION

SIDE ELEVATION

REVISIONS
DATE
DESCRIPTION
PROJECT
PROPOSED RESIDENTIAL DEVELOPMENT FOLLOWING CANCELLATION OF 28 AND USE OF REAR GARDEN TO BE CONDUCTED ROAD WATFIELD, WIMBORNEUR DIST HANTS
017 / 040 / PD3E / A
JANUARY 2018
IKB
1:100 @A3
<b>BARRATON</b> DESIGN STUDIO
BARRATON DESIGN STUDIO 1017 BRANDS COTT FARM BARTLEY ROAD WATSFIELD

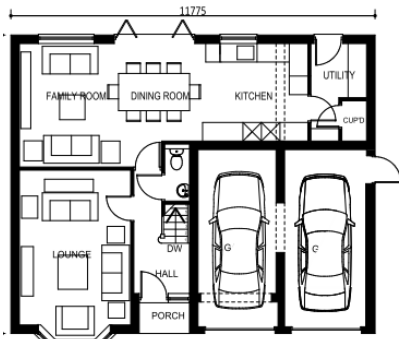
# Appendix 6 Plot 4 Plans and Elevations



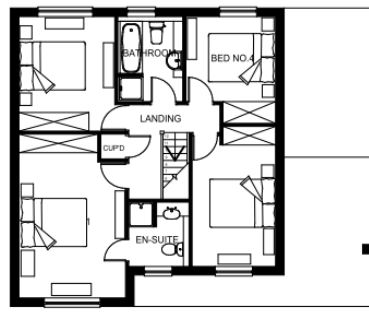
FRONT ELEVATION

SIDE ELEVATION

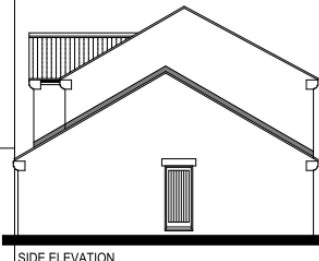
REAR ELEVATION



GROUND FLOOR PLAN  
4 BEDROOM DETACHED HOUSE 137.9 M2 / 1484 SQ FT



FIRST FLOOR PLAN



SIDE ELEVATION

REVISIONS
DATE
DESCRIPTION
PROJECT
PROPOSED RESIDENTIAL DEVELOPMENT FOLLOWING CANCELLATION OF 28 AND USE OF REAR GARDEN TO BE CONDUCTED ROAD WATSFIELD, WIMBORNEUR DIST HANTS
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IKB
1:100 @A3
<b>BARRATON</b> DESIGN STUDIO
BARRATON DESIGN STUDIO 1017 BRANDS COTT FARM BARTLEY ROAD WATSFIELD

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**DONCASTER METROPOLITAN BOROUGH COUNCIL**

**PLANNING COMMITTEE -6<sup>th</sup> Feb 2018**

<b>Application</b>	<b>8</b>
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<b>Application Number:</b>	17/02591/FUL	<b>Application Expiry Date:</b>	13th December 2017
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<b>Application Type:</b>	Full Application
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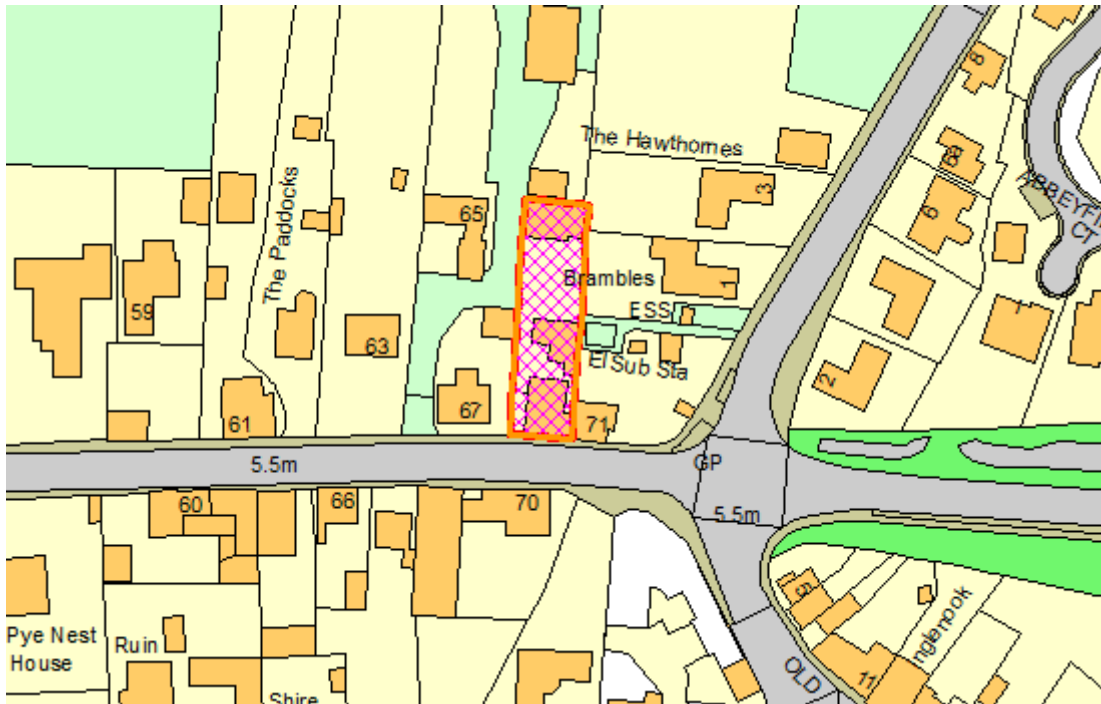
<b>Proposal Description:</b>	Erection of two storey dwelling and detached double garage.
<b>At:</b>	69 High Street Hatfield Doncaster DN7 6RS

<b>For:</b>	Mr Robert Richardson
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<b>Third Party Reps:</b>	5	<b>Parish:</b>	Hatfield Parish Council
		<b>Ward:</b>	Hatfield

<b>Author of Report</b>	Gareth Stent
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<b>MAIN RECOMMENDATION:</b>	Grant
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## **1.0 Reason for Report**

1.1 This application is being presented to Planning Committee for determination at the request of Cllr Derek Smith.

## **2.0 Proposal and Background**

2.1 This application seeks permission for a detached dwelling and double garage at land to the rear of 69 High Street, Hatfield.

2.2. The design and form of the dwelling has also been amended since its original submission to reduce its scale and make it better accord with what was previously approved. This is highlighted in the Appendix 1, which shows the previous approval and Appendix 2 shows the current amended plans. Appendix 3 shows the initial submission.

2.3 The site in question site lies to the rear of 69 High Street, which is a semi-detached 2 storey property. The surrounding area is predominantly residential in character and is characterised by 2 storey semi-detached with some in depth development to the rear. To the west is a converted and extended barn and to the east are two bungalows known as 'Brambles' and 'The Hawthornes'. The site is partially visible when entering Hatfield particularly when descending Jubilee Bridge.

2.4 The character of the Hatfield High Street conservation area is that of a linear village of generally small scale historic buildings fronting directly onto the highway. Traditional buildings of the area are generally two storeys high with clay pantile and brick being the predominant building materials. The conservation area also contains a number of farm structures as well as more substantial and larger proportioned buildings but reinforcing the linear pattern of the village.

## **3.0 Relevant Planning History**

3.1 The site already has the benefit of several planning permissions with the original demolition and replacement of the barn being permitted in 2012. This was renewed in 2016 and more recently a standalone application for the demolition of the barn was made due to its poor condition. The barn is now demolished and this permission seeks to alter the approved plans for the new dwelling making it larger.

