



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, 12th November, 2019

Time: 2.00 pm

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Damian Allen
Chief Executive

Issued on: Monday, 4 November 2019

Governance Services Officer for this meeting
Amber Torrington 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 Planning Committee Meeting held on 15th October, 2019.	1 - 10
 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.

Agenda Item 4.

DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE

TUESDAY, 15TH OCTOBER, 2019

A MEETING of the PLANNING COMMITTEE was held in the COUNCIL CHAMBER, CIVIC OFFICE on TUESDAY, 15TH OCTOBER, 2019, at 2.00 pm.

PRESENT:

Vice-Chair - Councillor Sue McGuinness (In the Chair)

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

APOLOGIES:

Apologies for absence were received from the Chair, Councillor Susan Durant and Councillor John Healy.

36 DECLARATIONS OF INTEREST, IF ANY

No declarations were reported at the meeting.

37 MINUTES OF THE MEETING HELD ON 17TH SEPTEMBER, 2019

RESOLVED that the minutes of the meetings held on 17th September, 2019 be approved as a correct record and signed by the Chair.

38 SCHEDULE OF PLANNING 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'.

39 ADJOURNMENT OF MEETING

RESOLVED that in accordance with Council Procedure Rule 18.11(f), the meeting stand adjourned at 4.10 p.m. to be reconvened on this day at 4.17 p.m.

40 RECONVENING OF MEETING

The meeting reconvened at 4.17 pm.

41 TOWN AND COUNTY PLANNING ACT 1990, SECTION 106 AGREEMENTS

RESOLVED that prior to the issue of planning permission in respect of the following planning application, which is included in the Schedule of Planning and Other Applications marked Appendix 'A' and attached hereto, the applicant be required to enter into an Agreement under

Section 106 of the Town and Country Planning Act 1990, regulating the development:-

Application No	Description and Location
18/02614/4FULM	Erection of 64 No. 2 and 2 and a half storey dwellings & access roads. Former Belle Vue Stables and Sales Ring, Carr House Road, Belle Vue, Doncaster, DN4 5HP.

42 APPEAL DECISIONS

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

Application No.	Application Description & Location	Appeal Decision	Ward	Decision Type	Overtured
18/02228/FUL	The erection of a detached dwelling at Home Farm & Lodge, Home Farm, High Street, Austerfield	Appeal Dismissed 19/09/2019	Rossington & 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 & 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

DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE – 15th October, 2019

Application	1		
Application Number:	18/02614/4FULM		
Application Type:	Planning FULL (DMBC Reg4) Major		
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:	Hoover Ltd – Blunt.		
Third Party Reps:	5	Parish:	
		Ward:	Town

A proposal was made to grant the application.

Proposed by: Councillor Iris Beech

Seconded by: Councillor Eva Hughes

For: 7 Against: 2 Abstain: 0

Decision: Planning permission granted subject to the completion of an Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) in relation to the following matters below, the addition of the following conditions and informative to read as follows and the Head of Planning be authorised to issue the Decision Notice following the agreement of a project for the commuted sum in lieu of Public Open Space with Local Ward Members, and the signing of the 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; and
- Returnable Transport Bond of £7,143.84.

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

REASON

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

22. No building hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the Non-statutory technical standards and local standards.

REASON

To comply with the current planning legislation – National Planning Policy Framework.

07. **INFORMATIVE**

1. Surface water drainage plans should include the following:-

- Rainwater pipes, gullies and drainage channels including cover levels.
- Inspection chambers, manholes and silt traps including cover and invert levels.
- Pipe sizes, pipe materials, gradients and flow directions.
- Soakaways, including size and material.
- Typical inspection chamber/soakaway/silt trap and SW attenuation details.
- Site ground levels and finished floor levels.

2. Surface Water Drainage from Brownfield Site.

There should be no increase in surface water discharge from the site to existing sewers/watercourses. On site surface water attenuation will therefore be required if drained areas to existing sewers/watercourses are to be increased. A 30% net reduction to existing peak discharge (up to a 1/100 yr storm + 30% CC) will be required if the site is being re-developed. A full justification will be required where the development cannot achieve the 30% betterment on the existing run-off rate.

3. On Site Surface Water Management.

The site is required to accommodate rainfall volumes up to 1 in 100 year return period (plus climate change) whilst ensuring no flooding to buildings or adjacent land.

The applicant will need to provide details and calculations including any below ground storage, overflow paths (flood routes), surface detention and infiltration areas etc to demonstrate how the 100 year + 30% CC rainfall volumes will be controlled and accommodated.

Where cellular storage is proposed and is within areas where it may be susceptible to damage by excavation by other utility contractors, warning signage should be provided to inform of its presence. Cellular storage and infiltration systems should not be positioned within highway.

Guidance on flood pathways can be found in BS EN 752.

4. If infiltration systems are to be used for surface water disposal, the following information should be provided:-

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

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

- 5. Written evidence is required from the LLFA/sewerage undertaker/Internal Drainage Board/Environment Agency, to confirm any adoption agreements and discharge rates.**
- 6. The design of flow control devices should, wherever practicable, include the following features:-**

- a) **Flow controls may be static (such as vortex flow controls or fixed orifice plates) or variable (such as pistons or slide valves);**
- b) **Controls should have a minimum opening size of 100 mm chamber, or equivalent;**
- c) **A bypass should be included with a surface operated penstock or valve; and**
- d) **Access should be provided to the upstream and downstream sections of a flow control device to allow maintenance.**

(The receipt of additional representation from an objector to the application and the submission of a Flood Risk Assessment was reported at the meeting).

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

A proposal was made to refuse the application contrary to the officer's recommendation.

Proposed by: Councillor George Derx

Seconded by: Councillor Mick Cooper

For: 8 Against: 0 Abstain: 0

Decision: Planning permission refused for the following reasons:-

- 01. The proposed change of use to form five flats would result in an adverse impact on the character of the area by virtue of the proposal's density resulting in a negative contribution to achieving an attractive, welcoming place with its own identity appropriate to the area contrary to Policy CS14 (A) of Doncaster's Core Strategy (2011-2028).**
- 02. The proposal would adversely impact the amenity of neighbouring properties through wheelie bin clutter, litter, antisocial behaviour, security concerns and noise contrary to Policy CS14 (A) of Doncaster's Core Strategy (2011-2028) and paragraph 127 (f) of the National Planning Policy Framework (NPPF, 2019).**
- 03. The proposal provides insufficient parking provision leading to pressure to parked vehicles on Auckland Road and greater pressure on parking provision in the surrounding area. The proposal is therefore contrary to Doncaster's Supplementary Planning Document (SPD) for Development Guidance and Requirements (July 2015).**

In accordance with Planning Guidance, 'Having Your Say at Planning Committee', Councillor Dave Shaw, Local Ward Member, 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 Hugo Beardsall, on behalf of the applicant spoke in support of the application for the duration of up to 5 minutes.

(The receipt of a consultation response from the South Yorkshire Police Architectural Liaison Officer, a correction to the report referring to the Highways Development Control consultation response and a late letter of representation were reported at the meeting).

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 & Warmsworth

A proposal was made to grant the application.

Proposed by: Councillor Jonathan Wood

Seconded by: Councillor Eva Hughes

For: 7 Against: 0 Abstain: 0

Decision: Planning permission granted.

(The receipt of a correction to the report from the Highways Officer in relation to the parking layout, was reported at the meeting).

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DONCASTER METROPOLITAN BOROUGH COUNCIL

Date 12th November 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 Economy and 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	18/02759/OUTA	Rossington And Bawtry	Austerfield Parish Council
2.	19/02034/FUL	Norton And Askern	
3.	19/00578/FUL	Town	

Application	1.
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Application Number:	18/02759/OUTA
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Application Type:	Outline With Environmental Assessment
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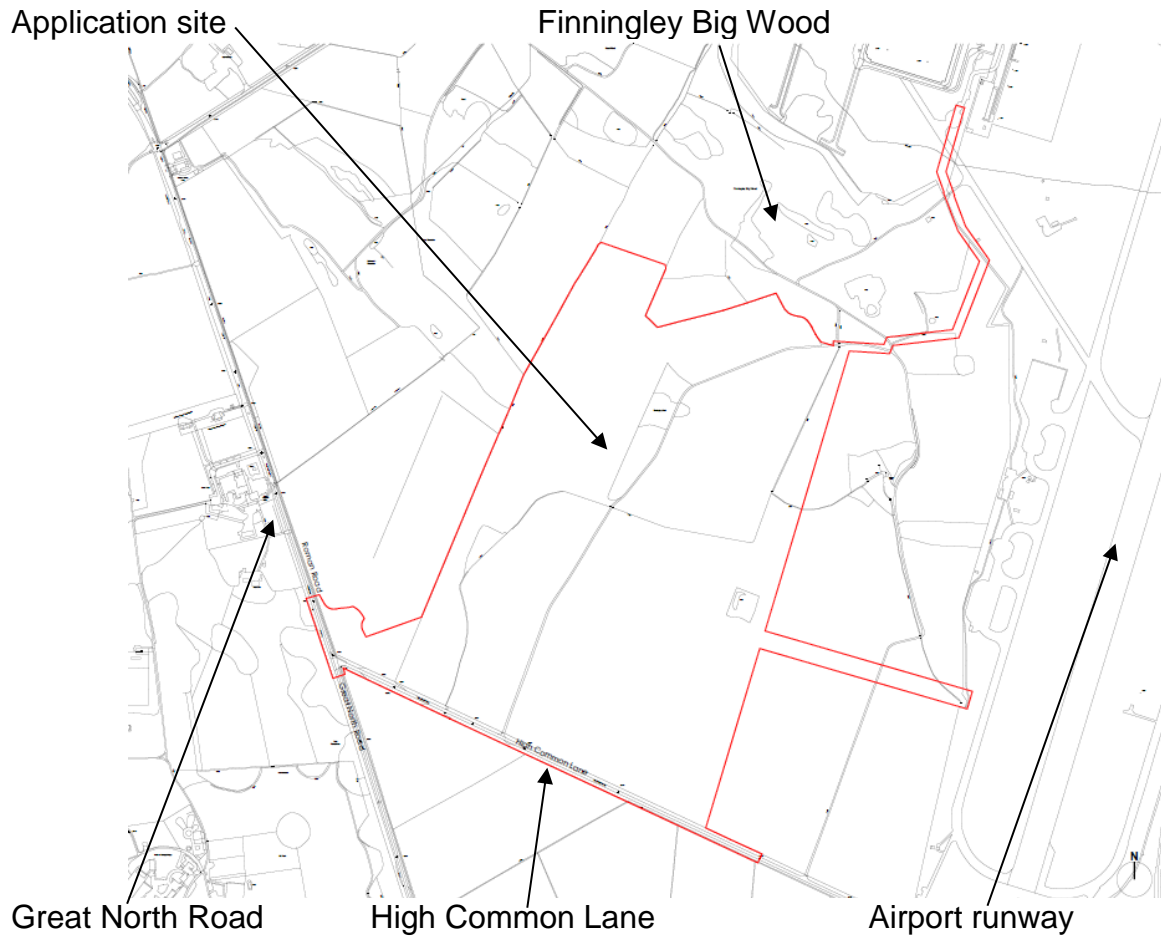
Proposal Description:	Outline application (with all matters reserved for future approval, with the exception of access) for the development of the site for B1c/B2/B8 purposes and ancillary uses (including gatehouses, facilities for the storage and recycling of waste and on-site welfare facilities) plus associated car parking, landscaping, site profiling and transport, drainage and utilities infrastructure
At:	Land To The West Of Doncaster Sheffield Airport Off High Common Lane Austerfield Doncaster

For:	Peel Investments (North) Ltd - Mr G Finch
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Third Party Reps:	1	Parish:	Austerfield Parish Council
		Ward:	Rossington And Bawtry

Author of Report	Mark Sewell
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<p>SUMMARY</p> <p>Outline planning permission, with all matters reserved excepting access, is sought for the development of the site for employment purposes. The proposed development would comprise of up to 325,160m² of employment floorspace, being predominantly B1c/B2/B8 purposes and ancillary uses (including gatehouses, facilities for the storage and recycling of waste and on-site welfare facilities) plus associated car parking, landscaping, site profiling and transport, drainage and utilities infrastructure. The proposal is technically a departure from the Development Plan, however material planning considerations exist to allow for a positive recommendation. The proposal 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).</p> <p>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.</p> <p>RECOMMENDATION: Delegate the Head of Planning to GRANT planning permission subject to Section 106 Agreement and conditions, and following the lifting of Highways England holding objection</p>



1.0 Reason for Report

- 1.1 This application is being presented to planning committee as the scheme represents major development which is a departure from the Development Plan.

2.0 Proposal

- 2.1 Outline planning permission, with all matters reserved excepting access, is sought for the development of the site for employment purposes. The proposed development would comprise of up to 325,160m² of employment floorspace, being predominantly B1c/B2/B8 purposes and ancillary uses (including gatehouses, facilities for the storage and recycling of waste and on-site welfare facilities) plus associated car parking, landscaping, site profiling and transport, drainage and utilities infrastructure. The application is EIA development, and has been accompanied by an Environmental Statement.

3.0 Site Description

- 3.1 The application site is located some 9km to the south east of Doncaster Town Centre, and close to the settlements of Auckley, Rossington and Finningley, and occupies land to the south west immediately adjacent to the operational boundary of Doncaster Sheffield Airport (DSA), and is part of the wider ownership of the Peel Group, the owners of the airport. The airport is served by the recently completed Great Yorkshire Way, which directly connects DSA to Junction 3 of the M18.
- 3.2 The site measures approximately 85 hectares and consists of large arable fields, separated by a fragmented hedgerow network. There are several small wooded copses, and a number of ditches / drains within the site. The site is bound to the north by woodland associated with Finningley Big Wood, beyond which lies the main passenger terminal and other passenger facilities of the airport; to the east by the airport runway; to the south by High Common Lane, and to the west by a well defined hedgerow and tree line beyond which is the Great North Road (A638).
- 3.3 The topography of the site slopes gently downwards from south west to north east, falling from approximately 25m AOD to around 15m AOD.
- 3.4 There are no internationally statutorily designated sites for nature conservation, landscape importance or heritage significance on the site, however there are four Local Wildlife Sites (LWS) within or adjacent to the site.
- 3.5 There are no above ground heritage assets on the site, however within the surrounding area there are a number of recorded archaeological sites.
- 3.6 The application site is within Flood Zone 1 according to the Environment Agency's flood mapping service, defined as land having less than 1 in 1000 annual probability of river flooding.

- 3.7 The application site benefits from access on to High Common Lane which connects the A614 to the east of the site with the A638 (Great North Road) to the west, the latter which provides a direct route to the Great Yorkshire Way. The Great Yorkshire Way provides a direct link to Doncaster Town Centre and the M18, and the wider motorway network. There are bus stops located nearby at the A638 junction with High Common Lane, with a number of routes into Doncaster and to surrounding towns. Additional bus stops are located further away outside of the DSA Passenger Terminal.
- 3.8 The wider area is characterised by a mixture of land uses and development. The operational area of DSA including the terminal, runway and hangars and associated development is to the north of the site, alongside both the former RAF housing and new residential development and employment uses. Agricultural land and established woodland areas are commonplace in the surroundings, with the previously identified settlements of Auckley, Rossington and Finningley further afield.

4.0 Relevant Planning History

- 4.1 Whilst there have been no previous applications on the development site itself, there are a number of permissions in the locality pertinent to the proposed development.

Application Reference	Proposal	Decision
99/4333/P	Outline application for the redevelopment of airfield (including use of existing infrastructure and buildings) for the purposes of 1. a commercial airport together with airport related business, leisure and associated facilities 2. residential development of former barracks (all as detailed in appendix a to application)	Application granted subject to S106 agreement.
10/02652/OUTM	Erection of business park comprising up to 60,700sqm of building for use classes B1, B2 and B8	Application granted subject to S106 agreement.
17/02733/OUTM	Outline application for the development of a business park comprising up to 57,000sqm of Use Class B1 (Office), B2 (General Industry) and B8 (Storage and Distribution) floorspace	Application granted.

5.0 Site Allocation

5.1 The site is allocated as Countryside Policy Area as defined by Doncaster's 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 11 of the NPPF states that plans and decisions should apply a presumption in favour of sustainable development. For decision taking this means that;

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

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 80 of the NPPF states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. More specifically, Paragraph 82 also states that decisions should also recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-drive, creative or high technology industries; and for storage and distribution operations at a variety of scales and in suitably accessible locations. Paragraph 104(e) states that planning policies should provide for any large scale transport facilities, such as airports, that need to be located in the area, and the infrastructure and wider development required to support their operation, expansion and contribution to the wider economy.

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 CS2 sets out the Council's Growth and Regeneration Strategy, including broad locations for employment. It states that new employment development will be sited to support the settlement hierarchy, attract a range of businesses and ensure that good transport links to the settlement network exist or can be provided. It identifies a range of broad locations for employment development, including "airport related" development at DSA and its associated business parks.

5.10 Policy CS3 is concerned with Doncaster's countryside, and states that it will be protected and enhanced, having regard to a number of principles set out within the policy text. The policy states that the countryside in the east of the borough will continue to be protected through a Countryside Protection Policy Area.

5.11 Policy CS5 of the Core Strategy sets out the Borough's employment strategy, stating that the economy will be supported to enable improved levels of economic outputs and increase access to opportunities. The supporting text to the policy states that subsequent Development Plan Documents will identify "Major Employment Sites". These are larger sites which are required to support certain sectors and maximise the benefit from our comparative advantages. These advantages are identified through the Local Economic Assessment and include the airport and rail and motorway links. It is envisaged that these will include new employment allocations within the M18 corridor and the following existing employment sites: Airport Business Park, Hatfield Power Park, Redhouse Park, Westmoor Park, Nimbus Park and Carcroft Common. The policy states that sufficient employment land will be allocated to take into account... the identified potential for the creation of 36000 jobs, set out in the sectors below.

- 5.12 Policy CS6 of the Core Strategy is concerned with Robin Hood Airport (DSA) and Business Park. It states that growth and investment at DSA will be supported in accordance with a number of principles set out within the policy text, which include;
- Environmental impacts are adequately mitigated, including improved landscaping and tree planting, and a Quiet Operations Policy;
 - There will be no detrimental impacts on the conservation objectives of Thorne and Hatfield Moors, particularly the lowland raised mire habitat and nightjar populations;
 - A surface access strategy is developed to make best use of surface access infrastructure including access to neighbouring districts, mainline rail services and providing a wide choice of travel modes to the services and jobs at the airport;
 - There are training and recruitment plans that will assist delivery of improved skills and economic development, particularly for local people;
 - On site car parking is sufficient to avoid the need for off-site car parks;
 - Safeguarding Areas and Public Safety Zones are maintained to enable the airport to operate safely;
 - Buildings, layout and landscaping are of high quality; and
 - Uses are required to support air services passengers and businesses at the airport e.g. hotel.

The supporting text of Policy CS6 refers to the development of regional airports being a focal point for clusters of business, especially logistics and stresses their importance in providing an impetus to regeneration and a focus for new industrial and commercial business. It recognises that DSA is a key economic driver of the Sheffield City Region and that's its success is therefore its importance to the Sheffield City Region.

- 5.13 Policy CS9 states that new developments will provide, as appropriate, transport assessments and travel plans to ensure the delivery of travel choice and sustainable opportunities for travel.
- 5.14 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 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.
- 5.12 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.
- 5.13 Policy CS17 is concerned with providing green infrastructure, stating that proposals will be supported which make an overall contribution to the green infrastructure network by;

1. including measures, either on or off site, that are of an appropriate size, shape, scale and type and that have regard to the nature of the proposal and its potential impact;
2. contributing to the delivery of identified opportunities and priorities;
3. providing for appropriate long term maintenance and management; and;
4. avoiding damage to or loss of green infrastructure assets or, where loss is unavoidable and the benefits of the development outweigh the loss, including appropriate compensation measures.

5.14 Policy CS18 states that proposals will be supported which reduce air pollution and promote more sustainable transport options and where relevant incorporate low emission technologies and cleaner transport fuels. Where any risks to ground conditions arising from contamination or previous land uses are identified, proposals will need to incorporate measures to prevent, control and reduce air and water pollution.

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

5.16 Saved ENV2 of the UDP sets out that the council will maintain a Countryside Policy Area in the eastern part of the borough, the purposes of which include safeguarding from encroachment, provide an attractive settlement, to prevent settlements coalescing. Policy ENV4 sets out the types of use that would normally be acceptable within the CPA, which includes agriculture / forestry, recreation and leisure or other uses appropriate to a rural area. The accompanying Proposals Map sets out the boundaries of the Countryside Policy Area

5.17 Local Plan

5.18 The emerging Doncaster Local Plan will replace the UDP and Core Strategy once adopted. The emerging Local Plan was “Published” for Regulation 19 consultation on 12th August 2019 for 7 weeks, ending on 30 September. The Council is aiming to adopt the Local Plan by the end of 2020. The Local Plan therefore is at a relatively advanced stage of preparation, and is more aligned with national planning policy. The specific policies relating to the DSA and the its planned growth and expansion have not received substantive objections through the Regulation 19 process. As outlined at paragraph 5.4 of this report, the NPPF specifically states that two factors in determining weight are 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 the consistency of emerging policies are to the NPPF. The document carries limited weight at this stage, although the following emerging policies are applicable:

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

5.22 Policy 2 relates to Spatial Strategy and Settlement Hierarchy, focussing on delivering sustainable growth, and stating that major new employment sites will be focused to the ‘Main Urban Area’ and ‘Main Towns’, as well as Doncaster Sheffield Airport (which includes the application site for the purposes proposed within this application).

- 5.23 Policy 3 sets out the level and distribution of growth, aiming to facilitate the delivery of at least 481 hectares of employment land over the plan period to help grow and diversify the Sheffield City Region economy, increase productivity and widen access to learning and training opportunities. The M18 corridor will continue to be the main location for larger scale new investment and growth including at Doncaster Sheffield Airport, iPort and Unity.
- 5.24 Policy 4 sets out proposed Employment allocations, whereby only business (B1 b/c), general industry (B2) and storage and distribution (B8) uses will be permitted. This includes the application site, identified as RHADS Site 1, Phase 4 Business Park.
- 5.25 Policy 7 is concerned specifically with DSA and Business Park, stating that growth and investment at DSA will be supported to enable its development and expansion, and states that employment uses will be supported on land allocated at the airport (including the application site). The Local Plan recognises that the growth and expansion of DSA is an economic priority for Doncaster and for the Sheffield City Region as a whole and policy 7 seeks to support the growth and expansion of DSA as enshrined within the draft DSA Masterplan. As such the policy expressly supports:
- New and expanded airport infrastructure including an expanded passenger terminal;
 - A central of retail, food and drink, hotels and other commercial and community uses to serve the needs of the airport and existing and future residents;
 - Employment uses (B1, B2 and B8) at three sites including the application site; and
 - The initial delivery of 280 dwellings to support the initial phases of airport expansion with further housing development dependent on future employment growth secured at DSA.
- 5.26 Policy 13 is concerned with the Strategic Transport Network, and states that proposals will be supported which improve rail transport, including a new electrified mainline rail connection and new railway station at Doncaster Sheffield Airport, connecting the airport to the East Coast Mainline (ECML). Developments which generate large volumes of freight traffic or involve the transport of bulk materials should be located close to the strategic transport network, where this can be accommodated within the existing capacity of the network.
- 5.27 Policy 31 deals with the need to value biodiversity, and to ensure that in dealing with proposals the mitigation hierarchy is applied so that firstly harm is avoided wherever possible, then appropriate mitigation is provided to lessen the impact of any unavoidable harm, and as a last resort compensation is delivered to offset any residual damage to biodiversity.
- 5.28 Policy 33 deals with woodlands, trees and hedgerows. Proposals will have to demonstrate that these features have been adequately considered during the design process, so that significant adverse impact can be avoided. Where such loss is unavoidable, there should be sufficient provision of replacement planting.

- 5.29 Policy 34 deals with landscape and states that where development proposals will most likely result in a significant impact on the Borough's landscape the proposals should assess the potential impact and propose how any negative effects will be minimised.
- 5.30 Policy 40 deals with the need to take into account archaeological assets.
- 5.31 Policy 47 deals with design of non-residential, commercial and employment developments. All must be designed to be high quality, attractive, and make a positive contribution to the area in which they are located.
- 5.32 Policy 55 identifies the need to take into account air and noise pollution.
- 5.33 Policy 57 identifies the need for satisfactory drainage including the use of SuDS.
- 5.34 Policy 59 deals with low carbon and renewable energy within new developments.

5.35 Other material planning considerations

- Development Requirements and Guidance Supplementary Planning Document (SPD) (2015)
 - National Planning Policy Guidance
- 5.36 There is significant support for the growth and expansion of DSA in documents and strategies produced by Sheffield City Region which identify it, alongside town and city centres as one of the Region's top two other priority locations for growth and change. The current SCR Strategic Economic Plan (SEP) (for the period 2015 – 2025) recognises that the airport is a catalyst for business development, inward investment and job creation with regard to logistics, engineering and associated aviation activities. The SCR Integrated Infrastructure Plan (SCR IIP) sets out the Region's approach to infrastructure up until 2025. It sets out a number of Spatial Packages for the SCR Growth Areas (including the airport) and recognises that the provision of large industrial buildings will be key to supporting the growth of aviation and engineering businesses.
- 5.37 In addition to the above, the SCR Transport Strategy (which is in the process of being updated) sets out the transport priorities for the region and identifies supporting growth as the primary goal. It aims to ensure links are in place to enable people to connect to a range of work and training. There are 3 themes but the most important and relevant one in relation to the airport and the investment and jobs it can provide is: Improving connectivity to improve business efficiency and productivity. It recognises the role of Doncaster at the heart of the SCR logistics sector and seeks to further enhance this role.

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 direct neighbour notification, sites notices erected adjacent to the site and via a press advertisement.

