



# 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, 18th September, 2018

**Time:** 2.00 pm

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

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Issued on: Monday, 10th September, 2018

**Governance Services Officer for this meeting**

Amber Torrington  
Tel: 01302 737462

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

## Items for Discussion:

Item		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 21st August, 2018	1 - 8
<b>A.</b>	<b>Reports where the Public and Press may not be excluded.</b>	
	<b><u>For Decision</u></b>	
5.	Schedule of Planning Applications	9 - 52
	<b><u>For Information</u></b>	
6.	Appeal Decisions	53 - 58
<b>B.</b>	<b>Items where the Public and Press may be excluded in accordance with grounds specified in the Local Government Act 1972, as amended.</b>	
7.	Enforcement Cases Received and Closed for the Period of 08/08/18 to 04/09/18 (Exclusion Paragraph 6)	59 - 74
8.	Sterefibre at Hazel Lane Quarry, Hampole - Planning Enforcement	75 - 80

## **Members of the Planning Committee**

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

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

# Public Document Pack Agenda Item 4.

## DONCASTER METROPOLITAN BOROUGH COUNCIL

### PLANNING COMMITTEE

TUESDAY, 21ST AUGUST, 2018

A MEETING of the PLANNING COMMITTEE was held in the COUNCIL CHAMBER, CIVIC OFFICE on TUESDAY, 21ST AUGUST, 2018, at 2.00 pm.

#### PRESENT:

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

Councillors Mick Cooper, John Healy, David Hughes, Sue McGuinness, Andy Pickering, Dave Shaw and Jonathan Wood.

#### APOLOGIES:

Apologies for absence were received from Councillors Duncan Anderson and Susan Durant.

#### 23 DECLARATIONS OF INTEREST, IF ANY

In accordance with the Members Code of Conduct, the Chair, Councillor Eva Hughes, declared that she had received electronic correspondence with regard to Application No. 18/01590/FUL, Agenda Item 5(3), but had not given her opinion thereon.

#### 24 MINUTES OF THE MEETING HELD ON 24TH JULY, 2018

RESOLVED that the minutes of the meeting held on 24th July, 2018 be approved as a correct record and signed by the Chair.

#### 25 SCHEDULE OF APPLICATIONS

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

#### 26 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.

27 ENFORCEMENT CASES RECEIVED AND CLOSED FOR THE PERIOD OF 10TH JULY TO 7TH AUGUST, 2018 (Exclusion paragraph 6)

The Committee considered a report which detailed all Planning Enforcement complaints and cases received, and closed during 10th July to 7th August, 2018.

RESOLVED that all Planning Enforcement Cases received and closed for the period 10th July to 7th August, 2018, be noted.

At the conclusion of formal business at the meeting the Chair, Councillor Eva Hughes, informed Members that this would be the last Planning Committee meeting in which Karen Winnard, Head of Service Litigation and Regulatory Services, would be attending as she would be retiring from the Authority shortly. Members joined the Chair in paying tribute to Karen for her dedication and valuable contribution she had made to the work of the Committee and support to Elected Members throughout her years of service at the Authority, and wished her well for the future.

## Appendix A

### DONCASTER METROPOLITAN BOROUGH COUNCIL

#### PLANNING COMMITTEE – 21st August, 2018

<b>Application</b>	<b>1</b>
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<b>Application Number:</b>	18/01274/3FULM	<b>Application Expiry Date:</b>	22nd August 2018
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<b>Application Type:</b>	Major
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<b>Proposal Description:</b>	Erection of cultural and learning centre following partial demolition of former Girls School building
<b>At:</b>	Former site of Hall Cross Lower School, Chequer Road

<b>For:</b>	Mr Nick Stopforth - DMBC
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<b>Third Party Reps:</b>	2	<b>Parish:</b>	
		<b>Ward:</b>	Town

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

Proposed by: **Councillor David Hughes**

Seconded by: **Councillor Iris Beech**

**For: 8 Against: 1 Abstain: 0**

**Decision:** Planning application granted subject to the addition of the following Conditions and the amendment to Condition 12 to read as follows:-

12. Trees and shrubs shall be planted on the site in accordance with a scheme to be approved in writing by the Local Planning Authority prior to commencement of development. This scheme is to provide details of species, siting, planting distances and programme of planting. Planting is to be carried out during the first available season after commencement of development and shall thereafter be maintained to the satisfaction of the Local Planning Authority and in accordance with the Local Planning Authority's document 'Landscape Specification in Relation to Development sites'. Any tree or shrub planted as part of the scheme which is removed or severely damaged or is found to be dying or seriously diseased within five years of planting shall be replaced within the next available planting season with a tree or shrub of a similar size and species to the satisfaction of the Local Planning Authority.

**REASON**

To ensure that a landscape/planting scheme is submitted and implemented in the interests of amenity.

13. Prior to the commencement of the relevant works, details of how the two gable ends of the retained frontage will be finished, especially with regard to the terracotta detailing and brickwork, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

**REASON**

To ensure the satisfactory appearance of the proposal in accordance with policy CS14 of the Doncaster Core Strategy.

14. Prior to the commencement of the relevant works, details of how the portico will be altered to take account of the raising of the floor level shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

**REASON**

To ensure the satisfactory appearance of the proposal in accordance with policy CS14 of the Doncaster Core Strategy.

In accordance with Planning Guidance 'Having Your Say at Planning Committee', Mr N Stopforth (DMBC) and Mr G Carmona (Bond Bryan Architects), spoke in support of the application for the duration of up to 5 minutes.

<b>Application</b>	<b>2</b>
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<b>Application Number:</b>	18/00998/FUL	<b>Application Expiry Date:</b>	3rd August 2018
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<b>Application Type:</b>	Full Application
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<b>Proposal Description:</b>	Construction of green, GRP, weatherproof plant enclosure at Cantley Water Pumping Station (WPS) to house Motor Control Centre (MCC) for water pumping station
<b>At:</b>	Cantley Water Tower, Church Lane, Doncaster

<b>For:</b>	Mrs Stephanie Walden – Yorkshire Water Services Ltd
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<b>Third Party Reps:</b>	The proposal received objections from 5 persons	<b>Parish:</b>	
		<b>Ward:</b>	Finningley

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

Proposed by: **Councillor Dave Shaw**

Seconded by: **Councillor Sue McGuinness**

**For: 9 Against: 0 Abstain: 0**

**Decision: Planning application granted.**

<b>Application</b>	<b>3</b>
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<b>Application Number:</b>	18/01590/FUL	<b>Application Expiry Date:</b>	3rd September, 2018
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<b>Application Type:</b>	Full Application
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<b>Proposal Description:</b>	Erection of one detached dwelling (Re-submission of approved planning application 12/03086/FUL)
<b>At:</b>	Land adjacent to 41 Allendale Gardens, Sprotbrough, Doncaster

<b>For:</b>	N Fairclough Builders Ltd
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<b>Third Party Reps:</b>	7	<b>Parish:</b>	Sprotbrough and Cusworth Parish Council
		<b>Ward:</b>	Sprotbrough

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

Proposed by: **Councillor Sue McGuinness**

Seconded by: **Councillor John Healy**

**For: 8 Against: 0 Abstain: 1**

**Decision:** Planning application granted subject to the deletion of the existing Condition 12, the addition of the following Condition and the amendment to Condition 07 to read as follows:-

- 07. Before the first occupation of the dwelling hereby permitted, the three rear facing roof lights shall be obscure glazed with an obscurity equal to Pilkington level 3 or above and they shall be permanently retained in that condition thereafter unless otherwise approved in writing by the Local Planning Authority.**

**REASON**

**To ensure that the development does not impact on the privacy of the adjoining premises.**



12. The development hereby permitted shall be carried out in complete accordance with the details shown on the amended plan referenced 101/11/4C.

**REASON**

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

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## **DONCASTER METROPOLITAN BOROUGH COUNCIL**

18th September 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'

Application	Application No	Ward	Parish
1. M	18/00548/FULM	Rossington And Bawtry	Rossington Parish Council
2.	18/00768/3FUL	Bentley	

# DONCASTER METROPOLITAN BOROUGH COUNCIL

## PLANNING COMMITTEE – 18<sup>th</sup> September 2018

Application	1
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Application Number:	18/00548/FULM	Application Expiry Date:	8 <sup>th</sup> June 2018
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Application Type:	Major Application
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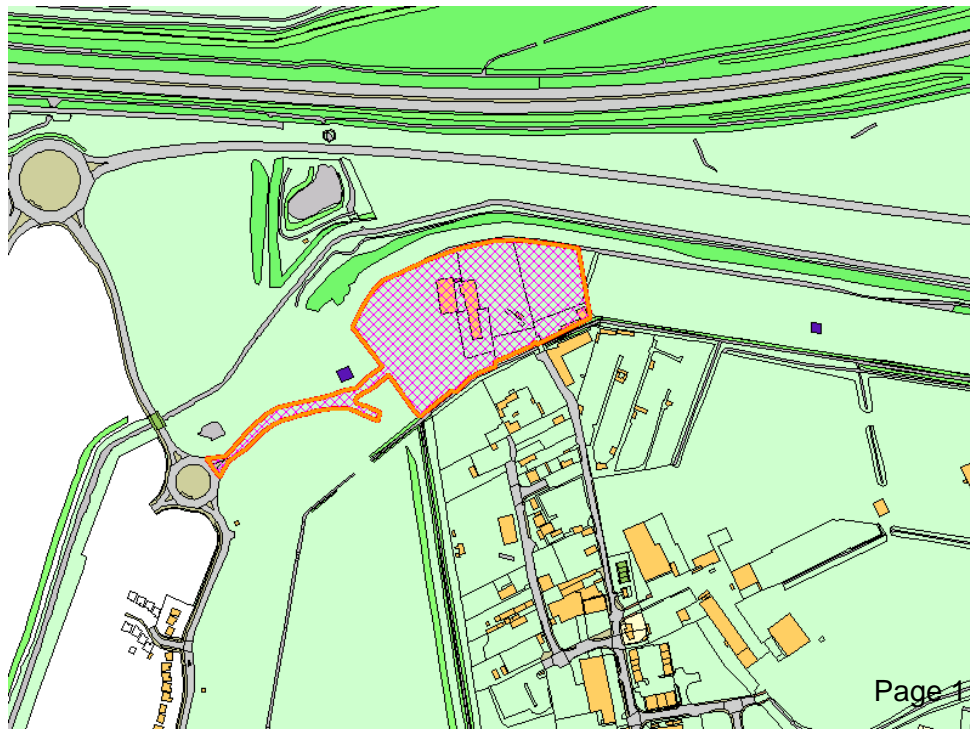
Proposal Description:	1. Provision of adoptable new link road and private access road. 2. Change of use of land to waste recycling area and ancillary development (retrospective). 3. Erection of waste management buildings. 4. Provision of rail loading and HGV parking area.
At:	Attero Recycling, Bankwood Lane, New Rossington, Doncaster, DN11 0PS

For:	Mr David Colakovic - Attero Recycling Limited
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Third Party Reps:	1 representation	Parish:	Rossington Parish Council
		Ward:	Rossington and Bawtry

Author of Report	Dave Richards
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MAIN RECOMMENDATION:	<b>DELEGATE AUTHORITY</b> to the Head of Planning to GRANT subject to approval by Secretary of State (SoS) and subject to conditions.
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## 1.0 Reason for Report

1.1 This application is being presented to planning committee due to:

- The proposal being a departure from the development plan by virtue of part of the site being in the Green Belt.
- The application is for major development

## 2.0 Proposal and Background

### *Background*

2.1 The application site is located at the north end of the Bankwood Lane Industrial Estate (Bankwood Estate). The Bankwood Estate lies to the north of New Rossington, approximately 5km to the southeast of Doncaster. To the west of the site, the former Colliery site is currently undergoing a significant, mixed-use redevelopment of housing, employment and leisure uses linked from Great Yorkshire Way (A6162), which in turn allows access to Junction 3 of the M18. To the south of the site is the Bankwood Estate and the planned residential areas of Rossington. To the north and east is a railway line, allotments, the A6182 and agricultural land.