- 12/02489/CAC - Conservation area consent for the demolition of existing derelict barn and storage building in connection with erection of detached dwelling with ancillary landscaping and parking areas on 0.05ha of land.
- 12/02487/FUL - Erection of detached dwelling with ancillary landscaping and parking areas on 0.05ha of land following demolition of existing derelict barn and storage building. Granted 8.3.13.

- 16/00634/FUL Erection of detached dwelling on 0.05ha of land following demolition of existing derelict barn and storage building - resubmission of 12/02487/FUL.
- 17/00562/FUL - Demolition of existing derelict barn and storage building in a Conservation Area. Granted.

## 4.0 Representations

4.1 This application has been advertised by site notice and individual neighbour letters. Cllr Derek Smith has requested the application be presented to planning committee. 3 letters have been received.

- Questioning fire regulations regarding a distant tandem build inaccessible from the road in that the rear of the building should be no further than 40 metres for access. This regulation is to safeguard fire crews from the snaking effect of an over extended hose caused by the water pressure.
- This is a designated conservation area and was surprised when the developer got permission to demolish an old barn when his next door neighbour was forced to renovate one in a similar condition.
- There have been many other large garages, large extensions, (one the size of another house) plus a huge commercial usage building all erected in close proximity in the recent past resulting in an over development of the area.
- All of the above gives the impression of an out of scale, over bearing, densely developed and out of character vista for this rural area.
- As well as a visual impact concerned for my major loss of privacy along with the noise and air pollution that three garages will bring with it.

4.2 The plans were amended and reconsultation took place. 2 further representations of opposition were made from the same neighbour;

- The proposal is even more incongruous than the original application. The size of the overall build is way too large for the footprint of land the applicant is requesting to put it on.
- The layout and siting, both in itself and in relation to surrounding properties, spaces and views, is inappropriate and unsympathetic to the appearance and character of the local environment. The proposed build, by reason of it's size, siting and design would represent an unneighbourly form of development detrimental to the occupiers of surrounding properties particularly by reason of the overbearing effect.
- Apart from this being a designated conservation area concerned re the loss of trees that at present form a natural boundary and represent home to many birds, that will be almost totally replaced by a solid brick wall.

- The overall build length consists of a total 18.5 metres along a boundary wall at 10 metres in height for the gable end.
  - The plans are misleading on the basis that the garage is reduced in length, on the plans, but does, however, measure longer than the house itself being 7 metres, another attempt to downplay the overall effect of overbuild on a small land area.
  - The mass, bulk and proximity of the build is disproportionate to the area of land and would produce an overbearing an intrusive effect to all unfortunate enough to have to view it.
- 4.3 Councillor Derek Smith objected to the proposal on the grounds of over development of the site and the proposal is not subservient to the main dwelling. Concern is also expressed over the impact on the Conservation Area. This is a small area in the heart of Hatfield which will have a severe impact on the neighbouring property owned by Mr Jennings. Such an obtrusive development should be rejected.

## **5.0 Hatfield Town Council**

- 5.1 Hatfield Town Council: Object. It is considered that the footprint of the new dwelling is larger than the host dwelling. Furthermore the footprint of the triple garage is larger than the host dwelling. There are concerns about the ingress and egress to the property onto this busy road with a crossroads nearby. It is also considered that this would be over intensive development on the site.
- 5.2 The Town council were reconsulted on the revised plans and would like to reiterate its previous comments. Furthermore the footprint of the large garage now with the addition of the study results in a footprint larger than the host dwelling. It is also considered that this would be over intensive development on the site and have a considerable visual impact on nearby residents.

## **6.0 Relevant Consultations**

- 6.1 Conservation Officer - The conservation officer initially objected to the scheme as the proposal was for a narrower building of deeper span and includes a triple garage to the front of the site immediately to the rear of the frontage building. This increase in massing from that previously approved combined with its marked domestic appearance goes against the spirit of earlier approvals and of the character of the conservation area as described above. A building of this character would be required to be subsidiary to the frontage building notwithstanding the conservation area location.
- 6.2 The proposal has been subject to a number of amendments since the initial submission, which have made the building more barn like. Whilst the building will have some impact as a result of the increased span and two storey projection the changes have generally appeased the Conservation officer.

6.3 In terms of the proposed garage this is a sizeable gabled building along the side of the plot but is in keeping with the historic pattern of development with ancillary buildings running up the side boundaries (C19<sup>th</sup> maps show such development here).

6.4 Pollution Control - A "YAHPAC screening assessment form" was submitted due to the sensitive end land use. No concerns and conditions covering importation of soils and unexpected pollutants were added as condition as in previous applications.

6.5 Highways - No objections.

## **7.0 Relevant Policy and Strategic Context**

7.1 The site is allocated as Residential Area as defined by the Doncaster Unitary Development Plan 1998. The site also lies within Hatfield's Conservation Area. The relevant UDP policies are:

PH11 - Residential Policy Area  
ENV 25 - Conservation Areas.

7.2 The National Planning Policy Framework identifies a number of aspects to delivering sustainable development. The relevant sections that relate to this application are as follows:

- NPPF Principle 6: Delivering a wide choice of high quality homes.
- NPPF Principle 7: Requiring good design. Paragraph 55 requires that developments should add to the overall quality of the area and respond to local character/history and reflect the identity of local surroundings.
- NPPF Principle 12: Conserving and enhancing the historic environment.

7.3 The Doncaster Council's Core Strategy is also relevant in particular policies:

- CS1 - Quality of life
- CS15 - Valuing our historic environment

7.4 New supplementary planning guidance, the Doncaster Development Guidance and Requirements Supplementary Planning Guidance, amalgamated a number of guides into a single document and was adopted on 2nd July 2015. This gives guidance on window distances, garages spaces, parking etc.

7.5 The Doncaster Residential Backland and Infill Development SPD and South Yorkshire Residential Design Guide are retained as Supplementary Planning Guidance and remain material considerations to this application.

## 8.0 Planning Issues

### Main Issues

8.1 The main issues to consider are the impact on the Conservation Area and the impact on the living conditions of surrounding residents in terms of outlook and privacy. It is also necessary to assess the differences between the proposed scheme and the fall-back position given by the granting of the extant permission reference 16/00634/FUL.

### Principle

8.2 The proposal is located within the settlement boundary and within the Residential Policy Area and is therefore supported 'in principle'. In terms of the area's wider character, backland development is common place in the immediate locality with other examples of in depth development and similar proportioned barn conversions.

8.3 The permission granted under 16/00634/FUL remains implementable and was similar in nature albeit narrower in span, set slightly further forward within the site and had less development in terms of footprint. This was designed to replicate the former barn, which once stood on the site. This in effect confirms the principle of developing this rear garden.

### Design and Layout

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

8.5 The extant approval permitted a narrow span barn like structure, designed to replicate the building that was demolished. The building had a depth of 5.1m and spanned the entire width of the plot being 13m. The dwelling had a ridge height of 7m and eaves height of 4.6m. The dwelling had an integral ground floor garage, lounge and kitchen diner, with 3 bedrooms at first floor and family bathroom. The dwelling was compact with a floor area of 66.3 sqm. The sides had blank gables with windows facing front to rear. (Shown in Appendix 1)

8.6 The proposed dwelling as originally submitted was designed more like a traditional house, with a central door way and sash windows. The foot print had increased to 88.4sqm. The depth of the dwelling was 7.5m with a 1.5m off shot at the rear compared with the narrower 5.1m previously permitted. The width of the dwelling was 10.5m so narrower than the 13m building previously permitted. The eaves height is 5.2m (compared with 4.5m previously permitted) and the ridge is 8.05m (compared with 7m). The dwelling is set slightly further back within the plot and proposed a detached triple garage.



