



# 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, Floor 2, Civic Office Waterdale, Doncaster DN1 3BU

**Date:** Tuesday, 28th May, 2019

**Time:** 2.00 pm

### **BROADCASTING NOTICE**

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

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Issued on: Friday, 17th May, 2019

**Governance Services Officer for this meeting**

Amber Torrington  
(01302) 737462

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

<b>Item</b>	<b>PageNo.</b>
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 30th April, 2019	1 - 8
<b>A. Reports where the Public and Press may not be excluded.</b>	
<b><u>For Decision</u></b>	
5. Schedule of Applications	9 - 140
6. Doncaster Borough Council Tree Preservation Order (No.407) 2018 Mexborough Day Centre, Harlington Road, Mexborough, S64 0QG.	141- 152
<b><u>For Information</u></b>	
7. Attero HGV Park Planning Permission - Position Statement.	153- 160
8. Appeal Decisions.	161 -166

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

Chair – Councillor Susan Durant

Vice-Chair – Councillor Sue McGuinness

Councillors Duncan Anderson, Iris Beech, Mick Cooper, George Derx, John Healy, Eva Hughes, Mark Houlbrook, Andy Pickering and Jonathan Wood

# Public Document Pack Agenda Item 4.

## DONCASTER METROPOLITAN BOROUGH COUNCIL

### PLANNING COMMITTEE

TUESDAY, 30TH APRIL, 2019

A MEETING of the PLANNING COMMITTEE was held at the COUNCIL CHAMBER - CIVIC OFFICE on TUESDAY, 30TH APRIL, 2019, at 2.00 pm.

#### PRESENT:

Chair - Councillor Iris Beech  
Vice-Chair - Councillor Sue McGuinness

Councillors Duncan Anderson, Mick Cooper, Susan Durant, John Healy, David Hughes, Eva Hughes, Dave Shaw and Jonathan Wood.

#### APOLOGIES:

An apology for absence was received from Councillor Andy Pickering

#### 90 DECLARATIONS OF INTEREST, IF ANY.

No declarations were reported at the meeting.

#### 91 MINUTES OF THE PLANNING COMMITTEE MEETING HELD ON 2ND APRIL, 2019

RESOLVED that the minutes of the meeting held on 2nd April, 2019 be approved as a correct record and signed by the Chair.

#### 92 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'.

#### 93 APPEAL DECISIONS

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

<b>Application No</b>	<b>Application Description and Location</b>	<b>Appeal Decision</b>	<b>Ward</b>	<b>Decision Type</b>	<b>Overtaken</b>
18/01217/FUL	Erection of ground floor rear extension at 90 Harrowden Road, Wheatley, Doncaster DN2 4EN	Appeal Dismissed 28/03/2019	Wheatley Hills and Intake	Delegated	No

18/01592/FUL	Re-submission of Planning Permission 17/01489/FUL – For inclusion of sub-division of garden & erection of dwelling with garage at Land to Rear of 20-24 Bawtry Road, Bessacarr, Doncaster DN4 7AU	Appeal Dismissed 05/04/2019	Bessacarr	Delegated	No
18/01766/FUL	Change of use of part of dwelling house to childminding business, maximum number of 7 children at any one time and retrospective permission for the erection of 2.2m high fence/wall overall (being resubmission of previously refused application 17/01674/FUL refused on 3/10/18) at 86 Crookes Broom Lane, Hatfield, Doncaster DN7 6LD	Appeal Dismissed 25/03/2019	Hatfield	Delegated	No
18/01183/FUL	Erection of two storey side extension and alterations to fenestrations at 87 Doncaster Road, Tickhill, Doncaster DN11 9JB	Appeal Dismissed 28/03/2019	Tickhill and Wadworth	Delegated	No

94 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 3 of Schedule 12A of the Act, is likely to be disclosed.

95 PUBLICATION (REGULATION 19) OF THE DONCASER LOCAL PLAN 2015-2035 (EXCLUSION PARAGRAPH 3).

The Committee received a report, which summarised the next stage of the Local Plan process which is known as 'Publication' in line with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The draft Doncaster Local Plan 2015-2035 (Regulation 19 Publication Version) was appended to the report for reference and further information as to its detailed content. Key site allocations for housing, employment and minerals are set out in Appendix 2. The publication version of the Local Plan must be published for a minimum of 6 weeks to allow for representations to be made by any interested parties.

Further to preliminary discussion with regard to the report, it was proposed and agreed that to allow further time for Members to read the report and appendices the meeting be adjourned until Friday 10th May, 2019 at 10.00 a.m.

RESOLVED that the meeting be adjourned until Friday 10th May, 2019 at 10.00 a.m.

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### DONCASTER METROPOLITAN BOROUGH COUNCIL

<b>PLANNING COMMITTEE – 30th April, 2019</b>
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<b>Application</b>	<b>1</b>
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<b>Application Number:</b>	19/00237/FULM	<b>Application Expiry Date:</b>	3rd May 2019
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<b>Application Type:</b>	Major
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<b>Proposal Description:</b>	Erection of 83-bed care home (without compliance of condition 2 of application 16/02268/FULM granted on 15/02/2017)
<b>At:</b>	Land off Goodison Boulevard, Cantley, Doncaster

<b>For:</b>	Runwood Homes
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<b>Third Party Reps:</b>	7 against/1 in favour	<b>Parish:</b>	N/A
		<b>Ward:</b>	Finningley

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

**Proposed by: Councillor Eva Hughes**

**Seconded by: Councillor John Healy**

**For: 7    Against: 2    Abstain: 0**

**Decision: Planning permission granted**

**In accordance with Planning Guidance ‘Having Your Say at Planning Committee’, Sharon Lewis, Nicola Sumano and Alan Stone (residents) spoke in opposition to the application for the duration of up to 5 minutes.**

**In accordance with Planning Guidance ‘Having Your Say at Planning Committee’, Councillor Steve Cox, Local Ward Member spoke in opposition to the application for the duration of up to 5 minutes.**

**(A correction to paragraph 3.1 to read 'planning permission was granted for the Care Home in 2017' and not 2020 was reported at the meeting).**



<b>Application</b>	<b>2</b>
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<b>Application Number:</b>	19/00151/FUL	<b>Application Expiry Date:</b>	20 March 2019
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<b>Application Type:</b>	Full Application.
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<b>Proposal Description:</b>	Erection of a detached house and detached double garage.
<b>At:</b>	51 Jossey Lane, Scawthorpe, Doncaster DN5 9DB

<b>For:</b>	Mrs Lesley Barker
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<b>Third Party Reps:</b>	5	<b>Parish:</b>	
		<b>Ward:</b>	Roman Ridge

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

**Proposed by: Councillor Iris Beech**

**Seconded by: Councillor Sue McGuinness**

**For: 9    Against: 1    Abstain: 0**

**Decision: Planning permission granted**

<b>Application</b>	<b>3</b>
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<b>Application Number:</b>	19/00324/FUL	<b>Application Expiry Date:</b>	9th April 2019
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<b>Application Type:</b>	Full Application
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<b>Proposal Description:</b>	Erection of 2 (semi-detached) residential units (use class C2 – residential institution)
<b>At:</b>	1 Stainton Street, Denaby Main, Doncaster DN12 4AP

<b>For:</b>	Mr Glyn Turner – Hesley Group
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<b>Third Party Reps:</b>	4	<b>Parish:</b>	Unparished
		<b>Ward:</b>	Conisbrough

**A proposal was made to defer the application for Members to obtain further information on the car parking need and provision.**

**Proposed by: Councillor Dave Shaw**

**Seconded by: Councillor Jonathan Wood**

**For: 7 Against: 2 Abstain: 0**

**Decision: The application be deferred for Members to obtain further information on the car parking need and provision.**

**In accordance with Planning Guidance ‘Having Your Say at Planning Committee’, Councillor Nigel Ball, Local Ward Member, spoke in opposition to the application for duration of up to 5 minutes.**

## DONCASTER METROPOLITAN BOROUGH COUNCIL

Date 28th May 2019

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. Any pre-committee amendments will be detailed at the beginning of each item.

##### **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'  
Any pre-committee amendments will be detailed at the beginning of each item.

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Application	Application No	Ward	Parish
1.	19/00324/FUL	Conisbrough	
2. M	18/02592/3OUTM	Edenthorpe And Kirk Sandall	Edenthorpe Parish Council
3. M	17/02585/FULM	Sprotbrough	Marr Parish Meeting
4. M	17/02586/LBCM	Sprotbrough	Marr Parish Meeting
5.	18/03081/FUL	Thorne And Moorends	Thorne Town Council
6.	19/00811/FUL	Tickhill And Wadworth	Tickhill Parish Council

**DONCASTER METROPOLITAN BOROUGH COUNCIL**

**PLANNING COMMITTEE – 28 May 2019**

**Application**      1

<b>Application Number:</b>	19/00324/FUL	<b>Application Expiry Date:</b>	9th April 2019
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<b>Application Type:</b>	Full Application
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<b>Proposal Description:</b>	Erection of 2 (semi-detached) residential units (use class C2 -residential institution)
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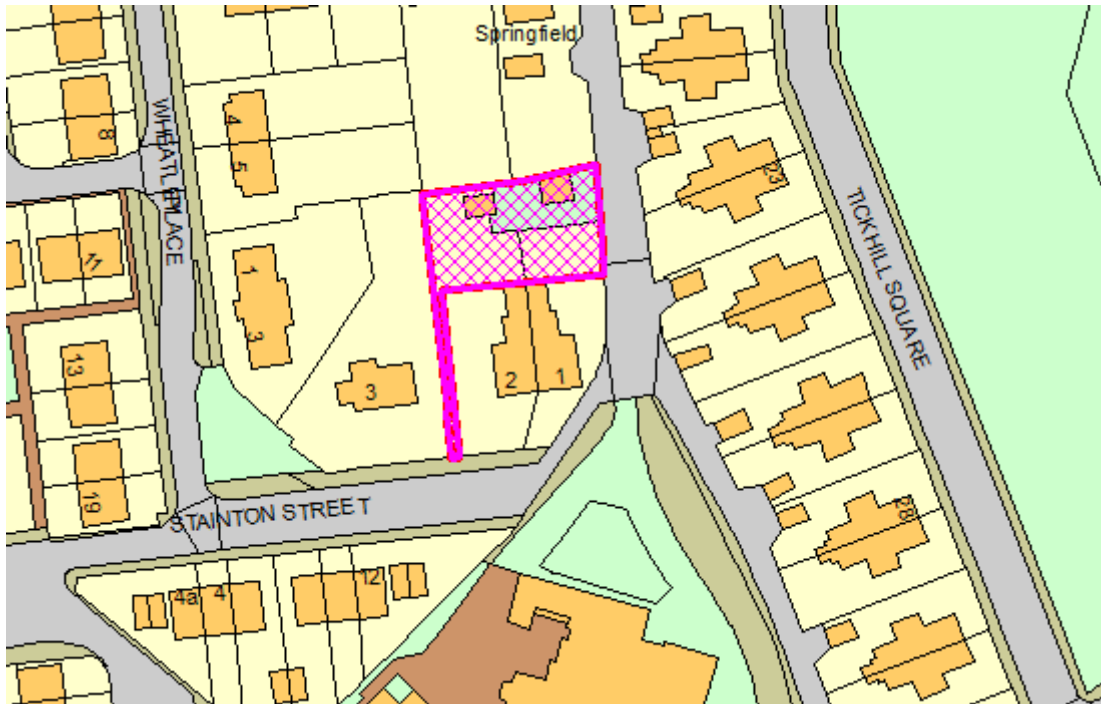
<b>At:</b>	1 Stainton Street Denaby Main Doncaster DN12 4AP
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<b>For:</b>	Mr Glyn Turner - Hesley Group
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<b>Third Party Reps:</b>	4	<b>Parish:</b>	Unparished
		<b>Ward:</b>	Conisbrough

<b>Author of Report</b>	Mark Ramsay
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<b>MAIN RECOMMENDATION:</b>	GRANT
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**\*\*DEFERRED FROM 30<sup>th</sup> APRIL MEETING\*\***

Members resolved to defer the application to obtain more information on the car parking need and provision. The following report is updated to include the information requested and explains that there can be provision of additional off-street car parking by the reconfiguring of an existing car park nearby which is owned by the applicant.

## **1.0 Reason for Report**

1.1 This application is being reported to Planning Committee due to the significant local interest raised by the application.

## **2.0 Proposal and Background**

2.1 This is an application for the erection of two small residential accommodation units at the back of an existing building that fronts Stainton Street, to be used by Hesley group for student residential accommodation in connection with the adjacent Fullerton House School. Each unit will accommodate a single student and there will be a ratio of up to two staff to each child.

2.2 The proposal is on land enclosed by close-boarded fencing with a double gate fronting the road on the eastern elevation. It is largely covered by hard standing and has been used for car parking in the past and historic maps indicate some small buildings were located on the site but has been vacant for some time. It is immediately to the north of a semi-detached two-storey building owned and operated by the applicant for similar purposes.

2.3 Two other similar units have been provided by converting outbuildings next to buildings nearby on Stainton Street and the school own buildings on Tickhill Square and have taken over a site on Wheatley Street, co-incidentally, that site providing the off street parking for staff that would attend the application site.

## **3.0 Relevant Planning History**

3.1 Poplars & Highfields aka 1 & 2 Stainton Street

87/0583/FUL

Change of use from private residence to a residential home for the elderly  
Granted 10 July 1987

There is a two storey semi-detached building immediately south of the site, 1 & 2 Stainton Street. In 1987, this was granted permission as a care home for the elderly. On taking the site over for its current use, providing care to resident children of the school, no further application was required as this falls within the use class as set out in the Use Classes Order.

3.2 Land south of Springfields

09/03108/EXT

Erection of detached house on approx 0.03 ha of land (being continuation of planning permission granted under reference 04/7616/P on 12/01/05  
Granted 15 February 2010.

The plot to the north of the site, now used as the garden of Springfields, had permission granted for a detached house in 2005 and renewed in 2010. This permission has since expired, as it was never implemented.

#### **4.0 Representations**

4.1 This application has been advertised in accordance with the Development Management Procedure Order by display of site notice, advert in the local press and letters to nearby properties. Four representations were received, objecting to the proposal.

4.2 The reasons for objecting are:

- Increase in traffic including deliveries
- Issues with parking by staff at the school, using the surrounding streets rather than the allocated parking at the school
- Overlooking of neighbouring properties
- Noise nuisance from Hesley properties
- Rubbish and building work
- Overdevelopment and crowding of the site
- Pedestrian safety

#### **5.0 Relevant Consultations**

5.1 Highways: No objections in principle and note the proposal meets with local plan policy in terms of number of staff and provision of off street parking within 200m. They do not want to see any further pressure on parking in the surrounding area caused by staff parking on nearby streets.

5.2 Environmental Health: No objections

5.3 Pollution Control: Contamination assessment was provided and conditions were requested to cover the instance of contamination being discovered during development and the testing of any imported materials.

5.4 Trees: Overall from an arboriculture perspective the proposal appears to be have given due consideration of the existing trees and the constraint they pose on the site. As a result, no objection to the proposal from an arboriculture perspective, subject to prior approval of the following through planning conditions:

- Tree protection fencing and method statement
- Alignment of services

- Landscape scheme

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

### National Planning Policy Framework 2019

2. Achieving sustainable development
4. Decision-making

6.1 The NPPF seeks to ensure development is located in sustainable locations. It also states that Local planning authorities should approach decisions on proposed development in a positive and creative way and seek to approve sustainable development wherever possible.

### Doncaster Council Core Strategy

- CS12 Housing Mix and Affordable Housing
- CS14 Sustainable Construction

6.2 Policy CS12 of the Core Strategy states that proposals for sheltered accommodation and other specialist need accommodation will be supported where they are:

1. consistent and commensurate with identified need;
2. on sites suitable for other housing; and;
3. have good access to local services by means other than the car.

6.2 Policy CS14 of the Core Strategy and Policy PH11 of the UDP requires that all proposals in Doncaster must be of high quality design that respects the character of the area in regard to a number of principles of good design. These include being of a form, density, and layout sympathetic to the area.

### Saved policies of the Doncaster Unitary Development Plan

- PH11 Housing
- PH12 Non-residential Uses

6.3 Saved Policy PH11 of the UDP supports development for housing within the residential policy area, on the proviso that the development would not result in the loss of social, community and recreational or other local facilities for which there is a demonstrated need.

6.4 Saved policy PH12 of the UDP supports the establishment or extension of non-residential uses of an appropriate scale in the residential policy area provided the use would not cause unacceptable loss of residential amenity. Policy CS14 also states that proposals should not create unacceptable negative effects upon the amenity of neighbouring land.



## 7.0 Planning Issues and Discussion

### Principle

7.1 The site is in an area designated as residential policy area and fulfils a need to provide additional accommodation for residential students attending the Fullerton House School and is immediately adjacent to other buildings owned and operated by the Hesley Group (see appendix 1).

7.2 There are regular bus services calling at stops on Wheatley Street and, as noted by one of the respondents, a dentist and hairdresser is on their street and there is a local shop a short walk away on Shepherds Court and a pharmacy slightly further away. Therefore in conformity with Policy CS12 the development would provide an identified need, is in a location appropriate for residential development and has good access to local services other than by private car.

7.3 Its location within a residential area and good access to services also meets the requirement that development should be sustainable. The development is small scale and represents a small addition to the overall provision of the accommodation linked with Fullerton House School and therefore appropriate in terms of saved Policy PH12.

### Access & Pedestrian Safety

7.4 There are two units proposed, one accessed down the west side of the two storey building and the other directly from access road to the east that leads directly into the entrance of the school. Concern has been raised that the road next to this entrance does not have a footpath.

7.5 There is a short distance of approximately 35 metres from the gate of the eastern unit to the entrance of the school and students will be escorted by staff to and from the school. Therefore it is not considered that this represents an unacceptable risk to pedestrian and highway safety due to the lack of footpath on the street to the east of the site. The access from the other unit to the school would be along a section of Stainton Street that is closed to traffic.

### Design and Appearance

7.6 The building is single storey and minor in scale sitting in close proximity to other buildings operated by the Hesley Group and set out so not to adversely impact the protected trees that sit on adjacent plots. The building sits parallel to its boundary with the plot to the north so the roof slopes away from its boundary and the land is lower than the adjacent building to the south.

7.7 When viewed from the lane to the east and buildings to the north it is seen in the setting and backdrop of other larger buildings. The building is small but each unit is designed to provide accommodation for a single occupant attending Fullerton House School. It is similar in scale to other accommodation adjacent to other properties located nearby on Stainton Street and owned by Hesley Group. When the layout is read in the context of the buildings on the section of Stainton Street that runs East to West adjacent to the school, this is not considered overdeveloped or overcrowded.

## Amenity

7.8 Saved Unitary Development Plan Policies PH11 & PH12 states that residential developments should not be accepted if the effect of the development on the amenities of occupiers of nearby properties would be unacceptable and is reiterated in Core Strategy Policy CS14.

7.9 Harm to neighbouring properties is avoided by maintaining separation standards as set out in the Councils Supplementary Planning Document: Backland and Infill Development. The main separation distances relevant to this application are 21 metres between high occupancy room windows of dwellings of two-storey face each other, this is reduced to 11m where high occupancy room windows face low occupancy room windows or a blank gable and overlooking from ground floor windows can be avoided by screening by walls, fences or planting.

7.10 The property is proposed to have patio doors and a kitchen window for each unit facing north. However, this will be directly adjacent to the existing boundary fence and therefore screened from the rear of the properties fronting Wheatley Street so not overlooking or causing loss of privacy to the adjacent properties. Additionally the two properties to the north are over 21m away and have substantial outbuildings in between so would not overlook the new building.

7.11 The nearest building to the east is over 16m away and only a small utility room window faces in that direction, which would be counted as a low occupancy room and the gap is interrupted by two boundary walls/ fences in between. The proposal, therefore, meets the separation distances set out in the guidance and would not introduce an unacceptable level of overlooking or loss of privacy.

7.12 Concerns have been raised about on and off street parking in the area. The applicant originally proposed to use two surplus parking spaces at their site on Wheatley Street. The applicant has further assessed their estate and found that if they reconfigure the car park in front of the Limes (indicated by a yellow triangle on the plan at Appendix 1), six additional spaces can be created (see plan at appendix 4).

7.13 This would provide sufficient off street parking, including at times when there may be an overlap between staff at the start/end of each shift. This meets the standards set in local plan policy being the provision of one space per two staff and being within 200m of the site. A condition requiring the work to provide the additional car parking being carried out, prior to development of this proposal, would ensure the additional off street parking is available to staff of the new units.

7.14 The concerns of increased comings and goings are noted but the resident children will walk to and from the adjacent school and be accompanied by staff as previously discussed. Staff supervising children at this site will park in the car park in front of the Limes and walk to the building so there should be very little difference in the comings and goings along the road to the school caused by the occupation of the proposed buildings.

7.15 Concerns have also been raised about other staff going to and from the school and properties owned by the group on Tickhill Square. However, this is a matter for the management of the school and in any case would not be directly affected by how this application is determined.

7.16 Concerns have been raised about noise coming from occupants of the current buildings and how it might be intensified by this development. Noise nuisance is generally controlled through Environmental Protection legislation and the management of how resident children are cared for. Environmental Health offered no objections or comments on the proposal and would otherwise be beyond the remit of the planning authority to consider other than the principle of the specific use of the building, which is supported by Core Strategy Policy CS12.

7.17 The concerns regarding disruption from new development are noted but the building of any development granted planning permission will inevitably cause disruption albeit, usually for a short term. This would also be regulated in terms of nuisance through Environmental Protection legislation and development would also be subject to the Building Acts and not something that can normally be given weight in terms of determining a planning application.

7.18 A permission benefiting only the Hesley Group would ensure the properties are managed in accordance with the applicant's supporting statement. This would also prevent the permission being sold on to another company who may then operate the homes in a way that might be detrimental to residential amenity and this is consistent with other permissions previously granted for their properties.

## **8.0 Summary and Conclusion**

8.1 The proposal seeks to provide 2 single bed units to provide residential accommodation for residential students attending Fullerton House School. The provision of the building is acceptable in principle as well as in terms of design and layout and does not represent unacceptable harm to amenities of adjacent occupiers.

## **9.0 Recommendation**

GRANT planning permission subject to the following conditions:

01. STAT1            The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.  
REASON  
Condition required to be imposed by Section 91(as amended) of the Town and Country Planning Act 1990.
02. U0068908        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:  
18/069/04A Scheme Elevations  
18/069/02A Scheme 1 Site Plan  
18/069/03 Site Location Plan  
Arboricultural Method Statement Ref (AWA2499AMS) January 2019  
  
REASON  
To ensure that the development is carried out in accordance with the application as approved.

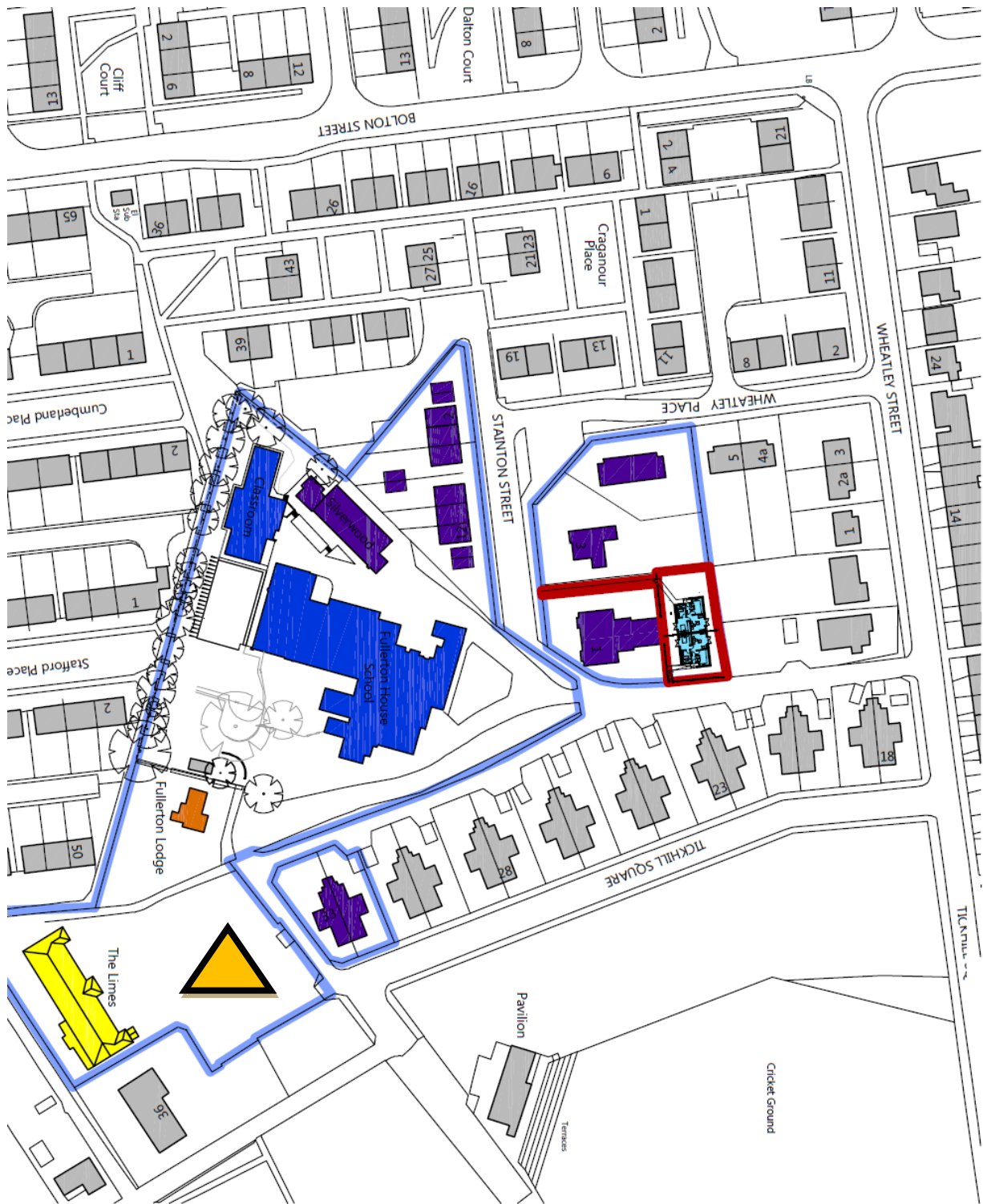
03. MAT1A Prior to the commencement of the relevant works, details of the proposed external materials shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved materials.  
REASON  
To ensure that the materials are appropriate to the area in accordance with policy CS14 of the Doncaster Core Strategy.
04. U0068910 The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars (ARBORICULTURAL METHOD STATEMENT reference AWA2499AMS, Appendix 1 and Appendix 5: Tree Protection Plan) before any equipment, machinery or materials have been brought on to site for the purposes of the development. The LPA Tree Officer shall be invited to inspect the fencing is as specified shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority unless in accordance with approved activities within the area. These are the removal of existing hard surface and installation of none dig footpath detailed with section 4.2 of the approved method statement).  
REASON  
To ensure that all trees are protected from damage during construction.
05. U0068911 The alignment of all service trenches and overhead services are to be directed away from the retained trees. Over-ground services will be routed away from areas where they are likely to interfere with the crowns of mature trees. New underground services should be grouped together and routed away from Root Protection Areas. NJUG 10: Guidelines for the Planning, Installation and Maintenance of Utility Services in Proximity to Trees will be considered when installing services and a scheme submitted for the approval of the Local Planning Authority. The approved scheme shall thereafter be installed in full accordance with the approved details.  
REASON  
To prevent damage being caused to trees which it has been agreed shall be retained.
06. U0068912 No development shall take place on the site until a detailed landscape scheme has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise approved in writing by the Local Planning Authority the landscape scheme shall include: a planting plan and schedule including tree and shrub planting around the site; hard landscape; a landscape establishment specification; a maintenance specification for a minimum of five years following practical completion of the landscape works.  
Reason  
In the interests of environmental quality









07. U0068909      The planning permission hereby granted shall be exercised by and inure solely for the benefit of the Hesley Group only.  
REASON  
To restrict the use to the needs of the applicant only in the interests of the proper planning of the area and to reflect the applicant's personal circumstances.
08. U0069570      The building shall only be used to accommodate children attending Fullerton House School  
  
REASON  
To restrict the use to that specifically proposed in the application in the interests of the proper planning of the area and allow further consideration of alternative uses of the building that may impact the amenity of adjacent land uses.
09. U0069992      Development shall not commence until the completion of alterations to 'The Limes' Car Park as set out on Drawing No 18/070/11 'Scheme Plan 4' to provide additional 6 car park spaces.  
REASON  
To ensure sufficient off street parking provision for the proposed development.

#### **Informatives**

**Due regard has been given to Article 8 and Protocol 1 of Article 1 of the European Convention for Human Rights Act 1998 when considering objections, the determination of the application and the resulting recommendation. It is considered that the recommendation will not interfere with the applicant's and/or any objector's right to respect for his private and family life, his home and his correspondence.**

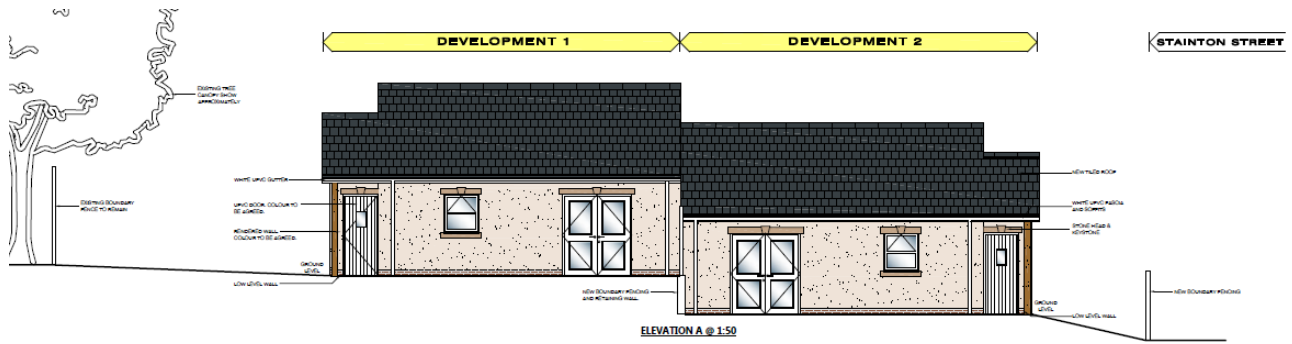
# Appendix 1: Location Plan and other sites owned by the applicants



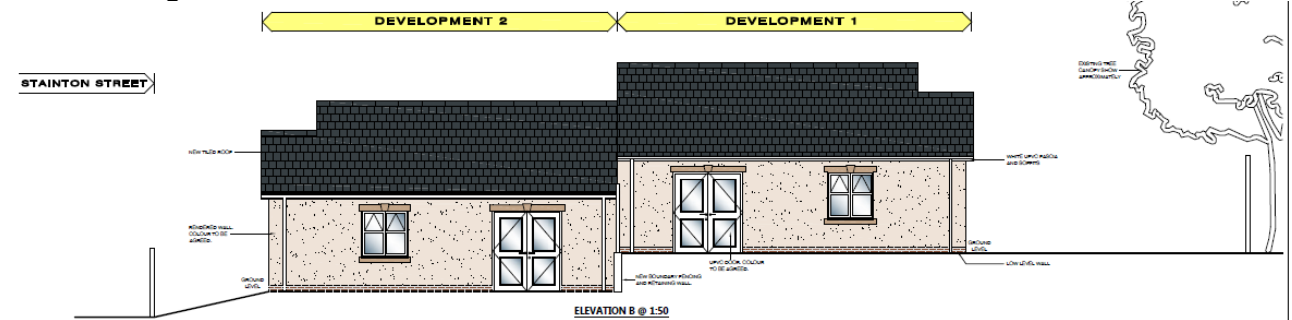
No.	Date	Revision	
 <b>PLANNING ISSI</b>			 <b>N</b>
			 THE LIMES BUILDING  EXISTING RESIDENTIAL PROPERTIES  RECEPTION  EXISTING CLASSROOMS AND SCHOOL  - AREA OF WORK  - LAND OWNED BY APPLICANT

# Appendix 2 Elevation drawings

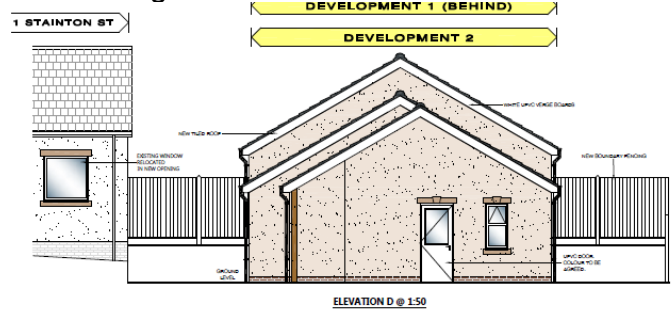
## South facing elevation



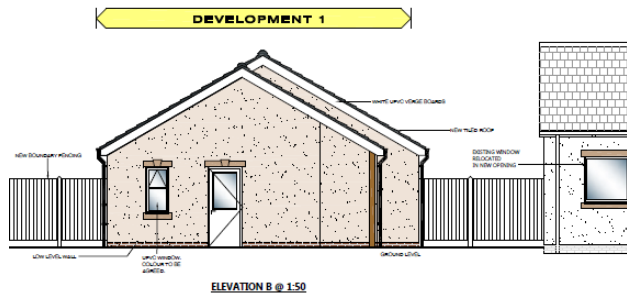
## North facing elevation



## East facing elevation



## West facing elevation

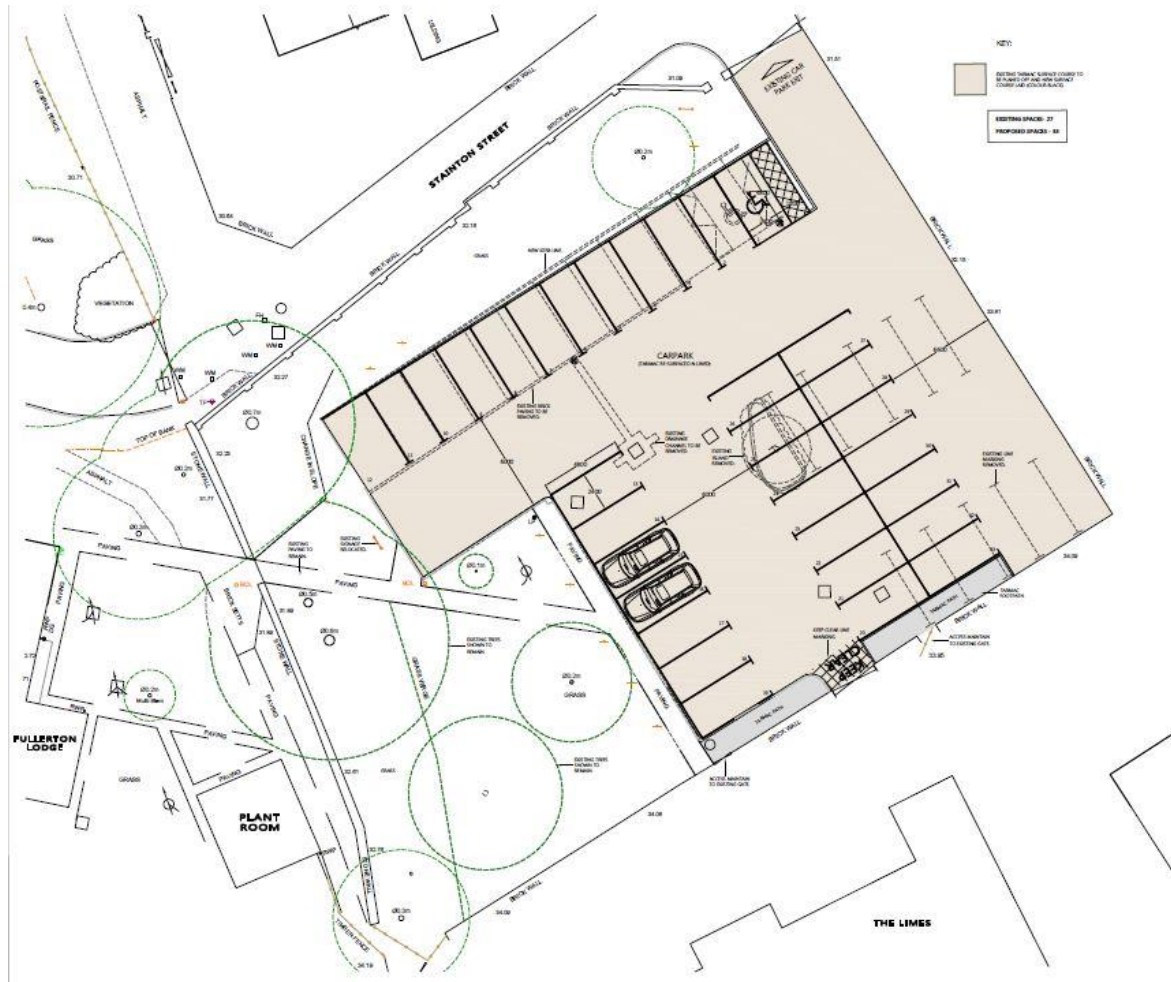



# Appendix 3: Site Plan





# Appendix 4: Revised layout of 'The Limes' Car Park





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**Hesley Group**

**PRELIMINARY ISSUE**

No.	Rev.	Revised	Date
Project Name			
CLASSROOM EXTENSION TO FULLERTON HOUSE SCHOOL FOR HESLEY GROUP			
Drawing No.			
SCHEME PLAN 4			
<b>John Hill ASSOCIATES LTD</b> Structural & Surveying Consultants			
8 Stone Road Way Stone Wood Business Park Chesham, Bucks HP26 3JH Tel: 01494 344444 Fax: 01494 344444 www.johnhill.co.uk			
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Issued on	18/07/11	Sheet No.	A1

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**DONCASTER METROPOLITAN BOROUGH COUNCIL**

**PLANNING COMMITTEE – 28<sup>th</sup> May 2019**

**Application**      2

<b>Application Number:</b>	18/02592/3OUTM	<b>Application Expiry Date:</b>	15 <sup>th</sup> January 2019
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<b>Application Type:</b>	Major
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<b>Proposal Description:</b>	Outline application for residential development of up to 542 dwellings on approx. 20.9ha of land with associated public open space, parking, landscaping and infrastructure (approval being sought for access).
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<b>At:</b>	Hungerhill Business Park, Edenthorpe
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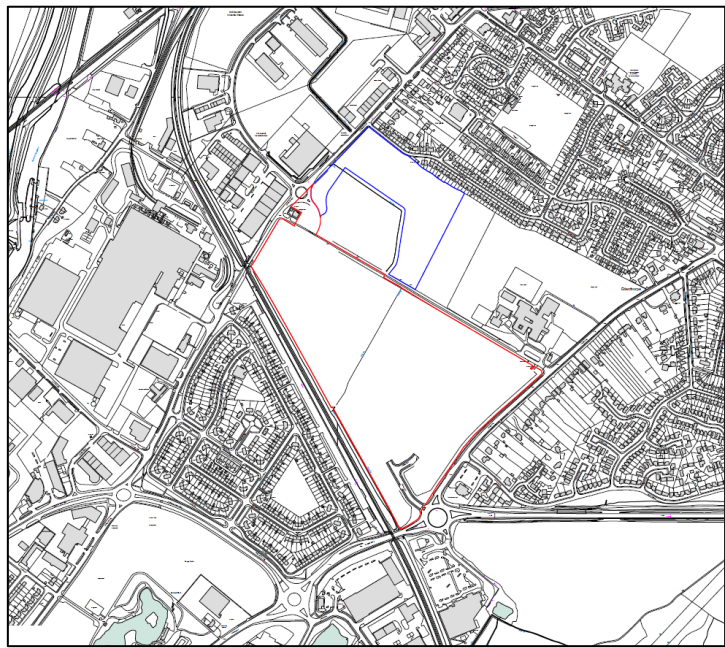
<b>For:</b>	DMBC
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<b>Third Party Reps:</b>	1	<b>Parish:</b>	Edenthorpe Parish Council
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<b>Ward:</b>	Edenthorpe And Kirk Sandall
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<b>Author of Report</b>	Mel Roberts
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<b>MAIN RECOMMENDATION:</b>	GRANT
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## **1.0 Reason for report**

1.1 This application is being reported to planning committee because the Council is the applicant and because it is a departure to the allocation in the Development Plan.

## **2.0 Proposal and background**

2.1 The proposal is for residential development for up to 542 dwellings with associated public open space, parking, landscaping and infrastructure on land off Hungerhill Lane, Doncaster. The planning application is for outline permission with only the points of access into the site agreed at this stage. All other matters are reserved for future approval including appearance, landscaping, layout and scale.

2.2 A parameter plan sets the framework within which the proposed development will take place and which will inform the proposed design at detailed stage (see figure 1). The parameter plan shows the extent of the site which is to be developed for residential development, including a large central area of open space. The parameter plan fixes the access points into the site from the roundabout on Doncaster Road (at the northern end of the site) and the existing arm of the Sainsbury's roundabout along Herald Road (at the southern end of the site). It also identifies those areas of existing landscaping (including the protected trees along Thorne Road) that will remain as part of any detailed scheme.