2.2 Attero Recycling Ltd (Attero) operates a waste transfer station in part of the application site. Waste materials are imported to the site by HGV and undergo a range of processes including sorting, separation, screening, bailing, shredding, crushing, blending and compaction, prior to being exported from the site by road and rail. In addition, Attero have been processing historical waste material on the site. The site does not accept any hazardous waste type.

2.3 The waste transfer station was granted planning permission under planning permission 97/69/3510/FUL in June 1998. The facility operates under an environmental permit license issued by the Environment Agency (EA). Under the terms of the permit, up to 200,000 tonnes of waste can be imported per annum. The modern day operation does not contain any planning controls for waste tonnage or vehicle movement limits.

2.4 In 2015, Attero began using industrial land near the application site as a holding area for HGVs waiting to enter the waste transfer station. This application (ref: 16/02386/COUM) is currently pending the outcome of this current application, as it includes provision for a lorry park within the application site. A site plan showing the lorry park in relation to the application site and general area is in appendix 1 of this report. For clarity and for the purposes of this report, lorry park includes the parking of HGV's.

### *The proposal*

2.5 The proposed development seeks planning permission for an enlarged waste transfer station. The facility will process a maximum of 400,000 tonnes of inert and non-hazardous waste material per year, which will comprise primarily construction, demolition and commercial materials. The material will be screened, condensed and a solid recovered fuel (SRF) and refuse-derived fuel (RDF) is transferred from the site.

2.6 Approximately 50% of the operation would be relocated and housed within a new processing building. It would be a steel structure with a pitched roof, and a maximum height to ridge of 15m. This building would also include a palletisation plant, which would

compress waste materials. The compression would form the waste into pellets (approx. 20-30mm diameter). No emissions would result from the palletisation process.

2.7 The provision of the processing building would enable approximately 50% of the current external waste processing operations to be carried out indoors. The remaining processing areas would be reorganised into dedicated storage areas which would also enable the remaining externally operated machinery to be relocated further away from neighbouring land uses.

2.8 The scheme would deliver a new, purpose designed link road to the west of the application site, which would connect with the existing roundabout off West End Lane. The access road will serve the Attero site only. However, the possibility exists for the construction of a further section of access road to Attero's southern land boundary, to be built to adoptable standards, providing a possible connection to the Bankwood Lane Industrial Estate. This application has now been submitted under planning reference 18/01224/FULM. The current access to the Attero site would be closed to HGV traffic.

2.9 The application includes the provision for HGV and employee parking (lorry park) on a parcel of land to the east of the existing site. This area would be engineered to create a level development platform, surfaced with hardstanding and any necessary drainage features would be installed. The lorry park will remove the requirement for a temporary lorry park, which is currently in operation to the south of the application site on the junction of West End Lane and Bankwood Lane.

2.10 Approximately 5,000 cubic metres of waste materials has been historically dumped on the site. The application includes consent to remove this material to enable the development of the new road to be carried out. These materials comprise a mixture of unprocessed and processed waste, most of which was from construction and demolition sources, with lesser amounts of commercial and industrial waste.

2.10 A relocated rail loading area is proposed adjacent to the lorry park. Attero have been working with Network Rail to utilise the railway siding to the north of the site to transport waste from the site in larger quantities than what can be realised by HGV use. This use has the potential for greater use and allow a reduced number of HGV movements in the future if the scheme is successful.

2.11 In terms of other alterations, other ancillary development includes:

- Retention of operational land
- A relocated weight bridge and site office
- Surface water drainage system
- Revised site layout
- Hardstanding and acoustic bunding

The overall site layout is shown in appendix 2 of this report.

2.12 Currently, the operational hours of the waste transfer station are conditioned to be 07.30am to 18.00pm, Monday to Friday and 07.30am to 13.00pm on Saturday. There is no working on Sundays or Bank Holidays. As part of the proposals, an expansion of the operating hours are proposed to the following:

- HGV and other traffic movements: 07.00am to 20.00pm (7 days per week).
- Operations within buildings: 24 hours (365 days per year).

- External operations 07.00am to 20.00pm Monday to Friday and 07.00am to 13.00pm Saturday. No operations on Sundays or public holidays.
- Maintenance of plant etc. (external) 07.00am to 20.00pm (7 days per week).

2.13 The site currently has an annual restriction on throughput of 200,000 tonnes via the Environmental Permit issued by the Environment Agency. It is proposed that this level is increased to 400,000 per year consisting of approximately:

- 350,000 tonnes of solid recovered fuel (SRF) and refuse-derived fuel (RDF)
- 45,000 tonnes of recycled materials (wood, plastics, paper/cardboard, metals, soils and hardcore); and
- 5,000 tonnes of non-recyclable waste to landfill.

2.14 In terms of current HGV movements, the current operation equates to a total of approximately 266 HGV two-way movements per day. The application would result in approximately 494 HGV two-way movements during the core daytime period between 7am and 7pm.

2.15 A total of 45 fulltime staff are employed at the waste transfer station. The anticipated workforce following implementation of the development would be 85 full time staff.

2.16 The development would be phased via condition and the implementation of the new link road and lorry park would be completed first.

### **3.0 Relevant Planning History**

3.1 The historical use of the site is mixed, with previous applications for industrial development, motorcycle training, material extraction. These include:

80/1270/P - Use of approx.4.5 acres of land for storage and dismantling of scrap cars (Refused)

87/0886/P - Change of use of land including the erection of single storey steel framed building 33.0m x 11.7m) for shot blasting and paint spraying business on approx. 1.0 ha of land (granted)

91/2489/P - Outline application for industrial development on approx 1.1 ha of land (Allowed on appeal)

94/0101/P Use of land for motor cycle training on approx 1.9 ha of land (Approved)

97/0112/P Use of approx 2.2 ha of land as scrapyards (Allowed on appeal)

97/3510/P Change of use of premises to waste transfer station (Approved)

99/3311/P Excavation, screening and removal of ash for recycling (Approved)

06/01956/FUL Erection of industrial unit 36.5m x 13.7m and formation of new access road (Approved)



09/00190/OUTA Construction of an inland port (Strategic Rail Freight Interchange) together with ancillary infrastructure and operational development (Approved and implemented)

16/02386/COUM Temporary change of use from former factory and factory outlet to HGV parking for a period of 18 months (Retrospective) Undetermined

## **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
- 3 site notices have been displayed in the area
- Advertised in the local press
- Advertised on the Council website

4.2 One public objection has been received by the owners of Tanks & Vessels site to the east of the development. The comments can be summarised as:

- The application will prejudice delivery of the full extent of the link road
- The full benefits in removing all industrial traffic may not be secured
- A critical opinion of the submitted road layout
- The design of the link road should be amended
- Inadequacies with the submitted Transport Assessment
- Happy to work with all relevant parties to provide a solution

## **5.0 Parish Council**

5.1 Rossington Parish Council:

Their response in full:

*Rossington Parish Council recognises the work done to date by Attero, Harworth Estates, Morris Metals and Doncaster Council in proposing a resolution to the issues on the Bankwood Lane Industrial Estate with reference to the above planning application.*

*The new adoptable link road and private access road with new facilities will resolve many of the issues that have affected, and continue to affect, residents of West End Lane, Bankwood Lane and Bankwood Crescent.*

*However, in light of the proposed redevelopment of the Tanks & Vessels Industries Limited (TVI) site, it is vitally important to ensure the link road design is capable of handling both the increased traffic to the Attero site as well as other existing and future users. The proposed redevelopment of the TVI site with a new access would eliminate the majority of the HGV traffic.*

*The aim MUST be to eliminate where possible, ALL existing HGV traffic beyond the Rossington West roundabout through West End Lane to Bankwood Lane.*

*Therefore, Rossington Parish Council is opposed to application 18/00548/FULM without the provision of the full adoptable link road to serve ALL existing and future business developments in this area.*

5.2 Following the submission of amended plans which showed a connected link road, the Parish Council were consulted and no comments were received at the time of writing.

## **6.0 Relevant Consultations**

### **6.1 Highway Officer**

Whilst there are no objections to the principle of the development proposal, the initial plans were viewed unfavourably; and these included the following:

- Discrepancies with numbers in the transport assessment
- Typographical errors
- Alignment errors
- No swept path analysis
- Revised turning head required
- Design information required
- Positioning of the weighbridge
- Visibility splays

Following the highway response, the applicant submitted a revised Transport Assessment, updated documentation and a revised site layout. The Highway Officer has requested a number of points of clarification, and a request to provide a publicly available turning area outside the operational site. Any final comments will be reported to Planning Committee.

### **6.2. Highways Transportation Officer**

A Transport Assessment has been submitted in support of this application and there are no objections to this application (subject to conditions). The Transportation Officer did advise that:

*The proposals should not constrain the further delivery of Phase 2 of the link road and every endeavour should be made to future proof the elements contained within this application, in order to secure the additional benefits this link can deliver to the wider area and the residents of Bankwood Lane.*

### **6.3 Environment Agency**

The Environment Agency originally objected to the submitted Flood Risk Assessment as it failed to provide a number of key requirements set out in paragraphs 030 to 032 of the National Planning Practice Guidance.

Following this response, the applicant submitted a revised flood risk assessment, updated documentation and a revised site layout. The Environment Agency were consulted and no objections have been received subject to conditions being imposed.

### **6.4 South Yorkshire Archaeology Service (SYAS)**

The SYAS have noted that severe ground disturbance has taken place and considers the archaeological potential of the site to be negligible.

## 6.5 Additional consultee comments:

Environmental Health Officer (Air Quality) - No concerns with regards to the proposal and the extant air quality regulations (subject to conditions).

Environmental Health (Noise) - No objections following receipt of additional information (conditions proposed).

Internal Drainage Officer - No objections subject to final surface water plans and hydraulic calculation following completion of the full detailed design.

Ecology Officer - No objections on ecological grounds and no conditions.

Contaminated Land Officer - The Contamination Land Officer concurs with the recommendations of the submitted phase one contamination report, which recommends a Phase 2 site investigation, which will include soil, ground water and gas monitoring. No objections subject to condition.

Network Rail - No objections in principle subject to liaising with the Rail Freight Operator and Network Rail as necessary.

Public Rights of Way Officer - No objection in principle to the proposals.

Area Manager - No comments received.

National Grid - No comments received.

Yorkshire Wildlife Trust - No comments received.