8.7 The applicant was advised that this would not be supported and through several amendments a revised scheme was submitted. This further reduced the span of the building to 6.5m and the width to 10.3m. The detached garage was reduced to a double garage and butted up to the dwelling. A ground floor study and two storey rear extension were added with a cat slide roof. The chimney was removed, the windows and doors were improved giving the design a much more barn like in appearance. This actually increased the floor area to around 94m sq but the reconfiguration of the massing and the single storey nature of the additions assisted in lessening its actual impact. There is no question that this is a tightly compact dense development that is pushing the limitations of the site. With this in mind permitted development rights are recommended for removal to ensure the dwelling doesn't increase in size. The proposal also retains a reasonable sized rear garden.

#### The impact of the development on the Conservation Area

8.8 In conservation terms, the critical test is whether the proposal would preserve or enhance the character or appearance of the Hatfield Conservation Area as supported by policy CS 16 of the Core strategy and policy ENV 25 of the Unitary Development Plan.

8.9 The historic barn which until recently occupied the site was probably late C18th or an early C19th building in origin and early OS maps c1850 show that the barn was part of an L range of buildings which attached to a frontage building. To the back of the plot and lining up with the adjacent barn (no67) was another narrow span barn like structure, now demolished, and beyond that was an orchard.

8.10 The existing barn in its form, materials and detailing was relatively plain but is typical of the original character of the village and contributed positively to the character of the conservation area. As previously permitted the loss of the historic barn was regarded to result in less than substantial harm to the conservation area, which would be localised to this part of the area. The new dwelling was permitted on the basis that a structure was previously on site and the new barn was design to replicate this.

8.11 The originally proposed building with its deeper span was a sizable (33%) increase in massing from that previously approved. Compounding this was the marked domestic appearance so that it could be perceived as a large backland house which goes against the spirit of earlier approvals and of the character of the conservation area as described above.

8.12 The amendments made to reduce the span and width of the building and re detail the elevations make the building more traditional character and better reflect the barn design in the original approval. This lessens the overall impact and harm to the Conservation Area. The submitted single storey rear extension has been replaced by a 2 storey rear catslide extension of equivalent footprint which allows for a first floor bathroom. From a conservation viewpoint this detracts from the linear character and would be better to one side as opposed to the central location. However, it is less domestic than a gabled projection.

8.13 The separate garage has been relocated and integrated with the main building connected to it by a study and running along the side boundary. Again this arrangement is characteristic of backland buildings and agricultural ranges. This also gives better separation to the frontage building.

8.14 The proposal plans to use natural red Sandtoft Old English red pantiles and a Wienberger Kassandra multistock brick. The Sandtoft Old English is a traditional non interlocking pantile and the brick has a rustic character especially if pointed with a flush pointing joint. Both are suitable to backland buildings in this conservation area. The windows are described as anthracite grey aluminium framed double glazed units with grey composite doors. Aluminium can give narrow sections and would be acceptable if it reflects the window design in the drawings. They will also need to allow for fire regulations. The doors need to reflect a vertically boarded appearance regardless of the material. These can be subject to condition.

8.15 The proposal shows the windows with soldier course or shallow segment arch heads. Segment arches are fine but soldier course heads look unconvincing over significance spans (i.e. doorways) and a lintel appearance would be better. In the main the proposal is an improvement on the submitted scheme (notwithstanding the rear projection).

8.16 There is no question that the narrower span building as originally permitted was less intensive, however it is not felt that the proposed scheme causes significant harm to the character of the Conservation Area, sufficient to warrant it refusal.

#### Impact on the living conditions of neighbouring properties

8.17 Policy CS 14 of the Core Strategy requires that new development should have no unacceptable negative effects upon the amenity of neighbouring land uses or the environment. The 2016 approval was a replication of an earlier 2012 permission which never showed the converted or extended dwelling to the rear of No.67 to the west. This has windows in its eastern elevation facing the application site and the approved dwelling had a gable on the boundary at a distance of 6m away. This falls substantially short of the required 11m. The new dwelling is set in from the boundary, however the span of the building has increased to 6.5m at 2 storey. Therefore whilst wider by 1.4m its set 1.2 m further back therefore this impact is similar to a large extent. No objections have been raised from the occupiers of this dwelling despite is being substandard in separation. The presence of a closer extant permission renders this element acceptable. The additional rear two storey cat slide extension was again positioned centrally to minimise this impact.

8.18 To the east are two detached bungalows known as 'The Brambles' and 'The Hawthornes.' Both residents have objected to the proposal with the development. The Brambles is the most affected dwelling as the proposal will develop the entire rear garden in terms of the resident's outlook. 'The Brambles' however has a rear garden of in excess of the 11m required for outlook purposes which conforms to the guidance in the SPD. Therefore whilst the development will have some impact in terms of outlook, the previously permitted scheme which spanned boundary to boundary would also have had a similar impact at 2 storey. The revised scheme has been pulled in from the boundary by 1m which helps to further lessen the impact.

8.19 It is acknowledged that the single storey additions to the property will compound this and increase the sense of enclosure, however some single storey outbuildings are often permitted development i.e. do not require permission at a height of 2.5m. The proposed buildings are higher at 4.8m (main garage) and 4.0m (study) to the ridge, however they slope away from the boundary to lessen the impact. The proposal will also cause period loss of sunlight in the late evening to the dwelling known as 'Brambles', however the permitted scheme and existing barn would have had a similar impact.

8.20 To the north of the 'Brambles' is 'The Hawthornes'. The new dwelling is set slightly further back and therefore the impact of the new dwelling will be more apparent than the approved scheme. Again 'The Hawthornes' has a good sized rear garden and outlook concerns are less apparent due to the distances involved.

8.21. Finally the windows on the new property all look front to rear and not considered that a significant degree of overlooking will occur due to the angles east and west and due to the presence of a garage to the north. On the whole, the development will have more of an impact on surrounding dwelling than the previously permitted scheme, however the harm is not to such a degree that a refusal is warranted.

### Highways and Parking

8.22 Policy CS14 states that the proposal should not harm highway safety and the South Yorkshire Residential Design Guide offers guidance on the size and levels of parking provision. The Councils highway officer raised no objection to the scheme as the access onto the highway remained unchanged. Space exists within the site for parking and turning.

### Pollution Control

8.23 Historic maps show the above application is located opposite a garage. There was a strong concern that contaminants may remain on the site. The original approval imposed the need for a desk based assessment i.e. CON 1 to ensure there is no risk to human health from remaining contaminants on site via inhalation, ingestion and dermal contact. However the applicants filled in the YAPCA form on the 2016 application and this application which has now removed the need for such an assessment. Conditions covering any unexpected material found on sites and the importation of material are reiterated as in the 2016 permission.

## **9.0 Summary and Conclusion**

9.1 In conclusion the amended scheme is tight and seeks to maximise the potential for the site. The proposal creates some harm to the character of the Conservation Area by the increased span and massing, however not sufficient to warrant a refusal. The building by virtue of the increased footprint causes some harm to the outlook of adjacent dwellings, however outlook distances conform to the SPD and the presence of an extant permission is a significant material consideration in favour of supporting the proposal. The proposal on balance is therefore recommended for approval.

