



Doncaster Council

Agenda

To all Members of the

PLANNING COMMITTEE

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

Venue: Council Chamber - Civic Office Waterdale, Doncaster

Date: Tuesday, 15th October, 2019

Time: 2.00 pm

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Damian Allen
Chief Executive

Issued on: Monday 7th October, 2019

Governance Services Officer for this meeting

Amber Torrington
Tel: 01302 737462

Doncaster Metropolitan Borough Council
www.doncaster.gov.uk

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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 meeting held on 17th September, 2019	1 - 6
A. Reports where the Public and Press may not be excluded.	
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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, 17TH SEPTEMBER, 2019

A MEETING of the PLANNING COMMITTEE was held at the COUNCIL CHAMBER - CIVIC OFFICE on TUESDAY, 17TH SEPTEMBER, 2019, at 2.00 pm.

PRESENT:

Chair - Councillor Susan Durant

Councillors Duncan Anderson, Iris Beech, Mick Cooper, Eva Hughes, Mark Houlbrook, Andy Pickering and Jonathan Wood.

APOLOGIES:

Apologies for absence were received from the Vice-Chair, Councillor Sue McGuinness and Councillors George Derx and John Healy.

32 DECLARATIONS OF INTEREST, IF ANY.

In accordance with the Members Code of Conduct, all Members declared that they had been lobbied on Planning Application No. 19/01150/FUL, which is referred to as Schedule No.1 in the Schedule of Planning Applications, which is attached hereto at Appendix 'A', but had given no opinion thereon.

33 MINUTES OF THE PLANNING COMMITTEE MEETING HELD ON 20TH AUGUST, 2019

RESOLVED that the minutes of the meeting held on 20th August, 2019 be approved as a correct record and signed by the Chair.

34 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'.

35 APPEAL DECISIONS

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

Application No	Application Description & Location	Appeal Decision	Ward	Decision Type	Overtaken
18/02039/FUL	Change of use from	Part Refused/Part	Sprotbrough	Delegated	No

	agricultural land to domestic curtilage as well as the erection of stables (Retrospective) at 9 Doncaster Road, Barnburgh, Doncaster DN5 7EG	Granted 16/08/2019			
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DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE – 17th September, 2019

Application	1		
Application Number:	19/01150/FUL		
Application Type:	Planning Full		
Proposal Description:	Conversion, extension and change of use of existing Public House, to allow for new 3,000sqft Class A1 convenience store, along with associated warehouse space. As well as the existing car park be re-configured along with various external works.		
At:	The Star Inn, High Street, Barnby Dun, DN3 1DY		
For:	Mr Ritchie Taylor		
Third Party Reps:	11 objections 3 support	Parish:	Barnby Dun/Kirk Sandall
		Ward:	Stainforth and Barnby Dun

A proposal was made to grant the application

Proposed by: Councillor Eva Hughes

Seconded by: Councillor Iris Beech

For: 5 Against: 4 Abstain: 0

Upon the Chair declaring that there was an equal number of votes cast for and against the proposal to grant the application, the Chair, Councillor Susan Durant, in accordance with Council Procedure Rule 21.2, exercised her right to use her casting vote and voted to grant the application.

Decision: Planning permission granted subject to the amendment of conditions 5 and 6 to read as follows, and the addition of the following condition 09:-

- 05.** The development hereby approved shall be operated in accordance with the amended Delivery Management Plan and Schedule received 10th September 2019 with a banksman positioned on site

during the deliveries and no articulated lorries will be associated with the deliveries to this site.

REASON

To ensure the development does not harm the highway safety of the area, in accordance with CS14 of the Core Strategy.

06. On completion of the installation of the air conditioning and refrigeration units a further noise report shall be submitted to the Local Planning Authority. The noise report shall be conducted by a competent noise consultant whilst the units are in operation and during daytime and night time periods. Should the actual noise levels not meet the predicted maximum cumulative design rating level detailed in table 3 of the noise report (Report Reference: 88486) produced by Noise Solutions Ltd dated 6th September 2019, outside the nearest residential dwelling, appropriate mitigation measures shall be submitted to the local planning authority for approval in writing. Such approved mitigation measures shall be implemented within three months of the date of the further noise report.

REASON

In the interests of protecting the residential amenity of nearby residential neighbours in accordance with adopted Unitary Development Plan Policy PH12: Non Residential Uses within a Residential Policy Area.

09. Prior to the occupation of the development hereby approved, details of two 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 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.

In accordance with Planning Guidance, 'Having Your Say at Planning Committee', Mrs Alison Jordan (objector) spoke in opposition to the application for the duration of up to 5 minutes.

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

(The receipt of an Amended Noise Survey to include delivery noise impact assessment, additional Delivery Management Information outlining all staff will be trained banksman and will assist in deliveries and types of vehicles used for deliveries, a correction to the report in relation to the replacement landscaping shown on plan 128-DB3-B01-00-DR-A-90-002 Rev. G which is also

secured through condition 8 and an additional representation raising concern on highways matters, the use of the High Street, noise and disturbance, loss of trees, amenity and appropriateness of the development was reported at the meeting).

Application	2
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Application Number:	19/01691/FULM
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Application Type:	Full Application
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Proposal Description:	Erection of University Technical College and associated parking and Multi Use Games Area (MUGA)
At:	Former Doncaster Metropolitan Borough Council Offices, Land North of College Road, Doncaster DN1 3BU

For:	Mr Gary Wright
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Third Party Reps:	0	Parish:	
		Ward:	Town

A proposal was made to grant the application

Proposed by: **Councillor Jonathan Wood**

Seconded by: **Councillor Mick Cooper**

For: 6 Against: 0 Abstain: 0

Decision: Planning permission granted subject to the amendment of condition 6 to read as follows, and the addition of the following condition 17:-

- 06. Not to commence the development (including the carrying out of any excavation works) until a section 106 agreement requiring payment of a travel bond has been entered into.**
REASON
To encourage sustainable modes of travel to the site in accordance with policy CS9 of the Core Strategy.
- 17. Prior to the occupation of the development, a detailed Travel Plan(s), designed to: reduce the need for and impact of motor vehicles; increase site accessibility; and to facilitate and encourage alternative travel modes, shall have been submitted to and**

approved in writing by the Local Planning Authority. The detailed Travel Plan shall be developed in accordance with the approved Framework Travel Plan for the proposed development and implemented as approved.

REASON

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

In accordance with Planning Guidance, 'Having Your Say at Planning Committee', Mr Mark Tozer and Andrew Thompson (Planning Agents), who were in support of the application spoke only to answer members questions.

(The receipt of a correction to Paragraph 9.39 of the report detailing additional information to demonstrate that vehicles will not overhang the footway or encroach into the right turn on Ghost Lane was reported at the meeting).

DONCASTER METROPOLITAN BOROUGH COUNCIL

15th October 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.

Application	Application No	Ward	Parish
1. M	18/02614/4FULM	Town	
2.	19/00578/FUL	Town	
3.	19/01160/FUL	Edlington And Warmsworth	Warmsworth Parish Council

Application	1.
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Application Number:	18/02614/4FULM
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Application Type:	Planning FULL (DMBC Reg4) Major
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Proposal Description:	Erection of 64 No. 2 and 2 and a half storey dwellings & access roads.
At:	Former Belle Vue Stables And Sales Ring Carr House Road Belle Vue Doncaster DN4 5HP

For:	Hooper Ltd - Blunt
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Third Party Reps:	5	Parish:	
		Ward:	Town

Author of Report:	Nicola Elliott
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SUMMARY

The proposal seeks permission for the erection of 64 dwellings with 2 access roads. The proposal is considered to be acceptable in policy terms being sited within the residential policy area and is considered to be an acceptable and sustainable form of development in line with paragraph 7 and 8 of the National Planning Policy Framework (NPPF, 2019).

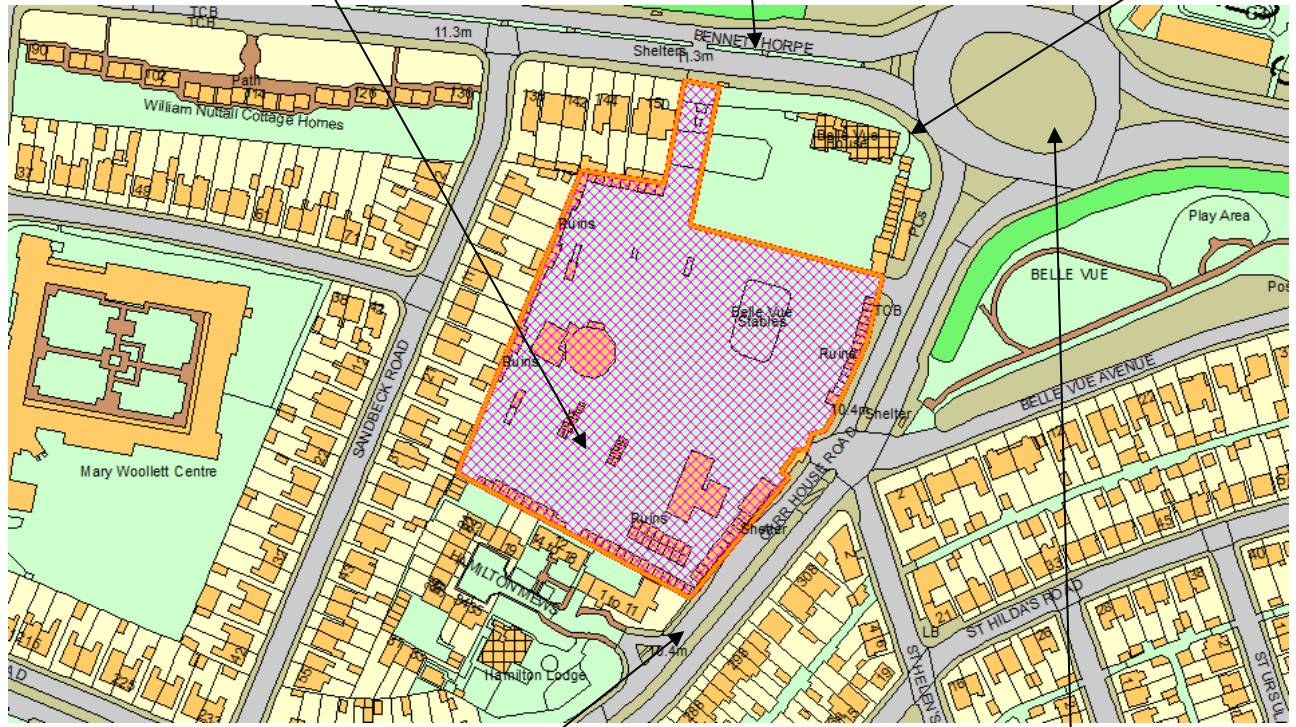
The report demonstrates that there are no material planning considerations that would significantly or demonstrably outweigh the social, economic or environmental benefits of the proposal in this location. The development would not cause undue harm to neighbouring properties, heritage assets, the highway network or the wider character of the area.

RECOMMENDATION: GRANT planning permission subject to Section 106 Agreement and conditions.

Application Site

Bennetthorpe

Grand St Leger Hotel



Carr House Road

Racecourse Roundabout

1.0 Reason for Report

- 1.1 This application is being presented to Planning Committee as the application site is owned by Doncaster MBC. The proposal is also not able to meet all of the required planning obligations and remain viable.

2.0 Proposal

- 2.1 Planning permission is sought in full for the erection of 64 dwellings and access roads. The dwellings are a mixture of 2 and 2 and half storey properties constructed in brick and render, with pitched, tiled roofs. There is a central square of public open space within the site which forms a focal point within the development site. Access is taken from both Carr House Road and Bennetthorpe, however both accesses will only enable left in and left out vehicle manoeuvres.

3.0 Site Description

- 3.1 The site occupies the former Bloodstocks sales site whose buildings are now mainly demolished. 50m north of the site is the Grade II listed Grand St Leger Hotel and 'Crab and Moo' which is a prominent three storey building built in 1801 originally as a country house in substantial grounds, and which is still perceived as the first significant historic building marking the entrance to the town from the east. 50m south of the site and separated from it by relatively recent three storey development is the Grade II listed Hamilton Lodge.
- 3.2 The site was part of the former grounds of the Grand St Leger Hotel building and was occupied until recently by several single and two storey Bloodstocks buildings. The proximity of the site means that buildings on it would affect views to the rear of the listed building which have some prominence from Carr House Road. There are regular coursed limestone walls that form part of the boundary which are remnants of the boundary treatment enclosing the original curtilage and which contribute to local character. These continue in front of Hamilton Lodge but the application site makes no contribution to the setting of this latter listed building.
- 3.3 There are residential dwellings directly adjacent to the application site on the north western boundary (Sandbeck Road) and south western boundary (Hamilton Mews). The properties on Sandbeck Road are mainly two storey, semi-detached properties, constructed from red brick with rear elevations and gardens facing the application site. The properties which back onto the site at Hamilton Mews are three storey apartment blocks, however there are semi-detached properties in the north western corner. All are constructed from red brick with tiled roofs. With the exception of the Grand St Leger hotel, the area is predominantly residential. There is a wall of approximately 4m in height around 3 boundaries of the site.

4.0 Relevant Planning History

- 4.1 Application site;

Application Reference	Proposal	Decision
88/0162/P	Erection of security office/drying room (16.3m x 6.9m) to replace existing building	Granted Page 11

14/00033/DEM	Demolition Of Old Stables	Not issued
19/00002/DEM	Various brick built buildings and outbuildings previously used as stables and sales. There is also the remains (mainly frame) of a steel frame building which has been destroyed by fire.	Not issued

4.2 Grand St Leger Hotel (adjacent site);

Application Reference	Proposal	Decision
12/02892/4FULM	Development of existing hotel to include new restaurant, function room and bar, 33 new bedrooms and ancillary facilities following demolition of existing stables (Being Application Under Regulation 4 Town and Country Planning (General) Regulations 1992).	Granted
12/02992/4LBC	Listed Building consent for alterations and extensions to existing hotel to include new restaurant, function room and bar, 33 new bedrooms and ancillary facilities following demolition of existing stables and outbuildings (Being Application Under Regulation 4 Town and Country Planning (General) Regulations 1992).	Granted
16/01301/4FULM	Development of existing hotel to include new restaurant, function room and bar, 33 new bedrooms and ancillary facilities following demolition of existing stables (Being Application Under Regulation 4 Town and Country Planning (General) Regulations 1992) (Without compliance of condition 6 & 11 of application granted under Ref: 12/02892/4FULM on 21.06.2013 – Drainage & Details of Access)	Granted

5.0 Site Allocation

5.1 The site is designated as Residential Policy Area, as defined by the Proposals Maps of the Doncaster Unitary Development Plan (adopted in 1998).

5.2 National Planning Policy Framework (NPPF 2019)

5.3 The National Planning Policy Framework 2019 (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. Planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions and the relevant sections are outlined below:

5.4 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.

5.5 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).

5.6 Core Strategy 2011 - 2028

5.7 To the extent that development plan policies are material to an application for planning permission, the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (see section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004).

5.8 In May of 2012 the LDF Core Strategy was adopted and this replaced many of the policies of the Unitary Development Plan; some UDP policies remain in force (for example those relating to the Countryside Policy Area) and will continue to sit alongside Core Strategy Policies until such time as the Local Plan is adopted. Core Strategy policies relevant to this proposal are:

5.9 Policy CS 4 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.

5.10 Policy CS 9 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.

- 5.11 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.
- 5.12 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.
- 5.13 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.
- 5.14 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.
- 5.15 Policy CS 17 seeks to protect, maintain, enhance and where possible, extend Doncaster's green infrastructure.
- 5.16 Policy CS 18 seeks to conserve, protect and enhance Doncaster's air, water and land resources.

5.17 Saved Unitary Development Plan (UDP) Policies (Adopted 1998)

- 5.18 Policy PH 11 states that within residential policy areas development for housing will normally be permitted subject to the density and form being appropriate to the character of the area, the effects of the development on the amenities of occupiers of neighbouring properties.
- 5.19 Policy ENV 34 seeks to ensure that development does not adversely affect the setting of Listed Buildings.

5.20 Local Plan

- 5.21 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. The Local Plan has now been approved by Full Council and is now out to Regulation 19 Publication, however given the relatively early stage of preparation of the emerging

Local Plan, the document carries very limited weight at this stage. The relevant policies to this proposal are as follows:

- 5.22 Policy 1 reinforces the guidance within the NPPF in that there should be a presumption in favour of sustainable development.
- 5.23 Policy 6 sets out the Borough's housing allocations
- 5.24 Policy 8 sets out the requirements for the range of housing including the need for affordable housing.
- 5.25 Policy 11 seeks to protect residential amenity and enhance the qualities of an area.
- 5.26 Policy 14 seeks to promote sustainable transport within new developments.
- 5.27 Policy 17 seeks to consider the needs of cyclists within new developments.
- 5.28 Policy 18 seeks to consider the needs of pedestrians within new developments.
- 5.29 Policy 29 sets out the Council's policy for open space provision in new developments
- 5.30 Policy 30 seeks to deliver a net gain for biodiversity and protect, create, maintain and enhance the Borough's ecological networks.
- 5.31 Policy 31 deals with the need to value biodiversity.
- 5.32 Policy 34 seeks to ensure appropriate landscaping in new developments.
- 5.33 Policy 35 seeks to conserve the historic environment
- 5.34 Policy 37 seeks to protect and enhance Listed Buildings.
- 5.35 Policy 42 seeks to ensure character and local distinctiveness in new developments.
- 5.36 Policy 43 deals with the need for good urban design.
- 5.37 Policy 45 seeks to ensure high standards of residential design.
- 5.38 Policy 46 sets out housing design standards.
- 5.39 Policy 49 seeks a high standard of landscaping in new developments.
- 5.40 Policy 55 requires the need to take into account air and noise pollution.
- 5.41 Policy 56 deals with the need to mitigate any contamination on site.
- 5.42 Policy 57 requires the need for satisfactory drainage including the use of SuDS.
- 5.43 Policy 66 deals with developer contributions.