Doncaster East Internal Drainage Board - No comments received.

## **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 following planning policies are relevant to this proposal:

### Doncaster Council's Core Strategy (2012):

7.3 Policy CS1 of the Core Strategy states that as a means of securing and improving economic prosperity, enhancing the quality of place and the quality of life in Doncaster, proposals will be supported that contribute to the Core Strategy objectives and which in particular provide opportunities for people to get jobs and protect local amenity and are well designed.

7.4 Policy CS3 of the Core Strategy applies national policy and seeks to protect the Green Belt from inappropriate development other than in very special circumstances.

7.5 Policy CS4 of the Core Strategy requires a proactive approach towards the management of flood risk and drainage.

7.6 Policy CS9 states that new development will provide, as appropriate, transport assessments and travel plans to ensure the delivery of travel choice and sustainable opportunities for travel. Point (d) states that the proposals that improve the efficiency of freight transport including facilities for lorry parking will be supported, where appropriate.

7.7 Policy CS14 of the Core Strategy require development to be of a high quality design that contributes to local distinctiveness and that integrates well with its immediate surroundings.

7.8 Policy CS16 of the Core Strategy seeks to protect and enhance Doncaster's natural environment.

7.9 Policy CS18 of the Core Strategy states that Doncaster's air, water and land resources will be conserved, protected and enhanced. Paragraph B recognises deliverable urban brown field sites. However, where any risks to ground conditions arising from contamination or previous land uses are identified, proposals will need to incorporate measures to prevent, control and reduce air and water pollution, mitigate any ground instability and enhance the quality of these resources.

7.10 Policy CS20 of the Core Strategy recognises that the use of secondary and recycled aggregates will be maximised.

#### Doncaster Unitary Development Plan (UDP) (Saved Policies) (1998):

7.11 Policy ENV1 of the UDP reiterates a Green Belt in the western part of the Borough. The purposes of including land within the Green Belt are set out, in accordance with national policy.

7.12 Policy ENV3 of the UDP states that development will not be permitted, except in very special circumstances for purposes other than listed. Where development is a permitted use, development will only be acceptable in principle where they would not be visually detrimental by reason of their siting, materials or design, and would not give rise to unacceptable highway or amenity problems and would not conflict with other policies of the UDP.

7.13 Policy ENV38 of the UDP requires conditions where development would impinge on an archaeological site.

7.14 Policy EMP6 of the UDP states that within employment policy areas, permission will normally be granted for B1, B2 and B8 uses. Proposals for other industrial, business or commercial uses will be considered on their merits in accordance with other relevant plan policies.

7.15 Policy M15 of the UDP sets out development criteria for non-mining activities on former colliery sites and requires applications to consider the environmental and amenity impact.

#### Barnsley, Doncaster and Rotherham Joint Waste Plan (2012) (JWP)

7.16 Policy WCS1 of the JWP states provision will be made to maintain, improve and expand the network of waste management facilities. Paragraph D states, amongst other points, that proposals will be supported which enable waste to be managed locally, whilst allowing waste to be imported where this represents the most sustainable option. Priority

will be given to waste proposals which maximise the reuse of vacant or underused brownfield land, particularly within established employment areas and which provide opportunities for co-location and priority areas for regeneration.

7.17 Policy WCS4 of the JWP states Proposals for waste development on non-allocated sites will be permitted provided they demonstrate a number of criteria. Paragraph B sets out that waste proposals may be acceptable at existing waste transfer recycling, employment and industrial sites.

7.18 Policy WCS6 of the JWP sets out general principles for all waste management proposals including proving suitable access, site layout, environmental and amenity protection.

7.19 The National Planning Policy Framework (NPPF, 2018) and The National Planning Policy Guidance (NPPG, 2014) are material considerations in the determination of planning applications. The following paragraphs are relevant:

7.20 Paragraphs 7 – 11 establish that all decisions should be based on the principles of a presumption of sustainable development.

7.21 Paragraphs 54 – 56 set out the requirements of imposing conditions, which should only be used subject to meeting specific tests and where it is not possible to address unacceptable impacts through a planning condition.

7.22 Paragraph 58 reiterates that enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control.

7.23 Paragraph 80 states planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development

7.24 Paragraph 93 states planning policies decisions should consider the social, economic and environmental benefits of estate regeneration. Local planning authorities should use their planning powers to help deliver estate regeneration to a high standard

7.25 Paragraph 107 states decisions should recognise the importance of providing adequate overnight lorry parking facilities, taking into account any local shortages, to reduce the risk of parking in locations that lack proper facilities or could cause a nuisance.

7.26 Paragraph 109 states development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

7.27 Paragraph 118 states, amongst other things, that decisions should encourage multiple benefits from both and rural land, to give substantial weight to the value of using suitable brownfield land and under-utilised land within settlements for identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;

7.28 Paragraph 127 states planning decisions should ensure developments will function well and add to the overall quality of the area, are visually attractive and optimise the potential of the site.

7.29 Paragraph 133 reiterates the importance of Green Belts and its essential characteristics of openness and its permanence.

7.30 Paragraph 134 of the NPPF sets out five purposes:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

7.31 Paragraph 143 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

7.32 Paragraph 144 requires local planning authorities to ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

7.33 Paragraph 155 considers flood risk and avoiding inappropriate development in areas at risk of flooding by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

7.34 Paragraph 170 requires development, amongst other things, to contribute to and enhance the natural and local environment, including recognising the intrinsic character and beauty of the countryside, preventing unacceptable levels of soil, air, water or noise pollution or land instability.

7.35 Paragraphs 178 – 180 states planning decisions should ensure a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

7.36 Paragraph 181 states planning decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas.

7.37 The NPPF contains no specific waste policies but the National Planning Policy for Waste (NPPW) sets out detailed waste planning policies expressly to be read in conjunction with the NPPF. The NPPW seeks to drive waste management up the waste hierarchy, away from disposal by landfill toward recycling. Both are read in conjunction with the NPPG defined in paragraph 7.19.

7.38 Other material considerations include:

The Waste Framework Directive (WFD) 2008/98/EC  
 The EU Landfill Directive (1999)  
 The Waste (England and Wales) Regulations (2011)  
 The Waste Management Plan for England (2013)  
 The Government Review of Waste Policy in England (2011)  
 The DEFRA Guide on Applying the Waste Hierarchy (2011)  
 Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act (1990)  
 Town and Country Planning (Environmental Impact Assessment) Regulations (2017)  
 Development Requirements and Guidance Supplementary Planning Document (SPD) (2015)

7.39 Rossington Parish Council are currently preparing a Neighbourhood Plan and an area has been designated. However, no draft has been prepared and no policies have been subject to examination. As such, the plan carries no weight at this stage.

## **8.0 Planning Issues and Discussion**

8.1 The main considerations for this development proposal include:

- Environmental Impact Assessment;
- Principle of development;
- Whether the scheme is appropriate development in the Green Belt;
- The effect of the proposed scheme on the character and appearance of the area and openness of the Green Belt;
- Need for the development
- Landscape impact and visual effects
- Impact on residential amenity & quality of life
- Highway safety and traffic
- Flood risk and drainage
- Air quality
- Ecology
- Noise
- Energy efficiency
- If the scheme is inappropriate development in the Green Belt, whether there are very special circumstances which would justify granting planning permission
- Overall planning balance

8.2 For the purposes of considering the balance in this application the following planning weight is referred to in this report using the following scale:

- Substantial
- Considerable
- Significant
- Moderate
- Modest
- Limited/little
- No

## **Environmental Impact Assessment**

8.3 Schedule 1 of the Town and County Planning (Environmental Impact Assessment) Regulations 2011, list those developments for which Environmental Impact Assessment

(EIA) is mandatory. Schedule 2 of the Regulations describes developments for which the need for an EIA is determined by the Local Planning Authority (LPA) on a case by case basis.

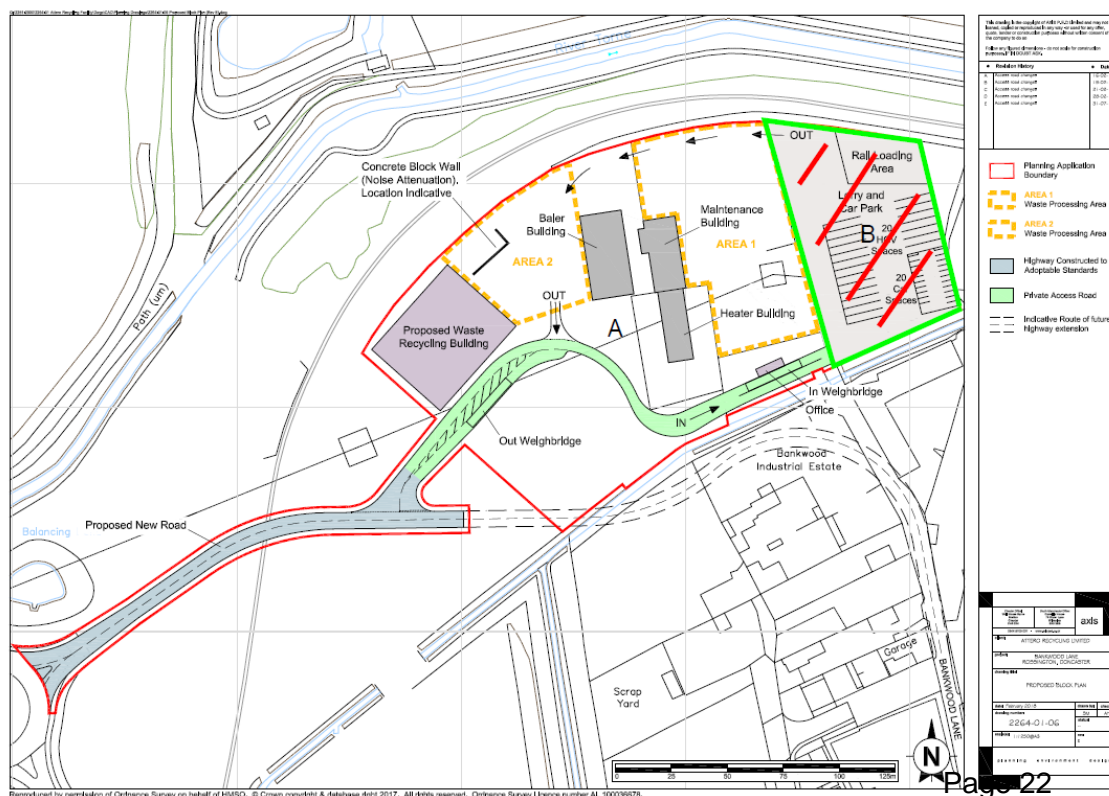
8.4 The application has been screened and it is considered that EIA is not required. Although the proposal falls within Schedule 2 of the Regulations, the site is not located within an environmentally sensitive area and the development is not likely to result in any particularly complex or hazardous effects on the environment. A number of documents have been provided with the application including a Transport Assessment, Flood Risk Assessment, Ecology Survey, Noise Assessment and a Design and Access Statement and the relevant consultees have provided advice on the basis of this information.