## **10.0 Recommendation**

10.1 GRANT Full planning permission subject to the following conditions.

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

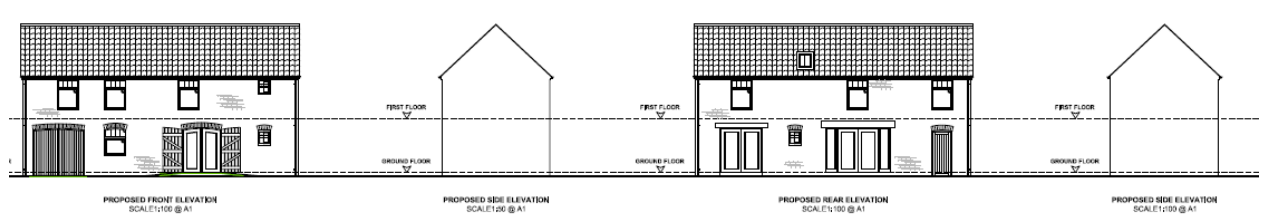
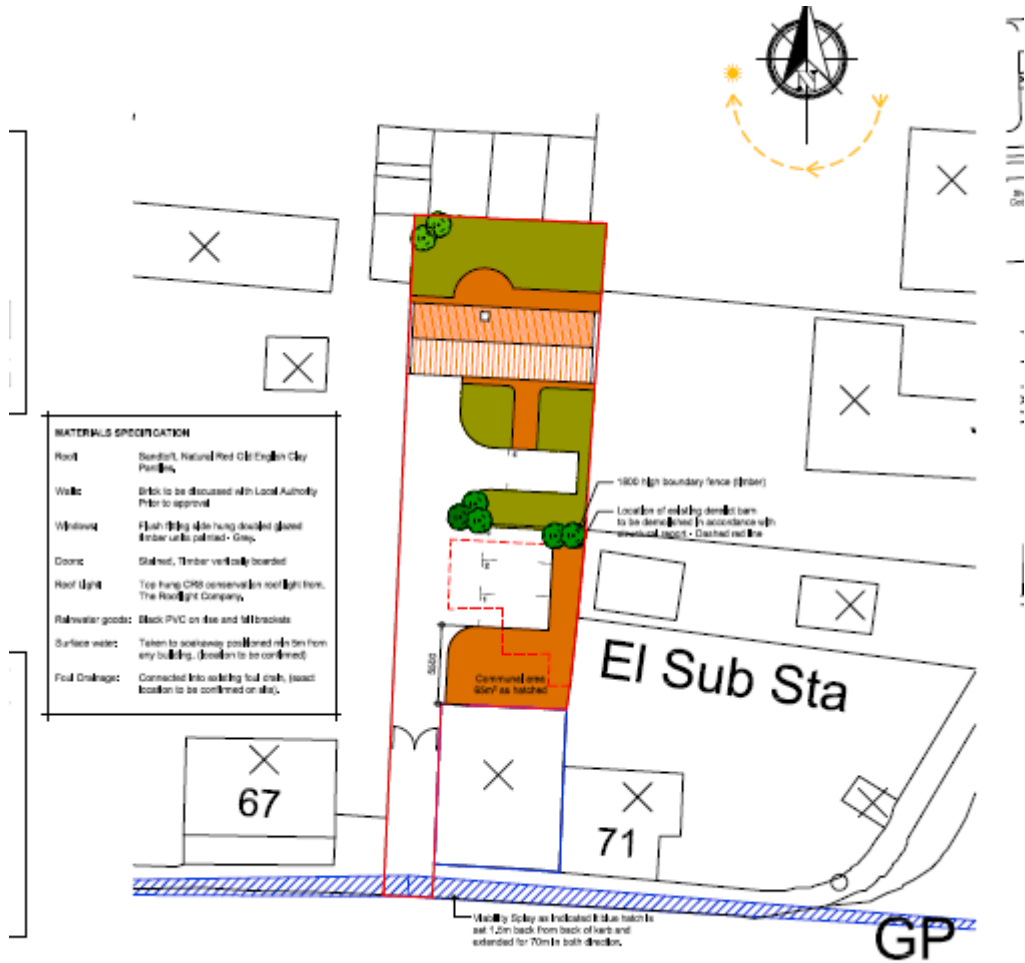
02. DA01            The development hereby granted shall not be begun until details of the foul, surface water and land drainage systems and all related works necessary to drain the site have been submitted to and approved by the Local Planning Authority. These works shall be carried out concurrently with the development and the drainage system shall be operating to the satisfaction of the Local Planning Authority prior to the occupation of the development.  
REASON  
To ensure that the site is connected to suitable drainage systems and to ensure that full details thereof are approved by the Local Planning Authority before any works begin.
03. ACC1            The development hereby permitted must be carried out and completed entirely in accordance with the terms of this permission and the details shown on the amended plans and specifications.  
REASON  
To ensure that the development is carried out in accordance with the application as approved.
04. NOPD1A        Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (No.596) (England) Order 2015, Article 3, Schedule 2: Part 1 (or any subsequent order or statutory provision revoking or re-enacting that order) no additions, extensions or other alterations other than that expressly authorised by this permission shall be carried out without prior permission of the local planning authority.  
REASON  
The local planning authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties or to the character of the area and for this reason would wish to control any future development to comply with policy PH11 of the Doncaster Unitary Development Plan.
05. 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.
06. 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.

07. Materials Unless otherwise agreed in writing by the local planning authority the external materials to be used in the construction of the building shall be;
- Sandtoft Old English red clay pantiles with verges to the gables of the building pointed as mortared verges, and Wienberger Cassandra multistock 65mm brick which shall be flush pointed.
- REASON  
To preserve and enhance the character and appearance of the Conservation Area in accordance with policy ENV25 of the Doncaster Unitary Development Plan
08. Window Prior to the implementation of the relevant site works full details of their design, construction and finish of all doors and windows (including garage doors) shall be submitted to and approved in writing by the local planning. Unless otherwise agreed in writing, the details shall include an elevation at 1:20 scale of each door or window type and 1:5 scale cross-sections. Development shall be carried out in accordance with the approved details.
- REASON  
To preserve and enhance the character and appearance of the Conservation Area in accordance with policy ENV25 of the Doncaster Unitary Development Plan
09. U46156 The roof lights to be installed on the building shall be flush fitting low profile conservation rooflights. Prior to the commencement of the relevant site works details of the make and model number of the rooflights to be used in the construction of the building shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- REASON  
To preserve and enhance the character and appearance of the Conservation Area in accordance with policy ENV25 of the Doncaster Unitary Development Plan.
10. U46157 Any rainwater goods, pipework, and any fascias to be used in the construction of the building shall be black unless otherwise agreed in writing by the local planning authority.
- REASON  
To preserve and enhance the character and appearance of the Conservation Area in accordance with policy ENV25 of the Doncaster Unitary Development Plan.