5.45 There is no Neighbourhood Plan for this area.

5.46 Other material planning considerations

- Community Infrastructure Levy (CIL) Regulations (2010)
- Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act (1990)
- Town and Country Planning (Environmental Impact Assessment) Regulations (2017)
- Development Requirements and Guidance Supplementary Planning Document (SPD) (2015)
- South Yorkshire Residential Design Guide (SYRDG) (adopted 2015)
- National Planning Policy Guidance

6.0 Representations

6.1 This application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015 by means of site notice, press advertisement and neighbour notification.

6.2 Five representations have been received (four objecting to the development), highlighting the following concerns;

- Overlooking of properties on Sandbeck Road from two storey development, and two and a half storey development
- Height of the two and a half storey properties
- Impact of noise from proposed development
- Distance of properties from rear boundary
- Retention of existing wall at rear of Sandbeck Road and future maintenance
- Impact on bus stop on Bennetthorpe

7.0 Parish Council

7.1 There is no parish council.

7.2 Relevant Consultations

7.3 **South Yorkshire Architectural Liaison Officer** - Recommends that the development is designed and built to Secured by Design standards.
www.securedbydesign.com

7.4 **National Grid** - No comments received.

7.4 **Environment Agency** - Comments not required.

7.5 **South Yorkshire Fire and Rescue Service** - Access is to conform to Approved Document B Volume 1 Part B5 Sect. 11.2-11.5 inclusive. South Yorkshire Fire and Rescue is keen to promote the benefits of sprinkler systems to protect lives, property and the environment. As such it is recommended that this is allowed for when determining the water supply requirements for the site.

7.6 **South Yorkshire Passenger Transport Executive** - No comments received.

- 7.7 **Yorkshire Water** - No objections, subject to condition.
- 7.8 **Affordable Housing Team** - Advised on viability assessment.
- 7.9 **Area Manager** - No comments received.
- 7.10 **Pollution Control (Air Quality)** – No objections, subject to condition.
- 7.11 **Ecologist Planning Officer** - Following receipt of bat surveys, satisfied that further surveys are not required. However if the development does not proceed within 24 months of the date of the current survey (May 2019) then resurveys will have to be carried out.
- 7.12 **Trees and Hedgerows Officer** - No objections following amendments, subject to condition.
- 7.13 **Internal Drainage** – Objects due to lack of Flood Risk Assessment. This has been commissioned and an update will be provided to Planning Committee in the pre-committee amendments.
- 7.14 **Education** - £182,970 required as a commuted sum to provide school places.
- 7.15 **Environmental Health** - No objections, subject to condition.
- 7.16 **Public Rights of Way** – No comments received.
- 7.17 **Local Plans Team (Housing)** - No comments received.
- 7.18 **Highways Development Control** - No objections, subject to condition.
- 7.19 **Design Officer** - No objections following amendments and subject to conditions.
- 7.20 **Conservation Officer** - No objections but queries the reality of the retention of the wall adjacent Carr House Road.
- 7.21 **Local Plans Team (Public Open Space)** - Notes only 9.5% proposed on site and requirement is 15%, no objections overall. Recommends play equipment, but public art could provide a pleasant social space. Remaining 5.5% to be a commuted sum to be allocated elsewhere.
- 7.22 **Pollution Control (Land Contamination)** - No objections, subject to condition.
- 7.23 **Play Equipment Officer** - No comments received - although no play equipment proposed.
- 7.24 **Transportation Team** - Following receipt of updated traffic counts, no objections.
- 7.25 **Ward Members** - No specific comments made.
- 7.26 **Section 106 Board** - Meeting held 30th January 2018 where it was recommended that the s106 monies should be split between POS and Education.
Recommendation: £110,000 to POS, remaining amount to Education.

8.0 **Assessment**

8.1 The principal issues for consideration under this application are as follows:

- Principle of development;
- Design and layout and impact on character of area
- Impact on setting of Listed Building
- Impact on residential amenity
- Highway safety and traffic
- Flood risk and drainage
- Air quality
- Ecology
- Section 106 Obligations
- Overall planning balance

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

- Substantial
- Considerable
- Significant
- Moderate
- Modest
- Limited
- Little or no

Principle of Development

8.3 The principle of residential development on this site is acceptable in policy terms. The site is located within the Residential Policy Area where residential development is acceptable subject to the criteria set out by policy PH 11 of the Doncaster Unitary Development Plan. The application will be assessed against these criteria in the later sections of this report, however in principle, residential development of this site is acceptable. Significant weight is afforded to policy PH 11.

Sustainability

8.4 The National Planning Policy Framework (NPPF, 2019) sets out at paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

8.5 There are three strands to sustainability, social, environmental and economic. Para.10 of the NPPF states that in order sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.

SOCIAL SUSTAINABILITY

8.6 Impact on Residential Amenity

8.7 Policy PH 11 (B) states that within Residential Policy Areas, development for housing will normally be permitted except where the development on the amenities of

occupiers of nearby properties would be unacceptable. This is reinforced by policy CS 14 (A) of the Core Strategy and paragraph 127 (f) of the National Planning Policy Framework. The SPD Development Guidance and Requirements states in section 2.5 that 'new housing should not give rise to adverse amenity issues, particularly with respect to overshadowing, privacy and overlooking of existing occupiers'.

- 8.8 The proposed dwellings are mostly 2 storeys in height, however 13 of the 64 properties are 2 and a half storeys in height. In terms of ridge heights, this amounts to 10.5m for the 2 and a half storey properties and 7.5m - 8m for the 2 storey properties. Eaves heights are 5.2m the two storey properties and 6m on the 2 and a half storey properties. It is considered that this is an appropriate scale for dwellings of this nature and neither ridge heights, nor eaves heights, are excessive.
- 8.9 With regards to separation distance to existing properties, key standards are set out within the SPD Development Guidance and Requirements. The information in this regard is consistent with those guidelines set within the South Yorkshire Residential Design Guide (SYRDG). The SPD and SYRDG are adopted policy documents and therefore carry significant planning weight. 2 to 3 storey properties should have back to back distances (between facing habitable rooms) of no less than 21m, and front to front distances of no less than 12m. The proposed development exceeds this in most places, except for the middle apartment block at Hamilton Mews which has 20m separation, however the floor plans for this development do not show main habitable rooms in this rear elevation, therefore it is considered acceptable.
- 8.10 The shortest separation distance to the properties to the north west on Sandbeck Road is the relationship between the rears of No 19 Sandbeck Road and plot 13 (a 2 storey property), however at a distance of 24m this is in excess of the recommended separation distances. There are 2 and a half storey properties located on the row of properties to the north west of the site, however again separation distances exceed those recommended, with 28m between plots 15-17 and Nos 25 and 27 Sandbeck Road, 24m between plot 18 and the rear extension to No 29 Sandbeck Road.
- 8.11 It is noted that there are objections on the grounds of overlooking from Nos 5, 7, 17 and 21 Sandbeck Road, however there is at least 25m separation (28m in some cases) to the backs of all of these properties. Furthermore, whilst concern has been raised with regards to the introduction of 2 and half storey along this section of the site, only a roof light to a bathroom will be located on the second floor in the rear elevation of these properties, therefore the fact that they are now 2 and a half storey will cause no further overlooking than two storey properties.
- 8.12 The SPD also states that 'habitable room windows that overlook neighbouring garden space should normally be at least 10m from the boundary. Where a new property overlooks an existing garden these distances need to be increased'. There is at least 10m to the boundaries of properties to Sandbeck Road except for plots 13 and 14 which have 9.4m. Properties to Sandbeck Road have larger gardens, therefore whilst plots 13 and 14 are slightly short of this distance, this is offset by the length of the gardens of the properties on Sandbeck Road and the fact that the existing wall between the properties which is approximately 4m high is to be retained which will provide sufficient privacy.
- 8.13 With the exception of the middle block of apartments at Hamilton Mews which has already been discussed, there is between 22 and 25m of separation. The existing 4m high wall will also be retained along this part of the site.

- 8.14 As such, given the distances referred to above, the fact that the 2nd floor window to the 2 and a half storey properties is to serve a bathroom only, and that the existing approximately 4m high wall is to be retained, the proposal will not unreasonably impact on the privacy of occupiers of existing, neighbouring properties. Similarly, as a result of the height and siting of the proposed dwellings, and the retention of the wall, it is not considered that occupiers of neighbouring properties will be unduly overshadowed by the proposed development. The proposal is therefore considered to accord with policies PH 11, CS 14, the SPD and the SYRDG.
- 8.15 Concern has been raised in respect of noise and disturbance from construction, however this is only during construction works and will be temporary. A Construction Method Statement is also to be secured by condition. Environmental Health have been consulted on the application and raise no objection subject a condition on noise levels in respect of the road noise and noise associated with the adjacent hotel for potential occupiers.

8.16 Section 106 Obligations

- 8.17 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'. Paragraph 56 states that 'planning obligations must only be sought where they meet all of the following tests: a) necessary to make the development acceptable in planning terms, (b) directly related to the development; and (c) fairly and reasonably related in scale and kind to the development'.

Affordable Housing

- 8.18 In order to comply with policy CS 12 of the Doncaster Council Core Strategy, 26% of the properties on site should be affordable housing. This may be subject to viability.

Public Open Space

- 8.19 In accordance with policy RL 4 of the Doncaster Council UDP and Core Strategy policy CS 17, 15% on site POS should be provided. The developer has allocated a central piece of on-site POS within the development which amounts to 9.5%. As this falls short of the 15%, it is possible to provide the remainder as a commuted sum for provision elsewhere (5.5% of the site value equates to £110,000). There will be no play equipment on site, however the developer wishes to install benches and public art. The grassed area can be used for informal play and the benches and art would provide a pleasant space for residents to use. Therefore, it is considered that this would meet with the provisions of policy CS 17 (D).

Education

- 8.20 A commuted sum of £182,970 is required in lieu of 10 secondary school places at Hall Cross Academy. This accords with policy CS 1 (A) of the Core Strategy which states that "as a means to securing and improving economic prosperity, enhancing the quality of place, and the quality of life in Doncaster, proposals will be supported which contribute to the Core Strategy objectives, and in particular provided opportunity for people to get jobs, learn new skills, and have access to good quality housing, local services, sport, leisure, religious and cultural facilities".

8.21 In accordance with policy CS 9, a commuted sum of £7,143.84 is also required for a Transport Bond to ensure that the targets of the Travel Plan are met.

8.22 Viability and Section 106 Board

8.23 Paragraph 57 of the NPPF states that 'where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is for the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to the viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date'.

8.24 A viability appraisal was submitted prior to the application being submitted in January 2018 following the pre-application enquiry. It was assessed by the DVS (Valuation Office Agency) in August 2018 who provided an independent review of the viability of the scheme. The DVS concluded that they have a difference of opinion on only a few inputs to the applicant's appraisal and the cumulative effect is that the DVS fully market appraisal generates a residual land value of £1.09 million. This is below the purchase price and therefore the DVS concluded that a market housing scheme cannot viably be delivered without some compromise from either the developer or landowner in terms expectation of profit and land value. A planning compliant appraisal, which reflects the provision of affordable housing i.e. a lower gross development value and lower profit would reduce the residual for land further and be unviable. It is the independent conclusion that the planning policy compliant scheme is unviable. The applicant's proposal to provide £280,962 towards planning contributions was considered to be reasonable.

8.25 In line with the Council's Section 106 Protocol, in January 2019 the Section 106 Board met to discuss where the available Section 106 monies should be spent. It was the recommendation of the Board that the priority would be for a commuted sum in lieu of POS, then Education and any remaining funds to be allocated for affordable housing. Officers were asked to explore whether Baxter Park would be a suitable receptor project for POS monies, however this is not considered to meet with the CIL tests given its distance from the site and the fact that occupants of the development site would not be likely to use this area.

8.26 Given the length of time that has passed since the DVS made this conclusion, a revised viability appraisal was requested in August 2019, this was assessed internally by the Council's Housing Programme Manager who concluded that the scheme could now provide £300,000 towards planning contributions and remain viable. This is accepted by the developer.

8.27 Ward Members have been consulted on how the monies should be spent, bearing in mind the recommendation of the Section 106 Board. Therefore, taking the £110,000 for POS, this leaves £180,000 towards education which is £2,970 short of the full requirement. Therefore, the scheme can provide for the full POS requirement and most of the education requirement. At the time of writing this report, Members were still considering the most appropriate site for the POS sum to be spent. This will need to meet with the CIL tests and will be written into the final Section 106 Agreement which is recommended to be delegated to the Head of Planning to issue

the decision in completion of the decision, should Members resolve to approve the application.

- 8.28 As such, whilst no affordable housing is to be provided, or monies provided in lieu of, the viability of the scheme has been tested and the greater community benefit is considered to be in the provision of POS, which will be part on site and part off site, and Education. The proposal is therefore considered to accord with the relevant local and national planning policies as set out above.

8.29 Conclusion on Social Impacts.

- 8.30 In conclusion of the social impacts of the development, it is not considered that the impact of residential amenity will be adversely affect by the proposal, and significant weight should be attached to the provision of community benefits including the provision of POS and school places. The short term noise and disturbance associated with implementing the planning permission is considered to carry limited weight against the proposal.

8.31 ENVIRONMENTAL SUSTAINABILITY

8.32 Impact upon the character of the area and adjacent Listed Building

- 8.33 Policy CS 14 of the Doncaster Council Core Strategy sets out the Council's policy on the design of new development. It 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. New development should also have no unacceptable negative effects upon the amenity of neighbouring land uses or the environment. This will be achieved through a set of design principles and quality standards as set out.

- 8.34 Consideration also needs to be given to the impact of the proposal on the setting of the adjacent Grand St Leger Hotel which is a Grade 2 Listed Building. The Design and Conservation Officer has been consulted on the proposal and raises no objection to the proposal however queries whether or not the full retention of the wall along Carr House Road will realistically be possible. There is no design or conservation objection to the retention of this wall, therefore details regarding its final appearance, and restoration and maintenance can be left to condition.

- 8.35 A series of amendments have been made to the proposal to address issues raised by the Design Officer relating to parking, amount of garden space, landscaping boundary treatment and issues of overlooking and there are now no objections subject to conditions relating to final materials, hard and soft landscaping and details of the public art in the POS area.

- 8.36 As such, the proposed redevelopment of the site will be a significant improvement as the condition of the site is a negative feature within this area. The proposed mix of housing types and layout around a central 'green', will provide an attractive development which responds well to existing buildings within the immediate vicinity. Final materials are subject to condition to ensure that they are appropriate to both the adjacent Listed Building and surrounding buildings. Whilst the existing walls which bound the site are to be retained, the final appearance of the site is subject to

condition to ensure that it will be appropriate to the surrounding area. The proposal is therefore considered to meet with policy CS14, the SPD and the NPPF.

8.37 Impact upon Highway Safety

- 8.38 'Quality, stability, safety and security of private property, public areas and the highway' and 'permeability - ease of pedestrian movement with good access to local facilities and public transport services' are listed as qualities of a successful place within policy CS 14 (A). The NPPF in para 109 states that 'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on road safety, or the residual cumulative impacts on the road network would be severe'.
- 8.39 Part (G) of policy CS 9 states that 'new development will provide, as appropriate, transport assessments and travel plans to ensure the delivery of travel choice and sustainable opportunity for travel. A Transport Assessment has been submitted and following the submission of further traffic counts undertaken during the school term time there are no objections from a transportation point of view in terms of the level of traffic to be generated from the development. The site is also sustainably located, within walking distance of Doncaster Town Centre and public transport.
- 8.40 With regard to the layout of the scheme and the design of the accesses, the Highways Development Control officer raises no objection to the scheme following amendment to the proposal and subject to condition. There are two accesses to the site, one from Carr House Road and one from Bennetthorpe, both of which are left turn in and left turn out only. The Highways Officer also requested additional speed surveys to be submitted for Carr House Road, following receipt of which and other amendments, no objections were received. Concern was also raised in relation to the impact of the proposed access on the bus stop on Bennetthorpe, however following a site meeting between the Safer Roads team and South Yorkshire Passenger Transport Executive, this is considered acceptable.
- 8.41 The proposal is therefore considered to meet with policies CS 14 and CS 9 of the Doncaster Council Core Strategy.

8.42 Air Pollution

- 8.43 Policy CS 18 (A) states that proposals will be supported which contribute to improvements in air quality including (2) within or adjoining Air Quality Management Areas and other areas experiencing air pollution, demonstrating how any effects on air quality will be mitigated, especially in relation to sensitive uses or areas and having regard to the targets of the Doncaster Air Quality Action Plan; and (3) where relevant, incorporating low emission technologies and cleaner transport fuels to minimise the adverse effects of road and air travel.
- 8.44 The application site is adjacent to an existing air quality management area (AQMA), as such, an Air Quality Assessment has been submitted, and subsequently revised following amendments to the scheme. The AQA follows standard methodology and uses data from recognised sources. The Pollution Control Officer (Air Quality) considers that it seems reasonable to accept its proposals and conclusions; that the built development (as per submitted layout Rev D) will not suffer from exceedances of the limit values within the extant air quality regulations nor conversely will the development have an adverse effect on the existing air quality management area

along Carr House Road. As such there is no objection on grounds of air quality, and the proposal accords with policy CS 18.

8.45 Ecology

8.46 Policy CS 16 states that Doncaster's natural environment will be protected and enhanced in accordance with a number of principles. Part (A) states that "proposals will be supported which enhance the borough's Ecological Networks by (1) including measures that are of an appropriate size, scale and type and have regard to both the nature of the development and its impact on existing or potential networks; (2) maintaining, strengthening and bridging gaps in existing habitat networks".

8.47 Given the condition of the remaining buildings on site, there is potential for bats to be present. A bat survey was submitted which identified the need for nocturnal surveys. These were duly carried out and the Council's Ecologist is satisfied with the outcome of the survey that bats are probably not roosting on the site and that further surveys are not required. However, if the development does not proceed within 24 months of the date of the current survey (May 2019), then re-surveys will have to be carried out. As such, there are no objections on ecological grounds and the proposal is considered to accord with policy CS 16.