## Principle of Development

8.5 The proposal in terms of principle is most easily considered in two parts. Firstly, the proposal seeks planning permission for a new link road and the redevelopment of an existing waste transfer station, including a new processing building, the expansion of the processing area and the reorganisation of the site with revised boundary treatments and bunding. This development is located within an employment policy area in Rossington which is a potential growth town outlined in Policy CS2 of the Core Strategy. The reuse of this land is consistent with Policies WCS1, WCS4 and WCS6 of the JWP which accepts waste development proposals if detailed planning considerations are acceptable.

8.6 The proposal also includes the provision of a new lorry park, employee car park and the operational area of a rail loading facility, together with hardstanding and boundary treatments. In planning terms this part of the application site is located within the South Yorkshire Green Belt. A diagram showing the relative site areas is shown below:

A – Employment Policy Area  
B – Green Belt (hatched)





## **Green Belt Policy**

8.7 The area of hardstanding would be approximately 0.6 hectares with a surrounding boundary treatment. This represents approximately 20% of the enlarged overall site area as being located in the Green Belt.

8.8 The hard standing would be constructed in an area which is currently open and, in planning terms amounts to an engineering operation. Paragraph 146 of the NPPF states that this type of development may not be inappropriate in Green Belt provided it preserves the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt.

8.9 In this case, the hard standing areas would be largely used for lorry and car parking. The siting of such vehicles may be to some extent intermittent, depending on the time of the 24 hour operation and market conditions, the appearance of this development would not preserve the openness of the Green Belt. The perimeter fencing and would introduce an additional degree of built form, thereby reducing openness, albeit to a limited degree.

8.10 The parcel of Green Belt land affected by the application is a minority of the site area as noted in paragraph 8.6 of the report. It is recognised that the parcel of land is landlocked by existing development of industrial character, however the development as a whole would represent an encroachment into the countryside, and in that respect, the proposal would conflict with one of the purposes of Green Belt, which is “to assist in safeguarding the countryside from encroachment.” Given the land would be included within the revised site boundary and the area is to be laid to hardstanding, the effect upon the openness of the Green Belt would be a permanent one.

8.11 For the above reasons, the development would not preserve the openness of the Green Belt, and hence the proposal would amount to inappropriate development. In addition, the proposed development would lead to encroachment into the countryside. Therefore, the proposal would not accord with the Green Belt aims of Policy CS3 of the Core Strategy, Policies ENV1 and ENV3 of the UDP and the NPPF.

8.12 Paragraph 144 of the NPPF states that “local planning authorities should ensure that substantial weight is given to any harm to the Green Belt” and ‘very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. As such, Members should weigh this substantially against the proposal.

## **Site Specific Considerations**

### *Impact on Residential Amenity*

8.13 The entrance to the application site is located at the end of the Bankwood Estate, meaning existing deliveries access the site via the planned residential neighbourhoods on West End Lane and Bankwood Lane. In 2015, following an increase in the tonnage limit of their environmental permit, Attero began using an area of Industrial Lane near the application site as a holding area for HGVs in order to prevent HGVs from waiting in the surrounding area prior to gaining entry to the waste processing facility.

8.14 The level of disruption felt by residents near the site has been made clear in representations received on the lorry park application and during pre-application discussions and Parish Council meetings. Residents have commented in some detail on issues surrounding HGV movements and their respective impacts in terms of noise, dust, odour, air quality, vibration, pests and the impact on quality of life.

8.15 The application site is itself distanced sufficiently to ensure that local amenity is maintained in terms of the site operations.

8.16 An Air Quality Assessment has been submitted with the application and has been assessed by the Environmental Health Officer (air quality). No objections have been raised and within the response, the Officer agrees that emissions from the proposed development would not result in any breach of an air quality objective or significant impact on human health.

8.17 In terms of noise, a noise assessment has been submitted with the application and has been assessed by the Environmental Health Officer (noise). The Officer confirmed that they are satisfied that noise from the development would not be detrimental to residential amenity.

8.18 The application would see approximately 50% of the revised operation relocated to a processing building which will further reduce the potential for a noise impact, with the remainder of the site operations relocated to dedicated sorting areas further from residential properties. In this regard, the site will have a more structured layout than currently exists, with mainly open external processing areas. Environmental factors arising from the site will be controlled and regulated under a revised Environmental Permit issued by the Environment Agency.

8.19 Turning to the issue of HGV movements, the application would see the redirection of all deliveries away from the existing residential areas of Rossington via the creation of a new link road to the west of the site, which would provide a new access to the Attero site and connection to the Great Yorkshire Way and M18. This link road has been agreed with the owner of the mixed used development (Harworth Estates) as an equitable solution. In this respect, the application represents a clear improvement over the existing situation and should attract very significant weight.

8.20 The development therefore complies with Policies CS1 and CS18 of the Core Strategy and Policy WCS6 of the JWP subject to mitigation measures being conditioned.

#### *Impact upon Highway Safety*

8.21 The current access to the site is served from Bankwood Lane. For the southern adopted half of its length, Bankwood Lane is 7.3m in width and includes a system of street lighting. The northern half of its length, however, is unadopted and a narrower width of 5.5m and less in parts and does not include for either footways or a system of street lighting. The width and quality of this road is now inadequate for significant and large vehicular use and has caused issues with littering and mud on the highway.

8.22 Access to the development site is proposed to be taken via a new access route to the west of the site, which would ultimately connect with the local highway network at the eastern spur of the new Rossington Roundabout junction. As part of the works, the current link to Bankwood Lane would be closed to HGV traffic.

8.23 In the context of this application, the access road will only serve the application site. The application has shown an indicative route for the construction of a second section of access road, to be constructed to adoptable standards beyond the applicant's southern land boundary. This application has now been received and is being considered under planning reference 18/02114/FULM.

8.24 A Transport Assessment has been submitted with the application which has been assessed by the Council's Highway Development Management and Transportation teams. In broad terms, the anticipated number of HGV movements is likely to increase from 266 two way movements to 494 two way movements during the core daytime period between 7am and 7pm. Other employee traffic is likely to increase from around 90 daily movements, although the sustainability of the location means this may be less.

8.25 In terms of highway capacity, the application would result in a considerable improvement in network routing to the application site. The Council's Transportation Team have assessed the application and concluded that the current access to the site would not have the capacity to handle the traffic generation associated with the development and as such the proposed adoptable link road is seen as necessary to make the development acceptable.

8.26 In terms of the legibility of the site, the Highway Officer initially had concerns over the submitted layout; however following revisions to the site layout, the application has been technically assessed and has found to be generally acceptable. A number of detailed revisions have been requested, including the provision of a publicly available turning area outside the operational site, and any updated plans will be presented to Planning Committee.

8.27 It is noted that an objector and the Council's Highway and Transportation team requested that the link road is fully extended across third party land and connect with the existing adopted sections of Bankwood Lane to enable more industrial traffic to utilise the new link road as opposed to continuing to use West End Lane. In this regard, the application does not provide this but it does provide a suitable header for a further link to be provided. This is now the subject of a separate application submitted under planning reference 18/02114/FULM which is currently undetermined at the time of writing.

8.28 A Traffic Management Plan is to include the routing of HGVs along the new link road as a planning condition.

8.29 The Public Rights of Way Officer has confirmed that there are no recorded Public Rights of Way affected by the development. It is noted that the site currently contains a sub-divided section of footway provided as part of the original development but this has not been publicly accessible for some time and serves no public benefit.

8.30 In conclusion, subject to technical details being received to satisfy the requirement of the Highway Officer, the application would protect highway safety and the local highway network. In addition, the rerouting of industrial traffic away from residential areas will result in a marked improvement in the relative transport capacity of West End Lane and Bankwood Lane and this weighs significantly in favour of the proposal.

8.30 Taking all these matters into account, the proposal complies with Policies WCS1, WCS4 and WCS6 of the JWP and Policies CS1 and CS14 of the Core Strategy and Policy EMP17 of the UDP with respect to protecting highway safety and ensuring the local highway network has sufficient capacity.

### *Impact upon the character of the area*

8.32 The current application site can be charitably be described as industrial amenity land, with the general air of development locally having a neglected feel. The site itself is devoid of any significant landscape features, the high voltage pylons and stockpiles of waste material are detracting elements which impact negatively to the character of the area.

8.33 This is reflected in the submitted landscape assessment in conjunction with the Council's Landscape Character Assessment and Capacity Study which recognises that the visual sensitivity and landscape value is low and very low respectively and would benefit greatly from opportunities for remediation and landscape enhancement. The agricultural land, in landscape value terms, offers some degree of openness however the site is relatively secluded and screened by natural vegetation.

8.34 It is important to point out that Rossington is seen as a Potential Growth Town in Policy CS2 of the Core Strategy, with a particular focus on job creation and new housing in the area more generally. This is reflected in recent proposals near the application site which have had a significant and permanent impact upon the character and appearance of the area since the UDP and Core Strategy have been adopted. These include:

- The construction of the Great Yorkshire Way (FARRRs)
- Rossington Colliery mixed use scheme
- Inland port (iPort) employment park
- Manor Farm housing development
- Carr Lodge housing development

8.35 The use of the site for waste management is already established and the proposals would see the introduction of a large industrial building within the site. That said, the proposed processing building, although substantial, would sit in context with other large scale industrial buildings in the area and would be seen against a backdrop of other industrial users. The design and materials proposed are acceptable, subject to condition.

8.36 Furthermore, the proposal would see approximately 50% of the operational activity transferred to within a building. External stockpiling would take place in managed zones within the site which would further improve the overall appearance of the site. The proposals would see dedicated car parking facilities introduced, a drainage system proposed and landscaping/acoustic bunding introduced. The application also includes the opportunity to introduce additional natural planting to site boundaries.

8.37 Cumulatively, it is considered that the proposals, notwithstanding some use of agricultural land, would assist in remediating a site of low landscape character and value to a higher degree of value, and overall would lead to an enhancement to the character and appearance of the area. The proposals have to be balanced in turn with some encroachment into the countryside, however it is considered that moderate weight in support can be applied in terms of the overall balance. The application is therefore in accordance with Policies WCS1, WCS4 and WCS6 of the JWP and Policies CS1, CS2, CS3, CS5 and CS14 of the Core Strategy and Policy EMP17 of the UDP.

### *Impact on Flood Risk and Drainage*

8.38 The majority of the site is located within Flood Zone 2 according to the Environment Agency's Flood Maps, which has a 'medium' probability of flooding of between 0.1 % and 1.0 % in any given year. There are also flood defences along the northern boundary of the site, which appear to have been constructed to accommodate peak flood levels from the River Torne.

8.39 The Environment Agency and the Council's Drainage Officer initially objected to the planning application on flood risk grounds, however following further information being received they have removed their objection. Necessary conditions have been imposed to implement the proposed surface water drainage solution and to ensure the development is implemented in accordance with the mitigation measures indemnified in the FRA.

8.40 The Internal Drainage Board has been consulted with no objections being received.

8.41 The proposed development is located on contaminated land and there is a potential risk that disturbance to the existing ground conditions or drainage of surface water, may result in waste causing contamination. Hydrogeology and ground conditions have been considered, in consultation with the EA and Pollution Control Team and no objections remain outstanding, subject to a specific site assessment being secured by condition.