2.3 There are two parcels of residential development proposed, northern and southern. The northern parcel measures approximately 4.2 hectares and the southern parcel measures approximately 11 hectares. Using an indicative density of 35 dwellings per hectare (which could be based on a range of house types and sizes), it is considered that up to 542 dwellings could be accommodated on the site. An illustrative masterplan indicates how the site might look at detailed planning stage (see figure 2).

2.4 The masterplan shows land immediately to the north east of the site (adjoining the access road from Doncaster Road) that is planned for a new Special Education Needs (SEN) school. The SEN school will be subject to a separate planning application and is due to be submitted in June 2019. Beyond this SEN school site to the east is land owned by the Council, which could provide for a primary school as part of the educational contribution required for this proposed housing development.

2.5 The housing scheme proposes up to 15 per cent of the site area as public open space. This is to be located in the centre of the site and possibly in two smaller spaces in the southern part (to be determined at detailed application stage). The central public open space area would include a Locally Equipped Area for Play (LEAP).

2.6 The existing access points to the north, from Doncaster Road, and south, from the Sainsbury's roundabout will access the northern and southern development parcels separately. A pedestrian/cycle link between the northern and southern development parcels could also provide a means of emergency access for the southern development parcel. Further pedestrian links are possible from the site via

Hungerhill Lane to the proposed SEN school and primary school, to Hungerhill School, and along the southern boundary of the site.

2.7 The site is irregularly shaped and is relatively flat with minor undulations. It covers an area of 20.9 hectares in total. The majority of the site is a mixture of grassland, vegetation and clearings. The grassland in the western portion of the site is utilised as grazing fields for horses. The existing trees that line the southern and northeastern boundary create a natural buffer to Thorne Road and to Hungerhill Lane, which is a public footpath that runs along the eastern edge of the proposed housing site. Dodge Dyke runs along the southwestern corner edge of the site and then cuts across the centre of the site (where the open space is proposed) and continues around the site of the proposed SEN School.

2.8 To the south east of the site is Hungerhill School and residential development. To the south is the A18 Thorne Road, beyond which is residential development, a pub and Sainsbury's. To the west is Dodge Dyke and a railway line, beyond which is residential development. To the north is Doncaster Road, beyond which is Kirk Sandall Industrial Estate.

2.9 An Environmental Impact Assessment (EIA) Screening Opinion was sought on 17th May 2018 to determine whether an EIA was required for this planning application. An EIA Screening response on 6th June 2018 confirmed that an EIA was not required.

### **3.0 Relevant Planning History**

3.1 There is no relevant planning history on this site.

### **4.0 Representations**

4.1 Prior to the submission of this application, there was a public consultation event at Edenthorpe Community Centre on 26<sup>th</sup> September 2018 attended by approximately 70 people. The feedback received was mostly positive with the majority of the local community supporting the proposed development. The concerns raised were mainly associated with traffic, parking and the impact on local services and facilities.

4.2 The application has been advertised in the press and on site and one letter of objection has been received, which can be summarised as follows:

- i) The loss of established natural woodland and increase in traffic will lead to a big negative impact on local air quality.
- ii) Local infrastructure cannot take the additional strain of such a large residential development.

### **5.0 Parish Council**

5.1 Edenthorpe Parish Council has stated that this site would be more preferable to the nearby Mere Lane site (approved on appeal), but that the village could not cope with both sites coming forward for development. The road network would be

gridlocked and there are no school places to cope with the additional children. The Parish Council would like to see a through road to be included in the plans rather than the site split into two. The Parish Council state that a car parking area would help with current parking problems especially at Hungerhill School. The Parish Council would also like to see an area specifically designated for residential housing/apartments for the growing elderly community (over 55's) to live independently. Affordable housing is required on this site, especially for the younger generation.

## **6.0 Consultations**

6.1 Highways England has responded and raised no objections.

6.2 Transportation has raised no objections subject to the mitigation measures to the three roundabouts as set out in the Transport Assessment and a contribution to the West Moor Link improvement scheme. There is also requirement for a Transport Bond, monitoring of trip rates, a new bus stop on Doncaster Road and the measures set out in the Travel Plan.

6.3 Highways Development Control has raised no objections subject to conditions, including the need for a Construction Traffic Management Plan.

6.4 The Urban Design Officer has raised no objections subject to a condition that the applicant produces a Design Guide to inform all reserved matters submissions.

6.5 The Ecology Officer has raised no objections subject to conditions ensuring that construction does not affect ecology and for ecological enhancement of the site.

6.6 The Tree Officer has raised no objections subject to a condition that protects trees during construction of the development.

6.7 The Air Quality Officer has raised no objections subject to a condition that requires an Air Quality Management Plan.

6.8 The Contamination Officer has raised no objections subject to a condition that requires further investigation of possible contamination on site.

6.9 Environmental Health have raised no objections subject to a condition that requires noise attenuation measures in accordance with a scheme to be agreed.

6.10 The Environment Agency has raised no objections subject to a condition that requires floor levels to be agreed.

6.11 Yorkshire Water has raised no objections subject to a condition that requires further details of drainage on site.

6.12 Education have raised no objections subject to a contribution towards primary and secondary schools.

6.13 Network Rail has raised no objections, but has requested a contribution towards facility improvements at Kirk Sandall train station. Many of the conditions requested by Network Rail are not planning related and the points raised are more appropriate for a reserved matters application.

6.14 South Yorkshire Archaeological Service has raised no objection subject to a condition requiring a scheme of archaeological works to be agreed.

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

### National Planning Policy Framework (Feb 2019)

7.1 Paragraph 2 states that planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise.

7.2 Paragraph 48 of the NPPF states that local planning authorities may give weight to relevant policies in emerging plans according to:

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

7.3 It states at paragraph 120 that where the local planning authority considers there to be no reasonable prospect of an application coming forward for the use allocated in a plan then applications for alternative uses on the land should be supported, where the proposed use would contribute to meeting an unmet need for development in the area.

7.4 Planning decisions should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new developments and avoid noise giving rise to significant adverse impacts on health and the quality of life (para 180).

### Core Strategy

7.5 Policy CS2 states that the Main Urban Area (including Edenthorpe) will be the focus for growth and regeneration.

7.6 Policy CS4 requires all development to address the issues of flooding and drainage where appropriate. Development should be in areas of lowest flood risk and drainage should make use of SuDS (sustainable drainage) design.

7.7 Policy CS5 states that major employment sites will be retained for employment uses, which may include some small scale supporting uses.

7.8 Policy CS9 states that new developments will provide, as appropriate, transport assessments and travel plans to ensure the delivery of travel choice and sustainable opportunities for travel.

7.9 Policy CS10 states that sufficient land will be provided to deliver a net addition of 1,230 new homes each year 2011-2028 (20,910 in total), with allocated sites sufficient to deliver 15 years' supply (18,450 in total). Housing allocations are to be phased (as set out in Table 5) with existing housing/mixed use allocations coming forward in phase 1 from 2011 onwards.

7.10 Policy CS12 states that new housing developments will be required to include a mix of house size, type, price and tenure to address identified needs and market demand and to support communities. Housing sites of 15 or more houses will normally include affordable houses on-site with the proportion, type and tenure split reflecting the latest Strategic Housing Market Assessment except where a developer can justify an alternative scheme in the interests of viability.

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

7.12 Policy CS15 states that proposals will be supported which protect or enhance the heritage significance and setting of locally identified heritage assets such as buildings of local architectural or historic interest, locally important archaeological sites and parks and gardens of local interest.

7.13 Policy CS16 states that nationally and internationally important habitats, sites and species will be given the highest level of protection in accordance with the relevant legislation and policy. Proposals will be supported which enhance the borough's landscape and trees by including measures to mitigate any negative impacts on the landscape, include appropriate hard and soft landscaping, retain and protect appropriate trees and hedgerows and incorporate new tree and hedgerow planting.

7.14 Policy CS18 states that proposals will be supported which reduce air pollution and promote more sustainable transport options and where relevant incorporate low emission technologies and cleaner transport fuels. 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.

#### Unitary Development Plan

7.15 Saved policy EMP2 (18a and 18b) states that permission will normally be granted for B1 (Offices and light industrial) and B8 (storage and warehousing) uses.



7.16 Saved policy ENV59 states that in considering proposals for new development, the Council will attach considerable importance to the need to protect existing trees, hedgerows, wetland habitats, watercourses and other natural landscape features and will require that new development does not cause unnecessary loss of trees, nor imperil trees by building works.

7.17 Saved policy RL4 requires on site open space or a commuted sum in lieu of this on sites of 10 or more family dwellings.

7.18 Saved policy RL5 identifies the southern strip of land as informal public open space that will provide a landscaped buffer between existing housing and the proposed business park.

### Local Plan

7.19 The emerging Doncaster Local Plan will replace the UDP and Core Strategy once adopted. Several background documents inform the Local Plan preparation including the Housing and Economic Land Availability Assessment (HELAA) and the Employment Land Availability Report (ELA). Consultation on the draft policies and proposed sites took place during September and October of last year and publication of the Local Plan is due in early summer 2019, with submission due late autumn 2019. The Council is aiming to adopt the Local Plan by summer 2020. Given the relatively early stage of preparation of the emerging Local Plan, the document carries very limited weight at this stage.

7.20 Policy 1 reinforces the guidance within the NPPF in that there should be a presumption in favour of sustainable development.

7.21 Policy 2 sets out the settlement hierarchy for the borough and states that the Main Urban Area is the focus for development.

7.22 Policy 3 sets out that at least 50 per cent of the borough's total housing should be within the Main Urban Area.

7.23 Policy 8 sets out the requirements for the range of housing including the need for affordable housing.

7.24 Policy 14 seeks to promote sustainable transport within new developments.

7.25 Policy 17 seeks to consider the needs of cyclists within new developments.

7.26 Policy 18 seeks to consider the needs of pedestrians within new developments.

7.27 Policy 29 deals with open space provision in new developments.

7.28 Policy 31 deals with the need to value biodiversity.

7.29 Policy 33 states that the design process should consider woodlands, trees and hedgerows.

7.30 Policy 40 deals with the need to take into account archaeological assets.

7.31 Policy 43 deals with the need for good urban design.

7.32 Policy 55 requires the need to take into account air and noise pollution.

7.33 Policy 56 deals with the need to mitigate any contamination on site.

7.34 Policy 57 requires the need for satisfactory drainage including the use of SuDS.

7.35 Policy 58 deals with the need to consider flooding.

7.36 Policy 59 deals with low carbon and renewable energy within new developments.

7.37 Policy 66 deals with developer contributions.

### Edenthorpe Neighbourhood Plan

7.38 Edenthorpe Parish Council has produced a Neighbourhood Plan (NP). Public consultation on the NP took place between 20<sup>th</sup> February and 3<sup>rd</sup> April 2019. This stage of consultation was the pre-submission consultation (regulation 14) and it is therefore an emerging plan. Limited weight is attached to the NP at this stage, as it has not been submitted to the local planning authority, has not been subject to independent examination and has not been to a referendum. In line with the guidance set out in paragraph 48 of the NPPF, it is unknown if there are unresolved objections, as the regulation 14 consultation was the first formal consultation on the NP.

7.39 Policy 1 states that all developments will be designed having regard to the policies and supporting evidence in this NP and will be located to ensure that the development does not:

- a) significantly negatively affect the privacy of nearby residents;
- b) significantly harm or alter the character and appearance of the area in which it is located;
- c) significantly harm or alter the character and appearance of the surrounding countryside to the east of Edenthorpe and;
- d) social, built, historic cultural and natural assets of the parish.

7.40 Policy 3 states that proposals for residential developments, of five dwellings or more, will be expected to provide a mixture of dwelling sizes and types to help meet local housing needs.

7.41 Policy 4 states that proposals to change the use of existing employment land to non-employment related uses, will only be supported where it can be demonstrated that the site is no longer economically viable to accommodate an employment use. Where developments are proposing a change of use, they should first consider

whether a mixed-use scheme would support the viability of some employment use remaining on the site before that of a solely residential-led scheme.

7.42 Policy 6 deals with general development principles including the need for high quality design, the need to retain established trees, inclusion of open space, adequate parking and highway safety and reduction in CO2 emissions.

7.43 Policy 12 states that all developments should demonstrate, where appropriate, that they have had regard to the following:

- a) are located where travel can be minimised and the use of sustainable transport nodes maximised;
- b) minimise additional travel demand using measures such as travel planning, safe and convenient public transport, walking and cycling links and integration with existing infrastructure;
- c) should provide well designed, safe and convenient access to all, giving priority to the needs of pedestrians, cyclists, people with impaired mobility and users of public transport by providing a network of pedestrian and cycle routes and green corridors, where opportunities exist, linking to existing routes and;
- d) ensure allowance is made for low and ultra-low emission vehicle recharging infrastructure.

#### Supplementary Planning Documents

7.44 Several Supplementary Planning Documents (SPDs) have been published, which are material considerations in the determination of planning applications.

##### *Development Guidance and Requirements SPD (July 2015)*

7.45 The SPD sets out the guidance to help implement policies in the Development Plan. This includes design in the urban and rural environment, the historic environment, transport and accessibility, strategic green infrastructure, biodiversity, geodiversity and ecological networks, open space standards and requirements, landscape, trees and hedgerows.

##### *South Yorkshire Residential Design Guide SPD (2011)*

7.46 The South Yorkshire Residential Design Guide SPD is intended to provide a consistent approach to design in the development management process and aims to improve the quality of residential design in South Yorkshire.

##### *Development and Flood Risk SPD (October 2010)*

7.47 The Development and Flood Risk SPD has been produced to set out the Council's approach to managing flood risk and sets out the requirements for a sequential assessment.

## 8.0 Planning issues and discussion

8.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, the starting point for consideration of this application is the development plan. All decisions must be made in accordance with the development plan, unless material considerations indicate otherwise.

### Principle of the development

#### *Loss of employment land*

8.2 Doncaster UDP allocates the site for employment use. Policy EMP2 of the UDP states that permission will normally be granted for B1 (offices/light industrial) and B8 uses (storage and warehousing) at the northern part of the site (identified as 18b on the proposals map) and B1 uses on the southern part of the site (identified as 18a on the proposals map). Policy CS5 of the Core Strategy states that major employment sites will be retained for employment uses.

8.3 Doncaster UDP has allocated the site for employment use for over 20 years, since its adoption in 1998. The site has been available for sale previously for employment development. The Council undertook an open tender exercise in 2001 and a developer entered into an agreement with the Council to develop the site for B1 and B8 uses. This development never took place however and there was no new agreement. Given the length of time of the site's allocation for employment use, there is no reasonable prospect of employment uses on this site.

8.4 In order to assess the potential employment (and housing) sites for inclusion in the Local Plan, the Housing and Employment Land Availability Assessment (HELAA) includes site marketability for potential employment sites. Each site has been classified as being either 'Red' (not attractive to the market); 'Amber' (attractive to the market but in a further review of the plan after other sites have been developed) or 'Green' (attractive to the market for the Local Plan). Hungerhill (site ref 255) is assessed as being suitable for light industry (not office type), but access issues results in it being classified as 'Amber' meaning that this site is not required for employment uses.

8.5 In their Employment Land Review, the applicant has highlighted that the HELAA shows that there are sufficient sites classified as 'available and marketable' to meet the Core Strategy's anticipated employment development needs (some of which are within the local area). The document also analyses the most recent Employment Land Availability Report (April 1st 2016 to March 31st 2017), which demonstrates that there are a number of other sites within the borough where development has started; have full planning permission; or have outline permission for employment purposes. Major employment schemes include Rossington IPort, the National Rail College and Martree Business Park. The report concludes that over the remaining Core Strategy period, the employment land requirement is 316 hectares and the remaining supply of employment land is 548 hectares, which significantly exceeds the employment land requirements in the Core Strategy.

8.6 Although of limited weight, draft policy 4 of the Edenthorpe NP requires consideration of whether a mixed-use scheme would support the viability of some

employment use remaining on the site, before that of a solely residential-led scheme. Given the lack of interest in developing the entire site for employment use, it is unlikely that developing only part of the site for employment development would be more attractive for employment occupiers.

#### *Suitability of the site for housing*

8.7 The NPPF states that where the local planning authority considers there to be no reasonable prospect of an application coming forward for the use allocated in a plan then applications for alternative uses on the land should be supported where the proposed use would contribute to meeting an unmet need for development in the area.

8.8 This application for residential development should therefore be considered on its own merits, having regard to the need for housing development in the Doncaster Main Urban Area to support sustainable local communities. Whilst there is employment development to the north of the site across Doncaster Road, the predominant land use in the area is residential and given the adjacent Hungerhill School to the east, residential development would be an appropriate use in this location.

8.9 Policy CS2 of the Core Strategy identifies Edenthorpe as falling into the Main Urban Area, which is the focus for housing growth and regeneration. The housing requirement for the Main Urban Area is between 9,225 and 11,808 new dwellings and equates to 50-64% of the total borough allocation. The proposal would therefore make a significant contribution towards the Main Urban Area's housing requirement on an urban site and thus contributing towards the objectives of Policy CS2 and CS10 of the Core Strategy. As an urban site within the Main Urban Area, there are no phasing implications, because policy CS10 makes it clear that urban sites within the Main Urban Area can be developed from 2011 onwards.

8.10 The site is well located to access the services and facilities in the area. There are several services and facilities to the south of the site including a pub/restaurant, Sainsbury's supermarket and several other shops at the Thorne Road Retail Park. There are further services and facilities in Edenthorpe, within 1km to the east, such as Edenthorpe community centre, Tesco supermarket, doctors' surgery, and Edenthorpe Hall Primary School.

8.11 As part of this planning application, land is provided for a future primary school and directly adjacent to the application site is a planned SEN school. Residential development is therefore an appropriate use and the site will form part of a wider mixed use residential and education scheme.

#### *Conclusion on principle*

8.12 There is an obvious lack of demand for businesses to locate to this site. The site is not suitable for the majority of the priority employment sectors in Doncaster. The loss of the allocated employment site for housing development would still result in a sufficient and healthy supply of future employment land across Doncaster. The NPPF states that where the local planning authority considers there

to be no reasonable prospect of an application coming forward for the use allocated in a plan then applications for alternative uses should be supported, where the proposed use would contribute to meeting an unmet need for development in the area. The proposed development would deliver a mix of housing in the Doncaster Main Urban Area, in a sustainable location and is therefore acceptable in principle.

### Transportation

8.13 A Transport Assessment (TA) is with the application. The TA provides an assessment of the existing site, operation of the existing highway network, site accessibility, the traffic impact of the proposed development and highway safety. The methodology set out in the report for trip generation, distribution and assignment has agreement with Highway Officers and Highways England. The report takes into account traffic generated by committed developments, including large housing developments off Hatfield Lane Armthorpe and Mere Lane, Edenthorpe.

8.14 The proposed development for up to 542 dwellings would result in a total of 386 trips during the AM peak period and 364 trips during the PM peak period on the highway network. There are two access points proposed into the site with an approximate split of two-thirds on the southern plot and one-third on the northern plot. Consequently, this will result in 257 trips to/from the A18 southern access during the AM peak period and 243 trips during the PM peak period. The northern access onto Doncaster Road will have 129 trips during the AM peak period and 121 trips during the PM peak period.

8.15 The assessment of the strategic road network demonstrates that junction 4 of the M18 will operate within capacity at all approaches with the inclusion of the proposed development. The report concludes that apart from three, all junctions on the local highway network will operate well within capacity, with no or very little queuing occurring during the peak periods. Mitigation works are required at three junctions because of the additional trips created by this proposed development. Firstly, the Clay Lane roundabout (at the junction of Wheatley Hall Road and Barnby Dun Road) requires a widening of the approach arms. Secondly, the Shaw Lane roundabout (at the junction of the A18 Thorne Road, A630 Wheatley Hall Road and Ogden Road) also requires a widening of the approach arms. Thirdly, the Sandall Park roundabout (at the junction of Thorne Road, A18 Thorne Road, Leger Retail Centre and A18 Leger Way) requires an increase in the entry width along the approach arm A18 Leger Way from 7.9m to 8.3m.

8.16 The applicant is to pay a contribution of £345,578 towards the West Moor Link (WML) improvement scheme, given that this development will increase the amount of traffic along this route. The WML improvement scheme is a Sheffield City Region Investment Fund (SCRIF) to dual the WML from the M18 to the Shaw Lane Roundabout.

8.17 A Travel Plan is with the application. This shows that the site is approximately 1.5km from Kirk Sandall railway station, which is considered to be within a normal acceptable walking distance. Rail services operate from Kirk Sandall to destinations including Hull, Scunthorpe, Sheffield, Doncaster, Rotherham and Meadowhall.

8.18 A number of bus services pass by or near to the site. There are bus stops on both Doncaster Road and Thorne Road. The bus stops on Doncaster Road provide access to the number 8 and 8A bus service to Doncaster town centre. The bus stops on Thorne Road provide access to the number 8, 84, 84A, 84B, 87, 87A, and AM1 bus services to Doncaster town centre, Kirk Sandall, Stainforth, Hatfield, Thorne and Armthorpe. A bus shelter is to be provided at the inbound bus stop on Doncaster Road (bus stop number 37041110) at a cost of around £10,000.

8.19 There are a number of advisory cycle, signed cycle and traffic free routes close to the site, which provide some level of encouragement for journeys by cycle to local facilities and amenities.

8.20 The site is within a reasonable walking distance of numerous local facilities, shops, and schools. In the general vicinity of the site, the footways are good quality, in excess of 2m in width, are well maintained and lit. There is a staggered pedestrian crossing facility across Thorne Road to the south of the site. The crossing facilities connect the site with the surrounding footway network and provide access to Sainsbury's and Thorne Road Retail Park. Kirk Sandall Junior School, Canon Popham Church of England Primary School, Edenthorpe Hall Primary School and Hungerhill School lie to the north of the site. Our Lady of Sorrows Catholic Primary School, Armthorpe Academy and Outwood Academy Danum lie to the south of the site.

8.21 Consideration of car parking would form part of the reserved matters application, but the applicant has indicated that they will work to the Council's car parking standards.

8.22 The Travel Plan sets out a number of measures to encourage accessibility via a variety of transport modes. The Developer will appoint a Travel Plan Coordinator for the scheme who will be in post three months prior to first occupation. Residents will receive a Travel Information Pack upon first occupation. This pack will address methods of travelling to and from the site by walking, cycling and public transport. The developer's webpage will contain information on how to travel to the site by various methods of transport and demonstrate a commitment to sustainable travel. There will be a number of national and local car share matching services advertised in the information packs. The health and fitness benefits of walking will be encouraged. The benefits of home delivery services and internet shopping will be encouraged and all prospective residents will be encouraged to access the site via sustainable transport modes for viewings. Electric vehicle charging points are in accordance with the Council's SPD and cycle parking provision will be within the curtilage of each dwelling.

8.23 A Transport Bond is required to mitigate against any traffic in the event that trip targets are higher than those forecast in the TA. In this case, the cost of the bond will be £64,091.50. The application is therefore in accordance with policy CS9 of the Core Strategy.

## Air quality

8.24 The applicant has submitted an Air Quality Assessment. The report states that during the construction phase, dust sensitive receptors (residential properties and schools) will potentially experience increased levels of dust and particulate matter before using any mitigation and control measures. However, these are likely to be short-term and temporary impacts. Throughout this period, the potential impacts on air quality from construction can be controlled through site-specific measures detailed within this assessment. These measures include recording of all dust and air quality complaints, identify causes and respond appropriately to reduce the emissions and record the measures taken. With this and other mitigation measures in place, the effects from the construction phase are likely to be insignificant.

8.25 The assessment of the significance of the effects associated with both the committed and proposed developments from road traffic with respect to Nitrogen Dioxide exposure is determined to be 'negligible' for all existing receptors. With respect to predicted PM10 and PM2.5 (PM = particulate matter) exposure, the significance of the proposed development is determined to be 'negligible' for all existing receptors. The applicant is to provide electric vehicle charging points in accordance with the Council's SPD. A condition will also ensure the submission of an Air Quality Mitigation Plan to identify other suitable measures to reduce emissions.

8.26 Following adoption of the recommended mitigation measures during the construction and operational phases, the development is compliant with policy CS18 of the Core Strategy.

## Flooding

8.27 The applicant has submitted a Flood Risk Assessment. The site is a defended flood zone 3 on the Environment Agency maps with a very small proportion adjacent Thorne Road being within flood zone 1. The land generally falls towards Dodge Dyke from a high point of 11.90m AOD and a low point of 6.63m AOD located adjacent to Dodge Dyke. Dodge Dyke bisects the site west to east and is culverted under Hungerhill Lane where it becomes Carr Drain, drains under Barnby Dun Road and then drains to the north and becomes a section of river.

8.28 There are no historical records of any flooding within the site. There are Environment Agency embankments along the nearby stretch of the River Don, which provide a 1 in 100-year standard of protection. Based on the latest breach analysis for the River Don, the 1 in 100-year breach flood level is 8.61m AOD. An analysis of how this would affect the application site has confirmed that due to the existing topography between the breach point and the site, the floodwaters would only reach the northern part of the site and retained within the section of Barnby Dun Road under the railway bridge crossing. No floodwaters would enter the application site itself. As the application site is a defended flood zone 3, it is at medium to low risk of fluvial flooding from the River Don and at low risk of flooding from all other sources (such as surface water flooding, flooding from canals, sewers, groundwater, overland flows and reservoir failure).



8.29 The finished floor levels will be set 600mm above the 1 in 100 annual exceedance probability plus climate change flood level of 9.154m AOD. Where ground levels are above this then finished floor levels will be set 150mm above the surrounding levels. Where setting finished floor levels at 9.754m AOD is unrealistic (such as in the lower areas of the site), then either finished floor levels will be set with a 600mm freeboard above final ground levels or they will be set with a 300mm freeboard and flood resilience measures provided for a further 600mm.

8.30 Based on the review of the British Geological Survey database and other local geological reports it is likely that the use of infiltration techniques will be viable within the site. Surface water could be discharged through infiltration Sustainable Drainage Systems (SuDS) techniques with an emphasis on above ground options where possible. Alternatively, surface water runoff could be discharged to Dodge Dyke with on site attenuation provided by means of new detention basins with one being located either side of Dodge Dyke. Dodge Dyke is to be re-aligned where it traverses the application site in order to provide a more curved route and to remove the two existing 90-degree bends, which result in localised sedimentation. Yorkshire Water has confirmed that discharge of the foul flows can go to the existing public sewer within Hungerhill Lane.

8.31 The applicant has submitted a Flood Risk Sequential Test to assess whether there are any reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. In accordance with the Council's SPD on flooding, the area of search is the Doncaster Main Urban area and includes reasonably available sites including larger sites and/or a cumulative number of smaller sites. Sites with planning permission have not been included as per guidance in the Development and Flood Risk SPD. The report shows that there are not sufficient allocated housing sites or employment sites, which are sequentially preferable and reasonably available in the Doncaster Main Urban Area. Although some reasonably available and sequentially preferable sites have been identified (with a total capacity of 361 units or 248 units with capacity in the 5-year housing land supply), this falls well short of the capacity of the site subject to this application. The site therefore passes the sequential test.

8.32 As a more vulnerable residential development, it is now appropriate to apply the exceptions test. Paragraph 160 of the NPPF states that to pass the exception test, it should be demonstrated that:

- a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
- b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

8.33 In terms of the sustainability benefits, the proposed development of up to 542 dwellings will make a significant contribution towards the housing land supply and lies within the Main Urban Area, which is the focus for housing provision in the borough. The site is in a highly sustainable location, close to services, facilities, existing infrastructure and public transport links. The emphasis of the proposed development has been on sustainable design including the use of SuDS. The

exception test has therefore been satisfied and the application accords with policy CS4 of the Core Strategy.

### Design

8.34 Although the application is only outline at this stage, the applicant has submitted an indicative masterplan. The masterplan shows how the site could look at detailed design stage. The proposed development of up to 542 dwellings will be in keeping with the scale and character of the surrounding area. The proposed masterplan has taken into consideration the context of the site, addressing the site's existing features and requirement to provide open space within the development. The development positively addresses its boundaries, with the masterplan showing proposed dwellings orientated towards the proposed streets and open spaces. As the site is not intended for industrial development, informal public open space along the southern boundary is not necessary as per policy RL5 of the UDP. However, there will be provision for a landscaped buffer along the southern boundary and public open space in the centre of the site. The application accords with policy CS14 of the Core Strategy.

### Ecology

8.35 The applicant has submitted various ecological surveys. The surveys identified no evidence of bat roosting on site. Bat activity survey results showed that the common pipistrelle was the most commonly recorded species, with noctules recorded in low numbers. Areas considered to be of greatest value to bats are Hungerhill Lane, areas close to Dodge Dyke and the western boundary. The survey recommends that woodland strips and hedgerows on the site boundaries and along Hungerhill Lane are retained within the development masterplan to maintain existing bat commuting and foraging routes within the site. The provision of bat boxes and/or tubes would enhance habitats on site for roosting bats. The surveys did not find any evidence of water vole within the survey area and no mitigation is required in this regard. The development does however provide an opportunity to enhance the ecological value of ditches within the site and the inclusion of Suds would enhance the site for wildlife. Great crested newts are considered likely to be absent from the survey area and therefore unlikely to present a constraint upon the proposed development. The survey identified a low population of common lizard within the site boundary. The badger survey identified no recent badger activity across the site and no badger setts in current use within the site. Should any badgers colonise the site then a license will be required from Natural England and appropriate mitigation adopted to allow the closure of any such sett. A number of conditions will ensure that there is protection of ecology during construction and enhanced as part of the final development. The application therefore accords with policy CS16 of the Core Strategy.

### Trees

8.36 The applicant has submitted a tree survey. The tree survey covers a wider area than the planning application boundary, extending further to the northeast to the dwellings on the Boulevard. The survey of trees at the site assessed 227 individual trees and 55 groups of trees. A Tree Preservation Order protects a number of trees

on the southeastern boundary of the site. These are several sycamore and ash trees, a single birch and turkey oak trees, all located adjacent to Thorne Road or the eastern end of Hungerhill Lane. No trees are identified as high quality category A. Seven trees and seven groups of trees have been assigned to the moderate category B quality. One hundred and eighty five individual trees and 47 groups of trees are categorised as low quality (category C). Thirty-five individual trees and one group of trees are categorised as unsuitable for retention and would require felling, irrespective of any development.

8.37 Trees on the site represent a constraint that need taking into account when designing future development. The report recommends that all trees and groups of trees of moderate quality are retained in the final development where practicable. It recommends that there is sufficient space around trees to protect their roots, as defined by the root protection areas and sufficient space for future development without causing a nuisance to occupiers of the dwellings. A condition will ensure that all retained trees are protected during construction of the development. The application therefore accords with policy CS16 of the Core Strategy.

### Archaeology

8.38 The applicant has carried out a geophysical survey of the site, as the site has potential for archaeology, particularly as there have been archaeological finds in the surrounding area. The survey identifies two anomalies that have a clear archaeological potential. The survey suggests that the site has archaeological features present that broadly correspond with known cropmarks and align with the results of previous archaeological works in the area. The anomalies are likely to predate early edition Ordnance Survey mapping, as they do not align with either the present field boundaries or those removed. This suggests that the archaeological resource within the site conforms to a late prehistoric to Romano-British activity with both brickwork field systems and trackways present across South Yorkshire. The report concludes that overall, the archaeological potential of the site is moderate, but when considered with the cropmark data and previous works both on and around the site, the potential to encounter archaeological remains on the site should be considered as medium to high. The application therefore accords with policy

### Contamination

8.39 The applicant has submitted a geo-environmental phase 1 desk study. The report concludes that according to historical maps, the site appears to have been mainly undeveloped and utilised for agricultural purposes. An electricity substation is located on the eastern portion of the site, whilst a sewer appears to have been constructed beneath the centre of the site. From the earliest historical map, a pump (believed to be associated with a water well) was shown in the western portion of the site. Given the residential end use, intrusive investigation is required to confirm the ground conditions beneath the site and provide parameters for foundation design purposes, secured by a condition. The application therefore accords with policy CS18 of the Core Strategy.

## Noise

8.40 The applicant has submitted a Noise Assessment. Various locations within the site show elevated noise levels, based on the location of the proposed development near to a major roadway in and out of Kirk Sandall and Edenthorpe. The survey recommends that apartments are located along the northern boundary of the site, which will then provide a barrier to dwellings located further into the site. A standoff distance of around 20m from Doncaster Road and Thorne Road would also be a good acoustic design measure in any layout agreed at reserved matters stage.

8.41 There is likely to be a requirement for enhanced glazing at the most exposed facades facing the railway line to the west and potentially for habitable rooms on the most exposed facades facing Doncaster Road and Thorne Road. A means of alternative ventilation for habitable rooms within the northern, western and southern parts of the site will be required. Locations for alternative ventilation could be decided when a detailed site layout is available; this is to be secured by a condition.

8.42 Based on the assessments undertaken, the proposals would not restrict any existing businesses wanting to develop. The noise mitigation measures recommended within the report are sufficient to reduce the effects of identified sources of noise for future residents. The application therefore accords with the guidance set out in the NPPF.

## Odour

8.43 The applicant has submitted an Odour Assessment. The report looks at the potential magnitude and significance of odour impact from the sewage pumping station located at the northern end of the site. The report shows larger clusters of odour detection to the northern and northeastern area of the assessment area, which does not form part of this proposed development. The report indicates that the location to which odours are predominant is the proposed road into the residential development. As prevalent wind conditions for Doncaster are westerly/south westerly, infrequent odours could be experienced but is a minimal risk and therefore not classed as significant. The report concludes that while some of the proposed houses could experience infrequent odour, the effect will not be significant. No further mitigation at future proposed properties would therefore be required.

## Economic benefits

8.44 The proposed development will provide economic benefits to both Edenthorpe and the wider borough. The proposed development will support significant construction employment for several years. A report by the Home Builders Federation (HBF) 'The Economic Footprint of House Building in England and Wales' (July 2018) identified the key benefits of building new housing for the economy. The HBF housing calculator estimates that building 542 homes will support the employment of 1,680 people and provide 18 apprentices, graduates or trainees. The proposed development would increase economic output and would provide indirect benefits through further job creation in the supply chain.

## Other matters

8.45 The Parish Council has raised a number of issues. They have suggested that the scheme should have a through road. This is a matter to be determined at the reserved matters stage, but this has the obvious disadvantage of potentially becoming a rat-run. Their request for a car parking area within the scheme is not necessary to allow the development to proceed and it is not for the applicant of this housing scheme to resolve issues not created by their development. There will be adequate provision of car parking and visitor parking within the site and will be dealt with under any reserved matters application. There is also no policy basis for the Council to insist that part of the site be housing/apartments for the growing elderly community (over 55's) to live independently.

## Planning Obligations

8.46 Legal advice is that the Council cannot enter into a Section 106 Agreement with itself, as it would be difficult to enforce. One way of overcoming this is to have a Grampian style condition (negatively worded) that requires the housing developer to enter into a Section 106 Agreement and this is the approach taken with this application.

8.47 In accordance with policy CS12 of the Core Strategy, 26 per cent of the units on site will be affordable.

8.48 The site lies within the Edenthorpe community profile area, which is deficient in 3 out of 5 open space typologies. There is therefore a requirement for 15 per cent of the site as public open space, together with a play area and maintenance in line with policy RL4 of the Doncaster UDP. The masterplan proposes a central open space and two smaller open spaces. The 106 Agreement will ensure that 15 per cent of the site area is laid out as open space as part of the detailed application.

8.49 There is a requirement for £345,578 to the West Moor Link improvement scheme. Junction improvements to three roundabouts as identified in the TA are required. A Bond of £64,091.50 is required for sustainable transport measures in the event that there are higher trips generated than predicted, together with 5 years trip monitoring. A bus shelter is required on Doncaster Road at a cost of around £10,000.

8.50 The additional number of children living on this development will create pressure on schools in the area. Education has stated that the schools affected will be Edenthorpe Hall Primary and Hungerhill Schools. The contribution required for Edenthorpe Primary is £461,434 and the contribution required for Hungerhill is £1,482,057; the total education requirement is therefore £1,943,491. This proposal is providing land for a new primary school and Education have indicated that this site is the preferred location for a school in the area. The Assets team in the Council carried out a valuation for the whole of the site in April 2018. The preparation of asset valuations are a statutory obligation on local authorities to provide valuations for capital accounting purposes and are prepared in accordance the requirements of the Chartered Institute of Public Finance and Accountancy (CIPFA) and the Royal Institute of Chartered Surveyors (RICS). As the whole site is employment in the

UDP, it has been valued assuming such a use, but discounted to reflect the fact that there is currently no planning consent and it is a very large site requiring investment in infrastructure and potentially the phasing of development. The whole of the site has a value of £9,500,000, which equates to £150,000 per acre. The site area of the land for the primary school amounts to 4ha (9.88 acres) and using a pro-rata figure of £150,000 per acre equates to a value of £1,482,000. Given that the value of the land provided for a school is £1,482,000, the overall contribution for education is the land plus a contribution of £461,491.

8.51 Given the size and proximity of the development to Kirk Sandall railway station, Network Rail has asked for a contribution towards station facility improvements. These improvements could include customer information screens, a waiting shelter, new CCTV system and a cycle shelter. There is no policy basis to seek such a contribution and no mechanism to assess or quantify the impact of the development on the railway station, even if it could be justified. Such a contribution would not meet two of the three CIL tests in that it would not be necessary to make the development acceptable in planning terms and not directly related to the development.

## **9.0 Summary and conclusion**

9.1 Despite the fact that the UDP has allocated for the site for employment use since 1998, no development has come forward for such a use. The site is not suitable for the majority of the priority employment sectors in Doncaster. The loss of the allocated employment site would still result in a sufficient and healthy supply of future employment land across Doncaster. The NPPF states that where the local planning authority considers there to be no reasonable prospect of an application coming forward for the use allocated in a plan then applications for alternative uses should be supported. The proposed development would deliver a mix of housing in the Doncaster Main Urban Area, in a sustainable location.

9.2 The TA has shown that there will be no impact on the strategic road network and only a minimal impact on the local highway network, with improvements required at three roundabouts. There are a number of sustainable transport measures within the Travel Plan and there will be a contribution towards the West Moor Link improvement scheme.

9.3 There will be no detrimental impact on air quality and the applicant is to provide electric vehicle charging points and an Air Quality Management Plan. There are no sequentially preferable sites and appropriate floor levels will ensure that properties do not flood. Although only seeking to agree the means of access, a masterplan shows a possible design that would be in keeping with the character of the area.

9.4 Ecological issues are acceptable and the intention is to keep the best trees on site as part of any detailed submission. Other issues such as contamination, noise and odour have also been satisfactorily resolved.

9.5. The proposal will help to meet the Council's housing needs in a sustainable location and will have economic benefits. The proposal will also deliver much needed affordable housing for the borough.

## **10.0 Recommendation**

10.1 Grant planning permission subject to the following conditions:

### **Conditions**

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

#### **REASON**

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

2. In the case of the reserved matters, application for approval for the first phase of development must be made not later than the expiration of three years beginning with the date of this permission. Application for approval of reserved matters for all further phases of development must be made not later than the expiration of ten years beginning with the date of this permission.

#### **REASON**

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

3. Approval of the details of the layout, scale, appearance and landscaping of the site (hereinafter referred to as reserved matters) for each phase of development shall be obtained from the Local Planning Authority before the commencement of any works for that phase.

#### **REASON**

The application is in outline and no details having yet been furnished of the matters referred to in the outline they are reserved for subsequent approval by the Local Planning Authority.

4. The development hereby permitted must be carried out and completed entirely in accordance with the terms of this permission and the details shown on the approved plans listed below:

Drawing number 01 Revision A dated 09.10.2018 (Location Plan)

Drawing number 09 dated 09.10.18 (Parameters Plan)

#### **REASON**

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

5. No phase of development approved by this permission shall commence until a Phasing Plan for the timing and delivery of the development, in terms of the relationship between the phases of development and the proposed infrastructure, has been submitted to and approved in writing by the local planning authority. The development shall be undertaken in accordance with the Phasing Plan.

#### **REASON**

To ensure a satisfactory form of development.

6. Prior to the occupation of any dwellings on any phase of development on site, an air quality mitigation plan shall be submitted to and approved in writing by the local planning authority. This plan shall demonstrate how the damage costs have been utilised to offset vehicle emissions during the lifetime of the development. Measures in any mitigation plan should be in addition to those provided as a requirement for other planning matters. The mitigation plan shall be implemented in accordance with a timescale to be agreed with the local planning authority.

**REASON**

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

7. Details of the foul and surface water drainage systems for each phase of development shall be submitted to and approved by the Local Planning Authority and shall take place as approved prior to their installation on site. These works shall be carried out concurrently with the development.

**REASON**

To ensure that the site is connected to suitable drainage systems.

8. Prior to the commencement of each phase of the development hereby granted, a scheme for the protection of all retained trees for that phase shall be submitted to the local planning authority. No equipment, machinery or materials shall be brought onto site for the purposes of the development until the local planning authority has approved the setting out of the tree protection barriers on the site. Thereafter, and throughout the period of construction, all tree protection shall be maintained in full accordance with the approved details until all equipment, machinery and surplus materials associated with the construction have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

**REASON**

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

9. No phase of development approved by this permission shall be commenced prior to a contaminated land assessment and associated remedial strategy, together with a timetable of works, being accepted and approved by the Local Planning Authority (LPA), unless otherwise approved in writing with the LPA. Thereafter development shall take place as approved.

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



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

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

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

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

#### REASON

To secure the satisfactory development of the site in terms of human health and the wider environment pursuant to the National Planning Policy Framework. This has to be prior to commencement so that any risks are assessed before works begin to the ground whether this be demolition works or construction works and remediation in place before works begin.