8.48 Flood Risk, Foul and Surface water drainage

8.49 The site is located within Flood Risk Zone 1 and has a low risk of flooding. A Flood Risk Assessment was not submitted with the application and is required due to the size of the site area of the application site, and to comply with policy CS 4 and the NPPF. The Environment Agency raise no objection to the proposal, however surface water flooding is a matter for the Local Lead Flood Authority which is the Council's Drainage team. The Drainage Officer has requested a full Flood Risk Assessment, which at the time of writing this report had been commissioned. A full update will be provided to Members of the Planning Committee prior to the meeting, however given the low risk of flooding it is considered that pre-commencement drainage conditions will be required rather than any fundamental objection on flood risk grounds/surface water grounds.

8.50 Energy Efficiency

8.51 Policy CS 14 (C) requires proposals to meet or exceed the following minimum standards (1) all new housing must meet all criteria to achieve Code for Sustainable Homes of at least Level 3 and (2) all new development must secure at least 10% of their total regulated energy from decentralised and renewable or low carbon resources. This is now included within building regulations, therefore there is no longer a need to specifically condition this to meet planning policy requirements.

8.52 Conclusion on Environmental Issues

8.53 Para.8 of the NPPF (2019) indicates, amongst other thing, that the planning system needs to contribute to protecting and enhancing the natural built and historic environment, including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

8.54 In conclusion of the environmental issues, it is considered that there has been no significant issues raised which would weigh against the proposal that cannot be mitigated by condition. As such, significant weight can be attached to this in favour of the development.

8.55 ECONOMIC SUSTAINABILITY

8.56 It is anticipated that there would be some short term economic benefit to the development of the site through employment of construction workers and tradesmen connected with the build of the project however this is restricted to a short period of time and therefore carries limited weight in favour of the application.

8.57 On a wider level, additional housing will increase spending within the borough which is of further economic benefit in the long term.

8.58 Conclusion on Economy Issues

8.59 Para 8 a) of the NPPF (2019) sets out that in order to be economically sustainable developments should help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.

8.60 Whilst the economic benefit of the proposal is slight and afforded only limited weight, it does not harm the wider economy of the borough and for that reason weighs in favour of the development.

9.0 PLANNING BALANCE & CONCLUSION

9.1 In accordance with Paragraph 11 of the NPPF (2019) the proposal is considered in the context of the presumption in favour of sustainable development. The proposal will redevelop a vacant site which has a negative effect on the area, providing 64 homes. Officers have identified no adverse economic, environmental or social harm that would significantly or demonstrably outweigh the benefits identified when considered against the policies in the Framework taken as a whole. The proposal is compliant with the development plan and there are no material considerations which indicate the application should be refused.

9.2 The proposal is subject to a Section 106 Agreement which is considered to meet the requirements of the CIL tests.

10.0 RECOMMENDATION

10.1 **GRANT PLANNING PERMISSION** subject to a Section 106 Agreement and conditions:

Heads of Terms of Section 106 Agreement;

- 5.5% on site POS (and maintenance) and a commuted sum of £110,000 (9.5% of the site area) in lieu of POS
- Commuted sum of £180,000 towards the provision of school places at Hall Cross Academy

- Returnable Transport Bond of £7,143.84

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

REASON

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

02. Where development commences more than two years from the date of the original protected species surveys (May 2019), additional/updating surveys should be carried out to ensure that approved mitigation is appropriate for the current situation. The surveys shall be submitted to and approved in writing prior to the commencement of development and the development shall be carried out in accordance with the updated surveys.

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.

03. The development hereby permitted shall be carried out in complete accordance with the details shown on the amended plans referenced and dated as follows;

Location Plan - 18.013.1

Site Plan - 18.013.2 Rev D - Amended 12.08.2019

Detached Double Garage - 18.007.58

House Type HL98T - 18.007.48 - Amended 14.06.2019

Housetype HL98T Elevation Treatment B1 - 18.007.47 - Amended 14.06.2019

Housetype HL115 Elevation Treatment A1 - 18.007.49 - Amended 14.06.2019

Housetype HL67 Elevation Treatment A1 - 18.007.10

Housetype HL67 Elevation Treatment A2 - 18.007.11

Housetype HL67 Elevation Treatment C2 - 18.007.12

Housetype HL67T Elevation Treatment A1 - 18.007.13

Housetype HL67T Elevation Treatment A2 - 18.007.14

Housetype HL85 Elevation Treatment A1 - 18.007.15

Housetype HL85 Elevation Treatment A2 - 18.007.16

Housetype HL85 Elevation Treatment B1 - 18.007.17

Housetype HL85 Elevation Treatment B2 - 18.007.18

Housetype HL85 Elevation Treatment C2 - 18.007.19

Housetype HL85T Elevation Treatment C2 - 18.007.20

Housetype HL96 Elevation Treatment B1 - 18.007.27

Housetype HL96 Elevation Treatment B2 - 18.007.28

Housetype HL97 Elevation Treatment A1 - 18.007.21

Housetype HL97 Elevation Treatment A2 - 18.007.22

Housetype HL97 Elevation Treatment B1 - 18.007.23

Housetype HL97 Elevation Treatment C2 - 18.007.24

Housetype HL97 Elevation Treatment B1 - 18.007.25

Housetype HL97 Elevation Treatment B2 - 18.007.26

REASON

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

04 Notwithstanding the materials indicated on the approved site plan (ref 18.013.Rev D), before the development commences, samples and distribution 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, unless otherwise agreed in writing by the Local Planning Authority.

REASON

To ensure the satisfactory appearance of the development.

05 No development shall take place on the site until a detailed hard and soft landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The hard landscape scheme shall include details of all external hard surfacing materials. The soft landscape scheme shall include a soft landscape plan; a schedule providing plant and tree numbers and details of the species, which shall comply with section 8 Landscape, Trees and Hedgerows of the Council's Development Guidance and Requirements Supplementary Planning Document, nursery stock specification in accordance with British Standard 3936: 1992 Nursery Stock Part One and planting distances of trees and shrubs; a specification of planting and staking/guying; a timescale of implementation; and details of aftercare for a minimum of 5 years following practical completion of the landscape works.

Thereafter the landscape scheme shall be implemented in full accordance with the approved details and the Local Planning Authority notified in writing within 7 working days to approve practical completion of any planting within public areas or adoptable highway within the site. Soft landscaping for any individual housing plot must be implemented in full accordance with the approved scheme, prior to occupation of the home, which will be monitored by the Local Planning Authority. Any part of the scheme which fails to achieve independence in the landscape, or is damaged or removed within five years of planting shall be replaced during the next available planting season in full accordance with the approved scheme, unless the local planning authority gives its written approval to any variation.

REASON

In the interests of environmental quality and core strategy policy CS16: Valuing our natural environment.

06 Details of a public art sculpture to be located in the centre of the Public Open Space, shall be submitted to the Local Planning Authority and agreed in writing within 12 months of the first occupation of the development. The public art should reflect the previous use of the site. The approved public art will be erected on the site within 3 months of the delivery of the Public Open Space, unless otherwise agreed in writing by the Local Planning Authority. Thereafter the public art will be retained and maintained throughout the lifetime of the development.

REASON

To ensure a high quality development in line with Core Strategy policy CS14.

07 Prior to the commencement of the development, details of the design, layout, future maintenance and arrangements for the long term retention and timetable for the provision of the public open space within the development shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

REASON

To ensure the adequate provision of public open space across the development.

08 Prior to the commencement of the development hereby approved, full elevational and structural details of the boundary walls which are to be retained shall be

submitted to and approved in writing by the local planning authority. The details shall include the height they are to be retained at, details of how they are to be supported, proposed materials to be used in the restoration and future maintenance and arrangements for their long term retention. The development shall be carried out in accordance with the approved details and maintained as such thereafter.

REASON

To protect the setting of the adjacent Listed Building in accordance with policy CS 15 of the Doncaster Council Core Strategy, and in the interests of visual amenity in accordance with policy CS 14 of the Doncaster Council Core Strategy.

- 09 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 and shall thereafter be kept available for such use.

REASON

To ensure adequate provision for the disposal of surface water and ensure that the use of the land will not give rise to mud hazards at entrance/exit points in the interests of public safety.

- 10 No development shall commence until details of the offsite highway works in respect of the permanent closure of the gap in the central reserve on Bennetthorpe and the permanent closure of the existing vehicular access and reinstatement of the footway on Carr House Road have been submitted to and approved in writing by the local planning authority. The works shall be carried out prior to the first occupation of the development and retained as such thereafter.

REASON

In the interest of highway and pedestrian safety.

- 11 The parking/manoeuvring facilities, (including private drives) indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.

REASON

In the interests of highway safety.

- 12 Before the development is brought into use, the visibility splays as shown on the approved plan (ref 18.013.Rev D) shall be rendered effective by removing or reducing the height of anything existing on the land within the splay which obstructs visibility at any height greater than 900mm above the level of the nearside channel of the public highway.

REASON

In the interests of highway safety.

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

REASON

In the interests of road safety.

- 14 The development shall be carried out in strict accordance with the details shown on the submitted drawing STE/18/09/01 (revision A) dated 22/10/18 prepared by Shaun Tonge Engineering and agreed in writing with the Local Planning Authority.
REASON
In the interest of satisfactory and sustainable drainage.

- 15 Prior to first occupation of any dwelling, a scheme shall be submitted to and approved in writing by the Local Planning Authority, for ensuring the noise standards below can be met and all works which form part of the scheme shall be completed and brought into use before any of the dwellings are occupied.

Location	07:00 to 23:00	23:00 to 07:00
Living room	maximum 35 dB LAeq, 16hour	—
Dining room/area	maximum 40 dB LAeq, 16hour	—
Bedroom	maximum 35 dB LAeq, 16hour	30 dB LAeq, 8hour

and individual noise events not normally exceeding 45 dB max (F time-weighting), windows closed and alternative ventilation provided.

Outdoor garden areas: maximum 55 dB LAeq, 16hour ---

REASON

In the interests of the amenity of the occupiers.

- 16 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.

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

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

b) The Phase 2 site investigation and risk assessment, if appropriate, must be approved by the LPA prior to investigations commencing on site. The Phase 2 investigation shall include relevant soil, soil gas, surface and groundwater sampling and shall be carried out by a suitably qualified and accredited consultant/contractor

in accordance with a quality assured sampling and analysis methodology and current best practice. All the investigative works and sampling on site, together with the results of analysis, and risk assessment to any receptors shall be submitted to the LPA for approval.

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

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

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

REASON

To secure the satisfactory development of the site in terms of human health and the wider environment 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.

- 18 Should any unexpected 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.

- 19 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.

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

- i) - the parking of vehicles of site operatives and visitors
- ii) - loading and unloading of plant and materials
- iii) - storage of plant and materials used in constructing the development
- iv) - the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v) - wheel washing facilities
- vi) - measures to control noise and the emission of dust and dirt during construction
- vii) - a scheme for recycling/disposing of waste resulting from demolition and construction works

REASON

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

01 INFORMATIVE

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

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

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

02 INFORMATIVE

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.

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

Works carried out on the public highway by a developer or anyone else other than the Highway Authority shall be under the provisions of Section 278 of the Highways Act 1980 and adoption of the new access road 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 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.

A commuted sum of £5000 to be used towards the future maintenance costs of each highway drain soakaway, shall be paid to the Council, prior to the issue of the Part 2 Certificate.

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.

It should be noted that an existing telephone box will require moving in order to accommodate the layout and S278 works. All necessary agreements shall be obtained from the respective owners / undertakers prior to the works being undertaken.

03 INFORMATIVE

The developer should also note that the site drainage details submitted have not been approved for the purposes of adoption or diversion. If the developer wishes to have the sewers included in a sewer adoption/diversion agreement with Yorkshire Water (under Sections 104 and 185 of the Water Industry Act 1991), they should contact Yorkshire Water Developer Services Team (tel 0345 120 84 82, email: technical.sewerage@yorkshirewater.co.uk) at the earliest opportunity. Sewers intended for adoption and diversion should be designed and constructed in accordance with the WRc publication 'Sewers for Adoption - a design and construction guide for developers' 6th Edition, as supplemented by Yorkshire Water's

requirements.

04 INFORMATIVE

It is recommended that the development is designed and built to Secured by Design standards. www.securedbydesign.com

05 INFORMATIVE

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

The document can be found at the following web address:

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

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

06 INFORMATIVE

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

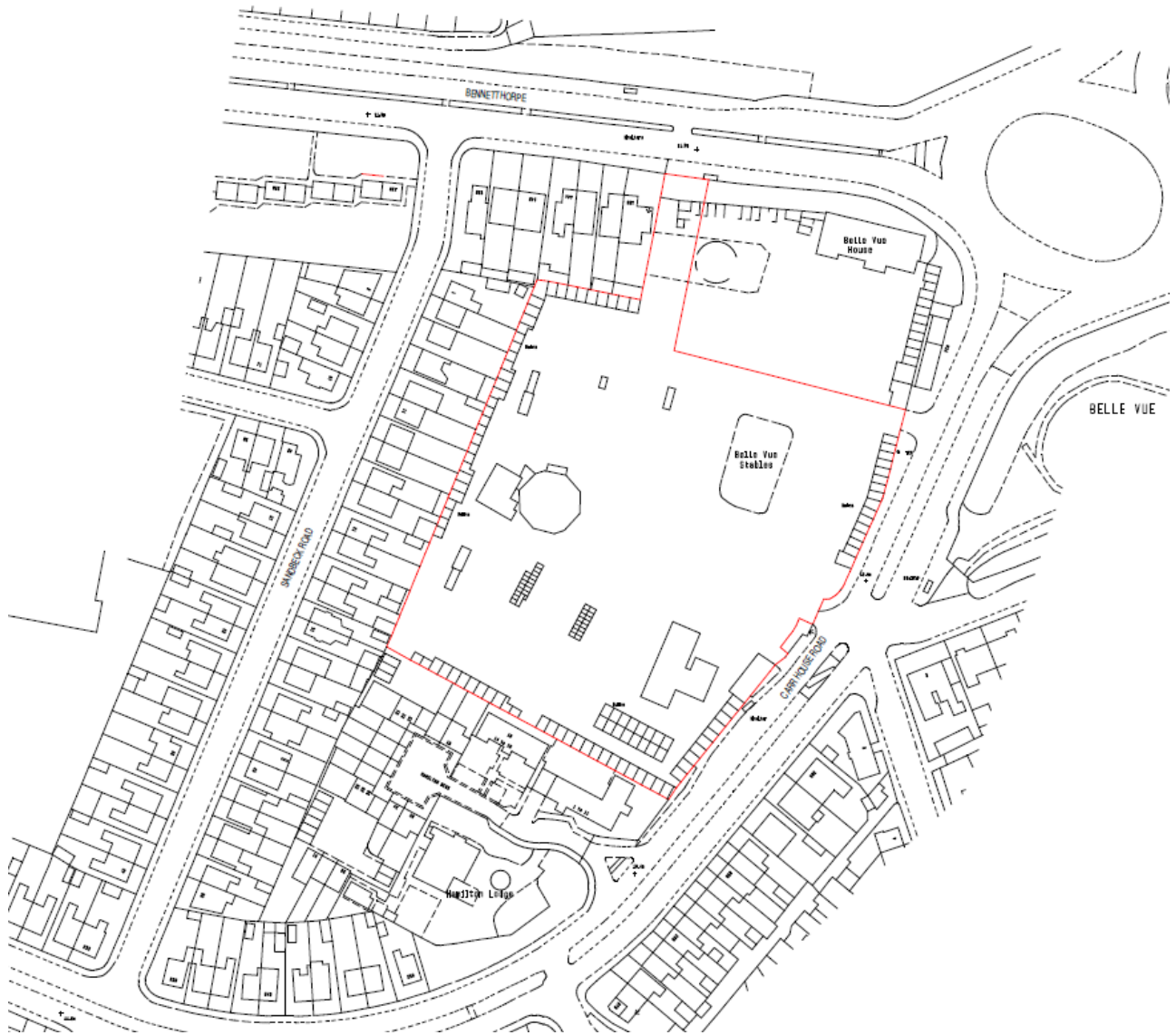
The document can be found at the following web address:

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

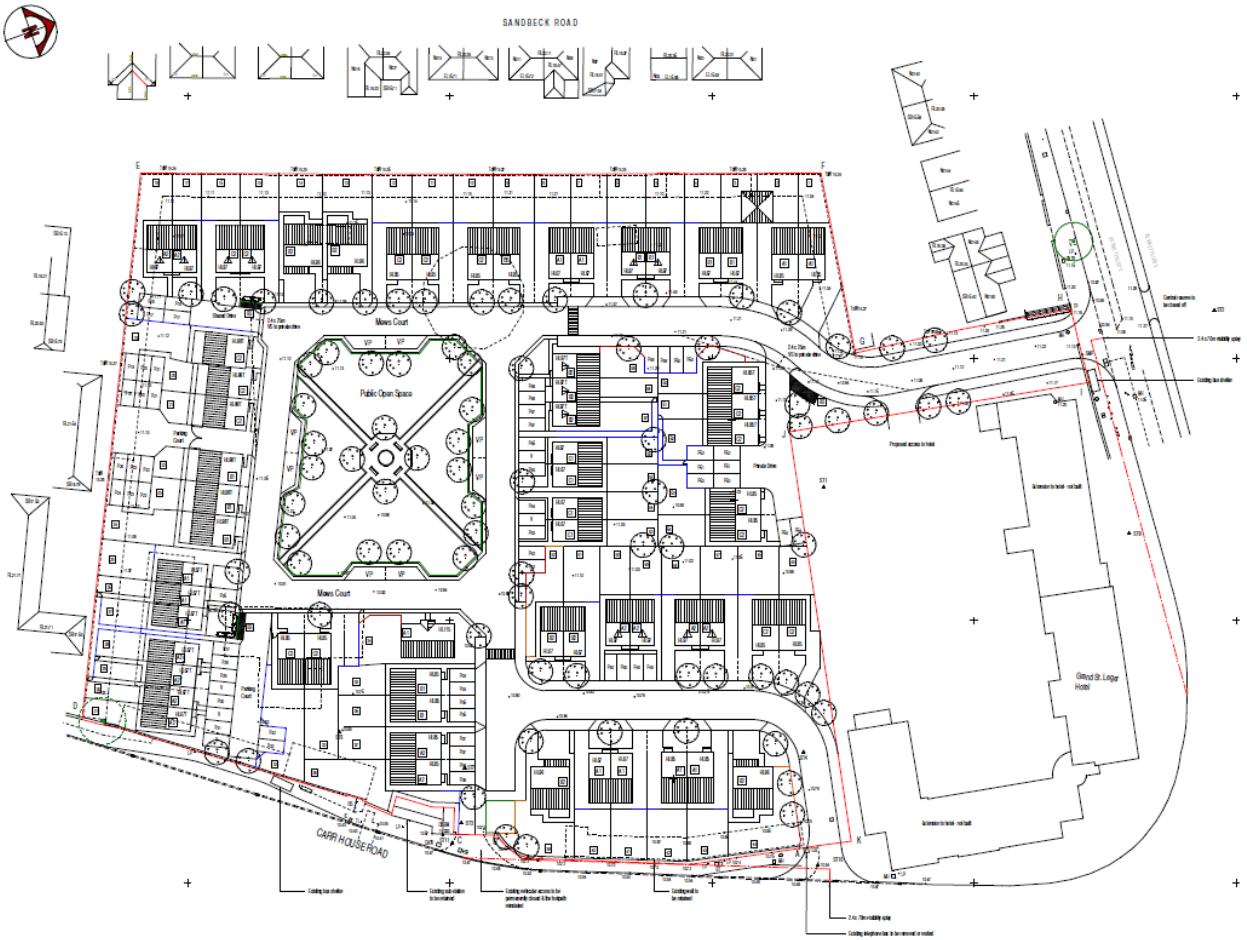
Or alternatively you can request a paper copy from the LPA.

