



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: Microsoft Teams - Virtual Meeting

Date: Tuesday, 13th October, 2020

Time: 2.00 pm

The meeting will be held remotely via Microsoft Teams. Members and Officers will be advised on the process to follow to attend the Planning Committee. Any members of the public or Press wishing to attend the meeting by teleconference should contact Governance Services on 01302 737462/736712/736723 for further details.

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Damian Allen
Chief Executive

Issued on: Monday, 5 October 2020

Governance Services Officer for this meeting

Amber Torrington
Tel: 01302 737462

Doncaster Metropolitan Borough Council
www.doncaster.gov.uk

Item	Page No.
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 September 2020	1 - 14
A. Reports where the Public and Press may not be excluded.	
<u>For Decision</u>	
5. Schedule of Applications	15 - 220
<u>For Information</u>	
6. Appeal Decisions	221 - 240

Members of the Planning Committee

Chair – Councillor Susan Durant
Vice-Chair – Councillor Sue McGuinness

Councillors Duncan Anderson, Iris Beech, Mick Cooper, Steve Cox, John Healy, Charlie Hogarth, Eva Hughes, Andy Pickering and Jonathan Wood

Agenda Item 4.

DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE

TUESDAY, 15TH SEPTEMBER, 2020

A MEETING of the PLANNING COMMITTEE was held at the VIRTUAL MEETING VIA MICROSOFT TEAMS on TUESDAY, 15TH SEPTEMBER, 2020, at 2.00 pm.

PRESENT:

Chair - Councillor Susan Durant

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

APOLOGIES:

An apology for absence was received from the Vice-Chair, Councillor Sue McGuinness

111 DECLARATIONS OF INTEREST, IF ANY.

No declarations were reported at the meeting.

112 MINUTES OF THE PLANNING COMMITTEE MEETING HELD ON 18TH AUGUST, 2020.

RESOLVED that the minutes of the meeting held on 18th August, 2020 be approved as a correct record and signed by the Chair.

113 SCHEDULE OF APPLICATIONS.

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

114 ADJOURNMENT OF MEETING.

RESOLVED that in accordance with Council Procedure Rule 18.11(f), the meeting stand adjourned at 3.30 pm to be reconvened on this day at 3.35 pm.

115 RECONVENING OF THE MEETING.

The meeting reconvened at 3.35 pm.

116 DONCASTER COUNCIL PLANNING COMMITTEE PROTOCOL.

The Committee received a report seeking agreement and adoption of the proposed Planning Committee Protocol.

Roy Sykes, Head of Planning reported that the purpose of the protocol is to aid Members, Officers, Parish Councils' residents and applicants/agents by having an up to date, clear and transparent document on how this important part of the planning process is carried out.

Members were advised, that the protocol responds positively to the 'Planning Committee Peer Review' and the peer team used their extensive experience and knowledge of local government and good constitutional governance in order to put forward their suggestions for improvement. It was noted that the key findings of the report had highlighted a number of potential improvements, which were contained within paragraph 3 of the report.

It was also noted that adoption and implementation of the protocol will mean that the final outstanding actions from the Peer Review recommendations will have been addressed and completed.

Details regarding the purpose of the protocol, what the aspects of the protocol were, consultation undertaken and written feedback from Members were contained within paragraphs 6-10 of the report.

It was reported that the Protocol updates, consolidates and will ultimately supersede the Planning Committee guidance notes referred to in the report, and in so doing provide one easily referable document. By adhering to the Protocol all those involved in the Planning Committee process should not have any doubt about how the Committee meeting will be conducted and how the Protocol will be applied throughout the decision making process. In turn, this should reduce the risk of judicial review or complaints about maladministration and injustice to the Local Government Ombudsman, representing good constitutional governance.

Following the introduction of the report, a debate took place on the protocol where members expressed their views and concerns.

It was subsequently **MOVED** by the Chair, Councillor Susan Durant and **SECONDED** by Councillor Iris Beech to defer this to a separate meeting for Members and Officers to go through in more detail.