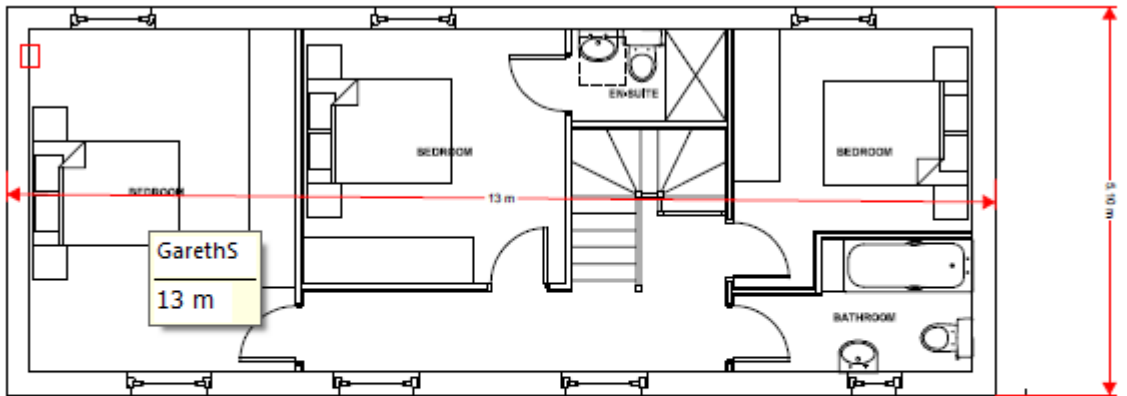
11. U46158 Prior to the commencement of work, full details of the proposed hard and soft landscaping and the design, materials and type of boundary treatment to be erected shall be submitted to and approved in writing by the Local Planning Authority. Such details should include details of design, materials, and finish of all gates proposed for the site.  
REASON  
In the interests of the character or appearance of the Conservation Area
12. U46159 Prior to the commencement of work, full details of the proposed design, size, materials and location of all flues and vents (including roof insulation vents, heating and plumbing vents, meter boxes, and air extract vents) shall be submitted to and approved in writing by the Local Planning Authority.  
REASON  
In the interests of the character or appearance of the Conservation Area
13. CON2 Should any unexpected significant contamination be encountered during development, all associated works shall cease and the Local Planning Authority (LPA) be notified in writing immediately. A Phase 3 remediation and Phase 4 verification report shall be submitted to the LPA for approval. The associated works shall not re-commence until the reports have been approved by the LPA.  
REASON  
To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to guidance set out in the National Planning Policy Framework.
14. CON3 Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and be approved in writing by the LPA prior to any soil or soil forming materials being brought onto site. The approved contamination testing shall then be carried out and verification evidence submitted to and approved in writing by the LPA prior to any soil and soil forming material being brought on to site.  
REASON  
To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to guidance set out in the National Planning Policy Framework.
16. U46160 Unless otherwise agreed in writing part of the existing barn to be demolished which forms the boundary wall between 69 and 71 shall be retained at a height of 1.8m.  
REASON  
To ensure the site is suitably secured and does not impinge on the curtilage of No.71 during demolition.

**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 – Previously approved 16/00634**



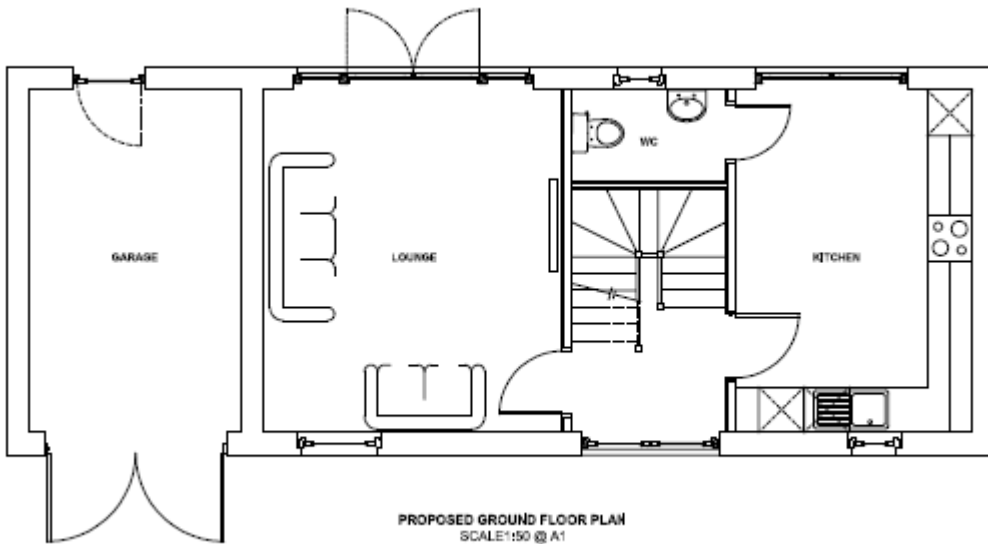




PROPOSED FIRST FLOOR PLAN  
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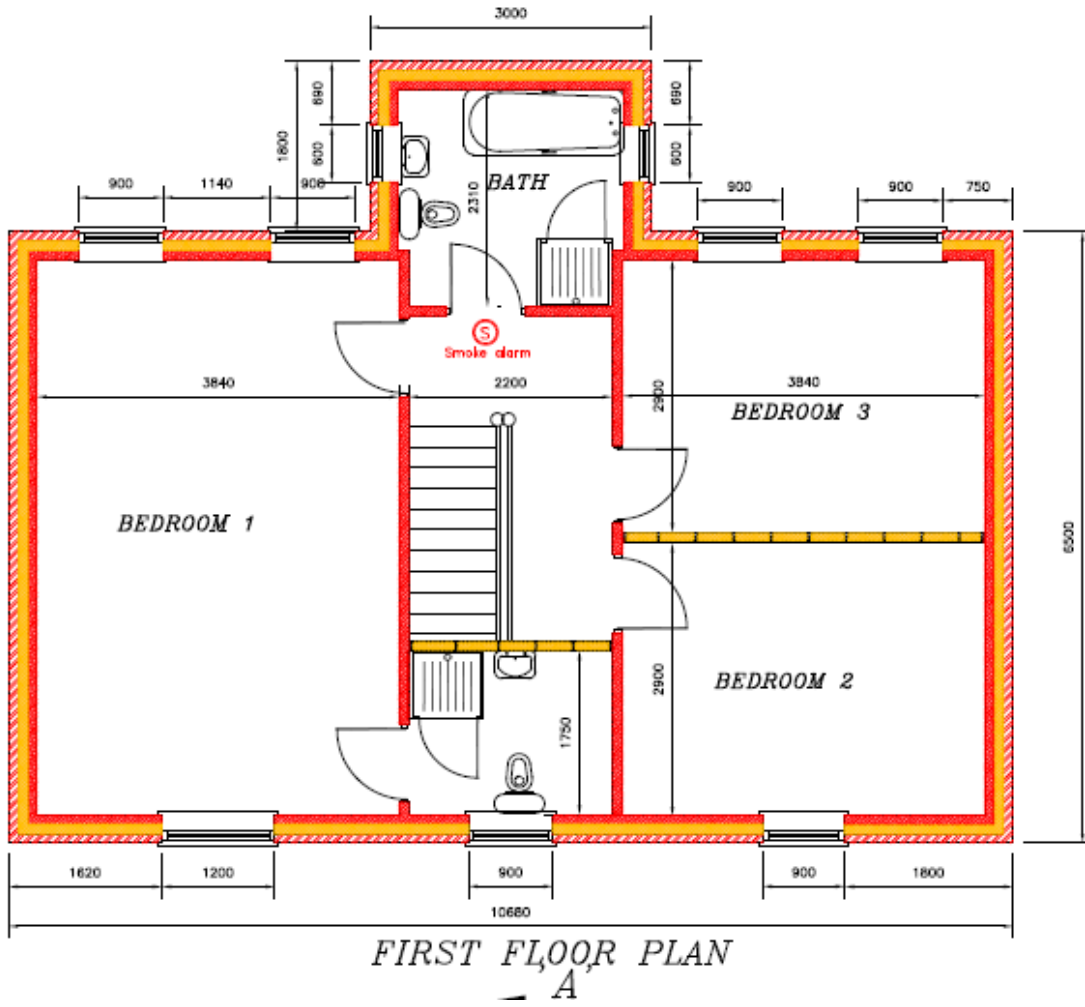
**MATERIALS SP**