6.2 One representation has been received in response to the proposal, raising concerns that the proposed development conflicts with the Development Plan Core Strategy Policy and that the issues of employment land should be addressed through the Local Plan review. It is further stated that the submitted market commentary report has shortcomings, in that it only considered the upside on an economic cycle and have no regard to any downside.

7.0 Parish Council

7.1 Bawtry Town Council have objected to the scheme, questioning the proposed traffic flows shown to move south from the site through Bawtry, believing that it is likely they will cause substantial queuing.

8.0 Relevant Consultations

8.1 **Highways Development Control** – Initially requested further details in respect of the proposed A638 / High Common Lane new roundabout. Following receipt of these, no objections are raised, subject to conditions relating detailed engineering drawings for the proposed roundabout / carriageway realignment, a Construction Traffic Management Plan and the proper laying out of parking and turning areas before the development is brought into use.

8.2 **Highways Transportation Officer** – Initial objections raised in respect of the traffic flow and signal modelling information provided within the TA. Following liaison with the applicants and updated information, no objections are raised. Requirements for cameras to monitor traffic at the Parrots Corner junction, a travel bond, and traffic monitoring counts to be secured via s106. Conditions in respect of detailed travel plans and electric vehicle charging points.

8.3 **Environment Agency** – No objections, suggested conditions in respect of contamination and disposal of surface and foul water.

8.4 **South Yorkshire Archaeology Service (SYAS)** – No objections, suggested condition requiring written scheme of investigation, and works to be carried out in accordance with it

8.5 **Environmental Health** – No objections, suggested conditions concerning construction management plan and construction impact management plan.

8.6 **Internal Drainage Officer** – No objections subject to a condition in relation to full details of foul and surface water drainage.

8.7 **Ecology Officer** – Initial objections to the scheme on the basis of habitat loss and insufficient biodiversity mitigation across the site. Following amendments to the scheme and additional information, conditions are recommended to ensure a Biodiversity Mitigation Monitoring and Enhancement Plan, a Construction Environmental Management Plan, Biodiversity Net Gain Requirement, and Light Sensitive Biodiversity Lighting Scheme.

- 8.8 **Trees & Hedgerows Officer** – Initially raised objections to the scheme on the loss of a grouping of trees within the centre of the site, the impact of the proposed service route through the Finningley Big Wood, and the potential impact of the realignment of the A638 upon a protected group of trees. The applicants have subsequently revised the scheme to avoid works within Finningley Big Wood, and confirmed that the highway improvements works will solely take place within the existing highway boundary, not impacting the protected trees.
- 8.9 **Conservation Officer** – No objections, notes that the scheme has the potential to impact upon the listed Rossington Hall and its surroundings, although the harm is considered to be less than significant.
- 8.10 **Public Rights of Way Officer** – No objections
- 8.11 **Area Manager** – No comments received.
- 8.12 **National Grid** – No comments received.
- 8.13 **Urban Design Officer** – Raised concerns over the visual impact of the proposed buildings upon the character of the surroundings, requiring further information to illustrate how the buildings will sit within the surrounding landscape. Further information has been provided, however it is still noted that the proposed buildings will be a prominent feature in the landscape from certain vantage points. Further details were also requested in respect of linkages from the site to surrounding areas, which have been provided.
- 8.14 **Doncaster East Internal Drainage Board** – No objections
- 8.15 **Severn Trent** – No objections subject to a condition in relation to full details of foul and surface water drainage
- 8.16 **Yorkshire Wildlife Trust** – Object to the scheme on the basis of loss of habitat across the site, and question the proposed mitigation. Have liaised with DMBC Ecology to ensure that the proposed conditions secure the best possible biodiversity outcomes.
- 8.17 **DSA Safeguarding** – No objections subject to suggested condition limiting the maximum building height on the site.
- 8.18 **Highways England** – Holding objection in place. Initially raised concerns over the impact of proposal upon Junction 3 of the M18. Following discussions with the applicants and amended information, as mitigation scheme for revised signage and lining at the junction once 50% of the development has been occupied has been produced to alleviate these concerns. The holding objection remains in place whilst the mitigation scheme goes through a Road Safety Audit Process, however Highways England have confirmed in writing that they are comfortable with application being presented to the Planning Committee whilst this is being assessed. Any updated comments will be reported to members.

9.0 **Assessment**

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

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- Principle of development;

- The impact of the development on the character of the area and the appropriateness of the design.
- Whether there is any impact on residential amenity & quality of life
- Highway safety and traffic issues
- Drainage
- Air quality
- Ecology
- Trees
- Energy efficiency
- Archaeology
- Overall planning balance

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

9.3 Sustainability

9.4 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

9.5 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

9.6 Impact on Residential Amenity

9.7 The nearest residential properties lie approximately 380m to the south east of the site on the southern side of High Common Lane. It is considered by virtue of the separation distance from the site, the proposal is unlikely to adversely affect neighbouring properties through excessive levels of overshadowing or dominance. The development will be highly visible from these properties, and will impact on their view, however in planning terms this is not a material consideration. The development may also result in increased traffic along High Common Lane, however the majority of this would be exiting to the west of the site rather than to the east.

Principle of Development

- 9.8 The application site is located within an area defined as Countryside Policy Area by Doncaster's Unitary Development Plan under saved policy ENV2, adopted in 1998. Both policy CS3 of the Core Strategy and saved policy ENV4 of the UDP deal with the types of development that would normally be accepted within the countryside. As mentioned previously within the report, this relates mainly to agriculture and forestry, leisure and recreation as well as minor infilling and expansions of existing business.
- 9.9 Policy CS3 seeks to protect and enhance the Countryside Policy Area to the eastern side of the borough, to prevent coalescence and encroachment, and from new large scale developments. Part B of the policy sets out the circumstances where some development may be permitted within the Countryside; in the case of major built development it is recognised that there may be circumstances where an urban extension is required to deliver the housing and job targets set out within the Growth and Regeneration Strategy (Policy CS2). In other circumstances, Part C of the policy states that development within the Countryside outside of allocations will only be supported where it protects and enhances the countryside and preserves its openness. As such, and as recognised, the development of the application site for employment uses represents a departure from the applicable countryside policies.
- 9.10 The airport is identified within Policy CS2 as a location for businesses related to the airport, accommodated on 34 hectares of existing land, plus an existing 10 hectares to the west of the airport for longer term expansion. More widely, employment development is required in order to meet the Growth and Regeneration Strategy, with the policy stating; "Employment opportunities will be locatedto support the Settlement Hierarchy, attract a range of businesses (including higher skilled jobs) and ensure good sustainable transport links to the settlement network exist or can be provided." The relevant locations are:
- M18/M18 corridor at junctions close to Armthorpe, Stainforth/Hatfield and/or Thorne and the Strategic Rail Freight Interchange at Rossington (290 ha) for distribution warehousing;
 - Robin Hood Airport and its business parks for businesses related to the airport; and
 - In accordance with the Settlement Hierarchy, including replacing current sites which are unsuitable for modern business needs (190 ha) for light industry and manufacturing.

The policy explanatory text states that employment allocations "will support the settlement hierarchy but must also take account of deliverability issues (i.e. the needs of businesses) and Doncaster's Economic Strategy; employment sites cannot always be located next to the communities they serve." There is a need for Doncaster to concentrate on using its assets within or adjacent to the Main Urban Area, Principal Towns and Potential Growth Towns "where infrastructure can be brought forward; transport connectivity will be priority to ensure there is access to jobs for all communities."

- 9.11 Whilst the application site is immediately adjacent to the airport, it would not represent an urban extension. As such, the proposals would not be in accordance with the locational criteria of part B of policy CS3, and since the proposals are major in scale, neither would they meet the relevant criteria for development within the open countryside that is set out in part C of the policy.
- 9.12 In addition, the application site lies within a mineral safeguarding area, as set out in policy CS20 of the Core Strategy. Policy CS20 confirms that Doncaster has substantial mineral resources with the policy seeking to ensure the delivery of adequate minerals during and beyond the plan period; this will be secured based on the principles set out in the policy, which includes the identification of minerals safeguarding areas.
- 9.13 The application site is located within the extensive minerals safeguarding area for sand and gravel which covers the majority of open countryside in the east of the district. Within that area, part E of the policy supports non-mineral development where:
1. the proposal incorporates the prior extraction of any minerals of economic value in an environmentally acceptable way; or
 2. the mineral is of no economic value; or
 3. it is not possible to extract the mineral in an environmentally acceptable way; or
 4. the need for the development outweighs the need to safeguard the site for future minerals extraction
- 9.14 In order to comply with the provisions of the policy, it is only necessary to for the proposal to meet one of the criteria in Part E. In this case, criteria 4 would be the most relevant, as the applicants are making the case that the need for this development far outweighs the need to safeguard the site for future minerals extraction.
- 9.15 The most recent local aggregate assessment (LAA) shows the reserve for sand and gravel being 5.6 million tonnes (based on updated information from mineral operators). The landbank is now 18 years, which is above the 7 year landbank as required by national policy. The site area also only accounts for 1.2% of the wider minerals safeguarded allocation to the east of Doncaster. As such, it can be argued that the authority has no overriding need to reserve this land for mineral extraction at the current time, given the current landbank figures. This of course needs to be weighed against the need for the proposed development, which will be further explored. It is noted that the emerging Local Plan removes DSA (including the site allocations such as the application site) from the minerals safeguarding areas as it is expected these will be delivered during the plan period
- 9.16 In terms of Employment policies, in general terms the economy forms a fundamental part of the Core Strategy's stated visions and objectives, which put a clear emphasis on its improvement as a means to achieve local aspirations for healthier, stronger, safer communities and an improved quality of life. Ten key objectives are set out, with the majority showing a focus of supporting economic development. In terms of how the proposal meets and supports these objectives;

Objective 1 - To use economic engagement to achieve widespread economic, social and environmental regeneration for all sectors of all our communities, and to allow Doncaster's economy to realise its potential.

The proposal will deliver a significant and strategic employment development that will bring forward inward investment and the creation of new jobs, as well as associated socio-economic benefits and add to the overall attraction of the Airport as a unique economic driver for the Doncaster, the City Region and beyond. The proposal is anticipated to deliver between 101 and 135 net additional FTE jobs during the construction stage and an estimated 4,300 net FTE jobs will be created; those jobs will assist in addressing social inequality for Doncaster residents.

Objective 2 - To be a pro-business borough where we will welcome and support investment which; stimulates employment opportunities; develops a diverse economy including innovative new sectors such as Green Industries and high tech and manufacturing industries; and helps tackle deprivation through job creation and training in all our communities to support a healthy local economy.

The acceptance of the proposal would obviously be consistent with a pro-business approach, and would support and create employment opportunities and job creation to help develop a healthy local economy.

Objective 3 - To make best use of our excellent road, rail and canal links and future transport developments, our towns, villages and neighbourhoods and international airport to stimulate business growth particularly in the education, digital, communications and logistics sectors.

The proposal would make use of existing and future transport links, with the proximity to the strategic highway network including the recently completed Great Yorkshire Way; potential for future rail connectivity to the airport; and the airport itself.

Objective 5 - To ensure that all our residents, visitors and workers have the very best life opportunities, benefiting from easy access to high quality health, education, employment, shopping, recreation facilities, heritage, culture and tourism.

The proposal would result in improved access to employment opportunities.

9.17 Policy CS1 (Quality of Life) states that proposals will be supported where they contribute to the key objectives, and follow five key principles.

A) Provide opportunity for people to get jobs, learn new skills, and have access to good quality housing, local services, sport, leisure, religious and cultural facilities.

The development proposes a significant amount of employment floorspace, expecting to generate approximately 4300 full time jobs.

B) Strengthen communities and enhance their well-being by providing a benefit to the area in which they are located, and ensuring healthy, safe places where existing amenities are protected.

Major new employment floorspace will provide significant employment opportunities which will be accessible to the surrounding local communities. New jobs will result in increased wealth and opportunity, which will provide benefits and support for local communities.

C) Are place-specific in their design and which work with their surroundings protecting and enhancing the built and natural environment, including green spaces, buildings, heritage assets, trees, waterways and public spaces.

The proposals are place specific in terms of their proximity to the strategic highway network and the airport. Issues around the built and natural environment will be discussed later in the report.

D) Are accessible by a range of transport modes which offer choice, and are open and inclusive to all.

The application site is well connected to the strategic highway network, of benefit to both future occupiers / operators, as well as workers. Being close to the airport enables direct links to international markets. As previously stated there are a number of bus services providing access to the town centre and nearby settlements. It will also strengthen the case for mainline rail connectivity into the airport site

E) Protect local amenity and are well-designed, being: attractive; fit for purpose; locally distinctive; and; capable of achieving nationally recognised environmental, anti-crime and design standards.

In terms of design, the application is in outline form with such matters reserved for subsequent approval. That notwithstanding, the application includes a range of key design principles, visual impact assessments and sustainability information.

9.18 Policy CS5 is concerned with the Borough's Economic Strategy, and provides a basis to the reason why the economy is a central driver of the Core Strategy's overall approach. The introductory text identifies an output gap in Doncaster's economy, equivalent to £415m between the actual Gross Value Added (the value added created through the production of goods and services) of Doncaster's economy, and its potential output in comparison with the Yorkshire and Humber Region at the time that the plan was prepared. This is the basis of recognising the importance of encouraging and attracting investment and supporting the economy, in order to enable greater levels of economic outputs. The policy states that Doncaster's economy will be supported in accordance with a number of principles (listed in the policy and included below) which will enable improved levels of economic output and increase access to opportunities.

The principles include:

- A) Sufficient employment land will be allocated to take into account:
 - i. The identified potential for the creation of 36,000 jobs
 - ii. Doncaster's wider aspirations for economic growth,
 - iii. Historic take-up rates of employment land, and
 - iv. The need for a range of sites to provide flexibility.

B)The amount of new employment sites is set out in the Growth and Regeneration Strategy (Policy CS2). In releasing new land for strategic warehousing, priority will be given to the proposed Strategic Rail freight Interchange at Rossington.

9.19 Policy CS5 is highly supportive of new employment development in the borough as a means to meet the overall vision and objectives of the Core Strategy, which prioritises the local economy. It seeks to ensure that enough land is allocated to accommodate the creation of 36000 jobs.

9.20 Policy CS6 of the Core Strategy is specific to the airport, and sets out the principles where growth and investment will be supported. These principles are:

A) The airport is a multi-modal transport interchange.....with a range of connected sites to provide for business development related to the airport

B) There is improved access to the airport, including FARRRS and a railway station.....

C) Westward expansion of the business parks alongside the airport access road

D) Proposals will be supported where:

1) Environmental impacts are adequately mitigated

2) There will be no detrimental impacts on the conservation objectives of Thorne and Hatfield Moors..

3) A surface access strategy is developed..

4) There are training and recruitment plans that will assist delivery of improved skills and economic development, particularly for local people

5) On site car parking provision is sufficient.....

6) Safeguarding Area and Public Safety Zones are maintained..

7) Buildings, layout and landscaping are of high quality and,

8) Uses are required to support air services passenger and businesses at the airport.

9.21 The explanatory text recognises that national planning policy supports the development of regional airports to increase air passengers and freight, reducing reliance on London airports and improve economic performance of regions and recognises that airports attract businesses around them. They can provide a focal point for clusters of businesses especially for logistics and importantly provide an impetus to regeneration and a focus for new commercial and industrial development. As within Yorkshire and Humber region there is a reliance on airports outside of the region, the success of DSA is therefore of fundamental importance to the wider Sheffield City Region (SCR), which seeks to maximise this benefit as a key economic driver. The construction of the Great Yorkshire Way, linking DSA directly to the strategic highway network, is an important step in unlocking this potential, recognised as a requirement within the policy at the time of its writing. The importance of the development of the airport to the Sheffield City Region will be discussed further.

9.22 In terms of the seven criteria under part D of CS6 which states where proposals will be supported, the application will be assessed against these later in the report. As already discussed, the application is accompanied by an Environmental Statement that sets out the potential impacts of the development and proposed mitigation, and includes a sufficient level of detail to carry out these assessments.

- 9.23 The final criterion of CS6 states that development that is required to support air service passengers and businesses at the airport will be supported. The proposed development, by its nature, has the potential to support the air freight business of the airport. The Council has however in recent years accepted the development of employment uses at the airport without being air related. The Phase 2 Business Park, to the north of the application site initially had a restrictive condition restricting B2 and B8 uses to be air related, however this restriction was removed by a subsequent planning application. The Council's Policy team were consulted and raised no objections to the removal of this condition, stating that "in the past national planning policy guidance supported the provision of air related conditions, indeed the original planning application had these conditions on that basis. However the NPPF and NPPG no longer make any mention of development at an airport being air related. In effect, the approach within Policy CS6 of applying restrictive conditions is inconsistent with key National Policies. Therefore there was no reason in principle for this condition to be retained, or indeed to impose it on future consents. In addition, such a restriction would not be conducive to bringing forward the investment envisaged to allow the airport to fulfil its potential as one of the key economic and spatial priorities as recognised within the Sheffield City Region Strategic Economic Plan (SEP) and Integrated Infrastructure Plan (SCRIP), and the emerging Local Plan.
- 9.24 Whilst not forming part of the Statutory Development Plan, there is strong support for the Airport in documents and strategies produced by Sheffield City Region, and they do form a material planning consideration, providing a wider context and a set of priorities at a regional level, which have been informed by input from the Council. The current SCR Strategic Economic Plan (SEP) (for the period 2015 – 2025) recognises that the airport is a catalyst for business development, inward investment and job creation with regard to logistics, engineering and associated aviation activities. The SCR Integrated Infrastructure Plan (SCRIP) sets out the Region's approach to infrastructure up until 2025. It sets out a number of Spatial Packages for the SCR Growth Areas (including the airport) and recognises that the provision of large industrial buildings will be key to supporting the growth of aviation and engineering businesses.
- 9.25 In addition to the above, the SCR Transport Strategy (which is in the process of being updated) sets out the transport priorities for the region and identifies supporting growth as the primary goal. It aims to ensure links are in place to enable people to connect to a range of work and training. There are 3 themes but the most important and relevant one in relation to the airport and the investment and jobs it can provide is: Improving connectivity to improve business efficiency and productivity. It recognises the role of Doncaster at the heart of the SCR logistics sector and seeks to further enhance this role.
- 9.26 As previously set out, 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 Statutory Regulation 19 Publication commenced on Monday 12th August 2019 for 7 weeks, ending on 30 September. 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 does form a material consideration in demonstrating the Authority's agreed intended priorities and spatial approach up until 2035.

- 9.27 Proposed policy 7 is concerned with DSA and Business Park, and the introduction to the policy recognises that the airport is an economic priority for both the Borough and the City Region. The policy goes on to state, “the potential of this area and the transformational effect it could have on the local and regional economy is acknowledged. The airport is an economic priority both for Doncaster and for the Sheffield City Region as a whole. The airport corridor is recognised regionally as a catalyst for business development, inward investment and job creation with regard to logistics, engineering and associated aviation activities. The Doncaster Inclusive Growth Strategy continues to support airport growth including expanding the enterprise sectors and linking to regional growth corridors (such as the aforementioned Advanced Manufacturing Park). Doncaster Sheffield Airport will play a key role in driving the local and regional economy forward.”
- 9.28 In combination with the importance placed on the Airport as a spatial priority by the Sheffield City Region, the proposed Local Plan policy makes it clear that the airport is a key contributor to help push forward both the local and regional economy over the forthcoming years, which will help to bring jobs, growth and investment to the area.
- 9.29 Separately, in 2018 DSA published its Draft Master Plan, which is said to show “illustrative but realistic” plans for development and growth at the airport between 2018 and 2037. This document includes plans for:
- Large passenger growth.
 - Growth in cargo operations.
 - The enhancement of the terminal building.
 - Airside development.
 - Development of the Maintenance, Repair and Overhaul (MRO) facility, linked to the Advanced Manufacturing Research Centre.
 - Ambitions for employment and housing growth around the airport, as well as a plaza incorporating retail, leisure and hotel facilities.
 - A potential future railway station linking to the nearby East Coast Mainline.

The Local Plan states that the Council is broadly supportive of the Masterplan and ambitions of the airport, and recognises the importance of this asset. “A successful airport will bring economic benefits for the Borough and the City Region. It opens both up to enhanced business and employment opportunities, and increases opportunities for international investment, as well as easy access to international markets for local businesses.”

- 9.30 Policy 7 seeks to ensure that the Council has sufficient overall policy input to ensure that the Airport delivers sustainable and carefully planned growth. The policy states that;

“Growth and investment at Doncaster Sheffield Airport (in areas defined on the Policies Map), will be supported to enable its development and expansion in line with the following principles:

C) Employment (B1 b/c, B2 and B8) uses will be supported on land allocated at the Airport (Sites 748 & 941) subject to the requirements of Policy 4.

The application site is Site 941 in the Local Plan. Policy 7 also seeks to ensure that development at the airport must be informed by area wide master-planning, and provides for a Green Infrastructure Strategy which protects and enhances assets (ie through habitat creation). The site is also recognised under proposed Policy 4 (Employment Allocations) as a larger site to support sectors such as distribution warehousing and major manufacturing and engineering. The policy also states that only business (B1b/c), general industry (B2) and storage and distribution (B8) uses will be permitted on these sites unless the proposal is ancillary to the employment use.

- 9.31 In light of the above assessment of development plan policies and related material considerations, it is clear that whilst there is conflict with the development site's location within open countryside (CS2), there has also been the emergence of numerous policy documents at both Local and Regional level which promote large scale economic development around DSA. There is support for growth and investment at the airport within employment land policies of the Core Strategy (CS2, CS5 and CS6). The Core Strategy was adopted by the Council in 2012, and since that time the great importance and unique role the airport will play in bringing forward economic investment to both the Borough and the wider City Region has been further recognised. The Sheffield City Region within their Economic Plan state that the airport is a catalyst for business development, inward investment and job creation with regard to logistics, engineering and associated aviation activities, identifying it as a key spatial priority. Furthermore the SCR Integrated Infrastructure Plan (SCR IIP) sets out the Region's approach to infrastructure up until 2025. It sets out a number of Spatial Packages for the SCR Growth Areas (including the airport) and recognises that the provision of large industrial buildings will be key to supporting the growth of aviation and engineering businesses. Whilst these are not adopted planning documents, they are important considerations as they demonstrate more recent policy thinking in terms of the role of DSA. This approach has subsequently been followed in the proposed Local Plan policies and land allocations, which support this level of development on this site at the airport. It is recognised that full weight cannot be attached to the Local Plan given its stage of preparation, however the content of the plan has been agreed by Full Council and so is reflective of the agreed views of the Authority. The plan has been through Regulation 19 Publication stage which ended on 30 September and the Council is aiming to submit the Local Plan for examination by the end of 2019 and intend it be adopted by the end of 2020.
- 9.32 On balance, it is considered that the proposal can be supported in policy terms. It is recognised that the site location within the open countryside is in conflict with the Core Strategy and saved UDP policies, however there are more up to date material considerations and decisions which are aligned with National Policy and allow support for the proposed uses in this location. The economic benefits and job creation that the proposal will bring forward are afforded significant weight. The Minerals Safeguarding allocation is noted, however this is not considered to outweigh the benefits that this proposal will bring forward. It is also noted that the application site is proposed to be removed from the safeguarding allocation within the forthcoming Local Plan. This of course on the basis that the proposal is acceptable in terms of its environmental and more site specific impacts, which will be explored further and added to the planning balance in making a final recommendation.

Conclusion on Social Impacts.

- 9.33 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.
- 9.34 In conclusion the proposal would not adversely affect neighbouring residential properties by virtue of the separation between the proposed buildings and existing properties. The proposal would bring forward job opportunities over the next few years for the local population, which is of a great social benefit.. When combining these factors, this weighs considerably in favour of the application

ENVIRONMENTAL SUSTAINABILITY

9.35 Design and Impact upon the character of the area

- 9.36 Whilst the application is in outline form with all matters reserved except access, the application has been submitted a suite of information including a Design and Access Statement, Illustrative Masterplan and a built parameters plan.
- 9.37 Policy CS14 of the Core Strategy is concerned with Design and Sustainable Construction, and seeks to ensure that new developments are 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. In terms of sustainability issues, non domestic buildings should seek to achieve BREEAM rating of at least "very good".
- 9.38 Policy CS6 of the Core Strategy is concerned with the airport, and sets out the criteria where proposals will be supported, including ensuring that "buildings, layout and landscaping are of high quality.
- 9.39 Saved Policy ENV53 of the UDP is also pertinent, stating;
- “ The scale and appearance of new development must have
Regard to its wider visual impact. Development will not normally be permitted if it would have a significant adverse visual impact on:
A) views from major transportation routes; or
B) views across open countryside; or
C) views of important landmarks.”
- 9.40 As stated previously, the application site covers approximately 212.25 acres, and currently consists of large arable fields, divided by hedgerows and ditches. The Finningley Big Wood is located immediately to the north of the site, with the operational boundary of DSA located to the further to the north and also to the east. The main Great North Road (A638) is to the west of the site, with High Common Lane to the south. The existing topography within the proposed development boundary is generally flat, ranging from 5 m AOD around Doncaster Sheffield Airport to 35 m AOD at the highest point to the south west of the application site.