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

## REASON

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

11. A Construction Traffic Management Plan (CTMP) shall be submitted to and approved by the local planning authority before works commence on each phase of development on the site. The CTMP shall contain information relating to (but not limited to):

Volumes and types of construction vehicles

Identification of delivery routes

Identification of agreed access point

Contractor's method for controlling construction traffic and adherence to routes

Size, route and numbers of abnormal loads

Swept path analysis (as required)

Construction Period

Temporary signage

Measures to control mud and dust being transferred to the public highway

Timing of deliveries

Construction shall thereafter be carried out in accordance with the CTMP.

## REASON

In order to mitigate the impact of construction traffic generated by the development.

12. The development hereby approved shall be carried out in accordance with the measures set out in section 5 of the Travel Plan dated April 2019.

## REASON

To encourage sustainable modes of travel to the site in accordance with policy CS9 of the Core Strategy.

13. On or before submission of a reserved matters application for each phase of development, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of survey findings in respect of habitats and species identified and located in the survey reports submitted with the application and shall reflect the Council's current design guidance, and include the following details:

- i) A risk assessment of the potentially damaging construction activities.
- ii) A specific method statement to protect reptiles during the construction and post construction phase to be based on the recommendations in Section 5 of the WYG Reptile Survey Report October 2018.
- iii) The range of habitats and species along with mitigation measures as proposed through the survey and ecological appraisals.
- iv) Identification of refuge, mitigation, and/or compensation areas within the site.
- v) The appointment and duties of an ecological Clerk of Works (ECoW) generally and specific to the site.
- vi) Roles, responsibilities and communication systems to be adopted throughout the active construction periods.
- vii) Timing of critical works where ecological supervision will be required.

- viii) The use of protective fencing, exclusion barriers, and wildlife safety measures.
- ix) The approved CEMP will be implemented and complied with throughout the construction period.

**REASON**

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

14. On or before submission of a reserved matters application for each phase of development, a lighting design strategy that specifically responds to light sensitive biodiversity shall be submitted to and approved in writing by the local planning authority. The strategy shall use current best practice on lighting and the protection of light sensitive fauna and include:

- i) Identification and assessment of the likely presence and location of light sensitive ecological receptors based on survey baseline data in relation to the proposed developments within the site, or part thereof.
- ii) Provide for mitigation measures along with technical specifications to reduce /eliminate the impacts of lighting spill on ecological receptors unless otherwise agreed.

The approved lighting design strategy for the site or part thereof shall be implemented and complied with.

**REASON**

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

15. On or before submission of the reserved matters application for each phase of development, a Biodiversity Method Statement (BMS) including a Biodiversity Mitigation, Monitoring, and Enhancement Plan (BMMEP) shall be submitted and approved in writing by the Local Planning Authority. The BMS and BMMEP shall include;

- i) an assessment of baseline conditions set out in the ecological reports and species surveys submitted with the outline application and associated appendices to ensure they are fit for purpose and to identify any additional survey work required to make them as such.
- ii) a timetable for survey updates set against the proposed development phasing and the inclusion of contingency measures where there are identified as potentially required for sensitive operations.
- iii) the purpose and objectives of the proposed works based on mitigation and compensation measures outlined in biodiversity offsetting proposals, ecological reports and species surveys submitted with the outline application.
- iv) scale and location of the proposed works shown clearly on scaled maps and plans
- v) Identification of the mitigation and/or compensation areas and features within the site
- vi) detailed specifications for biodiversity creation and enhancement works and other ecological features specific to mitigation proposals for habitats, faunal groups and species.
- vii) timetable for the implementation based on the phasing proposals.

viii) Initial aftercare and long-term management and maintenance of ecological features including an appropriate monitoring strategy.

**REASON**

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

16. No phase of development approved by this planning permission shall commence until a scheme to ensure the development is flood resilient has been submitted to, and approved in writing by, the local planning authority. The applicant must ensure the development is flood resilient by specifying all finished floor levels and additional flood resilience measures for the development across the site. The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme's timing/phasing arrangements, 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 its future users.

17. Prior to the submission of an application for reserved matters, a design guide shall be submitted to and approved in writing by the local planning authority. The design guide shall inform all subsequent reserved matters submissions for development within the site unless otherwise agreed in writing with the local planning authority. The design guide shall translate the design principles in the Design and Access Statement dated October 2018, the illustrative masterplan drawing number 06 revision c dated 30.01.2018 and the parameters plan drawing number 09 dated 09.10.18 setting out clear design expectations. The design guide shall refer to and reflect the Council's relevant adopted Supplementary Planning Documents and cover the following design considerations:

Urban design principles- how the development will create a permeable and secure network of blocks and plots with well-defined, active and enclosed streets and spaces. How development will respond to and protect existing retained trees and hedgerows.

Movement hierarchy and street types - the network of streets and car free routes and how these integrate into existing networks, using street sections and plans to illustrate the hierarchy, design, landscaping and surfacing. This shall explain any street tree planting strategy and include avenue tree planting in verges to the main streets in the hierarchy.

Legibility strategy- to facilitate the navigation of routes using opportunities for gateways, views, nodes and landmarks for orientation. The strategy should include a clear, legible and direct connection between the two main residential parcels across the POS.

Residential character areas- the promotion of residential character areas based on an assessment of the local built context. The character area strategy shall include design guidance in terms of:

i) General layout, siting, scale and spacing of properties.

- ii) Architectural appearance, including building details and materials.
- iii) Open space character areas, including the function, appearance and design principles for each key areas of open space.
- iv) Hard and soft landscape, including strategy for street surfacing, junction treatments, street furniture, signage, management and maintenance.
- v) Boundary treatments, including strategy for front, side, rear and plot division boundaries for each street type/character area.
- vi) Vehicle and cycle parking, including strategy for details of allocated and visitor-parking strategies in line with the Council's parking standards.

Building for Life statement setting out the strategy to demonstrate how BFL principles are proposed to be met achieved through the reserved matters submissions.

**REASON**

To ensure a consistent and co-ordinated design approach, in the interests of the satisfactory function and appearance of the development in accordance with policy CS14 of the Core Strategy.

18. No material operation as defined in Section 56 (4)(a)-(d) of the Town and Country Planning Act 1990, shall be carried out to commence the development pursuant to this planning permission, until a planning obligation pursuant to Section 106 of the said Act relating to the land has been submitted to the local planning authority and the local planning authority has notified the person(s) submitting the same that it is acceptable. The said planning obligation will provide for:

- A) 26 per cent affordable housing provided in accordance with a timetable agreed with the local planning authority.
- B) Public open space to the equivalent of 15 per cent of the total site area and provision of a locally equipped area of play and maintenance plan in accordance with a scheme and timetable to be agreed.
- C) Contribution to the West Moor Link improvement scheme of £345,578.
- D) Mitigation at the junctions of Clay Lane roundabout, Shaw Lane roundabout and Sandall Park roundabout, unless the West Moor Link scheme has already been built.
- E) Monitoring of trip rates for a period of 5 years and a transport bond of £64,091.50.
- F) Provision of a bus shelter on Doncaster Road or a payment of £10,000 in lieu of this.
- G) Provision of land for a primary school and a contribution of £461,491.

**REASON**

To ensure the satisfactory provision of affordable housing, open space, highway mitigation and education provision in accordance with the Council's policies.

19. Prior to the construction of any dwellings within each phase of the development, a scheme for additional ventilation/glazing and acoustic fencing within that phase, based on the recommendations of the submitted noise survey (Table 4.3 of the WYG noise report Ref: A108704, dated 15<sup>th</sup> October 2018) shall be submitted to and approved in writing by the local planning authority. Implementation of the approved scheme shall take place prior to the occupation of any houses within that phase.

**REASON**

To ensure that noise does not affect residents in accordance with guidance set out in the NPPF.

20. Prior to the submission of any reserved matters application, an archaeological evaluation of the application area will be undertaken in accordance with a written scheme of investigation that has been submitted to and approved in writing by the local planning authority. Drawing upon the results of this field evaluation stage, a mitigation strategy for any further archaeological works and/or preservation in situ will be approved in writing with the local planning authority and then implemented.

#### REASON

To ensure that the site is archaeologically evaluated in accordance with an approved scheme and that sufficient information on any archaeological remains exists to help determine any reserved matters and to comply with policy CS15 of the Core Strategy.

### **Informatives**

#### INFORMATIVE

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

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

Street lighting design and installation is generally undertaken by the Local Highway Authority. There is a fee payable for this service and the applicant should make contact with Fiona Horgan - Tel 01302 735097 or e-mail Fiona.Horgan@doncaster.gov.uk regarding this as soon as possible. Further information on the selected DNO / IDNO together with the energy supplier will also be required as soon as possible as they directly affect the adoption process for the street lighting assets.

Based on a standard soakaway capacity of 10m<sup>3</sup> a commuted sum of £7800 to be used towards the future maintenance costs of each highway drain soakaway, shall be paid to the Council. An additional 780 extra will be added for each additional cubic metre of storage.

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

Any trees to be provided in the public highway require a commuted sum for maintenance purposes of £1500 per tree (£300 pounds per annum for a period of 5 years) to be paid to the Council, prior to the issue of the Part 2 Certificate.

#### INFORMATIVE

The layout of the proposed development shall be based on the need to retain all British Standard 5837: 2012 Trees in Relation to Design, Demolition and Construction - Recommendations category B trees within the site and overhanging / adjacent to the boundaries. The siting of any proposed building, carriageway, path, wall, service run, and built or excavated earthwork shall be based on the British Standard 5837: 2012 Trees in Relation to Design, Demolition and Construction - Recommendations compliant WYG tree survey report ref. Job Number A108704 rev. Issue V4 dated 12.10.2018 and shall give full regard to the root protection area and future growth of each tree and the aspect and topography of the site.

#### INFORMATIVE

The applicant/occupants should phone Floodline on 0345 988 1188 to register for Floodline Warnings Direct. It is a free service that provides flood warnings direct by telephone, mobile, fax or pager. 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 resistance and resilience - advice to LPA/applicant

We strongly recommend the use of flood resistance and resilience measures. Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage.

To find out which measures will be effective for this development, please contact your building control department. In the meantime, if you'd like to find out more about reducing flood damage, visit the flood risk and coastal change pages of the planning practice guidance. The following documents may also be useful:

Department for Communities and Local Government: Preparing for floods  
<http://www.planningportal.gov.uk/uploads/odpm/400000009282.pdf>

Department for Communities and Local Government: Improving the flood performance of new buildings: <https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings>

**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

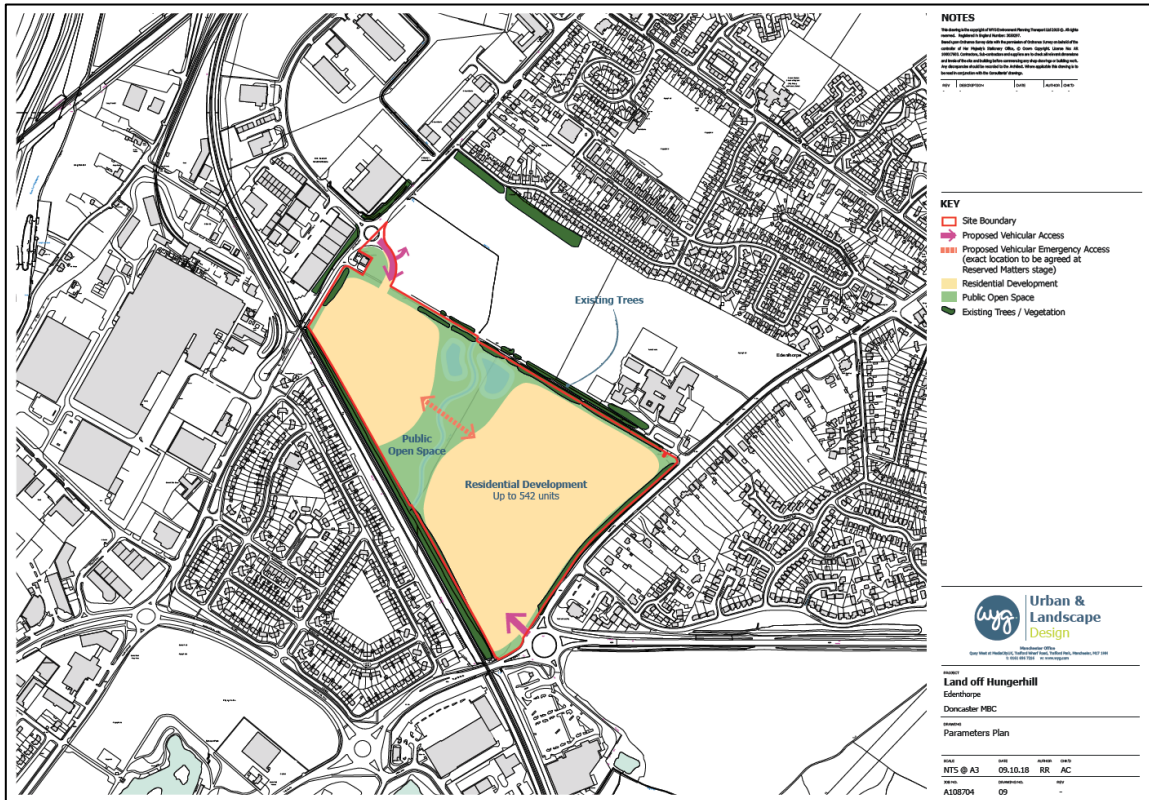


Fig 1: Parameters plan that identifies the points of access, the extent of land to be developed and the area of open space.



Fig 2: Indicative masterplan.



**DONCASTER METROPOLITAN BOROUGH COUNCIL**

**PLANNING COMMITTEE - 28th May 2019**

**Application**      3

<b>Application Number:</b>	17/02585/FULM	<b>Application Expiry Date:</b>	18th January 2018
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<b>Application Type:</b>	Planning FULL Major
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<b>Proposal Description:</b>	Erection of 7 new dwellings and the conversion of existing buildings to form 5 dwellings, with the repair of colonnade feature, access, landscaping and addition of stone wall to Barnsley Road.
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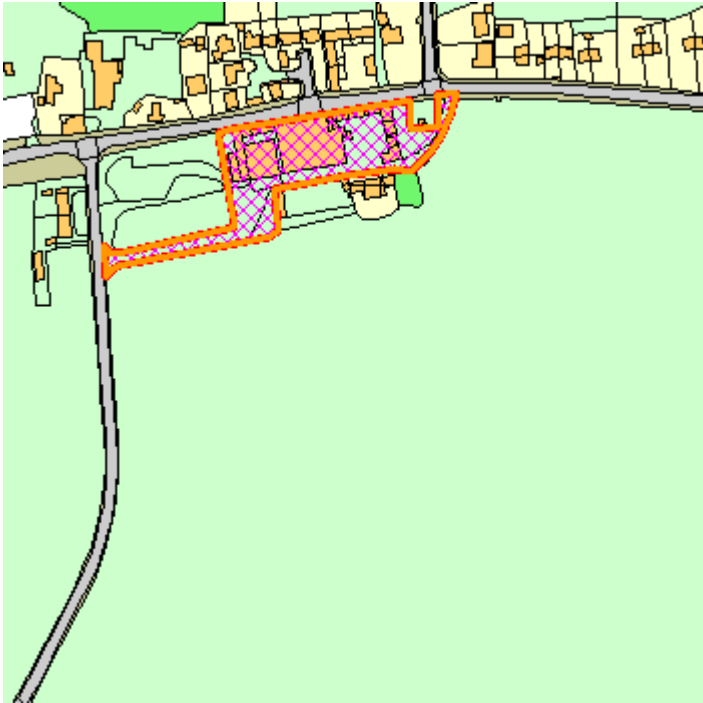
<b>At:</b>	Manor Farm Barnsley Road Marr Doncaster
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<b>For:</b>	Mr Atkinson - A.J. Atkinson And Sons
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<b>Third Party Reps:</b>	6	<b>Parish:</b>	Marr Parish Meeting
		<b>Ward:</b>	Sprotbrough

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

1.1 The application is presented to committee due to the proposal being a departure from the development plan, as it involves new build in the Green Belt.

## **2.0 Proposal and Background**

2.1 The site lies within Marr Conservation Area and includes remains of a Grade II listed shelter shed as well as other curtilage listed buildings of Manor Farm. The site also impacts on the setting of the Grade II listed Manor Farm farmhouse.

2.2 The proposal involves the conversion of the listed buildings to residential, demolition of the more modern farm buildings in the central section of the site and their replacement with 7 two storey linked new build dwellings to form 12 dwellings in total. The proposal also includes new garaging access, landscaping and the addition of stone wall to Barnsley Road.

2.3 The proposal is within Green Belt and represents a departure from the development plan. Whilst the conversion element is acceptable in planning policy terms, the new build element isn't supported by Green Belt policy unless very special circumstances are demonstrated. One such circumstance is 'enabling development' which is development that would be unacceptable in planning terms but for the fact that it would bring public benefits sufficient to justify it being carried out, and which could not otherwise be achieved. In this case, the restoration of the listed building is the public benefit.

2.4 The application has been amended on several occasions to address concerns from consultees in particular noise, highways, layout and design and conservation concerns with respect to the extent of the rebuilding necessary and the overall lack of detail contained within the submission.

2.5 In terms of the general context, the site measures 1ha and is located to south of Barnsley Road, within the village of Marr which lies 7km to the north west of the centre of Doncaster. Marr is a small agricultural street village mentioned in the Domesday Book. It is linear in nature and stretches along Barnsley Road. Marr developed as a settlement serving several farms. The characteristic of the village today still rest with the two farms - Manor Farm and Marr Hall Farm. Marr consists of large imposing detached dwellings, with smaller farm cottages and semi-detached houses set along the road, and some that are set quite a long way back from the highway contrasting with historic farm-buildings and odd gable ended row of cottages that are set hard up to the road. Limestone was the traditional material, which is rendered on some buildings. Principle roof materials are slate and clay pantiles. Limestone boundary walls are an important and extensive feature of the conservation area. The conservation area (designated in 1991) is endowed with mature trees, especially within the two areas of 'Hills and Holes' that exist at both east and west ends of the settlement.

2.6 The site has historically been in agricultural use; with the more modern agricultural sheds still used for storing of crops.

2.7 This particular proposal has been discussed for many years, however its importance to progress such restoration works was heightened when a section of the building collapsed in 2012, and then again in 2015. The Highway Department and Building Control (dangerous structures) expressed concern about the stability of the remainder of the wall adjacent to the highway and a structural report on the condition of the buildings was undertaken by PCD Ltd dated October 2015. Subsequently the majority of buildings adjacent to the highway were demolished in early 2016.

2.8 Both the Conservation Area and shelter shed are considered to be 'at risk'.

### **3.0 Relevant site history**

3.1 17/02586/LBCM - Listed Building Consent for erection of 7 new dwellings and the conversion of existing buildings to form 5 dwellings, with the repair of colonnade feature, access, landscaping and addition of stone wall to Barnsley Road. Pending consideration.

3.2 15/02772/LBC - Partial demolition of listed building and partial demolition of curtilage listed buildings. Pending consideration.

01/4835/P - Vehicular access to classified road (C309)

3.3 97/0745/P - Listed building consent for removal of roof tiles, installation of polythene sheeting to waterproof roof timber walls and replacement of roof tiles.

### **4.0 Representations**

4.1 This application has been advertised in accordance with the Development Management Procedure Order on two separate occasions. This was via a press notice (2.11.17 edition), x3 site notices and direct neighbour notification. The application received one objection:

- The road accidents on Barnsley Road and Blacksmith Lane are seriously increasing due to the increased amount of heavy traffic, and another 12 dwellings with approximately 2 cars per household all trying to gain access to Barnsley Road will increase the risks of serious or fatal road accidents and we have had far too many of these for the proposed plan to be accepted

4.2 One representation has been received in support of the proposal.

- The development will be a good one and will tidy up the eye sore within the village.

4.3 The application was re-advertised as a result of the amended plans in April 2019. Three letters of opposition were received which reiterated the Parish Council's concerns.

The full individual representations may be read through public access and are summarised as follows:

- Support the renovation scheme in principle but concerns over the additional traffic the scheme will create.
- The road is very, very busy all day and all night and gets very congested at peak times.

- The area near the road is also already very highly polluted, to such an extent that Marr has had to be designated an Air Quality Management Area. Twelve new houses might not seem many, but they will incrementally make the air quality and traffic volumes worse.
- If the scheme is approved DMBC need to take the opportunity to address the current problems with the A635 to in part compensate Marr residents for the pollution health risk, noise and sheer danger which the road inflicts on them. This should be done in the following ways.
- Create a traffic light controlled pedestrian crossing near the bus stops to allow residents to cross the road without risking their lives in the traffic as is the case now.
- Reduce the speed limit to 30mph.
- Make access to the site safer by all the dwellings being served from Blacksmith's Lane.
- Safety here would be greatly improved if a mini roundabout was created.
- Create a safe footpath along the A635 boundary of the site.

4.4 One further letter of support was submitted due to the proposal conserving the existing buildings, which have fallen into disrepair. It reiterated the concerns above.

4.5 Representation for Cllr Cynthia Ransom - No objections to the Planning Application, however concern about the amount of traffic on the A635 therefore support the residents of Marr with a 30mph speed limit and most important a pedestrian crossing situated near the Bus stop.

## **5.0 Marr Parish Council**

5.1 Marr Parish Council have responded on both the original consultation and reiterated the comments when commenting on the amended plans. The comments were detailed and are therefore summarised for the purposes of this report as follows:

- Residents of Marr welcome the restoration of the colonnade and generally support the 12 dwelling scheme caveated by their very real concerns.
- The overall view from residents is very much one of dismay - the current owners earlier and ongoing intervention and investment in maintenance and upkeep of the Grade 11 listed buildings could have preserved the buildings and prevented the existing listed buildings from falling into their current state, of disrepair, saving these historical buildings for posterity.
- Request, a dedicated team consider a review of all listed and historical buildings within the Borough and do everything within their power to enforce current owners and custodians of Listed Properties to regularly invest in maintenance in order to preserve said properties.

- The proposals has poor visuals, it is not clear "how these will look" in reality and in its setting.
- Include a standard sized pavement, to run alongside the new development, along this stretch of Barnsley Rd in order to protect pedestrians.
- No details on file of the drainage Main sewage connection would create obvious highways disruption and would negatively and directly impact every Marr resident. Marr residents are opposed to main drains connection for this proposed development.
- Residents have raised questions over the Water Sub-Station which is currently located on the Manor Farm site. Residents believe that it would be more aesthetically pleasing to both current and planned development Marr residents if this could be re-sited/removed as part of the development plan.
- Provision should be made for 1 bed units to address the need for affordable housing for our rural community.
- Having reviewed the development plans, there appears to be no utilisation of Echo Friendly or Green Energy initiatives contained within the proposal.
- Marr residents would like to ensure that the development has a low carbon footprint and one which reflects DMBC's own reduction ambitions.
- 12 new proposed dwellings appears to be an insignificant number, however, in reality this equates to an approx. 20% increase in both the number of houses within the village together with a 20% increase in the village's population - a significant increase.
- As the village has no adequate amenities to cope with a significant increase in population, we would request the developers contribute to new Play Equipment in the park. We further suggest that said community funding could be achieved under Section 106.
- The 12 dwellings will increase traffic in the village and reduce air quality, and congestion at the road junctions, which are already over capacity. Road calming measures should be introduced. Pedestrian Crossing be installed across this section of the A635 to allow safe access to the two bus stops which are adjacent to one another.
- We strongly recommend that the current 40mph speed limit through the village is revised to a 30mph Zone to also improve air quality. Also the submission contains no Traffic Assessment.
- The proposal will compound the air quality issues in the village.

## 6.0 Consultations Responses

6.1 Historic England - Initially raised concerns over the application on heritage grounds and the safeguards in the NPPF need to be addressed. The amended plans and additional information has overcome this concern and support is offered as a means of securing the reuse and repair and future maintenance of this important group of historic buildings.

6.2 Drainage - There is insufficient information for the flood risk team to consult on this planning application. All major applications should include the required minimum level of information as detailed in Appendix A Version 1.5 - Guidance for Developers producing Drainage Strategies, so the correct conditions/ objections or approval can be given.

6.3 Ecology - No objections subject to the imposition of an ecology enhancement condition.

6.4 Pollution Control - Originally suggested no objections subject to conditions. However as time has progressed the issue of air quality in Marr has progressed. The application should be screened. Results awaited and mitigation considered.

6.5 Open Space - No objections. The site is not recorded as Open Space Policy Area in the UDP, nor is it recorded in the 2013 Green Spaces Audit. Whilst a communal space has been proposed to the east of the site, this appears to be an enclosed amenity space for the proposed residents to utilise. Therefore, given the limited scope for onsite provision a commuted sum of 15% is provided to improve open space in the local area, in line with RL4, given Marr is deficient in 4/5 open space typologies. The only open space in Marr is the informal space Marr Playing Field (off Church Lane).

6.6 Education - The Education team have identified that there is a deficiency in school places locally. The Schools affected are Rosedale (Primary) Academy and Ridgewood Academy (Secondary). The 12 family dwelling (2 or more beds) scheme hits the trigger for such contributions (10 or more family units). The primary school calculation for to accommodate the development equates to 3 places @ £12,143 = £36,429.00.

6.7 The secondary contribution is calculated at 6 places @ £18,297 = £ 109,782.00. Whilst there are currently spare places available at Ridgewood Academy taking into account a 5% contingency factor = 60 places, this reduces the number of places to 1140 leaving 0 places available. An additional 6 places would be required to accommodate the build; therefore the school would be over capacity and will remain full beyond 20/21 (the Projection period). The Total Education Section 106 Contribution required £ 146,211.00

6.8 Yorkshire Water - Initial objection as the proposal is sited close to a live 10" water main. Also 2 dwellings are situated close to the pumping station and an acoustic assessment is required to ensure living conditions will not be compromised by the facility. Amended plans removed the buildings within the protected area of the water main which satisfied Yorkshire Water. Conditions were suggested to ensure the water main is protected and surface water is dealt with appropriately.

6.9 Environmental health - Initial objection due the absence of a noise report. The submitted report had deficiencies and was later amended in version 3 to overcome the concerns. Mitigation conditions proposed.

6.10 Trees: No objection in principle but requested a tree survey be commissioned. This was submitted, and provided a good assessment of the site. The tree officer raised no objections subject to conditions relating to tree protection as outlined in the assessment and the need for soft landscaping to be agreed prior to development commencing.

6.11 Highways: No objection in principle to the scheme however required several amendments to be made to make the scheme acceptable. The issues were lack of parking, the design of the internal roads and the visibility issues with the access. Highways were content with the amended layout subject to the boundary treatment to Blacksmiths Lane within the visibility splay and under the ownership of the applicant be limited to 900mm high rather than the 1m shown on the site plan.

6.12 Design and Conservation Officer: Initial concerns over the lack of existing drawings, the extent of the rebuilding necessary, assurances over the protection of the remaining historic structures, time scales, moth balling measures and how the architectural stone will be reused. This has been overcome through negotiation and the submission of amended plans. Therefore no objections subject to conditions.

## **7.0 Relevant Policy and strategic and context**

7.1 The site lies within Green Belt, within the Marr Conservation Area and within an Areas of Special landscape value as defined by the Doncaster Unitary Development Plan 1998. The relevant policies include:

7.2 National Planning Policy Framework (Feb 2019). The NPPF establishes 12 'Core Planning Principles' to underpin plan-making and decision taking. Relevant sections include:

Principle 8 - Promoting Healthy and safe communities

Principle 12 - Achieving well designed places

Principle 13 - Protecting Green Belt land

Principle 14 - Meeting the challenge of climate change, flooding and coastal change

Principle 15 - Conserving and enhancing the natural environment.

Principle 16 - Conserving and enhancing the historic environment, specifically paragraphs 189-193 of the National Planning Policy Framework on determining applications.

## **Doncaster Council LDF**

7.3 The statutory development plan for Doncaster currently comprises the Local Development Framework Core Strategy (adopted May 2012), and the saved Policies of the Doncaster Unitary Development Plan (adopted 1998) (including the Proposals Map). Relevant policies:

Policy CS1 Policy CS2 'Growth and Regeneration Strategy'

Policy CS 3 'Countryside'

Policy CS4 'Flooding and Drainage'

Policy CS 9 'Travel Choice'.

Policy CS14 'Design and Sustainable Construction'

Policy CS 15 'Valuing our historic Environment'

Policy CS16 'Natural Environment'

Policy CS18 'Air, Water and Agricultural Land'

## **Doncaster Unitary Development Plan**

7.4 The key saved policies of the UDP relevant to the current application are considered below:

ENV 3 - Green Belt.  
ENV 17 - Area of special landscape value.  
RL 4 - Local Public Open Space Provision  
ENV 25 - Conservation Areas  
ENV 32 - Listed Buildings  
ENV 59 - Protection of Trees

## **Doncaster Local Plan**

7.5 The emerging Doncaster Local Plan will replace the UDP and Core Strategy once adopted. The Council is aiming to adopt the Local Plan by summer 2020. Consultation on the draft policies and proposed sites took place during September and October of last year and the Local Plan is due to be published in early summer 2019. Given the relatively early stage of preparation of the emerging Local Plan, the document carries very limited weight at this stage.

Policy 14: Promoting sustainable transport within new developments  
Policy 29: Open Space Provision in new development  
Policy 35-38: Historic Environment chapter.  
Policy 37: Listed Buildings  
Policy 34: Landscape (Strategic Policy)  
Policy 38: Conservation Areas  
Policy 43: Good Urban Design  
Policy 49: Landscaping of New Developments  
Policy 55: Pollution  
Policy 66 & 67 Developer Contributions and viability

## **8.0 Planning Issue and discussion**

### Main Issues

8.1 The site is designated as Green Belt and within an Area of Special landscape Value. The historical buildings are Grade II Listed and within the Marr Conservation Area. The main issues are therefore the acceptability of the principle of the scheme i.e. conversion v's new build, the extent of enabling development necessary, the impact on the Green Belt, the treatment of the Listed Building, the impact on the Conservation Area, viability, highways, drainage, pollution, ecology, noise, trees and landscaping.

### Principle of Development

8.2 The site lies within the Green Belt so regard should be given to the appropriateness of residential development and the impact on the openness of the Green Belt. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belt are their openness and their permanence. Local policy contained within Core Strategy CS 3 seeks to protect and enhance Doncaster's countryside and when considering land within Green Belt, national policy will be applied.



8.3 National Policy (NPPF) advises of appropriate developments in the Green Belt and paragraph 143 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The NPPF, paragraph 145 further states that local planning authorities should regard the construction of new buildings as inappropriate in Green Belt; then goes on to list a set of criteria as exceptions to this, which includes agricultural, recreational types buildings, replacement of buildings, limited infilling in villages and affordable housing. Most importantly new residential development and redevelopment of farm (greenfield) are not considered appropriate.

8.4 Paragraph 144 of the NPPF states " When considering any planning application, local planning authorities should 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, is clearly outweighed by other considerations."

8.5 Paragraph 146 of the NPPF states 'Certain other forms of development are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These include:

- the re-use of buildings provided that the buildings are of permanent and substantial construction.

8.6 This is echoed in UDP policy ENV 10, which allows for the conversion of existing buildings to other uses appropriate to the rural area provided that they are buildings of a permanent and substantial construction and capable of conversion without major or complete reconstruction. ENV 10 also suggests conversions will be acceptable where the form, bulk and design of the buildings are in keeping with their surroundings. Green Belt conversions should not have a materially greater impact than the present use on the openness of the Green Belt and the purposes of including land within it.

8.7 From the above it is clear that both national and local policy supports the conversion of the existing buildings (1-2 & 10-12), however the new build (dwellings 3-9) are inappropriate development and very special circumstances must be demonstrated. One such circumstance, as stated above, is 'enabling development'.

8.8 Paragraph 202 of the NPPF states that local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the dis-benefits of departing from those policies.

8.9 In assessing this impact, it is the applicant's case that the new build elements will essentially provide the necessary funds for the whole scheme to take place. This is demonstrated in the viability section below and any lesser number of units would leave the scheme unprofitable. If the scheme was not supported the buildings would deteriorate further which would not be in the public interest. The new build is very significant in terms of the amount and several of the buildings require substantial rebuilding. This is very much a balanced judgement between saving what is left of the Listed Building versus allowing a significant amount of new development in the Green Belt.

8.10 Having considered all the arguments presented, it is considered that there is significant benefit to renovating and saving the Listed Building by the new build enabling development, which in this case is regarded as a very special circumstance and which accordingly outweighs the dis-benefits of departing from Green Belt restrictions on new build.

### Openness

8.11 Another important test is the impact of the scheme on the openness and character of the Green Belt. Essentially the scheme recreates the character of the former farmstead and rebuilds the built form along Barnsley Road, which stood until 2016 before it was demolished for safety reasons. The removal of the larger more modern agricultural buildings in the centre of the site and their replacement with smaller properties will naturally improve openness as the building volumes are reduced. The new built form recreates a twin courtyard and faces south within the site.

8.12 The site if converted will clearly be more intensively used and the character of the farm will change from agriculture to residential, which will in turn cause some increased harm to openness. However the site is adjacent to a busy main road with residential dwellings opposite and therefore this new use wouldn't be as apparent unless in a really isolated rural area. The scheme will remove the tired looking farm buildings and reveal the historical building and attractive arcade. Once renovated the proposal will enhance the setting of the village and wider Conservation Area. The proposal is regarded to have a neutral impact on the openness of the Green Belt, as the intensity of the use will increase, buildings volumes reduced and new enclosure created.

8.13 Similarly the scheme doesn't expand beyond the site boundary and causes no new encroachment into the Green Belt or harm to the wider area of special landscape value.

### The Historical Implications.

8.14 Given the site lies within the Marr Conservation Area and the proposal involves the renovation of a key Grade II Listed Building, the historical considerations are of significant importance to this scheme.

8.15 The revised National Planning Policy Framework Section 16 (Conserving and enhancing the historic environment) and in particular paragraph 190 asks that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. Local planning authorities should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal. Paragraph 193 asks that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).

8.16 In addition in determining applications for Listed buildings there is a legal requirement to have special regard to the desirability of preserving the listed buildings and their settings (s.16 & 66, Planning (Listed Buildings and Conservation Areas) Act 1990). Section 72 of the act refers to conservation areas and seeks to ensure that local planning authorities pay special attention to the desirability of “preserving or enhancing the character or appearance of the conservation area”.

8.17 In considering the above legislation the application was supported by a heritage assessment which detailed the significance of the heritage assets. This was assessed along with the council’s own information on the listed buildings and condition of the Marr Conservation Area.

8.18 The conclusions were that the conservation area is considered to be at risk, with one of the major reasons being the condition of the farm buildings to Manor Farm and the loss of character caused by the recent demolition of roadside buildings. Previously the roadside buildings made a major contribution to the conservation area and gave a great sense of enclosure to the street scene.

8.19 The shelter shed is presumed to date from early 19th century and is considered to be at extreme risk on the council's 'at risk' register of listed buildings. It was partially demolished in 2015 as there were considerable concerns that this and neighbouring roadside buildings would collapse into the road due to their poor condition. The 10-bayed limestone ashlar arcade of the shelter shed still remains although the short wing to the left hand side (west) has now mostly gone. The arcade is made up of cylindrical piers and square capitals to segmental arches with projecting keystones. At the time of listing it was roofed with pantiles with a stone eaves course but this had already been replaced with a tarpaulin when the roof was removed as part of the above mentioned demolition.

8.20 There is also a more substantial wing on the right (to the east), which again has been partially demolished and which seems to have been originally a threshing barn with the northern part over vaults. Previously there were two vaults, with segmental arches with bull-nosed pier in between, but the northern-most one which adjoined the road was removed with the recent demolition. This wing has/had large quoins to both ends and on both long sides a large opening to the centre both of which are now blocked in with no discernible heads - the roof may perhaps have been lowered at some time which would have removed any evidence of the head of the large opening. On the eastern side, centrally placed above the two vaults on the right-hand side, was a square-faced window surround which no longer exists due to the recent demolition. A similar surround still exist within the central blocked in section on this elevation and on the left is a segmental archway with boarded door. Attached to the former threshing barn is a single storey range. This has an ad-hoc character and is in also in poor condition.

8.21 To the south of these is the Grade II listed farmhouse which is also early 19th century. Whilst its principal front faces south away from the farmyard it still seems to have some formal arrangement with the courtyard formed by the shelter shed and the range to the east, which was mirrored historically by a range to west (as can be seen in the old photograph supplied in the Heritage Statement) but which is now home to modern sheds. The rear elevation of the house facing the farmyard is well ordered but is spoilt by a large monolithic rear terrace and some of its associated buildings are also in poor condition and appearance.

8.22 There are also further remnants of other historic farm-buildings to the west of the shelter shed but again due to the recent demolition and previous alterations are now largely removed although to the far west is a two storey barn. The latter has some interest although this has had major alteration to its inner elevation and its floor has been removed although its outer faces survive which gives a positive appearance to the conservation area and the setting of the listed buildings.

8.23 The proposals are for the partial rebuilding and conversion of the existing buildings to form 5 dwellings, repair of the arcade feature of the shelter shed, the erection of 7 new dwellings and the reforming of a stone wall to Barnsley Road.

8.24 The proposal retains the remaining historic structures and with the new built elements recreates the general form of previous buildings on site. However, due to problems with maintaining buildings along the roadside edge the rebuilt range parallel with the road has been set back. Stone from the previous demolition is to be used to rebuilt missing elements of the historic buildings and the new built is to be in render with stone dressings. This will enable these rebuilt elements to be read as contrasting with the remaining historic fabric but still using characteristic materials and details within the conservation area and respect the listed buildings and their setting. The colonnade, which due to the demolition, has become more noticeable and the proposal will allow the colonnade to still be prominent from Barnsley Road.

8.25 The proposals have been the subject of pre-application discuss with Council Officers and Historic England and has been subject to further amendments as part of the planning process. These changes and clarification involved specifically detailing what elements were being preserved as officers wanted ensure the right balance was struck between demolition versus rebuild. The applicants supplied a Historic Fabric report by Archaeological Research Services Ltd (Nov 2018), in which following amendment to version 3, provided assurances on the above issues and satisfied the Conservation Officer.

8.26 In considering the relevant harm and significance considerations described above, the site and buildings are of great significance to the historical heritage of Marr. No harm is considered to being caused to either the listed building or the conservation area as the remaining historic elements are retained, and the rebuilt and new built elements are done in a way to respect heritage assets on site. Rather than the proposal being considered to cause harm it is seen that the proposal would actually benefit these historic assets and are warmly welcomed.

8.27 It is therefore in line with saved policies ENV25 and ENV32 of Doncaster UDP, emerging policies within The Local Plan, namely Policies 35, 36, 37 and 38, Policy CS15 of Doncaster Core Strategy, particularly sections A, and Section 16 (Conserving and enhancing the historic environment) specifically paragraphs 189-192 of the National Planning Policy Framework on determining applications, and sections 16(2), 66(1) and 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

8.28 A series of detailed conditions are proposed which cover issues such as materials, landscaping, renovation of the main farm house and measures such as the requirement for mothballing of the existing structures, which will prevent further decay of the Listed Buildings if the development isn't implemented within 6 months of the approval being given.

## Highways and Transportation

8.29 With regard to highway safety and parking, this should be considered against policy CS 14 of the Doncaster Unitary Development Plan which states that new development should ensure quality, stability, safety and security of private property, public areas and the highway, permeability and legibility.

8.30 The proposal sees plots 1-2 accessed via the existing access to the Marr Hall Farm on the north east corner of the site, with plots 3-12 being from Blacksmith's lane to the south west of the site. There is to be no through access road linking the two entry points.

8.31 The highway officer raised no objections to the use of these junctions, however did request a number of alterations to the internal road layout. Visitor parking spaces were increased in line with the Development Guidance and Requirements SPD. Other changes included amending boundary fencing, visibility splays, margin sizes increased and speed reducing features introduced. All parking is contained within the site with space for visitors and ample manoeuvrability.

8.32 A 2 metre wide footway was also required to be provided along the southern side of Barnsley Road between the shared private drive serving the existing farm house / plots 1 and 2 and the existing bus stop (c50 metres). This lay outside the red line boundary and thus is controlled by a Grampian condition.

8.33 The Parish Council and residents also raised a number of concerns with the amount and speed and traffic going through the village and suggested a series of measures detailed above some of which included reducing the speed limit in the village from 40 mph to 30mph. This is a matter being considered by the highway authority outside the remit of this application. The additional 12 dwellings proposed here, will not be the tipping point or be proportionate to seek wider highway safety or improvement measures, outside the new footpath works described above.

8.34 Also requests were made for the provision of a new footpath on the development side of the A635, however this has been discounted as being unnecessary and dangerous by the highways team and is therefore not pursued. Likewise no Traffic Assessment is required due to the small scale nature of the proposal. Both the transportation officer and case officer were content that the existing junctions were capable of accommodating the existing flows.

## Drainage

8.35 In terms of the sites drainage, no drainage strategy was supplied with the submission and the drainage officer objected on these grounds. Given the site is to be sold, drainage can be controlled by a suitable pre commencement condition. The foul will enter the mains in the road and sufficient land clearly exists for the outfall of SuDS. The proposal will also remove the central surfaced areas created by the barns and replace them with lesser amounts on new built and more permeable landscaped areas, lessening the outfall from the site. A standard drainage condition requiring full details of the drainage systems will be imposed which also covers the suggested conditions by Yorkshire Water.