A vote was taken on the proposal made by the Chair Councillor Susan Durant which was declared as follows:-

For	-	10
Against	-	0
Abstain	-	0

On being put to the vote, the proposal made by the Chair, Councillor Susan Durant and seconded by Councillor Iris Beech, was **CARRIED**.

RESOLVED that the report be deferred to a separate meeting for Members and Officers to go through in more detail.

117 DURATION OF THE MEETING.

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

118 APPEALS DECISIONS.

Discussion took place in relation to the appeal and costs awarded against the Council in relation to Application No 19/02264/FULM detailed in the report.

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

Application No	Application description and Location	Appeal Decision	Ward	Decision Type	Committee Overturn
19/01027/FUL	Erection of an agricultural workers dwelling at Land North of Almholme Lane, Almholme, Doncaster	Appeal Allowed 21/08/2020	Bentley	Delegated	No
19/02976/COU	Change of use of the ground and first floors to adult gaming and amusement centre with bingo (Sui Generis) at ground floor at 37-39 St Sepulchre Gate, Doncaster DN1 1TD	Appeal Allowed 14/08/2020	Town	Delegated	No
19/02264/FULM	Erection of 56 affordable houses, 12 retirement living bungalows and a multi-storey retirement living building	Appeal Allowed 17/08/2020	Norton and Askern	Committee	Yes

	accommodating 58 units at Land off Highfield Road, Askern Doncaster				
19/02280/FUL	Change of use of land to car park at TCV, Sedum House, Mallard Way, Balby	Appeal Dismissed 20/08/2020	Hexthorpe and Balby North	Delegated	No

DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE – 15th September, 2020

Application	1		
Application Number:	20/00109/3FULM		
Application Type:	Planning FULL (DMBC Reg 3) Major		
Proposal Description:	Erection of 22 affordable council houses, with associated highway and infrastructure. (Being application under Regulation 3 Town & Country Planning (General) Regulations 1992)		
At:	Land adjacent to Adwick Lane, Toll Bar, Doncaster		
For:	DMBC - Mr Matthew Clarkson		
Third Party Reps:	4 Letters of objection	Parish:	
		Ward:	Bentley

It was reported to the planning committee that following information received at the site visit in relation to ownership of part of the site, it was apparent that all relevant landowners had not been properly notified of the Planning Application. A proposal was made to defer the application to the next meeting, in order that the correct procedure can be followed.

Proposed by: Councillor Susan Durant

Seconded by: Councillor Mick Cooper

For: 10 **Against:** 0 **Abstain:** 0

Decision: The Application be deferred to the next meeting to ensure all relevant landowners are notified of the Planning Application.

Application	4
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Application Number:	19/02192/FUL
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Application Type:	Planning Full
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Proposal Description:	Erection of 6 dwellings following demolition of existing building
At:	Former St Johns Ambulance Building, Grange Road, Moorends, Doncaster DN8 4LS

For:	Mr Lee Todd
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Third Party Reps:	1 letter of objection	Parish:	Thorne Town Council
		Ward:	Thorne and Moorends

A proposal was made to defer the application to the next meeting at the request of the applicant in order that he can address the sections of the report dealing with flooding and overshadowing and in order that a ward councillor is able to be present to speak in support of the application.

Proposed by: Councillor Susan Durant

Seconded by: Councillor Iris Beech

For: 10 Against: 0 Abstain: 3

Decision: The application be deferred to the next meeting at the request of the applicant in order that he can address the sections of the report dealing with flooding and overshadowing and in order that a ward councillor is able to be present to speak in support of the application.

Application	2
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Application Number:	19/02977/FULM
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Application Type:	Planning FULL Major
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Proposal Description:	Erection of residential development (Use Class C3), internal access roads, car parking, open space and associated works.
At:	Land off Watch House Lane, Bentley

For:	C/O Quod
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Third Party Reps:	30 letters of objection	Parish:	
		Ward:	Bentley

A proposal was made to grant the Application.

Proposed by: Councillor George Derx

Seconded by: Councillor Eva Hughes

For: 4 Against: 5 Abstain: 1

On being put to the meeting, the proposal to grant the Application was declared LOST.