- 9.41 The submitted Design and Access Statement (DAS) includes within it a section on Development Parameters, which sets out the key parameters, frameworks and principals to be established by the permission, and an Illustrative Masterplan and Landscape Strategy, which sets out the illustrative proposals to demonstrate how the site could be developed in accordance with the principles and parameters set out. Landscape and visual setting information has also been provided to set out the visual impacts of the proposal on the surrounding landscape.
- 9.42 As a basis to inform the illustrative masterpan, the DAS sets out Parameter Plans which establish the key structuring principles of the proposals. The proposed uses on the site are B1c/B2+B8 use. Other uses will be ancillary to this, which will include administrative functions within offices, customer service receptions and staff amenities. The Parameters Plan shows that the site will provide for;
- A Landscape Boundary Zone
 - 2 Development Cells within which the buildings will be sited (Cell A to the south, Cell B behind to the north). These will be graded to provide 2 separate development plateaus
 - No Vertical Build Zones (Applying to Logistics/ Industrial Buildings Only)
 - Attenuation and Drainage
- 9.43 The application is in outline form with all matters reserved excepting access, and it is proposed that the main access to the site will be formed from a new roundabout on High Common Lane to the south of the site. A new roundabout is also proposed at the junction of High Common Lane and the Great North Road (A638), which will not be required until a certain level of development has been occupied on the site. The design and functionality of the proposed access arrangements will be discussed further on in the report. The Parameters Plan also shows an indicative main estate road running through the spine of the site, indicative vehicular access points into the development parcels, a pedestrian / cycleway along High Common Lane, and connections for pedestrians to wider areas.
- 9.44 The scale of the buildings on the site is a matter reserved, however the DAS does set maximum limits for the overall development height, which is proposed to be 52.84m AOD. As mentioned previously, the site ranges from 5 m AOD around Doncaster Sheffield Airport to 35 m AOD at the highest point to the south west of the application site. The site will obviously be levelled to provide development platform. The DAS shows proposed larger taller units to be to the rear (north) of the site, with indicative floor levels of 21m AOD, which means in practice the tallest buildings would stand to over 30m in height. This is comparable with larger employment units across the Borough. The scale has been determined by client demand for clear eaves height for the units, and is needed to accommodate the required storage capacity through high bay racking and mezzanines as required by operators. The office space provided within units remains ancillary to the main distribution functions of the operation. The visual impact of the scale of the buildings upon the character of the surroundings will be discussed later in the report.

- 9.45 A Green Infrastructure Mitigation Plan is also provided, which shows a landscaped boundary enclosing the majority of the site. The plan states that the site will take an integrated and coordinated approach to landscape design, ecology and sustainable drainage. The application has been amended following comments from consultees to provide a substantial landscaping belt along the western site boundary, to provide better landscape mitigation and ecological corridors / habitat linkages.
- 9.46 In terms of surface water drainage a new network will be installed which is proposed to follow the alignment of the proposed road network, to provide acceptable flow levels, with appropriate points of connectivity as plots are developed, and to provide maintenance access throughout the life of the asset.
- 9.47 The proposed drainage network will include a significant section of new ditch as the main element of the surface water strategy, together with oversized pipes to allow for sufficient attenuation storage during the construction phase and a baseline of storage capacity once the plots are operational. Attenuation systems will be constructed for individual development plots, which will ensure that the surface water runoff to the culverts does not exceed greenfield runoff rates.
- 9.48 Similarly, the proposed foul water will also follow the alignment of the proposed road network. The new pipe network will extend northwards and connect via gravity to the DSA private network at the southern end of the terminal. The pipework was originally proposed to pass through the Finningley Big Wood northwards, however this route has been altered following strong concerns raised by the Council's Ecologist and Tree officer, to now follow a route which skirts around the eastern edge of the wood, through less valuable habitat.
- 9.49 In design terms, the applicants state that the proposal will seek to reflect contemporary design principles to create high quality warehouse / industrial buildings which will provide for the requirements of a range of potential end users. A varied range of building sizes have been shown to reflect what is considered to be the current market demand. The buildings are all shown to be of a rectangular footprint, with generous service / loading yard areas and staff parking. This lends itself to achieving the balance of the external wall area required to maximise the number of loading doors with achieving the adequate depth for internal racking and storage layouts with the provision of ample manoeuvre space externally. Where possible, separate access for HGVs and cars is provided to units meaning that car parking is positioned away from HGV access and servicing areas. The proposals takes into account the level difference at the site boundaries and the need to maintain existing trees to maintain screening and provide additional landscape buffers along the periphery of the site.



Illustrative Masterplan

- 9.50 The proposed plots will be served by a central spine road through the site, running northeast – southwest, with individual plots to either side being served from it. The layout shows how a future road connection to the airside land could be achieved should there be a need to provide a dedicated air cargo connection. The layout also incorporates lit footways throughout to enable pedestrian access to all plots, and also shows connections to existing footpaths in the area, including those to the north, which will provide access to the wider airport area. The layout will also provide pedestrian connections to High Common Lane, which would also be upgraded as part of the proposed development, with new footways providing access to the A638. Each plot would have its own servicing and parking area, with access points dedicated to segregate the associated vehicle movements. Standard, disabled and cycle parking will be provided in line with DMBC standards.
- 9.51 The main access into the site is shown to be via a new roundabout on High Common Lane, centrally located on the southern boundary of the site. The means of access is being formally agreed as part of this application. Two secondary priority junctions are indicatively shown to either side of the main access. The junctions have been designed for access by articulated vehicles. The site layout also shows the realignment of the junction of High Common Lane with the A638 Great North Road, providing a new roundabout junction at this point. The roundabout junction would facilitate movements by articulated HGVs and would retain all pedestrian routes currently provided. Where new footways are provided, these are shown as being 2 metres wide, with pedestrian crossing points provided along suitable desire lines. The works to alter this junction would not be required at the outset of the development, however would be needed at a later phase of development as traffic flows increase. The Highways officer has recommended a condition to ensure that no more than 50% of the approved employment floorspace

(162,580sqm) can be constructed until full design and construction details of the proposed roundabout and carriageway re-alignment have been submitted and approved, and the works carried out. There are no objections on highways design grounds, subject to the above condition, as well conditions to ensure a Construction Traffic Management Plan is put in place, as well as standard highways conditions to ensure the appropriate standards are met.

9.52 In terms of landscaping, the approach is to integrate the development into the local landscape by connecting to existing landscape elements. Structural tree planting is proposed to the northern and southern boundary of the site; to the western boundary a substantial area of tree planting providing screening for views from the west/northwest; and along the main access road, an avenue of more ornamental trees. Trees within these areas will provide links to Hurst Wood and Finningley Big Wood to the north and Hag Plantation and Cadman's Plantation to the west of the site, enhancing the local green infrastructure. The proposed landscaped area to the western boundary has been increased during the application process, following comments from the Council's ecologist and tree officer, to allow for a better level of mitigation in respect of ecological habitat / linkages and tree loss within the site.

9.53 It is proposed that boundaries within the site continue the local pattern of boundary treatment by planting of new hedgerows, to enhance habitat and biodiversity value and green infrastructure. Species included in hedgerows will be native and reflect the general distribution of species in the local area. The rural context of the site will be reflected in areas of grassland within the site. These will be located away from buildings and will constitute amenity grassland that is low maintenance and species rich. Landscape in the vicinity of proposed buildings will include more formal planted areas.

9.54 In terms of sustainability measures, the applicants have provided a sustainability statement with the application. It is proposed that the new buildings within the site will achieve BREEAM Very Good rating, in line with the Council's adopted policies. This includes the installation of measures to achieve key credits to reduce energy and carbon emissions, improve water efficiency and the use of sustainable materials. This includes:

- The consideration of measures to reduce water use, including fixtures, fittings and equipment;
- Sourcing materials through the BRE Green Guide, targeting the use of A rated materials for major building elements;
- Identifying targets for reducing and managing waste during construction and operation

The applicants also state that the new buildings on the site will aim to achieve a 10% reduction in carbon emissions over Part L 2013 through a range of fabric, and energy efficiency measures, as well as the consideration of low carbon renewable energy. Energy efficiency measures to be incorporated into the detailed design of the buildings include:

- Provision of roof lights to cover 15% of the unit roof spaces to prioritise natural daylighting, minimising artificial lighting and energy requirements;

- Use of materials with low u-values to minimise heat loss;
- Consideration of additional low carbon renewable energy technologies.

The submitted sustainability statement goes on to say that the development will incorporate wider environmental objectives for new development, ensuring the development is resilient to the future impacts of climate change, through a range of measures including sustainable design and construction, surface water management, ecological enhancement and sustainable waste management.

- 9.55 The Councils Built Environment officer has assessed the application, and provided comments during the processing of the scheme. Whilst the proposed masterplan is indicative only, with details to be agreed through the submission of reserved matters applications, it is important that various parameters and design features are agreed. The main points picked up as part of the consultation relate to connections from the site, landscaping, and the height of the buildings in terms of their visual impact upon the character of the area.
- 9.56 In terms of connections, the applicants have amended the illustrative masterplan to show more clearly and definitively how future pedestrian / cycle linkages to the north and west of the site could be achieved, as well as showing how the routes through the site could be better accommodated. It is accepted that the final laying out and details of these linkages could be secured by way of a condition, possibly in the form of the requirement of a design code which would establish various design standards across the development site.
- 9.57 Landscaping around the site edges was another point raised in the consultation. In response to the comments made, the western edge of the site now shows an increased landscaped area, which will allow more substantial planting to provide both visual mitigation, as well as providing an appropriate level of ecological mitigation and linkages. The applicants have not increased the landscaping to the eastern side of the site, where a fairly substantial buffer is shown in the south eastern corner, however the northern section shows a much narrower strip. The applicants state that they cannot provide additional space alongside the boundary, as the airport runway is located further to the east, and increasing the amount of planting here may be interfere with future airside activities. The Built Environment officer does not that it is pleasing to see generous landscaped strips and zones long the spine road within the site, which should provide good opportunities for an appropriate level of planting and would enhance the overall appearance of the development. Landscaping within the site can again be picked up as part of a Design Code. Whilst the applicants have not provide all of the additional planting requested within the responses, it is felt that overall and on balance, the level of landscaping in and around the site is acceptable.
- 9.58 Comments were also made and further details requested in respect of building heights and the visual impact of the proposals. As mentioned earlier in the report, the DAS and parameters plans suggests maximum building heights ranging from 25-32m above AOD, which are significant heights for a countryside context. It is understood occupiers of such buildings nowadays require taller heights for racking, and these heights are comparable to recently constructed units at the iPort and at Junction 4 of the M18 near Armthorpe. Such heights have to be robustly assessed and justified, and to this end the application was accompanied by a Landscape Visual Impact Assessment.

- 9.59 The application details show the creation of two main development platforms with a step change up from the lower third portion of the site to the north formed by land graded slopes. As mentioned previously, the DAS shows proposed larger taller units to be to the rear (north) of the site, with indicative floor levels of 21m AOD, which means in practice the tallest buildings would stand to over 30m in height.
- 9.60 The LVIA provides an assessment of the existing landscape character of the site and surroundings, as well as identifying surrounding visual receptor points from where the development will be visible. Further information was requested, to provide wire frame models of how the finished development would appear from various viewpoints when completed.
- 9.61 As already discussed, the application site is currently arable land, with several small wooded copses, and a number of ditches / drains within the site. The site is bound to the north by woodland associated with Finningley Big Wood, beyond which lies the main passenger terminal and other passenger facilities of the airport; to the east by the airport runway; to the south by High Common Lane, and to the west by a well defined hedgerow and tree line beyond which is the Great North Road (A638). The topography of the site slopes gently downwards from south west to north east, falling from approximately 25m AOD to around 15m AOD.
- 9.62 Policy CS14 seeks to ensure that new development should have no unacceptable effects upon the amenity of neighbouring land uses or the environment, whilst policy CS3 (Countryside), states that proposals which are outside of development allocations will only be supported where they would not be visually detrimental by reason of siting, materials or design.
- 9.63 The application site does not hold any special landscape character designation such as AONB. Within the Landscape Character & Capacity Study of Doncaster Borough the borough is divided into Landscape Character Areas (LCA), and the LVIA study area lies within 3 of these;
- E1 – Torne River Carrlands;
 - H1 – Bawtry to Finningley Sandland Heaths and Farmland; and
 - H2 – Blaxton to Stainforth Sandland Heaths and Farmland.

The main characteristics of these areas include large scale arable farmland divided into rectangular fields, fragmented and missing hedge boundaries, scattered farms, small rural settlements, geometric landscape with straight roads, straight edged conifer plantations and fields, mixed deciduous and coniferous woodlands and major transport routes including motorway and railway.

- 9.64 In addition, the Landscape Character and Capacity Assessment of Doncaster Borough notes the landscape impact of Doncaster Sheffield Airport (then known as Robin Hood International Airport) adjoining the southern boundary of LCA H2 and within the north of the LCA H1 due to increases in noise, traffic and development of infrastructure and services associated with the airport. The assessment also considers that large scale buildings would fit well with the scale of the fields to the north of High Common Lane; would introduce manmade elements in contrast to the existing, simple landscape; and result in a major changes to views, especially from the south east and concludes that the landscape capacity for strategic employment within the South-western Edge of Robin Hood Airport is low to none.

9.65 As stated previously the applicants have provided visual representations showing the proposed development within the landscape from different viewpoints, and the significance of impact has also been assessed from those viewpoints. The impacts upon visual amenity from the majority of the viewpoints is assessed as being moderate adverse upon completion of the development. A moderate adverse impact is defined as where the development, or a part of it, would form a prominent feature or element of the view which is readily apparent to the receptor in the view; and partial mitigation is possible.

9.66 Viewpoint 1 – Warren House Farm

The LVIA concluded that at year 1 of operation of the Proposed Development there would be a low magnitude of impact and a moderate (significant) effect as a result of the high sensitivity receptor. The LVIA states that ‘a very small proportion of the proposed development would extend across the majority of the view’. As a result of the substantial proposed screen planting to the western boundary that would be establishing at year 15 of operation, the LVIA concluded that the impact would reduce to minor adverse (not significant) effect in the long-term.

Viewpoint 3 – Norwood Farm/ Hurst Lane

The LVIA concluded that at year 1 of operation of the Proposed Development there would be a low magnitude of impact and a moderate (significant) effect as a result of the high sensitivity receptor. The LVIA concluded that vegetation in full leaf would decrease the impact of the Proposed Development at this location. As a result of the substantial proposed screen planting to the western boundary that would be establishing at year 15 of operation, the LVIA concluded that the impact would reduce to minor adverse (not significant) effect in the long-term.

Viewpoint 5 – Bancroft Farm

The LVIA concluded that at year 1 of operation of the Proposed Development there would be a moderate magnitude of impact and a moderate (significant) effect as a result of the moderate sensitivity receptor. The LVIA concluded that ‘residential receptors at Bancroft Farm would have a partial view of large-scale buildings in the middle distance, prominent against the skyline and filtered by tree planting in the near distance’. The LVIA concluded that the impact would reduce to minor adverse (not significant) effect in the long-term as a result of the maturation of off-site planting.

Viewpoint 8 – High Common Lane

The LVIA concluded that at year 1 operation of the Proposed Development there would be a low magnitude of impact and a moderate (significant) effect as a result of the high sensitivity receptor. The LVIA states ‘roadside vegetation would obscure a large proportion of the Proposed Development from view for receptors at ground level while filtering the view of proposed buildings for upper storey windows.’ Views from residential receptors at this location are oblique. The identified receptors at this location would not experience a view of the Proposed Development without road side vegetation screening ground floor views and providing heavy filtering of views from upper storeys. As a result of the proposed screen planting to the southern boundary that would be establishing at year 15 of operation, the LVIA concluded that the impact would reduce to minor adverse (not significant) effect in the long-term.

The existing baseline photograph at this location was taken at ground level, through a gap in the roadside vegetation. The location was intended to provide some visibility of the Proposed Development as a 'worst-case' scenario and would represent transient 'snapshot' views of road users along High Common Lane. Residential receptors at this location would not experience unobstructed views towards the Proposed Development as illustrated within the photomontage for viewpoint 8.



Viewpoint 1



Viewpoint 3



Viewpoint 5



Viewpoint 8

9.67 The Built Environment officer has expressed concerns over the visual impact of the proposal from certain vantage points surrounding the application site, noticeably from immediately to the south of the site on High Common Lane. It is recognised that the new buildings will be of a substantial scale, and will be visible from certain viewpoints. This impact has to be balanced against the benefits of the scheme, and a decision taken as to whether the impacts outweigh the benefits. As already stated, the application site is shown for allocation within the forthcoming Local Plan, and The Sheffield City Region Strategic Economic Plan (SEP) recognises the airport as one of two strategic areas for Growth and Change within which a significant proportion of the Region's growth is expected to occur. These objectives mean that if these strategic economic objectives are to be realised, and the area around the airport is further developed, a consequence is that the character of the landscape within and around the area of the airport will change substantially. The Landscape Character and Capacity Study also considers the impact of large new buildings in this particular area, stating that they would fit in with the surroundings. The visualisations below show that due to intervening landscape features, the new buildings would not be overly prominent from most viewpoints, excepting from the south. On this basis, whilst it is noted that there will be a visual impact associated with the development, it is considered that the harm caused by this would not be so significant when compared to the economic and growth benefits that the proposal would bring forward.

9.68 Conditions will be attached to the decision to ensure a design code is submitted with the first submission of reserved matters, covering issues such as materials, communal spaces, linkages and footpaths etc to ensure there is a consistency of design approach across the whole site. Conditions will also be required to agree external materials, landscaping, sustainability measures and building heights.

TRANSPORTATION

9.69 As part of the application, a Transport Assessment has been provided as a chapter within the Environmental Statement. The Council's Transportation team and Highways England have also been consulted and provided comments on the proposal.

- 9.70 As has already been discussed, the application site will be accessed via a new roundabout to the south on High Common Lane, with the realignment of the A638 to include a new roundabout junction also required. It has been agreed that those works would not require to be implemented until 50% of the permitted floorspace has been occupied.
- 9.71 In order to undertake a robust assessment of the likely trip generation caused by the proposal, and hence the impact upon the highway network, the Transport Assessment adopted a worst case scenario approach. The application proposes a mix of B2 and B8 employment uses, and according to recognised methodology, B2 uses generates more vehicle trips than B8. On this basis the TA considers a land use split of 80% B2 and 20% B8, despite this being an unlikely scenario. Using this approach, the total trip generation of the development would see 147 HGV movements in the AM peak, with 767 smaller vehicles, and 55 HGV movements in the PM peak with 535 smaller vehicles.
- 9.72 The applicants agreed with the Council which roads / junctions surrounding the development site required to be assessed as part of the TA, and trip distribution patterns produced to show where the traffic flows will be. Two patterns were produced, one for light vehicles and one for heavy vehicles. Light vehicles in the main are employee trips to and from home, and this distribution has been informed by local census data, to consider the proportion of trips that would likely route from the surrounding residential areas. The distribution considers the relative size of the residential areas, their distance from the Site and quality of the journey route / highway connection. Heavy vehicle distribution has been informed by considering the location of potential local destinations for operational vehicle movements, and also the availability of high quality vehicle routes to the Strategic Road Network ("SRN") that would be most attractive for HGV access to wider destinations. The Great Yorkshire Way is a new, high quality, route to the Strategic Road Network. It is also a direct and convenient route to White Rose Way; a high capacity route into Doncaster centre from the south, via employment and industrial areas. The route between the Site and Great Yorkshire Way will also be enhanced by way of the A638 junction improvement at High Common Lane, making this an attractive route to and from the SRN.
- 9.73 The vehicle distributions can be applied to the vehicle trip generation figures, which provides the development trip generation over the local highway network for the AM and PM highway peak hours. The TA also includes within it future likely traffic flows associated with other committed developments in the area, such as the residential development adjacent to the Airport Access Road and the Yorkshire Wildlife Park, to ensure future cumulative impacts are properly assessed. On this basis, and as agreed with the Council, the following junctions were assessed as part of the TA;
- The proposed Site access roundabout junction with High Common Lane;
 - The proposed Site access priority junctions with High Common Lane;
 - The existing priority junction of High Common Lane with the A638;
 - The proposed roundabout junction of High Common Lane with the A638
 - The signals junction of the A638 with Hurst Lane;
 - The roundabout junction of the A638 with GYW;
 - The signals junction of the A638 with GYW and Sheepbridge Lane;
 - The GYW / Ontario Drive roundabout; and
 - The roundabout junction of GYW with M18 Junction 3.

- 9.74 The Council's Transportation team initially raised concerns with the information provided as part of the TA, in terms of the base traffic flows shown as well as modelling information of the various junctions. Following updated information being provided, the Transportation team, having liaised with the Councils Signals team, have confirmed that the information provided in respect of traffic flows and the modelling of junctions is now acceptable. The updated information shows that the junctions on the local highway network will be able to operate within capacity when the development is operational without further mitigation works taking place. The only additional requirement is for 2 no. CCTV cameras to monitor traffic on the Parrotts Corner and A638/Hurst Lane signalised junctions, which will be secured via s106.
- 9.75 Highways England have also been consulted as part of the application, with their interest relating to the impact of the proposal upon Junction 3 of the M18. A holding objection was initially received, with HE querying various elements of the TA, including the predicted traffic flows and required more up to date modelling of the functioning of Junction 3, where congestion is known to occur during both weekday peak periods on the M18 westbound carriageway between Junctions 3 and 2, and has been observed to extend back along the Junction 3 westbound on-slip, to the circulatory carriageway of M18 Junction 3.
- 9.76 Following liaison and discussions between HE and the applicants, it has been agreed that that a scheme comprising of revised white lining and signage is appropriate to mitigate the development traffic at Junction 3, which would require to be implemented only after 100,000m² of floorspace has been occupied on the development. The holding objection is still in place, as the proposed mitigation scheme is currently only part way through the Stage 1 Road Safety Audit (RSA) process, which needs to be agreed and signed off. However HE have confirmed in writing that they are comfortable with the application being presented to the Planning Committee on the basis that the mitigation scheme is entirely achievable, and is currently being reviewed at the moment. Should the committee be minded to approve the application, it is recommended that the decision is delegated to the Head of Planning to issue upon agreement of Stage 1 Road Safety Audit and the lifting of the holding objection.
- 9.77 The applicants have also provided a Framework Travel Plan with the application, which proposes a series of measures to promote sustainable travel patterns and reduce the reliance on the car. These include;
- Active promotion of Public Transport Information to Staff and encouraging staff to use public transport;
 - Distribution and display of TP information;
 - Providing a personalised journey planner for each member of staff to promote access by sustainable means;
 - Initiating and publicising an in-house car sharing scheme and also contributing to the Airport's Car Sharing scheme.
 - Liaison with the Airport's TPC to establish how wider TP measures might benefit the Site.
 - Annual surveys to identify and resolve potential issues that may be preventing / dissuading people from using sustainable means of transport. This can also inform potential additional future measures.

The Framework Travel Plan sets out a target of reducing single occupancy car journeys by 10%. Monitoring surveys of staff travel patterns will be undertaken annually once the development is 25% occupied. The Council's Transport team have raised no objections to the Framework Travel Plan. A commitment to 5 years traffic monitoring to inform the targets within the Travel Plan and trip generation shown within the TA will be secured via s106 agreement. Similarly, a Travel Plan Bond will also be required, to be utilised to implement sustainable travel mitigation measures should the Travel Plan targets not be met, also to be secured via s106.

- 9.78 Overall, the scheme is considered to be acceptable in terms of transportation issues. The applicants have provided the necessary information to the Council's Transportation team and Highways England to demonstrate that the scheme would not cause an unacceptable impact upon the local and strategic highway network. Highways England have confirmed that they will remove their holding objection once the Stage 1 Road Safety Audit has been agreed in respect of the mitigation measures required at Junction 3 of the M8.

ECOLOGY AND TREES

- 9.79 Policy CS16 of the Core Strategy is concerned with the natural environment, and states that proposals will be supported where they both enhance and protect ecological networks and the borough's landscape and trees. Policy CS17 – Providing for Green Infrastructure – seeks to achieve the protection, maintenance, enhancement and extension of Doncaster's green infrastructure network (including key 'green wedges'). Paragraph 170 of the NPPF states that "Planning policies and decisions should contribute to and enhance the natural and local environment by... minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures." As part of the application, the applicants have provided both ecological and arboricultural assessments, as part of the accompanying Environmental Statement.
- 9.80 As stated previously within the report, the site currently is agricultural in nature, arable and managed. There are no national statutory designated sites within 2km of the site. The nearest to the Site is the River Idle Washlands Site of Special Scientific Interest (SSSI), which is approximately 3.1 km south-east. The SSSI is designated for its breeding and wintering bird interest, and extensive areas of floodplain fen and lowland wet grassland. This site has been scoped into the impact assessment on the basis that there is potential connectivity between the Proposed Development and the SSSI via the surface water drainage pathway.

The following Local Wildlife Sites (LWS) are relevant to the application site;

- Hammond's Elders LWS – a small wooded copse on the banks of a stream, which is entirely within the Proposed Development Site boundary;
- Tinker's Pond LWS – a small wooded copse (the pond is dry) that is approximately 75 m east of the Proposed Development Site boundary;
- Finningley Big Wood & Gravel Pits LWS – this designation covers the large area of woodland that lies in the northern part of the Site, some of which is within the Development Site boundary. A 0.3 ha section of the woodland is listed on the Ancient Woodland Inventory (ancient and semi-natural woodland); and
- Hurst Wood LWS – a large area of woodland approximately 250m north-west of the Proposed Site boundary, which is essentially a continuation of Finningley Big Wood, extending west to the A638.

- 9.81 The site mainly consists of large arable field, separated by a species poor hedgerow network. There are also a number of ditches, which are often dry, and several small woodland copses within the site. One of the copses in the western part of the Proposed Development site is designated as a LWS (Hammond's Elders).
- 9.82 In terms of habitats, the majority of the site comprises of large arable fields, which are of little value to nature conservation as they are subject to intensive cultivation. The fields are separated by a network of ditches and sections of species poor hedgerow. Most of the hedgerow resource is located to the site boundary, with the mature hedgerow along High Common Lane being generally species poor and recently planted, however central 30m section of the hedgerow (H8) was considered to be sufficiently species-rich to meet the Hedgerow Regulations 1997 criteria for an 'important' hedgerow when assessed in isolation.
- 9.83 The following habitats recorded within or directly adjacent to the site are considered to be of value at a Local or County level and were included within the ecological impact assessment.
- woodland – including semi-natural broad-leaved woodland and plantation woodland (broad-leaved, coniferous and mixed) associated with Hammond's Elders LWS, Tinker's Pond LWS, Finningley Big Wood and Gravel Pits LWS and Hurst Wood LWS;
 - mature trees; and
 - the species-rich section of hedgerow H8 along the southern boundary of the Proposed Development with High Common Lane

The other habitats within and around the application site were considered to be of negligible value.