## Trees and Landscaping

8.36 Core Strategy Policy CS 16 (D) states that proposals will be supported which enhance the borough's landscape and trees by: ensuring that design are of high quality, include hard and soft landscaping, a long term maintenance plan and enhance landscape character while protecting its local distinctiveness and retaining and protecting appropriate trees and hedgerows. Policy ENV 59 of the Doncaster Unitary Development Plan seeks to protect existing trees, hedgerows and natural landscape features.

8.37 The site isn't overly constrained by trees, however there are a few trees that are worth taking in to consideration. Specifically these are the individual Horse Chestnut located by the site access opposite Church Lane, the tree group located to the east of the Farm House and garage and the mature Elder adjacent to the existing pumping station that are of amenity value due to their location in relation to the road and the surrounding site usage (fields) making them more prominent in the landscape.

8.38 The Horse Chestnut and tree group are unlikely to be significantly affected by the proposal because site access and general site layout around them is remaining the same. The Elder is the tree that appears most at risk as it is within the red line boundary and adjacent to the proposal within the site. A tree survey was requested which established how the trees will be affected by the development and vice versa and help inform on their future management and value on the site.

8.39 The tree officer welcomed the Arboricultural Impact Assessment - in accordance with BS5837: 2012 (dated 27th July 2018/Reference: JC/154/180727) which made a really good assessment of the site and providing the tree protection plan and the method statement. The tree officer is content that the existing trees will be suitably protected during the construction phase of the development. Two conditions were suggested covering tree protection and the need for soft landscaping details prior to development commencing.

## Design and Layout

8.40 Planning Policy Principle 12 of the NPPF states that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and contributes positively to making places better for people. Policy CS 14 of the Doncaster Council Core Strategy sets out the local policy in relation to design and sustainable construction.

8.41 The layout of the scheme is dictated by the existing buildings and the new build follows to some extent the historical form of where the buildings once stood. Several changes were made to the proposal to amend the internal road layout to provide more visitor parking, omit a garage block to units 1-2 and other technical highway changes to the surfacing and shared areas.

8.42 The buildings are arranged in three 'u' shaped courtyards dictated by the two end-most buildings that define each end of the range. Communal areas and dedicated gardens make up the internal courtyards with the plots on the outer edge i.e. 10-12 and 1-2 having dedicated rear gardens.

8.43 The scheme is well landscaped and sufficient private amenity space for each unit. The main window to window distances between the courtyards are in excess of 21m, so no issues exist in terms of privacy and inter visibility. Likewise no issues exist with regards to overlooking of adjoining residents as the range stands alone apart from the main farm house, which too is benefitting from some cosmetic improvement.

### Noise

8.44 The site is adjacent to the A635, which is a major road in relation to traffic travelling west into Doncaster. The A635 is the dominant noise source in this area. The drawings detail the proposed internal layout which shows some habitable rooms facing the A635. The environmental health officer requested a noise assessment in order to assess the impact of the road which takes into account existing background noise levels and the proposed noise levels to be achieved inside the building to safeguard future residents.

8.45 In addition plots 1 & 2 are near an existing Yorkshire Water pumping station. Yorkshire Water raised the concern over the potential noise this makes and again required this to be assessed within the noise survey. A noise survey was undertaken which gave recommendations in a noise mitigation strategy to protect the proposed residential development from the existing traffic noise adjacent the main road. This involved specific glazing and ventilation improvements on the buildings closest to the road. The original report failed to recognise the pumping station, so this was amended in version 2, with the low frequency noise added in version 3. The report suggests the pumping station was not audible above road noise levels. Likewise low frequency noise from the pumping station was not a concern which the environmental health officer concurred with.

8.46 The environmental health officer confirmed that the pumping station does not represent a concern and that the internals of the buildings could be insulated to achieve sound insulation standards. It was the outside noise from the traffic which still presented a concern particularly to the garden of plot 12. The amendments to the layout of the range shows a new 1.2m wall throughout the length of the range. Its height was restricted for maintenance purposes, with a 1.8m wall on the corner of plot 12. This was later increased in height to 2m to provide better sound insulation. Also any purchasers of the dwellings will recognise the presence of the road so to some extent its 'buyers beware' and in terms of living next to a main strategic road. A condition is imposed ensuring the development is carried out in accordance with the noise report recommendations providing protection via glazing, masonry and roof construction for different areas of the proposed development to ensure internal sound levels of BS8233 can be achieved.

### Planning Obligations and Viability

8.47 Paragraph 54 of the NPPF states that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. In paragraph 56 it is stated that planning obligations should only be sought where they meet all of the following tests;

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

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

8.49 The 12 dwelling scheme meets the triggers for both Education and Public Open Space (POS) contributions being more than x10 or more 2-bed units. No affordable housing is required given its less than 15 units.

8.50 The POS requirement in accordance with CS17 and UDP policy RL 4 require a 15% provision. Some communal space is provided on site however this is for residents only. As such 15% commuted sum would ordinarily be applicable to improve open space in the local area. This was specifically requested in the Parish Council's response to the consultation.

8.51 The education requirement is calculated at 3 child places at Rosedale Primary school (£36,429.00 and 6 places required at Ridgewood Academy £109,782. Meaning a commuted sum of £146,211.00 being necessary.

8.52 The application was not supported by a viability assessment, however details of the conversion costs and enabling development were contained with a report produced by Auburn Ainsley. This however never took account of the likely section 106 contributions and merely concentrates on the conversion costings.

8.53 The application is based on the premise of the conversion costs versus the likely sale values and the profit will be the difference this generates. The applicant does not take into account land values, developer profit, professional fees, marketing and sales, contingencies and any financial borrowing to fund the development. This is said to generate a £200,000 difference excluding these elements and is stated as the bear minimum of new development that could feasibly take place to fund restoration and rebuild of the historic built form. The applicant states the developer profit alone would be expected to be 17% GDV which equates to £467,500. Add to this land value and remaining fees/costs, the total cost would be far higher than that which is shown solely from construction.

8.54 These costing were independently assessed by the Council's consultants, Pick Everard to ensure they were not unnecessarily inflated and showed an accurate picture of the costs involved. If they were proven to be inaccurate then this would mean the enabling development test is failed and equally the scheme could be liable for contributions.

8.55 Pick Everard assessed the reasonableness of the rates and sums allowed for the conversion and new build elements. The assessment found that some costs were over-stated such as demolition, roof construction and doors, however some works were under-stated such as incoming services, strip and level formation, stone restoration and refurbishment. The conclusion was that under estimation was far more than the over estimation by around £328,000.

8.56 This supported the applicant's claims that the £2.4m conversion costs and potential sale values of £2.7m were below normal expected profit levels. The saleable value of the dwellings is established from a Grice Hunter and this was further supported by an assessment from Reeds Rain, both of which had compatible values.



8.57 Given the conversion costs are realistic this fulfils the enabling development test. Any reduction in units would further reduce the profitability of the scheme and render it unviable meaning further degradation of the Listed Buildings. The costing and likely saleable values are only a snap shot in time therefore the development could start within 3 years then be moth balled allowing prices to rise. This is unlikely given the condition of the buildings and its expected once started the conversion could be completed within a relatively short space of time. On this basis no such contributions are being pursued. Likewise given the size of the scheme, no clawback agreement through a review of the sales is considered necessary.

8.58 Finally whilst a true viability test has not been undertaken it is clear from the figures that the scheme cannot support any further draws on profit and therefore no contributions to education Public Open Space improvement or off site highways works are necessary.

### Ground Conditions/Air Quality

8.59 Paragraph 179 of the NPPF states: 'Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.' Paragraph 180 of the NPPF confirms that decisions should ensure that the site is suitable for its new use taking account of ground conditions and land instability, including from natural hazards or former activities such as mining, pollution arising from previous uses and any proposals for mitigation including land remediation or impacts on the natural environment arising from that remediation. This is reflected in Core Strategy Policy CS18: Air, Water and Agricultural Land, seeks to ensure that Doncaster's air, water and land resources will be conserved, protected and enhanced, both in terms of quantity and quality.

8.60 The application was not accompanied by a contamination assessment and given the elements of new build (sensitive end use) and the historical use of the site a contamination assessment is required. This is secured via suitable planning conditions.

8.61 The Parish Council and residents also raised a number of concerns regarding air quality in the village particularly caused by the amount and of vehicles using Barnsely Road and congestion at peak times. This was put to the council's air quality officer who confirmed the Marr is to be designated as an Air Quality Management Area. The applicant is in the process of undertaking an air quality screening, the results of which will be assessed by the pollution control team and presented as a pre committee update. If the exposure assessment warrants any intervention then mitigation can be considered. On a separate matter EV charging points are to be provided in the new dwellings and secured by condition.

### Ecology

8.62 Paragraph 170 of the NPPF states that the planning system should contribute to and enhance the natural and local environment, in regards to: valued landscapes, ecosystem services, biodiversity, pollution, and contaminated and unstable land. Paragraph 174-175 of the NPPF states Local Planning Authorities should aim to conserve and enhance biodiversity and outlines a number of principles which should be applied, including 'if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.'

8.63 Core Strategy Policy CS16: Valuing our Natural Environment, seeks to ensure that Doncaster's natural environment will be protected and enhanced. Policy CS 16 (A) of the Doncaster Council states that proposals will be supported which enhance the borough's Ecological Networks by: (1) including measures that are of an appropriate size, scale, type and have regard to both the nature of the development and its impact on existing or potential networks.

8.64 With the above in mind the application was supported by an ecological phase 1 habitat and bat survey by Whitcher Wildlife Limited. This was assessed and accepted by the council's ecologist. There is no evidence of bats roosting in any of the buildings although bats were seen in the area along with numerous swallows. The report makes a number of recommendations for bird and bat boxes which are agreed and can be conditioned. The position of potential swallow nest cups was agreed as was the requirement for an ecological enhancement plan to be submitted prior to the first occupation. The proposed landscaping of the site will also add ecology benefit.

### Balancing Exercise

8.65 The harm identified above as a consequence of the inappropriateness of the development in the Green Belt carries substantial weight against the proposals. The lack of any off site planning gain, marginal increases in traffic to the village and reduction in openness carries moderate weight.

8.66 In its favour the restoration of the listed buildings ensuring their long term future and overall enhancement of the Conservation Area carries substantial weight. There are clear benefits to be had in allowing this scheme through enabling development, which would otherwise conflict with Green Belt policy specific to the new build elements. Section 16 paragraph 202 of the NPPF allows for this and in this case, officers consider the benefits of a proposal i.e. to secure the future conservation of a heritage asset, outweighs the disadvantages of departing from Green Belt policy.

## **9.0 Summary and Conclusion**

9.1 In summary the above report discusses and weighs up the positives and negatives of developing this Green Belt site. It is considered that no harm is created to the Listed Buildings, in fact the development will positively benefit the historic structures and enhance the Conservation Area, all of which are significant factors in support of the scheme. The new build 'enabling development' proposed is justified in this instance and would create a scheme that has no fundamental impacts on the character of the Green Belt, the occupiers of the residents of Marr and works from a functional respect in terms of highways, ecology, contamination and noise. Regrettably the scheme isn't able to deliver any contributions towards education or public open space improvements in the local area, due to the viability of the scheme. However, taking a balanced approach, support for this proposal is recommended.

9.2 Should the application receive support from members, then it would need referring to the National Planning Case Work Unit for consideration as to whether the Secretary of State calls in the application.

## 10.0 Recommendation

10.1 Planning permission be granted subject to the following conditions:

01. STAT1            The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.  
REASON  
Condition required to be imposed by Section 91(as amended) of the Town and Country Planning Act 1990.
02. U0066248        The development hereby permitted must be carried out and completed entirely in accordance with the terms of this permission and the details shown on the approved plans and specifications.
- Site plan - Rev H  
Historic fabric building report - v3  
Plots 1-2 Revision F  
Plots 10-12 Revision E  
Existing elevations plan 16.019.9  
Plots 3-9 ground floor plan - Revision B  
Plots 3-9 first floor plan -Revision A  
Plots 3-9 elevations - Revision C  
REASON  
To ensure that the development is carried out in accordance with the application as approved.
03. NOPD1A           Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (No.596) (England) Order 2015, Article 3, Schedule 2: Part 1 (or any subsequent order or statutory provision revoking or re-enacting that order) no additions, extensions or other alterations other than that expressly authorised by this permission shall be carried out without prior permission of the local planning authority.  
REASON  
The local planning authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties or to the character of the area and for this reason would wish to control any future development to comply with policy PH11 of the Doncaster Unitary Development Plan.
04. NOPD4A           Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (No.596) (England) Order 2015, Article 3, Schedule 2: Part 2 (or any subsequent order or statutory provision revoking or re-enacting that order) no walls, fences or other means of enclosure shall be erected on land between the walls of any dwellings fronting a highway and the highway boundary without the prior permission of the local planning authority.

REASON

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

05. NOPD3A

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

REASON

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

06. U0058648

No development shall take place on the site until full details of the scheme of landscaping shall be submitted to the Local Planning Authority. Unless as shall be specifically approved in writing by the Local Planning Authority, the landscape scheme shall be as shown on the General Arrangement Plan referenced Drawing Title: Existing & Proposed Site Plans (Drawing No. 16.019.2 Rev H) and shall include a plan indicating the planting location of all trees and shrubs; a schedule including the nursery stock specification for all shrubs and trees in compliance with British Standard 3936: Part 1: 1992 Specification for Trees and Shrubs and planting density/numbers; the routing of utility lines; a detailed specification for tree pit construction that utilises a professionally recognised method of construction to provide the minimum rooting volume set out in the Council's Development Guidance and Requirements supplementary planning document and a load-bearing capacity equivalent to BS EN 124 2015 Class C250 (Dependant on size of vehicle access required) for any paved surface above; a specification for planting including details of tree support, tree pit surfacing, aeration and irrigation; a maintenance specification and a timescale of implementation, which shall be within the first 3 months of completion of the development or alternative trigger to be agreed. Thereafter, the landscape scheme shall be implemented in full accordance with the approved details and the Local Planning Authority notified prior to backfilling any engineered tree pits to inspect and confirm compliance and within seven days of the completion of landscape works to inspect and approve practical completion in writing. Any tree or shrub planted as part of the scheme that is removed or is found to be dying, diseased or seriously damaged within five years of practical completion of the planting works shall be replaced during the next available planting season in full accordance with the approved scheme, unless the local planning authority gives its written approval to any variation.

## REASON

To ensure that a landscape scheme is implemented in the interests of environmental quality and compliance with Core Strategy policy CS16.

### 07. CON1

No development approved by this permission shall be commenced prior to a contaminated land assessment and associated remedial strategy, together with a timetable of works, being accepted and approved by the Local Planning Authority (LPA), unless otherwise approved in writing with the LPA.

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

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

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

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

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

REASON

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

08. CON2

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

REASON

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

09. CON3

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

REASON

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

10. U0062434

Prior to development commencing an ecological enhancement plan shall be submitted to the local planning authority for approval in writing. This shall include details of the provision of the following features:

- 10 swallow nest cups distributed between the garages of plots 1, 2, 10 and 11 and the colonnade.
- 4 bat roosting bricks located high on walls with a south westerly to south easterly aspect.

- 4 bird boxes suitable for species such as robins, wrens, blue tits or great tits.

No part of the development shall be occupied until all of the features set out in the approved enhancement plan have been completed.

REASON

In line with Core Strategy Policy 16 to ensure the ongoing ecological interests of the site.

11. U0064316 The erection of fencing and methodology of working for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars (Section 5 and 6 of the approved Arboricultural Impact Assessment - in accordance with BS5837: 2012 (dated 27th July 2018/Reference: JC/154/180727)) before any equipment, machinery or materials have been brought on to site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

REASON

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

12. 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.

13. U0064317 Prior to construction in the relevant area of the measures to protect the 10" diameter water main that crosses the site shall be implemented in full accordance with measures that have been submitted to and approved by the Local Planning Authority . The protection measures shall apply during all phases of the development.

REASON

In order to protect public health and the public water supply.

14. U0064318 There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works , details of which will have been submitted to and approved by the Local Planning Authority . If discharge to public sewer is proposed , the information shall include , but not be exclusive to
- i) evidence that other means of surface water drainage have been properly considered and why they have been discounted ; and
  - ii) the means by which the discharge rate shall be restricted to a maximum rate of 3.5 litres per second.

REASON

To ensure that no surface water discharge takes place until proper provision has been made for its disposal.

15. U0064458 Before the development is brought into use, visibility splays of 4.5m x 120m as shown on the approved layout shall be rendered effective by removing or reducing the height of anything which visibility at any height greater than 900mm above the level of the nearside channel of the public highway. The visibility thus provided shall thereafter be maintained as such.  
REASON  
In the interests of road safety.
16. U0064459 No units shall be occupied until all offsite highways works (footway provision) along Barnsley Road has been constructed in accordance with a scheme previously submitted to and agreed in writing by the Local Planning Authority.  
REASON  
In the interests of road safety
17. U0064460 The development hereby permitted shall not be commenced until details of measures to be taken within the curtilage of the site to prevent the deposition of mud or debris on the public highway, has been submitted to and approved in writing by the Local Planning Authority.  
REASON  
In the interests of road safety.
18. HIGH1 Before the development is brought into use, that part of the site to be used by vehicles shall be surfaced, drained and where necessary marked out in a manner to be approved in writing by the local planning authority.  
REASON  
To ensure adequate provision for the disposal of surface water and ensure that the use of the land will not give rise to mud hazards at entrance/exit points in the interests of public safety.
19. U0064461 Roads other than shared private drives shall be constructed to an adoptable standard and offered for adoption on completion under (the provisions) Section 38 of The Highways Act (1980). Engineering and surface water drainage details shall be submitted for inspection and approval in writing by the (Local Planning Authority) Highways Authority before works commence on site.  
REASON  
To ensure the roads are designed to accommodate the appropriate vehicles and be of a standard to maintain highway safety.



20. U0069747 Prior to the occupation of the development hereby approved, details of electric vehicle charging provision shall be submitted to and approved in writing by the local planning authority. Installation shall comply with current guidance/advice. The first dwelling/development shall not be occupied until the approved connection has been installed and is operational and shall be retained for the lifetime of the development. The development shall be carried out in accordance with the approved details.  
REASON  
To contribute towards a reduction in emissions in accordance with air quality objectives and providing sustainable travel choice in accordance with policies CS9 and CS18 of the Doncaster Council Core Strategy.
21. U0069749 The development shall be carried out in accordance with the measures outlined in the Noise Impact Assessment 27.11.18 Version 3, in particular the glazing, masonry and roof construction recommendations to ensure internal sound levels of BS8233 can be achieved. The approved sound insulation measures should be retained for the lifetime of the development.  
REASON  
To ensure the living conditions of the potential occupiers are safeguarded against noise in accordance with Core Strategy Policy CS 14.
22. Record No development shall take place until a permanent professional historical record of the existing building has been undertaken in accordance with a recording specification which shall have been submitted to and approved in writing by the Local Planning Authority. The final record shall include an archival study (including analysis of historic maps), measured drawings, non-digital black-and-white internal and external photographs and negatives, and a final report considering the historic building phases and uses of the barns, all to a level of detail to be agreed with the Local Planning Authority. The final record shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development on the site, unless otherwise agreed in writing by the Local Planning Authority.  
REASON  
To ensure that an appropriate, sufficient, and permanent record is made of the building prior to its alteration, in conformity with the NPPF.
23. Phasing No development shall take place until a phasing scheme, detailing the repair and renovation of the historic buildings on site in relation to the construction and occupation of the new built, shall be submitted to and approved in writing by the Local Planning Authority. Included within the phasing will be that works to the listed building and curtilage listed buildings will be at an agreed stage before the dispersion of any part of the holding. Development of the site shall be in strict accordance with the approved phasing scheme.

REASON

To protect the listed building and its setting, and to preserve and enhance the character and appearance of the conservation area

24. Mothballing

Within six months of the granting of this permission/consent the buildings will be mothballed unless otherwise agreed in writing by the Local Planning Authority. Mothballing will be in accordance with a method statement supplied to and approved in writing by the Local Planning Authority. Details shall elaborate on works describe in Section 3 of the Historic Report on Manor Farm, Marr undertaken by Emma Grange dated November 2018.

REASON

To protect the listed building and its setting, and to preserve and enhance the character and appearance of the conservation area

25. Demolition

No further demolition of any part of the remaining historic buildings shall occur unless agreed in writing by the Local Planning Authority. This includes both external and internal walls, and historic principal rafters. Prior to commencement of relevant works details of how areas of stonework and roofs will be rebuilt and tie in with existing historic fabric shall be provided to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON

To protect the listed building and its setting, and to preserve and enhance the character and appearance of the conservation area

26. Stonework

Prior to commencement of relevant works a 1m x 1m sample panel of the stonework showing the coursing and pointing to be used as the external face to areas of rebuilding of the historic buildings on site shall be provided on site for the inspection and approved in writing by the Local Planning Authority. Existing stone salvaged from the demolition previously carried out on site shall be used in the first instance and any additional shall match exactly. Development shall be carried out in accordance with the approved details.

REASON

To protect the listed building and its setting, and to preserve and enhance the character and appearance of the conservation area

27. Render

Prior to commencement of relevant works a 1m x 1m sample panel of the render showing the colour and texture to be used as the external face to areas of new build shall be provided on site for the inspection and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON

To protect the setting of listed buildings, and to preserve and enhance the character and appearance of the conservation area

28. Stone details Prior to commencement of relevant works details of stone dressings and architectural features shall be submitted to and approved in writing by the Local Planning Authority. Existing dressed stone salvaged from the demolition previously carried on site shall be assessed and areas where it is to be reused shall be identified and submitted to and agreed in writing by the Local Planning Authority. Any additional stone shall match exactly and samples shall be provided on site for the inspection of and approved in writing by the Local Planning Authority prior to their use. Development shall be carried out in accordance with the approved details.  
REASON  
To protect the listed building and its setting, and to preserve and enhance the character and appearance of the conservation area
29. Roof Prior to commencement of relevant works samples of the roof cladding shall be submitted to and approved in writing by the Local Planning Authority. Roof cladding on all elements to be non-interlocking natural clay pantiles with stone ridge, with stone eaves course on the historic elements, unless otherwise agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
REASON  
To protect the listed building and its setting, and to preserve and enhance the character and appearance of the conservation area
30. Windows/doors Prior to commencement of relevant works details of windows and external doors shall be submitted to and approved in writing by the Local Planning Authority. The details shall include an elevation at 1:20 scale of each window and door type and 1:5 scale cross-sections showing full joinery details, the relationship of opening elements to fixed elements, heads, sills, the design and materials of the jambs or dressings), relationship to the external plane of the wall, materials, finish and means of opening. All windows shall be painted timber without visible trickle vents unless otherwise agreed in writing by the Local Planning Authority. Any casement windows shall be designed so that when the openable light is closed, its external joinery is flush with the external joinery of the architrave. All doors shall be painted timber of the same dark traditional colour unless otherwise agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
REASON  
To protect the listed building and its setting, and to preserve and enhance the character and appearance of the conservation area
31. Flues/Vents Prior to commencement of relevant site works, full details of the proposed design, size, location, materials and colour of all flues and vents (including any heating and plumbing vents, meter boxes, and air extract vents) shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
REASON  
To protect the listed building and its setting, and to preserve and enhance the character and appearance of the conservation area

32. Black rainwater Rainwater goods, pipework, and any fascias to be used in the construction of the building shall be in metal with a black finish unless otherwise agreed in writing by the Local Planning Authority.  
REASON  
To protect the listed building and its setting, and to preserve and enhance the character and appearance of the conservation area
33. Colonnade Prior to commencement of relevant works details of the pergola to be installed adjoining the colonnade shall be submitted to and approved in writing by the Local Planning Authority. Details will include how it is to abut the colonnade and how the colonnade will be repaired and how the top of it will be finished. The pergola shall be completed within six months of the occupation or disposal of any of the surrounding dwellings namely units 1-6 unless otherwise agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
REASON  
To protect the listed building and its setting, and to preserve and enhance the character and appearance of the conservation area
34. Rebuilt vault Prior to commencement of relevant works details of the rebuilding of the northern vault to proposed unit 1 shall be submitted to and approved in writing by the Local Planning Authority. Details will include how it is to be formed to match the adjoining vault exactly and without impacting on this remaining vault. Development shall be carried out in accordance with the approved details.  
REASON  
To protect the listed building and its setting, and to preserve and enhance the character and appearance of the conservation area
35. Area in front of vaults  
The area in front of the vaults of unit 1 to be left clear of any buildings, structures or means of enclosure and the height of the existing roadside wall shall not be heightened where it abuts this area.  
REASON  
To protect the listed building and its setting, and to preserve and enhance the character and appearance of the conservation area
36. Maintenance of grounds  
Prior to occupation or individual disposal of any of the units, a scheme for the maintenance of the grounds shall be submitted to and approved in writing by the Local Planning Authority. The grounds shall thereafter be maintained in accordance with the approved scheme, unless otherwise approved in writing by the Local Planning Authority.  
REASON  
To protect the setting of the listed buildings and to preserve and enhance the character and appearance of the conservation area

37. Roadside wall Prior to the commencement of relevant work details of the roadside wall shall be submitted to and approved in writing by the Local Planning Authority. A 1m x 1m sample panel of the stonework showing the coursing and pointing and sample of the stone coping shall be provided on site for the inspection and approved in writing by the Local Planning Authority. Existing stone salvaged from the demolition previously carried out on site shall be used in the first instance and any additional shall match exactly. Development shall be carried out in accordance with the approved details  
REASON  
To protect the listed building and its setting, and to preserve and enhance the character and appearance of the conservation area

38 Gates/boundary treatment  
Prior to commencement of relevant works details of the design and materials of any gates and boundary treatments not already included in the above conditions (whether new, replacement and/or alteration to existing) to be installed on the site shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
REASON  
To protect the listed building and its setting, and to preserve and enhance the character and appearance of the conservation area

39. Refurbishment of Farmhouse  
Prior to development commencing a scheme and timing schedule of relevant works for the external refurbishment of the farmhouse shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
REASON  
To protect the listed building and its setting, and to preserve and enhance the character and appearance of the conservation area.

**Informatives:**

01. U0012788 The proposed layout and access arrangements shall be subject to Road Safety Audits in accordance with DMRB Volume 5 Section 2 Part 2 (HD 19/15).

02. U0012789 Works carried out on the public highway by a developer or anyone else other than the Highway Authority shall be under the provisions of Section 278 of the Highways Act 1980 and adoption roads within the development shall be carried out under Section 38 of the Highways Act. The S38 and S278 agreements must be in place before any works are commenced. There is a fee involved for the preparation of the agreement and for on-site inspection. The applicant should make contact with Malc Lucas - Tel 01302 735110 as soon as possible to arrange the setting up of the agreement.

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

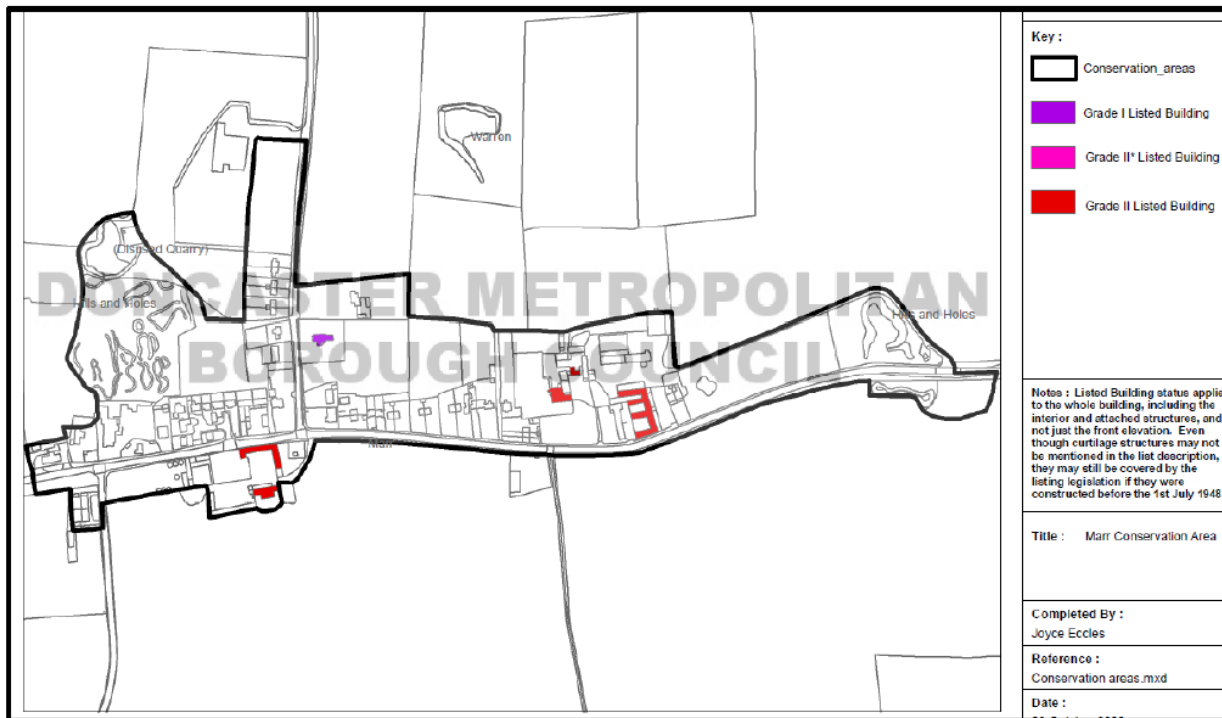
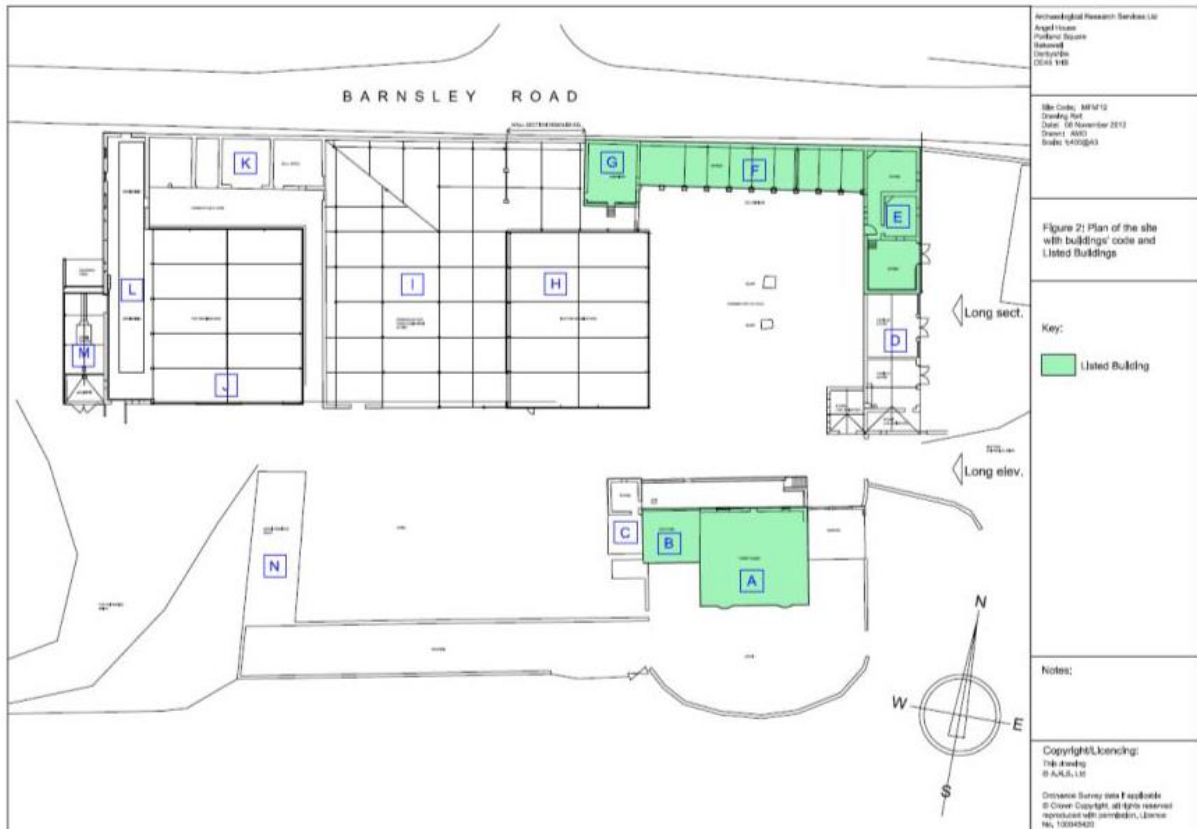
Street lighting design and installation is generally undertaken by the Local Highway Authority. There is a fee payable for this service and the applicant should make contact with Malc Lucas - Tel 01302 735110 as soon as possible. Further information on the selected DNO / IDNO together with the energy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

Based on a standard soakaway capacity of 10m<sup>3</sup> a commuted sum of £7800 to be used towards the future maintenance costs of each highway drain soakaway, shall be paid to the Council. An additional 780 extra will be added for each additional cubic metre of storage.

The developer shall ensure that no vehicle leaving the development hereby permitted enter the public highway unless its wheels and chassis are clean. It should be noted that to deposit mud on the highway is an offence under provisions of The Highways Act 1980. Any trees to be provided in the public highway require a commuted sum for maintenance purposes of £1500 per tree (£300 pounds per annum for a period of 5 years) to be paid to the Council, prior to the issue of the Part 2 Certificate.

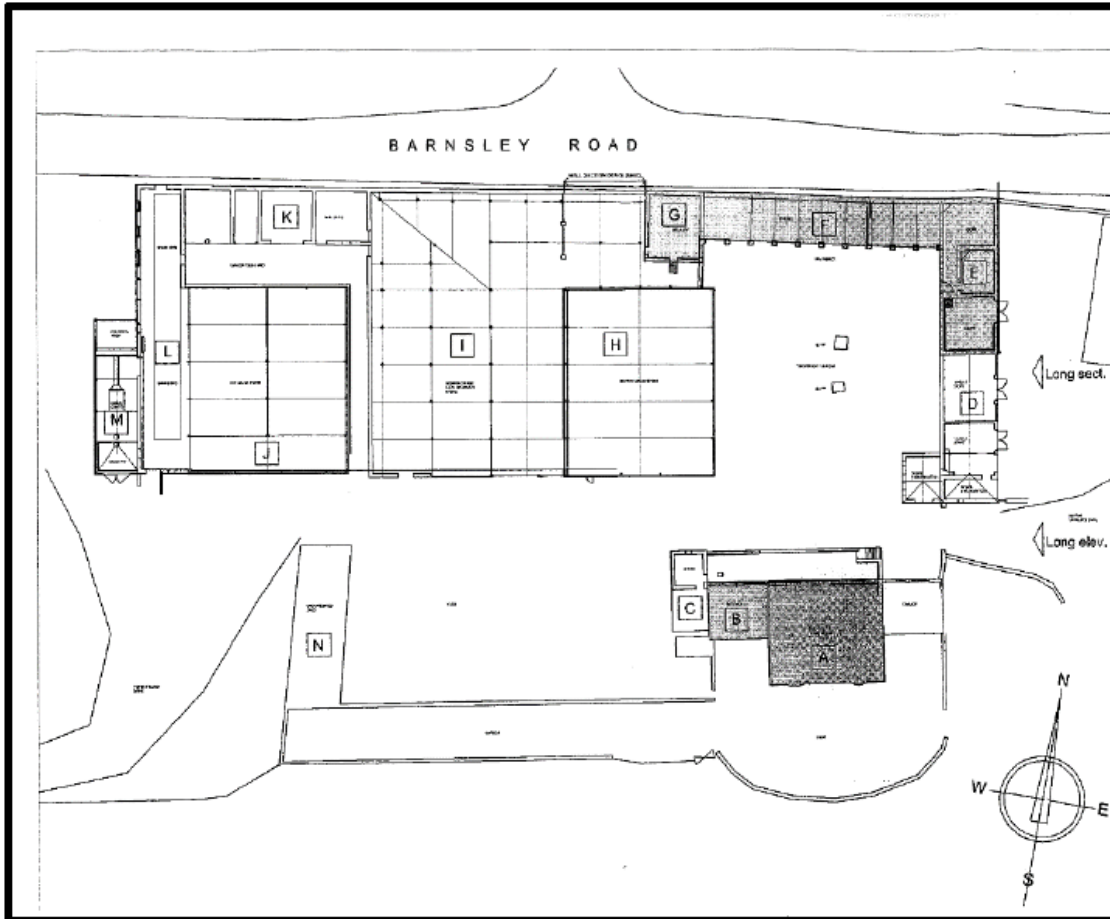
**Due regard has been given to Article 8 and Protocol 1 of Article 1 of the European Convention for Human Rights Act 1998 when considering objections, the determination of the application and the resulting recommendation. It is considered that the recommendation will not interfere with the applicant's and/or any objector's right to respect for his private and family life, his home and his correspondence.**

# Appendix 1- Listed Building analysis



**Fig 1: Marr Conservation Area**

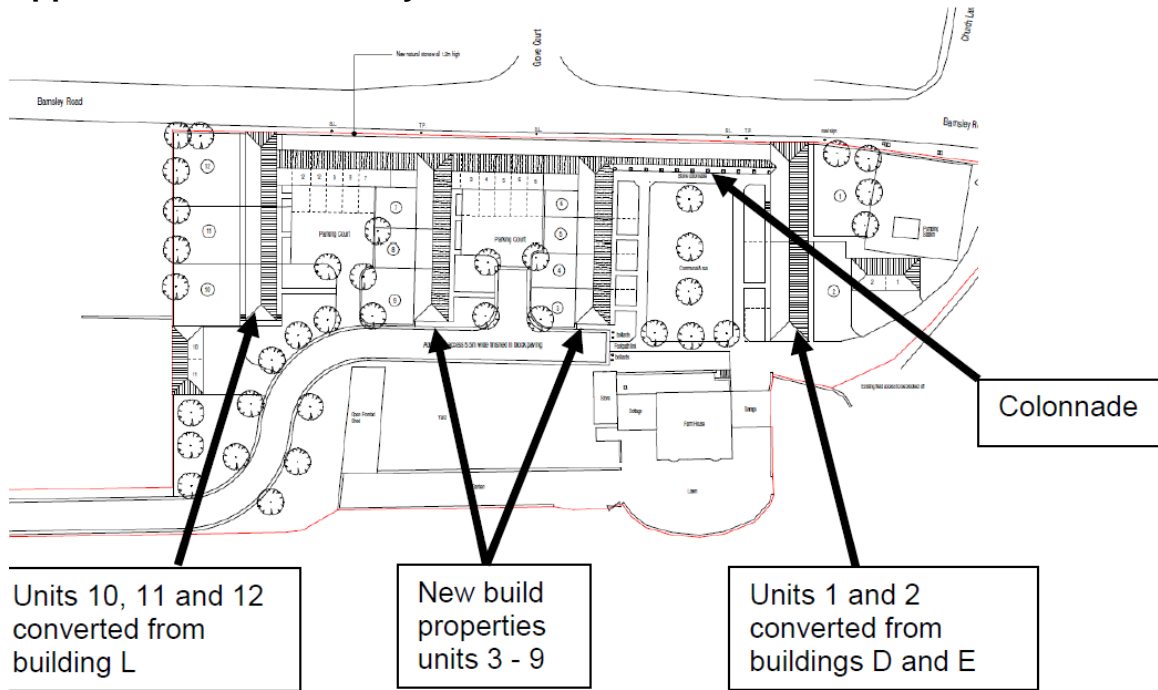
**Appendix 2 –Existing buildings**



**Fig 4: Plan of Buildings**



### Appendix 3 –Annotated layout



## Appendix 4 view of the former farm 1950's

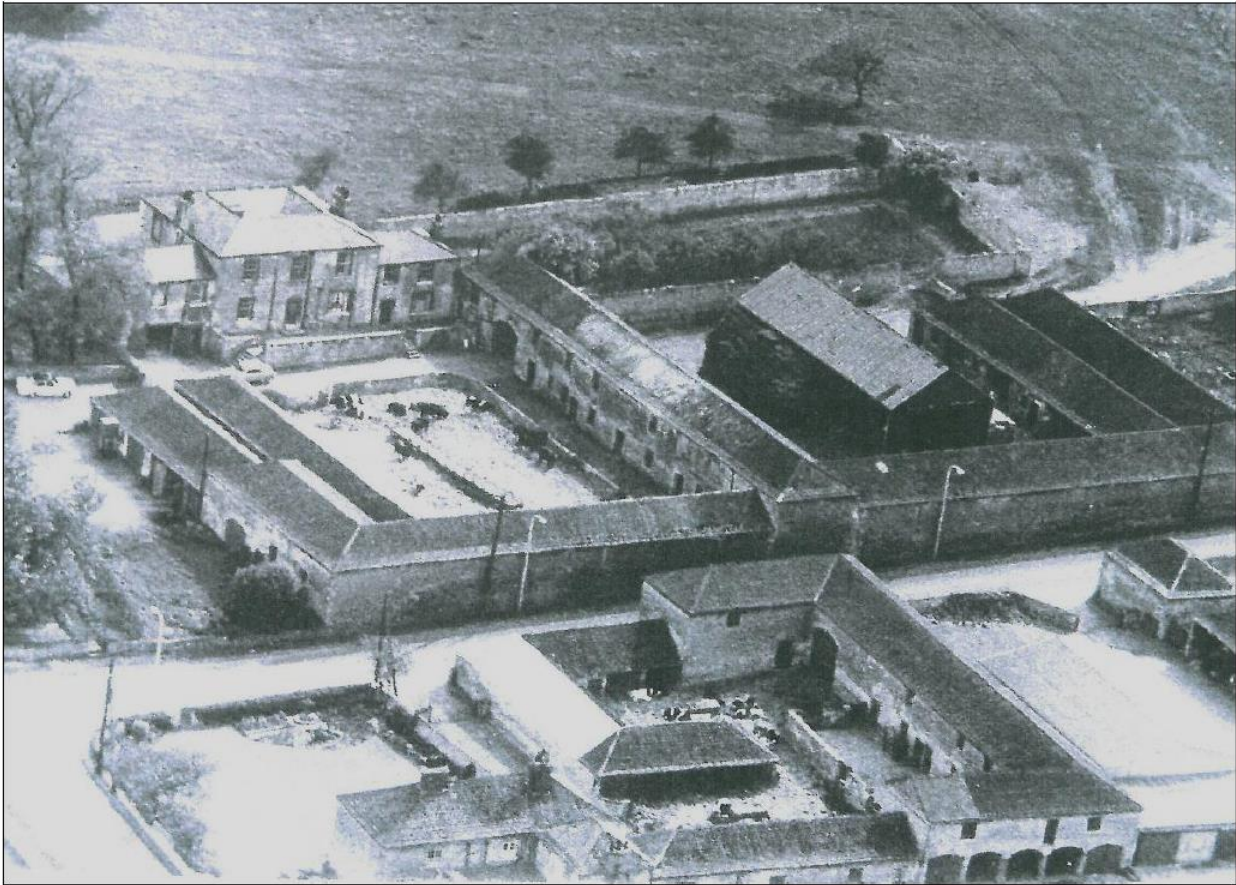
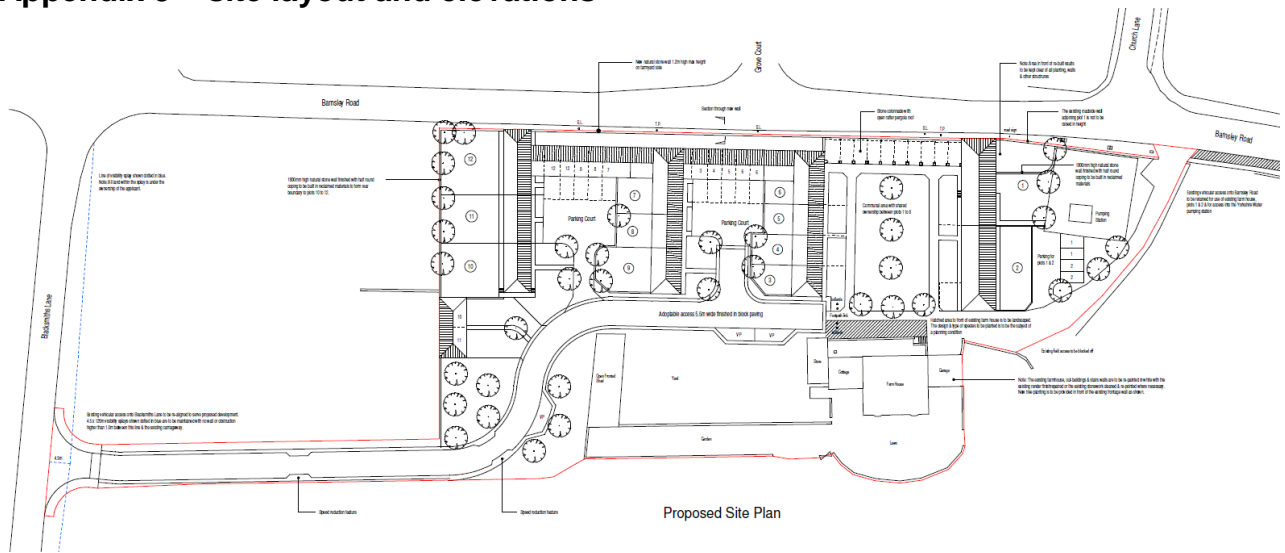
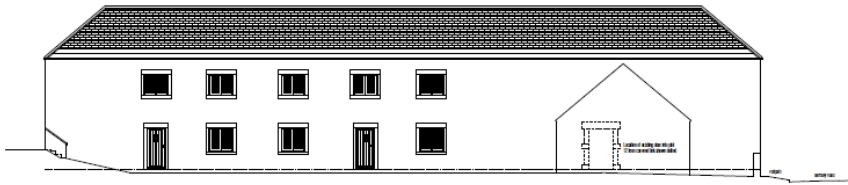