8.42 The proposal would not worsen flood risk or increase the potential for flooding in the area. In addition, a better drainage solution is proposed which would resolve an identified issue with surface water drainage at the site to which significant weight can be applied. I consider that the application therefore complies with Policies WCS1, WCS4 and WCS6 of the JWP and Policies CS4 and CS18 of the Core Strategy with respect of minimising flood risk and providing a suitable drainage strategy for the site. The enhancement in terms of a revised drainage strategy for the site allows moderate weight in support of the application.

### *Ecology and Conservation*

8.43 The application site lies within a reasonably close proximity to the wetlands of Potteric Carr Nature Reserve, which is designated as a Site of Special Scientific Interest. Other interests include the crossing of drains and limited flora and fauna in proximity to the application site.

8.44 An ecological appraisal has been submitted with the application and has been subject to assessment by the Yorkshire Wildlife Trust and the Council's Ecology Team. The Ecology Officer agrees that the proposals will have little or no impact on local biodiversity. The revised application site has little potential for roosting bats and other water features nearby have little value to suitable species.

8.45 It is proposed that a landscaping plan is secured via condition to soften the appearance of the built development on the site. The introduction of planting and other features would enhance the appearance of the site and this would be a planning gain to the development site and wider area.

8.46 As state above, an Air Quality Assessment has been submitted and no objections have been raised in terms of impact upon ecological assets.

8.47 There are no listed buildings, conservation areas or schedule ancient monuments near the application site boundary which would be affected by the development.

8.48 In terms of any archaeological significance, the South Yorkshire Archaeology service have been consulted and confirm the archaeological potential of the site to be negligible and advises that no archaeological investigation is warranted.

8.49 Appropriate measures are to be incorporated into an ecological enhancement and management plan, which is secured by condition. These measures allow moderate weight in support of the application given it would represent an enhancement of the existing ecological capacity at the site.

8.50 The application therefore complies with Policies WCS1, WCS4 and WCS6 of the JWP and Policies CS1, CS14, CS15, CS16, CS17 and CS18 of the Core Strategy and significant weight can be applied in favour of the application in terms of the enhancement of the ecological value of the site.

### *Energy Efficiency*

8.51 Sustainable development is the core principle underpinning planning as stated in the NPPF and supported by Policies CS1 and CS14 of the Core Strategy. The design of the development would utilise opportunities to reduce energy demand and conserve natural resources via recycling. It is also noted that palletisation and the bulking of waste for transport offsite by rail is a method of transporting in a more sustainable way, which helps reduce greenhouse gases and other emissions. These measures allow significant weight in support of the application given it would represent a more efficiency use of waste in accordance with one of the substantial aims of the NPPF and NPPW.

8.52 The application complies with Policies CS1 and CS14 of the Core Strategy in terms of the promotion of sustainable water management, minimising energy consumption, moving waste up the waste hierarchy and reducing greenhouse gases and other emissions.

### *Summary*

8.53 It is recognised that the provision of hardstanding within the Green Belt for the purposes of a lorry park is contrary to the development plan and would result in harm by reason of inappropriateness, encroachment into the countryside and some visual harm. This weighs substantially against the proposal. The proposal would also see an increase in the overall built development on the site through the reorganised site layout and the new processing building.

8.54 Balanced against this harm, in terms of any site specific issues, there are no concerns which cannot be suitably addressed regarding design, landscape or visual amenity, drainage, flood risk and ground water protection, residential amenity, nature and conservation, ecology, heritage, access, parking or highway safety concerns.

8.55 However, broad compliance with national, regional and local policies does not demonstrate 'very special circumstances' when considering inappropriate development in Green Belt land. In these circumstances, for the proposals to be acceptable, there must be other material considerations that clearly outweigh all the identified harm. The factors that are claimed to weigh in favour of granting planning permission are set out below.

## *Planning Balance*

8.56 Firstly, a consistent theme of local opposition to the Attero site is the impact of HGV movements in the area in terms of traffic congestion, the inadequacies of the access points, littering, air quality, inconsiderate parking and other environmental concerns with the implications for highway safety and residential amenity.

5.57 Bankwood Lane is the only available connection to the Attero site and the Bankwood Estate. West End Lane, since its linking to the Great Yorkshire Way, generally carries a considerable amount of traffic. This is reflected in the submitted Transport Assessment which captures traffic flows to be approximately 6,000 vehicles per day on a week day. This translates to approximately 2,200 movements on to the Bankwood Estate between 7am and 7pm. Included within this, the existing Attero facility records 266 two-way HGV movements over the full day of operations, equating to around 25 HGV movements per hour or 1 movement per 4 minutes.

5.58 It is common ground across all parties that Attero currently do not have adequate parking provision within the application site, and have a worsening access to the public highway. At present, Attero have secured the use of a site on the corner of Bankwood Lane and West End Lane for temporary HGV storage. It is agreed that the lorry park is creating an amenity impact (noise and disturbance), however this cannot be considered a material consideration given this use is currently unauthorised. As such, limited weight can be given to the application resulting in the closure of the lorry park. However, what can be realised is that were the lorry park to be closed, HGV drivers would revert to arriving at West End Lane and Bankwood lane but would not be able in some cases to immediately gain access the waste transfer station. As such, as has happened previously, drivers would resolve to wait on the highway network on West End Lane and Bankwood Lane.

5.59 This situation is having a significant impact upon the environment and the living conditions of neighbouring residential neighbours. The level of disruption felt by residents adjacent to the site is clear in public interest shown during pre-application discussions and previous applications related to the site. Residents have previously commented in some detail on issues surrounding HGV movements and their respective impacts in terms of noise, dust, odour, air quality, vibration, pests and the impact on quality of life. The impacts raised include material changes in behaviour or attitude including keeping windows shut and sleep disturbance, and in some cases, has included psychological stress or physiological effects. It is clear from the representations of residents feel that the character of the locality has changed markedly for the worse within a few years, although it is recognised that not all of this can be attributed to the Attero site.

5.60 At present, there is no such routing agreement relating to the vehicles using the waste transfer station and a planning permission would be the only way through which this could now be achieved. In this regard, although the total amount of traffic would 'only' represent around 15% of the overall traffic arriving at the Bankwood Estate, the removal of this traffic from West End Lane and Bankwood Lane would have an immediate uplift in the living standards and enjoyment of the residents of properties in the vicinity. This is reflect in support from the Council's Transportation Team who have noted the positive reduction in traffic along West End Lane and Bankwood Lane as a result of the diversion of HGV lorries. The new link road would divert HGV traffic largely away from residential areas altogether, permanently and without recourse to merely diverting the parking situation to

another location. The proposal would provide a safe, efficient, direct access to the site and contain a holding area in a situation where the delivery load could not immediately be processed. The access would be funded by the applicant and delivered in a relatively short time frame.

5.61 In this regard, there is a clear public interest benefit in removing Attero traffic from residential areas. In light of the current undersupply of available parking facilities for HGVs and the lack of an acceptable holding area near the application site, consideration is given to the contribution of a link road and lorry park within the application site and is given substantial weight in the overall planning balance.

5.62 Secondly, the delivery of the application would provide much needed improvements to the site operation that cannot not be controlled via the existing planning permission or environmental permit. The site currently has no limitations on tonnage or vehicular movements within its planning permission. The site has an inadequate poor drainage system and is accessed by an un-adopted section of Bankwood Lane which is narrow and insufficient in width and quality.

5.63 Whilst it is not proposed that the current application retrospectively apply planning conditions to any existing operation, the expansion of the operation needs to be checked by the imposition of modern planning conditions.

5.64 On its own merits, the scheme and its requisite conditions would improve the visual appearance of the site via the introduction of dedicated storage areas, landscaping planting and ecological mitigation. The provision of a purpose built processing building will internalise approximately 50% of the revised operation with the remaining areas reorganised to dedicated storage and processing areas.

5.65 Conditions include the regulation of stockpiling heights as the existing stock piles are tall and intrusive in the landscape, a new drainage system to resolve an ongoing situation with drainage and revised boundary treatments. The current proposal includes planning conditions on the overall tonnage for the site (regardless of any permitting limit) to ensure that the throughput to and from the site has an acceptable impact on living conditions and the local highway network. The reorganisation of the site would deliver tangible improvements in the quality and appearance of the site overall and help the operator comply with modern day environmental standards. The scheme also regularises a trial scheme to allow the disposal of waste via rail, in significant quantities. There would be a moderate benefit to the local economy during the construction phase and once the scheme has been completed as a result in an uplift of around 40 new jobs at the site. Finally, the proposal would also regularise an industrial waste site which has been allegedly been the subject of undocumented tipping recognised by the Environment Agency. The scheme would involve the remediation of this land.

5.66 In terms of the sustainability of the operation, national guidance emphasises the need to divert as much waste as possible away from landfill so that society can manage its waste in a more sustainable manner. The proposal will contribute towards this aim in an expanded capacity by removing, recycling and reusing material that would otherwise be landfilled. The energy efficiency of the site would also be improved. The proposal would support the Government's ambition to work towards a more sustainable and efficient approach to resource use and management, amounting to significant weight in support of the application.



## 9.0 Summary and Conclusions

9.1 Overall, there are persuasive material considerations which warrant a decision other than in accordance with the development plan. In terms of the environment, the development would cause some limited harm to the Green Belt and residual harm to the character and appearance of the area. However, the redevelopment of the current site overall is acceptable in principle and the proposal is in a suitable location in terms of overall sustainability. The proposals would not give rise to any site specific issues and would resolve a currently unenforceable situation for some local residents, resulting in an enhancement to the quality of place and quality of life. Whilst it is recognised that the application is finely balanced, the social and economic benefits are such that the proposal represents sustainable development.

9.2 It is therefore considered that the benefits of the application are in the public interest and, in the absence of any other harm, outweigh the harm to the Green Belt and the limited harm to the character and appearance of the area, thereby justifying the proposal on the basis of 'very special circumstances'.

9.3 The Town and Country Planning (Consultation) (England) Direction 2009 requires Local Planning Authorities to consult the Secretary of State before granting planning permission for certain types of development. These include developments that by reason of their scale or nature or location would have a significant impact on the openness of the Green Belt. The report has shown that although the visual impact of the development will be limited, its impact on the openness of the Green Belt remains. The scale and nature of the proposal is such that the impact on the openness will be significant and should Members resolve to support the application then it would need to be referred to the Secretary of State for his consideration.

9.4 Final comments are awaited from the Council's Highway Officer following amendments requested on the road layout. These items will be reported to committee.