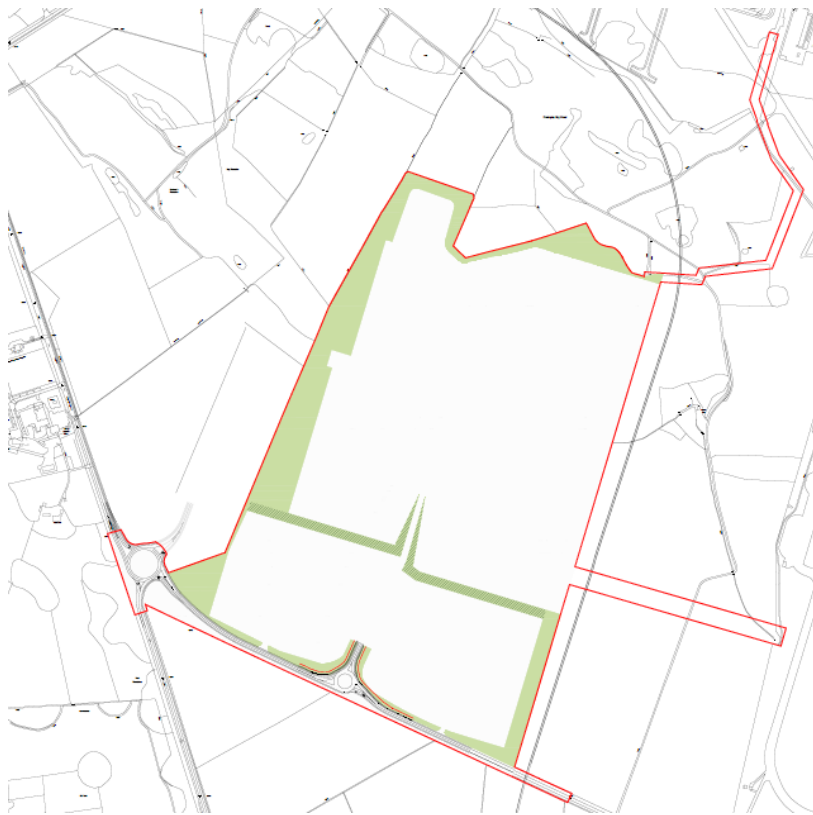
- 9.84 The applicants provided surveys of the following protected and notable species; bats, reptiles, great crested newts, breeding birds, water voles and otters. No field signs of great crested newts, water voles or otter were evident within the site following surveys of the ditches and water bodies on the site.
- 9.85 In terms of bats, the surveys undertaken showed that there was no potential bat roosting habitat was identified within the Proposed Development area. The woodlands are, for the most part immature and contain few mature trees, and where these are present they are located within dense, cluttered woodland, and supported few features suitable for roosting bats. It was noted that there was potential for roosts within Finningley Big Wood, to the north of the site. In terms of bats using the site for foraging and commuting, common pipistrelle was by far the most common foraging bat species surveyed within the site. The southern edge of Finningley Big Wood was found to be the highest area of bat usage within the development site, and some foraging and commuting activity was recorded to the south of the site.

- 9.86 The survey data indicates that the majority of the development site is of limited value to foraging and commuting bats. This is because it is dominated by large arable fields, with few linear hedgerow features to provide connectivity for bats. However the central hedgerow and the wooded copses do provide features that assist with bat navigation through the landscape. The majority of the application site is evaluated to be of negligible nature conservation to foraging and commuting bats.
- 9.87 In terms of reptiles, the survey evaluated that the majority of the application site is of negligible value to reptiles. The higher quality habitat for reptiles within Finningley Big Wood to the north of the site is considered to be of county value, given the exceptional population of grass snakes recorded, and the presumed presence of common lizard.
- 9.88 In terms of breeding birds, a total of 39 bird species were recorded as breeding, probably breeding or possibly breeding within the application site boundary. The assemblage of species recorded was found to be typical of arable habitat and woodlands, and included several declining farmland bird species.
- 9.89 Both the Councils ecologist and Yorkshire Wildlife Trust have been consulted and provided comments on the application. The main impacts of the proposal stem from the need to provide level development platforms across the site, which results in the loss of habitats internally. This includes the loss of the Hammond's Elders LWS, and all mature and semi-mature trees and woodland within the footprint of the application site would be lost during construction. This would occur at the following locations:
- Three large mature ash trees in the roadside boundary hedgerow – these coincide with the roundabout and site entrance off High Common Lane and cannot be retained;
 - Small wooded copse at SK 651 973 in centre of Site – all trees will be lost to the Proposed Development footprint. This includes a number of mature oak trees; and
 - Small area of mixed plantation woodland and scrub at SK 649 977 – all trees will be lost the Proposed Development footprint.
- 9.90 Similarly, all internal hedgerows will be lost. As discussed previously, the majority of these are fragmented and species poor, however this does represent a loss of habitat. There will also be fragmentation of the more valuable hedgerow along the southern boundary with High Common Lane, as a result of forming the site access. These losses also mean there would be loss of habitat for breeding birds, and foraging / commuting habitats for bats. Without embedded and proposed mitigation measures, these impacts are considered to be significant. The application also originally proposed a sewer line to run northwards from the site through the Finningley Big Wood. This element of the proposal was however amended to route around the wood, following concerns raised by consultees.
- 9.91 The application was initially objected to by the Council's ecologist, due to the net loss of biodiversity across the site with what was considered to be inadequate mitigation proposed to compensate for the loss of habitats. Following this response, and meetings between the Councils ecologist and the applicants, further information was provided, setting out a biodiversity net-gain assessment. This involves making comparison between the biodiversity value of habitats present within the site prior to a development and the biodiversity value of habitats present following the completion of the development. The comparison is undertaken in

terms of 'biodiversity units', with a 'biodiversity metric' providing the mechanism to allow biodiversity values to be calculated and compared. The Defra metric forms the basis of the assessment. The Defra metric has been adapted to enable practitioners to calculate the losses and gains of development by assessing the distinctiveness (i.e. type of habitat and its value), condition and extent of habitats on site pre- and post-development. The metric translates habitat data into biodiversity units. To achieve net gain, a development must have a higher biodiversity unit score after development than before development.

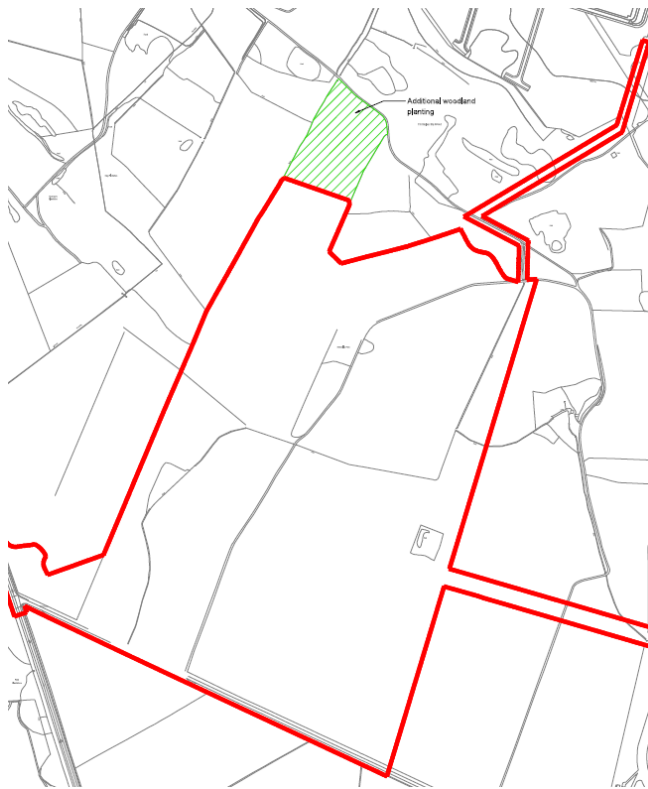
- 9.92 The application site area is approximately 89.6ha, which comprises of a mixture of mostly arable fields (77.17ha), broad-leaved semi-natural woodland (2.76ha) and mixed plantation woodland (0.94ha) with smaller areas of semi-improved grassland and ditches. Some 89.2ha of existing habitat will be lost during the construction of the development (including the Hammonds Elder LWS), except for some 0.18ha of mixed plantation woodland / scattered trees which will be retained.
- 9.93 In mitigation, the proposed development will result in the creation of the following habitats;
- Additional 58.96ha of hardstanding features e.g. parking, pads for buildings and road features;
 - Creation of an area of off-site habitat adjacent to the site, comprising of approximately 0.47ha of scattered trees, 0.85ha of scattered scrub, 0.48ha of tall ruderal and 0.62 of broad-leaved plantation woodland designed to provide a mosaic habitat.
 - Creation of the following areas of habitat on-site;
 - 4.40ha of broad-leaved plantation woodland
 - 3.20ha of mixed plantation woodland
 - 4.02ha of scattered scrub
 - 1.36ha of scattered trees
 - 1.48ha of marshy grassland
 - 4.22ha of semi-improved neutral grassland
 - 4.28ha of semi-improved acidic grassland
 - 4.60ha of introduced scrub (around the building perimeters)
 - 2.46km of species rich intact hedgerow
- 9.94 Apart from the broad leaved woodland which is classified as good, the majority of habitats on the site are generally of limited ecological value and are classed as low to medium distinctiveness. This is due mainly to arable fields, a habitat of low distinctiveness covering approximately 85% of the site area. The baseline biodiversity value is considered to be 256.84 biodiversity units. The loss due to the proposed construction is -254.28 biodiversity units.
- 9.95 The amended landscape plan includes woodland, scrub, swales (marshy grassland) and hedgerows. The value of the proposed mitigation (i.e. habitats to be created and restored onsite and offsite), is 285.22 biodiversity units comprising of 123.48 biodiversity units (created), 159.17 biodiversity units (enhanced) and 2.57 biodiversity units (retained). The enhanced areas include the enhancement and management of Finningley Big Wood LWS to the north of the scheme. This area of woodland can be further managed and enhanced for their biological value and the species within them through the adoption of a management plan.

9.96 These figures show an overall net loss of 15.54 biodiversity units or a 6% reduction in biodiversity post-development will occur under the current proposals. In addition however, the applicants have also provided a habitat connectivity analysis, which quantifies how the existing habitat across the application site works at the moment, and how it would function following the development and proposed mitigation (planting) measures. A modelling programme assigns resistance values within habitats between which connectivity is modelled. In short, demonstrating how easily habitats in and around the site are connected. The purpose of this exercise is to show not just what type of new habitat is proposed, but how it will function. The dominance of arable fields, a low value habitat which is difficult for wildlife to cross means that the majority of the application site has a high resistance value. This results in the better habitats within the site not being linked to one another. Movement around the edges of the site, where there is more suitable habitat in the form of species rich hedgerow means movement is easier. The approach therefore is to strengthen and maintain species rich hedgerows on parts of the site which will improve flow and connectivity along these linear features, to and from areas of broadleaved semi-natural woodland and species rich hedgerow outside of the application site within the wider landscape. The Green Infrastructure plan provided with the application has been amended on the basis of this analysis, showing wider areas of landscaping, particularly along the western site boundary to improve linkages. This meets one of the criteria of Policy CS17, which states that proposals will be supported which prevent “fragmentation of habitats, creating linkages and enabling wildlife to move around the ecological network.”



Green Infrastructure Plan

- 9.97 The Council's ecologist is supportive of this approach to habitat creation and improved functionality. A series of conditions are recommended to ensure that there is an overall net gain in biodiversity and appropriate habitat creation. A Construction Environment Management Plan (CEMP) is required, which will ensure that the ecological interests of the site are maintained during the construction period. A Biodiversity, Mitigation Monitoring and Enhancement Plan (BMMEP) is also required which requires an assessment of baseline conditions, a timetable of survey updates set against the development phasing, the detailed specification for biodiversity creation and enhancement works, management and aftercare details and monitoring of the mitigation and enhancement measures, amongst numerous other measures. Finally, a scheme for the application of Biodiversity Offsetting across the whole of the development in accordance with the new DEFRA metric 2.0, to include biodiversity net gain of 110% will be achieved.
- 9.98 The Yorkshire Wildlife Trust maintain their concerns with the proposal, however note that the application site is intended to be allocated for such uses, and the application is in outline form. The most recent response states that if permission is to be granted, there are a number of requirements they would wish to be taken on board. The Council's ecologist has responded to these points, confirming that the detailed conditions proposed address the points raised.
- 9.99 As already stated, the nature of the proposal means that existing internal tree and hedge features will be removed to allow for the creation of the development platforms. The Council's tree officer has expressed concerns with elements of the scheme, which include the implications of the proposed realignment of the Great North Road to accommodate a new roundabout junction upon the TPO'd woodland on the western side of that road. The applicants have confirmed that the proposed works would be confined to the existing highway boundary, with no encroachment into the wooded area. Protective fencing would be installed during construction, and an arboricultural method statement would be provided detailing the methodology of removing existing kerbs and surfacing to avoid damage. A grouping of trees close to the centre of the site is also proposed to be removed as part of the proposals. The tree survey shows that only the northern tip of this grouping contains the very best trees. Given its location close to the heart of the site, it would be impossible to both retain this grouping and provide the level development platforms needed. In visual terms, this grouping is some distance from public viewpoints, and is seen against the backdrop of much larger and expansive areas of woodland. This notwithstanding, the Environmental Statement identifies that any trees which will be lost will be replaced on a 2:1 basis and will result in a net gain in tree cover across the site and within the immediate surroundings controlled by the applicant. As part of this approach additional planting (woodland) is proposed in the area of land situated between the attenuation pond and the western end of Finningley Big Wood in the north west corner of the site. This planted area would extend to approximately 3.5 hectares and be in excess of the area of the pockets of woodland which would be lost within the site (approximately 2.6 hectares). These pockets of woodland include this particular group of trees.



New woodland planting area

The applicants have removed the proposed sewer route through Finningley Big Wood, which was also of concern to the Tree Officer.

9.100 Overall, in term of ecology and the natural environment the proposal does result in the loss of significant habitat and trees within the site. The applicants have provided a detailed package of mitigation measures by way of habitat creation and biodiversity enhancements. The Green Infrastructure plan and connectivity assessment show that the proposal would create improved linkages across the site between high value habitats, enabling wildlife to move around the ecological network. Proposed detailed conditions would ensure that there is a robust Biodiversity Enhancement Plan for the site, as well as ensuring that there is a net gain in biodiversity as required by policy. Trees within the site would be replaced at a ratio of 2:1, and condition ensuring details of tree protection will be provided, and full details of landscaping to be agreed.

On balance, with the imposition of these conditions and proposed mitigation, the proposal is considered to be acceptable in terms of ecology and trees.

OTHER ISSUES

9.101 No objections have been received from other consultees to the application. In terms of heritage issues, the applicants have provided a detailed archaeological survey having undertaken extensive trial trenching and geophysical surveying. The investigations have confirmed that important archaeological remains exist across much of the site. The majority of features appear to be Romano-British in date and correspond with the small enclosures, field systems and trackways known from cropmarks on the site and from the wider area. South Yorkshire Archeological Service recommends that mitigation should comprise a programme of strip and record excavation focussing on the settlement and industrial areas and investigating the development and use of the associated field systems. A 2 part

condition is recommended, requiring a Written Scheme of Investigation to firstly be agreed, and secondly the development to be carried out in accordance with its recommendations.

- 9.102 The Councils Conservation officer notes that there are no listed buildings or heritage assets within the site, however the Grade 2 listed Rossington Hall and its separately listed stable block is located to the south west of the site on the other side of the Great North Road. There are belts of trees separating these from the main road and they are linked to the road by an avenue of trees with a lodge at its head which is a curtilage listed structure to the hall. Also of heritage significance is the surrounding parkland landscape which takes in the avenue. Not only does this form part of the setting of the listed buildings but it is recognised in its own right as a locally designated historic park and garden. It is noted that the development would alter the character of the road in the approach to the lodge entrance and detract from this element. At its nearest, the parkland is about 250m from the site and the edge trees may not provide sufficient screening from tall buildings. On balance it is felt that the scheme would result in less than substantial harm to heritage significance of the setting of the Rossington Hall listed buildings (including the character of the local park and garden), and is not considered to be so harmful to outweigh the benefits of the proposal.
- 9.103 The Councils Drainage team have been consulted, and raise no objections to the scheme, requesting conditions to ensure that full drainage details are agreed prior to the commencement of development. Similarly, Severn Trent and the Doncaster East Drainage Board raise no objections to the scheme.
- 9.104 The applicants provided an Air Quality Assessment as part of the Environmental Statement. Policy CS18 – Air Water and Agricultural Land:
- ...confirms that Doncaster's air, water and land resources will be conserved, protected and enhanced. The Council will support proposals which contribute to improvements in air quality by demonstrating how any effects on air quality will be mitigated and having regard to the targets of the Doncaster Air Quality Action Plan. The assessment of operational road traffic emissions identified that the proposed would have a negligible impact on local air quality for the majority of agreed receptor locations with no substantial or moderate adverse effects expected as a result of the operational phase of the development.
- 9.105 The Environment Agency have also been consulted, and suggest conditions relating to a remediation strategy to deal with the risks associated with contamination of the site. The EA also request that full drainage details are agreed prior to the commencement of development.
- 9.106 The Councils Environmental Health team raise no objections, requesting conditions to secure both a Construction Method Statement and a Construction Impact Management Plan.
- 9.107 The Airports Safeguarding Team have also responded to the application, requiring conditions limiting the height of the buildings on site, and to provide details of landscaping across the site.

Section 106 Obligations

- 9.108 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'.
- 9.109 A legal agreement is required to secure a financial contribution to provide for two (2) CCTV cameras to monitor the signalised road junction at Parrotts Corner, a traffic monitoring sum for the purpose of monitoring the outcomes of each Satisfactory Travel Plan, and a travel plan bond.

Conclusion on Environmental Issues

- 9.110 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.
- 9.111 Taken in the round, the proposal's design would cause some detrimental impacts to the ecological and arboricultural features of the site, however these are proposed to be mitigated to provide net benefits by way of improved ecological linkages and additional planting. The proposal would safeguard the historic environment in respect of archaeology and would not cause any unacceptable impacts upon the closest above ground heritage assets. The scheme will have a visual impact, however this on balance is not considered to be a of a level that would warrant refusal of the application. Conditions requiring a design guide, as well as landscaping details will ensure the proposal would protect the surrounding built environment by ensuring that the buildings on the site are well designed and laid out. It is considered that appropriate conditions would protect the highway and wider network, as well as ensuring very good energy efficiency, surface water drainage and finishing materials, meaning that the proposal would be sustainable environmentally. This weighs significantly in favour of the application.

ECONOMIC SUSTAINABILITY

- 9.112 It is expected that the development would bring forward substantial long term economic benefits through the creation of approximately 4300 full time jobs over the life of the development. The scheme would also bring forward a high level of investment and growth, in accordance with the Core Strategy's Growth and Regeneration Strategy, and would make a significant and valuable contribution to the identified potential for the creation of 36,000 jobs as set out within Policy CS5 of the Core Strategy. In the short term there would be 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.

9.113 Conclusion on Economy Issues

- 9.114 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.
- 9.115 The proposal would result in some short term economic benefit in the creation of jobs during the construction phase of the proposal and longer term would result in a significant number of new jobs and investment, playing a part in creating the envisaged economic growth for Doncaster. These factors weigh positively in favour of the application and when combined carry significant weight.

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. Whilst the proposal is in conflict with policies relating to the sites current allocation as Countryside, there are strong material considerations in favour of supporting the proposal and there are no material considerations which indicate the application should be refused.

RECOMMENDATION

Planning Permission GRANTED (Sec106) subject to the following conditions.

01. Application for the approval of Reserved Matters must not be made later than the expiration of ten years from the date of this permission and the development to which this permission relates must be begun no later than the expiration of three years from the final approval of the Reserved Matters or, in the case of approval on different dates, the final approval of the last such matter to be approved
REASON
Condition required to be imposed by Section 92 (as amended) of the Town and Country Planning Act 1990.
02. Approval of the details of the appearance, landscaping, layout and scale (hereinafter referred to as reserved matters) shall be obtained from the Local Planning Authority before any development, or phase of development begins, and the development shall be carried out as approved.
REASON
The application is in outline and no details having yet been furnished of the matters referred to in the outline they are reserved for subsequent approval by the Local Planning Authority

03. No development, other than site enabling works including infrastructure, primary access roads, utilities, drainage and earthworks (as approved under other conditions on this Decision Notice), shall commence on any part of the site unless the Reserved Matters in respect of that part of the site have been submitted to and approved in writing by the Local Planning Authority.

REASON:

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

04. Prior to the commencement of development, or any phase of development, details of the proposed external materials shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved materials.

REASON:

To ensure that the materials are appropriate to the area in accordance with policy CS14 of the Doncaster Core Strategy.

05. The layout and landscape details required in condition 2 above, shall include details of existing and proposed site levels, including finished floor levels of the buildings and the location, height and gradient/slope of all new earth banks/bunding, including around the respective development parcels. The development shall be undertaken in accordance with the approved details.

REASON

To ensure the satisfactory appearance of the development

06. The Reserved Matters submitted under condition 2 shall be in substantial accordance with the principles and parameters illustrated in the following parameter plans:

- Site Location Plan (18002_PL01 Rev C);
- Development Cells (18002_PL02 Rev E);
- Site Circulation Plan (18002_PL03 Rev F)
- Drainage Parameters Plan (18002_PL04 Rev C); and
- Green Infrastructure Plan (18002_PL05 Rev F);

Thereafter, the development shall be implemented in accordance with the approved details and retained thereafter, unless otherwise agreed in writing by the Local Planning Authority.

REASON

To ensure the development is in accordance with the approved details

07. No part of any building within the development hereby approved, including any aerials, antennae or other structures attached to any building, shall exceed a height of 52.84metres Above Ordnance Datum (AOD), without the prior written approval of the LPA in consultation with Doncaster Sheffield Airport Operations Department.

REASON

In the interests of air safety

08. Prior to or concurrently with the submission of the first Reserved Matters application(s), a Site Wide Phasing Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include the sequence of providing the following elements:

- (a) development parcels;
- (b) major distributor roads/routes within the site, including the timing of provision and opening of access points into the site;
- (c) site wide foul surface water features and SUDS; and
- (d) environmental mitigation measures.

An update to the Site Wide Phasing Plan shall be submitted to and approved by the local planning authority with each subsequent Reserved Matters (layout) application.

The development shall be carried out in accordance with the approved Site Wide Phasing Plan throughout all stages of the development.

REASON

To ensure the development is brought forward in a timely manner

09. No more than 162,580sqm GFA of development pursuant this planning permission can take place until full design and construction details of the proposed roundabout, carriageway re-alignment and proposed replacement layby / chipping storage area on High Common Lane as shown on plan ref M17100-A-011 Rev C have been submitted to and approved in writing by the Local Planning Authority and the construction of these works have been completed in accordance with the approved details.

REASON:

In the interests of highway safety.

10. No more than 100,000sqm GFA of the development hereby permitted shall be occupied until a scheme comprising the signing and revised white lining/lane marking for the M18 Eastbound off-slip and Great Yorkshire Way Westbound approaches to the M18 Junction 3 roundabout as detailed in TTHC Drawing Nos M17100-A-015A and M17100-A-016A has been implemented, unless an alternative scheme, which achieves similar objectives, has been implemented by another party(ies) with the agreement of Highways England and the Local Planning Authority and Highways England have been notified that such works have been completed.

REASON:

In the interests of road safety.

11. No phase of development shall commence until a Construction Traffic Management Plan (CTMP) for that phase of development is submitted to and subsequently approved in writing by the Local Highway Authority. The approved plan shall be adhered to throughout the construction phase. The CTMP will include information relating to:

- o Volumes and types of construction vehicles
- o identification of delivery routes;
- o identification of agreed access point

- o Contractors method for controlling construction traffic and adherence to routes
- o Size, route and numbers of abnormal loads
- o Swept path analysis (as required)
- o Construction Period
- o Temporary signage
- o Measures to control mud and dust being transferred to the public highway
- o Timing of deliveries

REASON

In the interests of road safety and local amenity.

12. Before the development is brought into use, that part of the site to be used by vehicles shall be surfaced, drained and where necessary marked out in a manner to be approved in writing by the local planning authority.

REASON

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

13. Within 3 months of occupation of any unit, a Detailed Travel Plan for that unit shall be submitted to include staff numbers, targets for reducing single occupancy car trips, and details of the monitoring to be carried out. It is recommended for further detailed advice, applicants speak to the Council prior to developing the Detailed Travel Plans.

REASON

In the interests of promoting sustainable travel

14. No phase of the development hereby permitted shall be occupied until secure cycle parking facilities for the occupants of, and/or visitors to that part/phase have been provided in accordance with details which shall first have been submitted to and approved in writing by the local planning authority. These facilities shall be retained thereafter.

REASON

To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles and to comply with policy CS9 of the Doncaster Core Strategy.