Figure 2: Aerial photograph of the site taken around the 1950s (courtesy of DLP Consultants)

## Appendix 5 – site layout and elevations



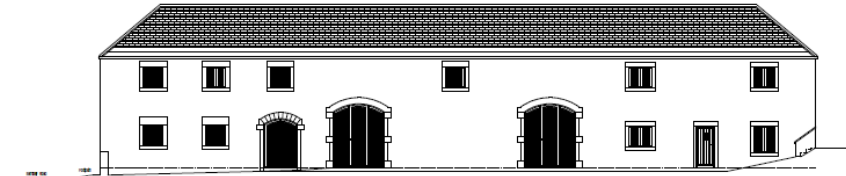
# Plots 10-12



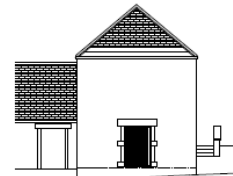
Front Elevation Plots 10 to 12 - Facing east of plots 7 to 9 - Floor level 100.00m



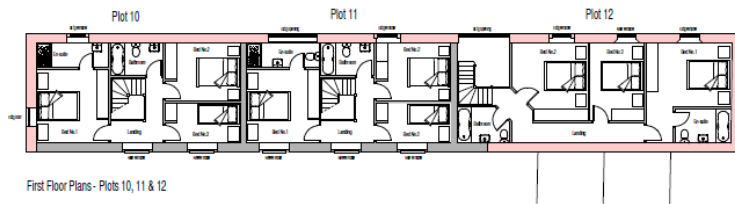
Side Elevation Plot 10 - Floor level 100.00m



Rear Elevation Plots 10 to 12 - Facing west of plots 7 to 9 - Floor level 100.00m



Side Elevation Plot 12 - Facing West/East - Floor level 100.00m

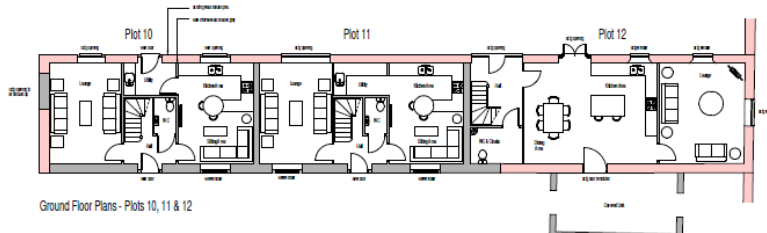


First Floor Plans - Plots 10, 11 & 12

NOTE: All the existing reclaimed natural stone is to be re-used on site where possible. Sample panels of the stone are to be prepared by the main contractors & reported by officers of the DMSC Conservation Department prior to its inclusion in the re-build & re-furbishment of plots 1, 2, 10, 11 & 12 & prior to the commencement of any other work on site.

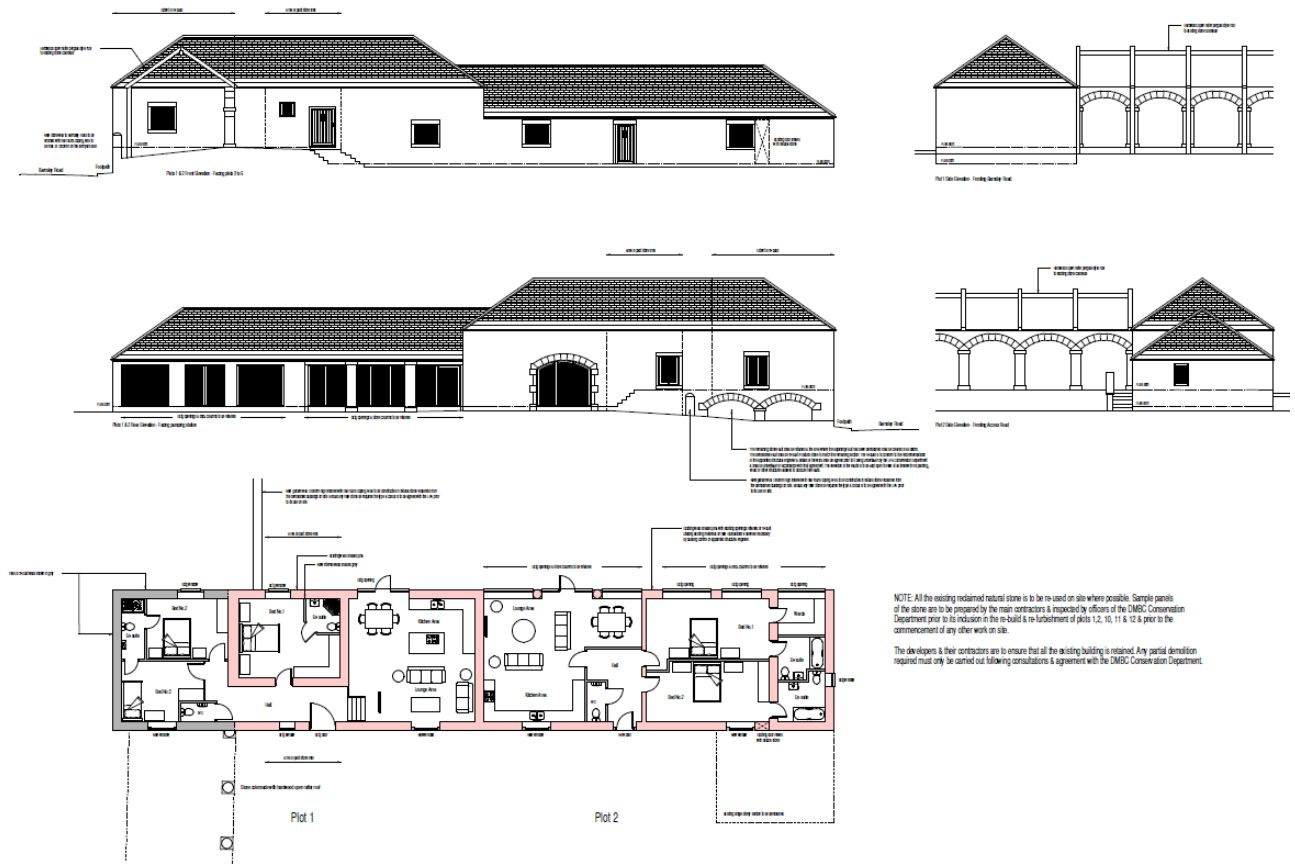
All existing rendered areas are to have the render removed & the underlying natural stone cleaned & repointed. The existing asbestos roof & wall cladding is to be removed by specialists.

The developers & their contractors are to ensure that all the existing building is retained. Any partial demolition required must only be carried out following consultations & agreement with the DMSC Conservation Department.



Ground Floor Plans - Plots 10, 11 & 12

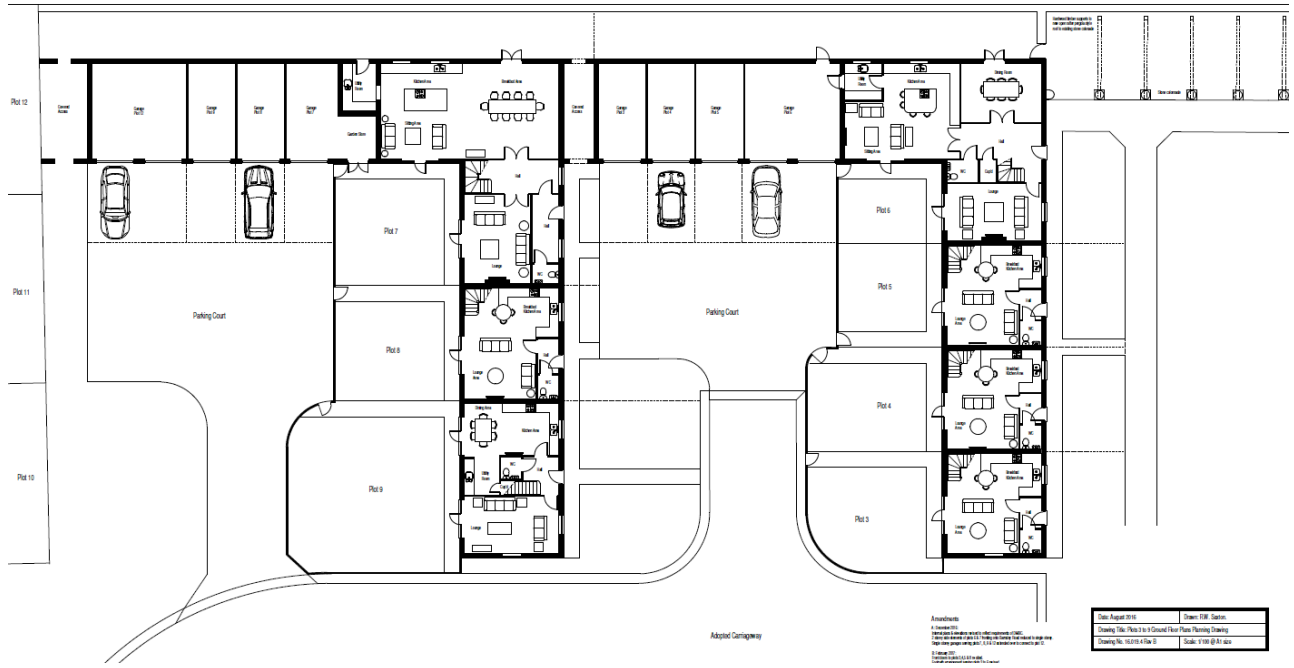
# Units 1-2



# Plots 3-9



Plots 3 to 9 Ground Floor Plans



**Annotations**  
 A: As shown  
 B: As shown  
 C: As shown  
 D: As shown  
 E: As shown  
 F: As shown  
 G: As shown  
 H: As shown  
 I: As shown  
 J: As shown  
 K: As shown  
 L: As shown  
 M: As shown  
 N: As shown  
 O: As shown  
 P: As shown  
 Q: As shown  
 R: As shown  
 S: As shown  
 T: As shown  
 U: As shown  
 V: As shown  
 W: As shown  
 X: As shown  
 Y: As shown  
 Z: As shown

Client: August 2016	Drawn: JRM - JRM
Drawing Title: Plots 3 to 9 Ground Floor Plans Planning Drawing	Scale: 1/8" = 1'-0"
Drawing No: 10.17.16.01.01	Sheet: 1/10 of 11 sheets

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**DONCASTER METROPOLITAN BOROUGH COUNCIL**

**PLANNING COMMITTEE – 28<sup>th</sup> May 2019**

<b>Application</b>	<b>4</b>
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<b>Application Number:</b>	17/02586/LBCM	<b>Application Expiry Date:</b>	17th January 2018
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<b>Application Type:</b>	Listed Building Consent Major
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<b>Proposal Description:</b>	Listed Building Consent for erection of 7 new dwellings and the conversion of existing buildings to form 5 dwellings, with the repair of colonnade feature, access, landscaping and addition of stone wall to Barnsley Road
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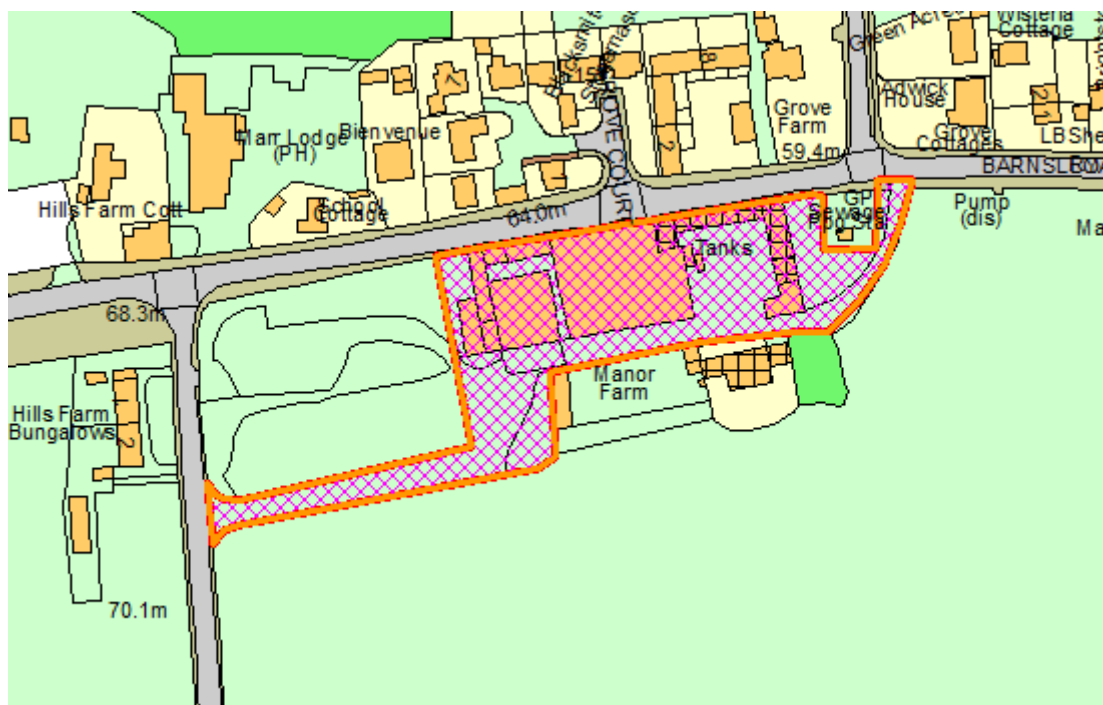
<b>At:</b>	Manor Farm Barnsley Road Marr Doncaster
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<b>For:</b>	Mr Atkinson - A.J. Atkinson And Sons
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<b>Third Party Reps:</b>	6	<b>Parish:</b>	Marr Parish Meeting
		<b>Ward:</b>	Sprotbrough

<b>Author of Report</b>	Gareth Stent
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<b>MAIN RECOMMENDATION:</b>	GRANT Listed Building Consent
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## **1.0 Reason for Report**

1.1 The application is presented to committee due to the accompanying full application (17/02585/FULM) being presented to committee due to it being a departure from the development plan, as it involves new build in the Green Belt.

## **2.0 Proposal and Background**

2.1 The site lies within Marr Conservation Area and includes remains of a Grade II listed shelter shed as well as other curtilage listed buildings of Manor Farm. The site also impacts on the setting of the Grade II listed Manor Farm farmhouse.

2.2 The proposal involves the conversion of the listed buildings to residential, demolition of the more modern farm buildings in the central section of the site and their replacement with 7 two storey linked new build dwellings to form 12 dwellings in total. The proposal also includes new garaging access, landscaping and the addition of stone wall to Barnsley Road.

2.3 The application has been amended on several occasions to address concerns from consultees in respect of the full application. Both the Conservation Area and Grade II Listed building 'shelter shed' are considered to be 'at risk'.

## **3.0 Relevant site history**

3.1 17/02585/FULM - Erection of 7 new dwellings and the conversion of existing buildings to form 5 dwellings, with the repair of colonnade feature, access, landscaping and addition of stone wall to Barnsley Road. Pending consideration.

3.2 15/02772/LBC - Partial demolition of listed building and partial demolition of curtilage listed buildings. Pending consideration.

01/4835/P - Vehicular access to classified road (C309)

3.3 97/0745/P - Listed building consent for removal of roof tiles, installation of polythene sheeting to waterproof roof timber walls and replacement of roof tiles.

## **4.0 Representations**

4.1 This application has been advertised in accordance with the Development Management Procedure Order on two separate occasions. This was via a press notices and x3 site notices and direct neighbour notification. The majority of the representation related to none listed building matters like traffic, air pollution etc and have been detailed in the full application report. 6 letters in total were received 4 in opposition and 2 in support. The issues concerning the listed buildings were mainly of support i.e.

- The development will be a good one and will tidy up the eye sore within the village.



## **5.0 Marr Parish Council**

5.1 Likewise Marr Parish Council have responded on both the original consultation and reiterated the comments when commenting on the amended plans. The comments relating to the Listed buildings are below:

- Residents of Marr welcome the restoration of the colonnade and generally support the 12 dwelling scheme caveated by their very real concerns.
- The overall view from residents is very much one of dismay - the current owners earlier and ongoing intervention and investment in maintenance and upkeep of the Grade 11 listed buildings could have preserved the buildings and prevented the existing listed buildings from falling into their current state, of disrepair, saving these historical buildings for posterity.
- Request, a dedicated team consider a review of all listed and historical buildings within the Borough and do everything within their power to enforce current owners and custodians of Listed Properties to regularly invest in maintenance in order to preserve said properties.
- The proposals has poor visuals, it is not clear "how these will look" in reality and in its setting.

## **6.0 Consultations Responses**

6.1 Historic England - Initially raised concerns over the application on heritage grounds and the safeguards in the NPPF need to be addressed. The amended plans and additional information has overcome this concern and support is offered as a means of securing the reuse and repair and future maintenance of this important group of historic buildings.

6.2 Design and Conservation officer: Initial concerns over the lack of existing drawings, the extent of the rebuilding necessary, assurances over the protection of the remaining historic structures, time scales, moth balling measures and how the architectural stone will be reused. This has been overcome through negotiation and the submission of amended plans. Therefore no objections subject to conditions.

## **7.0 Relevant Policy and strategic and context**

7.1 National Planning Policy Framework; The NPPF establishes 12 'Core Planning Principles' to underpin plan-making and decision taking. Relevant sections include

Principle 16 - Conserving and enhancing the historic environment, specifically paragraphs 189-192 of the National Planning Policy Framework on determining applications.

## **Doncaster Council LDF**

7.2 The statutory development plan for Doncaster currently comprises the Local Development Framework Core Strategy (adopted May 2012), and the saved Policies of the Doncaster Unitary Development Plan (adopted 1998) (including the Proposals Map). Relevant policies:

Policy CS 15 'Valuing our historic Environment'

## **Doncaster Unitary Development Plan**

7.3 The key saved policies of the UDP relevant to the current application are considered below:

ENV 32 - Listed Buildings

## **Doncaster Local Plan**

7.4 The emerging Doncaster Local Plan will replace the UDP and Core Strategy once adopted. The Council is aiming to adopt the Local Plan by summer 2020. Consultation on the draft policies and proposed sites took place during September and October of last year and the Local Plan is due to be published in early summer 2019. Given the relatively early stage of preparation of the emerging Local Plan, the document carries very limited weight at this stage.

Policy 37: Listed Buildings

### **Additional Considerations:**

7.5 In determining applications for Listed buildings there is a legal requirement to have special regard to the desirability of preserving the listed buildings and their settings (s.16 & 66, Planning (LBCA) Act 1990).

## **8.0 Planning Issue and discussion**

### Main Issues

8.1 The main issues are discussed in detail in the accompanying full application which details the Green Belt status of the site and the enabling development parameters of restoring the Listed Building. The sections below that concentrate on the Listed Building aspects of the proposals mirror that of the full report.

### The historical implications.

8.2 Given the proposal involves the renovation of a Grade II Listed Building this is the key consideration in this submission and are assessed as follows;

8.3 The shelter shed is presumed to date from early 19th century and is considered to be at extreme risk on the council's 'at risk' register of listed buildings. It was partially demolished in 2015 as there were considerable concerns that this and neighbouring roadside buildings would collapse into the road due to their poor condition. The 10 bayed limestone ashlar arcade of the shelter shed still remains although the short wing to the left hand side (west) has now mostly gone. The arcade is made up of cylindrical piers and square capitals to segmental arches with projecting keystones. At the time of listing it was roofed with pantiles with a stone eaves course but this had already been replaced with a tarpaulin when the roof was removed as part of the above mentioned demolition.

8.4 There is also a more substantial wing on the right (to the east), which again has been partially demolished and which seems to have been originally a threshing barn with the northern part over vaults. Previously there were two vaults, with segmental arches with bull-nosed pier in between, but the northern-most one which adjoined the road was removed with the recent demolition. This wing has/had large quoins to both ends and on both long sides a large opening to the centre both of which are now blocked in with no discernible heads - the roof may perhaps have been lowered at some time which would have removed any evidence of the head of the large opening. On the eastern side, centrally placed above the two vaults on the right-hand side, was a square-faced window surround which no longer exists due to the recent demolition. A similar surround still exist within the central blocked in section on this elevation and on the left is a segmental archway with boarded door. Attached to the former threshing barn is a single storey range. This has an ad-hoc character and is in also in poor condition.

8.5 To the south of these is the Grade II listed farmhouse which is also early 19th century. Whilst its principal front faces south away from the farmyard it still seems to have some formal arrangement with the courtyard formed by the shelter shed and the range to the east, which was mirrored historically by a range to west (as can be seen in the old photograph supplied in the Heritage Statement) but which is now home to modern sheds. The rear elevation of the house facing the farmyard is well ordered but is spoilt by a large monolithic rear terrace and some of its associated buildings are also in poor condition and appearance.

8.6 There are also further remnants of other historic farm-buildings to the west of the shelter shed but again due to the recent demolition and previous alterations are now largely removed although to the far west is a two storey barn. The latter has some interest although this has had major alteration to its inner elevation and its floor has been removed although its outer faces survive which gives a positive appearance to the conservation area and the setting of the listed buildings.

8.7 The proposals are for the partial rebuilding and conversion of the existing buildings to form 5 dwellings, repair of the arcade feature of the shelter shed, the erection of 7 new dwellings and the reforming of a stone wall to Barnsley Road.

8.8 The proposal retains the remaining historic structures and with the new built elements recreates the general form of previous buildings on site. However, due to problems with maintaining buildings along the roadside edge the rebuilt range parallel with the road has been set back. Stone from the previous demolition is to be used to rebuilt missing elements of the historic buildings and the new built is to be in render with stone dressings.

This will enable these rebuilt elements to be read as contrasting with the remaining historic fabric but still using characteristic materials and details within the conservation area and respect the listed buildings and their setting. The colonnade, which due to the demolition, has become more noticeable and the proposal will allow the colonnade to still be prominent from Barnsley Road.

8.9 The proposals have been the subject of pre-application discuss with ourselves and Historic England and has been subject to further amendments as part of the planning process. These changes and clarification involved specifically detailing what elements were being preserved as officers wanted ensure the right balance was struck between demolition v's rebuild. The applicants supplied a Historic Fabric report by Archaeological Research Services Ltd (Nov 2018), in which following amendment to version 3 provided assurances on the above issues and satisfied the Conservation Officer.

8.10 The proposal is now warmly welcomed as it should ensure that what does remain will be conserved and also help with the setting of the farmhouse and with the character and appearance of the conservation area. It is therefore in line with saved policies ENV32 of Doncaster UDP, emerging policy 37 of the Local Plan, Policy CS15 of Doncaster Core Strategy, and Section 16 of the NPPF. The proposal also accords with sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

8.11 A series of detailed conditions will ensure measures such as moth balling, timing, materials are all suitably controlled.

## **9.0 Summary and Conclusion**

9.1 In summary the above report discusses the positives or recreating the old farm complex, thus improving the setting of the Listed Buildings and most of all renovating them and ensuring their long term preservation. The conversion is welcomed and measures and conditions have been put in place to ensure the conversion is sensitively done and respects the integrity of the historical buildings. On this basis support is recommended.

## **10.0 Recommendation**

10.1 Listed Building Consent be granted subject to the following conditions:

- |              |   |
|--------------|---|
| 01. STAT7    | The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.<br>REASON<br>To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.                           |
| 02. U0066252 | 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><br>Site plan - Rev H<br>Historic fabric building report - v3<br>Plots 1-2 Revision F<br>Plots 10-12 Revision E |

Existing elevations plan 16.019.9  
Plots 3-9 ground floor plan - Revision B  
Plots 3-9 first floor plan -Revision A  
Plots 3-9 elevations -Revision C  
REASON

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

03. U0069813 No development shall take place until a permanent professional historical record of the existing building has been undertaken in accordance with a recording specification which shall have been submitted to and approved in writing by the Local Planning Authority. The final record shall include an archival study (including analysis of historic maps), measured drawings, non-digital black-and-white internal and external photographs and negatives, and a final report considering the historic building phases and uses of the barns, all to a level of detail to be agreed with the Local Planning Authority. The final record shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development on the site, unless otherwise agreed in writing by the Local Planning Authority.

REASON

To ensure that an appropriate, sufficient, and permanent record is made of the building prior to its alteration, in conformity with the NPPF

04. U0069814 No development shall take place until a phasing scheme, detailing the repair and renovation of the historic buildings on site in relation to the construction and occupation of the new built, shall be submitted to and approved in writing by the Local Planning Authority. Included within the phasing will be that works to the listed building and curtilage listed buildings will be at an agreed stage before the dispersion of any part of the holding. Development of the site shall be in strict accordance with the approved phasing scheme.

REASON

To protect the listed building and its setting, and to preserve and enhance the character and appearance of the conservation area

05. U0069815 Within six months of the granting of this permission/consent the buildings will be mothballed unless otherwise agreed in writing by the Local Planning Authority. Mothballing will be in accordance with a method statement supplied to and approved in writing by the Local Planning Authority. Details shall elaborate on works describe in Section 3 of the Historic Report on Manor Farm, Marr undertaken by Emma Grange dated November 2018.

REASON

To protect the listed building and its setting, and to preserve and enhance the character and appearance of the conservation area

06. U0069816 No further demolition of any part of the remaining historic buildings shall occur unless agreed in writing by the Local Planning Authority. This includes both external and internal walls, and historic principal rafters. Prior to commencement of relevant works details of how areas of stonework and roofs will be rebuilt and tie in with existing historic fabric shall be provided to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
REASON  
To protect the listed building and its setting, and to preserve and enhance the character and appearance of the conservation area
07. U0069817 Prior to commencement of relevant works a 1m x 1m sample panel of the stonework showing the coursing and pointing to be used as the external face to areas of rebuilding of the historic buildings on site shall be provided on site for the inspection and approved in writing by the Local Planning Authority. Existing stone salvaged from the demolition previously carried out on site shall be used in the first instance and any additional shall match exactly. Development shall be carried out in accordance with the approved details.  
REASON  
To protect the listed building and its setting, and to preserve and enhance the character and appearance of the conservation area
08. U0069818 Prior to commencement of relevant works a 1m x 1m sample panel of the render showing the colour and texture to be used as the external face to areas of new build shall be provided on site for the inspection and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
REASON  
To protect the setting of listed buildings, and to preserve and enhance the character and appearance of the conservation area
09. U0069819 Prior to commencement of relevant works details of stone dressings and architectural features shall be submitted to and approved in writing by the Local Planning Authority. Existing dressed stone salvaged from the demolition previously carried on site shall be assessed and areas where it is to be reused shall be identified and submitted to and agreed in writing by the Local Planning Authority. Any additional stone shall match exactly and samples shall be provided on site for the inspection of and approved in writing by the Local Planning Authority prior to their use. Development shall be carried out in accordance with the approved details.  
REASON  
To protect the listed building and its setting, and to preserve and enhance the character and appearance of the conservation area

10. U0069820 Prior to commencement of relevant works samples of the roof cladding shall be submitted to and approved in writing by the Local Planning Authority. Roof cladding on all elements to be non-interlocking natural clay pantiles with stone ridge, with stone eaves course on the historic elements, unless otherwise agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
REASON  
To protect the listed building and its setting, and to preserve and enhance the character and appearance of the conservation area
11. U0069821 Prior to commencement of relevant works details of windows and external doors shall be submitted to and approved in writing by the Local Planning Authority. The details shall include an elevation at 1:20 scale of each window and door type and 1:5 scale cross-sections showing full joinery details, the relationship of opening elements to fixed elements, heads, sills, the design and materials of the jambs or dressings), relationship to the external plane of the wall, materials, finish and means of opening. All windows shall be painted timber without visible trickle vents unless otherwise agreed in writing by the Local Planning Authority. Any casement windows shall be designed so that when the openable light is closed, its external joinery is flush with the external joinery of the architrave. All doors shall be painted timber of the same dark traditional colour unless otherwise agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
REASON  
To protect the listed building and its setting, and to preserve and enhance the character and appearance of the conservation area
12. U0069822 Prior to commencement of relevant site works, full details of the proposed design, size, location, materials and colour of all flues and vents (including any heating and plumbing vents, meter boxes, and air extract vents) shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
REASON  
To protect the listed building and its setting, and to preserve and enhance the character and appearance of the conservation area
13. U0069823 Rainwater goods, pipework, and any fascias to be used in the construction of the building shall be in metal with a black finish unless otherwise agreed in writing by the Local Planning Authority.  
REASON  
To protect the listed building and its setting, and to preserve and enhance the character and appearance of the conservation area
14. U0069824 Prior to commencement of relevant works details of the pergola to be installed adjoining the colonnade shall be submitted to and approved in writing by the Local Planning Authority. Details will include how it is to abut the colonnade and how the colonnade will be repaired and how the top of it will be finished.

The pergola shall be completed within six months of the occupation or disposal of any of the surrounding dwellings namely units 1-6 unless otherwise agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON

To protect the listed building and its setting, and to preserve and enhance the character and appearance of the conservation area

15. U0069825 Prior to commencement of relevant works details of the rebuilding of the northern vault to proposed unit 1 shall be submitted to and approved in writing by the Local Planning Authority. Details will include how it is to be formed to match the adjoining vault exactly and without impacting on this remaining vault. Development shall be carried out in accordance with the approved details.
- REASON
- To protect the listed building and its setting, and to preserve and enhance the character and appearance of the conservation area
16. U0069826 The area in front of the vaults of unit 1 to be left clear of any buildings, structures or means of enclosure and the height of the existing roadside wall shall not be heightened where it abuts this area.
- REASON
- To protect the listed building and its setting, and to preserve and enhance the character and appearance of the conservation area
17. U0069827 Prior to occupation or individual disposal of any of the units, a scheme for the maintenance of the grounds shall be submitted to and approved in writing by the Local Planning Authority. The grounds shall thereafter be maintained in accordance with the approved scheme, unless otherwise approved in writing by the Local Planning Authority.
- REASON
- To protect the setting of the listed buildings and to preserve and enhance the character and appearance of the conservation area
18. U0069828 Prior to the commencement of relevant work details of the roadside wall shall be submitted to and approved in writing by the Local Planning Authority. A 1m x 1m sample panel of the stonework showing the coursing and pointing and sample of the stone coping shall be provided on site for the inspection and approved in writing by the Local Planning Authority. Existing stone salvaged from the demolition previously carried out on site shall be used in the first instance and any additional shall match exactly. Development shall be carried out in accordance with the approved details
- REASON
- To protect the listed building and its setting, and to preserve and enhance the character and appearance of the conservation area



19. U0069829 Prior to commencement of relevant works details of the design and materials of any gates and boundary treatments not already included in the above conditions (whether new, replacement and/or alteration to existing) to be installed on the site shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON

To protect the listed building and its setting, and to preserve and enhance the character and appearance of the conservation area

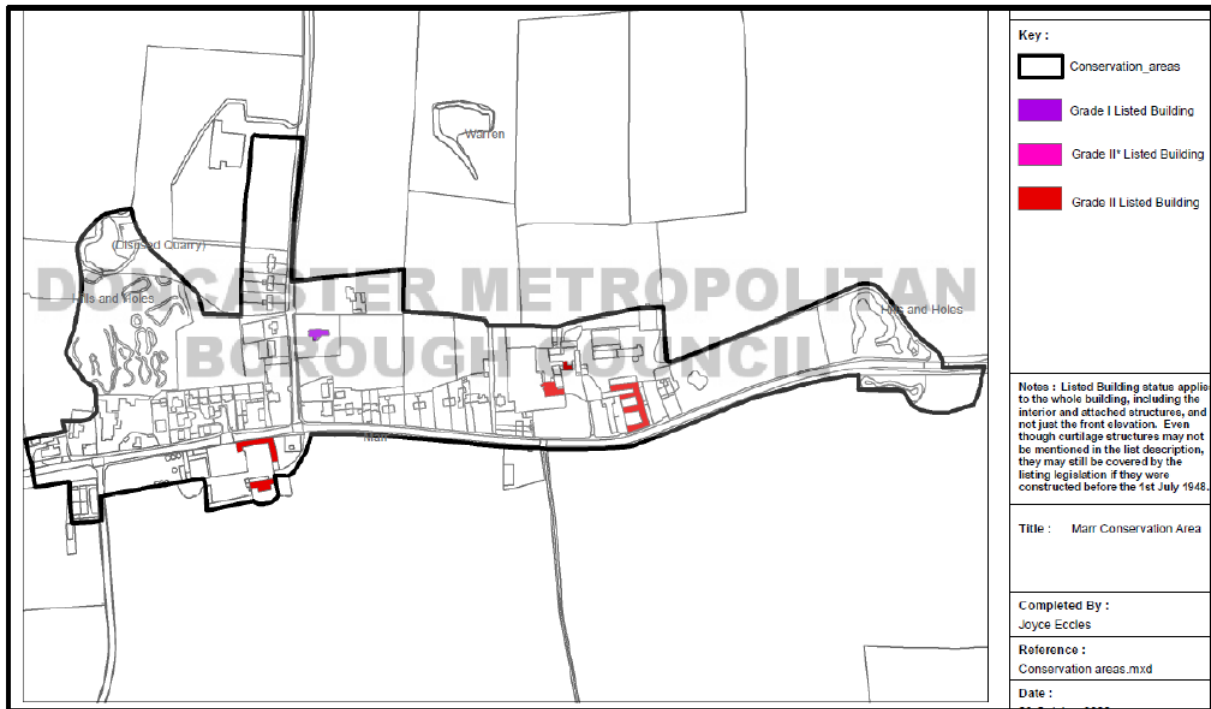
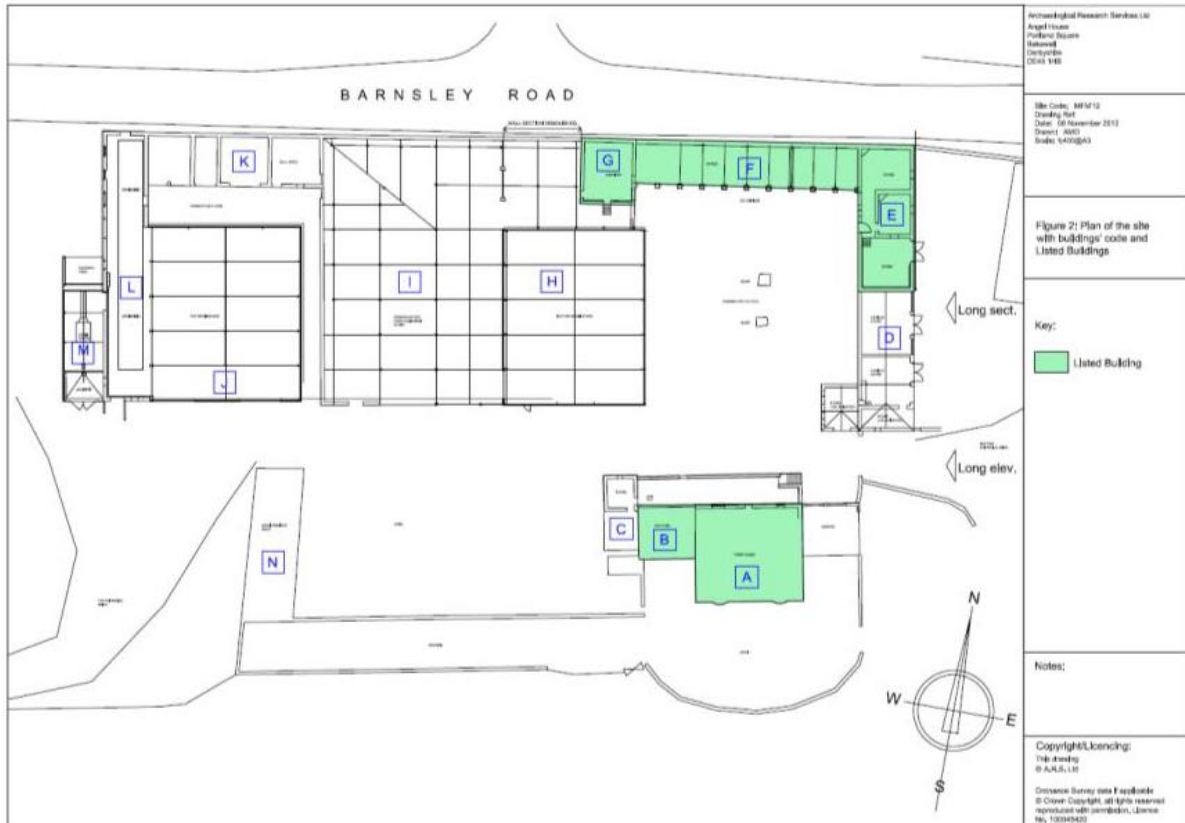
20. U0069830 Prior to development commencing a scheme and timing schedule of relevant works for the external refurbishment of the farmhouse shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON

To protect the listed building and its setting, and to preserve and enhance the character and appearance of the conservation area.