Subsequently, a proposal was made to defer the Application for a site visit to assess whether Fairfield Road needs widening and to allow time for consideration of whether the scheme should be amended to adhere to space standards and parking standards.

Proposed by: Councillor John Healy

Seconded by: Councillor Iris Beech

For: 10 Against 0 Abstain: 0

The proposal to defer the Application for a site visit to assess whether Fairfield Road needs widening and to allow time for consideration of whether the scheme should be amended to adhere to space standards and parking standards was declared CARRIED.

Decision: The application be deferred for a site visit to assess whether Fairfield Road needs widening and to allow time for consideration

of whether the scheme should be amended to adhere to space standards and parking standards. Members have asked that someone from highways attend the site visit.

In accordance with Planning Guidance, 'Having Your Say at Planning Committee', the following individuals spoke on the application for the duration of up to 5 minutes:-

- Councillor Jane Nightingale (Ward Member) spoke in opposition to the application;**
- Mr Kenneth Murray, member of the public spoke in opposition to the application.**
- Mr Tim Waring of Quod (Planning Agent) spoke in support of the application.**

(The receipt of an additional representation from Councillor Bill Mordue reaffirming his views regarding the development was reported at the meeting.)

Application	3
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Application Number:	19/01334/OUT
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Application Type:	Outline Application
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Proposal Description:	Outline application for residential development of 5 houses (approval being sought for access and layout).
At:	Land Adjacent 113 Kirton Lane, Thorne, Doncaster

For:	Mr Michael Hardwick
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Third Party Reps:	1 letter of objection	Parish:	Thorne Town Council
		Ward:	Thorne and Moorends

A proposal was made to grant the Application.

Proposed by: Councillor John Healy

Seconded by: Councillor Iris Beech

For: 6 Against: 0 Abstain: 3

Decision: Planning Permission granted subject to the amendment of conditions 18 and 19 and the addition of condition 27 to read as follows:-

18. With the submission of the reserved matters application, evidence should be provided of how a Natural England license in respect of great crested newts will be satisfied for approval. This shall include results of further survey work if access is allowed. If access is denied then details of how the license application would be approached in line with that already submitted with this application shall be updated and resubmitted for approval.

REASON

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

19. With the submission of the reserved matters application on this site, details of updated ecology surveys shall be provided if more than 48 months has passed since the last survey was carried out. Informed by these updated

surveys any necessary method statements to be followed during construction shall also be submitted to the Local Planning Authority for approval in writing. These method statements shall then be followed in full to ensure no impacts on protected species or ecological features on the site.

REASON

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

27. With the submission of the reserved matters application, a sensitive lighting strategy should be provided for approval by the Local Planning Authority. This strategy shall ensure that the boundary vegetation of the site is not lit. The lighting on the site shall thereafter follow what is agreed within the lighting strategy.

REASON

To ensure the impacts of lighting on the site do not adversely impact bats, in accordance with Core Strategy Policy 16.

In accordance with Planning Guidance, 'Having Your Say at Planning Committee', Mr Howard Wroot (Agent) spoke in support of the application for the duration of up to 5 minutes

Application	5
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Application Number:	20/01187/3FUL
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Application Type:	Planning Full
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Proposal Description:	Erection of 5 affordable dwellings.
At:	Land Adjacent, Athelstane Crescent, Edenthorpe, Doncaster DN3 2NQ

For:	DMBC – Mr Paul Francis
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Third Party Reps:	4 letters of objection 2 letters of support	Parish:	Edenthorpe Parish Council
		Ward:	Edenthorpe & Kirk Sandall

A proposal was made to grant the application

Proposed by: Councillor George Derx

Seconded by: Councillor Charlie Hogarth

For: 9 Against: 0 Abstain: 1

Decision: Delegate authority to the Head of Service to grant planning permission as per the Officer recommendation set out within the report following the expiry of the publicity period. Consent cannot be issued until after the publicity date of 29th September 2020 and subject to the amendment of condition 10 to read as follows:-