15. No development, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation which is in accordance with Doncaster Sheffield Airport Desk Based Assessment (AECOM, 2018); Geophysical Survey Report of Doncaster Sheffield Airport Logistics and Commercial Space (Magnitude Surveys, 2018); and Land adjacent to Doncaster Sheffield Airport, Doncaster, South Yorkshire Trial Trench Evaluation (Archaeology Services WYAS, 2019) and this has been approved in writing by the Local Planning Authority. The WSI shall include a plan which based on the findings of the 2019 Trial Trench Evaluation Report, divides the site into zones of High Sensitivity (indicating further excavation required), Medium Sensitivity (indicating a need for targeted excavation/watching brief) and Low Sensitivity (indicating minimal or no targeted excavation or other archaeological work) together with:

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

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

REASON

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

16. No phase of the development hereby granted shall be begun until details of the foul, surface water and land drainage systems and all related works necessary to drain that phase of the site have been submitted to and approved by the Local Planning Authority. The details shall be in broad accordance with the submitted 'Drainage Strategy' (10th October 2018) and Drainage Parameters Plan (18002_PL04 Rev C). No building shall be occupied until the works have been carried out in accordance with the approved solution.

REASON

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

17. No development shall take place until such a time as details, in relation to the long term maintenance of the sustainable surface water drainage system on the development, have been submitted to, and approved in writing by, the local planning authority. Details of the SuDS Maintenance Plan shall include for routine maintenance, remedial actions and monitoring of the separate elements of the system, and procedures that must be implemented in the event of pollution incidents within the development site.

REASON

To ensure the long term maintenance of the sustainable surface water drainage system

18. Prior to each phase of development approved by this planning permission no development shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified:
 - * all previous uses
 - * potential contaminants associated with those uses
 - * a conceptual model of the site indicating sources, pathways and receptors
 - * potentially unacceptable risks arising from contamination at the site
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

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

REASON

To ensure that the development does not contribute to, or is not put at unacceptable risk from/adversely affected by, unacceptable levels of contamination in line with paragraph 170 of the National Planning Policy Framework.

19. Prior to each phase of development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

REASON

To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 170 of the National Planning Policy Framework.

20. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

REASON

To ensure that the development does not contribute to, is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 170 of the National Planning Policy Framework

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

REASON

Surface water drainage must be handled in a way that minimises the risk of releasing potential contaminants to the environment. Contamination must be prevented from entering the underlying principal aquifer, Source Protection Zone 3 and associated public water supplies.

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

REASON

Foul drainage must be handled in a way that protects controlled waters. Contamination must be prevented from entering the underlying principal aquifer, Source Protection Zone 3 and associated public water supplies.

23. No development or phase of development shall take place, including any site enabling works, until a Construction Management Plan (CMP) for that phase has been submitted to and approved in writing by, the Local Planning Authority. The CMP shall provide for, and include details of the timing of the provision of:

- The parking of vehicles for site operatives and visitors;
- Loading and unloading of plant and materials;
- Storage of plant and materials used in constructing the development;
- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- Wheel wash facilities;
- Measures to control the emission of dust and dirt during construction;
- A scheme for recycling/disposing of waste resulting from demolition and construction work;
- Measures for the lighting of compounds and works during construction;
- Hours of operation, including the hours of construction and hours and for the loading/unloading of materials;
- The means of access and routing of construction traffic;
- Location of contractors compound;

- Management of surface water run-off including a scheme to treat and remove suspended solids from surface water run-off during construction;
- The storage of fuel and chemicals;
- Temporary highway works;
- Measures to protect trees and hedges to be retained within the site during construction works (having regard to British Standard 5837 (2012) 'Trees in relation to design, demolition and construction - recommendations') including periods before and after materials, machinery and equipment are brought onto site;
- Measures to protect the wildlife habitats and wildlife corridors during the duration of the construction works;
- the provision of temporary drainage measures;
- Details of any piling operation to be undertaken;
- Details of a Construction Communication Strategy which contains points of contact and details for residents to report HGVs utilising inappropriate routes;
- Details of the management of surface water on site during inappropriate routes;
- A method statement in respect to the installation the sewer pipe to [DSA], including the storage of top and sub-soil for reinstatement.

The approved CMP shall be adhered to throughout the construction period for that phase of development to which it relates.

REASON:

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

24. Before any construction works are started on the application site, a Construction Impact Management Plan, indicating measures to be taken to mitigate the effects of the construction activity and associated vehicle movements upon the living conditions of neighbouring residents and highway safety shall be submitted to and approved by the Local Planning Authority. The mitigation measures shall include provision for the following: the limitation of noise, the means of enclosure of the construction sites, and any proposed external security lighting installation; the control of dust emissions; the control of deposition of mud or debris on the highway, and the routing of contractors' vehicles. The mitigation measures so approved shall be carried out at all times during the construction of the development hereby approved.

REASON:

To safeguard the living conditions of neighbouring residents

25. No development shall commence in any development plot, or part thereof covered by a Reserved Matters permission or other works approved under condition, until a Construction Environmental Management Plan (CEMP) for that development plot, or part thereof has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of survey findings in respect of habitats and species identified and located in the survey reports submitted with the and include the following details:

- 1 A risk assessment of the potentially damaging construction activities.

2 The range of habitats and species along with mitigation measures as proposed through the eEcology surveys and impact assessment reports.

3 Identification of refuge, mitigation, and/or compensation areas within the development area.

4 The appointment and duties of an Ecological Clerk of Works (ECoW) generally and specific to the development area.

5 Roles, responsibilities and communication systems to be adopted throughout the active construction periods.

6 Timing of critical works where ecological supervision will be required.

7 The use of protective fencing, exclusion barriers, and wildlife safety measures.

8 Proposals that may impact upon Local and Non Designated Sites which seek to ensure no adverse impact upon the site or to mitigate and compensate where necessary in accordance with Policy 16B of the Core Strategy 2012.

9 Means of identifying and protecting veteran trees.

The Approved CEMP will be implemented and complied with throughout the construction period of the development area, or part thereof to which it applies.

REASON

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

26. On or before submission of each Reserved Matters Application a lighting design strategy for the reserved matter application site, which accords with the principles set out in the Design Guide and specifically responds to light sensitive biodiversity shall be submitted to and approved in writing by the Local Planning Authority. Each such strategy shall include:

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

The approved lighting design strategy for each development plot, or part thereof shall be implemented and complied with.

REASON

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

27. On or before submission of the first Reserved Matters Application, a Biodiversity Mitigation, Monitoring and Enhancement Plan (BMMEP) shall be submitted and approved in writing by the Local Planning Authority. The BMS and BMMEP shall include;

- an assessment of baseline conditions set out in the species and habitat surveys submitted with the application and associated appendices to ensure they are fit for purpose and to identify any additional survey work required to make them as such.,

- .- specifically a badger survey to include full territorial survey using bait marking and other techniques sufficient to fully inform any licencing requirements.
- a timetable for survey updates set against the proposed development phasing and the inclusion of contingency measures where there are identified as potentially required for sensitive operations. This shall include surveys for bats in trees that are to be removed
- the purpose and objectives of the proposed works based on mitigation and compensation measures clearly outlined in the Landscape Master Plan [submitted with the application and to include works detailed in the BMMEP
- scale and location of the proposed works shown clearly on scaled maps and plans
- Identification of the mitigation and/or compensation areas
- detailed specifications for biodiversity creation and enhancement works including woodland topsoil recycling in habitat creation and other ecological features specific to mitigation proposals for habitats, faunal groups and species.
- Appropriate success criteria, thresholds, triggers and targets against which mitigation and ecological enhancement measures can be judged
- timetable for the implementation based on the phasing proposals.
- identification of persons responsible for implementing biodiversity mitigation and compensation the works and overseeing sensitive elements of the development.
- Initial aftercare and long term management and maintenance of ecological features including an appropriate monitoring strategy.
- A timetable and location plan of monitoring activities across the duration of development activities and agreed period beyond completion of the development
- A reporting timetable and remedial action plan to address target objectives.

REASON

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

28. Within 3 months of the grant of this permission a scheme for the application of Biodiversity Offsetting across the whole of the development in accordance the DEFRA metric 2.0 shall be submitted to and approved in writing by the Local planning Authority. The said scheme shall include:

- a statement of how biodiversity offsetting will achieve a biodiversity net gain of 110% by both on and off site habitat creation and enhancement works.
- how it will contribute to the approved Landscape Masterplan and achieving the mitigation and compensation measures detailed in ecology reports.

REASON

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

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

REASON

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

30. Prior to each phase of development being brought into use, a scheme which details the design, location and size of facilities to store refuse and waste materials shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented in full prior to the operation of each phase of development and retained thereafter.

REASON

In the interests local amenity

31. The first submission of Reserved Matters shall contain a Design Guide, to be approved by the Local Planning Authority, which shall be applied to all subsequent Reserved Matters submissions for all other units within the site. The document to be produced shall refer to and reflect the Council's current design guidance, and cover the following key detailed design matters:

- Urban design principles- how the development will create a permeable and secure network of blocks and plots with well-defined, active and enclosed streets and space;
- Architectural appearance, building details and materials;
- Hard and soft landscape, including fencing, lighting, signage, cycle parking; and
- Sustainable construction.

It is recommended for further detailed advice, applicants speak to the Council prior to developing the design guide.

REASON

To ensure a consistent design approach to the development of the site in the interests of the satisfactory appearance of the site.

32. No development shall take place in implementation of this permission until a report (the initial SAP report carried out as part of Building Regulations will be sufficient information in many cases) has been submitted to the local planning authority and approved in writing from them, explaining how CO2 emissions from the development will be reduced by providing at least 10 Percent of the development's energy through on-site renewable energy equipment or improvements to the fabric efficiency of the building. The carbon savings, which result from proposed measures, will be above and beyond what is required to comply with Part L of Building Regulations. Unless otherwise agreed in writing by the Local Planning Authority, the development shall then proceed in accordance with the approved report. Before any building is occupied or sold, the local planning authority shall be satisfied that the measures have been installed, which will enable the planning condition to be fully discharged.

REASON

In the interests of sustainability and to minimize the impact of the development on the effects of climate change. This condition is required to be discharged prior to commencement as the approved detail may have an impact on the design and fabric of the building during construction or the appearance of the development.

33. Before the development commences, a BREEAM pre-assessment, or equivalent assessment, shall be submitted for approval demonstrating how BREEAM 'Very Good' will be met. Unless otherwise agreed, the development must take place in accordance with the approved assessment. Prior to the occupation of any building, a post construction review should be carried out by a licensed assessor and submitted for approval. This will enable the planning condition to be fully discharged.

Advice should be sought from a licensed BREEAM assessor at an early stage to ensure that the required performance rating can be achieved. A list of licensed assessors can be found at www.breeam.org.

REASON

In the interests of sustainability and to minimise the impact of the development on the effects of climate change.

Reasons(s) for Granting Planning Permission:

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

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

Ecology
Visual Impact
Transport
Design

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

Application	2.
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Application Number:	19/02034/FUL
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Application Type:	Full Planning Permission
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Proposal Description:	Change of use from Vacant Car Park to Car Wash with associated staff welfare facility.
At:	Skellow Grange Social Club, 223 Skellow Road, Skellow, Doncaster.

For:	Mr Kujtim Uka
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Third Party Reps:	46 individual letters 8 signature petition	Parish:	N/A
		Ward:	Norton and Askern

Author of Report:	Alicia Murray
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SUMMARY

A large proportion of objections have been received by the Local Planning Authority outlining concerns of highway safety, residential amenity and environmental impact of the proposal.

The application has been assessed by all relevant consultees and the issues raised by the neighbouring residents have been fully assessed. The proposal is considered to be acceptable as it would not result in a significantly detrimental impact to the highway safety of the area, or residential amenity in terms of noise and hours etc., there would be no harm to the drainage of the area or to natural environment surrounding the site. Consequently, the development would not have environmental, social, or economic issues and is therefore recommended for approval on a temporary basis of 12 months to monitor the impact and ensure if there is any harm the development can be controlled and an assessment made regarding future permissions.

RECOMMENDATION: GRANT (Temporary Consent for 12 months).



1.0 Reason for Report

- 1.1 This application is being presented to planning committee due to the amount of representations received, which will be outlined in the report below.
- 1.2 Additionally, Councillor White called this application to planning committee on the grounds of the impact this proposed use could have on the environment i.e. pollution and the impact on the residential area, as well as the highway safety concern in this location.

2.0 Proposal

- 2.1 Planning permission is sought for the change of use of the vacant rear car park to the Skellow Social Club into a hand car wash facility.

3.0 Site Description

- 3.1 The site is located to the rear of 'Skellow Social Club', the land is vacant and has telecommunication apparatus and a small container on site..
- 3.2 The site is accessed off Ings Lane, but the site as a whole is located along Skellow Road behind the Social Club. The parking for the Social Club is to the front of the site and there are some parking areas for neighbouring boxing club/gym to the rear of the site, outside of the red line boundary for the hand car wash.
- 3.3 Surrounding the site is a mixture of commercial and residential land uses. To the east of the site are commercial units at ground floor with residential above and to the north are residential properties with the immediate neighbour to the west being a hot food takeaway.
- 3.4 The fencing and staff welfare unit has been placed on site, prior to the submission of this application.

4.0 Relevant Planning History

- 4.1 There is no relevant planning history for this site.

5.0 Site Allocation

- 5.1 The site is designated within Commercial Policy Area, as outlined within the Unitary Development Plan (adopted 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 170 outlines that new development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water, or noise pollution or land stability.
- 5.5 Paragraph 180 outlines that decisions should also ensure the new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment. Decisions should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and quality of life.

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 CS1 of the Core Strategy states that development should protect local amenity and are well-designed: attractive; fit for purpose; locally distinctive; and capable of achieving nationally recognised environmental, anti-crime and design standards.
- 5.10 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.
- 5.11 Policy CS14 relates to design and sustainable construction and states that all proposals in Doncaster must be of high quality design that contributes to local distinctiveness, reinforces the character of local landscapes and building traditions, responds positively to existing site features and integrates.

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

- 5.13 Policies SH1 and SH3 of the UDP sets out that within Commercial Policy Areas of small towns and district centres that development not listed within the policy should be considered on their own merits. Development should not create environmental, amenity, traffic or parking problems.

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 55 requires the need to take into account air and noise pollution.
- 5.18 Policy 56 deals with the need to mitigate any contamination on site.
- 5.19 Policy 57 requires the need for satisfactory drainage including the use of SuDS.

5.20 Other material planning considerations

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

6.0 Representations

- 6.1 54 public objections including an 8 signature petition has been received by neighbouring properties, some of these representations are submitted on behalf of The Skellow, Carcroft, Adwick, and Woodlands Action Group and The Old Skellow Neighbourhood Watch Group. The material planning considerations raised can be summarised as:

- Do not want to live next to a hand car wash
- Would increase pollution, chemicals going into drains and rivers
- Would increase traffic and the junction with Ings Lane and Skellow Road cannot cope with more traffic
- Impact on health via airborne particles/air pollution
- Noise from jet washes and hoovers
- Already other car washes in the local area
- Conflict with beer garden to the pub
- Operating next to food outlets
- Skellow Road is considered to be unsafe in terms of highway safety with ongoing parking problems around the area of the shops/Ings Lane/social club with both cars and HGVs
- Footpaths blocked for people in wheelchairs and scooters by existing parking problem, the proposal would make this worse
- Proposal would be too close to residential properties
- Concerns regarding operational hours
- Could result in illegal parking on the road
- Porta-cabin would harm the visual appearance of the area
- Spray for water/chemicals escaping the site area
- Environmental Impact of the development
- Car Park is not vacant
- Potential stacking of cars onto Highway
- Residential area not commercial or industrial.

7.0 Relevant Consultations

- 7.1 **Highways Development Control** – Requested amended plans and further detail relating to the parking on site and that used by other businesses. This has been

received and highways have removed their objections but have requested a temporary consent.

- 7.2 **Pollution Control** – No objections but has requested that an informative be added to the decision notice, to ensure the development operates to the Environment Agency best practise to prevent water pollution.
- 7.3 **Environmental Health** - Given the jet wash will be housed and there is an acoustic barrier alongside Ings Lane noise should be kept to a minimum on site and equal to or less than daytime background levels meaning no negative impact to the nearest sensitive receptors; therefore the officer has no objections.
- 7.4 **Internal Drainage Officer** – No objections, requested conditions relating to surface water drainage and interceptor requirements.
- 7.5 **Area Manager** – The Area Officer is aware of various community concerns that have been raised including the increase in traffic being created in a relatively dense location, the water waste and noise from the car wash operation. These aspects should be given due consideration in determining the outcome of the planning application.
- 7.6 **Yorkshire Water** – No objections have been raised but the case officer will outline via an informative that a trade effluent consent/agreement with Yorkshire Water will be required; but this is separate to the planning consent.
- 7.7 **Ecology** – No objections
- 7.8 **Environment Agency** – The application form outlines that the drainage will be discharged into the mains foul sewer, therefore the Environment Agency do not require consultation.

8.0 **Assessment**

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

- Principle of development;
- Impact on neighbouring land uses
- Character of the area
- Highway Safety
- Drainage and Pollution
- 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 application site is allocated as a commercial policy area within the saved UDP Policies, and the proposed use itself will sit alongside other commercial uses and some residential properties (this impact will be assessed below). A hand carwash is classified as sui generis, and is not amongst the list of acceptable uses in Commercial Policy Areas in saved Policy SH3. The use is however commercial in nature and would not appear out of place alongside this row of commercial units. The application site is located on a main road through the settlement, where such a use would be expected to be located, as opposed to being located within a residential estate. Hand carwashes located alongside main roads within commercial areas are not an uncommon situation, and would not appear out of place in this location. As such, it is considered that the principle of development is acceptable in this location.

8.4 Sustainability

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

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

8.5 Impact on Neighbouring Land Uses

- 8.6 The site is designated within the commercial policy area but there are residential properties located on Ings Lane opposite the site and within the surrounding area; therefore there are potential impacts on these properties.
- 8.7 The proposed jet washes will be housed within a metal container to reduce the noise generated from them, additionally there is a fence running along the boundary of the car park which divides the site and does result in an acoustic barrier facing onto Ings Lane. The Council's Environmental Health Officer has been consulted and does not object to the application, as the two mitigating factors outlined above are considered sufficient enough to reduce the noise levels to similar or lower than expected daytime background noise levels.
- 8.8 The proposed opening hours for this hand car wash have been outlined as 08:00 to 18:00 hours 7 days a week; however given that there are residential properties approximately 35m away from the gated entrance to the hand car wash, it is considered appropriate to restrict these hours to 09:00 to 17:00 Monday – Saturday and 10:00 to 16:00 Sundays and Bank Holidays.
- 8.9 The other surrounding land uses include a beauty salon, boxing gym, convenience stores and other commercial uses; the operation of this site during the day time hours

should not result in harm to these other commercial enterprises. As the hours would be similar to those surrounding it and the noise is mitigated to an acceptable level. Parking, highway implications and pollution considerations will be discussed further in the report.

8.10 Conclusion on Social Impacts.

8.11 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.

8.12 In conclusion the proposal is not considered to adversely affect the neighbouring land uses/properties; given the mitigation proposed by the applicant. The above factors are given considerable weight in the determination of this application.

8.13 ENVIRONMENTAL SUSTAINABILITY

8.14 Impact upon the character of the area

8.15 It is worth noting that the fencing and metal container are existing on site.

8.16 The proposal is to include a staff welfare facility in the centre of the site. This facility is provided in the form of a modular building and has been located on the site prior to the determination of this planning application. The building is concealed from Skellow Road by being situated at the rear of the building and is considerably set back from Ings Lane. Whilst it is visible from Ings Lane, views from the wider area are limited. The current appearance of this building is mostly pale green, with red and yellow paint which does result in it sticking out on the site; it is considered appropriate to condition the improvement of the building which can be achieved by painting the building one colour and given the dense vegetation to the west of the site, dark green would be a suitable colour.

8.17 As outlined above the proposed use is located behind the 'Social Club' and is then set back from Ings Lane behind the existing car parking spaces located on the boundary with Ings Lane; therefore the impact to the character of the area is negligible.

8.18 Impact upon Highway Safety

8.19 The proposal would be located to the rear of a social club which has subsequently sub-divided into other commercial uses, which includes a gym and a beauty salon. The rear area of the site with an access point leading from Ings Lane, has been in situ prior to 2009 (as outlined on google street view).

8.20 The parking for the social club is accessed from Skellow Road. The Ings Lane access currently serves the beauty salon and gym, and the proposal includes the widening of the access to make it easier for this proposed use and the current uses to share.

8.21 The proposed car wash would be separated from the car parking area by a mesh fencing (already in situ) and to ensure there is no conflict with different uses the Highways Officer has requested a 12 month temporary consent, so the operation

can be monitored. Furthermore, the parking spaces for the other uses will be reduced by two spaces to facilitate the access widening and this has not raised a concern from the Highways Officer.

8.22 The Council's Highways Officer has been consulted during the application process and upon submission of the requested amendments does not object to the application. It is considered that the use can be wholly be facilitated within the site and there is sufficient space for queuing without spilling on to the highway. Therefore, there should be no greater harm to highway safety subject to suitably worded conditions being applied to the decision notice.

8.23 A substantial amount of the objections received outline concerns of an ongoing parking and highway problem on Ings Lane and this section of Skellow Road adjacent to the shops. Concerns have been raised that HGVs park on the street along with all other cars which in turn causes highways issues. This is an outstanding issue which should be raised to the Highways Network Management Team. The Council's Highways Development Control Team are content that the proposal can operate without spilling out onto the Highway and causing greater harm to the area.

8.24 Drainage and Pollution

8.25 The site is located within Flood Zone 1 and is therefore not susceptible to flooding. The application form outlines that the site will drain to mains foul sewer, therefore the Environment Agency do not need consulting. Yorkshire Water and the Council's Drainage Team have been consulted and have not raised any objections but the Council's Drainage Team have requested conditions relating to details of the drainage system and interceptor details prior to commencement of the development; this along with the occupier following the Environment Agency best practise guidance relating to this type of development should ensure that there is no water pollution occurring as a result of this development.

8.26 The Council's Pollution Control Team have also been consulted and do not raise any concerns relating to land contamination.

8.27 The Council's Ecologist has also been consulted and do not believe that the proposal would lead to harm to the natural environment around this site.

8.28 Therefore, given the comments received from the relevant consultees subject to the conditions being placed on the decision; the development should not result in harm to the natural environment or result in an increased risk of flooding or water pollution in this area.

8.29 Conclusion on Environmental Issues

8.30 Para.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.

8.31 The proposal has been fully assessed by consultees and it is considered that the development would not result in a detrimental impact to the natural environment;

significant weight has been given to the matters raised in the determination of this application.

8.32 ECONOMIC SUSTAINABILITY

8.33 It is anticipated that there would be some economic benefit to the development of the site through employment of five full time staff.

8.34 Conclusion on Economy Issues

8.35 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.

8.36 The proposal would result in some economic benefit in the creation of jobs, however the job created are small in scale and therefore this is given modest weight in the determination of this planning application.

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.

10.0 RECOMMENDATION

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

01. The use hereby permitted shall be for a limited period being the period of 1 year from the date of this decision. At the end of this period, the use hereby permitted shall cease, all materials and equipment brought on to the land in connection with the use shall be removed, and the land restored in accordance with a scheme previously submitted to and approved in writing by the local planning authority.

REASON

The use hereby approved needs to be monitored to ensure it does not conflict with the neighbouring land uses and the shared car parking also located on the Skellow Social Club site; in accordance with Policy CS14 of the Core Strategy.

02. The jet wash facility will be housed within the existing metal container on site.

REASON

In the interest of protecting the amenity of neighbouring land uses, in accordance with PH12 of the Unitary Development Plan

03. The hours of opening shall be limited to:
Mondays to Saturday inclusive 08:00 hours to 17:00 hours
Sundays and Bank Holidays 10:00 hours to 16:00 hours
REASON
In the interests of residential amenity, in accordance with PH12 of the Unitary Development Plan.
04. The development hereby granted shall not be begun until details of the foul, surface water and land drainage systems and all related works necessary to drain the site have been submitted to and approved by the Local Planning Authority. These works shall be carried out concurrently with the development and the drainage system shall be operating to the satisfaction of the Local Planning Authority prior to the occupation of the development.
REASON
To ensure that the site is connected to suitable drainage systems and to ensure that full details thereof are approved by the Local Planning Authority before any works begin.
05. Any water run off from the vehicle wash down area shall be discharged to the public foul sewer (in accordance with PPG13-Vehicle washing and cleaning) via a suitable oil/ petrol/grit interceptor. Details of these arrangements shall be approved by the Local Planning Authority prior to the commencement of the development and they shall be fully operational before the site is brought into use.
REASON
To prevent pollution of the aquatic environment and protect the public sewer network, in accordance with CS14 of the Core Strategy.
06. Within one month of the date of decision the staff welfare unit will be painted dark green RAL6005.
REASON
To ensure the modular building is sympathetic to the character of the area, in accordance with CS14.
07. 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:
3360-02E amended 28.10.19
REASON
To ensure that the development is carried out in accordance with the application as approved.
08. Before the development is brought into use, that part of the site to be used by vehicles shall be surfaced, drained and where necessary marked out in a manner to be approved in writing by the local planning authority.
REASON
To ensure adequate provision for the disposal of surface water and ensure that the use of the land will not give rise to mud hazards at entrance/exit points in the interests of public safety.
09. 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. Page 77
REASON

To avoid damage to the verge.

10. Before the development hereby permitted is brought into use, the parking as shown on the approved plans shall be provided. The parking area shall not be used otherwise than for the parking of private motor vehicles belonging to the occupants of and visitors to the development hereby approved.

REASON

To ensure that adequate parking provision is retained on site.

Informatives

01. The applicant should apply to Yorkshire Water for a trade effluent consent/agreement with the water/sewerage company (Yorkshire Water) prior to operation of the car wash.