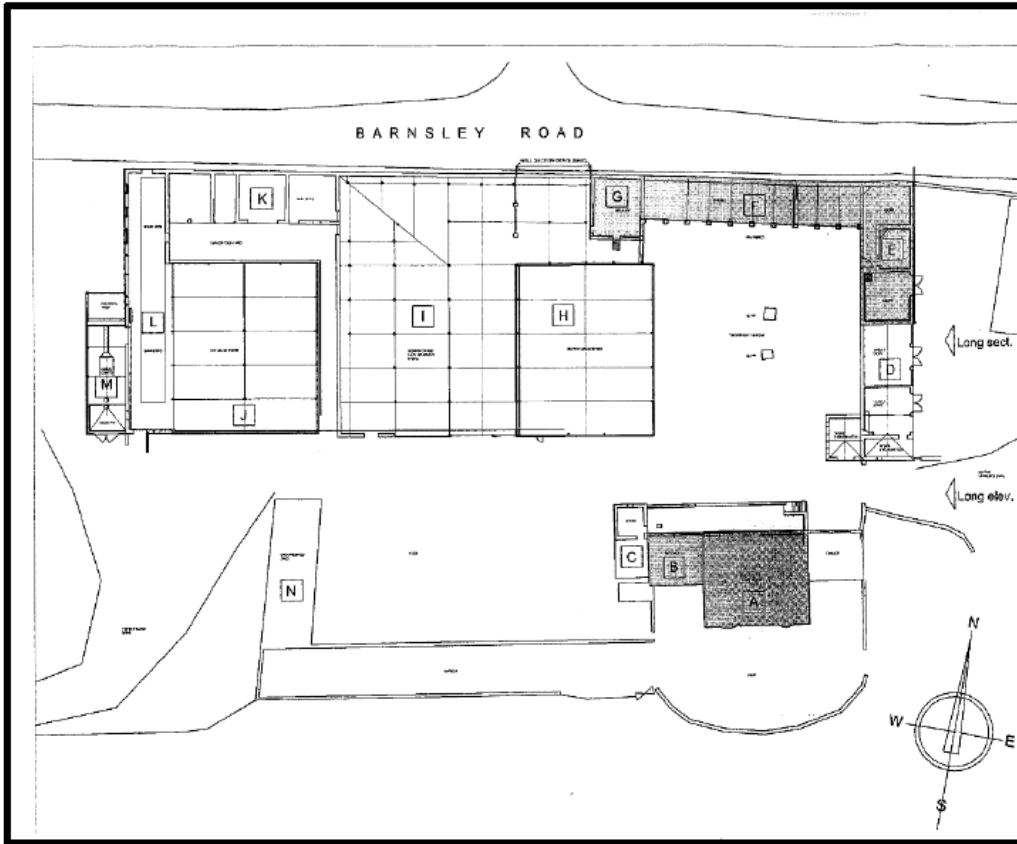
**Due regard has been given to Article 8 and Protocol 1 of Article 1 of the European Convention for Human Rights Act 1998 when considering objections, the determination of the application and the resulting recommendation. It is considered that the recommendation will not interfere with the applicant's and/or any objector's right to respect for his private and family life, his home and his correspondence.**

# Appendix 1- Listed Building analysis



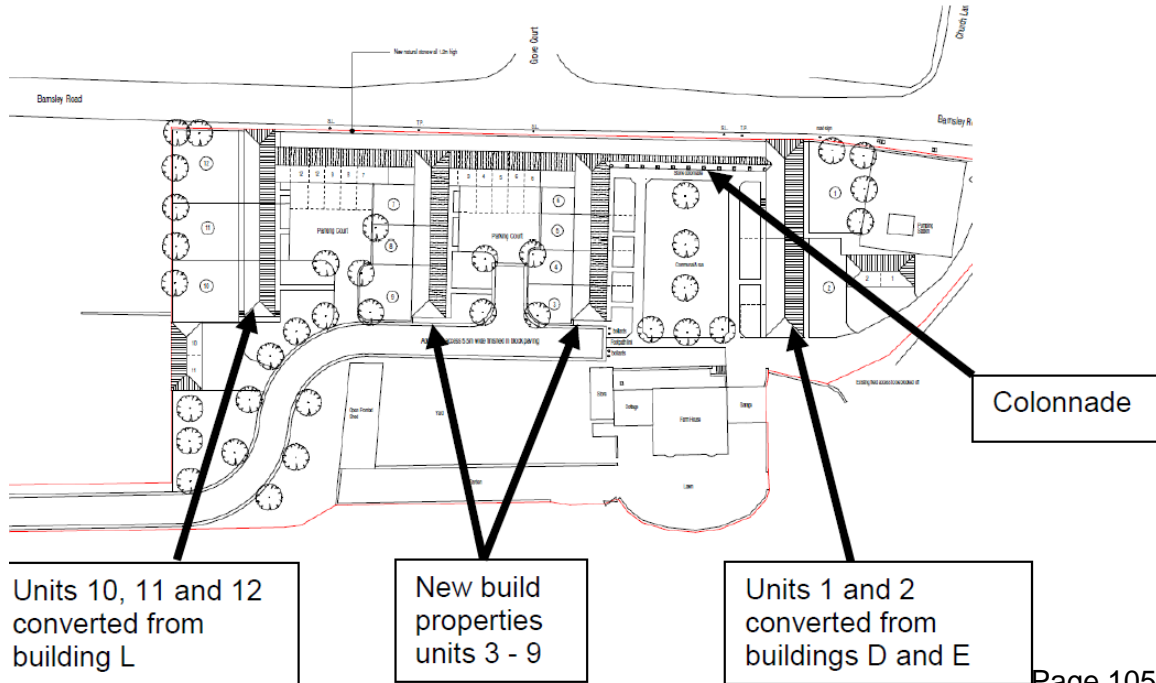
**Fig 1: Marr Conservation Area**

**Appendix 2 –Existing buildings**



**Fig 4: Plan of Buildings**

**Appendix 3 –Annotated layout**



**Appendix 4 view of the former farm 1950's**

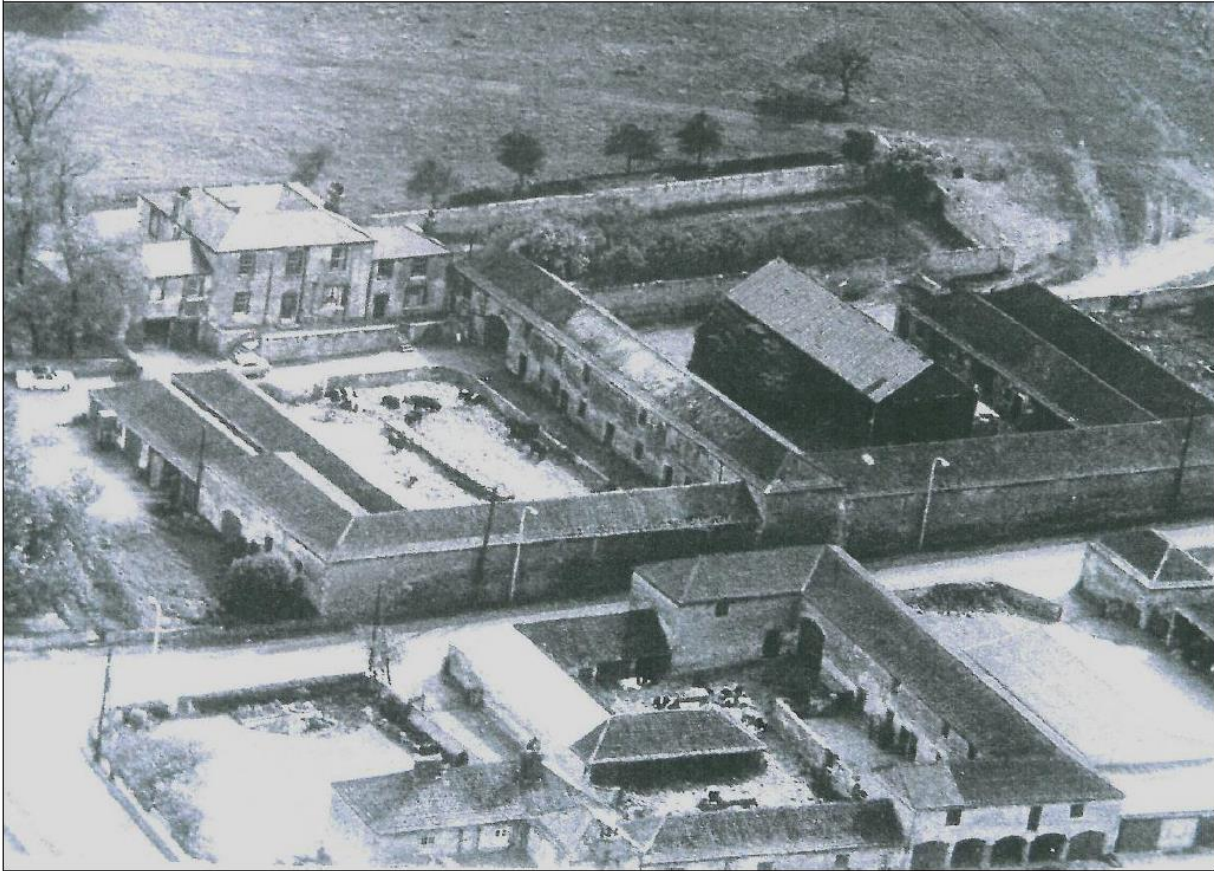
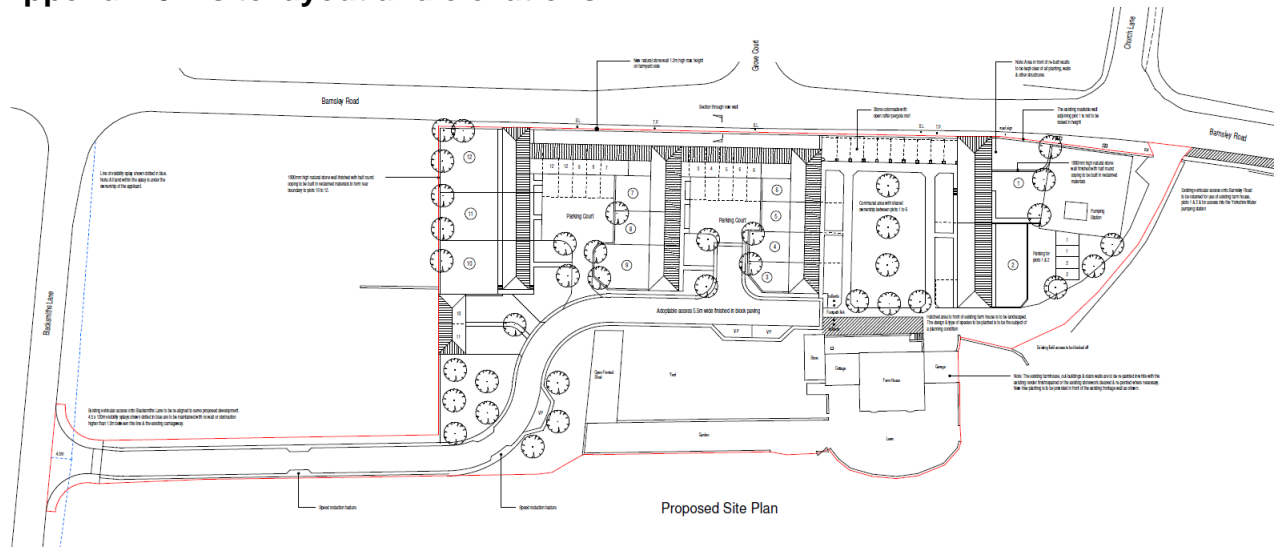
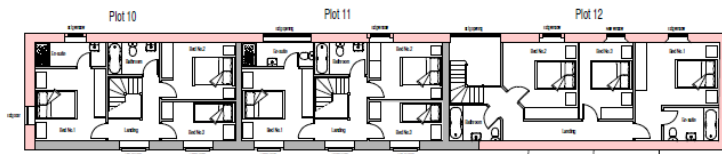
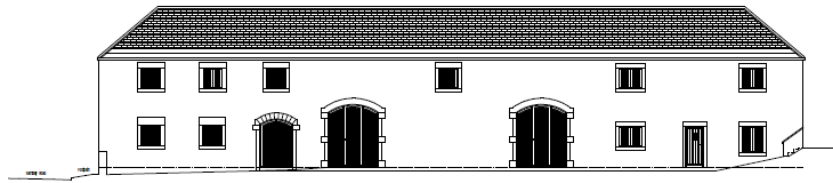
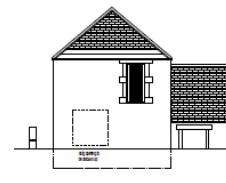
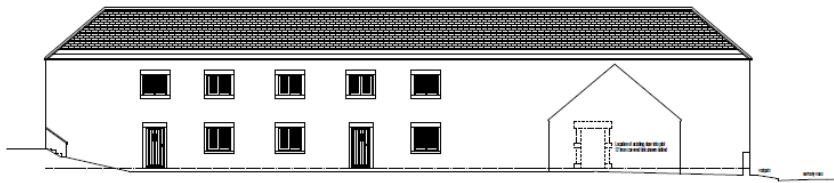


Figure 2: Aerial photograph of the site taken around the 1950s (courtesy of DLP Consultants)

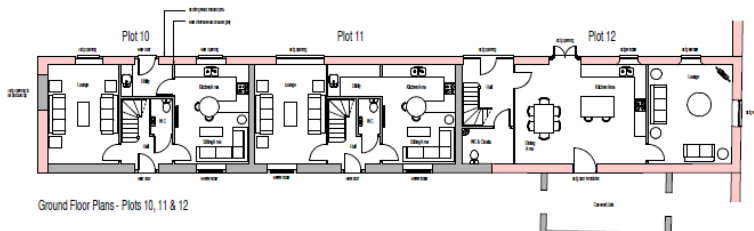
# Appendix 5 – site layout and elevations



## Plots 10-12



First Floor Plans - Plots 10, 11 & 12



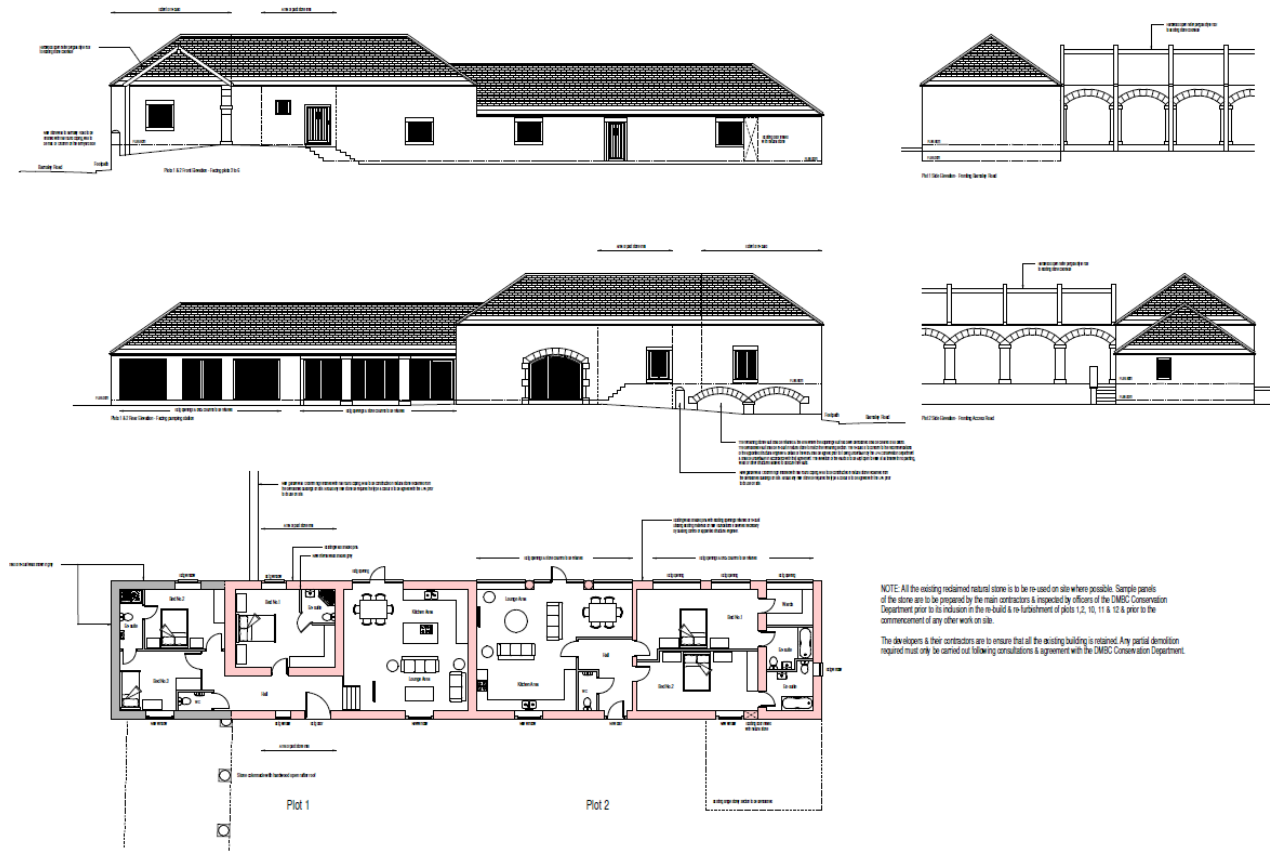
Ground Floor Plans - Plots 10, 11 & 12

NOTE: All the existing retained natural stone is to be re-used on site where possible. Sample panels of the stone are to be prepared by the main contractors & inspected by officers of the DMS Conservation Department prior to its inclusion in the re-build & re-burbishment of plots 1, 2, 10, 11 & 12 & prior to the commencement of any other work on site.

All existing rendered areas are to have the render removed & the underlying natural stone cleaned & repaired. The existing asbestos roof is well cladding is to be removed by specialist.

The site workers & their contractors are to ensure that all the existing building is retained. Any partial demolition required must only be carried out following consultation & agreement with the DMS Conservation Department.

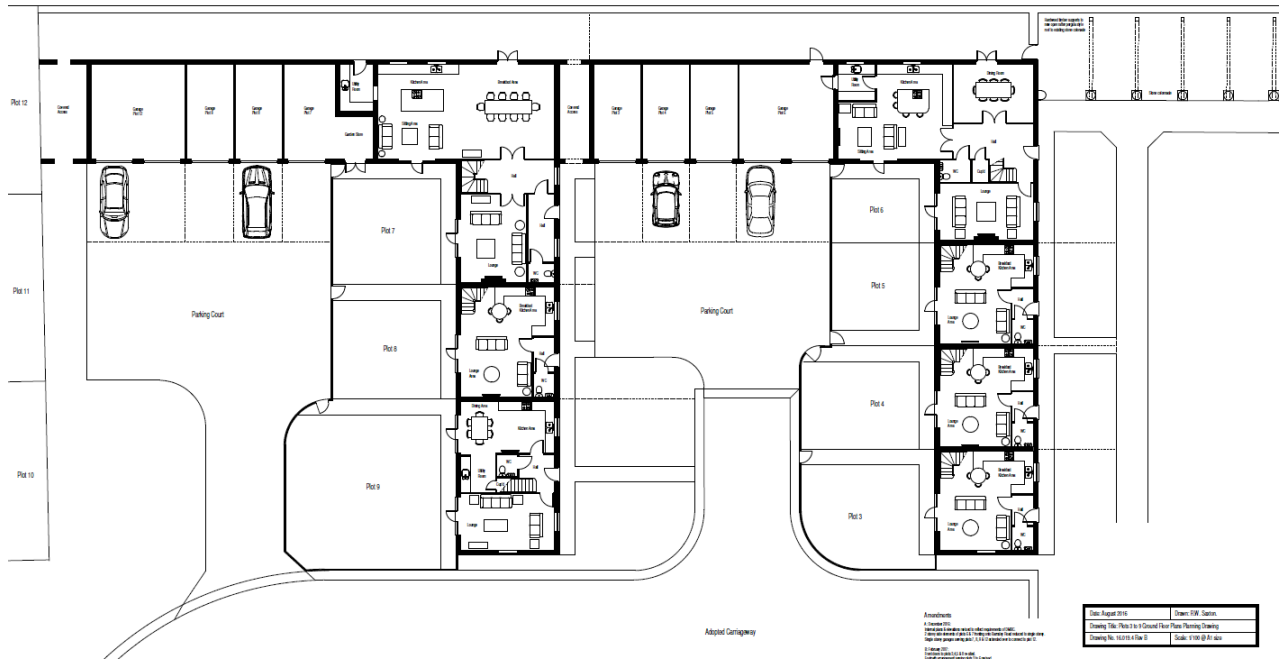
# Units 1-2



# Plots 3-9



Plots 3 to 9 Ground Floor Plans



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**DONCASTER METROPOLITAN BOROUGH COUNCIL**

**PLANNING COMMITTEE - 28th May 2019**

**Application**      5

<b>Application Number:</b>	18/03081/FUL	<b>Application Expiry Date:</b>	5th March 2019
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<b>Application Type:</b>	Full Application
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<b>Proposal Description:</b>	Erection of 2 single storey buildings for mixed A3/A5 use class (restaurant and hot food takeaway). Incorporating drive-thru lanes, car and cycle parking, plant, refuse storage and landscaping along with both freestanding and elevational illuminated and non-illuminated signage.
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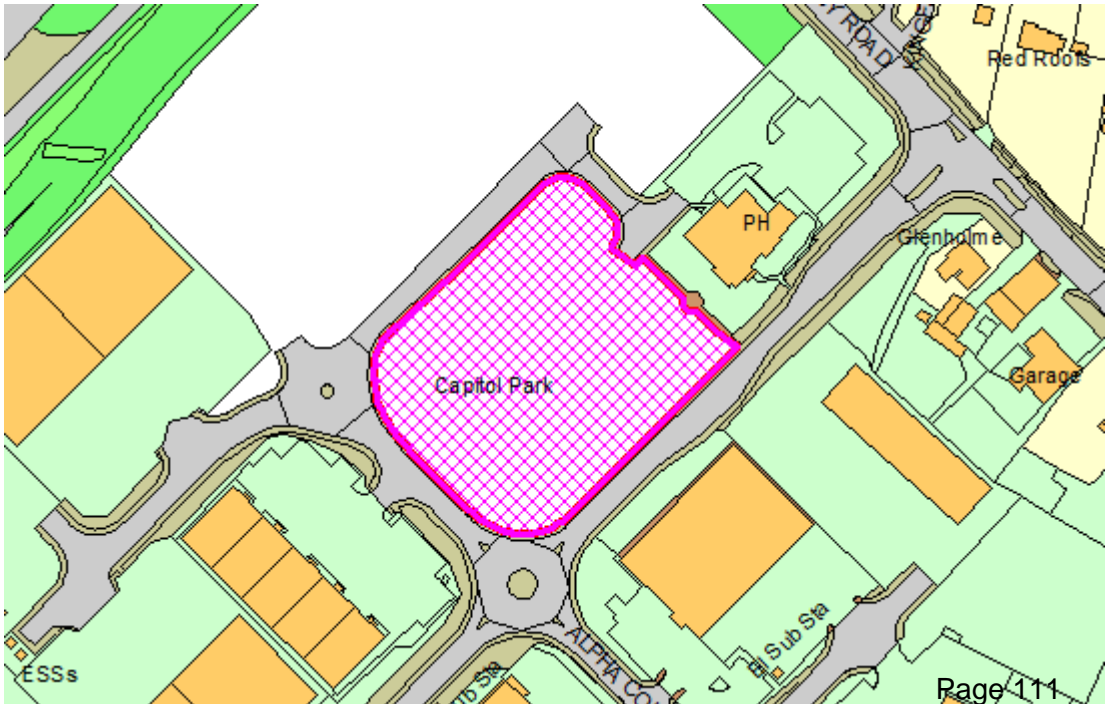
<b>At:</b>	Capitol Park Omega Boulevard Thorne Doncaster
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<b>For:</b>	Mr Arjun Patel - QFM Group
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<b>Third Party Reps:</b>	6	<b>Parish:</b>	Thorne Town Council
		<b>Ward:</b>	Thorne And Moorends

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

1.1 This application is being reported to Planning Committee due to the significant local interest raised by the application.

## **2.0 Proposal and Background**

2.1 The submitted application seeks the erection of 2 single storey buildings for mixed A3/A5 use class (restaurant and hot food takeaway). Incorporating drive-thru lanes, car and cycle parking, plant, refuse storage and landscaping along with both freestanding and elevational illuminated and non-illuminated signage. The signage is submitted under a separate application ref 18/03082/ADV. The end users are shown as KFC and Taco Bell.

2.2 The application follows a similar reserved matters approval 14/02847/REMM, which was for details of access, appearance, landscaping, layout and scale for 2 fast food units. This was on a slightly larger site and included the land to the south earmarked for 'future development' and had a different layout. Outline planning permission for the wider site was originally granted for a mixed use scheme under reference 10/03149/OUTM. The ability for reserved matters has expired hence the standalone full application.

2.3 The site itself is located to the western edge of the settlement of Thorne, within an existing business park known as Capitol Park. The M18 motorway bounds the wider site to the west, with Selby Road to the north, Omega Boulevard to the east and a factory premises operated by Omega to the south west. Junction 6 of the M18 is adjacent to the northern corner of the site, set at a higher level than the site.

2.4 Further to the west of the site beyond the motorway lies open countryside. To the east and south of the site are employment uses comprising the remainder of the business park, whilst further to the east is the more built up residential areas and Thorne town centre.

2.5 The application site is irregular shaped, roughly rectangular area of vacant land, approximately 0.82 hectares in size. The retail park is now known as Quora Retail Park. Both the application site and the surrounding land was previously used for the uncovered storage/parking of vehicles, and formed part of Capitol Park Industrial Estate. Quora Retail Park currently comprises a public house (the Kings Chamber) and associated hotel immediately to the north-east of the site, a McDonalds restaurant and hot food takeaway (incorporating a 'drive-thru' lane), and two large retail units (Aldi and B&M), along with plentiful external car parking serving the various units.

## **3.0 Relevant Planning History**

3.1 The most pertinent history is the 2010 outline permission for the wider commercial use of the site and the 2014 reserved matters for 2 A3/A5 restaurants as detailed below:

3.2 10/03149/OUTM - Outline application for mixed use development comprising employment (use classes B1, B2 or B8), hotel (use class C1), public house (use class A4), restaurant and take away (use class A3 or A5), retail (use class A1) including petrol filling station, crèche, education and training (use class D1), access infrastructure, parking and hard and soft landscaping - GRANTED 16.12.11.

3.3 12/03148/REM - Details of access for mixed use development comprising employment (use classes B1, B2 or B8), hotel (use class C1), public house (use class A4), restaurant and take away (use class A3 or A5), retail (use class A1) including petrol filling station, crèche, education and training (use class D1), access infrastructure, parking and hard and soft landscaping (being matters reserved in outline previously granted permission under application No 10/03149/OUTM granted on 16.12.2011) - GRANTED 10.06.13

3.4 12/03160/REMM - Details of access, appearance, landscaping, layout and scale for the erection of a supermarket and associated car parking, recycling & petrol filling station on approx 2.2ha of land (being matters reserved in outline application previously granted under permission 10/03149/OUTM on 16.12.2011) - GRANTED 03.04.13

3.5 Various planning permissions have been granted over the last 25 years, including an outline scheme in 1991 (91/ 0173/P) for a mixed use development incorporating residential, B1, B2 and B8 uses, a hotel and associated leisure uses and a petrol filling station. A reserved matters application under this approval was approved in 1994 (94/2696/P) for part of the site, giving permission for employment use.

3.6 A further outline permission was granted in 1996 (96/2785/P), again for hotel and associated leisure uses, petrol station and B1, B2 and B8 uses. Subsequent reserved matters applications in 1997 and 1998 were also approved under this permission for various employment uses, however the hotel and associated leisure uses never came forward.

3.7 13/01853/REM - Details of Access and Layout of design for the formation of an access road (being matters reserved in outline application consisting of mixed use development comprising employment (use classes B1, B2 or B8), hotel (use class C1), public house (use class A4), restaurant and take away (use class A3 or A5), retail (use class A1) including petrol filling station, crèche, education and training (use class D1), access infrastructure, parking and hard and soft landscaping previously granted permission under 10/03149/OUTM on 16.12.2011). Application granted.

3.8 14/02847/REMM - Details of Access, Appearance, Landscaping, Layout and Scale of Design for 2 fast food units and 1 commercial unit (A1/A3/A5) (Being matters reserved in application granted under ref: 10/03149/OUTM on 16.12.2011) (McDonalds and KFC) Granted 12.10.15

## **4.0 Representations**

4.1 This application has been advertised in accordance with the Development Management Procedure Order. This was via x3 site notices posted (17.1.19) and direct neighbour notification of the surrounding residents and business premises. The application received 4 representations in opposition. These were mainly from residents opposite the entrance to the retail park.

#### 4.2 The concerns are summarised as follows:

- More lorries, more noise, more pollution, more teenagers causing a nuisance to local residents.
- An air quality assessment is required. The area already has poor quality air due to standing traffic. This is flagged up on Friends of the Earth map as of concern. Previous major planning applications granted here i.e. 16/00126/FULM for McDonald's, B&M, Aldi, and Marstons Hotel and Pub and Major planning application 15/03006/FULM for two new huge warehouses on Mount Pleasant Road have had no Air Quality Assessments undertaken even though it stated on both major planning application that Air Quality Assessments were necessary due to the size and nature of the developments.
- The smell of cooking fat from McDonalds Drive Thru/restaurant is prevalent and unpleasant and the take away food litter from it on surrounding roads which is dispensed regularly from cars is unacceptable, unsightly and costly to remove. No more takeaway food outlets should be allowed here.
- By developing further in this area it is taking away what little businesses are left in Thorne town centre, the general public are travelling to Aldi, B&M and McDonalds but have little or no reason to visit the town centre which is becoming more and more uninviting as a shopping centre by the day, the dismal appearance and the amount of empty shops along the high Street is not good for trade, carry on developing on the outskirts of the town will eventually shut down the rest of the businesses in the town centre which is very alarming for the owners, members of the community losing out to large lucrative companies which is unfair.

#### 4.3 Two letters of support were received.

- Great to add these fantastic choices to the ever-improving area that is Thorne. Attracting people off the motorway, bringing money into the local economy and providing great local jobs.
- These buildings will create more job opportunities to the local area as well as bring further local economic value.

### **5.0 Town Council**

5.1 Thorne Moorends Town Council - supports this development and welcomes commercial investment into Thorne Moorends that this development would bring.

### **6.0 Relevant Consultations**

6.1 Trees / Hedgerows – No tree loss but raised initial concerns over the lack of a suitable landscape scheme. This was resolved following the submission of a full landscape plan.

6.2 Environment Agency – No objection subject to floor levels and other flood mitigation conditions being imposed.

6.3 DM Highways – Initial objection due to the site specific layout with regards to visibility, pedestrian manoeuvrability etc. This was overcome by the submission of amended plans.

6.4 Ecology – No objections.

6.5 Transportation: No objection subject to conditions.

6.6 Pollution Control – No objection. Officers are satisfied that the site has been fully risk assessed previously and the only risk to human health and the environment determined through earlier site investigation is that of ground gas. This is to be conditioned.

6.7 Air Quality: No objections following the submission of version 3 of an Air Quality Assessment.

6.8 Environmental Health: No objections or concerns over operational noise, however sought to control building works and controlling cooking smells by condition. The applicant provided details of the extraction system (Air flow Mechanical Ventilation & Environmental Control Equipment) which the Environmental Health officer considered satisfactory. A condition is proposed to ensure the development accords with these details.

6.9 Drainage: No objections subject to conditions.

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

### **Site Allocation**

The site is allocated as Strategic Employment Policy Area as defined by the Doncaster Unitary Development Plan 1998.

### **Relevant, Local, National Policies**

The following policies are applicable:

EMP1 - Strategic Employment Site

### **National Planning Policy Framework**

Principle 6 - Building a strong, competitive economy

Principle 7 - Ensuring the vitality of town centres

Principle 12 - Achieving well designed places

Principle 14 - Meeting the challenge of climate change, flooding and coastal change

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

CS4 - Flooding and drainage

CS5 - Employment Strategy

CS14 - Design and sustainable construction

## **Doncaster Local Plan**

The emerging Doncaster Local Plan will replace the UDP and Core Strategy once adopted. The Council is aiming to adopt the Local Plan by summer 2020. Consultation on the draft policies and proposed sites took place during September and October of last year and the Local Plan is due to be published in early summer 2019. Given the relatively early stage of preparation of the emerging Local Plan, the document carries very limited weight at this stage.

Policy 5: Employment Policy Areas (Strategic Policy)

Policy 14: Promoting sustainable transport within new developments

Policy 20: Access, design and layout of public rights of way

Policy 23: Locating Town Centre Uses (Strategic Policy)

Policy 24: Development within Town, District and Local Centres (Strategic Policy)

Policy 25: Food and Drink uses

Policy 34: Landscape (Strategic Policy)

Policy 43: Good Urban Design

Policy 49: Landscaping of New Developments

Policy 50: Advertisements and signage.

Policy 55: Pollution

### **8.0 Planning Issues and Discussion**

8.1 The main issues are to consider the principle of the proposed development, its impact on the local highway network and manoeuvrability within the site, flooding, drainage, ecology, air quality, pollution, the impact on nearby dwellings and finally design and landscaping considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that a determination made under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise.

#### Principle

8.2 Outline planning permission was originally granted on the site in 2011 (10/03149/OUTM) for a mixed use development, which included the provision A3-A5 restaurants. A series of detailed and reserved matters submissions followed for the internal road layout, a supermarket, a public house and employment buildings on the wider site. This site is the last vacant site on the development and will finish off the scheme.

8.3 The 2014 reserved matters permission was for a slightly enlarged site and granted consent for KFC and McDonalds (See appendix 2). This was never implemented as McDonalds chose to locate on a different part of the park alongside the A614 and is now built and operational. The historical permissions have therefore previously established the principle of the A3-A5 uses on the site and there have been no material considerations why the Local Planning Authority would depart from approving such uses again. This therefore negates concern raised by local residents over the principal of the use.

8.4 Other matters were raised in the representations over the proposal impact on Thorne's town centre, however both these proposed uses are currently not within the centre and therefore unlikely to have any negative impact upon it. Instead it will lessen the needs for Thorne's residents to travel to similar facilities in the borough to access these restaurants. In terms of the other positives the proposal will provide 35 full time and 65 part time jobs and increase the attractiveness and investment of the whole area.

#### Highways and Transportation

8.5 The site has its main access off the estate road close to the rear of the public house. The site has three pedestrian accesses to the west frontage off the main access road and further pedestrian link off Omega Boulevard. The highway officer raised several concerns with the original scheme concerning manoeuvrability within the site and the layout. This required the submission of amended plans to overcome these concerns. The site is particularly tight as with many units of this nature, however represents no harm to the safety on the public highway. The proposal will naturally encourage more vehicle to use the site, however the road has capacity for this to occur and this is the last of the vacant sites on the estate and permission has been previously granted.

8.6 No objections are raised by the transportation team as the quantum of development hasn't increased over previous permissions. The transportation officer initially requested full travel plans to be submitted as per the original outline application, however given this is a standalone full application, with a limited floor area and reduced staff numbers, the highway officer confirmed no travel plan will be required. Cycle stands were added to the proposal through amendments.

#### Flooding & Drainage:

8.7 The site and its immediate surroundings also fall within Flood Zone 3, due to the proximity of the River Don to the west and the Stainforth and Keadby Canal to the south, but benefits from flood defences. The application was submitted with a flood risk assessment from November 2011 and no drainage details. Despite its age, the Environment Agency raised no objections given the proposal comprises site layout changes to the previously granted 10/03149/OUTM and have referred back to the conditions imposed upon the original outline consent, namely ensuring there was no lowering of the finished floor level (FFL) of 3.6m AOD for less vulnerable uses. Other conditions include the need for flood-proofing measures, evacuation plans and full drainage details to ensure compliance with section 14 of the NPPF and CS 4 of the Core Strategy.

## Ecology

8.8 The site falls within the scope of the Core strategy policy CS16 covering the foraging potential for nightjar but this site could not be considered as having any potential for nightjar hence this policy would not be applicable. In respect of ecological characteristics, the site is practically all hardstanding/concrete with low bunding around the sides. There are no reptile records for the site and although there could be some suitability for this faunal group the site is too small and surrounded by roads making it sub optimal as there is no connectivity with the wider more suitable habitats. No objections on ecological grounds and no conditions necessary.

## Air Quality

8.9 The issue of air quality was raised in several of the objection letters by a number of residents who live opposite the site due to the increasing amounts of traffic which que at the signalised junction. The pollution control team also requested an assessment due to the scale and nature of the proposals.

8.10 The applicant commissioned an air quality assessment by AECOM which was later revised on two further occasions. The report concluded that the risk to the nearest sensitive receptors (dwellings opposite) would be medium in terms of dust soiling with a low risk to human health. With regard to potential impacts during the operational phase, the assessment concludes that since there is unlikely to be significant changes in air quality levels due to the operational proposed development. The air quality officer agreed that it is reasonable to conclude that the development is not likely to result in a potential exceedance of the objectives; however the development will contribute to an overall increase in emissions. This could be said of any new development. A condition is imposed covering the need for electric vehicle charging points to encourage the use of these vehicles.

## Pollution Control

8.11 The application was accompanied by a Phase II Geo Environmental Assessment Report by BWB which identified the presence of landfill gas and identified appropriate mitigation measures. Pollution control officers were satisfied that the site has been fully risk assessed previously and the only risk to human health and the environment determined through earlier site investigation is that of ground gas.

8.12 Previous ground gas risk assessment identified a potential pathway for ground gas to impact the development. As such gas mitigation is required to be installed in the proposed buildings. As such, the developer will be required to submit their remediation/ground gas mitigation proposals for the proposed buildings along with a scheme for its validation. A condition is suggested to cover this which is partially already agreed but just needs the final details of the specification.



## Design & Landscaping

8.13 Policy CS14 of the Core Strategy and NPPF principle 12 put a strong emphasis on design, to ensure all new developments are well designed and inclusive places. This is the final plot within the wider retail parks development it is therefore important that some of the key design touches are continued through this development. The design officer had several concerns over the original proposals and identified that such 'identikit units' are often situated in space with poor definition and active frontage to surrounding streets, dominating car parking areas and a proliferation of signage and other paraphernalia which results in an unattractive environment. One of the only redeeming aspects of such developments is if they often include a high quality landscape scheme.

8.14 The original submission showed no soft landscaping (apart from turf) and sought to remove the existing hedgerow and trees which provide a degree of greenery and are an important feature of the character of Omega Boulevard. The extent and size of the signage was also excessive and no detail was provided on the materials for the buildings.

8.15 The applicants addressed these concerns with a fully detailed landscape plan which showed heavy standard landscaping on the perimeter of the site, the retention of the hedgerow and some of the boundary trees together with maintenance details. This satisfied the trees and landscape officer.

8.16 Other amendments were picked up i.e. confirmation of the footpath links to the western site frontage, more robust bin storage detail provided and reduced scale of the signage. These changes, combined with the landscaping all helped strike a better balance between the necessity for commercial prominence and good design.

## Residential Amenity

8.17 The proposed premises by their very nature have the opportunity to create noise and cooking odours which could potentially harm to local residents that live opposite the site.

8.18 Having considered this scenario, it's unlikely that noise from the facility would be noticeable over current background noise levels given the proximity of a main road and several other retail and leisure facilities on the retail park. The Marstons pub (Kings Chamber) and McDonalds sit in between this site and the residential dwellings which lie over 150m away. Residents have complained about the smells from the McDonalds, however this has no direct inference on this current scheme, which is further south west than McDonalds and therefore has more opportunity for smells to dissipate before they reach any dwellings.

8.19 Environmental Health were consulted and raised no concerns over the proposal subject to control being exercised by condition over delivery times during construction. No condition on the delivery hours of stock/food was considered necessary nor was this controlled on other permissions on the wider estate. Likewise the hours of opening were not specified on the application form, however given the distances to potential noise receptors this is not considered necessary to control.

8.20 However the type of cooking process of the proposed development (KFC unit) tends to have a high concentration of odour particles and grease content and therefore conditions were suggested to control this i.e. control over the flu type/design. The applicant submitted a mechanical ventilation report by a company called 'air flow cooling' which will be used in both buildings. This satisfied the Environmental Health and a condition is suggested to ensure that the ventilation systems are installed in accordance with the specified details.

8.21 Finally external lighting details were supplied (supplied by Litetask) which demonstrated that lighting did not spill illumination beyond the boundary of the site.

## 9.0 Summary and Conclusion

9.1 The principle of development has already been established through previous outline and reserved matters consents. The proposed buildings are acceptable in terms of their form, design and appearance. Amendments to the signage and landscaping have all helped improved the overall design and the submission of various technical reports have overcome the concerns raised by consultees. The proposal is not considered to cause any significant concern to highway safety, local ecology or detrimentally impact on the living conditions of nearby dwellings.

9.2 The proposal therefore accords with the development plan and there are no material considerations of sufficient weight to warrant the planning permission not being granted. On this basis the application recommended for approval.

## 10.0 Recommendation

10.1 GRANT planning permission subject to the following conditions:

01. STAT1            The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.  
REASON  
Condition required to be imposed by Section 91(as amended) of the Town and Country Planning Act 1990.
02. Amended        The development hereby permitted shall be carried out in complete accordance with the details shown on the amended plans referenced and dated as follows;
- Drawing no. K0B 01 Rev. B - landscape masterplan (amended)  
Drawing no. P122 Rev. J - revised proposed landscape plan. (amended)  
Drawing no. OBT-BWB-GEN-XX-DR-TR-100 S2 Rev. P1 - visibility assessment prepared by BWB  
Drawing no. OBT-BWB-GEN-XX-DR-TR-111 S2 Rev P6 - swept path analysis prepared by BWB.  
Drawing no. P121 Rev. Q - revised proposed site plan. (amended)  
Drawing no. P123 - proposed skip enclosure.  
Drawing no. P211 Rev. L - revised proposed elevations to KFC unit. (amended)

Drawing no. P213 Rev. L - revised proposed elevations to Taco Bell unit. (amended)

Drawing no. P214 Rev. G - revised site plan & external elevations, including signage, for KFC unit. (amended)

Drawing no. P216 Rev. D - revised site plan & external elevations, including signage, for Taco Bell unit.