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

Appendix 1: Location Plan



Appendix 2: Proposed Site Plan



Appendix 3: Elevations and Floor Plans

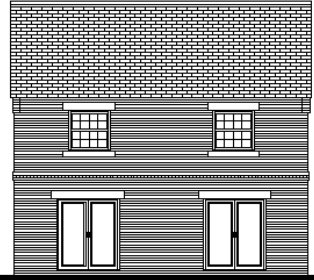
Housetype HL67



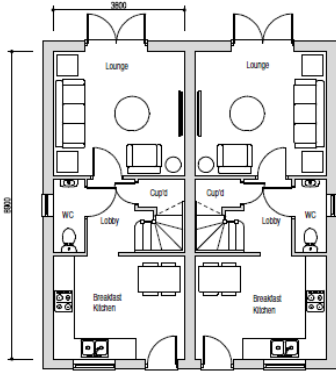
Front Elevation



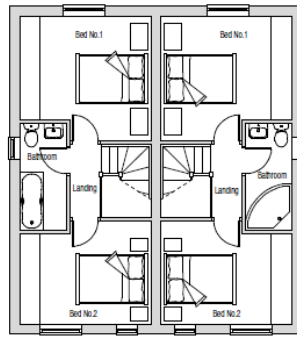
Side Elevation



Rear Elevation



Ground Floor Plan



First Floor Plan

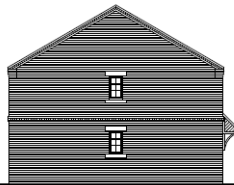
Elevation Treatment A1 - Brickwork with white Georgian style windows

Housetype HL67T

Elevation Treatment A1 - Brickwork with white Georgian style windows



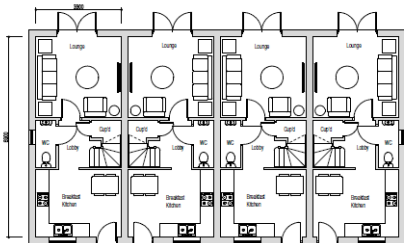
Front Elevation



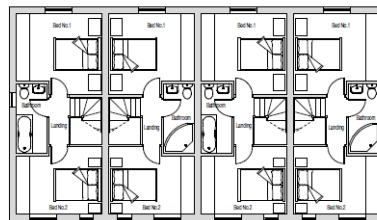
Side Elevation



Rear Elevation



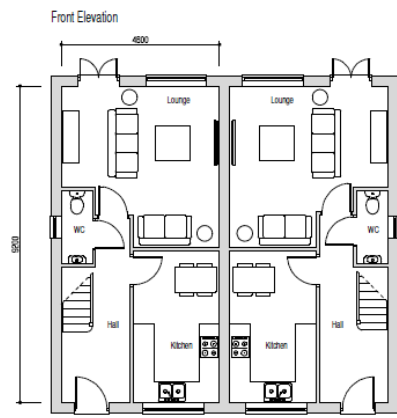
Ground Floor Plan



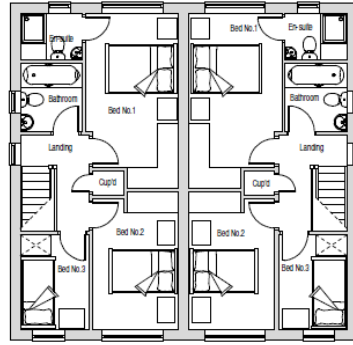
First Floor Plan



Housetype HL85



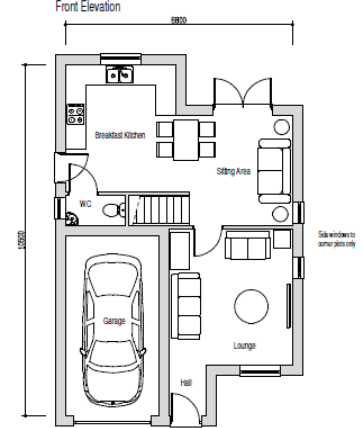
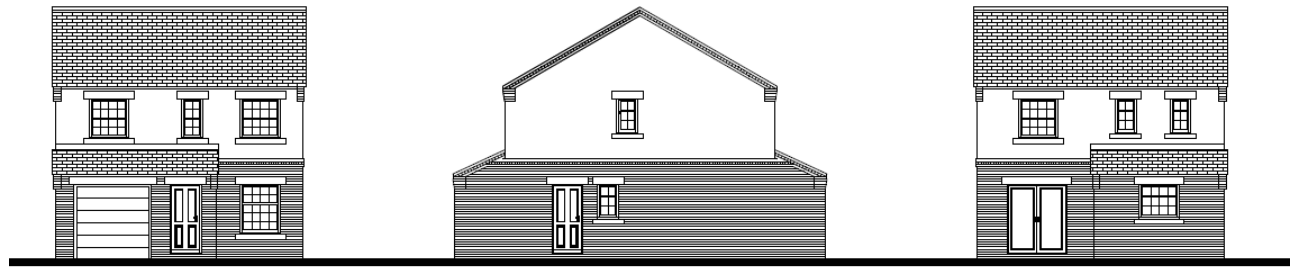
Ground Floor Plan



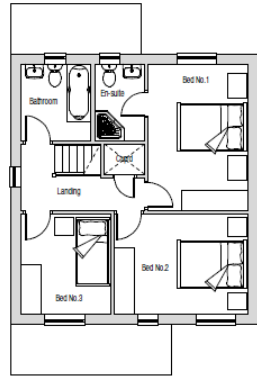
First Floor Plan

Elevation Treatment A1 - Brickwork with white Georgian style windows

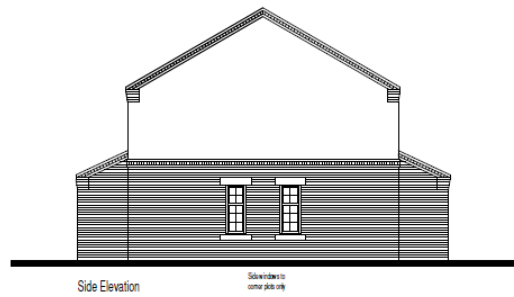
Housetype HL96



Ground Floor Plan



First Floor Plan



Elevation Treatment B1 - Half brickwork & render with white Georgian style windows

Housetype HL97

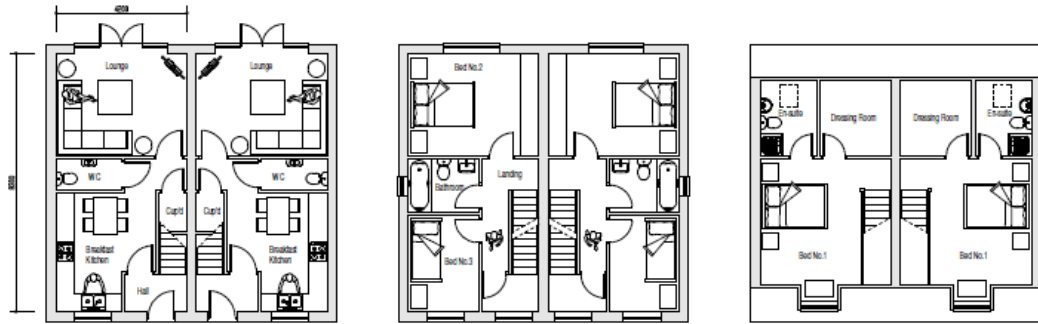
Elevation Treatment A1 - Brickwork with white Georgian style windows



Front Elevation - Half brick & render

Side Elevation

Rear Elevation



Ground Floor Plan

First Floor Plan

Second Floor Plan

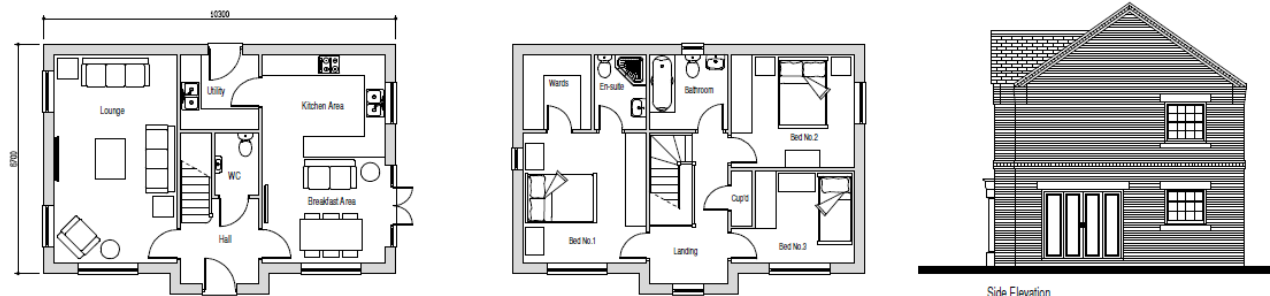
Housetype HL115



Front Elevation

Side Elevation

Rear Elevation



Ground Floor Plan

First Floor Plan

Side Elevation

Application	2.
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Application Number:	19/00578/FUL
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Application Type:	Full Application.
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Proposal Description:	Change of use from single dwelling to five flats.
At:	43 Auckland Road Wheatley Doncaster DN2 4AF

For:	Mrs Alicia Beardsall
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Third Party Reps:	21 letters in opposition.	Parish:	
		Ward:	Town

Author of Report:	Andrea Suddes
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SUMMARY

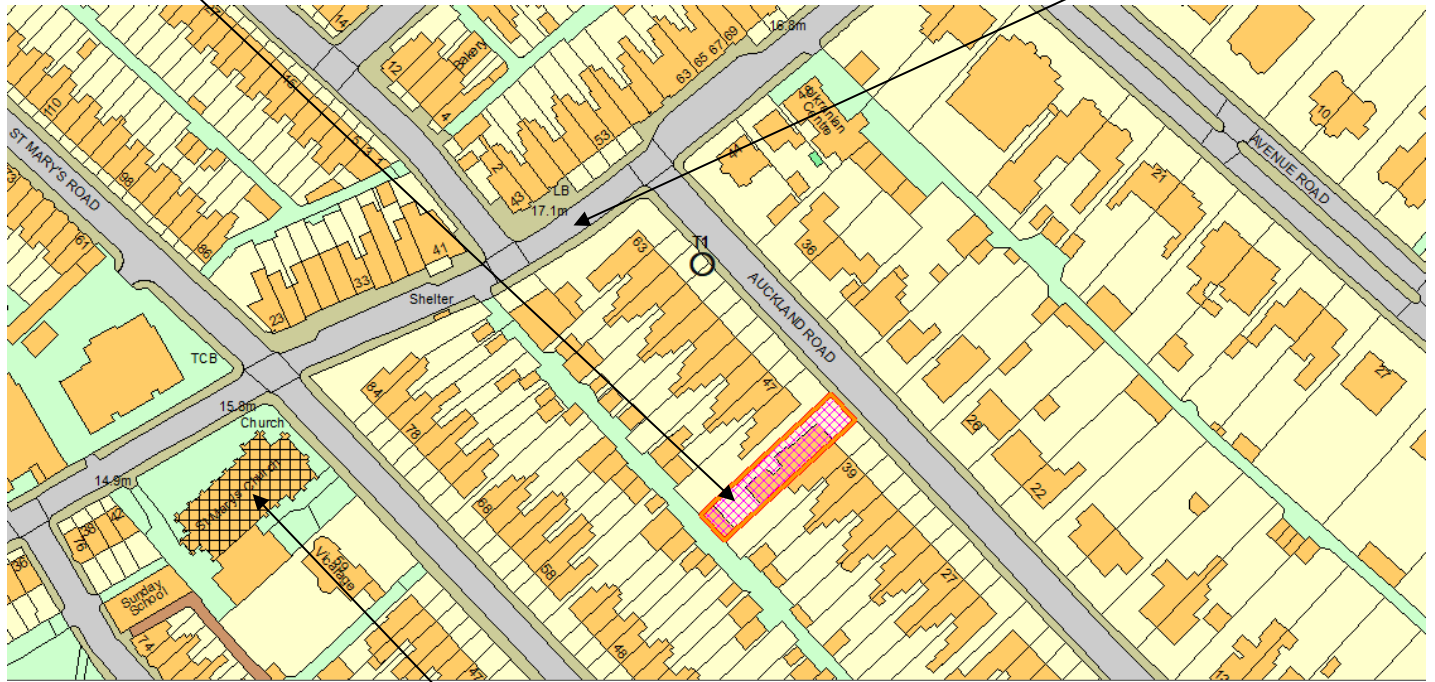
The proposal seeks permission for the change of use of a dwelling to form five self-contained flats. The proposal is considered to be acceptable lying within Doncaster's allocated residential policy area and is considered to be an acceptable and sustainable form of development in line with paragraph 7 and 8 of the National Planning Policy Framework (NPPF, 2019).

The report demonstrates that there are no material planning considerations that would significantly or demonstrably outweigh the social, economic or environmental benefits of the proposal in this location. The development would not cause undue harm to neighbouring properties, heritage assets, the highway network or the wider character of the area.

RECOMMENDATION: GRANT planning permission subject to conditions.

Application site.

Beckett Road



St. Mary's Church

1.0 Reason for Report

- 1.1 This application is being presented to planning committee due to the level of public interest generated in the proposal.

2.0 Proposal

- 2.1 Planning permission is sought for the change of use from single dwelling to five flats.

3.0 Site Description

- 3.1 The application site lies within a uniform street pattern of 3 storey, terraced properties predominantly constructed from red brick. The application property has been rendered white and includes a small bay window to the front. Opposite the site are a number of residential properties of differing styles and designs albeit constructed from the same red brick. To the rear of the property are a number of outbuildings which would be demolished in the event that permission is granted to allow for additional parking.
- 3.2 The site can presently be accessed from Auckland Road via an existing dropped kerb which enables vehicles to be parked on an area of hardsurface in front of the property. There are no road restrictions in terms of double yellow lines along Auckland Road.
- 3.3 The site is located approximately 700m from Doncaster's Town Centre (as the crow flies) and approximately 102m from the nearest bus stop on Beckett Road served by the number 76, 77, 480 and 76A buses operating on a hail and ride system.

4.0 Relevant Planning History

Application Reference	Proposal	Decision
79/1943/P	Change of use of single dwelling to two flats	Application granted.
81/0925/P	Erection of single storey kitchen/lounge extension (6.9m x 9.75m overall) at rear	Application granted.

- 4.1 Whilst not directly related to the site, an appeal decision relating to number 1 Auckland Road has been received (Appeal reference APP/F4410/C/13/2191249 - 13/0002/ENF). The site appeal is located 134m to the south of the current application site.
- 4.2 The appeal sought retrospective permission for the change of use from dwelling (Class C3) to house in multiple occupation (HIMO) for 10 occupants (Sui Generis). The appeal was allowed, the enforcement notice quashed and cost awarded on the basis that the proposal would not adversely affect neighbouring properties through unacceptable noise or disturbance to the living conditions of neighbours or other people living in the street. Also, the provision of four parking spaces within the site

is reasonable and adequate provision for the nature of the use given its generally sustainable location. Further, the use is unlikely to add to the pattern of parking problems as identified in the locality. The provision of four spaces can be undertaken without harming the appearance of the area, and overall, the development still preserves the character and appearance of this part of the conservation area.

5.0 Site Allocation

5.1 The site is allocated as Priority Residential Policy Area as defined by Doncaster's Unitary Development Plan. As a consequence the following policies are applicable.

5.2 National Planning Policy Framework (NPPF 2019)

5.3 The National Planning Policy Framework 2019 (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. Planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions and the relevant sections are outlined below:

5.4 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).

5.5 Paragraph 59 states that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

5.6 Paragraph 124 states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

5.7 Core Strategy 2011 - 2028

5.8 To the extent that development plan policies are material to an application for planning permission the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (see section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004).

5.9 In May of 2012 the LDF Core Strategy was adopted and this replaced many of the policies of the Unitary Development Plan; some UDP policies remain in force (for example those relating to the Countryside Policy Area) and will continue to sit alongside Core Strategy Policies until such time as the Local Plan is adopted. Core Strategy policies relevant to this proposal are:

5.10 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.

5.11 Policy CS15 states that proposals and initiatives will be supported which preserve and, where appropriate, enhance the heritage significance and setting of the borough's heritage assets, especially those elements which contribute to the distinct identity of the borough.