02. The applicant should follow the best practise guidance whilst operating the car washing facility:

Regulatory and best practice guidance relating to vehicle washing and cleaning is available at:

www.Environment-agency.gov.uk/business/topics/pollution

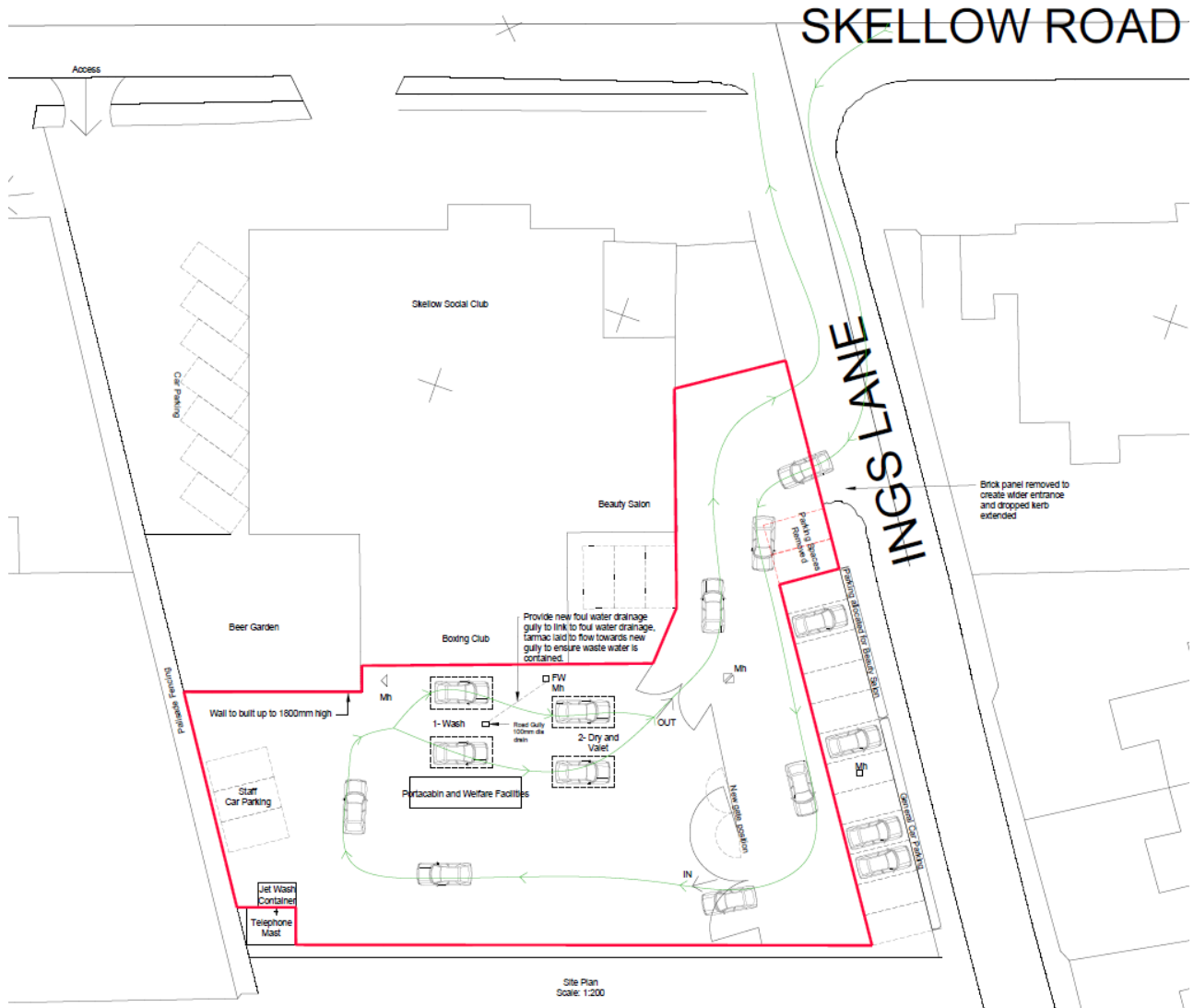
Reasons(s) for Granting Planning Permission:

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

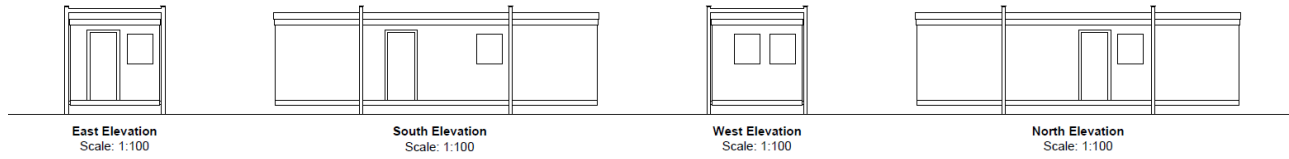
In dealing with the application, the Local Planning Authority has worked with the applicant to find solutions to the following issues that arose whilst dealing with the planning application: To overcome the concerns the raised by the highways officer.

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

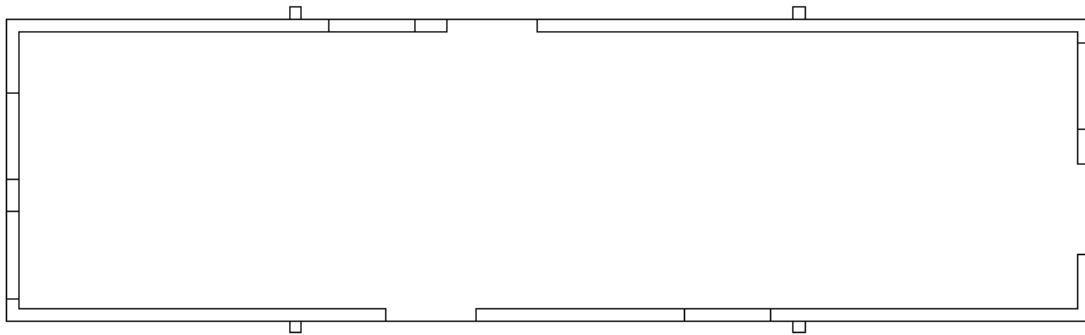
Appendix 1 – Site Plan



Appendix 2 – Proposed Porta cabin



PORTAKABIN BUILDING



FLOOR PLAN
Scale: 1:50

Application	3.
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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:	Garry Hildersley
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SUMMARY

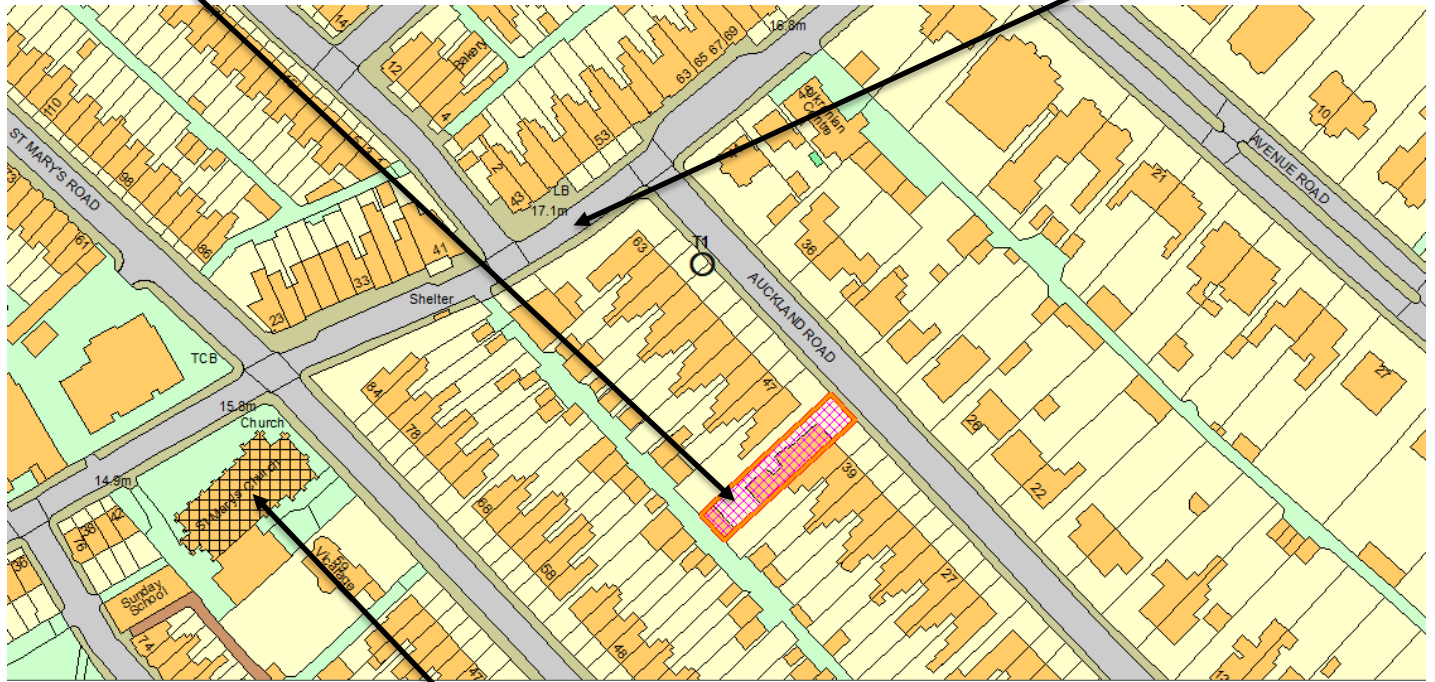
The proposal seeks permission for the change of use of a dwelling to form five self-contained flats. Whilst the proposal is considered to be acceptable lying within Doncaster's allocated residential policy area, amended plans have been received providing further clarity in respect of the proposed landscaping and partial re-instatement of the front boundary wall and this has further reduced the allocation of car parking.

Whilst the previous proposal was finely balanced, the amended scheme now tips the balance providing an inadequate level of parking provision in line with Doncaster's Supplementary Planning Document (SPD).

RECOMMENDATION: REFUSE

Application site.

Beckett Road



St. Mary's Church

1.0 Reason for Report

1.1 Members may recall that this application was brought to planning committee on the 15th October due to the level of public interest generated in the proposal. Members resolved to refuse planning permission contrary to officer recommendation for the following reasons:

1. The proposed change of use to form five flats would result in an adverse impact on the character of the area by virtue of the proposal's density resulting in a negative contribution to achieving an attractive, welcoming place with its own identical appropriate to the area contrary to Policy CS14 (A) of Doncaster's Core Strategy (2011 – 2028).
2. The proposal would adversely impact the amenity of neighbouring properties through wheelie bin clutter, litter, antisocial behaviour, security concerns and noise contrary to Policy CS14 (A) of Doncaster's Core Strategy (2011-2028) and paragraph 127 (f) of the National Planning Policy Framework (NPPF, 2019)
3. The proposal provides insufficient parking provision leading to pressure to park vehicles on Auckland Road and greater pressure on parking provision in the surrounding area. The proposal is therefore contrary to Doncaster's Supplementary Planning Document (SPD) for Development Guidance and Requirements (July 2015)

1.2 Since the resolution by planning committee, a plan referred to at the planning committee meeting on the 15th October has been provided to the Local Planning Authority, dealing specifically with landscaping. This plan has been attached as an appendix below (Appendix 4) but in short provides clarity in terms of landscaping but also reduces the number of parking spaces from 6 to 5. As a result of the amended plan, it is prudent to present the application to planning committee for members to consider the additional information.

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)
- 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** – Concerns have been raised that the loss of a further parking space has now tipped the balance by providing inadequate parking provision for the proposal.

- 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.
- 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

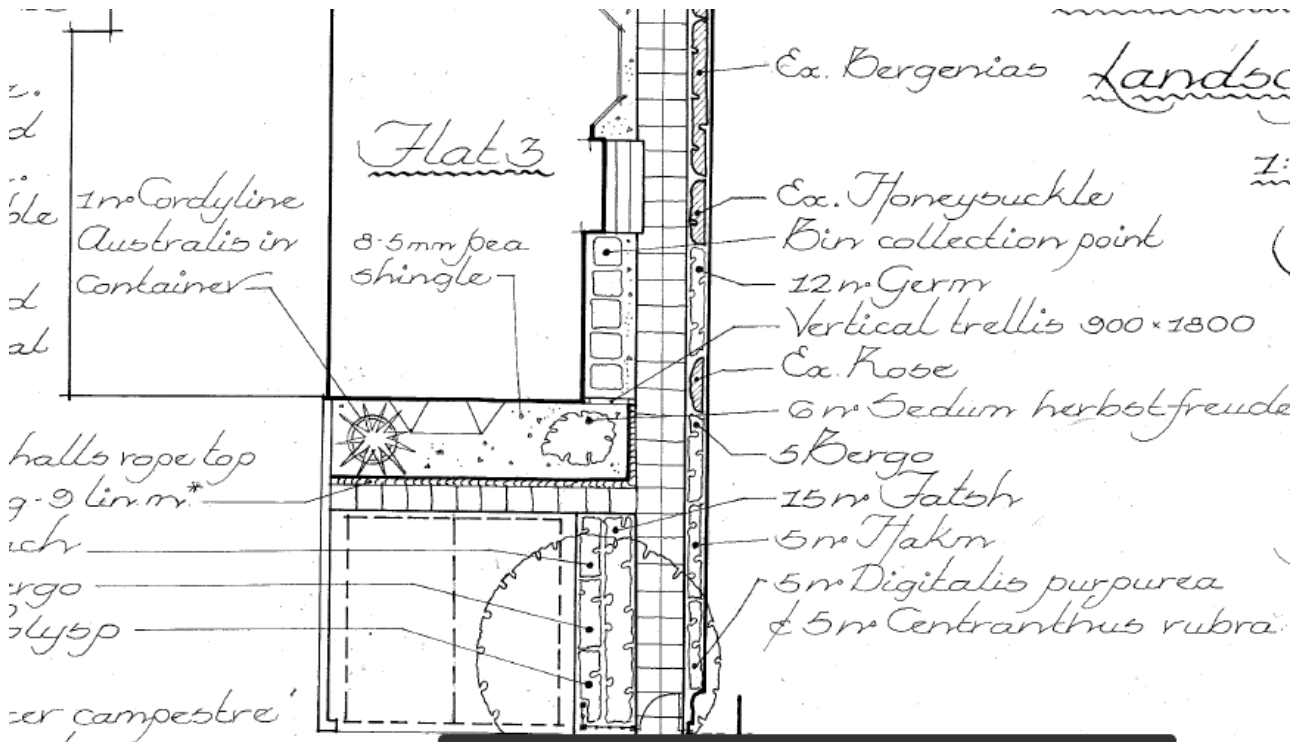
- 9.14 The proposal seeks permission for five flats, containing four, one bedroom flats varying in size from 39.5sqm - 58sqm but each exceeding the minimum requirements set out in the SYRDG for a studio apartment. The proposal also includes a two bedroom flat at first floor level and this equates to 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 and these were re-iterated by committee on the 15th October. 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 amended plan has removed reference to a bin store located at the rear of the property. The amended landscaping scheme provides a bin store located to the front/side of the property, although it appears to provide insufficient space in order to serve the five flats. This weighs negatively against the proposal carrying significant weight.



9.22 Concerns have been raised that the proposal would increase the possibility of litter being generated and given that the bin store cannot be adequately provided on the site this could result in an issue to the surrounding area.

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. It has been commented by the SYALO officer that vehicle parking to the rear of the premises should be avoided at all costs. Parking areas not under surveillance from the owner or passers-by are at risk of attack. That said 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, whilst the proposal is unlikely to create excessive levels of noise and disturbance to neighbouring properties, concerns relating to bin provision are considered to be valid concerns.
- 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. The

insufficient level of bin provision has the potential to result in unacceptable street clutter which would have a detrimental impact on the character of the area and this weighs negatively against the proposal carrying significant weight.

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 the Highway

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 on the basis of the initial information raised no objections having balanced all of the considerations.

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 amended plans have now indicated the loss of an additional parking space meaning that there would be one space per flat. 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’. Whilst it is recognised that the site lies within a sustainable location close to the town centre, and it is reasonable to suggest a proportion of tenants may not need access to a parking space. That said Doncaster’s Supplementary Planning Document is clear that apartments should provide 1.5 parking spaces where 1 space is allocated and another defined shared visitor space provided for every 2 dwellings in communal parking areas. Whilst one parking space per flat may be sufficient, it does not deal adequately with the potential for visitor parking and the need to future proof the proposal and ensure that the proposal would not harm or exacerbate parking problems. With parking at a premium and with the site being within reasonable walking distance with Doncaster Royal Infirmary (DRI), there may be added pressure on the current on street parking provision. Parking in this locality is considered to be at a premium and the proposal could lead to exacerbating the increase for competition for parking spaces in an area where parking is at a premium. This pressure could then lead to cars migrating due to the lack of parking provision searching for a place to park resulting in harm elsewhere. On this basis it is considered that the proposed change of use conflicts with policy CS14A of the Core Strategy and the requirements of Doncaster’s SPD and this weighs negatively against the proposal carrying considerable 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 however, the amended plan has reduced the level of parking provision afforded to the proposal and this carries significant weight against the proposal.

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 Whilst the conversion of the building to form five self-contained flats is considered to be an acceptable use within the Residential Policy Area, the amended plans that have been received have reduced the number of parking spaces providing inadequate parking provision for the proposed change of use. In addition, the landscaping scheme that has been provided does not allow for adequate provision of bin storage and consequently this is considered to have the potential to adversely affect the character of the area. These aspects are not outweighed by the limited impact the alterations to the external materials would have on the character of the area, or by the minimum space standards that have been achieved by the flats.
- 10.2 Whilst finely balanced, it is considered that the amended plans that have been received have negatively impacted on the scheme resulting in an alteration to the recommendation previously presented to planning committee.

11.0 RECOMMENDATION

11.1 REFUSE PLANNING PERMISSION for the following reasons:

1. The proposed change of use to form five flats would result in an adverse impact on the character of the area by virtue of the proposal's density resulting in a negative contribution to achieving an attractive, welcoming place with its own identity appropriate to the area contrary to Policy CS14 (A) of Doncaster's Core Strategy (2011 – 2028).
2. The proposal would adversely impact the amenity of neighbouring properties through wheelie bin clutter, litter, antisocial behaviour, security concerns and noise contrary to Policy CS14 (A) of Doncaster's Core Strategy (2011-2028) and paragraph 127 (f) of the National Planning Policy Framework (NPPF, 2019)
3. The proposal provides insufficient parking provision leading to pressure to park vehicles on Auckland Road and greater pressure on parking provision in the surrounding area. The proposal is therefore contrary to Doncaster's Supplementary Planning Document (SPD) for Development Guidance and Requirements (July 2015)

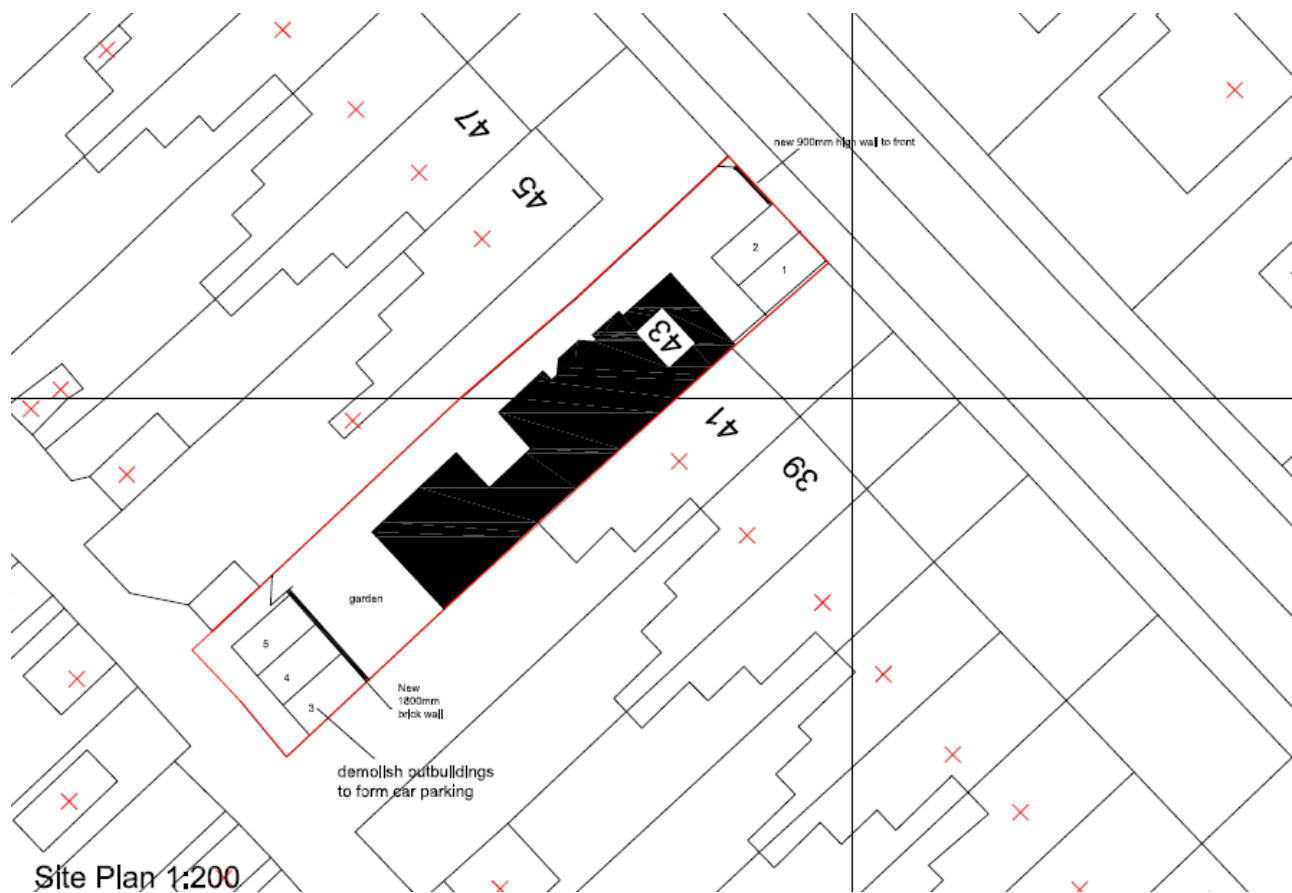
STATEMENT OF COMPLIANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY DEVELOPMENT MANAGEMENT PROCEDURE ORDER 2015

In dealing with the application referred to above, despite the Local Planning Authority wanting to work with the applicant in a positive and proactive manner based on seeking

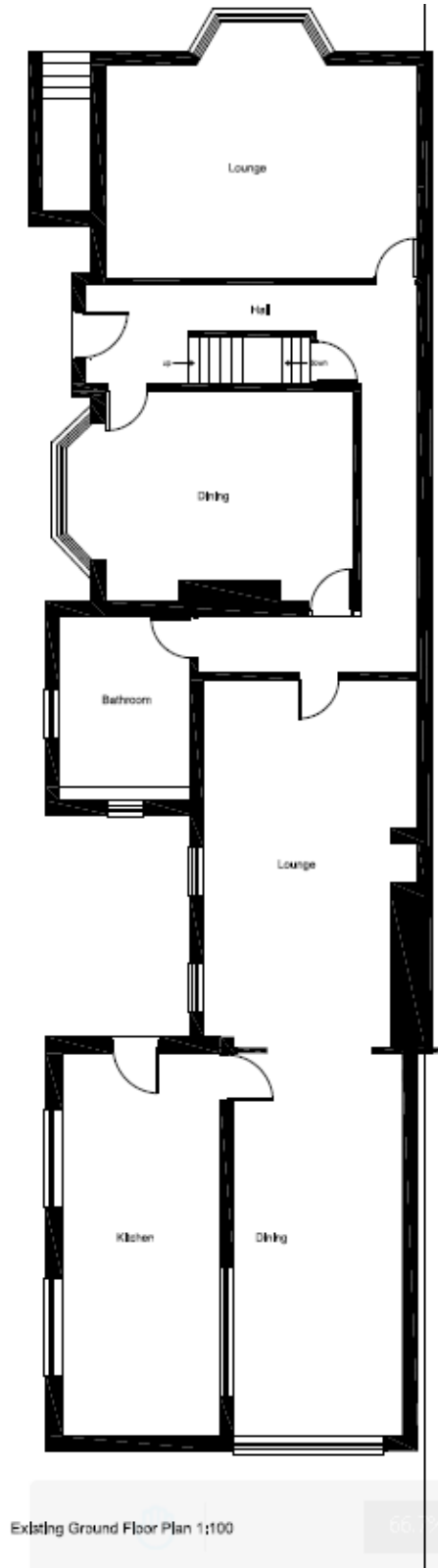
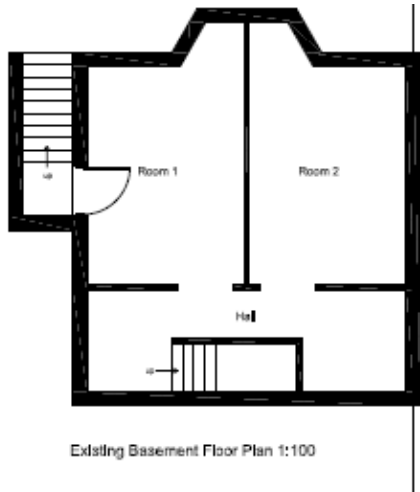
solutions to problems arising in relation to dealing with the planning application, in this instance this has not been possible due to the reasons mentioned above.