## 10.0 RECOMMENDATION –

10.1 That the committee resolve to authorise the Head of Planning to **GRANT PLANNING PERMISSION** subject to conditions and the resolution of technical matters relating to the road layout and provided that –

- The Secretary of State, after referral of the application as a departure from the development plan, allows the Council to determine the application

## Conditions / Reasons

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. U0064198

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:

Application Form received 28.02.2018

Dwg. No. 2264-01-01 Location Plan Rev A dated February 2018 received 13.08.2018

Dwg. No. 2264-01-06 Proposed Block Plan Rev E received 13.08.2018

Dwg. No. 2264-01-07 Proposed Waste Recycling Floor Plan received 13.08.2018

Dwg. No. 2264-01-08 Proposed Waste Recycling Building Elevations 1 of 2 received 13.08.2018

Dwg. No. 2264-01-09 Proposed Waste Recycling Building Elevations 2 of 2 received 13.08.2018

Dwg. No. 2264-01-10 Proposed Plans and Elevations Weighbridge (site plan superseded) received 13.08.2018

Dwg. No. 2264-01-12 Rev A Lighting Plan received 13.08.2018

Dwg. No. 2264-01-13a Proposed New Road to Bankwood Roundabout and Proposed Site Access Connection received 13.08.2018

Dwg. No. 2264-01-13b Proposed Site Lorry Park and Internal Site Circulation received 13.08.2018

Planning Application Document dated February 2018 received 28.02.2018

Level 2 Flood Risk Assessment and Surface Water Management Plan dated November 2017 received 28.02.2018

Noise Impact Assessment prepared by R Kettlewell MSc MIOA MAE I.Eng received 28.02.2018

Transport Assessment and Appendices dated December 2017 received 28.02.2018

Technical Note Response on FRA and Drainage dated August 2018 received 14.08.2018

Dust Impact Assessment and Litter Management Plan dated May 2018 received 15.08.2018

Air Quality Assessment dated May 2018 received 27.07.2018

Additional Air Quality Assessment in Response to Environmental Health Officer's Comments dated August 2018 received 15.08.2018

Ecological Assessment dated October 2017 received 28.02.2018

Phase 1 Site Investigation Report and Appendices dated 20.11.2017 received 28.02.2018

#### REASON

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

03. U0064205

The development permitted by this planning permission shall be carried out in accordance with the approved 'Technical Note Response on FRA and Drainage - Planning Application 18/00548/FULM' compiled by Ecus Ltd (ref: 11803 -JAG-001) dated August 2018, and the following mitigation measures detailed within the FRA:

Identification and provision of safe routes into and out of the site to an appropriate safe haven.

Finished Floor Levels (FFL) for the Waste Recycling building/Waste Transfer Station (WTS) to be set no lower than 5.85m above Ordnance Datum (AOD) as indicated within sections 3.1.13 on page 6 of the Technical Note Response on FRA and Drainage.

Finished Floor Levels (FFL) for the weighbridge to be set no lower than 5.45mAOD as indicated within sections 3.1.13 on page 6 of the Technical Note Response on FRA and Drainage.

Flood resilient design measures incorporated into the final design as stipulated within section 3.3.4 on page 7 of the Technical Note Response on FRA and Drainage.

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

#### REASON

To protect groundwater resources, the proposed development from flood risk and to ensure that flood risk is not increased elsewhere in accordance with Policies CS4 and CS18 of the Core Strategy.

04. U0064199

No development shall take place 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 and in compliance with any agreed phasing plan. The statement shall provide for:

- i) - the parking of vehicles of site operatives and visitors
- ii) - loading and unloading of plant and materials
- iii) - storage of plant and materials used in constructing the development
- iv) - the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v) - wheel washing facilities
- vi) - measures to control noise and the emission of 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 as required by Policies CS1 and CS14 of the Core Strategy.

05. U0064242

Prior to the commencement of any relevant phase of the development, a scheme outlining the phasing of development, including a site layout plan identifying land uses and any temporary access, parking or operational area, shall be submitted to and

approved in writing by the local planning authority. The development shall be carried out in accordance with the approved phasing scheme.

REASON

In the interests of protecting local amenity and highway safety as required by Policies CS1 and CS14 of the Core Strategy.

06. U0064206

Prior to the operation/opening of the development hereby approved, an air quality mitigation plan shall be submitted to and approved in writing by the local planning authority. This plan should demonstrate how the damage costs (in addition to those requirements agreed against other matters) have been utilised to offset vehicle emissions during the lifetime of the development.

REASON

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

07. U0064209

No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:

1. The development will be carried out informed by a preliminary risk assessment.

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

REASON

To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution, in line with Paragraph 109 of the National Planning Policy Framework.

08. U0064229

Prior to any part of the permitted development being brought into use a verification report demonstrating the completion of works set out in

the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

#### REASON

To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with Paragraph 109 of the National Planning Policy Framework.

09. U0064210

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 first use of the development hereby approved.

#### REASON

In the interests of protecting the character of the area and in the interests of controlling noise and dust from the site in accordance with Policies CS14 and CS18 of the Core Strategy.

10. U0064230

The development hereby permitted shall not be commenced until such time as a scheme to dispose of foul and surface water, and install oil and petrol separators, has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

#### REASON

The Humber river basin management plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. Without this condition, the impact could cause deterioration of a quality element to a lower status class.

11. U0064251

Prior to the first use of the lorry park hereby approved, details of a landscaping/planting scheme shall be submitted to and agreed in writing by 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 details of a species rich native hedgerow planting to the revised application site boundary. 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 first use of the lorry park. 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.

12. U0064204

A complete and operational foul and surface water drainage system shall be installed prior to any part of the site as approved being brought into use in accordance with the approved details. Any facilities, above ground, for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge into the bund.

REASON

To manage surface water run off and in the interests of protecting groundwater resources in accordance with Policies CS1, CS4 and CS18 of the Core Strategy.

13. U0064212

Before any part of the proposed development is brought into use, the proposed link road shall be provided. All access areas that are 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

In the interests of network capacity and road safety as required by Policy CS14 of the Core Strategy.

14. U0064213

Before any part of the proposed development hereby permitted is brought into use, the lorry and car park as shown on the approved plans shall be made available. 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. There shall be no overnight parking at the address unless otherwise agreed in writing by the local planning authority.

REASON

To ensure that adequate parking provision is retained on site as required by Policy CS14 of the Core Strategy.

15. U0064200

Notwithstanding the details shown on the approved plans, no development shall take place above damp proof course until details of the materials to be used in the construction of the waste recycling building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried in accordance with the approved details.

REASON

To ensure the development is in character with the area as required under Policies CS1 and CS14 of the Core Strategy.

16. U0064207 Prior to the first use of the waste recycling building hereby approved, details of electric vehicle charging provision shall be submitted to and approved in writing by the local planning authority. Installation shall comply with current guidance/advice. The waste management buildings shall not be utilised until the approved connection has been installed and is operational and shall be retained for the lifetime of the development. The development shall be carried out in accordance with the approved details.

REASON

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

17. U0064201 Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. All filling points, associated pipe work, vents, gauges and sight glasses must be located within the bund or have separate secondary containment. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipe work shall be located above ground and protected from accidental damage. All filling points and tank/vessels overflow pipe outlets shall be detailed to discharge downwards into the bund.

REASON

To protect groundwater from contamination as required by Policies CS4 and CS18 of the Core Strategy.

18. U0064202 Unless otherwise approved in writing by the Local Planning Authority, all operations pursuant to this planning permission, including inter alia, materials processing, materials deposition, re-contouring operations, restoration, the starting, warming up and access and egress of heavy goods vehicles shall only be carried out during the following hours:

- o HGV and other traffic movements: 07.00 to 20.00 (7 days per week)
- o Operations within buildings: 24 hours (365 days per year)
- o External operations 07.00 to 20.00 Monday to Friday and 07.00 to 13.00 Saturday
- o Maintenance of plant etc. (external) 07.00 to 20.00 (7 days per week)

There shall be no operations on Sundays or public holidays.

REASON

In the interests of protecting local amenity as required under Policies CS1 and CS14 of the Core Strategy.

19. U0064203 No waste shall be burnt or otherwise used to generate electricity from the site unless agreed in writing by the Local Planning Authority.

REASON

In the interests of proper planning and to protect air quality, highway safety and the character of the area as required by Policies CS1, CS14 and CS18 of the Core Strategy.

20. U0064208 Prior to the first use of the rail loading facility hereby approved, details of an Armco or similar safety barrier shall be submitted and approved in writing by the local planning authority, in consultation with Network Rail. The development shall be carried out in accordance with the approved details.

REASON

In the interests of public safety required by Policy CS14 of the Core Strategy.

21. U0064211 The movement of HGVs and waste delivery vehicles within the site shall conform to the direction of travel as indicated on the approved plans. The 'In' and 'Out' weighbridges shall be located as shown on the approved plans prior to the first use of the development hereby approved and shall remain in position for the lifetime of development.

REASON

In the interests of protecting highway safety in accordance with Policy CS14 of the Core Strategy.

22. U0064216 The terms of this planning permission, including all documents hereby permitted and any documents subsequently approved, shall be made known to any person(s) given responsibility for the management or control of the waste activities/operations on the Site.

REASON

For the avoidance of doubt and in the interests of proper planning.

23. U0064217 The stockpiles of any material shall not exceed 4 metres in height (measured from the finished level of the proposed waste recycling building).

REASON

In the interests of protecting local amenity as required by Policies CS1 and CS14 of the Core Strategy.

24. U0064218 The total quantity of waste or recyclable materials imported on to the Site shall not exceed 400,000 tonnes per year. The following records shall be kept at the application site and shall be provided to the Local Planning Authority within 7 days of a request being made. In making a request, the Local Planning Authority shall specify the dates between which the records shall be provided.



- a) Records of the quantity, dates and times when waste, recyclable materials or primary aggregate is delivered to the Site.
- b) Records of the quantity, dates and times when waste, recyclable materials or primary aggregate is removed from the Site.
- c) Records of any complaints and any remedial action taken.

#### REASON

To ensure compliance with the terms of the planning permission and in the interests of protecting local amenity and highway safety as required by Policies CS1 and CS14 of the Core Strategy.

25. U0064219 The proposed waste recycling building as shown on the approved plans shall be used for the processing of inert material and other associated ancillary activities and for no other purpose (including any other purpose in Class B2 of the Schedule to the Town and Country Planning(Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

#### REASON

For the avoidance of doubt and in the interests of proper planning.

26. U0064221 Within 1 month of the first commercial use of the link road access hereby approved, the existing access shall be permanently closed to HGV traffic or any vehicle above 7.5 tonnes. Following this date, any HGV accessing the site as approved shall use the approved link road access as shown on the approved plans unless otherwise agreed in writing by the local planning authority.

#### REASON

In the interests of highway safety as required by Policy CS14 of the Core Strategy.

### Informatives

01. U0012751 INFORMATIVE

These activities will require either a new permit or a variation to an existing permit under the Environmental Permitting (England and Wales) Regulations 2010 from the Environment Agency. The applicant is advised to contact our regulatory team at the following email address [regulatedindustryDNL@environment-agency.gov.uk](mailto:regulatedindustryDNL@environment-agency.gov.uk) to discuss the permitting requirements.

Further advice and guidance relating to Environmental Permits can also be found at: <https://www.gov.uk/topic/environmental-management/environmental-permits>.

02. ICRANE INFORMATIVE

Developers, individuals or companies who wish to operate cranes or other tall equipment within 6 kilometres of the Aerodrome boundary and

at heights of more than 10m Above Ground Level (AGL) or that of surrounding trees or structures must receive prior permission and a Crane Authorisation Permit from Doncaster Airport, Airport Duty Manager. Operators of exceptionally tall equipment (greater than 50m AGL) are advised to consult Doncaster Airport if operating within 15km of the Aerodrome Boundary.

### 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. U0012756

#### INFORMATIVE

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

Flood proofing measures include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs are located above possible flood levels.