- 10. No development or other operations shall commence on site in connection with the development hereby approved (including tree removal, ground works, soil moving, or any operations involving the use of construction machinery) until an Arboricultural Method Statement to ensure for the protection of the retained two Sycamore trees adjacent to the western boundary (G2 and T3) that accords with BS5837:2012 has been submitted to and approved in writing by the Local Planning Authority. The approved Arboricultural Method Statement shall ensure the following:**

- **a construction methodology for the new driveway and formation of the landscaped area within the root protection areas of the off-site trees G2 and T3 which minimises damage to the root systems of these trees;**

- a scheme of any necessary tree pruning that accords with BS 3998:2010 Tree work. Recommendations;
- a timetable for the above two tree protection measures;
- a scheme of impact resistant barriers protecting the root protection areas of all retained trees.

REASON

To protect the roots and rooting environments of the off-site trees G2 and T3 and in the interests of amenity and in the interests of environmental quality and compliance with core strategy policy CS16: Valuing our Natural Environment.

(The receipt of an amended location plan, and additional details regarding the publicity of the application were reported at the meeting).

Application	6
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Application Number:	20/00442/OUT
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Application Type:	Planning OUTLINE
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Proposal Description:	Outline application for the erection of two detached dormer dwellings with detached garages (with some matters reserved: appearance and landscaping)
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At:	55 Whiphill Lane, Armthorpe, Doncaster DN3 3JP
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For:	Mr Paul Fox
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Third Party Reps:	1 letter of objection	Parish:	Armthorpe Parish Council
		Ward:	Armthorpe

A proposal was made to grant the application

Proposed by: Councillor John Healy

Seconded by: Councillor Charlie Hogarth

For: 10 Against: 0 Abstain: 0

Decision: Planning Permission granted subject to conditions outlined within the report and the amendment of condition 14 to read as follows:-

- 14. The maximum ridge height of the dwellings hereby approved shall be no larger than 7.6m in height.**

REASON

To ensure that the dwellings are in keeping with the character of the locality and in accordance with Policy CS14 of the Core Strategy.

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DONCASTER METROPOLITAN BOROUGH COUNCIL

Date 13th October 2020

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

The Ordnance Survey map data and plans included within this document is protected by the Copyright Acts (Sections 47, 1988 Act). Reproduction of this material is forbidden without the written permission of the Doncaster Council.

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. SV	19/02977/FULM	Bentley	
2. M	19/02626/FULM	Town	
3. M	19/02884/FULM	Finningley	Auckley Parish Council
4.	19/01500/OUT	Thorne And Moorends	Thorne Town Council
5.	20/00719/FUL	Bentley	
6.	20/01206/3FUL	Town	
7.	20/01499/FUL	Mexborough	

Application	1.
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Application Number:	19/02977/FULM
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Application Type:	Planning FULL Major
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Proposal Description:	Erection of residential development (Use Class C3), internal access roads, car parking, open space and associated works.
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At:	Land off Watch House Lane, Bentley
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For:	C/O Quod
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Third Party Reps:	30 letters of objection	Parish:	
		Ward:	Bentley

Author of Report:	Mel Roberts
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SUMMARY

The scheme involves the redevelopment of the site for the delivery of a Build to Rent (BtR) homes scheme for 60 dwellings. BtR units are purpose built housing that is typically 100% rented.