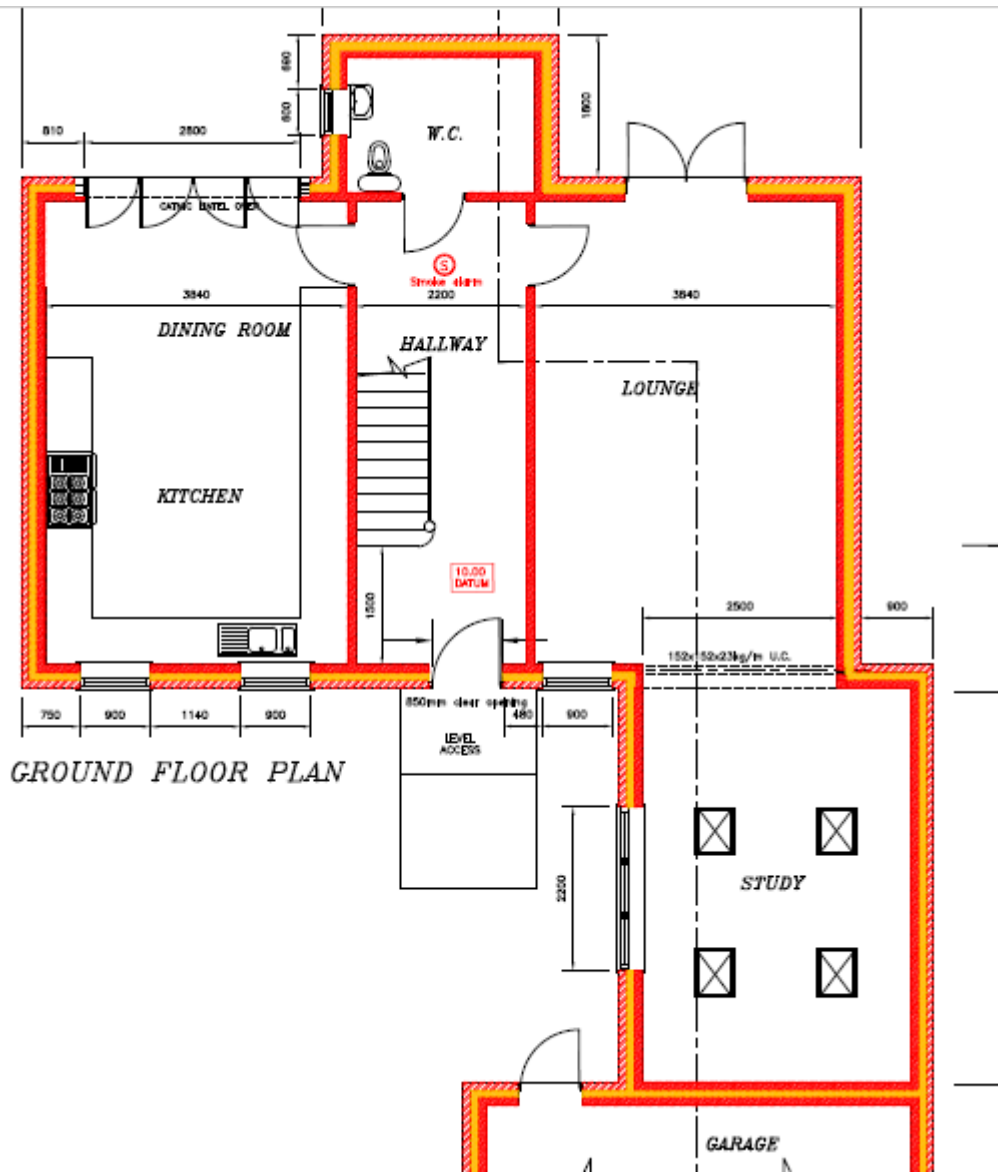
- Roof:
- Walls:
- Windows:
- Doors:
- Roof Light:
- Rainwater goods:
- Surface water:
- Foul Drainage:

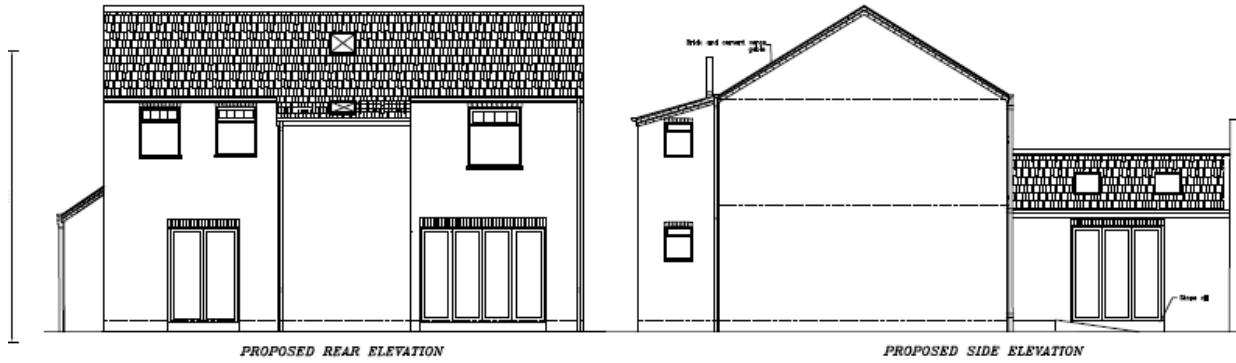


PROPOSED GROUND FLOOR PLAN  
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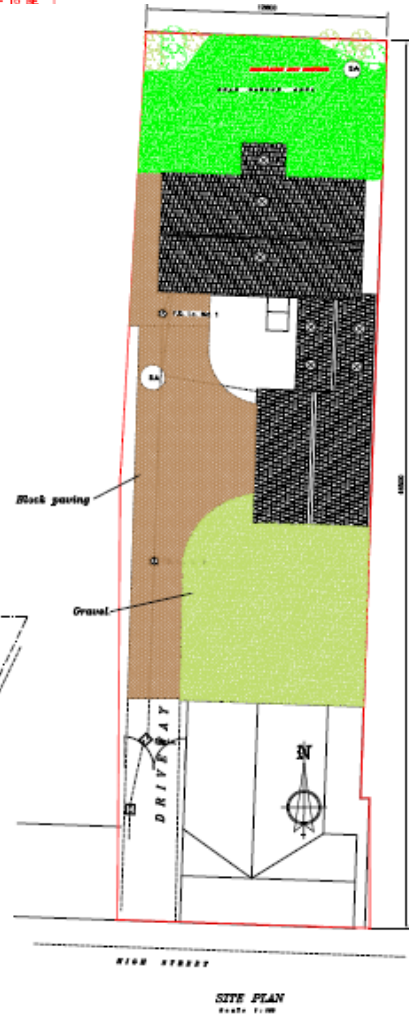
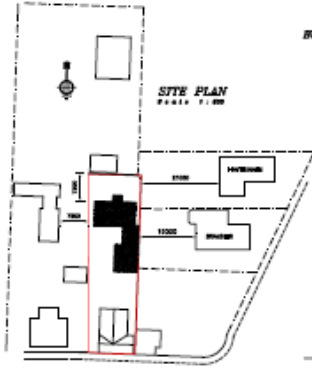
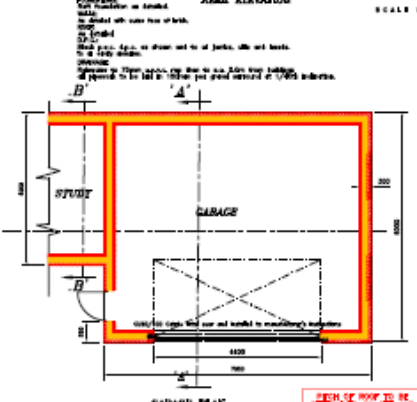
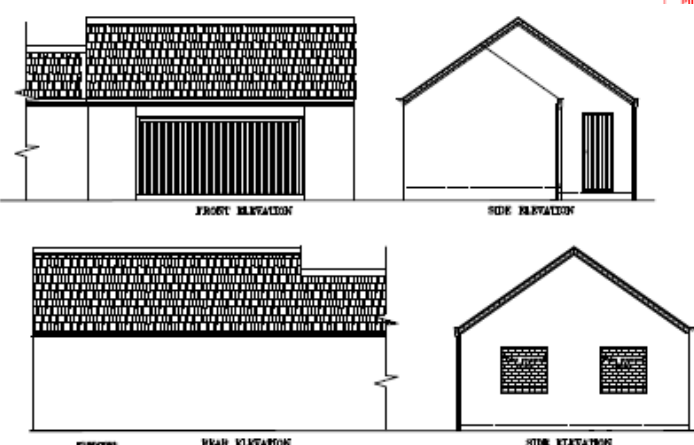
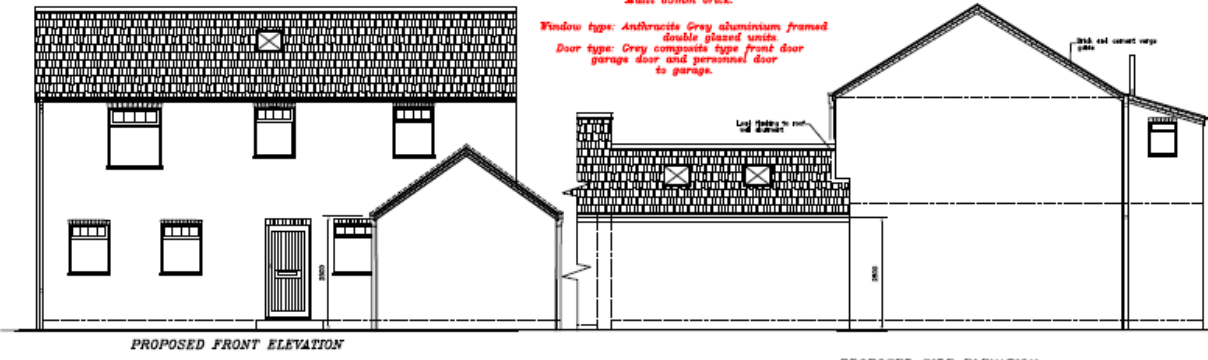
**Appendix 2 – Current plans**



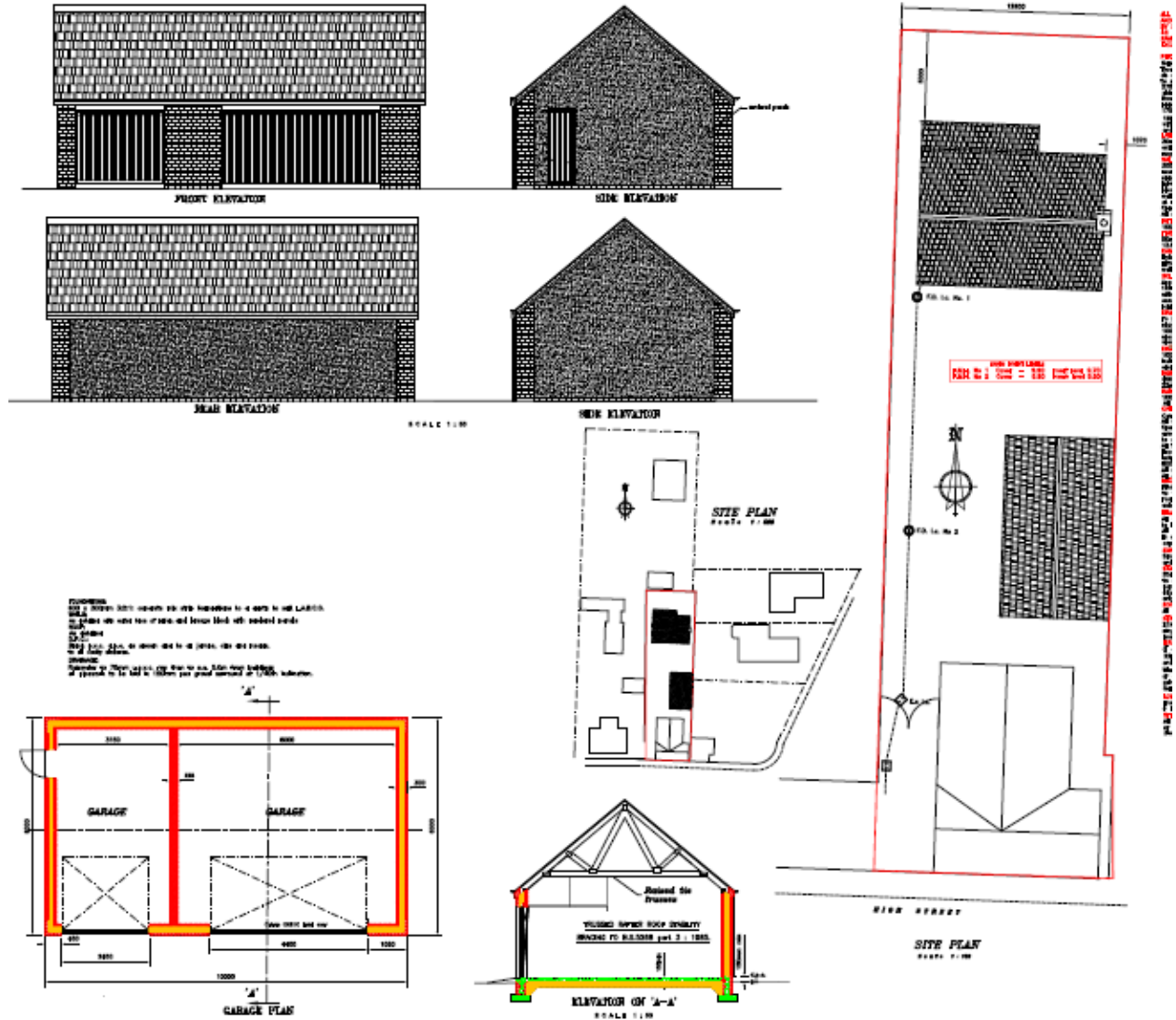




Sandsoft Natural Red Old English Fan Tiles  
 Vandenbergh Kassandre Multi 65mm brick  
 Window type: Anstructe Grey aluminium framed double glazed units  
 Door type: Grey composite type front door garage door and personnel door to garage.