5.12 Saved Unitary Development Plan (UDP) Policies (Adopted 1998)

5.13 Saved Policy PH16 specifically lists areas designated as priority residential policy areas. The sub-text of the policy sets out that the identification of priority residential policy areas relates specifically to areas of Council housing stock which is in a degraded or poor condition. It sets out that the Borough Council is committed to establishing higher environmental and housing standards on a priority basis.

5.14 Local Plan

5.15 The emerging Doncaster Local Plan will replace the UDP and Core Strategy once adopted. The Local Plan was approved at Full Council on the 25th July 2019 and Regulation 19 Publication has recently been completed. The Council is aiming to adopt the Local Plan by the end of 2020. Given the relatively early stage of preparation of the emerging Local Plan, the document carries limited weight at this stage, although the following policies would be appropriate:

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

5.17 Policy 11 deals specifically with developments in residential policy areas.

5.18 Policy 38 deals specifically with proposals directly affecting the setting of or within conservation areas and seeks to safeguard the heritage significance of the conservation area.

5.20 Policy 46 deals specifically with residential design standards ensuring that new housing meets the Nationally Described Space Standard minimum.

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

5.22 Other material planning considerations

- Development Requirements and Guidance Supplementary Planning Document (SPD) (2015) Page 43
- National Planning Policy Guidance

- South Yorkshire Residential Design Guide (SYRDG)
- Section 64 and 72 Planning (Listed Buildings and Conservation Areas) Act 1990

6.0 Representations

6.1 This application has been advertised in accordance with The Town and Country Planning (Development Management Procedure (England)) Order 2015 by way of site notice, advertisement in the Doncaster Star and direct neighbour notification letters.

6.2 Twenty-one letters representation have been received objecting to the application.

6.3 The letters of objection outline the following concerns:

- Change in the character of the area (community impact)
- Impact on the conservation area
- Proposed density too high – reduced living standards
- Lack of parking
- Wheelie bin clutter
- Litter
- Anti-social behaviour & security concerns
- Noise
- Lack of garden maintenance
- Construction disturbance
- Overshadowing/overlooking

7.0 Parish Council

7.1 No parish council exists for Wheatley.

8.0 Relevant Consultations

8.1 **Highways Development Control** – The proposal has provided sufficient parking to meet the required minimum of 1.5 spaces per unit and as such it is not wished to raise any objections to the proposal. The users of the three spaces served from the rear will need access to keys for the alley gate that secures this rear access and the applicant should ensure that they have a right of access and that each apartment has a key upon occupation of the flats. A suitably worded informative has been suggested to advise the applicant accordingly. In addition a condition has been proposed requiring the site to be suitably surfaced and drained.

8.2 **DMBC Conservation Officer** – There are no objections to the proposed change of use or the creation of the parking to the rear. Conditions have been suggested which require discharge including details of the blocking of windows and a landscaping scheme.

8.3 **South Yorkshire Architectural Liaison Officer** – No objections have been received in respect to the proposal. The open source sites, Police.uk and ONS websites together with South Yorkshire Police information systems have been used to obtain details of local crimes and incidents. These details have been used to ascertain the possible type and number of crimes, which may impact on the development and its residents or users. Information from both the open sources are fully audited Government controlled sites and provide the most reliable sources of information in

respect of this area. In light of this, security measures have been suggested by SYALO which include door specifications. A suitably worded informative has been suggested should planning permission be approved. The SYALO has accessed the Police crime reporting system and Incident recording systems and has confirmed that there have been no recorded reports of vehicle crime or anti-social behaviour at the address; the records go back to 2015. In fact there has been only one reported theft from a motor vehicle on Auckland Road where a vehicle parked on the road at the front of a property in 2018.

9.0 Assessment

9.1 The principal issues for consideration under this application are as follows:

- Principle of development;
- The impact on the character of the conservation area;
- The impact on neighbouring properties;
- Whether the proposal would adversely affect highway safety.

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

- Substantial
- Considerable
- Significant
- Moderate
- Modest
- Limited
- Little or no

Principle of Development

9.3 The application site is washed over by residential policy area and as such residential developments are acceptable in principle providing they would not adversely affect the character of the area or detrimentally affect neighbouring properties through for example excessive overshadowing, over dominance or loss of privacy.

9.4 As set out above, the proposal is also designated as a Priority Residential Policy Area within Doncaster's Unitary Development Plan. The thrust of this policy is to improve areas of pre-war unimproved dwellings which have been associated with major repair work. The policy sought to commit to higher environmental and housing standards within these through the improvement of the housing stock.

9.5 In light of the policy designation set out above, the principal of the change of use to form five flats is considered to be acceptable. Whilst concerns have been raised by residents that the proposal would change the character of the area, it is considered that the use of the building for residential purposes would maintain the residential character of the area.

9.6 It is noted that the site lies within the HMO designation area, however permission is not being sought for a HMO but instead for five self-contained flats.

9.7 Sustainability

- 9.8 The National Planning Policy Framework (NPPF, 2019) sets out at paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
- 9.9 There are three strands to sustainability, social, environmental and economic. Paragraph 10 of the NPPF states that in order that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.

SOCIAL SUSTAINABILITY

9.10 Space standards

- 9.11 A number of concerns have been raised by residents in respect of density and space standards and this has been carefully considered by the Local Planning Authority.
- 9.12 South Yorkshire Residential Design Guide (SYRDG) sets out shared private space for flats must be a minimum of 50 square metres. The proposal has provided a garden area to the rear of the property which equates to 60sqm and therefore exceeds the minimum standards.
- 9.13 At paragraph A.2.1 of the SYRDG, the internal space standards for flats is set out and a copy of the table is outlined below:

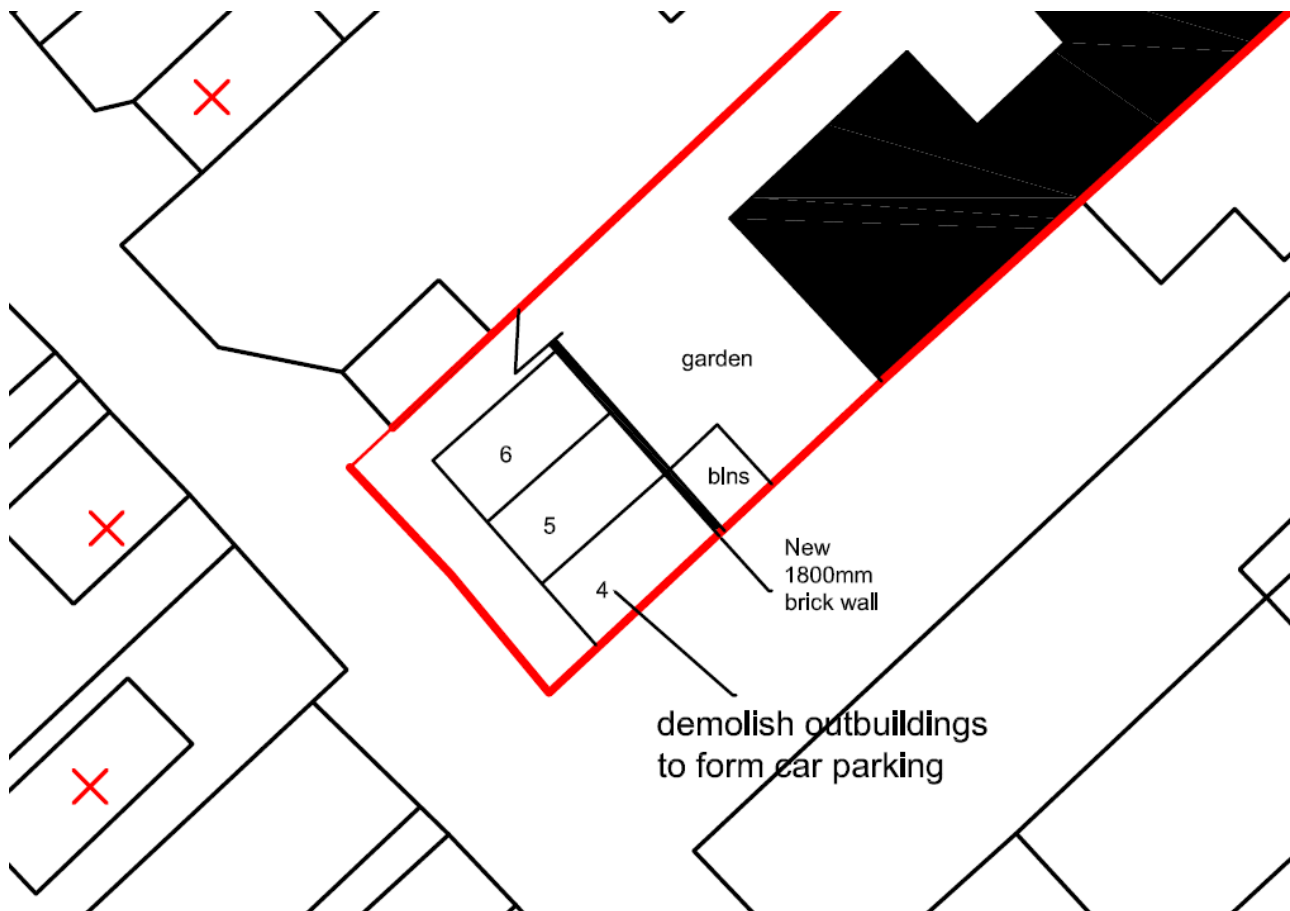
Dwelling Size	Studio 1 Person	1 Bed 1 Person	1 Bed 2 Person	2 Bed 3 Person	3 Bed 4 Person	4 Bed 5 Person or more
Double Bedroom		12	12	12	12	12
Single Bedroom			7	7	7	7
Living Room (L)		13	13	13	15	15
Living/ Dining (DL)		16	16	17	18	19
Dining room (D)						
Kitchen (K)		13	9	11	13	13
Kitchen/ Dining (KD)		9	13	13	11	12
Open Plan/ combined (KDL)		24	24	27	30	
Bathroom/ WC combined	3.5	3.5	3.5	3.5	3.5	3.5
Storage	1.5	2.5	3.5	3.75	4.5	5.5
Overall floor area	33	46	47	62	77	93

K=cooking, D=eating, L=living

- 9.14 The proposal seeks permission for five flats, containing four, one bedroom flats varying in size from 39.5sqm - 58sqm but each exceeding the minimum requirements set out in the SYRDG for a studio apartment. The proposal also includes a two bedroom flat at first floor level and this equates to 79sqm which far exceeds the minimum standards.
- 9.15 In addition consideration has been given to the governments published Technical housing standards – nationally described space standard document 2015 which sets out in Table 1 that one bedroom, single storey dwellings should provide between 39sqm and 50sqm depending on whether the scheme is for 1 or 2 people. The proposal also meets these minimum space standards.
- 9.16 In conclusion, the proposal would exceed the minimum space standards set out regionally and nationally and this weighs positively in favour of the application carrying significant weight.
- 9.17 As set out in the site and surrounding section above, the proposal lies approximately 700m from Doncaster Town Centre. The site itself lies approximately 102m from the nearest bus stop on Beckett Road served by the number 76, 77, 480 and 76A buses operating on a hail and ride system. Taking these two factors into account, it is considered that the site lies within a sustainable location close to the town centre and sustainable methods of transport. This weighs in favour of the application carrying significant weight.

9.18 Impact on Residential Amenity

- 9.19 A number of concerns have been raised by surrounding residents in respect of overshadowing, overlooking, wheelie bin clutter, litter, anti-social behaviour, security concerns and noise. Taking each of these consecutively, the below will seek to address the concerns raised by residents.
- 9.20 The proposal includes minor alterations to the external appearance of the property including the swapping of windows for doors at ground floor level as well as blocking up of windows on the side elevation of the building. It is considered that the existing wall between 45 Auckland Road and the development site provides adequate screening to avoid increased overlooking or loss of privacy. At first floor level two windows on the side elevation would be blocked up and the new window created would not lead to issues of loss of privacy. The dressing room at first floor would be changed to a bathroom and a condition is suggested that the window serving it be obscurely glazed. Taking all matters into consideration, the proposal would not give rise to excessive levels of overlooking or loss of privacy.
- 9.21 The proposal includes within it a bin store located at the rear of the property and this would prevent numerous bins from being located at the front of the property to the detriment of the character of the area.



- 9.22 Concerns have been raised that the proposal would increase the possibility of litter being generated, however there is no evidence that this would occur. As set out above, bin stores would ensure that waste is dealt with in an appropriate manner.
- 9.23 During the course of the application the South Yorkshire Architectural Liaison Officer has been consulted. His role is, on behalf of SY Police, to provide guidance on safeguarding future occupants and has during the course of this application made recommendations in relation to the security of the doors. He has also accessed the Police crime reporting system and Incident recording systems and has confirmed that there have been no recorded reports of vehicle crime or anti-social behaviour at the address; the records go back to 2015. In fact there has been only one reported theft from a motor vehicle on Auckland Road where a vehicle parked on the road at the front of a property in 2018. Whilst the proposal would change the type of accommodation on site there is no evidence to suggest that this would result in an increase in anti-social behaviour.
- 9.24 Concerns have been raised that the future use of the site would mean that maintenance of the garden area would be neglected. The government's website offers advice in respect of renting properties to both landlords and tenants and advises that the *How to rent: the checklist for renting in England* be completed by both parties. It includes within it a section detailing that the landlord must maintain the structure and exterior of the property.
- 9.25 Neighbouring properties have raised concerns that the proposed change of use would result in unacceptable noise being generated by the proposal, however regard should be given to the inspector's decision at 1 Auckland Avenue (referred to in the history section) where the Inspector did not consider that the use would result in an unusual pattern or scale of noise, including from activity in the garden, which would cause disturbance to the neighbours. In this case the scale of the proposal is less than that of the appeal case and consequently is not considered to result in significant harm to neighbours and would therefore not conflict with Policy CS14(a) or saved Policy PH11 of Doncaster's UDP.
- 9.26 Taking these matters into account, it is considered that the proposal would not detrimentally affect neighbouring properties through excessive overlooking, loss of privacy, noise or disturbance and this weighs positively in favour of the application carrying moderate weight.
- 9.27 Concerns were also raised in relation to construction disturbance. Whilst there may be some noise and disturbance whilst works take place to implement the permission, they are considered to be limited to a short period of implementation and therefore carries limited weight against the proposal.

9.28 Conclusion on Social Impacts.

- 9.29 Paragraph 8 of the NPPF (2019) indicates, amongst other things, that the planning system needs to support strong, vibrant and healthy communities, by ensuring well-designed and safe built environments, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being.
- 9.30 In conclusion the site lies within a sustainable location with access to sustainable methods of transport carrying significant weight. It is considered that the proposal would not adversely affect neighbouring residential properties through excessive

overlooking or loss of privacy and this weighs in favour of the application carrying moderate weight.

- 9.31 The short term noise and disturbance associated with implementing the planning permission is considered to carry limited weight against the proposal.

ENVIRONMENTAL SUSTAINABILITY

9.32 Impact upon the character of the conservation area

- 9.33 A number of objections have been raised in respect to the impact of the proposal on the character of the area. During the course of the application Doncaster's Conservation Officer has been consulted and commented that the proposed development is located in the heart of the Doncaster – Thorne Road Conservation Area. The special interest of this part of the conservation area derives from the close character of the late Victorian terraces and their small front gardens as well as occasional detached properties. Views across rear gardens are also important and due to the street layout views of rears are also afforded. No. 43 is at one end of a symmetrical terrace of 11 which is in red brick and of two storeys with a further attic storey. No. 43 has been painted white at some time, however the middle and end properties are gabled fronted with intermediate properties having dormers. At No. 43 the original windows have been replaced in uPVC and the property is roofed in thick concrete roman tiles rather than the original Welsh slates. It is also set behind tarmac with the front boundary treatment has been removed. The painting of brickwork, the uPVC windows, the concrete roof tiles and the car parking to front with removed front boundary are all considered detrimental features and whose rectification would be welcomed. As there is a space between Nos 43 and 45, views to the rear are afforded.

- 9.34 It was further commented that whilst there is no objection in principle to the change of use; the blocking of windows should be done with a slight recess so that the original openings are still visible. A suitably worded condition has been suggested requiring details of the recessed windows to be submitted and approved in writing.

- 9.35 With respect to the proposed car parking at the rear it has been commented that the outbuildings are not that apparent and their demolition is not considered controversial. The rear lane is opened up but this would be considered acceptable if this was accompanied by the re-instatement of some of the front boundary wall with soft landscaping. Again a suitably worded condition has been suggested requiring a landscaping scheme to be submitted as well as the re-instatement of the boundary wall to the front. This condition will need to be discharged in combination with Doncaster's Highways Development Control Team and Conservation Officer.

- 9.36 In conclusion, subject to suitably worded conditions the proposal would not detrimentally affect the character of the conservation area and this weighs positively in favour of the application carrying significant weight.

9.37 Impact upon Highway Safety.

- 9.38 Concerns have been raised by residents that the proposal does not provide sufficient parking. During the course of the application Doncaster's Highways Development Control team were consulted and raised no objection to the application specifically noting that the proposal afforded sufficient parking spaces.

9.39 Importantly the NPPF makes clear at Paragraph 109 that:

“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

9.40 The Council considered the proposal on a ‘worst case scenario’ with all of the tenants having cars, which would result in pressure for on-street parking in an area already congested. However there is no local or national policy to look at a ‘worst case scenario’. The site lies within a sustainable location close to the town centre, and it is reasonable to suggest a reasonable proportion of tenants would not need access and on this basis the provision of six parking spaces within the site is considered adequate for the use. Even if from time to time a greater proportion of tenants at the property have cars, there need not be a significant increase in highway problems. On this basis the use generally accords with the provisions of policy CS14A of the Core Strategy and based upon the highways assessment of the site, it is considered that the proposal would neither result in an unacceptable impact on the highway network nor cumulatively impact the road network and as such the bar referred to at paragraph 109 has not been met. This weighs positively in favour of the application carrying moderate weight.