Aecom Air Quality Assessment Rev 3 dated 2.5.19  
Lighting Assessment 15.2.19

Mechanical Ventilation & Environmental Control Equipment Airflow report 2.4.19

#### REASON

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

03. Contamination The application site is adjacent to a landfill that is known to be producing landfill gas, or has the potential to produce landfill gas and therefore the risk of landfill gas migration shall be fully investigated prior to the commencement of development on site.

a) The site investigation, including relevant ground gas monitoring shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a quality assured sampling and analysis methodology and current best practice.

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

c) The approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance.

d) Upon completion of the works, this condition shall not be discharged until a verification report has been submitted to and approved by the LPA. The verification report shall include quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. The site shall not be brought into use until such time as all verification data has been approved by the LPA

#### REASON

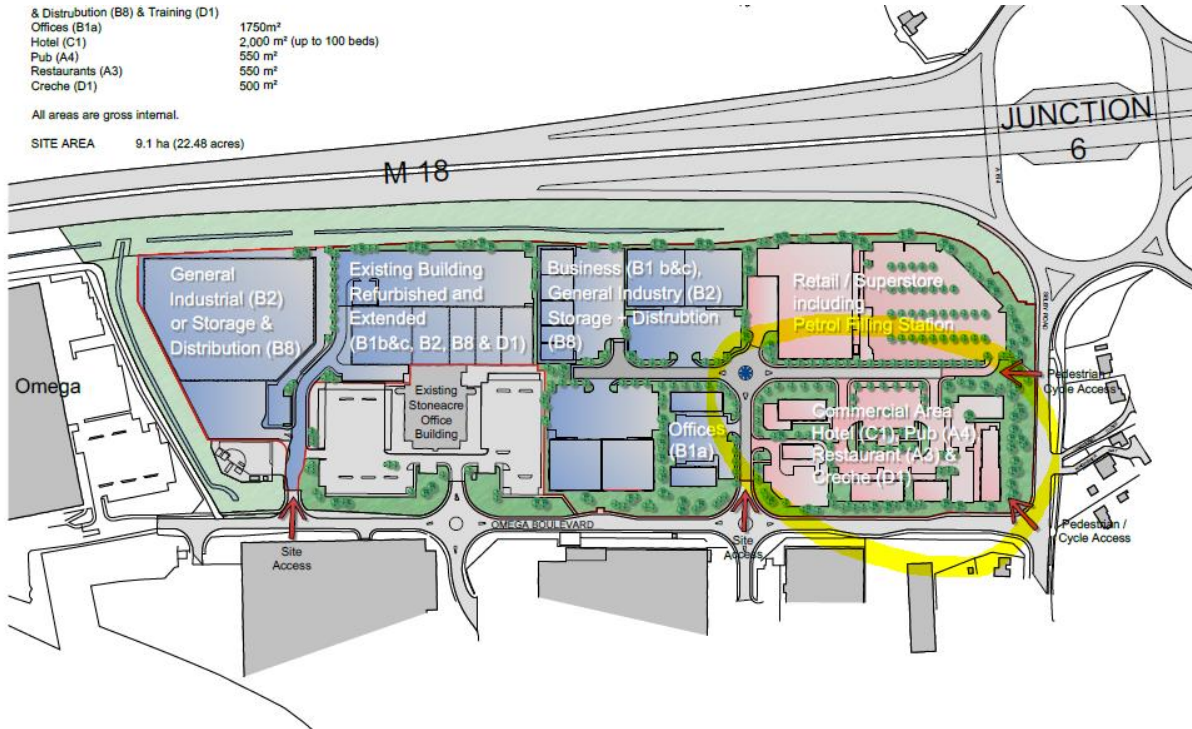
To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to the National Planning Policy Framework.

04. EV Prior to the occupation of the development hereby approved, details of electric vehicle charging provision shall be submitted to and approved in writing by the local planning authority. Installation shall comply with current guidance/advice. The first dwelling/development shall not be occupied until the approved connection has been installed and is operational and shall be retained for the lifetime of the development. The development shall be carried out in accordance with the approved details.  
REASON  
To contribute towards a reduction in emissions in accordance with air quality objectives and providing sustainable travel choice in accordance with policies CS9 and CS18 of the Doncaster Council Core Strategy.
05. Deliveries Deliveries to and from the site, the loading or unloading of raw materials and operational hours during the construction phase of the development shall be restricted to the hours of 07.00 and 19.00 Monday to Saturday, except as may otherwise be agreed in writing with the Local Planning Authority. No deliveries or operation hours shall take place on Sundays or Bank Holidays.  
REASON  
In order to preserve the living conditions of neighbouring residents.
06. Smells All extraction and ventilation equipment installed on the buildings hereby permitted shall be those detailed in the Mechanical Ventilation & Environmental Control Equipment Airflow report dated 2.4.19 unless otherwise agreed in writing. The equipment shall be installed and be in working order prior to the operation of the use and shall be retained for the lifetime of the development. The ducting shall terminate vertically and be free from an obstruction such as a plate, cowl, or cap, or any other deflection at its termination point.  
REASON  
In the interests of maintaining the living conditions of surrounding residents.
07. Lighting External lighting shall not spill illumination beyond the boundary of the site.  
REASON  
To preserve the amenity of adjacent residents.
08. 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.

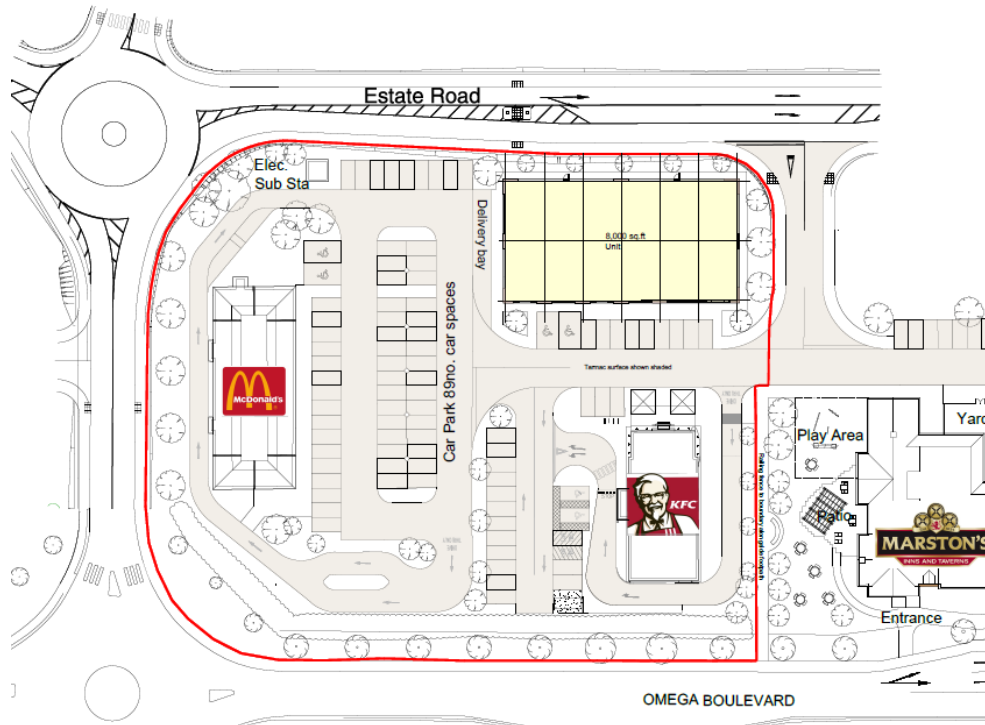
09. The finished floor levels of the developments hereby approved shall be set no lower than 3.6m above Ordnance Datum (AOD) with a minimum of 150mm freeboard above external pavement levels.  
REASON  
To reduce the impact of flooding on the proposed development.
10. No development shall take place until a scheme to incorporate flood-proofing measures into the proposed development 1 metre above finished floor levels has been submitted to, and approved in writing by, the Local Planning Authority.  
  
The scheme shall be fully implemented and subsequently maintained, 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 impact of flooding on the proposed development and future occupants.
11. The development hereby permitted shall not be commenced until such time as an 'Evacuation Plan' and any necessary physical measures to provide safe access and egress in the event of a flood to the site has been submitted to, and approved in writing by, the Local Planning Authority.  
The scheme shall be fully implemented and subsequently maintained, 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 provide the site with a robust plan to evacuate people during a flood event before the on-set of significant flood depths.

**Due regard has been given to Article 8 and Protocol 1 of Article 1 of the European Convention for Human Rights Act 1998 when considering objections, the determination of the application and the resulting recommendation. It is considered that the recommendation will not interfere with the applicant's and/or any objector's right to respect for his private and family life, his home and his correspondence.**

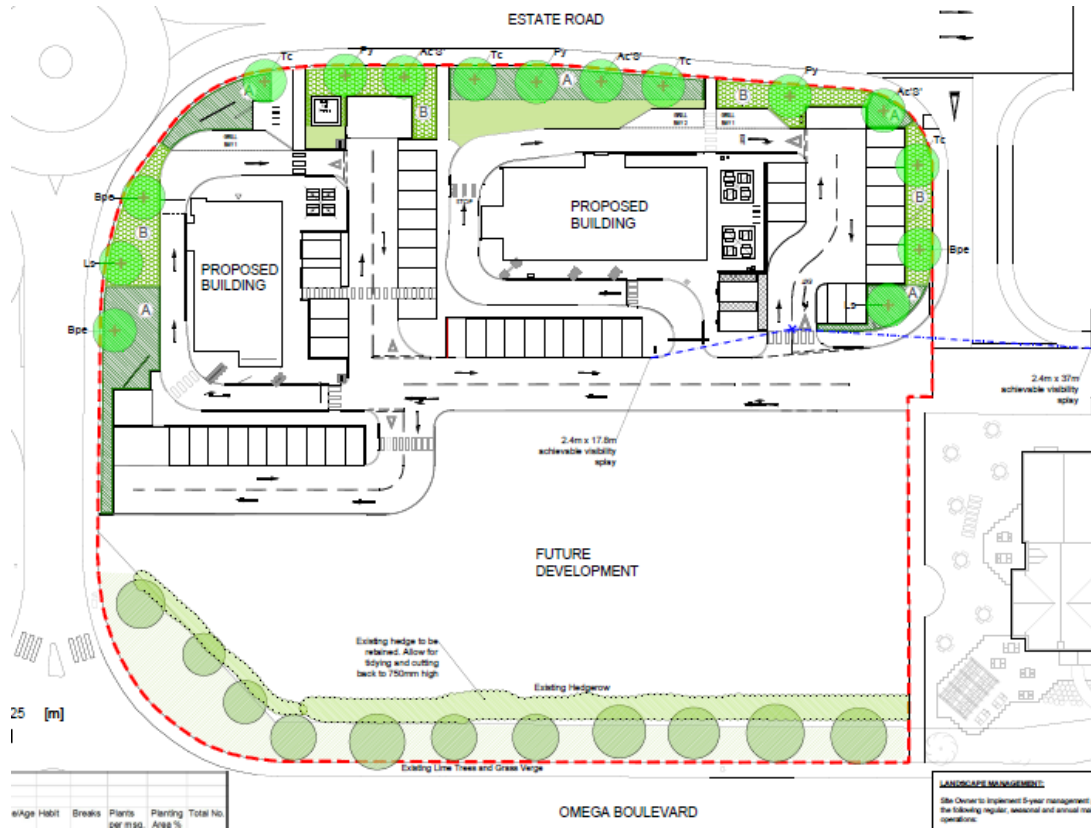
## Appendix 1 – Details of the outline consent



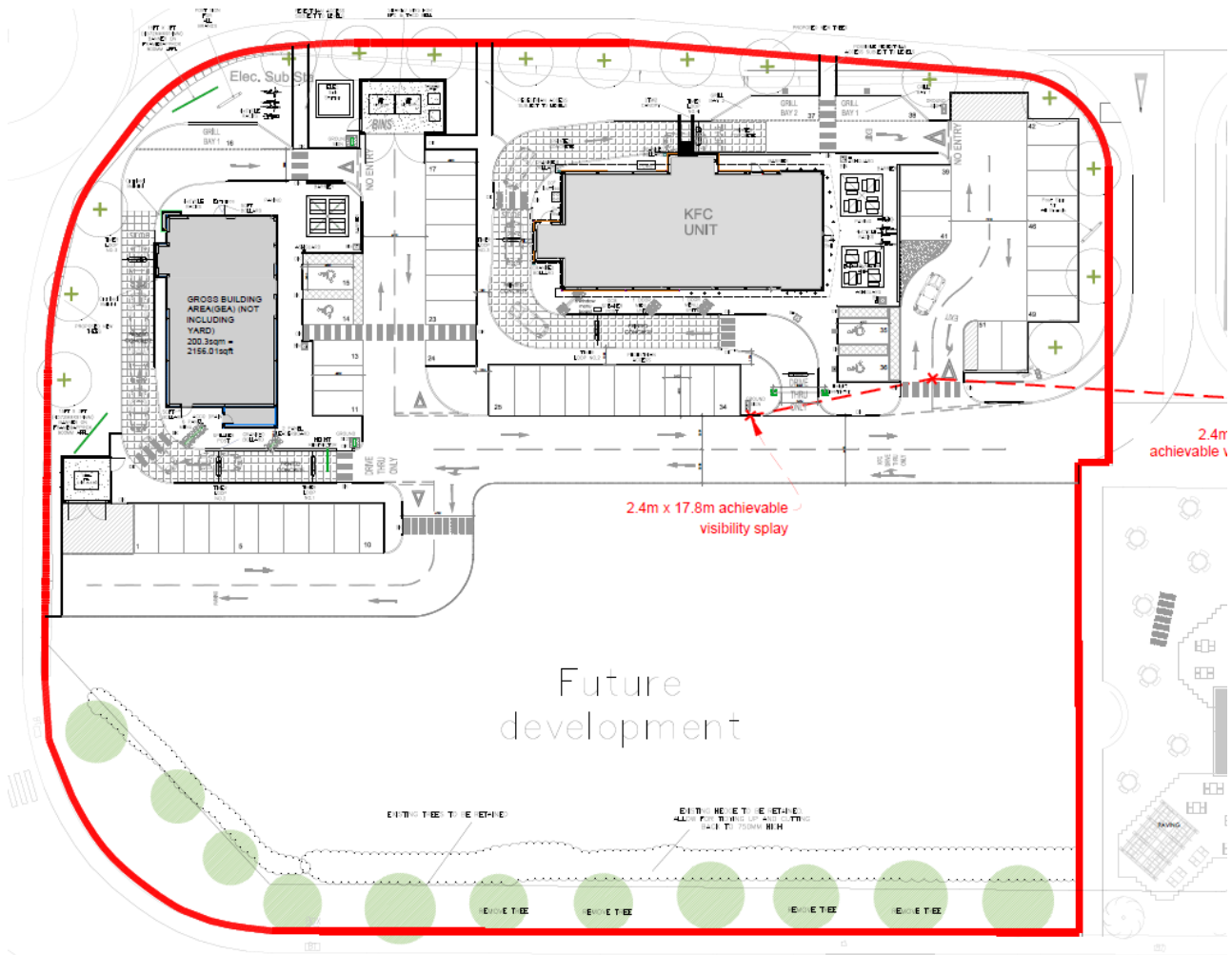
## Appendix 2 Previously approved - 14/02847/REMM



# Appendix 3 Proposed Landscape Plan

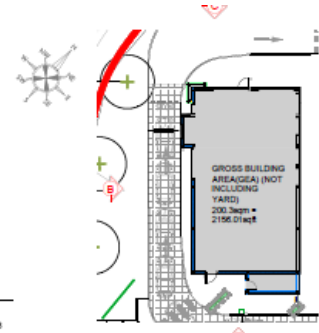
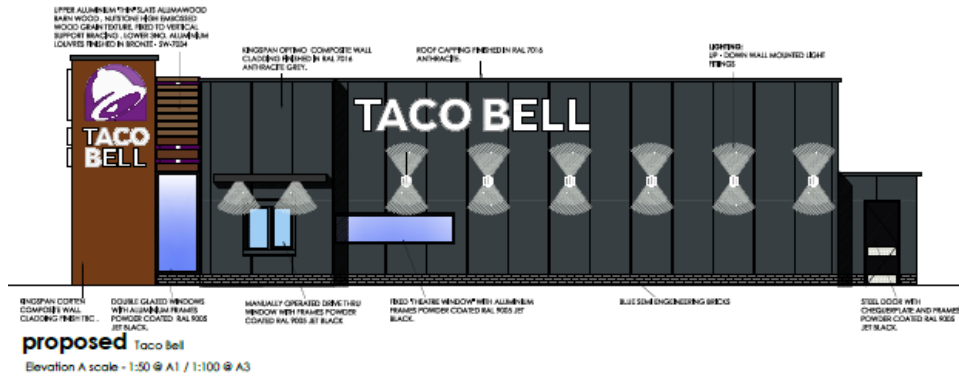


# Appendix 4 Proposed Site Plan

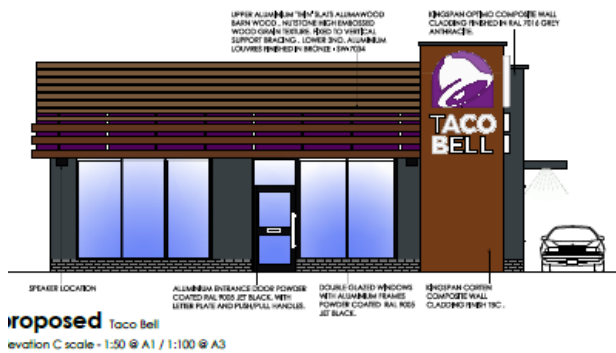
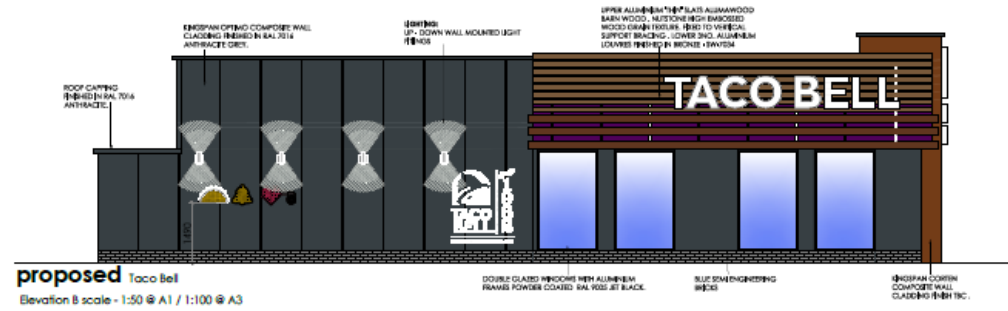


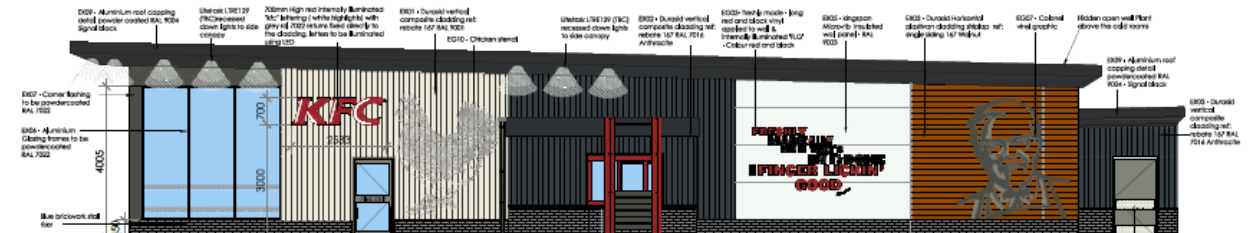


# Appendix 5 Proposed Elevations

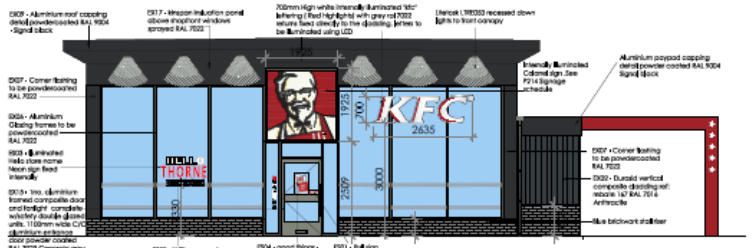


**proposed KEY PLAN**  
NTS

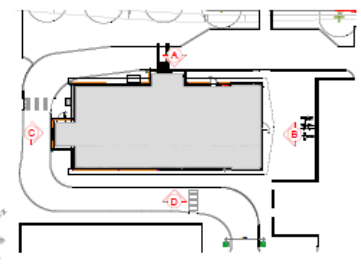




proposed KFC - Unit 2 Left view elevation A  
scale - 1:50 @ A1 / 1:100 @ A3



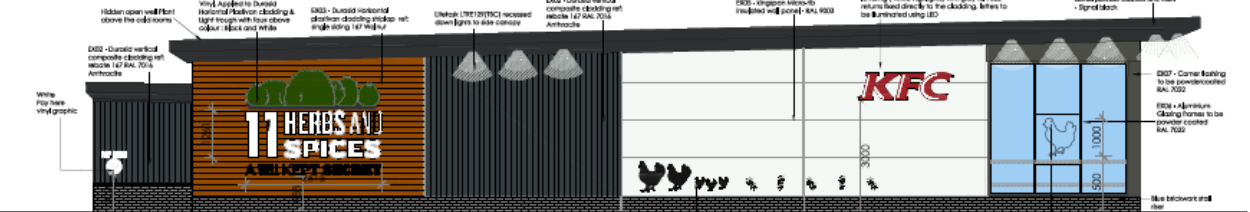
proposed KFC - Unit 2 Front view elevation B scale - 1:50 @ A1 / 1:100 @ A3



proposed Key Plan - NTS



proposed KFC - Unit 2 Rear view elevation C scale - 1:50 @ A1 / 1:100 @ A3



proposed KFC - Unit 2 Right view elevation D scale - 1:50 @ A1 / 1:100 @ A3

PLANNING

**DONCASTER METROPOLITAN BOROUGH COUNCIL**

**PLANNING COMMITTEE – 28 May 2019**

**Application**      6

<b>Application Number:</b>	19/00811/FUL	<b>Application Expiry Date:</b>	3 <sup>rd</sup> June 2019
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<b>Application Type:</b>	Full Application
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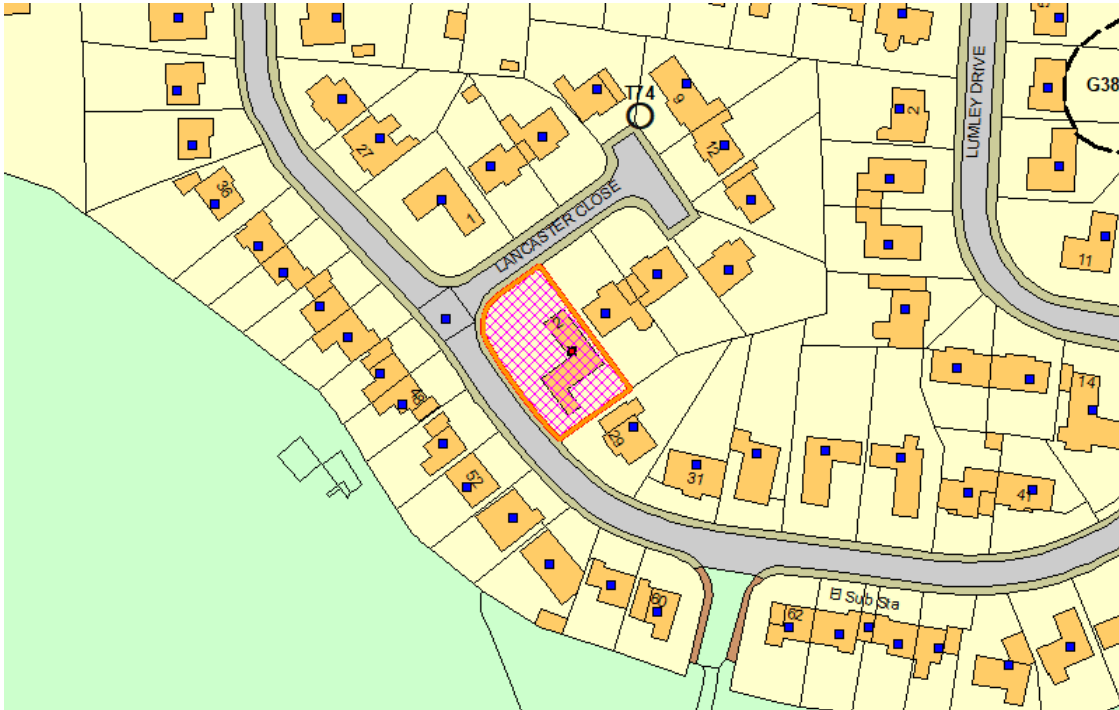
<b>Proposal Description:</b>	Erection of 2 bungalows following demolition of existing dwelling, including associated landscaping and curtilage works.
<b>At:</b>	2 Lancaster Close, Tickhill, Doncaster, DN11 9PZ

<b>For:</b>	Mr Patrick Doran
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<b>Third Party Reps:</b>	9	<b>Parish:</b>	Tickhill Parish Council
		<b>Ward:</b>	Tickhill and Wadworth

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

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

## **2.0 Proposal and Background**

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

2.2 The development would introduce two detached bungalows facing on to Lancaster Crescent. A new access would be created for each of the plots. The area of Plot 1 is larger than Plot 2 however the proposed bungalows are identical in size, measuring approximately 8.5m in width, 13.5m in length and 4.9m in height to ridge. The proposed materials seek to reflect the character of the area being buff brick and dark grey tile construction with roof lights to illuminate the open plan kitchen and lounge area.

2.3 The site is located at the corner junction on Lancaster Crescent and Lancaster Close and contains a bungalow and its curtilage.

2.4 The street scene in the immediate vicinity on Lancaster Crescent is open in character with detached bungalows and 2 storey dwellings present, interspersed with mature trees and soft landscaping to the front of dwellings. From the perspective of Lancaster Close, the area is characterised by detached bungalows set back from the road with green open front gardens and some driveways providing access to garages.

## **3.0 Relevant Planning History**

3.1 Pre-application advice has been given regarding the site layout and design, which has been incorporated with the proposal as submitted to ensure that the finish materials tie in with the locality.

## **4.0 Representations**

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

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

4.2 A total of nine objections have been received from local residents raising the following material planning concerns:

- Disruption to the building line
- Out of keeping with openness of surrounding area
- Finish materials
- Setting a precedent
- Replacement of recently felled trees on site

- Concerns with on street parking and location of access on Lancaster Close
- Increase in traffic congestion
- Boundary treatment

4.3 Whilst issues relating to the number of bedrooms and profit are noted, unfortunately they are not material planning considerations and therefore cannot be taken into account.

## **5.0 Parish Council**

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

- The proposed development would project beyond the building line and there would be no garage for either of the proposed properties
- Neighbours' concerns should be taken into consideration

## **6.0 Relevant Consultations**

6.1 Highway Officer - No objection subject to increased width of parking area to Plot 1 and condition regarding closure of existing access following creation of new accesses.

6.2 Severn Trent Water - No comments received.

6.3 Tree Officer - Two trees were recently felled and the remaining vegetation on site is of low amenity value and not significant enough to impact on the proposal. No objection subject to a condition regarding the planting of 4 replacement trees.

## **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 (2012), Unitary Development Plan (adopted 1998), and the Tickhill Neighbourhood Plan (adopted 2016). The most relevant policies are Policies CS1, CS14 and CS16 of the Core Strategy, Policy PH11 of the UDP and Policies DE1 and H4 of the Tickhill Neighbourhood Plan.

7.3 Other material considerations include the National Planning Policy Framework, February 2019 (NPPF) and the National Planning Policy Guidance, as well as the Doncaster Council Development Guidance and Requirements Supplementary Planning Document (July 2015) and the draft Local Plan, policy 45: Residential Design. This policy currently attracts limited weight as the Local Plan has yet to be published.

## 8.0 Planning Issues and Discussion

8.1 The main issues for consideration on this proposal are:

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

### Principle

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

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

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

8.4 Policies CS1 and CS14 of the Core Strategy and Policy PH11 of the UDP requires that all proposals in Doncaster must be of high quality design that respects the character of the area in regard to a number of principles of good design. These include being of a form, density, and layout sympathetic to the area. Policy H4 of the Tickhill Neighbourhood Plan sets out certain characteristics for new housing development. Objectors believe that the redevelopment of the site to accommodate two dwellings would reduce the openness of the site which would not be in character with the locality and would interrupt the building line. There is also concern regarding the replacement of the recently felled mature trees on site. One objector is concerned with the finish materials of the proposed dwellings.

8.5 The street scene on Lancaster Crescent is mixed in character with bungalows and 2 storey dwellings present; Lancaster Close has a more uniform appearance in the cul de sac with detached bungalows set back from the road with characterful open front gardens and some driveways.

8.6 It is acknowledged there are some concerns with the overall density of the development proposed and the impact on the green character of the locality. The proposed layout would increase the amount of built development on the site and would add additional hardstanding. That said, the proposed development would not appear out of character with the surrounding area as the bungalows have been sensitively designed with regards to having a projecting front elevation and stepped down roofscapes to minimise the massing of the dwellings and retain openness.

8.7 The finish materials would be buff brick and the grey tiles would tie in with the weathered tiles of the surrounding properties. The proposed anthracite windows would not be considered to be out of character with the white uPVC of other windows in the locality as windows could be replaced at any time. The adjacent dwelling No.1

Lancaster Close projects ahead of the building line to the dwellings that line Lancaster Close, and the proposed Plot 1 dwelling would have a similar projection which would retain the symmetry provided by the existing bungalow to be demolished.

8.8 The boundary treatment of timber fencing would not project into the street scene and would serve only to create a physical boundary between neighbouring dwellings to the side and rear, as such the openness of the site would be retained. Doncaster's Tree Officer has recommended a condition that includes the planting of 4 trees to replace those that were recently felled and therefore the site would be suitably landscaped. Bin storage will be conditioned to be in accordance with Policy H4 of the Tickhill Neighbourhood Plan. As this is a prominent corner location of an open character, future development would be controlled by removing permitted development rights for the dwellings, to retain the openness of the street scene and to ensure that the Local Planning Authority has control of any future development on the site.

8.9 The development would comply with respect to the Council's SPD guidance relating to plot size, amenity space, respecting building lines, access requirements and providing sufficient landscaping. The development would also improve the street scene by means of replacing a tired building that has a neutral contribution to the street scene.

8.10 In summary therefore, whilst acknowledging that the proposal would change the appearance of the site, the site lies within a sustainable location where new housing should be encouraged. It is considered that the proposal respects the character of the area and is generally in compliance with policies CS14 and CS16 of the Core Strategy, Policy PH11 of the UDP and Policies DE1 and H4 of the Tickhill Neighbourhood Plan.

#### Impact on highway safety

8.11 Policies CS1 and CS14 of the Core Strategy and Policy PH11 of the UDP require development to be of a high quality design which is functional and does not cause any detriment to highway safety. Local residents have commented on the access arrangement, potential for traffic congestion and questioned the lack of a garage for the proposed dwellings.

8.12 There would be no garage for either of the proposed new dwellings however the development would create two new accesses to provide sufficient parking spaces for Plots 1 and 2. Although it is acknowledged that the proposal could increase the number of vehicles in the locality, it is not considered that the increase would be significant as would compromise road safety. The location of the access points is considered appropriate in terms of highway safety and retaining the openness on Lancaster Crescent. The Highway Officer has been consulted on the application and has no objection subject to the parking area at Plot 1 being increased in width and the closure of existing access following creation of new accesses.

8.13 Lancaster Crescent does not have any parking restrictions in force and on street parking is evident nearby. Whilst this may be an annoyance for some residents in the vicinity of the site, on street parking does not automatically amount to a danger to

highway safety. There would be adequate visibility from the access points associated with the new development.

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

#### Impact on neighbouring amenity

8.15 The NPPF emphasises the need to protect the quality of the built environment and ensure a good standard of living conditions for current and future occupiers of housing. Policy CS14 of the Core Strategy and Policy PH11 of the UDP recognises that a component of good design is to ensure that new development does not have a negative effect on residential amenity.

8.16 The proposal is for two bungalows and as such there would be no harmful overshadowing or overlooking introduced to neighbouring properties as the windows would be situated on the ground floor and there would be a timber fence boundary treatment between the walls of the properties.

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

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

### **9.0 Summary and Conclusion**

9.1 Having regard to all matters raised, including the objections received, the redevelopment of the site would provide new housing in a suitable location without significantly affecting the character or the area or local amenity and as such, the proposal would accord with the development plan. Under the provisions of the NPPF, the application is considered to be a sustainable form of development. There are no material considerations of sufficient weight to warrant the planning permission being refused and consequently permission should be granted subject to necessary conditions set out below.

### **10.0 Recommendation**

10.1 GRANT Full planning permission subject to the following conditions.

01. STAT1            The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.



REASON

Condition required to be imposed by Section 91(as amended) of the Town and Country Planning Act 1990.

02. U0069751 The development hereby permitted shall be carried out in complete accordance with the details shown on the amended plans referenced and dated as follows:  
Proposed site plan; Drawing No. SK-001; Revision D  
Plot 1 proposed plans and elevations; Drawing No. SK-002; Revision C  
Plot 2 proposed plans and elevations; Drawing No. SK-003; Revision A  
REASON  
To ensure that the development is carried out in accordance with the application as approved.
03. U0069752 The external materials and finishes shall be dark grey roof tiles, anthracite grey doors and windows and Gibbs and Dandy brick code BK402  
REASON  
To ensure the satisfactory appearance of the development in accordance with policy ENV54 of the Doncaster Unitary Development Plan.
04. HIGH1 Before the development is brought into use, that part of the site to be used by vehicles shall be surfaced, drained and where necessary marked out in a manner to be approved in writing by the local planning authority.  
REASON  
To ensure adequate provision for the disposal of surface water and ensure that the use of the land will not give rise to mud hazards at entrance/exit points in the interests of public safety.
05. U0069754 Four (4) trees of a species to be agreed in writing by the Local Planning Authority shall be planted on site during the first available planting season after the commencement of development and prior to the dwellings being occupied at the positions shown on the approved site plan (Drawing No. SK-001; Revision D). The trees shall be of heavy standard (girth 12-14cm) or selected standard (girth 10-12cm) which have been container grown and must be of a quality which complies with the British Standards Institute specification 3936 for Nursery Stock, 1992. Any trees dying or becoming severely diseased within five years of planting shall be replaced within the next available planting season.'  
REASON: To ensure that replacement trees are of a suitable type and standard in the interests of amenity.

06. NOPD1A Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (No.596) (England) Order 2015, Article 3, Schedule 2: Part 1 (or any subsequent order or statutory provision revoking or re-enacting that order) no additions, extensions or other alterations other than that expressly authorised by this permission shall be carried out without prior permission of the local planning authority.
- REASON
- The local planning authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties or to the character of the area and for this reason would wish to control any future development to comply with policy PH11 of the Doncaster Unitary Development Plan.

### Informatives

01. INF1C INFORMATIVE
- The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

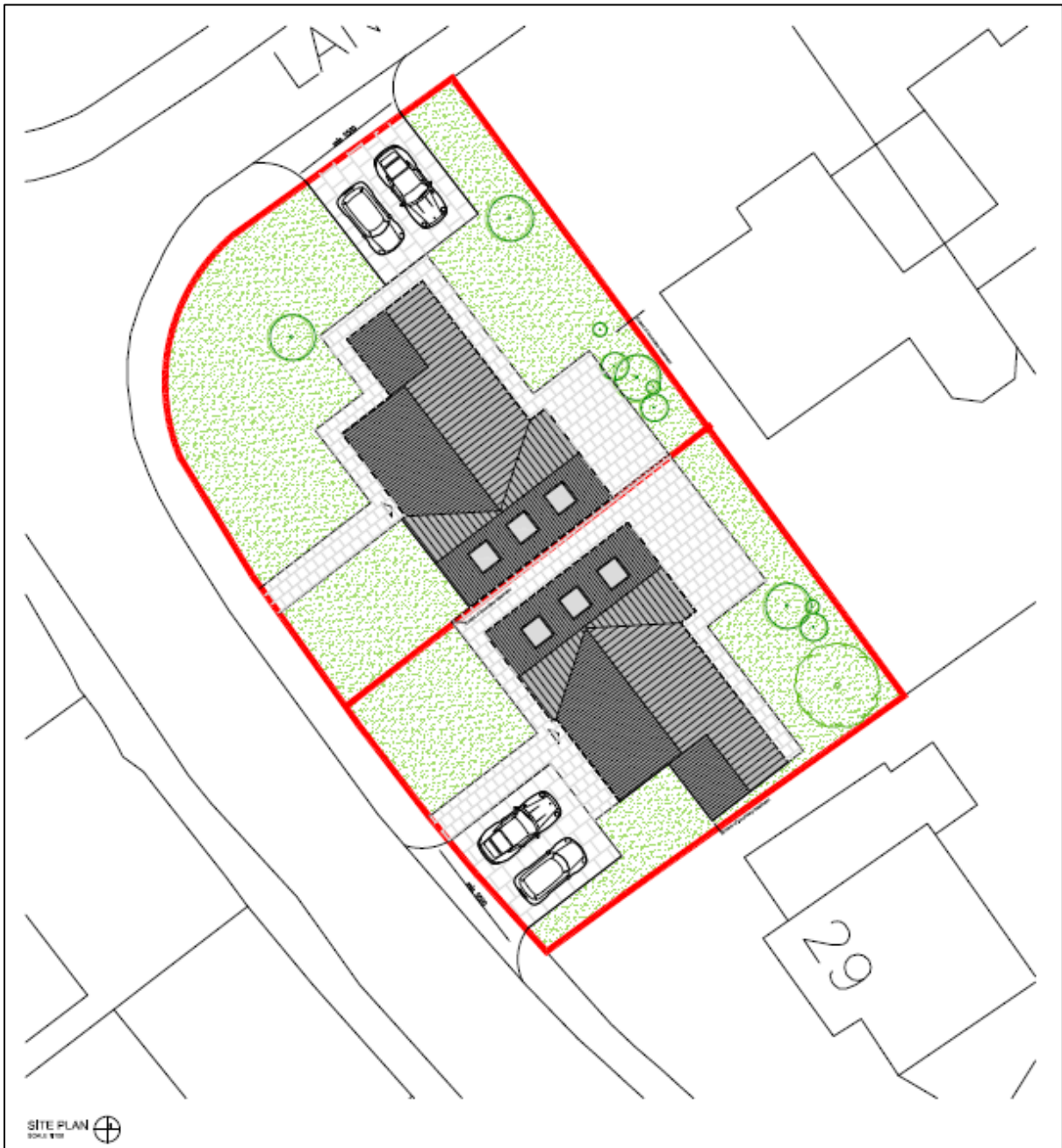
Further information is also available on the Coal Authority website at:  
[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

This Standing Advice is valid from 1st January 2019 until 31st December 2020

02. U0013363 INFORMATIVE
- The developer shall ensure that no vehicle leaving the development hereby permitted enter the public highway unless its wheels and chassis are clean. It should be noted that to deposit mud on the highway is an offence under provisions of The Highways Act 1980.