**Appendix 3 - Initial plans. (prior to amendment)**







**Date: 6<sup>th</sup> February, 2018**

**To the Chair and Members of the Planning Committee**

**APPEAL DECISIONS**

**EXECUTIVE SUMMARY**

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

**RECOMMENDATIONS**

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

**WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?**

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

**BACKGROUND**

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

**OPTIONS CONSIDERED**

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

**REASONS FOR RECOMMENDED OPTION**

6. To make the public aware of these decisions.

**IMPACT ON THE COUNCIL'S KEY OUTCOMES**

7.

	<b>Outcomes</b>	<b>Implications</b>
	Working with our partners we will provide strong leadership and governance.	Demonstrating good governance.

## **RISKS AND ASSUMPTIONS**

8. N/A

## **LEGAL IMPLICATIONS**

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

## **FINANCIAL IMPLICATIONS**

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

## **HUMAN RESOURCES IMPLICATIONS**

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

## **TECHNOLOGY IMPLICATIONS**

12. There are no Technology implications arising from the report

## **EQUALITY IMPLICATIONS**

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

## **CONSULTATION**

14. N/A

## **BACKGROUND PAPERS**

15. N/A



## CONCLUSIONS

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

Application No.	Application Description & Location	Appeal Decision	Ward
16/00164/M	Appeal against enforcement action for unauthorised erection of wood/metal structure on paddock under grounds (c) at Stables, Bannister Lane, Skelbrooke, Doncaster	ENF- Appeal Dismissed, ENF Notice Upheld 03/01/2018	
17/01052/COU	Change of use from vacant retail unit to Amusement Centre (Adult Gaming Centre) (Use Class Sui Generis) at Ground Floor, 13 Scot Lane, Doncaster, DN1 1EW	Appeal Withdrawn 02/01/2018	Town

## REPORT AUTHOR & CONTRIBUTORS

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TSI Officer  
lorna.hudson@doncaster.gov.uk

**PETER DALE**  
**Director of Regeneration and Environment**

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## Appeal Decision

Site visit made on 11 December 2017

**by Chris Preston BA (Hons) BPI MRTPI**

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

**Decision date: 3 January 2018**

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**Appeal Ref: APP/F4410/C/17/3179011**

**Land at Bannister Lane, Skelbrooke, Doncaster, South Yorkshire DN6 8LU**

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
  - The appeal is made by Mr George Smith against an enforcement notice issued by Doncaster Metropolitan Borough Council.
  - The enforcement notice was issued on 02 May 2017
  - The breach of planning control as alleged in the notice is: Without planning permission, the carrying out of building works by the erection of a metal/ wood field shelter.
  - The requirements of the notice are: Dismantle the field shelter and remove from the land.
  - The period for compliance with the requirements is one month after the notice takes effect.
  - The appeal is proceeding on the grounds set out in section 174(2) (c) of the Town and Country Planning Act 1990 as amended. Since the prescribed fees have not been paid within the specified period, the appeal on ground (a) and the application for planning permission deemed to have been made under section 177(5) of the Act as amended have lapsed.
- 

### Decision

1. The appeal is dismissed and the enforcement notice is upheld.

### The Appeal Under Ground (c)

2. The various grounds under which an appeal against an enforcement notice can be made are set out at section 174 of the Town and Country Planning Act 1990 (the Act). In this case, the appeal was submitted under ground (c) alone. No appeal has been made on ground (a) and no fee has been paid. Consequently, it is not open to me to consider whether planning permission should be granted for the development in question.
3. An appeal under ground (c) is made on the basis that the matters stated within the notice do not constitute a breach of planning control. The appellant contends that no breach of planning control has occurred on the basis that the structure amounted to 'permitted development'. That would appear to be a reference to the Town and Country Planning (General Permitted Development) (England) Order 2015 (the GPDO) but the appellant's statement does not specify which part of the GPDO he relies upon.
4. Class A of Part 6 of Schedule 2 relates to agricultural development on units of 5 hectares or more. Works for the erection, extension or alteration of a building may be classed as 'permitted development' providing that they are reasonably necessary for the purposes of agriculture within the unit, and providing that the

relevant conditions and limitations of the GPDO are met, as listed at paragraphs A.1 and A.2.

5. However, on first principles, the development must relate to an agricultural unit of 5 hectares or more and be reasonably necessary for agriculture. The appellant has referred to the general definition of agriculture at section 336 of the Town and Country Planning Act (1990) (the Act) which states that:

*"agriculture" includes horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land), the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes, and "agricultural" shall be construed accordingly.*

6. "Horsiculture" or the keeping of horses does not constitute an agricultural activity based on that definition. In addition to the general definition of agriculture within the Act, paragraph D.1 of Part 6 of the GPDO identifies how the terms "agricultural land" and "agricultural unit" should be interpreted for the purposes of that Part of the GPDO. Agricultural land is land which, before development permitted by Part 6 is carried out, is in use for agriculture and which is so used for the purposes of a trade or business, excluding any dwellinghouse or garden. An agricultural unit is agricultural land occupied as a unit for the purposes of agriculture, including any dwelling or other buildings on the land that are occupied for the purposes of farming the land.
7. At the time of my visit the land was being used for the keeping of horses and donkeys and that would appear to be the main use, based upon the information before me. In a recent appeal decision relating to a proposal to erect stables, toilets and a hay store at the holding the Inspector noted that there was no dispute between the parties that the proposed stables would have constituted a facility for outdoor recreation<sup>1</sup>. That would indicate that no agricultural use was taking place which is in line with the evidence before me. The sign at the entrance to the site refers to Skelbrooke Stables.
8. The building in question is an open-fronted shelter constructed of a number of vertical telegraph poles concreted into the ground, attached to which are a number of horizontal timber boards forming the skeleton of the walls and roof. An external skin of profiled metal sheeting is attached to those boards. Its purposes would appear to be to provide shelter for the horses and donkeys using the field. Thus, there is no evidence that the shelter was required in relation to an agricultural use and the development would therefore fall outside of the scope of the permitted development regime under Part 6 of the GPDO.
9. Even if the land was in use for agriculture, buildings are only permitted under Class A of Part 6 subject to the conditions listed at paragraph A.2. Sub-paragraph A.2(2) requires that any developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the siting, design and external appearance of the building. No such application was made in this instance and the failure to meet relevant conditions would mean that the building did not amount to 'permitted development' even if the land was in use for agriculture. However,

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<sup>1</sup> Appeal reference: APP/F4410/W/17/3171704

fundamentally, the appellant has failed to demonstrate that the land was in agricultural use.

10. The agent acting for the appellant has made a number of suggestions regarding cladding the building and planting to screen the structure. Those matters have no bearing on whether planning permission is required for the building but would be relevant considerations if an appeal had been made under ground (a). As set out above, no such appeal is before me.
11. Consequently, the development requires planning permission and no such permission has been granted by the Council or by the terms of the GPDO. As such, the structure represents a clear breach of planning control and the appeal under ground (c) must fail. I shall uphold the notice accordingly.

*Chris Preston*

INSPECTOR

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# The Planning Inspectorate

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Ms J Rumley  
Doncaster Metropolitan Borough Council  
TSI Section  
Danum House  
St Selpulchre Gate  
Doncaster  
South Yorkshire  
DN1 1UB

Your Ref: 17/01052/COU

Our Ref: APP/F4410/W/17/3184610

04 January 2018

Dear Ms Rumley,

Town and Country Planning Act 1990  
Appeal by Storey Group Ltd  
Site Address: 13 Scot Lane, Doncaster, DN1 1EW

I enclose for your information a copy of a letter received withdrawing the above appeal(s).

I confirm no further action will be taken.

Yours sincerely,

**Nick Holmes**  
Nick Holmes

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

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# Agenda Item 7.

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

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