9.41 Conclusion on Environmental Issues

9.42 Paragraph 8 of the NPPF (2019) indicates, amongst other things, that the planning system needs to contribute to protecting and enhancing the natural built and historic environment, including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

9.43 Taken in the round, the proposal’s design would not adversely affect the character of the conservation area or detrimentally affect highway safety or the surrounding network. This weighs moderately in favour of the application.

ECONOMIC SUSTAINABILITY

9.44 It is anticipated that there would be some short term economic benefit to the development of the site through employment of construction workers and tradesmen connected with the build of the project however this is restricted to a short period of time and therefore carries limited weight in favour of the application.

9.45 Conclusion on Economy Issues

9.46 Paragraph 8 a) of the NPPF (2019) sets out that in order to be economically sustainable developments should help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.

9.47 The proposal would result in some short term economic benefit in the creation of jobs during the construction phase of the development and as such carries limited weight in favour of the application.

10.0 PLANNING BALANCE & CONCLUSION

- 10.1 In accordance with Paragraph 11 of the NPPF (2019) the proposal is considered in the context of the presumption in favour of sustainable development. Officers have identified no adverse economic, environmental or social harm that would significantly or demonstrably outweigh the benefits identified when considered against the policies in the Framework taken as a whole. The proposal is compliant with the development plan and there are no material considerations which indicate the application should be refused.

11.0 RECOMMENDATION

11.1 GRANT PLANNING PERMISSION subject to conditions:

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

REASON

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

02. 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:

Proposed floor plan received 08.03.2019

Existing floor Plan received 08.03.2019

Location and site plan received 08.03.2019

REASON

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

03. Prior to the commencement of development details of the blocking up of windows as shown on the approved plans shall be submitted to and approved in writing by the Local Planning Authority. The windows shall then be recessed and completed in accordance with the approved details prior to the occupation of the flats that are affected.

REASON

In order to safeguard the character of the conservation area in line with Policy CS15.

04. Prior to the first occupation of the flats a landscaping scheme and reinstatement of front boundary wall shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme and the front garden wall shall be retained for lifetime of development. The approved details shall be implemented within the first planting season following substantial completion of the development.

REASON

In order to safeguard the character of the conservation area in line with Policy CS15 of Doncaster's Core Strategy.

05. 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. The parking shall thereafter be kept available for such use.

REASON

To ensure adequate provision for the disposal of surface water and ensure that the use of the land will not give rise to mud hazards at entrance/exit points in the interests of public safety.

06. Before the first occupation of the building/extension hereby permitted, the window serving the bathroom within flat 4 as shown on the approved plans shall be permanently obscure to a level of obscurity to Pilkington level 3 or above or its technical equivalent by other manufactures and shall be permanently retained in that condition thereafter, unless otherwise approved in writing by the local planning authority.

REASON

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

INFORMATIVES

01. INFORMATIVE

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

02. INFORMATIVE

The users of the three spaces served from the rear will need access to keys for the alley gate that secures this rear access and the applicant should ensure that they have a right of access and that each apartment has a key upon occupation of the flats.

03. INFORMATIVE

All doorsets allowing direct access into each flat should comply with PAS 24 (2016) This is to maintain the security the of each dwelling within the building. If any lightweight framed walls are to be used to provide a partition between two flats or a flat and a communal space. It should comply with one of the following standards.

LPS 1175 issue 7.2;2014 SR1 or

LPS 1175 issue 8:2018 SR 1/A1

This is to reduce the chances of attack via an internal wall of this type.

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

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

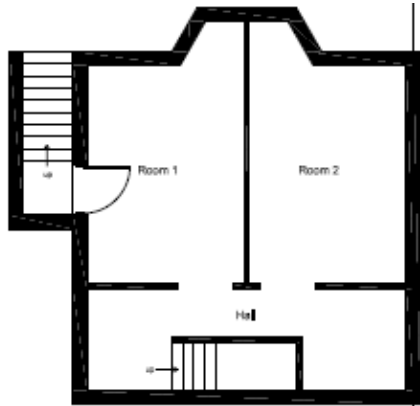
Amendments to the design and additional information in relation to highways, trees, noise and ecology.

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

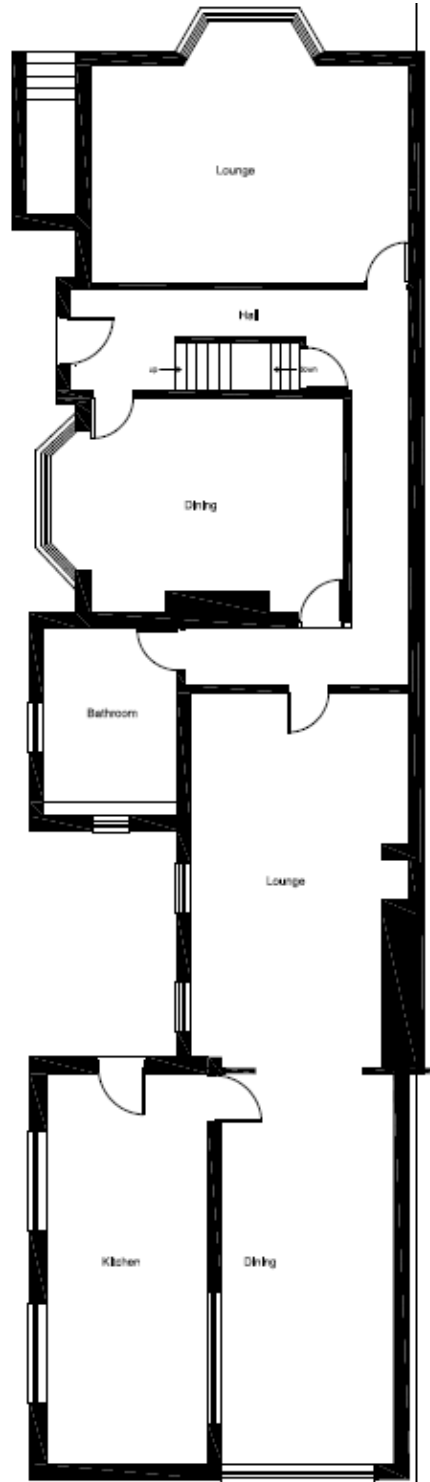
Appendix 1 – Site Plan



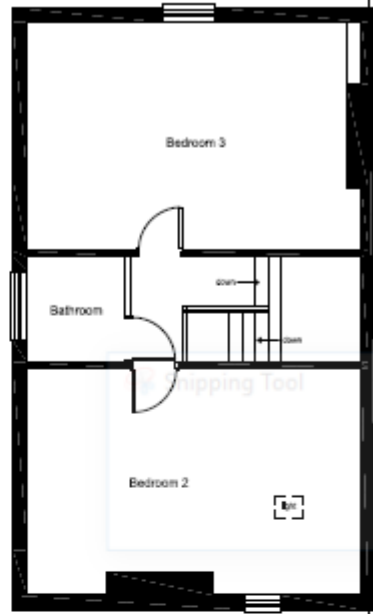
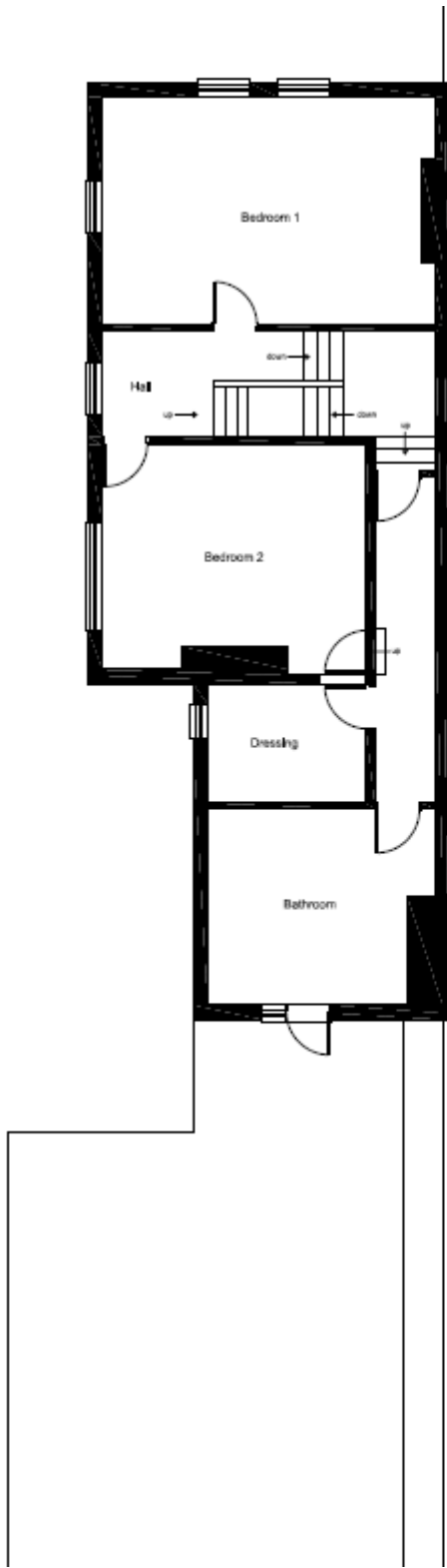
Appendix 2 – Existing Floor Plan



Existing Basement Floor Plan 1:100

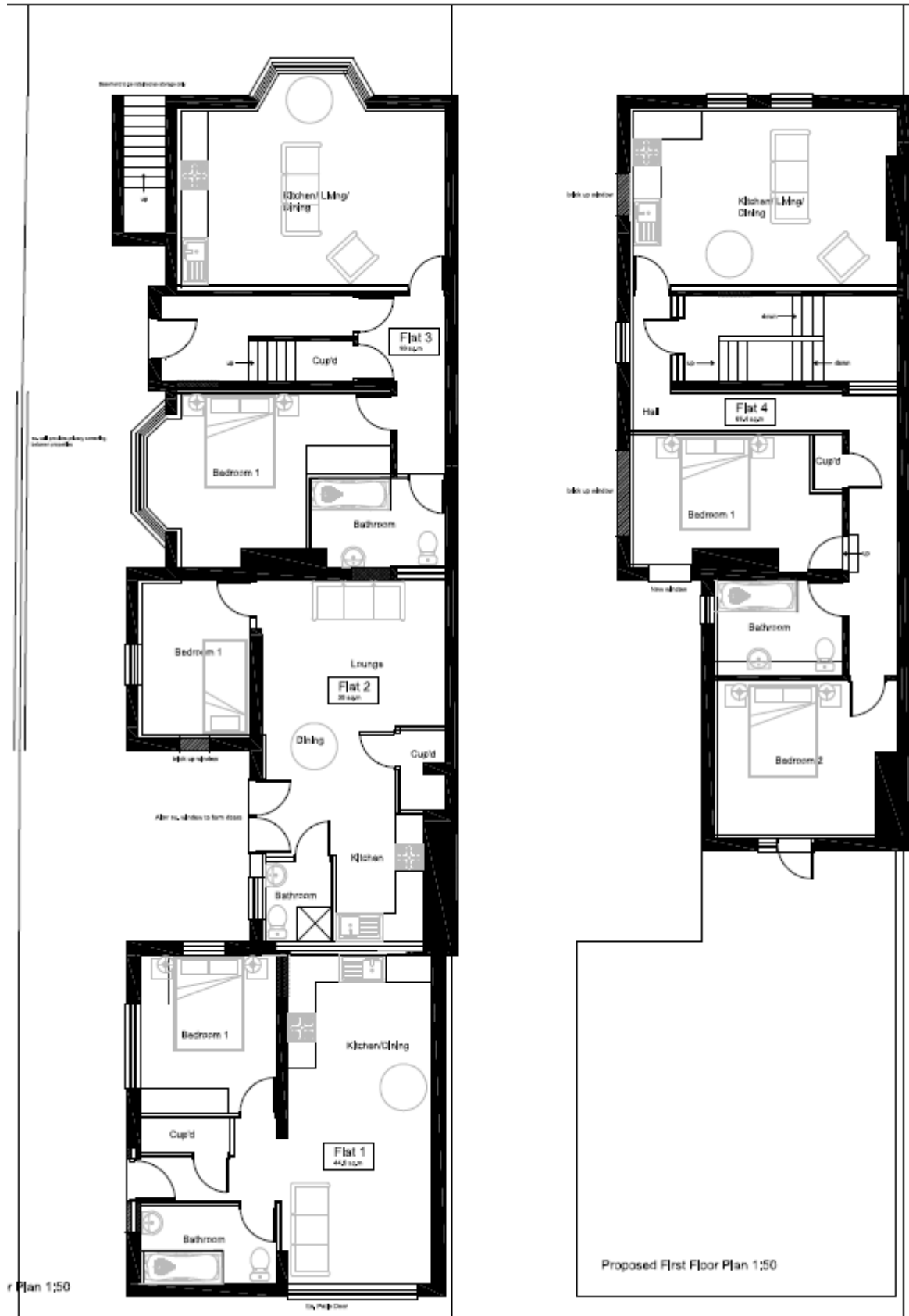


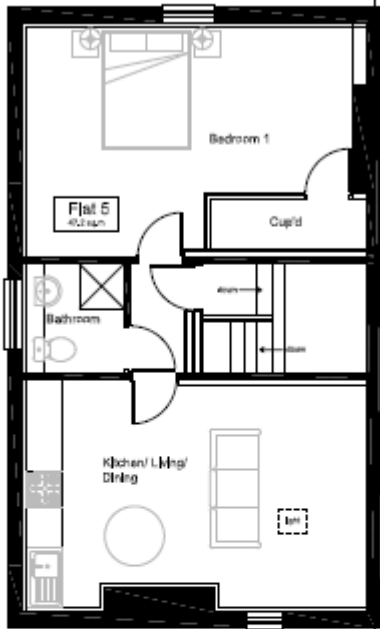
Existing Ground Floor Plan 1:100



Existing Second Floor Plan 1:100

Appendix 3 – Proposed Floor Plans





Proposed Second Floor Plan 1:50

Application	3.
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Application Number:	19/01160/FUL
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Application Type:	Full Planning Permission
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Proposal Description:	Conversion and extension of existing former church building to form residential dwelling with associated garage and new vehicular access and erection of 2 dwellings with dedicated parking together with alterations to existing access
At:	International City Church High Road Warmsworth Doncaster DN4 9LZ

For:	Mr Mick Taylor - Taylor Made Homes Yorkshire Ltd
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Third Party Reps:	9	Parish:	Warmsworth Parish Council
		Ward:	Edlington and Warmsworth

Author of Report:	Dave Richards
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SUMMARY

The proposal for the conversion of a church building to a dwelling and the erection of two dwellings within the curtilage. The application has been amended from the original submission, which attracted local objections.

The report demonstrates that there are no material planning considerations that would significantly or demonstrably outweigh the social, economic or environmental benefits of providing new dwellings in this highly sustainable location. The development is in accordance with the development plan and should be approved without further delay.

RECOMMENDATION: GRANT planning permission subject to conditions.

Application site

Junction 36, A1



Holiday Inn,
Warmworth

Warmworth
Conservation Area
(partial)

1.0 Reason for Report

- 1.1 This application is being presented to Members due to the public interest shown in the application.
- 1.2 Nine objections were received on the submitted proposals. The application was amended and re-advertised. No comments were received on the amended proposals.

2.0 Proposal

- 2.1 The application proposes the conversion and extension of a church to form a dwelling, together with a pair of semi-dwellings within the curtilage. Other alterations to create the access, hard and soft landscaping are also proposed.
- 2.2 The alterations to the church include a full height two storey extension and a large porch. A detached double garage is proposed within the new garden. An access would be formed on to Oxton Drive.
- 2.3 The pair of semi-detached dwellings would measure approximately 13.8m x 12.1m with a hipped roof measuring a maximum of 8.7m to ridge. Each property would have its own access on to High Road and turning area. Boundary landscaping and 2 street scene trees are proposed to be planted in the front gardens.

3.0 Site Description

- 3.1 The application site currently contains a modest church constructed in around 1930s set back in the plot. The Warmsworth Conservation Area lies directly opposite on the other side of High Road. The character of the conservation area derives from the traditional small scale random rubble limestone agricultural and residential buildings, and the narrow lanes linking High Road and Low Road bounded with high random coursed rubble limestone walls. These traditional buildings tend to date from the 17th and 18th Centuries. The chapel and the surrounding residential area belongs to a later C20th phase of development and does not relate to the conservation area or contribute to its character other than the extensive limestone front boundary walls.

4.0 Relevant Planning History

- 4.1 The application site has been recently sold at auction and a number of pre-application enquiries were received. Otherwise, there is no recent planning history which is relevant to the application.

5.0 Site Allocation

- 5.1 The site is designated as Residential Policy Area, as defined by the Proposals Maps of the Doncaster Unitary Development Plan (adopted in 1998). As noted above, the site lies adjacent to the Warmsworth Conservation Area.

5.2 National Planning Policy Framework (NPPF) (2019)

- 5.3 The National Planning Policy Framework 2019 (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. Planning

permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions and the relevant sections are outlined below:

- 5.4 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.

5.5 Doncaster Core Strategy 2011 – 2028 (adopted 2012)

- 5.6 The Core Strategy replaced many of the policies of the Unitary Development Plan; some UDP policies remain in force and will continue to sit alongside Core Strategy Policies until such time as the Local Plan is adopted. The Core Strategy policies relevant to this proposal are:

- 5.7 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. Policy CS14 also recognises that a component of good design is to ensure that new development does not have a negative effect on residential amenity.

- 5.8 Policy CS15 states that proposals will be supported which protect or enhance the heritage significance and setting of locally identified heritage assets, including conservation areas and buildings of local architectural or historic interest.

- 5.9 Policy CS16 seeks to ensure that proposals protect and enhance the borough's landscape and trees. Proposals should ensure that they are designed to a high quality, include appropriate hard and soft landscaping, and retain and protect appropriate trees and hedgerows.

- 5.10 Policy CS18 seeks to conserve, protect and enhance Doncaster's air, water and land resources. Paragraph B recognises deliverable urban brown field sites. However, where any risks to ground conditions arising from contamination or previous land uses are identified, proposals will need to incorporate measures to prevent, control and reduce air and water pollution, mitigate any ground instability and enhance the quality of these resources.