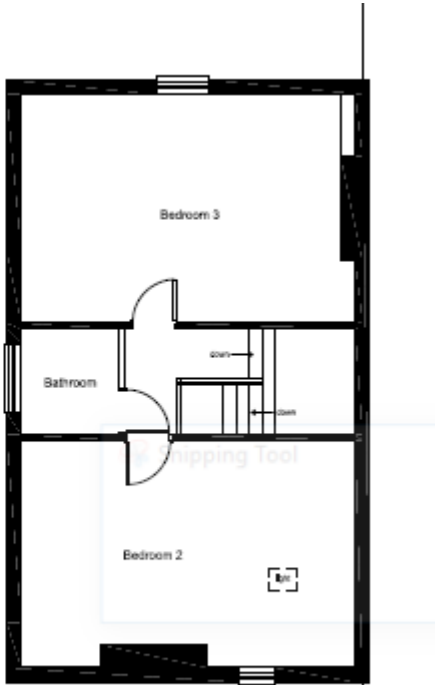
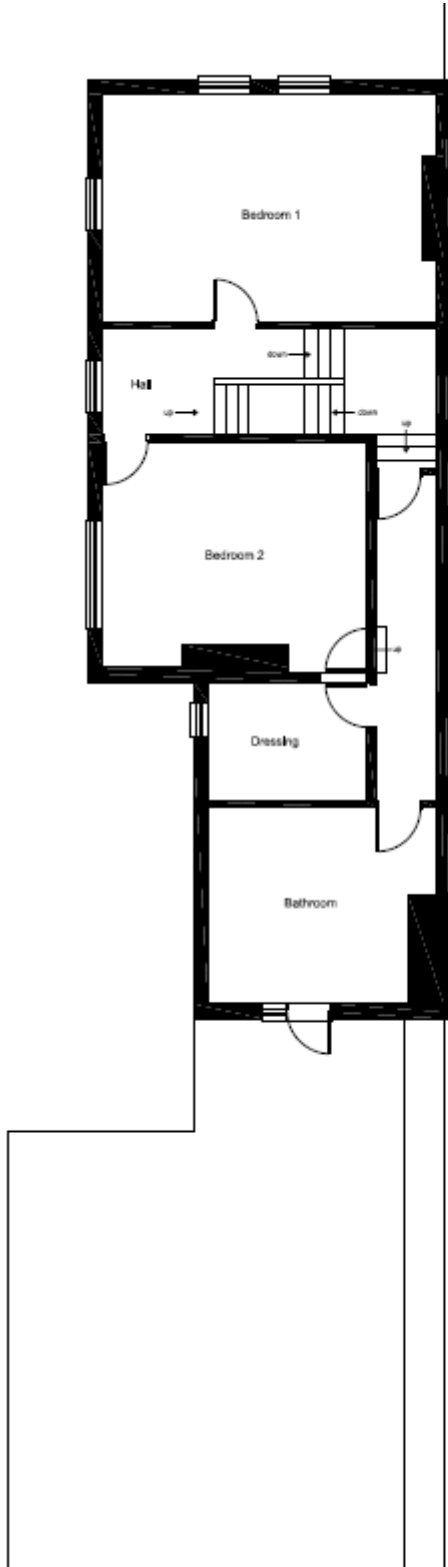
The above objections, consideration and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family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

Appendix 1 – Site Plan



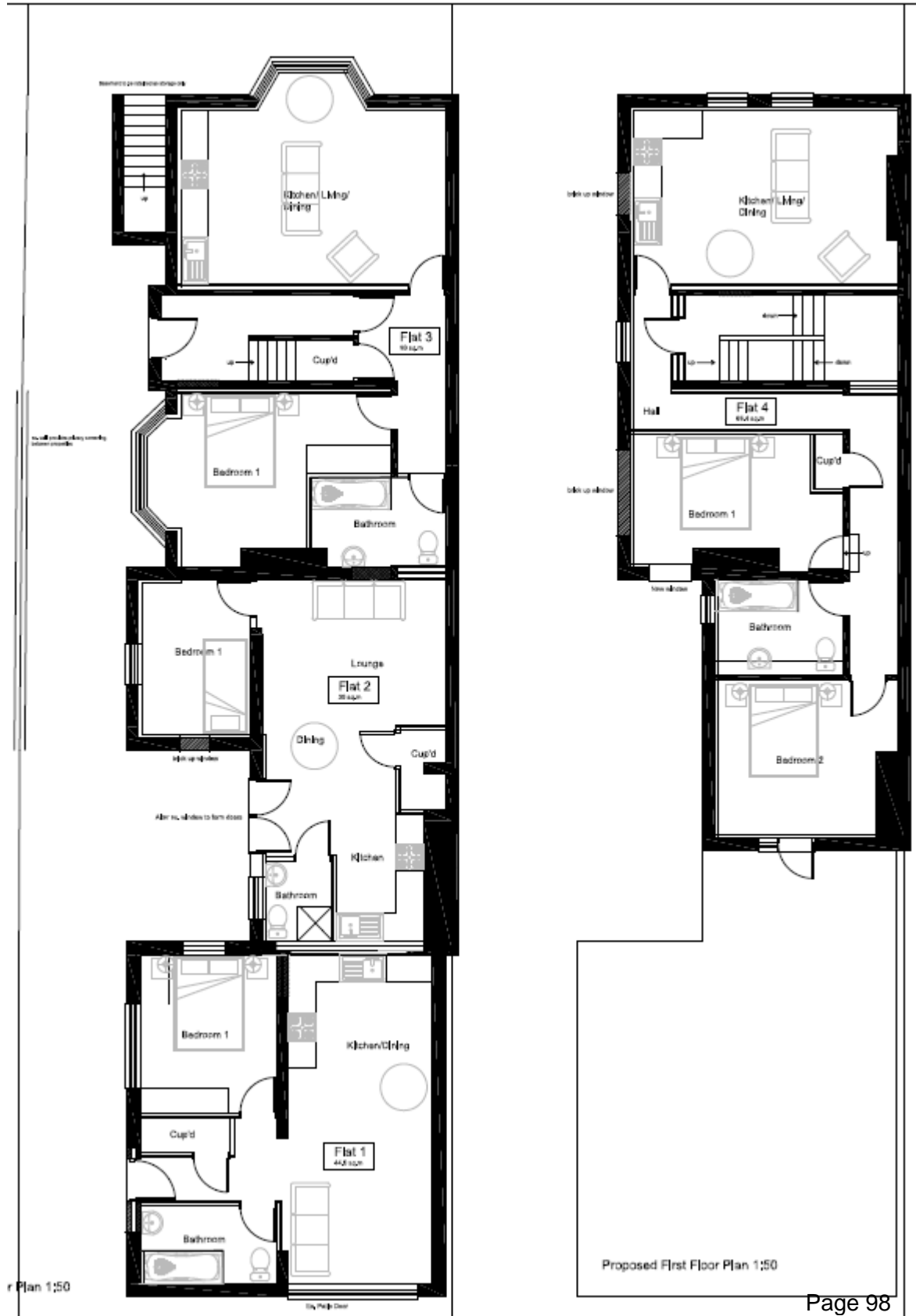
Appendix 2 – Existing Floor Plan

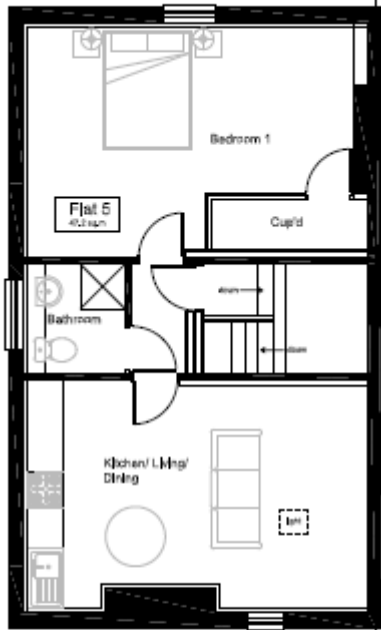




Existing Second Floor Plan 1:100

Appendix 3 – Proposed Floor Plans





Proposed Second Floor Plan 1:50

Appendix 4 – Proposed Landscaping

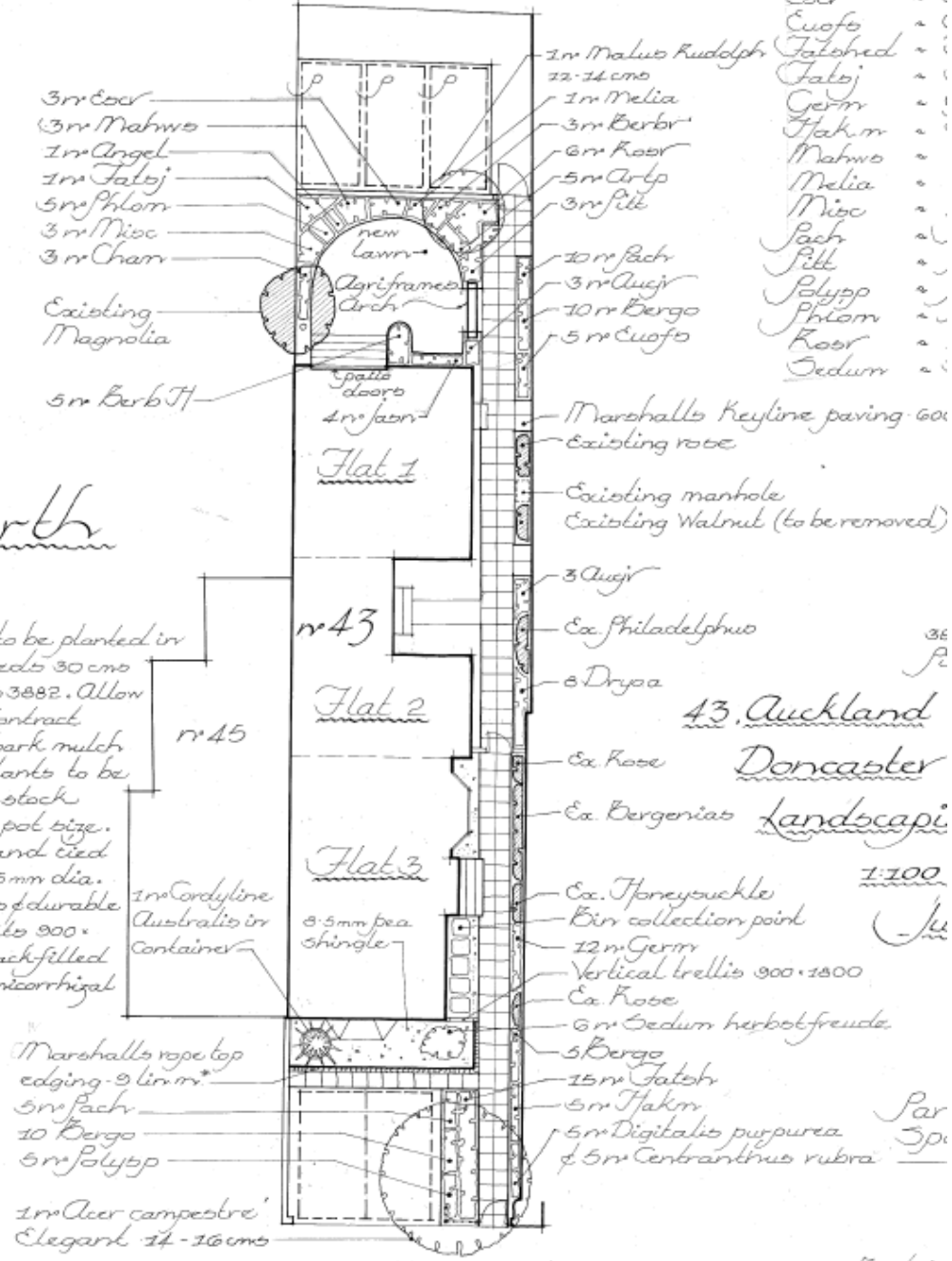
Shrubs -

- Ar-Lp ~ Artemisia ferovis Castle ~ 25-30 cms ~ 3L ~ 5/m² ~ 5m²
- Angel ~ Angelica archangelica ~ " ~ 5L ~ 1/m² ~ 1m²
- Aucjv ~ Aucuba japonica Kozanrix ~ 30-40 cms ~ 5L ~ 3/m² ~ 6m²
- BerbH ~ Berberis Thelmond Pillar ~ 30-40 cms ~ 5L ~ 3/m² ~ 5m²

- Berber ~
- Bergo ~
- Centr ~
- Digitalis ~
- Dryoa ~
- Coer ~
- Euoft ~
- Falohed ~
- Falobj ~
- Germ ~
- Hakm ~
- Mahwo ~
- Melia ~
- Misc ~
- Pach ~
- Pitt ~
- Polyp ~
- Phlom ~
- Roor ~
- Sedum ~



Shrubs to 553936 to be planted in debris & weed free beds 30 cms deep - Topsoil to 553882. Allow for 75mm depth of Contract Ornamental grade bark mulch to planting beds. Plants to be good quality bushy stock commensurate with pot size. Trees to be staked and tied at low level using 75mm dia. peeled larch stakes & durable rubber ties. Tree pits 900 x 900 x 750 mm deep. Backfilled in layers containing micorrhizal fungal spores.



Auckland Road

* Ker-dain prefer



12 November, 2019

To the Chair and Members of the Planning Committee

APPEAL DECISIONS

EXECUTIVE SUMMARY

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

RECOMMENDATIONS

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

WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?

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

BACKGROUND

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

OPTIONS CONSIDERED

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

REASONS FOR RECOMMENDED OPTION

6. To make the public aware of these decisions.

IMPACT ON THE COUNCIL'S KEY OUTCOMES

7.

	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 30/10/19]

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 30/10/19]

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 30/10/19]

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

TECHNOLOGY IMPLICATIONS [Officer Initials PW Date 30/10/19]

12. There are no technology implications arising from the report

HEALTH IMPLICATIONS [Officer Initials RS Date 30/10/19]

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 30/10/19]

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	Overtured
18/00337/M	Appeal against enforcement action for alleged unauthorised removal of boundary wall within a conservation area under grounds (b & c) at 23 Windsor Road, Town Fields, Doncaster, DN2 5BS	ENF-Appeal Allowed, ENF Notice Quashed 08/10/2019	Town		No
18/03145/LBC	Listed Building Consent for the erection of boundary wall and alterations to existing boundary walls (in association with a planning application for the erection of a bungalow (18/03144/FUL) at Land Adj To Poplar Farm , Crow Tree Lane , Adwick Upon Dearne, Mexborough	Appeal Allowed 15/10/2019	Sprotbrough	Delegated	No
18/03144/FUL	Erection of single storey dwelling and improvements to existing access. at Land Adj To Poplar Farm , Crow Tree Lane , Adwick Upon Dearne, Mexborough	Appeal Allowed 15/10/2019	Sprotbrough	Delegated	No

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PETER DALE
Director of Economy and Environment

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Appeal Decision

Site visit made on 30 September 2019

by **B.S.Rogers BA(Hons) DipTP MRTPI**

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

Decision date: 8 October 2019

Appeal Ref: APP/F4410/C/19/3221622

23 Windsor Road, Doncaster, DN2 5BS

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
- The appeal is made by Mr Anthony Kerrigan against an enforcement notice issued by Doncaster Metropolitan Borough Council.
- The enforcement notice was issued on 21 December 2018.
- The breach of planning control as alleged in the notice is without planning permission, the demolition of the entire front boundary wall on the Land as shown in the attached photographs marked "pre development" and "post development".
- The requirement of the notice is to reinstate the front boundary wall in its former position. The wall to be of the same dimensions, style and appearance as the formal (sic) wall (For clarity as shown on attached photograph marked "pre development").
- The period for compliance with the requirements is one month.
- The appeal is proceeding on the grounds set out in section 174(2)(b) and (c) of the Town and Country Planning Act 1990 as amended. Since the prescribed fees have not been paid within the specified period, the appeal on ground (a) and the application for planning permission deemed to have been made under section 177(5) of the Act as amended have lapsed.

Formal Decision

1. The appeal is allowed and the enforcement notice is quashed.

The appeal on ground (b)

2. Ground (b) is that the breach of control alleged in the notice has not taken place as a matter of fact. However, it is not disputed that the boundary wall in question has been demolished. The photographic evidence is clear on this matter. The appellant's argument that the works have not caused harm to the character and appearance of the conservation area is not relevant to this ground. The appeal on ground (b) fails.

The appeal on ground (c)

3. The appeal property is an end terraced dwelling situated within the Town Field Conservation Area. The appellant contends that the works of demolition were permitted development under Class C of Part 11 of Schedule 2 to the Town and Country Planning (General Permitted Development)(England) Order 2015 [GPDO], which permits "*Any building operation consisting of the demolition of the whole or any part of any gate, fence, wall or other means of enclosure*".
4. Development is not permitted by Class C if the demolition is "*relevant demolition*" for the purposes of section 196D of the Act. This is defined as

demolition of a building that is situated in a conservation area in England. The boundary wall would fall within the definition of a "building" in section 336 of the Act as including any structure or erection. However, an exception is made for demolition of buildings and structures set out in the Conservation Areas (application of section 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990) Direction 2015; this includes any gate, fence, wall or other means of enclosure which is less than 1 metre high which abuts on a highway. Accordingly, the appeal on ground (c) turns on whether the demolished wall was less than 1m in height.

5. The appellant has provided photographs which show, using measuring rods, that the height of the similarly designed front boundary wall to the adjoining dwelling, no.21 Windsor Road, is less than 1m in height, when measured from the footway. This is consistent with the Council's measurement of the height of this wall as 980mm. The only evidence as to the height of the former wall to no.23 is the "pre development" photograph provided by the Council. This shows that the boundary wall to the appeal property was higher by 2 brick courses than the height of the neighbouring wall at no.21. On the basis of the Council's measurements, the additional 2 brick courses would have made the wall some 1150mm in height.
6. The appellant has disputed this measurement, believing the Council to have double counted one of the mortar beds, which should have reduced the figure to 1091.8mm, albeit that this is still above 1m, when measured from the footway. This appears plausible but the further doubt which is cast by the appellant on the Council's figures because of factors such as the likely use of shallower lime mortar beds would appear to have only a very marginal impact on this figure. A further suggestion that the wall cappings might have been shallower and that the actual height might have been as low as 969mm I find far from convincing. From the photographs, the wall was clearly higher than that remaining at no.21.
7. Turning to Article 2(2) of the GPDO, measurement of the height of a building is to be taken from the surface of the ground immediately adjacent to the building. Where the level of the surface of the ground is not uniform, the level of the highest part of the surface of the ground adjacent to it should be used. From the "pre development" photograph, the garden adjacent to the wall appears to have been higher by at least 3 brick courses than the outside footway level from which both parties' measurements were taken. This would have reduced the measured height of the wall by at least 250mm and would have resulted in its being less than a metre high, even if the Council's higher measurements in para.5 above are taken as correct. Accordingly, the demolition of the wall was permitted development and the appeal on ground (c) succeeds.

B.S.Rogers

Inspector



Appeal Decisions

Site visit made on 2 October 2019

by Nigel Harrison BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th October 2019

Appeal A: Ref: APP/F4410/W/19/3231784

Land adjoining Poplar Farm, Crow Tree Lane, Adwick-upon-Deerne, Doncaster, S64 0NN

- 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 J Story against the decision of Doncaster Metropolitan Borough Council.
 - The application Ref: 18/03144/FUL dated 21 December 2018, was refused by notice dated 15 February 2019.
 - The development proposed is: Erection of a single-storey dwelling and improvements to existing access.
 -
-

Appeal B: Ref: APP/F4410/Y/19/3231783

Land adjoining Poplar Farm, Crow Tree Lane, Adwick-upon-Deerne, Doncaster, S64 0NN

- The appeal is made under section 20 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr and Mrs J Story against the decision of Doncaster Metropolitan Borough Council.
 - The application Ref: 18/03145/LBC, dated 21 December 2018, was refused by notice dated 15 February 2019.
 - The works proposed are: Erection of a boundary wall and alterations to existing boundary walls.
-

Decision: Appeal A

1. The appeal is allowed, and planning permission is granted for the erection of a single-storey dwelling at land adjoining Poplar Farm, Crow Tree Lane, Adwick-upon-Deane, Doncaster, S64 0NN in accordance with the terms of the application, Ref: 18/03144/FUL dated 21 December 2018, subject to the conditions set out in the Schedule attached to this decision.

Decision: Appeal B

2. The appeal is allowed, and listed building consent is granted for the erection of a boundary wall and alterations to existing boundary walls at land adjoining Poplar Farm, Crow Tree Lane, Adwick-upon-Deane, Doncaster, S64 0NN in accordance with the terms of the application Ref: 18/03145/LBC dated 21 December 2018 subject to the conditions set out in the Schedule attached to this decision.

Procedural Matters - Both Appeals

3. The site address is given as Manor Lane on the appeal form and Crow Tree Lane on the application form. As the site access would be taken from Crow Tree Lane, I have used that address to identify the site.
4. The Council has acknowledged that in its decision notices and officer reports it erroneously referred to the March 2012 version of the *National Planning Policy Framework* (the Framework). This has been superseded by the updated *Revised National Planning Policy Framework* (February 2019), which sets out the Government's latest National planning policies.

Main Issues - Both Appeals

5. I consider the main issue in **Appeal A** is the effect of the proposed development on the setting of Grade II listed Poplar Farm, a Grade II listed building.
6. As part of the appeal process the Council has clarified that reference to alterations and demolition of existing walls to form the in the decision notice was an error. I therefore consider that the main issue in **Appeal B** is the effect of the proposed new boundary wall and alterations to exiting walls on the setting of Poplar Farm.

Policy – Both Appeals

7. Policy CS5 of the *Doncaster Council Core Strategy 2011-2028* (CS), May 2012 says proposals will be supported which preserve, and where appropriate, enhance the heritage significance and setting of the Borough's heritage assets. Amongst other matters, saved Policy ENV4 of the *Doncaster Unitary Development Plan* (UDP), July 1998, says permission will not normally be granted for development which would adversely affect the setting of a listed building by virtue of its nature, height, form, scale, materials or design.

Reasons - Appeal A

8. It is proposed to erect a one-bedroom dwelling with integral garage in the vernacular style of a converted open-fronted cart shed. Access would be taken from an existing access to Crow Tree Lane and a new boundary wall would be erected to define the extent of the plot. The appeal site is currently well-maintained and used as part of the garden of Poplar Farm.
9. The proposal is a resubmission following refusal of an earlier scheme on the same site in an attempt to address the Council's previous concerns. The previous scheme was for a larger dormer-windowed bungalow set transversely across the site, whereas the current smaller dwelling is shown positioned parallel to the south-east boundary, aligning with the gable end of a recently built dwelling fronting Crow Tree Lane.
10. The appellant has provided a large amount of evidence, including historical map extracts, in an attempt to define whether or not the appeal site may be considered to be part of the curtilage of the listed building. These suggest that there have been at various times in the past a wall or hedge dividing the site from the rest of the farm complex, and the appellant suggests that that the site may not have been functionally related to the agricultural operation of the farm or even been in separate ownership at some previous time. Whatever the

reasons for these earlier boundary features, the appellant says the one-time separation of the site from the immediate surroundings of the farmhouse calls into question any direct functional and historic association with the listed building. On the other hand, the Council says the evidence is not conclusive, and suggests that the site may have functioned as a kitchen garden associated with the farmhouse. What is not disputed is that the site is currently part of the garden of the farmhouse.

11. Nonetheless, considerations of setting, which is the main issue here, are separate from considerations of curtilage. The Historic England (HE) *Good Practice Advice in Planning Note 3: The Setting of Heritage Assets*, is useful. It states that: "Understanding the history of change will help to determine how further development within the asset's setting is likely to affect the contribution made by setting to the significance of the heritage asset. Settings of heritage assets which closely resemble the setting in which the asset was constructed are likely to contribute to significance". It also refers to cumulative change, and states "*where the significance of a heritage asset has been compromised in the past by unsympathetic development affecting its setting, consideration still needs to be given to whether additional change will further detract from or can enhance the significance of the asset*".
12. A large part of Poplar Farm's special architectural and historic interest derives from its status as an imposing early 19th century farmhouse with an elegant main elevation with pedimented central feature. This formal frontage faces the farmyard, and clearly has a direct relationship with it. This relationship was previously stronger, as the farmyard included another range on the opposite side (now demolished). However, planning permission has been granted to recreate this range, including together with other new residential development. In my view, apart from the architectural interest and aesthetic value of the farmhouse, its functional and visual relationship to the associated farmyard contributes greatly to the significance of the listed building, and this would not be affected by the proposed development.
13. Although appeal site and retained side garden form part of the setting of the listed building, this area has lesser importance in terms of the way it contributes to the building's significance. Firstly, because it is seen in the context of the secondary side elevation of the farmhouse, and secondly, because it has been compromised by the construction of late 20th century suburban style housing on two sides, with some of this housing being very close to the rear elevation of the farmhouse.
14. In this context, the proposed dwelling would still allow views of the side elevation of the farmhouse from the west, and its modest height and simple form would ensure that it would not be unduly obtrusive or compete in pre-eminence with the farmhouse. Whilst the effect of cumulative change cannot be under-emphasised, I am satisfied on balance that the proposed dwelling would not further detract from the setting of the listed building to any significant degree.
15. The Council has raised objections to the 'agricultural' style of the proposed building, stating that a garden style would be more appropriate given the possible previous use of the site. However, I am satisfied that the agricultural style would better serve to retain a perceived functional relationship with the farmhouse. However, some of the materials indicated on the submitted plans

would be out-of-keeping and inappropriate. Notwithstanding this, the appellant's *Heritage Statement* says natural or high-quality artificial slate would be used, and windows and door frames would be in painted timber. Such natural materials are necessary in my view to respect those of the farmhouse and associated buildings and could be secured by condition.

16. The Council also says the amount of land around the farmhouse is important as it reflects its status. However, other areas of garden would remain, and I am not persuaded that its 'status' would be compromised by the proposal.

Conclusion-Appeal A

17. The statutory test in relation to listed buildings¹ is that special regard shall be given to the desirability of preserving the building, its setting, or any features of special architectural or historic interest it possesses. Framework Paragraph 193 says when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 196 says where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
18. Overall, whilst I am not convinced that the setting of the listed building would be enhanced, as suggested by the appellant, I am satisfied that the proposed development would have a neutral effect that would preserve that setting, causing no harm to the significance of this heritage asset. Therefore, the question of public benefits to outweigh any harm does not arise. As such, I find no conflict with CS Policy CS5, saved UDP Policy ENV4, the provisions of the Act, and the Framework.