Consultation with your building control department is recommending when determining if flood proofing measures are effective. Additional guidance can be found on the [www.gov.uk](http://www.gov.uk) website pages under the heading 'Prepare for a flood and get help during and after'. These pages can be found by clicking on the following link - Prepare for a flood and get help during and after - GOV.UK.

05. II091

INFORMATIVE

Nothing in this permission shall be taken as giving authority to commence any works which affect the watercourse/ land drainage dyke which crosses / runs adjacent to the site, as separate consent is required for such works from the Environment Agency or internal drainage board.

06. U0012754

INFORMATIVE

The applicant is advised to contact National Grid and Network Rail prior to the commencement of development to ensure their equipment is not affected by the proposals.

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

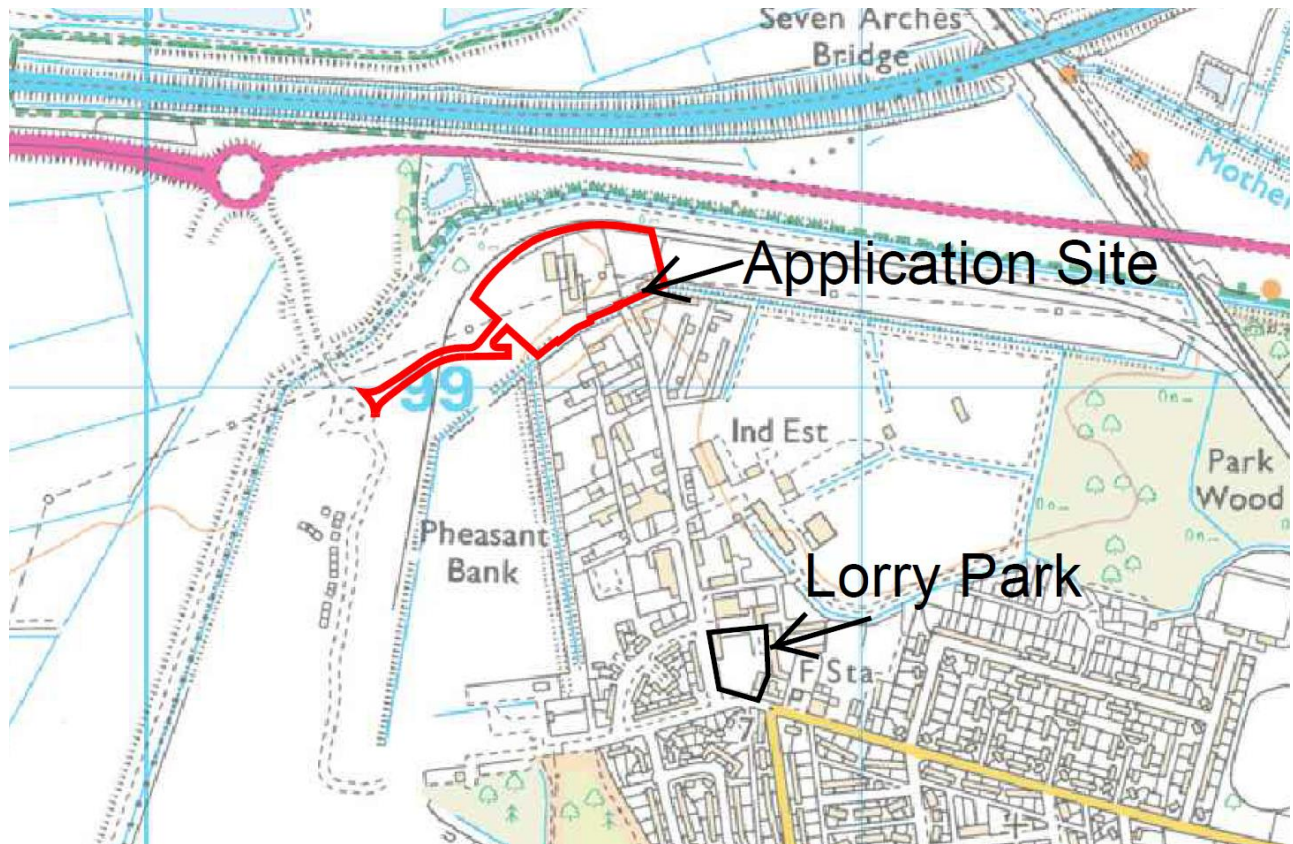
In dealing with the application, the Local Planning Authority has worked with the applicant to find solutions to the following issues that arose whilst dealing with the planning application:

Highway safety

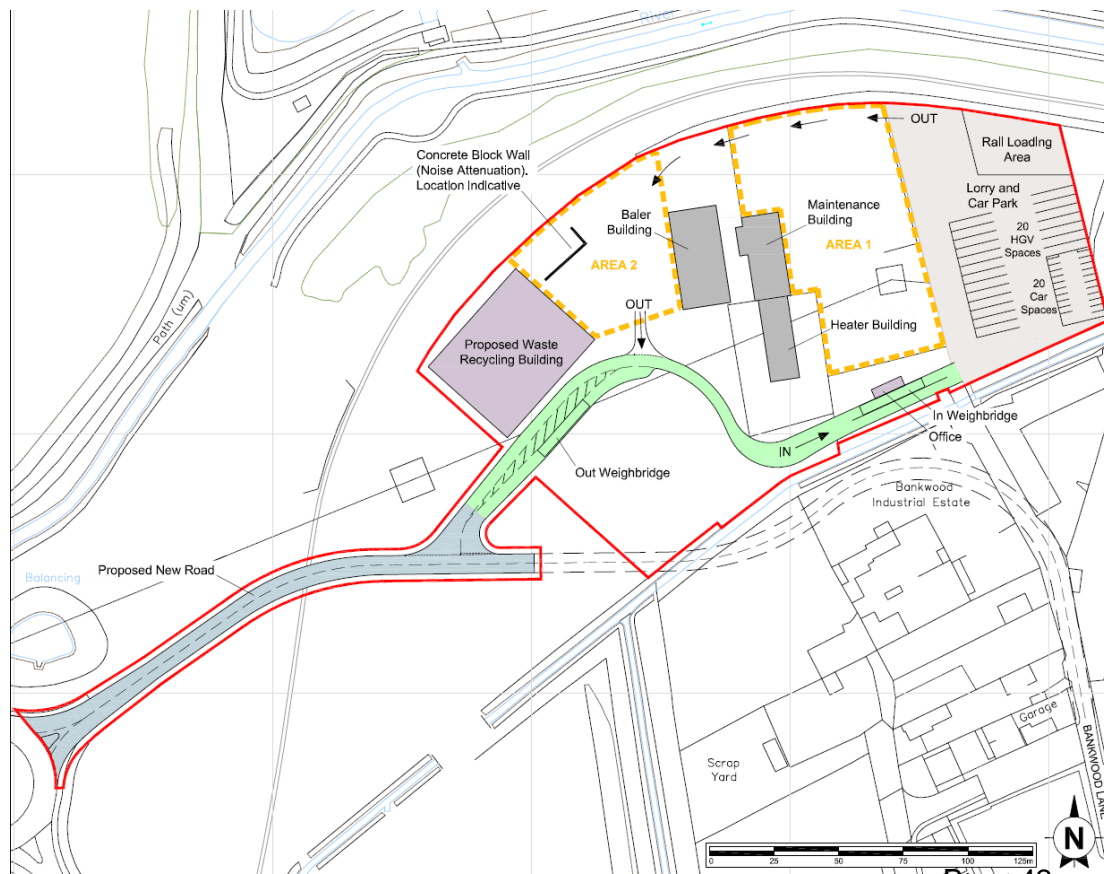
Neighbouring amenity

**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**

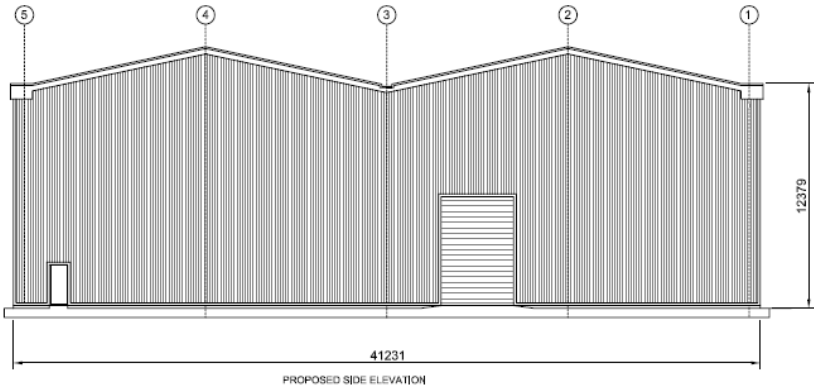
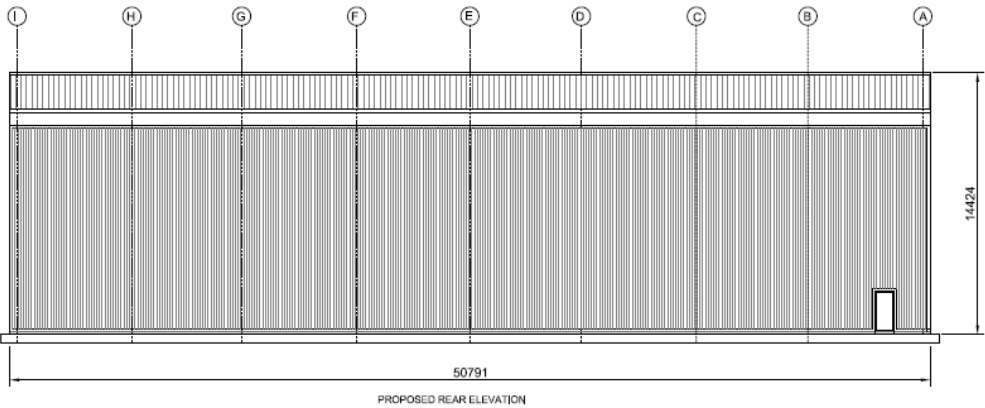
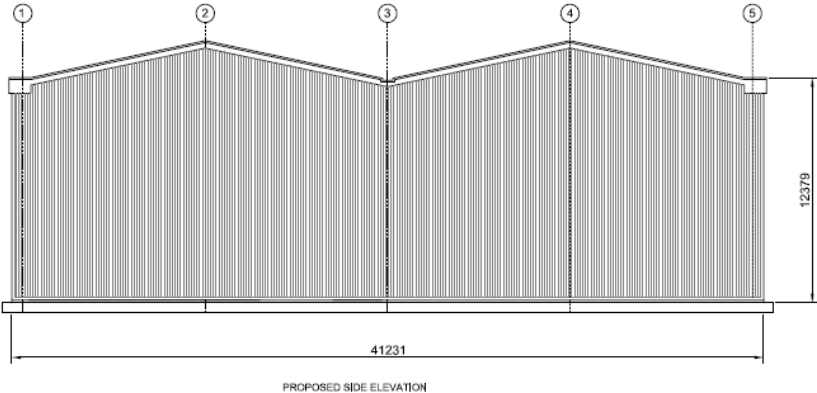
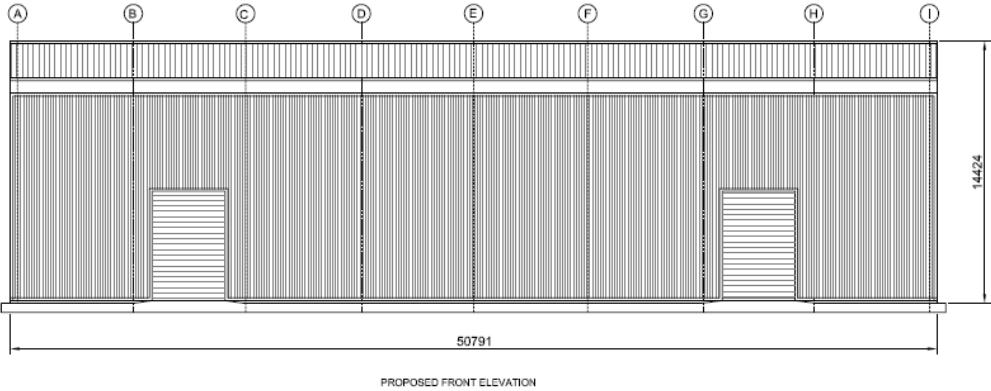
## Appendix 1 – Bankwood Estate including the position of the lorry park