5.11 Saved Policies Unitary Development Plan (UDP) (Adopted 1998)

- 5.12 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.

- 5.13 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 puts a statutory duty on local planning authorities to pay special attention to preserving or enhancing the character or appearance of Conservation Areas. That duty is reflected in Policies PH11 and ENV25, as well as Policy CS15.

5.14 Local Plan

5.15 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 and Regulation 19 Publication commenced on Monday 12th August for 7 weeks and closed on Monday the 30th September. The Council are now summarising and considering the representations that have been received. Given the relatively early stage of preparation of the emerging Local Plan, the document carries limited weight at this stage although the following policies would be appropriate:

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

5.17 Policies 2 & 3 set out the Borough's focus for new housing in sustainable locations.

5.18 Policy 11 deals with the development within the residential policy area and seeks to protect residential amenity and enhance local character.

5.19 Policy 34 seeks to ensure appropriate landscaping in new developments.

5.20 Policy 35 seeks to conserve the historic environment

5.21 Policy 42 seeks to ensure character and local distinctiveness in new developments.

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

5.23 Policy 45 seeks to ensure high standards of residential design.

5.24 Policy 46 sets out housing design standards.

5.25 Policy 49 seeks a high standard of landscaping in new developments.

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

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

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

5.29 Neighbourhood Plan

5.30 There is no neighbourhood plan for this area.

5.31 Other material planning considerations

- Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act (1990)
- Development Requirements and Guidance Supplementary Planning Document (SPD) (adopted 2015)
- South Yorkshire Residential Design Guide (SYRDG) (adopted 2015)
- National Planning Policy Guidance

6.0 Representations

6.1 This application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015 by means of site notice and neighbour notification.

6.2 Seven objections have been received highlighting the following concerns;

- Concerns with the access on to Oxton Drive and High Road
- Pedestrian safety
- Increased traffic
- Noise and disturbance
- Impact on the character of the area
- 3 storey town houses are not in keeping
- Impact of construction traffic
- Loss of daylighting
- Loss of privacy
- Overbearing relationship

6.3 Two residents had no objection and would support the application provided only the church conversion is accessed from Oxton Drive and construction traffic is directed to the access served from High Road.

6.4 The application was amended to its presented form and neighbouring properties were consulted again for their views. No further comments were received.

7.0 Relevant Consultations

7.1 **Parish Council** - No comments have been received.

7.2 **Highways Development Control** – No comments received.

7.3 **Trees and Hedgerows Officer** – Initial objection as a result of the higher density development which resulted in inadequate landscape and tree planting provision. Following amended plans, some clarification is required but ultimately these amendments can be made via condition. No objection.

7.4 **Ecology Officer** - No objections, subject to condition.

7.5 **Drainage Officer** - No objections, subject to condition.

7.6 **Pollution Control Officer (land contamination)** – No objections, subject to condition.

7.7 **Pollution Control Officer (land contamination)** – No objections. Air quality screening will be required. The assessment should be carried out (as a minimum) in line with the West Yorkshire Technical Planning Guidance. Mitigation in the form of building design shall be incorporated to reduce the impacts on future residents.

7.8 **Conservation Officer** – No objections on conservation grounds

7.9 **Severn Trent Water** – No comments received.

7.10 **National Grid** - No comments received.

8.0 Assessment

8.1 The main planning issues relevant to this proposal are whether the development would have a negative impact upon the character of the area, residential amenity, highway safety, or if there are any air quality risks.

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

- Substantial
- Considerable
- Significant
- Moderate
- Modest
- Limited
- Little or no

Principle of Development

8.3 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. Subject to site specific issues identified below, the application is acceptable in principle.

Sustainability

8.4 The underlying objective of national planning policy is to significantly boost the supply of housing and indicates that sustainable development should be approved without delay. The NPPF is a material consideration in the determination of planning applications and, given the proximity of the site to existing housing within the main urban area, the development is considered to be consistent in environmental, economic and social terms by directing new housing towards the main urban area on a redundant brownfield site. The development therefore is highly sustainable and this attracts substantial weight in the overall planning balance.

Design and impact on character of area

8.5 Infill dwellings in planned street layouts often have the potential to look out of character or cramped in the context of their surroundings. There is a sense of space in the street scene as semi-detached pairs of properties on the north side of High Road are fairly modest and are generally separated from High Road by substantial gardens.

8.6 The Case Officer shared concerns with a number of objections which were received when the application was originally submitted, noting the provision of 3 x three storey townhouses on the front portion of the site as being over intensive development. The townhouses would fail to relate to the character of the area and led to a cramped form of development which did not allow suitable areas for garden areas and replacement planting.

8.7 Amendments have been made to the application which have removed the townhouses and a pair of semi-detached properties are now proposed. A

compromise has been agreed with the applicant's requirement for additional floorspace with the appearance of dwellings as being 'extended' with a two storey projection to the rear, as seen in existing pre and post-war housing near the site. Although the pair of dwellings would sit forward and appear somewhat awkwardly as a larger pair of semi-detached properties than their adjacent neighbour, the design, massing and form of the proposed dwellings achieves an acceptable density of housing for the site whilst generally respecting the constraints of the plot.

- 8.8 The application would retain and extend the church building which has some value as an unlisted heritage asset. The overall design and character of the building is considered to be maintained as a result of the extensions and alterations.
- 8.9 The amended site layout retains a decent amount of space between the buildings and the highway and it allows the provision of individual access driveways and suitable replacement landscaping to be possible. Further details concerning external materials, boundary treatments and replacement landscaping are reserved by planning condition.

Protecting residential amenity

- 8.10 The neighbours most likely to be affected are properties which back on to the site on Coldstream Avenue, Oxton Drive and the adjacent neighbour at No. 81 High Road. There are local concerns relating to highway safety, noise, impact from construction traffic, loss of privacy, loss of light and development producing an overbearing relationship.

The existing church building

- 8.11 In terms of the alterations to the existing church building, a full height extension measuring 5.9m x 3.9m is proposed together with a porch extension to create the principle elevation to the new dwelling. This development would be separated from neighbouring dwellings by at least 11m in accordance with good practice guidance which recommends this distance as providing an acceptable relationship between existing and new dwellings. The exception is the garden room extension to No. 24 Coldstream Avenue which would be some 8m from the gable end of the church. The addition to the church building would result in some additional built development from this neighbour's perspective, however it would not significantly impinge the remaining outlook from this property.
- 8.12 The position of windows proposed for the church building are not considered to result in a loss of privacy for existing and proposed occupants. Principle views would be directed from the north facing elevation which faces the secondary side facing elevation of No. 15 Oxton Drive at an acceptable separation distance of at least 11m. Although there would be some visibility of neighbouring gardens, it would not involve the direct overlooking of habitable windows and gardens nearby are communally overlooked by other two storey properties.
- 8.13 The proposed double garage would measure 5.5 x 5.5m with a height to ridge of 4.2m. The building is likely to have some residual impact on the levels of light to the rear of No. 15 Oxton Drive during the early to mid-part of the day, however this reduction is considered to be acceptable given the orientation and existing levels of shading. The residents of this property overall retain a decent outlook from the rear of their property. The neighbour has not objected to the application.

- 8.14 The amount of garden area associated with the converted church building would technically meet the requirements of SPD guidance. Although the areas are not particularly large, they would serve a useful function for sitting out or the drying of clothes.

The pair of semi-detached dwellings

- 8.15 The pair of semi-detached dwellings would measure approximately 13.8m x 12.1m with a hipped roof measuring a maximum of 8.7m to ridge. The siting of the new dwellings would fall outside any reasonable viewing angle from the windows in the adjacent dwelling No. 81 High Road to the west. The dwellings would otherwise fall beyond the 10m minimum separation distance requirement to avoid an overbearing relationship. It is accepted that the adjacent neighbours will certainly notice the bulk massing of the proposed dwellings and they would lead to the shading of certain sections of the neighbouring gardens at Nos. 24 & 26 Coldstream Avenue. That said, the relationship is deemed to be acceptable according to SPD guidance and the affected areas would involve less sensitive portions of the neighbouring gardens which were previously overshadowed by substantial beech trees.
- 8.16 The main habitable windows in the dwellings would be at the front and rear, in line with existing two storey properties in the area. There will be some overlooking of neighbouring gardens given the close proximity but these would be at an oblique angle. There would be no unreasonable loss of privacy.
- 8.17 The proposed dwellings would enjoy sufficient garden areas in accordance with SPD guidance.

Other issues

- 8.18 Concerns have been raised regarding the potential for construction traffic to be disruptive, particularly to residents on Oxton Drive. Although planning mainly considers the permanent effects of the permission, it is noted that dwellings are to be constructed near other residential neighbours. It is considered prudent to impose the submission of a construction method statement via condition which should set out suitable hours of demolition, the stockpiling of materials and worker parking.

Highway and pedestrian safety

- 8.19 The conversion of the church would involve the creation of an access on to Oxton Drive. The applicant has carried out the necessary steps to ensure that they have a right of access to the road and a condition requiring the access and turning areas to be installed to be carried out prior to the residential occupation of the building.
- 8.20 Despite concerns in relation to traffic and the vehicular access on to Oxton Drive and High Road, the development provides sufficient space for vehicles for each respective dwelling to enter and leave the site safely. Turning provision within the site would allow vehicles to leave in forward gear. Suitable boundary treatments will be imposed via condition to ensure that good visibility is present at the access points.

Air quality

- 8.21 The application site lies within an air quality management area. As part of the planning application, an exposure assessment was undertaken in terms of assessing

any harm to the occupants of the proposed dwellings. The development is unlikely to create an additional air quality problem itself, however it should still be noted that the site lies within an air quality management area.

- 8.22 The cumulative impact of such proposals on air quality is recognised by mitigation proposed by Policy CS18 (A) which states that effects on air quality shall be mitigated and low emissions technology and cleaner transport fuels to minimise the adverse effect of road travel shall be promoted. A condition requiring an electric charging point for each dwelling has been imposed.

Other considerations

- 8.23 The Tree Officer originally objected to the application, noting that the development was too intensive to provide suitable garden areas and replacement planting. Following amendments to the application, this objection was removed and suitable planting is to be imposed via planning condition.
- 8.24 A bat survey was submitted with the application which concluded there are no ecological constraints to the site. Ecological enhancement and replacement planting is secured via planning condition.
- 8.25 Surface water falling on the dwellings will be dealt with via soakaways in accordance with the sustainable drainage hierarchy.
- 8.26 It is proposed that permitted development rights for the addition of extensions is removed to ensure there is sufficient unbuilt space remaining.
- 8.27 An objector raised a question about the type of boundary treatments being proposed. Full details of the proposed boundary treatments will be dealt with via a condition.

9.0 PLANNING BALANCE & CONCLUSION

- 9.1 In accordance with Paragraph 11 of the NPPF (2019) the proposal is considered in the context of the presumption in favour of sustainable development. Officers have identified no adverse economic, environmental or social harm that would significantly or demonstrably outweigh the benefits identified when considered against the policies in the Framework taken as a whole. The proposal is compliant with the development plan and there are no material considerations which indicate the application should be refused. Planning conditions can be worded to make the development acceptable and would meet the necessary tests.

10.0 RECOMMENDATION

- 10.1 **GRANT PLANNING PERMISSION** subject to conditions:

Conditions / Reasons

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

REASON

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

02. 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:

Dwg No. 19009-002 Rev B Scheme Plans and Elevations received 01 October 2019
Dwg No. 19009-003 Rev C Scheme Plans and Elevations received 16 September 2019

Dwg No. 19009-005 Rev D Proposed Site Layout received 01 October 2019
Ecology Survey commissioned for Taylor Made Homes received 19 July 2019

REASON

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

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

- i) - the parking of vehicles of site operatives and visitors
- ii) - loading and unloading of plant and materials
- iii) - storage of plant and materials used in constructing the development
- iv) - the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v) - wheel washing facilities
- vi) - measures to control noise and the emission of dust and dirt during construction
- vii) - a scheme for recycling/disposing of waste resulting from demolition and construction works

REASON

To safeguard the living conditions of neighbouring residents and in the interests of highway safety as required by Policy CS14 of the Core Strategy.

04. Before the first occupation of each respective dwelling hereby approved, a surface water sustainable drainage system (SuDS) shall be designed and installed on the approved development. The system shall be designed such that no additional or increased rate of flow of surface water will drain to any water body or adjacent land and that there is capacity in the installed drainage system to contain below ground level the run-off from a 1 in 100 year rainfall event plus 30% on stored volumes as an allowance for climate change as set out in the Technical Guidance on Flood Risk to the National Planning Policy Framework. In the event that a SuDS compliant design is not reasonably practical, then the developer shall seek written approval from the local planning authority for an alternative system prior to the first occupation of the development.

REASON

To ensure that surface water is discharged to soakaway where possible in accordance with Policy CS4 of the Core Strategy.

05. No development shall take place on the site until a detailed hard and soft landscape scheme based on the approved site plan (Drawing No 19009-005 Rev D) has been submitted to and approved in writing by the Local Planning Authority. The hard landscape scheme shall include details of all external hard surfacing materials. The soft landscape scheme shall include a soft landscape plan; a schedule providing plant and tree numbers and details of the species, which shall comply with Section 8 Landscape, Trees and Hedgerows of the Council's Development Guidance and Requirements Supplementary Planning Document, nursery stock specification in

accordance with British Standard 3936: 1992 Nursery Stock Part One and planting distances of trees and shrubs; a specification of planting and staking/guying; a timescale of implementation; and details of aftercare for a minimum of 5 years following practical completion of the landscape works in accordance with BS 8545:2014 Trees: from nursery to independence in the landscape – Recommendations. Thereafter the landscape scheme shall be implemented in full accordance with the approved details and the Local Planning Authority notified in writing within 7 working days to approve practical completion of any planting within public areas or adoptable highway within the site. Soft landscaping for any individual housing plot must be implemented within the first planting season following the substantial completion of the dwelling. Any part of the scheme which fails to achieve independence in the landscape, or is damaged or removed within five years of planting shall be replaced during the next available planting season in full accordance with the approved scheme, unless the local planning authority gives its written approval to any variation.

REASON

In the interests of environmental quality and core strategy policy
CS16: Valuing our natural environment

06. Development shall not commence until details of bin storage facilities for the occupants of the development have been submitted to and approved in writing by the local planning authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

REASON

To ensure that satisfactory facilities for residents to comply with Policy CS14 of the Core Strategy.

07. Prior to the commencement of the relevant works, details of the proposed external materials, including the material for the front boundary wall, 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.

08. Prior to the occupation of each respective dwelling 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. Each dwelling 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.

09. Prior to the occupation of each respective dwelling, a bat box and bird box shall be installed on each property to the satisfaction of the local planning authority.

REASON

To ensure the ecological interests of the site are maintained in accordance with Policy CS16 of the Core Strategy.

10. The access and parking area as shown on the approved plans shall be laid out and surfaced to the satisfaction of the local planning authority prior to the first occupation of each respective dwelling. The associated parking area shall not be used otherwise than for the parking of private motor vehicles belonging to the occupants of and visitors to the development hereby approved.

REASON

To ensure that adequate parking provision is retained on site in accordance with Policy CS14 of the Core Strategy.

11. Before the first occupation of the development hereby permitted, the windows serving any ensuite or bathroom as indicated on the approved plans shall be permanently obscured to a level of obscurity to Pilkington level 3 or above or its technical equivalent by other manufactures and shall be permanently retained in that condition thereafter, unless otherwise approved in writing by the local planning authority.

REASON

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

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

REASON

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

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

REASON

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

14. 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.

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

REASON

To avoid damage to the verge.

16. The maximum ridge height of the dwellings shown on the approved drawing Dwg No. 19009-003 Rev C (New Dwellings) shall be no higher than 49.00m AOD.

REASON

To ensure that the development is carried out in accordance with the application as approved and in the interests of protecting the character of the area as required by Policy CS14 of the Core Strategy.

Informatives

01. **INFORMATIVE**

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

www.gov.uk/government/organisations/the-coal-authority

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

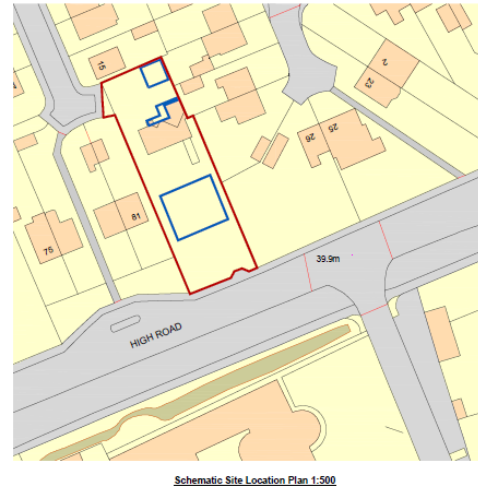
STATEMENT OF COMPLIANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY DEVELOPMENT MANAGEMENT PROCEDURE ORDER 2015

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

Character of the area; Neighbouring amenity; Highway safety; Landscaping

Appendix 1 – Site Plan

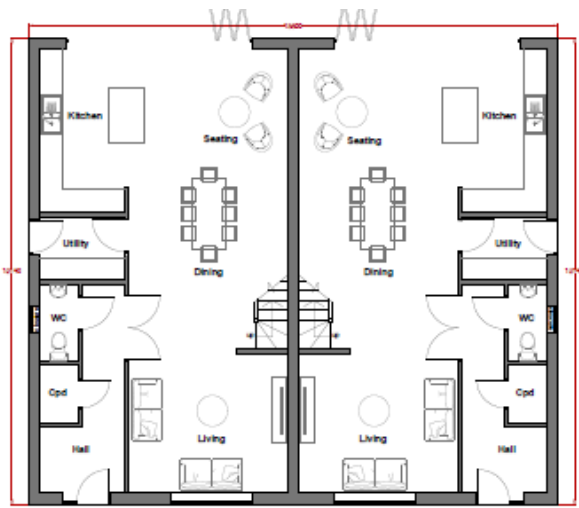
SCHEMATIC DESIGN SERVICES BY MORTON LUSSELL ENGINEERS LTD.