**Due regard has been given to Article 8 and Protocol 1 of Article 1 of the European Convention for Human Rights Act 1998 when considering objections, the determination of the application and the resulting recommendation. It is considered that the recommendation will not interfere with the applicant's and/or any objector's right to respect for his private and family life, his home and his correspondence.**

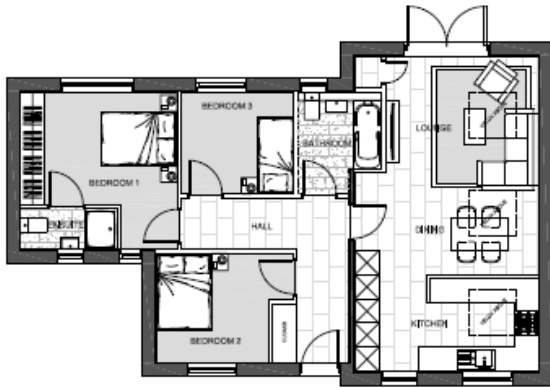
# APPENDIX 1 – PROPOSED SITE PLAN



APPENDIX 2 – LOCATION PLAN



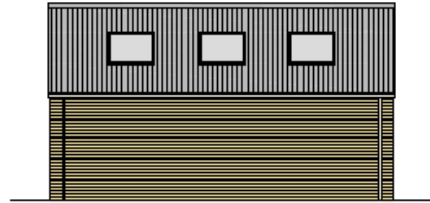
# APPENDIX 3 PROPOSED PLOT 1 ELEVATIONS and FLOOR PLANS



GROUND FLOOR PLAN  
AREA 85.76sqm  
SCALE 1/20



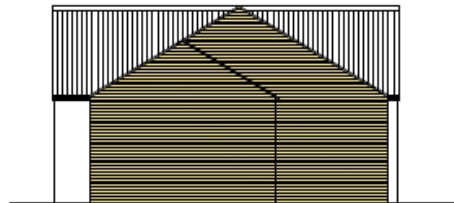
FRONT ELEVATION  
SCALE 1/50



SIDE ELEVATION  
SCALE 1/50

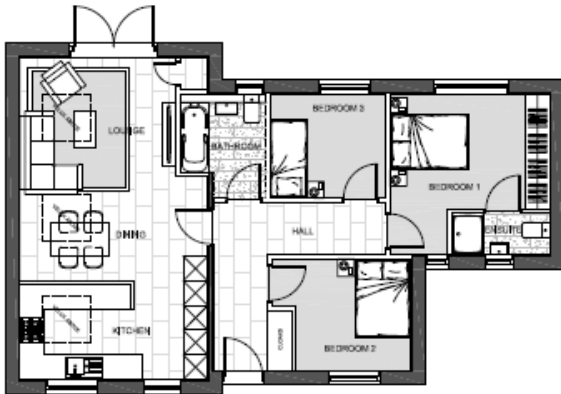


REAR ELEVATION  
SCALE 1/50



SIDE ELEVATION  
SCALE 1/50

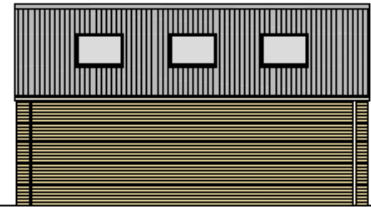
# APPENDIX 4 PROPOSED PLOT 2 ELEVATIONS and FLOOR PLANS



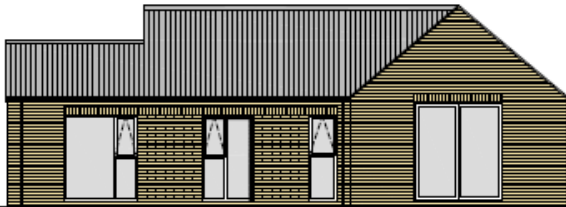
TYPE 2 GROUND FLOOR PLAN  
AREA 85.7sqm  
SCALE 1:50



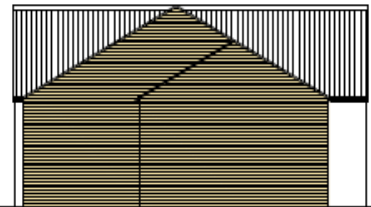
TYPE 2 FRONT ELEVATION  
SCALE 1:50



TYPE 2 SIDE ELEVATION  
SCALE 1:50



TYPE 2 REAR ELEVATION  
SCALE 1:50



TYPE 2 SIDE ELEVATION  
SCALE 1:50



## Doncaster Council

### Report

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Date: 28th May 2019

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

**Doncaster Borough Council Tree Preservation Order (No.407) 2018  
Mexborough Day Centre, Harlington Road, Mexborough, S64 0QG**

Relevant Cabinet Member(s)	Wards Affected	Key Decision	
Cllr C McGuinness	Mexborough	No	

#### **EXECUTIVE SUMMARY**

1. The site has recently been subject to development pressure as part of the 18/01021/PREAPP and 18/02922/OUTM planning applications for 36 dwellings.
2. The Council made the above Tree Preservation Order (TPO), covering one common Lime, two False Acacia, eight Norway Maples, one Himalayan Birch and one Hornbeam on the 20<sup>th</sup> December 2019. The trees are protected as five individual trees and one group. This followed the Council's comments made at the time of the 18/01021/PREAPP application to the effect that the proposed development scheme appears to have given little or no regard to the existing trees on the site which would result in an unacceptable loss of trees which would significantly detrimental to the appearance of the area.
3. The TPO took provisional effect on 20<sup>th</sup> December 2019 and must be confirmed by 20<sup>th</sup> June 2019 to remain in force.
4. One objection to the TPO has been received from the developer, SPV Mexborough Ltd.
5. The decision whether to confirm the TPO is put before Members due to this objection. Members are required to give due consideration to the representation made when reaching their decision.

#### **EXEMPT REPORT**

6. Not applicable.  
[www.doncaster.gov.uk](http://www.doncaster.gov.uk)

## RECOMMENDATIONS

7. It is recommended that Members confirm the TPO without modification.

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

8. There is growing recognition of the role that trees play in improving urban environments. As well as being pleasing to look at, trees provide numerous other benefits to the population and the environment as a whole. These benefits are known as 'ecosystem services' and include reduction of temperature extremes, intercepting heavy rain to reduce storm-water run-off, recycling carbon-dioxide, producing oxygen, filtering dust and airborne pollutants, providing shade from harmful ultra-violet radiation and supporting wildlife.
9. By its very nature, a TPO is an imposition on the property and the adjacent land. However, it is a method of control of land in much the same way as any planning permission. The ethos of the Town and Country Planning Acts since 1947 has been to safeguard the wider amenity of environs for the benefit of all residents. This control is, however, balanced by a right of application to carry out work to a protected tree and a right of independent appeal should the Council refuse proposed work. There is no charge for this process.

## BACKGROUND

10. In April 2018, the Council received a pre-application (ref. 18/01021/PREAPP) from the developer (SPV Mexborough Ltd). The pre-application process allows the Council to provide advice and feedback as to what the issues are and how to address them. As part of this process, the trees and hedgerows officer made the following comments on the 24<sup>th</sup> May 2018:

*“From the plans provided the scheme in its current iteration appears to have given little/no regard to the existing trees on the site and is either removing them or placing the building so close to them that they will inevitably cause conflict increasing the risk of their subsequent removal (trees/vegetation shown for retention along the Eastern boundary).”*

***Unfortunately, I would be unable to support the scheme as presented without significant redesign. The layout needs to be based on the findings of a Tree survey carried out by a competent arborist following the guidance in BS5837:2012 Trees in relation to design, demolition and construction.***

*The proposal then needs to suitably demonstrate that it can accommodate and protect the existing trees on the site that are worth retaining (i.e. those that are considered to be category rating A1/2 and B1/2 according to Table 1 Cascade chart for tree quality assessment within BS5837:2012) during the demolition of the existing building, the construction of the proposal (when eventually approved) and ensuring that potential risk of conflict with the new structures is minimised (for example secondary growth disturbing hard surfaces and branches touching buildings).”*



11. In February 2019, the Council received a major outline application (ref. 18/02922/OUTM) from the developer (SPV Mexborough Ltd.), which was accompanied by a tree survey in accordance with *British Standard BS 5837:2012 Trees in relation to design, demolition and construction. Recommendations* and an arboricultural impact assessment.
12. The tree survey identified a total of 23 individual trees and three groups of trees; seven category A trees, 11 category B trees and four category C trees and one category C group.
13. The development, as proposed, would require the removal of 16 trees and one group as a result of the trees conflicting directly with the footprint of proposed buildings and access roads. These include six category A trees and six category B trees (along with four category C trees and one category C group).
14. As part of the planning process the Council has attempted to work with the developer and the agent to resolve the issues with trees and to find a reasonable compromise between the need for development and need to retain, as appropriate, the better trees at the site.
15. The Council's stance on this matter has been consistent since the time of the 18/01021/PREAPP application and, yet the proposal submitted for the 18/02922/OUTM application unfortunately demonstrates that the developer has chosen not to heed the pre-application advice relating to trees and, this being the case, the Council was left with no option other than to serve the TPO to protect the best trees at the site. The trees included in the TPO are fine amenity specimens, which are notably prominent in the street scene of this part of Mexborough and the surrounding streets.
16. It is not the Local Planning Authority's intention to prevent re-development of the site. Although it is acknowledged that the retention of trees will constrain future development of the land, the Local Planning Authority will continue to work with the developer to produce a development layout that appropriately balances tree retention and planting and the future use of the site. In addition, the Order will reinforce any planning conditions applied to any future planning permission to develop the site to protect the trees during development in accordance with section 197 of the Town and Country Planning Act 1990 (as amended). It is also acknowledged that periodic pruning of the trees may be needed in the future and works would be permitted (subject to an application for consent) that are considered to be necessary and in accordance with good arboricultural practice and would not diminish the amenity value or environmental benefits of the trees.
17. The TPO, which confers statutory protection on the trees was made by Legal Services and served on 20<sup>th</sup> December 2018 on the tree owner and the agent. The TPO takes provisional effect for six months and will lapse and be of no further effect if it is not confirmed by 20<sup>th</sup> June 2019.
18. The decision on confirming the TPO is put before members due to objection to the making of the order. Members are required to give due consideration to the representations made in respect of this order when reaching their decision. These are set out under consultation (sections 30 - 47 of the report).

## OPTIONS CONSIDERED

19. Option 1 (Preferred Option): That after due consideration of the representations made, the TPO be confirmed without modification, and the interested parties be notified of the decision. This is the recommended option.
20. Option 2: That after due consideration of the representations made that the TPO is not confirmed, and the interested parties are notified of the decision. This option is not recommended.

## REASONS FOR RECOMMENDED OPTION

21. The Council has a duty under section 197 of the Town and Country Planning Act 1990 (as amended) to make provision for the protection of trees through the planning process.
22. The trees subject to the TPO are prominent in the street scene of this part of Mexborough and the surrounding streets (including Bronte Grove, Sandown Road, Tennyson Avenue, Adwick Road, Derwent Road and Chaucer Road) and are considered to be under threat of being lost to development.

## IMPACT ON THE COUNCIL'S KEY OUTCOMES

	<b>Outcomes</b>	<b>Implications</b>
	<p><b>Doncaster Working:</b> Our vision is for more people to be able to pursue their ambitions through work that gives them and Doncaster a brighter and prosperous future;</p> <ul style="list-style-type: none"> <li>• Better access to good fulfilling work</li> <li>• Doncaster businesses are supported to flourish</li> <li>• Inward Investment</li> </ul>	
	<p><b>Doncaster Living:</b> Our vision is for Doncaster's people to live in a borough that is vibrant and full of opportunity, where people enjoy spending time;</p> <ul style="list-style-type: none"> <li>• The town centres are the beating heart of Doncaster</li> <li>• More people can live in a good quality, affordable home</li> <li>• Healthy and Vibrant Communities through Physical Activity and Sport</li> <li>• Everyone takes responsibility for keeping Doncaster Clean</li> <li>• Building on our cultural, artistic and sporting heritage</li> </ul>	<p>There is a strong causal link between greenery and lower crime rates and an enhanced sense of community. Research shows that even modest amounts of greenery are associated with lower crime rates by helping people to relax and by reducing levels of aggression. High quality green spaces increase the tendency to bring people together outdoors, increasing surveillance, discouraging crime and fostering a sense of pride and 'ownership'. There is also strong evidence that the presence of green</p>

		<p>infrastructure improves people’s health and well-being, through improved air quality and providing an environment to encourage activity.</p> <p>The protection of mature trees is a key component of maintaining the quality of our green infrastructure and will help to protect the environment for current and future generations. This also forms a key part of our response to climate change (including addressing the risk of flooding and improving air quality and other ‘ecosystem services’).</p>
	<p><b>Doncaster Learning:</b> Our vision is for learning that prepares all children, young people and adults for a life that is fulfilling;</p> <ul style="list-style-type: none"> <li>• Every child has life-changing learning experiences within and beyond school</li> <li>• Many more great teachers work in Doncaster Schools that are good or better</li> <li>• Learning in Doncaster prepares young people for the world of work</li> </ul>	
	<p><b>Doncaster Caring:</b> Our vision is for a borough that cares together for its most vulnerable residents;</p> <ul style="list-style-type: none"> <li>• Children have the best start in life</li> <li>• Vulnerable families and individuals have support from someone they trust</li> <li>• Older people can live well and independently in their own homes</li> </ul>	
	<p><b>Connected Council:</b></p> <ul style="list-style-type: none"> <li>• A modern, efficient and flexible workforce</li> <li>• Modern, accessible customer interactions</li> <li>• Operating within our resources and delivering value for money</li> <li>• A co-ordinated, whole person, whole life focus on the needs and aspirations of residents</li> </ul>	

	<ul style="list-style-type: none"> <li>• Building community resilience and self-reliance by connecting community assets and strengths</li> <li>• Working with our partners and residents to provide effective leadership and governance</li> </ul>	
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## **RISKS AND ASSUMPTIONS**

23. Not applicable

## **LEGAL IMPLICATIONS [Officer Initials: HL; Date: 15/05/2019]**

24. Regulation 7(1) of the Town and Country Planning (Tree Preservation) (England) Regulations 2012 states that “the authority shall not confirm an order which they have made unless they have first considered objections and representations duly made in respect of it and not withdrawn”. Members are required to give due consideration to the representations made in respect of this order. These are set out in paragraphs 30-47 of this report, along with the case officer’s responses.

## **FINANCIAL IMPLICATIONS [Officer Initials: BC; Date: 10/05/2019]**

25. There are no financial implications to the recommendation of this report.

## **HUMAN RESOURCES IMPLICATIONS [Officer Initials: DK; Date: 15/05/2019]**

26. There are no human resources implications in relation to this Planning Committee report and proposed preservation order.

## **TECHNOLOGY IMPLICATIONS [Officer Initials: PW; Date: 13/05/2019]**

27. There are no technology implications in relation to this report.

## **HEALTH IMPLICATIONS [Officer Initials: CT; Date: 13/05/2019]**

28. There is a plethora of evidence to support the health benefits of trees and tree cover including those that are located in urban areas. There are positive health effects of viewing natural landscapes (including trees) on stress levels and speed of recovery from stress or mental fatigue, faster physical recovery from illness and long term overall improvement on people’s health and well-being are reported. The wider benefits of trees on health include the positive measureable impact on air quality, the reduction in the impact of the ‘urban heat island effect’, reduction in the likelihood of surface water flooding and the potential to reduce noise pollution. These benefits for the wider community could be affected if trees are to be removed completely from an urban area. With this in mind Public Health supports Option 1 (the preferred option).

## **EQUALITY IMPLICATIONS [Officer Initials: DA; Date: 10/05/2019]**

29. There are no equality implications.

## CONSULTATION

30. The persons on whom the TPO was served were duly notified of the reasons for making the order along with the period allowed for objections and the form that any objections or representations should take.
31. The period for objections closed on 27<sup>th</sup> January 2019. The developer has submitted a letter of objection.
32. The following is a summary of the issues raised in the letter of objection and the case officer's responses below each point in italics.
33. The development justifies the removal of the existing trees in order to contribute to quality housing and the need for housing.
34. *The authority's consent is not required for carrying out work on trees subject to an Order as far as such work is necessary to implement a full planning permission. For example, the Order is overridden if a tree has to be removed to make way for a new building for which full planning permission has been granted. As a result, if there were such a significant need for the development in its current form, so much, so that it outweighs the value of the existing trees the creation of the order would not impede the planning application being granted.*
35. The tree preservation order makes the proposal unviable.
36. *The council is happy to discuss an alternative proposal providing it affords better consideration to the existing trees.*
37. The trees within the proposed Tree Preservation Order have a life expectancy of between 20-40 years whereas the development would be standing for 100+ years and hence should outweigh the proposed TPO.
38. *For the remaining years' estimate placed on the trees by the tree survey and impact assessment, in terms of assessing tree quality, the survey and the council's tree officers are constrained by the parameters of BS5837:2012 Trees in relation design, demolition and construction guidance for assessing the value of trees and for the remaining life expectancy. The council would point out that in view of the natural life span of the trees at the site (centuries in most cases depending on the species of the tree) that the emphasis is very much on "at least" in the BS5837:2012 statement. So the trees estimated to remain viable on the site "at least 40 years" have the potential to remain for a significantly longer period.*
39. The trees on site have been carefully considered and the proposed design, along with the revised tree-planting scheme, aims to strike a good balance between a site, which would be viable to develop with the right amount of housing units and improve visual amenity with good quality trees spread across the site.
40. *The council disagrees that the proposal has "been carefully considered" with regards to the existing trees on the site. This is because it appears that the tree survey was undertaken after a detailed design and layout had already been prepared. The pre-application plans submitted with 18/01021/PREAPP were received in April 2018 but the tree survey was undertaken three*

*months later in July 2018. In view of the almost identical nature of the site plan for 18/02922/OUTM to that of 18/01021/PREAPP, it is clear that trees have not been carefully considered. This accounts for the high loss of category A and B trees.*

41. The new revised planting scheme establishes a greater number of trees on site than present and hence will increase the amenity value of the site and the surrounding area.
42. *In addition to the duty imposed upon the Council by section 197 of the Town and Country Planning Act (as amended), the Council's adopted Core Strategy Policy CS16, saved UDP policy ENV59 and Draft Local Plan Policy 33 all seek to retain and protect trees, as appropriate, through the planning process. Whilst, in theory, the value and environmental services of large established trees can be replaced (over time) by new planting, not only does this run contrary to the above policies, in reality, it is a disappointing approach that does not acknowledge the trees' constraints and makes no effort to attempt to strike a reasonable balance between development and tree retention.*
43. Prior to submitting the plans for outline planning permission for the site we have been in continuous discussions with Doncaster Planning Department via a pre-application process to determine the density and type of residential development that the Council would be happy with bearing in mind the need for us as developers to make it financially viable. Our initial designs were for a development of 44 dwellings but through our pre-application discussions, our revised plans are for a reduced development of 38 dwellings, which hopefully addressed most of the concerns raised during the pre-application discussions with the Council's representatives from highways, planning and urban design.
44. *For the pre-application consultation (18/01021/PREAPP) Trees and Hedgerows provided a consultation on the proposal advising that:*
45. *"Unfortunately, I would be unable to support the scheme as presented without significant redesign. The layout needs to be based on the findings of a Tree survey carried out by a competent arborist following the guidance in BS5837:2012 Trees in relation to design, demolition and construction." "The proposal then needs to suitably demonstrate that it can accommodate and protect the existing trees on the site that are worth retaining (i.e. those that are considered to be category rating A1/2 and B1/2 according to Table 1 Cascade chart for tree quality assessment within BS5837:2012) during the demolition of the existing building, the construction of the proposal (when eventually approved) and ensuring that potential risk of conflict with the new structures is minimized."*
46. We feel that the proposed TPO seems wholly unjust and would like to add that even though we knew that the site was not in a conservation area or that none of the trees were previously under a Tree Preservation Order at no time did we consider cutting them down or removing them even though we have always been aware that for this development to be viable we would have to remove some trees. During the pre-application discussions we had discussions with regards to a tree planting scheme for the site that would see us planting more trees than would be removed plus the possibility of

planting a number of trees off site around Doncaster and this was positively received.

47. *It is appreciated that the existing trees were not removed prior to the application being received. The TPO was not immediately served after the 18/01021/PREAPP application when the trees first appeared to be under threat and the opportunity was given for the developer to address the tree issue raised. The Council encourage applicants and agents to obtain pre-application advice before submitting a formal planning application and hopes to work with applicants and agents to resolve conflicting issues. The TPO was only served after the outline application (18/02922/OUTM) was submitted when it became apparent that the applicant did not wish to take heed of the findings of the pre-application process that they themselves has initiated.*

## **BACKGROUND PAPERS**

Site plan with trees plotted (Appendix 1)

Erection of 44 dwellings following demolition of existing day centre building (ref. 18/01021/PREAPP)

Outline application for 36 houses (approval being sought for access, appearance, layout and scale). (ref. 18/02922/OUTM)

Doncaster Borough Council Tree Preservation Order (No.407) 2018 Mexborough Day Centre, Harlington Road, Mexborough, S64 0QG

Doncaster Unitary Development Plan (UDP) adopted 1998

Doncaster Council Core Strategy 2011-2028

The emerging Doncaster Local Plan

## **REPORT AUTHOR & CONTRIBUTORS**

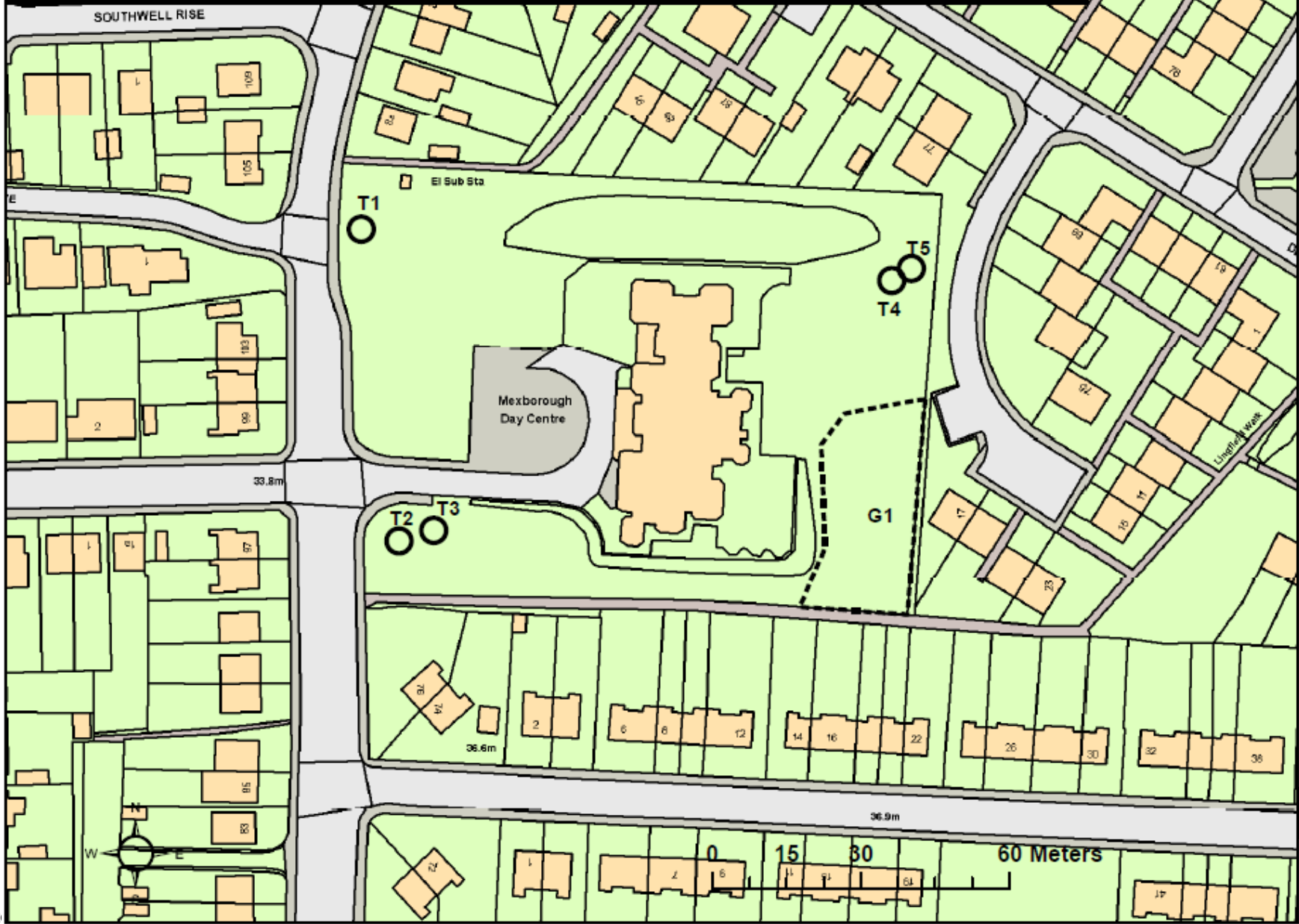
Daniel Atkinson, Trees and Hedgerows Officer  
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**Peter Dale**  
**Director of Regeneration and Environment**





Doncaster Borough Council Tree Preservation Order (No.407) 2018 Mexborough Day Centre, Harlington Road, Mexborough, S64 0QG



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# Doncaster Council

Date: 28 May 2019

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

**Attero HGV Park Planning Permission – Position Statement**

Relevant Cabinet Member(s)	Wards Affected	Key Decision
<p>Cllr Bill Mordue – Cabinet Member for Business, Skills and Economic Development</p> <p>Cllr Chris McGuiness – Cabinet Member for Communities, the Voluntary Sector and Environment</p>	Rossington	No

## EXECUTIVE SUMMARY

1. The purpose of this report is to update Members of the Planning Committee on the consideration of the temporary Attero (“the operator”) HGV Park under Planning Reference 16/02386/COUM.
2. Temporary planning permission was granted at the 11<sup>th</sup> December 2018 Planning Committee meeting. That permission was time limited for 6 months, meaning the permission will expire on 11<sup>th</sup> June 2019.
3. The permission was part recommended on the basis that planning permission had been recently granted at the operator’s main site under Planning Reference 18/00548/FULM, which included a direct access road in to the site and a permanent lorry park on land adjacent to the main site. The approved site plan is shown in appendix 1 to this report.

4. On 24<sup>th</sup> January 2019, the Environmental Agency (EA) consulted the Local Planning Authority on an application by the operator to vary the terms of their environmental permit to take into account the expansion of operations agreed under the planning ref: 19/00191/CON. The operator is seeking to have the necessary approvals in place prior to works commencing on the infrastructure to the site, which are 'front loaded' in the planning permission.
5. During the course of the consultation process, it was highlighted by the EA that the application was deficient in a number of areas and required significant modification. The process of dealing with the EA permit application is expected to take longer than the expiry date for the temporary lorry park permission.
6. The default position following the expiry of the temporary permission for the lorry park is that the use ceases and, where necessary, enforcement action is taken against the operator. However, in light of the significant risks, associated with distributing the significant HGV movements associated with the operator, a number of options for the lorry park have been considered. These options are:
  - Invite an application to extend the use of the current lorry park for a limited time period, to allow the EA to consider the environmental permit application;
  - Do not invite a further application and consider enforcement options for the further use of the temporary lorry park; or
  - Explore options for relocating a temporary lorry park, preferably away from residential areas.
7. The views of the local community are being sought on the above options. This includes consultation with Rossington Parish Council, Community Liaison Officer, Ward Members and local residents in the vicinity of the site. Following the results of the consultation process, legal will be consulted and a decision will be made on which option is most suitable.
8. The LPA will continue to work with the EA to ensure that the conditions of the environmental permit and the planning permission are aligned to ensure they are robust.

#### **EXEMPT REPORT**

9. Not applicable.

#### **RECOMMENDATIONS**

10. The Planning Committee note the content of the report.

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

11. The HGV lorry park application seeks to provide a temporary solution for the off-site parking of HGVs whilst a permanent access road and lorry park is constructed at the main operation site. Officers have sought to engage with

the local community to fully understand the issues faced by local residents near the site. Officers continue to work with the applicant to address any concerns which are raised.

12. In planning terms, the NPPF requires local planning authorities to look for solutions rather than problems, and officers therefore need to work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.
13. Whilst the use of the Lorry Park has a wider public benefit by affording an off-road parking solution for HGVs that are visiting the Attero site, it is acknowledged that this means that there is a perceptible change in the character of the immediate area for a number of residents in close proximity. Likewise, the closure of the temporary lorry park has implications for how HGV movements are routed in Rossington in the absence of current under capacity for lorry parking in the operational site.
14. The HGV lorry park remains in operation with the benefit of temporary planning permission and with an agreed management plan in place. The Council's Environmental Health and Planning departments have continued to monitor the site to ensure that any adverse impacts being experienced by residents are reduced until such time as the permanent lorry park can be constructed.
15. For the Local Planning Authority to make an informed recommendation on the planning application for the HGV lorry park, it is first of all necessary to fully understand whether the temporary permission for the lorry park has been successful and gauge local support or opposition to its retention.

## **BACKGROUND**

16. The operator runs a waste processing facility at the northern end of the Bankwood Lane industrial estate. Materials are imported generally by articulated lorries (HGV) and undergo a range of processes including sorting, separation, screening, bailing, shredding, crushing, blending and compaction prior to being exported from the site.
17. The waste processing facility has few planning controls having grown organically under its original planning permission. It operates under an Environmental Permit license issued by the EA.
18. In 2015, the EA granted a permit to increase the permitted throughput of waste at the site from 75,000 to 200,000 tonnes per year. Around the same time, there were an increasing number of complaints to the Council by local residents over a perceived increase in the number of HGV movements travelling to the Bankwood Lane Estate, together with instances of on-street parking in surrounding streets whilst waiting to gain access to the Attero processing site.
19. In autumn 2015, Attero began operating a lorry park on the application site, at the southern end of Bankwood Lane, stating that a holding area was required in order to prevent HGVs from waiting in the surrounding streets prior to gaining entry to the site.

20. Following previous deferrals, the application was presented to Planning Committee on 11<sup>th</sup> December 2018 where the lorry park was given temporary planning permission until 11<sup>th</sup> June 2019. Temporary planning permission was granted on the basis that a permanent consent at the main operational site had recently been granted and that it was the intention for development to commence as soon as possible.
21. The operator subsequently submitted an application to the EA to vary the terms of their environmental permit. The purpose of the variation is to increase the maximum annual waste throughput from 200,000 tonnes to 400,000 tonnes (in line with the planning permission). Furthermore, as the daily capacity of the site would increase, there is a requirement to change the classification of the site from a waste facility to that of a waste installation. The application also seeks to expand the site operation and develop the waste recycling operations to include producing Refuse Derived Fuel (RDF) and Solid Refuse Fuel (SRF), in line with the planning permission.
22. In liaising with colleagues in the EA, it became apparent in the Spring that the application had encountered a number of issues and points of clarification which needed to be addressed concerning the environmental management of the site. It is unclear to Officers at this stage whether the variation to the permit application will be granted or refused.
23. As such, Officers feel it is prudent to assume that the application will not be determined and/or works to implement the planning permission will not commence prior to the expiry of the temporary planning permission for the lorry park.
24. Officers have engaged with Rossington Parish Council and Ward Members for their recommendations and have attended a joint collaborative meeting with the local MP. Further consultation is taking place via the Parish Council meeting and by conducting a community consultation exercise to local residents via the Stronger Communities team. Further consultation events will take place.
25. The results of this exercise will be collated and a decision will be taken by the Local Planning Authority.

#### **OPTIONS CONSIDERED**

26. None

#### **REASONS FOR RECOMMENDED OPTION**

27. None

## IMPACT ON THE COUNCIL'S KEY OUTCOMES

28.

	<b>Outcomes</b>	<b>Implications</b>
	<p>All people in Doncaster benefit from a thriving and resilient economy.</p> <ul style="list-style-type: none"> <li>• <i>Mayoral Priority: Creating Jobs and Housing</i></li> <li>• <i>Mayoral Priority: Be a strong voice for our veterans</i></li> <li>• <i>Mayoral Priority: Protecting Doncaster's vital services</i></li> </ul>	None
	<p>People live safe, healthy, active and independent lives.</p> <ul style="list-style-type: none"> <li>• <i>Mayoral Priority: Safeguarding our Communities</i></li> <li>• <i>Mayoral Priority: Bringing down the cost of living</i></li> </ul>	The location of the HGV Park remains a temporary solution pending a permanent solution coming forward. The Council will continue to control the use via the temporary planning permission and Environmental Health and Planning Officers continue to monitor the situation.
	<p>People in Doncaster benefit from a high quality built and natural environment.</p> <ul style="list-style-type: none"> <li>• <i>Mayoral Priority: Creating Jobs and Housing</i></li> <li>• <i>Mayoral Priority: Safeguarding our Communities</i></li> <li>• <i>Mayoral Priority: Bringing down the cost of living</i></li> </ul>	Officers have worked hard to bring forward a permanent solution, resulting in the granting of Planning Permission 18/00548/FULM. This permission will protect local amenity and would enable higher standards of environmental protection.
	<p>All families thrive.</p> <ul style="list-style-type: none"> <li>• <i>Mayoral Priority: Protecting Doncaster's vital services</i></li> </ul>	None.
	<p>Council services are modern and value for money.</p>	None.
	<p>Working with our partners we will provide strong leadership and governance.</p>	None.

## **RISKS AND ASSUMPTIONS**

29. The purpose of consulting with the community and seeking appropriate legal advice is necessary to ensure that a reasonable decision is made on the future of the temporary lorry park, balancing a range of conflicting factors. It is correct that due process is given before potential actions, risks and assumptions can be presented.

## **LEGAL IMPLICATIONS**

30. As noted within the report, legal advice will be taken in respect of any potential enforcement action being taken on the temporary lorry park site.

## **FINANCIAL IMPLICATIONS**

31. There are no specific Financial Implications associated with this report.

## **HUMAN RESOURCES IMPLICATIONS**

32. There are no specific Human Resources Implications associated with this report.

## **TECHNOLOGY IMPLICATIONS**

33. There are no specific Technology Implications associated with this report.

## **EQUALITY IMPLICATIONS**

34. There are no specific Equality Implications associated with this report.

## **CONSULTATION**

35. None

## **BACKGROUND PAPERS**

36. Previous committee report presented to Planning Committee dated 11th December 2018.

## **REPORT AUTHOR & CONTRIBUTORS**

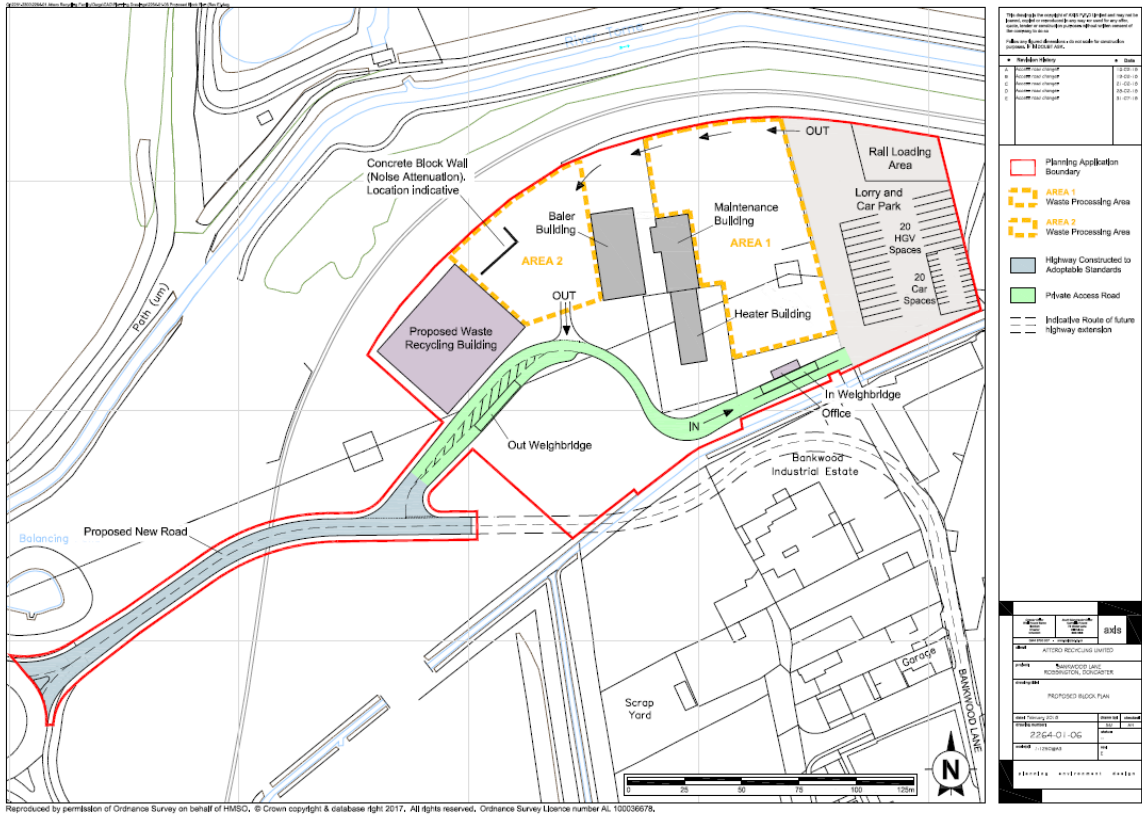
David Richards  
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**Peter Dale**  
**Director of Regeneration & Environment**



# Appendix 1

## Planning Permission 18/00548/FULM – Approved Site Plan



Revision	Date
1	22.02.18
2	27.02.18
3	28.02.18
4	28.02.18
5	28.02.18

Symbol	Description
[Red line]	Planning Application Boundary
[Orange dashed line]	AREA 1 Waste Processing Area
[Yellow dashed line]	AREA 2 Waste Processing Area
[Blue shaded area]	Highway Constructed to Adoptable Standards
[Green shaded area]	Private Access Road
[Dashed line]	Indicative Route of future highway extension

ATTARD RECYCLING LIMITED 22 GARDEN LANE KILBERRIE, DUNDEE	
PROPOSED BLOCK PLAN	
Date: 22.02.18	Scale: 1:1000
Drawing No: 22 GA-01-06	Rev: 1
Date: 22.02.18	By: [Signature]

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**Date: 28 May 2019**

**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 13/05/19]**

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 13/05/19]**

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 13/05/19]**

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

## **TECHNOLOGY IMPLICATIONS [Officer Initials PW Date 13/05/19]**

12. There are no technology implications arising from the report

## **HEALTH IMPLICATIONS [Officer Initials RS Date 13/05/19]**

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

## **EQUALITY IMPLICATIONS [Officer Initials IH Date 13/05/19]**

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	Decision Type	Overtured
18/01185/FUL	Erection of detached two storey dwelling with detached garage (being resubmission of application 17/02696/FUL refused on 02/01/2018). at Land Rear Of, 10 - 11 St Edwins Close, Duncroft, Doncaster	Appeal Dismissed 09/05/2019	Hatfield	Delegated	No

## REPORT AUTHOR & CONTRIBUTORS

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

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# Appeal Decision

Site visit made on 26 February 2019

by **J Somers BSocSci (Planning) MA (HEC) MRTPI IHBC**

an Inspector appointed by the Secretary of State

Decision Date: 9 May 2019

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**Appeal Ref: APP/F4410/W/18/3214411**

**Land to the rear of 10 St. Edwins Close, Dunscroft, Doncaster DN7 4BD**

- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Watson against the decision of Doncaster Council.
  - The application, ref: 18/01185/FUL, dated 2 May 2018, was refused by notice dated 27 June 2018.
  - The proposal is for 1 new detached house with detached garage (a 4 bedroom dwelling comprising 3 double bedrooms and one single).
- 

## Decision

1. The appeal is dismissed.

## Main issues

2. The main issue is the effect of the proposed development upon the character and appearance of the surrounding locality.

## Reasons

3. The appeal site lies to the end of a residential cul-de-sac and was once a garage site for the surrounding residents which has since been cleared. Dwellinghouses in the area are generally terraced or semi-detached and two storeys tall with a functional appearance typical of the mid to late 20<sup>th</sup> Century with a hue of buff/red/brown brick with concrete tiled roofs. The entire area was developed at the same time and follows a very regimented and planned layout with large areas of communal greenspace to the fronts of dwellinghouses and gaps in-between dwellinghouses which enable views to well vegetated rear gardens and open land behind. These visual gaps, along with the regimented planned nature of the streets and the resultant positioning of dwellinghouses, are an integral component of the character of this locality.
4. The proposed scheme would form a substantial detached property that would be located on the former garage site. It would be positioned further back from the other dwellings along the street with a very narrow frontage which would not contain a front boundary wall or follow the building line or general pattern of development in the area.
5. As the end of the cul-de-sac is currently quite open, with clear distinctive gaps to either side, the encroachment of the proposed dwelling into this open area would appear incongruous and cause harm to the general character, layout and appearance of the location. Furthermore, the lack of any boundary treatment and the fact that the proposed building would be detached from the existing dwellinghouses would fail to respect the prevailing character of the locality.

6. Whilst I appreciate the surrounding designs are quite simplistic, there is a general coherence in their form and positioning. The proposed design appears quite discordant when seen in the context of the surrounding dwellinghouses. The roof pitch is much shallower and, given the need to raise floor levels to adhere to Environmental Agency advice with regards to flooding, the walls appear quite elongated, with the first-floor windows sitting under the eaves of the roof and a comparatively large gap between these and the ground-floor windows. Overall, the proposed scheme would have a poor relationship to the existing built form which, together with the overall design and the layout, would appear as a discordant feature.
7. Given the above-mentioned factors, I conclude that the proposed development would have significantly harmful effects on the character and appearance of the area. Consequently, the scheme is contrary to Policy CS14 of the Doncaster *Core Strategy*, which seeks that developments adhere to a number of design principles; and to saved Policy PH11 of the Doncaster *Unitary Development Plan* which, amongst other criteria, seeks a form which would not be detrimental to the character of the surrounding area. Both these policies are supported by the Doncaster Council *Residential Backland and Infill Development Supplementary Planning Document* which seeks to encourage good integration, design and enhancement of local distinctiveness and identity. Further support to these policies is provided by the Doncaster Council *Development Guidance and Requirements Supplementary Planning Document* which seeks to relay key design principles to facilitate high quality design of new developments; and by the South Yorkshire *Residential Design Guide*, which seeks to ensure an appropriate design response and principles are applied across South Yorkshire as a region.

### **Other Matters**

8. I note that the National Planning Policy Framework encourages the development of small sites and making effective use of urban land. Whilst this favours the scheme it does not outweigh the harm I have identified. I note discussion with regards to details within the Auction Catalogue for the sale of the site where the appellant states that the proposal has 'possible development potential.' I note that the documents do not state what type of development would be suitable and that any development would be subject to consent; and that prospective purchasers should make contact with the local planning authority. Whilst it may have been the intention of the Council to dispose of the land, the documents do not convey that any particular use would be appropriate.
9. The appellant considers that as no neighbour representations have been received, it can be deduced that the development would be appropriate and beneficial. This conclusion would be speculative however, and so I have not given significant weight to the lack of any neighbour responses.

### **Conclusion**

10. For the reasons given above, the appeal is dismissed.

*J Somers*

INSPECTOR