## Appendix 2 – Proposed Site Plan



Appendix 3 – Processing Building Elevations



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# DONCASTER METROPOLITAN BOROUGH COUNCIL

## PLANNING COMMITTEE - 18th September 2018

Application	2
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Application Number:	18/00768/3FUL	Application Expiry Date:	21st August 2018
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Application Type:	Planning FULL (DMBC Reg3)
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Proposal Description:	Erection of single storey flat roofed educational building following demolition of existing buildings
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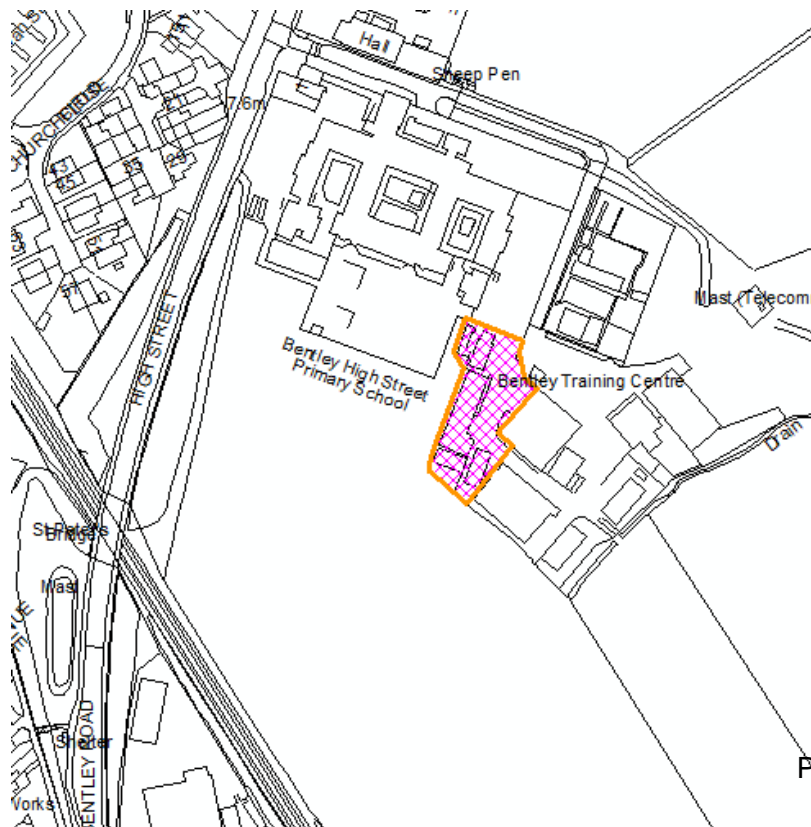
At:	Bentley Training Centre High Street Bentley Doncaster
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For:	Mr James Hopper - DMBC
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Third Party Reps:	1	Parish:	
		Ward:	Bentley

Author of Report	Elizabeth Maw
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MAIN RECOMMENDATION:	GRANT
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## **1.0 Reason for Report**

1.1 The application is being presented to committee because it is a DMBC application and one objection has been received.

## **2.0 Proposal and Background**

2.1 The proposal is a replacement educational building at Bentley Training Centre.

2.2 The buildings currently on site are three ageing modular buildings that were last used for educational and training purposes. It is part of a larger DMBC owned site consisting of several industrial units and offices as well as a series of temporary buildings.

2.3 The proposal is for a replacement modular building. The use will still be for educational purposes, focusing on an educational initiative called Big Picture Learning. This initiative is an innovative school model and an alternative way of learning for young people for whom attending school is a challenge.

2.4 One objection has been received from a person working within a neighbouring office building and the objection is for parking and safety reasons.

2.5 The scheme will lose 10 parking spaces but the adjacent school has a large car park that is underused and the school have agreed to allow the learning centre to use 15 of their spaces.

## **3.0 Relevant Planning History**

3.1 No relevant planning history.

## **4.0 Representations**

4.1 The application has been publicised by site notice. One objection has been received for parking reasons.

## **5.0 Relevant Consultations**

5.1 Highways Development Management: No objections.

5.2 Environment Agency: No objections.

5.3 DMBC Internal Drainage: No objections.

## **6.0 Relevant Policy and Strategic Context**

6.1 The site is within the Green Belt and on land allocated for community and educational facilities.

6.2 The relevant planning policies are the NPPF, Core Strategy Policies CS1, CS3, CS14 and saved policy ENV3 of the Doncaster Unitary Development Plan 1998.



## **7.0 Planning Issues and Discussion**

### Principle

7.1 The site is within the Green Belt. Planning policy states replacement buildings in the Green Belt are acceptable in principle, providing it is not materially larger than the one it replaces.

7.2 The replacement building has a similar footprint and remains single storey. The new floor space is 57sqm bigger, which is deemed a marginal increase. The proposal is therefore acceptable in principle and adheres to Green Belt policy.

7.3 The external areas are currently covered in hardstanding. The new proposal will remove the parking and add landscaping. The external changes will have a marginal but positive impact to the openness of the Green Belt.

7.4 The site will continue to be used for educational purposes and it is within a sustainable location.

### Character and Appearance

7.5 The replacement building will have a similar footprint and scale. It will have a modern appearance and considered to be an improvement to the existing ageing and modular buildings, which have exceeded their natural life span.

### Flooding

7.6 The Environment Agency flood maps state the site and its access has a medium probability of flooding (between a 1 in 100 and 1 in 1,000 annual probability of river flooding). The site did not flood in the most recent flood events of 2007, 2000 and 1947.

7.7 A flood risk assessment was submitted, which shows there are no flooding implications and the risk of flooding is low. Should flooding occur, the water levels are expected to be less than 300mm. The Environment Agency has checked the flood risk assessment and have no objections.

### Highways and Parking

7.8 One objection has been received. The reason for the objection is because of the loss of 10 parking spaces on site and the impact this has to the parking availability for other nearby buildings.

7.9 Firstly, the proposed new building will not generate additional traffic. The proposed new building is a similar size to the one it replaces and the users of the site will primarily be school children that cannot drive.

7.10 The existing educational buildings have 10 spaces and these will be lost as the building is larger and landscaping is being added. The adjacent school has a large car park that is underused and the school have agreed to allow the learning centre to use 15 of their spaces to compensate for this loss of parking. In addition, the school has recently had a staff loss of 10+ staff because the Primary Learning Centre has been dispersed, which frees up additional parking spaces at the school.

7.12 If in the future DMBC find that parking is an issue there is other options available such as making use of the old overgrown car park to the south.

7.13 Additionally, DMBC are improving parking around the wider site. The improvements include removing containers, which will improve the flow of traffic around the site and installing speed limit signs.

7.14 It is therefore concluded parking concerns have been addressed. Other improvements such as removing containers and installing speed signs will improve the parking situation for adjacent site users but should be noted only because they will occur outside the application site boundary.

## **8.0 Summary and Conclusion**

8.1 The proposed building is acceptable in principle and adheres to Green Belt policy. An approval will allow DMBC to carry out its intentions for the Big Picture Learning initiative. The proposed building will be modern and fit for purpose and within a sustainable location. Parking matters have been addressed. There are no flooding implications.

## **9.0 RECOMMENDATION**

GRANT Full planning permission subject to the following conditions:

- |              |  |
|--------------|--|
| 01. STAT1    | The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.<br>REASON<br>Condition required to be imposed by Section 91(as amended) of the Town and Country Planning Act 1990.   |
| 02. U0064281 | The development hereby permitted shall be carried out in complete accordance with the details shown on the amended plans referenced and dated as follows:<br>Site Plan AD004 Revision B<br>Proposed Elevations AD006 Revision B<br>Proposed Floor Plans AD 101 Revision A<br>REASON<br>To ensure that the development is carried out in accordance with the application as approved.   |
| 03. U0064283 | The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) dated June 2018, ref: P18-00730 by Met Engineers Ltd and the following mitigation measures detailed within the FRA:<br><br>Finished floor levels are set no lower than the existing 8m above Ordnance Datum (AOD).<br><br>The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period |

as may subsequently be agreed, in writing, by the local planning authority.

**REASON**

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

**04. 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.

**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: The Application Site and its Wider Setting



Appendix 2: Existing Plans



[illegible]



**Date: 18th September 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 [Officer Initials HL Date 6/9/18]**

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 [Officer Initials BC Date 6/9/18]**

10. There are no direct financial implications as a result of the recommendation of this report; however Financial Management should be consulted should financial implications arise as a result of an individual appeal.

## **HUMAN RESOURCES IMPLICATIONS [Officer Initials CR Date 6/9/18]**

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

## **TECHNOLOGY IMPLICATIONS [Officer Initials PW Date 6/9/18]**

12. There are no technology implications arising from the report

## **HEALTH IMPLICATIONS [Officer Initials RS Date 6/9/18]**

13. It is considered that there are no direct health implications although health should be considered on all decisions.

## **EQUALITY IMPLICATIONS [Officer Initials RL Date 6/9/18]**

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



## CONSULTATION

15. N/A

## BACKGROUND PAPERS

16. N/A

## CONCLUSIONS

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

Application No.	Application Description & Location	Appeal Decision	Ward
17/00808/FUL	Proposed excavation and installation of biofertiliser lagoon, access area and 1.8m stock proof fence - also Underground pipe conduit under SHEEP LANE. at Land To The West Of, Hangman Stone Lane, High Melton, Doncaster	Appeal Withdrawn 29/08/2018	Sprotbrough

## REPORT AUTHOR & CONTRIBUTORS

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

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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: 17/00808/FUL  
Our Ref: APP/F4410/W/18/3202514

29 August 2018

Dear Ms Rumley,

Town and Country Planning Act 1990  
Appeal by S P Woolhouse & Sons Ltd  
Site Address: Land to the west of Hangman Stone Lane, High Melton, Doncaster ,  
DN5 7SU

The appellant has withdrawn the above appeal.

I confirm no further action will be taken.

Yours sincerely,

**Mark Boulton**  
Mark Boulton

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By virtue of paragraph(s) 6 of Part 1 of Schedule 12A  
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