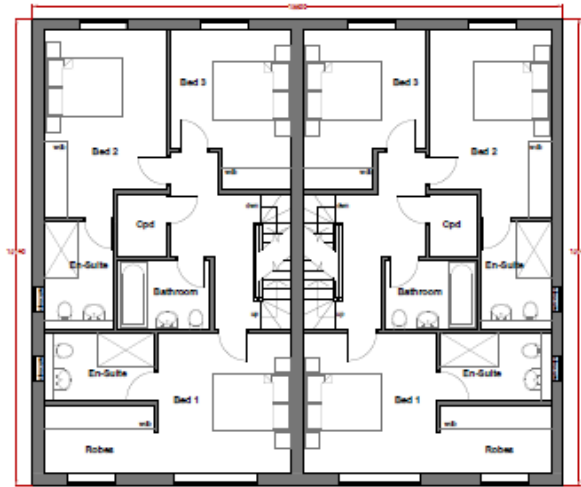
Appendix 2 – Street Scene (High Road)



Appendix 2 – House Plans

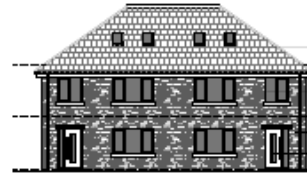
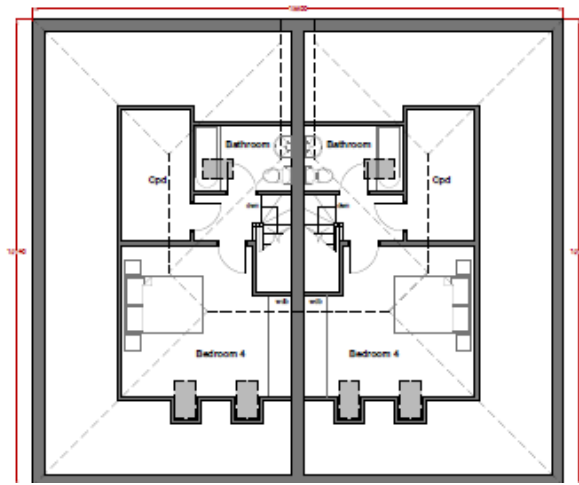


Schematic Ground Floor Plan 1:50



Schematic First Floor Plan 1:50

MATT
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Schematic Front Elevation 1:100



Schematic Side Elevation 1:100

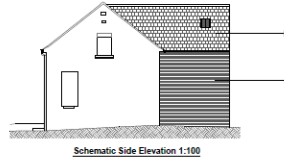
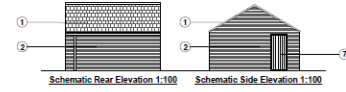
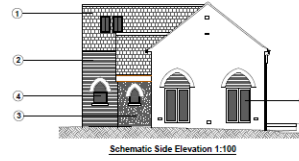
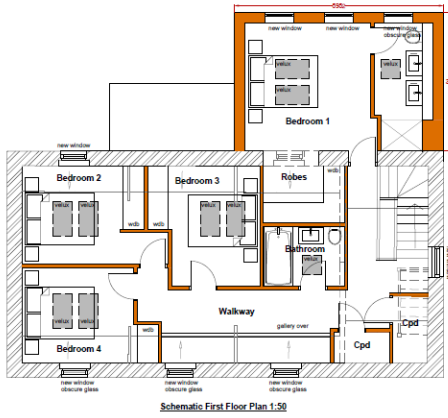
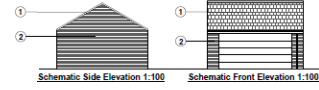
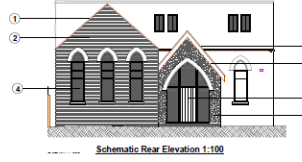
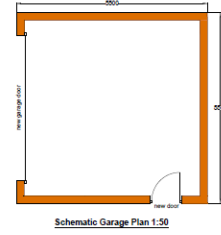
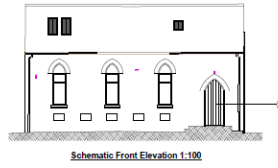
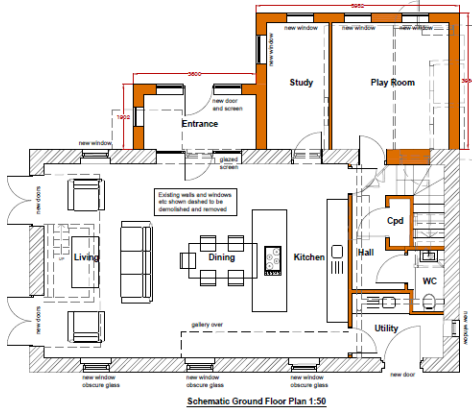


Schematic Rear Elevation 1:100



Schematic Side Elevation 1:100

Appendix 3 – Conversion Plans and Detached Garage



MATERIAL SPECIFICATION:

- 1 - Natural slates to match existing
- 2 - Facing brick (specification TBD)
- 3 - Through coloured render system in off white colour. (
- 4 - uPVC window with brick arch to match existing
- 5 - uPVC doors with brick arch to match existing
- 6 - Black painted timber fascia and soffit
- 7 - Composite entrance door

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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.

	Outcomes	Implications
	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 02/10/19]

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 02/10/19]

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 02/10/19]

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

TECHNOLOGY IMPLICATIONS [Officer Initials PW Date 02/10/19]

12. There are no technology implications arising from the report

HEALTH IMPLICATIONS [Officer Initials RS Date 02/10/19]

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 02/10/19]

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	Overturned
18/02228/FUL	The erection of a detached dwelling. at Home Farm And Lodge, Home Farm, High Street, Austerfield	Appeal Dismissed 19/09/2019	Rossington And Bawtry	Delegated	No
19/00136/FUL	Erection of detached double garage at 1 Warren Close, Warmsworth, Doncaster, DN4 9PY	Appeal Dismissed 09/09/2019	Edlington And Warmsworth	Delegated	No
18/02783/OUT	Outline application for erection of dwelling and conversion of stables to garage (All matters reserved) at Stone Cross Manor , School Lane, Old Cantley, Doncaster	Appeal Dismissed 26/09/2019	Finningley	Delegated	No

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PETER DALE
Director of Regeneration and Environment

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Appeal Decision

Site visit made on 2 April 2019

by **A Graham BA(hons) MAued IHBC**

an Inspector appointed by the Secretary of State

Decision date: 19th September 2019

Appeal Ref: APP/F4410/W/18/3217303

Home Farm and Lodge, Home Farm, High Street, Austerfield, Doncaster.

- 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 and Mrs Mark Anderson against the decision of Doncaster Metropolitan Borough Council.
 - The application Ref 18/02228/FUL, dated 3 September 2018, was refused by notice dated 1 November 2018.
 - The development proposed is for the construction of a single new house.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether or not the site represents a suitable location for a dwelling having regard to policies for the location of new housing and the character and appearance of the area.

Reasons

3. The appeal site is a former farm within what appears to be a village of a linear form focussed around High Street itself. Buildings within the village often present a frontage or gable form to High Street, and many are constructed on long and relatively narrow plot boundaries extending to the east.
4. To the rear of the site there is an established hedge and neighbouring gardens that partially shields the site from fields beyond. The Countryside Policy Area (CPA) boundary runs to the rear of the property and demarks the edge of the settlement of Austerfield from the CPA. The appeal site extends beyond this line and as such development will be within the CPA area.
5. Policies ENV2 and ENV4 of the Doncaster Unitary Development Plan (UDP) 1998 state the purpose of countryside policy is to assist in safeguarding the countryside from encroachment and that development will not normally be permitted unless certain policy criteria are met. The rear of the development would encroach into the CPA and the proposal would not meet any of the criteria. Accordingly, the proposal would conflict with these policies.
6. Several historic buildings survive in the village, including some typical farmsteads that consist of a main farmhouse range to the front with outbuildings to the rear. Sometimes these outbuildings alter in scale from single to two storey and often they are constructed in a linear manner that

- reflect the surrounding plot divisions. These frequently allow glimpses and views to the open countryside beyond. I consider therefore that the agricultural built character, linear form and the views that they provide towards the open countryside beyond are strong determinants of the village's overall character.
7. There has been a previous planning permission for this site¹ for 3 new dwellings which would demolish some of the historic farm structures. I have no evidence before me to suggest whether this proposal has been implemented or is still extant. In the absence of any such evidence to the contrary I can therefore only give this previous approval limited weight. In contrast to the previous scheme however, the proposal before me intends to retain these smaller, ancillary buildings, including a modest single storey structure.
 8. The proposed new house is of the appearance of a large detached two storey building and would be of a much greater scale than that of other buildings nearby. Such a large structure being located at the very rear of the site would fail to respond to the overall character of the village where more subservient structures are to be generally found the further into a plot one goes.
 9. The proposed building is also not of a high enough quality to convincingly reinforce the village's rural character. Although conditions controlling the fenestration of the proposed building could be applied, I do not consider that such conditions could address the more fundamental design issues that will make the bulk and massing of this structure overly dominant within its rural fringe context.
 10. Although some glimpses to the open countryside beyond will be maintained in this scheme, these will be significantly reduced and only experienced from well within the site. Therefore an important determinant of the village's defining character will also be harmed.
 11. As a result of this there would be a harmful impact upon the character and appearance of the area. Accordingly, I do not consider that the quality design requirements within Policy CS14 of the Doncaster Core Strategy (2012) have been met.
 12. Although I am aware of the approved proposal for the Mayflower Public House, that is located adjacent to this site, to extend its car park into the open countryside area, I do not have the information before me to help determine the similarities of this scheme. I do consider however that the impact upon then character and appearance of the village differs substantially between these two schemes and as such I only give limited weight to this example.
 13. Section 38(6) of the Town and Country Planning Act 2004 requires me to make my decision in accordance with the plan unless other material considerations prevent me from doing so. In this case I consider that the Doncaster UDP is the up to date policy document upon which to base any decision.
 14. I take into account the potential benefits of the new proposal in light of the previous approval on this site. Most notably this benefit includes the current scheme's retention of smaller, ancillary buildings that contribute in a positive manner to the character and appearance of the area. I do not consider however that the retention of these structures and the overall design is of a

¹ Planning Permission ref: 16/01565/FUL

high enough quality to mitigate the policy presumption against development in the Countryside Policy Area.

Conclusion

15. The proposal will result in a harmful encroachment into the Countryside Policy Area and introduce what will be a large residential building on the edge of this characteristic village. I therefore consider that the harm identified has not been outweighed through other considerations and as such consider the proposal to be in conflict with the policies outlined above. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

A. Graham

INSPECTOR

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Appeal Decision

Site visit made on 6 August 2019

by **Diane Cragg DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 09 September 2019

Appeal Ref: APP/F4410/D/19/3229482

1, Warren Close, Warmsworth, Doncaster DN4 9PY

- 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 Mrs Anne Grimshaw against the decision of Doncaster Metropolitan Borough Council.
 - The application Ref 19/00136/FUL, dated 21 January 2019, was refused by notice dated 11 March 2019.
 - The development proposed is to build a double detached garage.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposed development on the character and appearance of the area.
 - The effect of the proposed development on protected trees.

Reasons

Character and appearance

3. No.1 Warren Close is a detached house located on the entrance to a small cul-de-sac of modern detached properties. The site is approached via Church Rein Close, a residential estate of similar houses. The appeal site is a grassed area which is open to the road and adjacent to the appellant's house. The rear fenced garden boundaries of properties on Tenter Lane back on to the site.
4. The double garage would front on to, and be accessed from, the existing drive of no.1. It would have a hipped roof design with a roughly square plan and would be located close to the side boundary fence. The mature trees and shrubs of the rear adjacent gardens would provide a backdrop for the structure and the retained area of grass to the side of the garage would maintain space around the side gable wall. I find that the siting and design, existing mature planting and the maintenance of open space to the gable end wall would be sufficient for the garage to relate acceptably to its surroundings.
5. Consequently, I consider that the proposed garage would not harm the character and appearance of the area and would accord with the requirements of Policy CS14 of the Doncaster Council Core Strategy 2011-2028 adopted May

2012 Doncaster Local Development Framework which supports high quality design that contributes to local distinctiveness and Doncaster Council Development Guidance and Requirements: Supplementary Planning Document (July 2015) (SPD) which seeks to protect the quality of local environments and the National Planning Policy Framework.

Trees

6. The tree survey¹ submitted with the appeal confirms that there are four trees covered by a Tree Preservation Order (TPO) within the garden areas adjacent to the site. The report confirms that trees T3 and T4 will not be impacted by the location of the garage.
7. The prunus tree (T1) located in the garden area of 39 Tenter Lane sits close to the boundary. The tree survey confirms that T1 is one metre from the joint boundary and that just about one third of the tree's identified root protection area (RPA) would be affected by the siting of the garage. A foundation design to mitigate for the location of the garage in the RPA is recommended in the survey however, I note that although this foundation detail is recommended the tree would still need to be monitored for signs of ill-health.
8. T1 is an attractive specimen and contributes appreciably towards its surroundings. This is recognised by its inclusion in the TPO. The proximity of the garage to the tree would substantially reduce the amenity value of the tree in views from Warren Close and on the approach to the site from Church Rein Close. Further, the canopy spread of the tree markedly overhangs the site and would overhang the roof of the garage. As a consequence, there would be future pressure for the tree to be lopped, topped or felled. This would further reduce its amenity value.
9. T2 is identified as a Leyland Cypress that has been cut back and managed as a shrub. The owner of the adjacent property has indicated their intention to remove the tree and therefore the survey does not consider this tree in any detail. It is not for me to prejudge the outcome of an application to remove the tree but given my conclusions with regard to T1, I have not found it necessary to consider the effect of the development on tree T2.
10. I conclude that the proposed garage would have an unacceptable effect on the amenity value of the protected Prunus tree, T1. As such, it would not comply, in this regard, with 'saved' Policy ENV 59 of the Doncaster Unitary Development Plan adopted July 1998 and Policy CS16 of the Doncaster Council Core Strategy 2011-2028 adopted May 2012 Doncaster Local Development Framework which seek to protect and retain trees.

Other Matters

11. I note that the appellant's property does not currently benefit from a garage however the property has two parking spaces that would accommodate vehicles off the highway. Further, the appellant's concern about crime and disorder is not supported by any evidence and I cannot attach weight to this.
12. I have taken into account the letters of support from neighbours, but these do not affect my findings in relation to the protected tree.

¹ Tree Survey BS5837:2012 ELM Ecology dated May 2019

Conclusion

13. The proposed garage would not be harmful to the character and appearance of the area. However, it would have an unacceptable effect on the amenity value of protected tree T1. This harm weighs significantly against the proposal. I have considered all the matters that have been raised, but these matters would not outweigh the harm I have found. For these reasons, the appeal should be dismissed.

Diane Cragg

Inspector

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Appeal Decision

Site visit made on 28 August 2019

by Graham Wraight BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 September 2019

Appeal Ref: APP/F4410/W/19/3231113

Stone Cross Manor, School Lane, Old Cantley, Doncaster DN3 3QG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Kelvin Askew against the decision of Doncaster Metropolitan Borough Council.
 - The application Ref 18/02783/OUT, dated 5 November 2018, was refused by notice dated 21 December 2018.
 - The development proposed is an outline application for a dwelling and conversion of stables to garage.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The application is submitted in outline form with all matters reserved for later consideration. Therefore, whilst plans have been submitted suggesting how a dwelling could be accommodated on the site, these have been provided for indicative purposes only.
3. Since the planning application was determined, a revised version of the National Planning Policy Framework (The Framework) has been published in February 2019. I have therefore based my considerations on this most recent version of The Framework.

Main Issue

4. The main issue is the effect of the proposed development upon the character and appearance of the countryside.

Reasons

5. The appellant argues that the Doncaster Council Core Strategy (CS) Policies CS2 and CS3 are out of date and also that the Doncaster Unitary Development Plan (UDP) Saved Policies ENV2 and ENV4 are out of date. He cites their age as a factor and because CS2 advocates a settlement hierarchy. However, there is nothing in the Framework that presumes against a settlement hierarchy. As the appellant acknowledges, policies have to be considered against their consistency with the Framework and he has not provided detailed evidence that they are inconsistent with it. That said, overall, the Council's policies for the protection and enhancement of the countryside are somewhat more restrictive than that advocated by the Framework. However, the Framework also

recognises the character and beauty of the countryside and I do not consider that the development plan policies are so inconsistent with the Framework that the tilted balance is engaged.

6. The appellant has drawn attention to two previous appeal decisions which refer to the tilted balance set out in The Framework. However, these are in different local authority areas and are not directly relevant to this appeal.
7. The site forms part of a large plot of land associated with the dwelling at Stone Cross Manor. The site is outside of any defined settlement limit and although Stone Cross Manor is to one side, it is mostly separated from other development by fields. Although close to both Old Cantley and to the urban edge of Doncaster, the site and its surroundings are distinctly separate to the built up area and they have an open and rural character and appearance.
8. Whilst there is already a stable block building located on the site, the proposed development would result in a new dwelling where there is currently no built development. This would be an encroachment upon the countryside and would result in an urbanising appearance of the site and a loss of open character. The Framework indicates that planning should recognise the intrinsic character and beauty of the countryside and, due to the consequent erosion of the countryside, the proposal would not do this.
9. In conclusion, the proposed development would cause significant harm to the character and appearance of the countryside and would conflict with the objectives of Policies CS2 and CS3 of the CS and Policies ENV2 and ENV4 of the UDP, which seek to protect the countryside.

Other Matters

10. The Council has an up to date supply of land for housing. The proposed development would provide one new dwelling in a location which would offer a choice of modes of travel. However, it would make only a very limited contribution to boosting the supply of housing. The economic and social benefits, for example from residents using local facilities would also be limited due to the small scale of the proposal.
11. Taken together, the economic, social and environmental considerations presented by the appellant offer only limited weight in support of the proposed development. They do not however outweigh the significant harm to the countryside that I have identified and the conflict with the CS and UDP Policies.

Conclusion

12. For the reasons given above, I conclude that the appeal should be dismissed.

Graham Wraight

INSPECTOR