Reasons -Appeal B

19. It is not in dispute between the parties Council that existing boundary walls enclosing the site may be considered as curtilage listed structures, as further to the provisions of Section 5(2) of the Act I have no reason to disagree.
20. The Council says the proposed new boundary wall and alterations to existing boundary walls accommodate it would be harmful, though has not provided further information to explain what that harm would be. As I have allowed the corresponding appeal for the proposed dwelling, it would be reasonable to expect some physical demarcation between the plots, and I am satisfied that a natural stone-built wall would be appropriate.

Conclusion-Appeal B

21. Even though the proposed wall would not be in the same position as a historic wall in that position, I am satisfied it would have a neutral effect that would preserve setting of the listed building, causing no harm to its significance. Therefore, the question of public benefits to outweigh any harm does not arise. As such, I find no conflict with CS Policy CS5, saved UDP Policy ENV4, the provisions of the Act, and the Framework.

¹ Sections 16(2) and 66 (1) Planning (Listed Building and Conservation Areas) Act 1990

Other Matters

22. I note the comment made by a local resident that there are enough houses in the village, and that additional development would put a strain on facilities. Whilst I note these comments, the single one modest-sized dwelling would not in my view be significant in terms of its impact on these issues.
23. It is stated that the dwelling would be occupied by the appellants and would enable them to continue living close to the family home without the ongoing burden and worry of maintaining the large farmhouse. However, no mechanism (such as a Unilateral Undertaking) has been provided which might control future occupancy. As such, this is not a matter which has influenced my reasoning.

Conditions- Both Appeals

24. I have considered the conditions put forward by the Council in the light of the advice in the Framework and Planning Practice Guidance (PPG)
25. In addition to the standard condition for the commencement of development and works, conditions are needed to secure compliance with the submitted plans, for the avoidance of doubt and in the interests of proper planning. However, as discussed above the details of the materials shown on Plan P24 Rev A are inappropriate, and the suggested conditions are necessary to secure the approval and use of natural materials as stated on the appellant's Heritage Statement to protect the setting of the listed building. For the same reason a condition requiring detailed drawings of the window frames and other joinery is needed. However, I have not imposed the condition requiring details of the proposed rooflight, as these are clearly shown on the submitted plans.
26. The conditions requiring the submission and implementation of a landscaping scheme, and that controlling permitted development rights for the alterations to the roof (which includes the installation of solar panels) are also justified in order to safeguard the setting of the listed building.
27. With respect to the listed building consent, conditions requiring samples of stone for the proposed new wall and details of any alterations to existing walls are needed to protect the setting of the listed building.

Overall Conclusion – Both Appeals

28. Therefore, for the reasons given above, and having regard to all other matters raised, I conclude that both appeals should be allowed.

Nigel Harrison

INSPECTOR

Schedule of Conditions - Appeal A: APP/F4410/W/19/3231784

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: P24 Rev A (Plans and Elevations), P25 Site Plan and Sketch), P26 (Block Plan), and OS2 Rev A (Site Location Plan).
- 3) Notwithstanding any details shown on the submitted plans, the development hereby approved shall not begin until details of the walling material, which shall be natural stone, 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.
- 4) Notwithstanding any details shown on the submitted plans, the development hereby approved shall not begin until details of the roofing material, which shall be of natural slate or natural clay pantiles, 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.
- 5) Notwithstanding the details shown on the approved drawings, the development hereby approved shall not begin until details of all windows and doors, which shall be constructed in timber, have been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing, the details shall include an elevation at 1: 20 scale of each window and door type, and 1:5 cross sections. The development shall be carried out in accordance with the approved details.
- 6) Prior to the commencement of the relevant works, a sample of the stone to be used in the construction of the development hereby approved shall be provided on site for inspection and approval by the Local Planning Authority. Subject to the approval of the stone, a one metre square sample panel shall then be constructed on site showing pointing and coursing, also for inspection by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 7) No development shall take place until details of the design, size, location, materials and colour of any flues and vents (including any roof insulation, heating, plumbing, and air extract vents), have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 8) Prior to the occupation of the development hereby permitted, details of hard/soft landscaping, including timescales, shall be submitted to and approved in writing by the Local Planning Authority. The details shall include any additional alterations to boundary treatments including gates and the surface treatment of the parking/turning area and access to Crow Tree Lane. The approved landscaping scheme shall be carried out in accordance with the approved details. The soft landscaping shall thereafter be maintained by the site owner for a period of five years. Any tree or shrub planted in accordance with the scheme which becomes damaged or diseased, dies or is removed, shall be replaced during the next planting season.

- 9) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 1995 (or any other Order revoking or re-enacting that Order), no development contained within Class C of Schedule 2 (Part 1) of the Order shall be carried out without the prior permission of the Local Planning Authority.

Schedule of Conditions - Appeal B: APP/F4410/Y/19/3231783

- 1) The works authorised by this consent shall begin not later than 3 years from the date of this consent.
- 2) The works authorised by this consent shall be carried out in accordance with the following approved plans: P24 Rev A (Plans and Elevations), P25 Site Plan and Sketch), P26 (Block Plan), and OS2 Rev A (Site Location Plan).
- 3) No relevant works shall take place until a sample of the stone to be used in the construction of the proposed boundary wall has been provided on site for the inspection and approval of the Local Planning Authority. Subject to the approval of the stone a one metre square sample shall be constructed on site showing pointing and coursing of the stonework for the inspection of the Local Planning Authority. The works shall be carried out in accordance with the approved details.
- 4) No relevant works shall take place until details of the alterations to the existing boundary walls, including gates, have been submitted to and approved in writing by the Local planning Authority. The works shall be carried out in accordance with the approved details.

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Doncaster
Council

Doncaster Metropolitan Borough Council Planning Enforcement Quarter Report October 2019

1.0 Introduction

- 1.1 This report provides Doncaster Metropolitan Borough Council's Planning Enforcement performance in the Second Quarter 2019/20.
- 1.2 This quarter (1st July – 30th September 2019) has once again been busy, however despite the team operating with only two full time officers during the months of July & August, we have managed to successfully clear/progress a large quantity of historical outstanding cases. This was mainly due to a series of action days where 3 Principal Planning Officers (Hannah Wilson, Alicia Murray & David Richards) teamed up with the Enforcement Team and carried out joint on-site assessments of the cases. This method of inspecting allowed for on the spot decision making and agreed course of action, reducing the need for further consultation after the initial investigation stage. As a result 60 cases were approximately commenced and/or completed.
- 1.3 On the 2nd September 2019, Sarah Smith previously from the Licensing and Trading Standards Team joined the Planning Enforcement Team on a 6 months secondment to assist with outstanding cases. Furthermore, interviews have now taken place and a new apprentice joined the team on the 21st October 2019.
- 1.4 Further good news was received in September that an additional 2.5 Principal Planning Enforcement Officer posts have been approved; job vacancy advertisements will be released shortly.

1.5

<u>Case Updates</u>	
Total Cases Still Under Investigation as at end of September 2019 (recorded between the 1 st April – 30 th September 2019).	143
Total Cases Recorded in the Second Quarter (1 st July – 30 th September 2019).	108
Total Cases Closed Down in the Second Quarter (1st July – 30th September 2019).	55

2.0 Court Action

2.1 No prosecutions have taken place this quarter.

2.2 An application for a “warrant of entry” was successfully granted for land known as Pony Paddock – Toll Bar, and officers entered the land on the 20th September 2019.

3.0 Direct Action

3.1 During the second quarter a large amount of proactive work has been undertaken to deal with the increased problem of “For Let/Sale” advertisements and banners, within the town centre area. Letters were sent to all the main letting agencies warning that repeat offending will result in fines and possible prosecution action. Proactive monitoring visits have led to the removal of advertisements, whilst preventing further occurrences.



A sample of the banners which were removed by Roy Sykes & Chris Reynolds on the 31st July 2019.

4.0 Pending Court Action

4.1 **18 Radiance Road, Wheatley – Enforcement Notice issued on the 4th March 2019.**

Without planning permission the owner erected a two metre high fence around the boundary of the land (including a gate) and the siting of two storage containers on the land. Due to non-compliance with the Enforcement Notice, a prosecution is now pending. The case went to court on the 9th October 2019 and the defendant pleaded guilty, at present the case has been adjourned for sentencing, pending the outcome of the planning application.



4.2 **Mallor, Moss Road, Askern -**

In the first quarter, the Planning Enforcement Team successfully prosecuted the owner of the “Mallor” on Moss Road, for the incorrect installation of a glass door in the first floor level of their rear garage.

The owner has continued to breach the notice and as a consequence a second prosecution is now being sought at the Magistrates’ Court.

5.0 General Cases

The following are a few examples of cases currently under investigation by the Planning Enforcement Team:

5.1 **Hall Villa Lane, Toll Bar – Pony Paddocks (19/00165/M & 19/00225/H)**

A warrant was obtained from the Magistrates’ Court and a full site inspection was undertaken on the 20 September 2019, along with the local police force undertook a

full site visit and recorded what development had permission, development that was immune from enforcement action and development that was considered unacceptable.



Pony Paddocks is a 10 plot Gypsy & Traveller (G&T) site granted upon appeal. In recent months a 'day room' has been expanded and the roof rafters appear to have the potential of incorporate a second floor (if required). The size of the development is greater than the LPA would grant for a day room.

The visit found that the majority of plots were breaching planning control but many had works that were either supportable or that through the passage of time the LPA were unable to take enforcement action.

However, the large day room, a sub-division of a plot are currently being investigated as is the green field to the rear of the site which has been turned into further unauthorised G&T plots..

5.2 Fleet Cars Direct – Milethorn Lane - Wheatley

Fleet Direct is a car sales plot at the bottom of Wheatley Hall Road, who have been contacted several times regarding the unauthorised "Change of Use" from B2 to sui generis, the illegal display of advertisement banners and signs (some illuminated) and the display of cars for sale outside of their premises on the public highway/public informal POS (green space) that belongs to Doncaster Council.

Concerns have been raised by local residents with regard to the loss of a green playing area and damage to the tree roots, due to the parking of cars for sale.

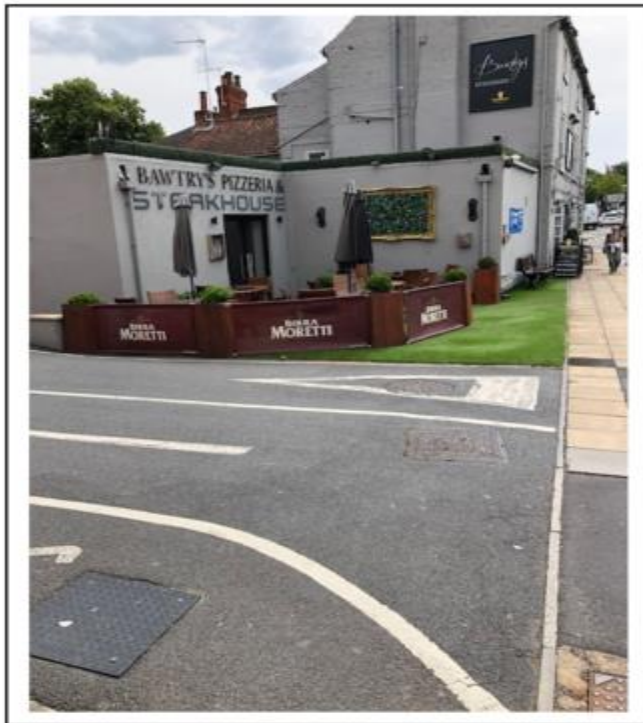
At present Planning Enforcement are currently investigating the unauthorised change of use and potential criminal offences linked to displaying advertisements. The issue of the cars for sale on DMBC land is being investigated by Doncaster's Assets department.



5.3 Sainsbury's Car Park Entrance – Bawtry

A complaint was received in relation to a suitable access arrangement at a Sainsbury's car park entrance leading from High Street, Bawtry

The Sainsbury shop/apartment development was built with the road entrance having the same surface as the footpath, this resulted in a conflict between pedestrians and motor vehicles. Since planning permission had been approved, the site has been sold on to a new owner.



However, after consultation with the new owners they were keen to undertake the required works to bring about alterations to make a safer interchange.

To add to the difficulties of a poor entrance/exit design, the adjacent public house had placed seating and tables adjoining the exit road and compromised the exit visibility splay. However, after discussion with the public house removed some tables and chairs to give back the required visibility splay.

At present the new owners are looking to instigate the required works hopefully in the next few weeks.

5.4 Lidl - Rossington

Due to the temporary HGV parking coming to an end at the top of Bankwood Lane the need for parking spaces by HGV's appears to have become critical, with many parking in unsuitable locations in/around Rossington, close to the Bankwood Industrial estate.

The new Lidl parking was becoming a particular problem and it appeared that more and more HGV's were seen to be using the site.

Once contacted and the planning conditions explained, Lidl installed an ANPR camera and fines are being sent out to any HGV breaching the planning consent (i.e. that the parking area associated with the supermarket should only be used for parking for cars only within the agreed hours of parking).

5.5 Change of use of former waste tip/green field to a motor cross track - Land off Ings Lane – Sprotbrough.

On the 28th August 2019, the Council received complaints from nearby residents who were concerned about unknown materials being brought on to the site by the owner.

Works involved the digging of large holes and the depositing of the unknown imported material to make motocross ramps and jumps. Residents were then concerned that the excavations could disturb the old waste tip, the contents of which were unknown.

The LPA advised the owner to cease the works and that support for a planning application for a motor park would be highly unlikely.

The LPA then progressed to serving the owner with a Temporary Stop Notice, stopping the works for 28 days, whilst the LPA fully considered the matter.

When the Temporary Stop Notice expired an Enforcement Notice was served (which remains in force in perpetuity). The law restricts the Enforcement Notice taking effect until 28 days after being served. Unfortunately, the LPA received several reports that over the weekend of the 5th & 6th October 2019, the site was being used by several motor bikes and that the noise impact was causing alarm/distress to local residents.

Accordingly, on the 8th October 2019 the LPA served Stop Notice accompanied with an Enforcement Notice. Failure to comply can lead to prosecution and a fine.



5.6 9 Doncaster Road – Barnburgh (18/02039/FUL)

This case centres on agriculture land being changed to domestic premises without planning permission. A retrospective planning application was submitted and subsequently refused. The owner appealed the decision and went to the Planning Inspectorate, resulting in a split decision, partly allowing the appeal and partially dismissing aspect of the proposal. The Inspectors decision allowed the stables, but required that the land must be returned back to agricultural use, including the removal of large garden ornaments (including a large bird cage type structure and a bridge), metal gates, brick walls & steps.

For a copy of the full appeal decision please refer to Appendix 1: Appeal Ref: APP/F4410/W/19/3223183 - 9 Doncaster Road, Barnburgh, Doncaster, DN5 7EG.



5.7 Green Farm, Barnburgh

On the 29th June 2018 the Planning Enforcement Team received a complaint regarding UPVC windows installed on a listed building. The owner was given until spring 2019 to replace the windows, following guidance from the Conservation Team. On the 4th April 2019, the owner applied for Listed Building Consent, which was granted in May. This required the owner to replace the front windows within 6 months and the rear windows within 12 months. The windows have now been completely replaced.



6.0 Appeals

6.1 23 Windsor Road – Town Moor - Appeal Ref: 19/00002/ENFNOT

This case involved the alleged unauthorised change of use from residential to office and removal of boundary wall within a conservation area. The initial site visit identified the removal of the original red bricked wall.

There were also signage displayed in the window of the property advertising an estate agents business. One room within the dwelling was being used as an office in typical office hours. It was agreed that the use of the office fell under general permitted development not requiring planning permission. However the owner was

directed to remove the signage from the window as this was contrary too advertisement regulations. The signage was removed at the request of the planning investigation team.

Further consultation was undertaken with the planning conservation officer to ascertain if the removal of the wall had created amenity harm within the Town Fields Conservation area. The officer confirmed harm had been created and an enforcement notice was served to reinstate the wall to its original size and appearance.

The owner subsequently appealed the notice. The Council has submitted the final appeal representations and now awaits the decision of the Planning Inspector.



6.2 37 Bruce Crescent – Wheatley Hills - Appeal Ref: 19/00012/ENFNOT

This case involved the alleged unauthorised erection of boundary wall that exceeds 1m adjacent to a highway. An initial site inspection was undertaken which revealed the original 1 metre wall had been demolished and a new wall had been built with iron railings including gates. The property is located on the corner of Bruce Crescent on a sloping hill. The dimensions of the wall were recorded and a height of 2.24 metre at the highest point. A letter was sent out to the owner requesting a reduction in height to 1 metre to bring about permitted development not requiring planning permission.

The reduction was not carried out and an enforcement notice was issued directing the reduction of the wall. The enforcement notice has been appealed and the LPA are in the process of submitting its statement of case.



Quarterly Enforcement Cases

Quarter 01/07/19 – 30/09/19	
Received Enforcement Cases	111
Total Cases Pending	143
Closed Enforcement Cases	71

Case Breakdown	
Unlawful Advertisements	11
Breach of Conditions	16
Unauthorised Change of Use	23
Unauthorised Works to Listed Building	0
Unauthorised Operational Development	58
Unauthorised Works to Protected Trees	3

Areas Where Breaches Take Place	
Adwick and Carcroft	6
Armthorpe	7
Balby South	4
Bentley	1
Bessacarr	3
Conisbrough	5
Edenthorpe and Kirk Sandall	3
Edlington and Warmsworth	2
Finningley	18
Hatfield	5
Hexthorpe and Balby North	7
Mexborough	3
Norton and Askern	5
Roman Ridge	2
Rossington and Bawtry	8
Sprotbrough	5
Stainforth and Barnby Dun	1
Thorne and Moorends	6
Tickhill and Wadworth	0
Town	14
Wheatley Hills and Intake	6

Formal Enforcement Action	
Notices Issued	3
Prosecutions	0

Report Prepared By:
 Scott Forbes
 Environmental Protection Manager.
 The Enforcement Team.

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Appeal Decision

Site visit made on 8 May 2019

by **Ian McHugh Dip TP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 16 August 2019

Appeal Ref: APP/F4410/W/19/3223183

9 Doncaster Road, Barnburgh, Doncaster, DN5 7EG

- 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 Lewis Monfredi against the decision of Doncaster Council.
 - The application Ref 18/02039/FUL, dated 14 August 2018, was refused by notice dated 31 January 2019.
 - The development proposed is the change of use of land from agriculture to domestic curtilage and the erection of stables.
-

Decision

1. The appeal is dismissed insofar as it relates to the change of use of land to residential garden. The appeal is allowed insofar as it relates to the erection of stables and planning permission is granted for the erection of stables at 9 Doncaster Road, Barnburgh, Doncaster, DN5 7EG, in accordance with the terms of the application Ref 18/02039/FUL, dated 14 August 2018, and the plans submitted with it, so far as relevant to that part of the development hereby permitted.

Procedural Matters

2. The development that is the subject of this appeal has already been carried out. Consequently, I have considered the proposal in accordance with the provisions of Section 73A of the Town and Country Planning Act 1990.
3. I note that the description of the development has changed since the submission of the planning application, which did not include reference to the stables. In addition, 'curtilage' (which is used in both the appeal form and the Council's decision notice) is not a land-use in planning terms. Consequently, I have considered the proposal as being a change of use from agricultural land to residential garden and the erection of stables. I have used this description in my decision below. In doing so, I am of the opinion that neither of the parties suffer from any injustice. The reference in the description of development to the proposal being retrospective is superfluous and I have left it out of my decision.
4. Within its report the Council concluded that the stable building is not inappropriate development and has little impact on openness. Accordingly, the stable building does not amount to inappropriate development in the Green Belt. Moreover, having regard to its scale, appearance and position it does not harm the character and appearance of the area nor adversely affect the setting of the Barnburgh Conservation Area (CA). Thus, the erection of stables

accords with Saved Policies ENV 3 and EN 25 of the Doncaster Unitary Development Plan (UDP) and Policies CS3 and CS15 of the adopted Doncaster Council Core Strategy 2011-2028 (CS). The Council indicate that the stables would be likely to be approved if made the subject of a separate planning application. On the evidence before me, I have no reason to find differently in this regard. Consequently, my decision concentrates on the change of use of agricultural land to residential garden.

Main Issues

5. These are:

- Whether the appeal development would be inappropriate development for the purposes of the National Planning Policy Framework 2019 (the Framework) and Development Plan Policy.
- The effect of the development on the openness of the Green Belt and the purposes of including land within it.
- The effect of the development on the character and appearance of the area, including the effect on the setting of the Barnburgh Conservation Area (CA).
- If found to be inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Reasons

6. The appeal property is a detached dwelling, which is part of a small residential development that is situated on the edge of the village, adjacent to open countryside. The property and its garden area can be seen, from a distance, across an intervening field when approaching Barnburgh from Doncaster Road. The property and its original garden are within the CA, which encompasses much of the historic core of the village. The appeal site itself is outside of the CA, although no physical boundary exists.

Whether the development is inappropriate development

7. The Government attaches great importance to Green Belts with the fundamental aim of Green Belt policy being to prevent urban sprawl and keep land permanently open. Paragraphs 143 and 144 of the Framework state that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Furthermore, any harm to the Green Belt must be given substantial weight by decision makers.
8. The Framework then goes on to list (in paragraphs 145 and 146) development that is not inappropriate in the Green Belt. These include at paragraph 146 e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds) provided they preserve its openness and do not conflict with the purposes of including land within it. In order to determine whether the change of use to residential garden is inappropriate development, it is necessary to assess its impact on openness and the purposes of including land within it.

Openness and purposes

9. The Framework advises that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Although the Council's Development Plan predates the Framework, I consider that the relevant policies of the CS and the Saved Policies UDP are consistent with national policy. In particular, Policy CS3 of the CS and Policy ENV 3 of the UDP seek (amongst other things) to prevent inappropriate development in the Green Belt. I note that Policy ENV 3 allows for uses of land, but only where such uses preserve the openness of the Green Belt and they do not conflict with the purposes of including land within it.
10. The extended garden area has expanded into an adjoining grassed field, previously read as part of the open countryside. Although there are no flower beds, the area has been laid to lawn and there is little visual distinction between the extended and the original garden. The boundaries of the garden have been defined by extended stone walls, including a retaining wall (with steps) along its rear boundary with the adjoining field. Other features include post and link fencing, lighting columns, a small wooden bridge and an ornamental garden seating area. In my opinion, these features result in a loss of openness in this location and are also characteristics of encroachment and urban sprawl, which Green Belt policy seeks to prevent.
11. I find therefore, that the development fails to preserve the openness of the Green Belt and conflicts with the purposes of including land within it. And thus amounts to inappropriate development within the Green Belt. As such, it does not satisfy any of the exceptions set out in the Framework or Policy CS3 of the CS and saved Policy ENV 3 of the UDP

Character and appearance and the effect on the setting of the CA

12. Policy ENV 25 of the UDP seeks to ensure that that the character or appearance of conservation areas are preserved or enhanced when dealing with proposals that affect their setting or views into or out of the area. Policy CS15 of the CS has a similar requirement.
13. One of the significant features of the CA is its rural surroundings and the contribution that the open countryside makes to its character, appearance and setting. I note that the Council states that the boundary to the original garden has not been planted in accordance with the original planning permission.
14. Nevertheless, despite its elevated position, the extended garden and its associated paraphernalia (including the fence and lighting) is not particularly noticeable when viewed from Doncaster Road, because of the intervening field and the separation distance between the appeal site and the highway boundary. Furthermore, the development is viewed against the backdrop of the existing dwelling and its original garden area, which contains its own associated structures and planting. Consequently, I consider that the visual impact and relationship between the appeal site and the adjoining field does not appear to have changed significantly.
15. Furthermore, I noted at my site visit that there are existing stone retaining walls along the northern boundary of the appellant's property and in that

respect, the retaining wall to the extended garden is not out of context with its surroundings.

16. For these reasons, I am not persuaded that there is any undue harm caused to the setting of the CA or to the general character and appearance of the area as a result of the development. Accordingly, the proposal does not conflict with Policy ENV 25 of the UDP or with Policy CS15 of the CS, as referred to above.

Other Considerations

17. The appellant points to the fact that there was no physical demarcation between the original approved garden and the adjoining field and that the appeal proposal now provides a clear boundary. Furthermore, the appellant considers that the garden area has only been extended slightly and it has little impact on the openness of the Green Belt and it is seen in the context of the adjoining urban area. For the reasons given above, I attach limited weight to these matters.
18. The imposition of a condition to remove permitted development rights for future buildings within the appeal site as suggested by the appellant would not overcome the loss of openness because a condition of this nature whilst restricting buildings would not control the scope and transient nature of domestic paraphernalia that could be placed on land used as residential garden. I therefore attach limited weight to this matter.

Other Matters

19. I note that a representation has been made regarding the ownership of the appeal site and the accuracy of the plans that show the field boundaries. This is a private matter and it is something I am unable to consider as part of my decision.

Green Belt Balance

20. The Framework advises that inappropriate development, by definition, is harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm resulting from the proposal is clearly outweighed by other considerations.
21. I have found that the development is not harmful to the character and appearance of the area or the setting of the CA. However, this is a neutral effect and does not weigh for or against the development.
22. The development amounts to inappropriate development due to loss in the openness of the Green Belt and conflicts with the purposes of land within it. Significant weight must be attached to the harm in those respects.
23. I find that the other considerations in this case individually or cumulatively, do not clearly outweigh the harm that I have identified. Consequently, the very special circumstances necessary to justify the development do not exist.

Conditions

24. I have considered the imposition of conditions in accordance with the advice contained in the planning Practice Guidance. The Council has not suggested any conditions in relation to the stable. However, as the stable building has

already been erected and is of a satisfactory appearance, I conclude that no conditions are necessary.

Conclusion

25. The stables that I have found to be acceptable are severable from the remainder of the proposal. Therefore, for the reasons given above, and having regard to all matters raised, I conclude that the appeal is allowed insofar as it relates to the erection of stables, but dismissed insofar as it relates to the change of use to residential garden.

Ian McHugh

INSPECTOR

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