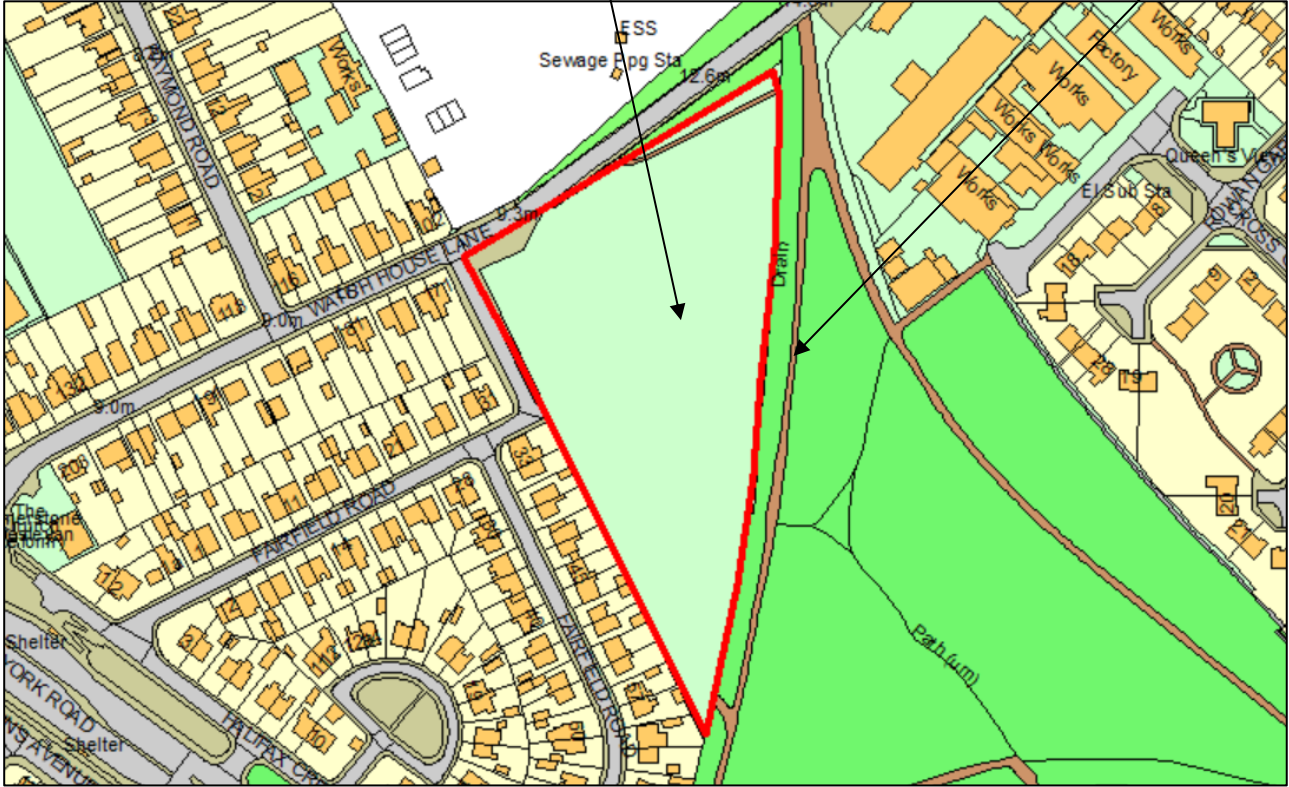
The site is an allocated employment site in the UDP, but this does not reflect the fact the site has not come forward for industrial development and the fact that the surrounding area is residential in nature. The Local Plan is more relevant and this shows the site as falling within the Residential Policy Area.

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

RECOMMENDATION: Grant subject to a Section 106 Agreement

Application site

Trans Pennine Trail



1.0 Reason for Report

- 1.1 This application is being presented to Planning Committee at the request of Councillor Jane Nightingale and because it is a departure to the allocation in the Doncaster Unitary Development Plan (UDP) and due to the number of objections that have been raised. This application was previously reported to the planning committee on 15th September 2020. The application was deferred at the meeting for a site visit in order to assess the highway implications of the proposal including the width of Fairfield Road.

2.0 Proposal and background

- 2.1 The application seeks full planning permission for the erection of 60 new houses, along with vehicular/pedestrian access and new areas of public open space at a vacant site off Watch House Lane, Bentley. The scheme involves the redevelopment of the site for the delivery of a Build to Rent (BtR) homes scheme. BtR units are purpose built housing that is typically 100% rented. Schemes usually offer longer tenancy agreements of three years or more and will typically be professionally managed stock in single ownership and management control.
- 2.2 The scheme provides for new family homes, split between 20 x 3-bed and 40 x 2-bed houses. The homes are a mixture of terraced and semi-detached properties and are all two storeys. The proposals include new areas of public open space, focusing around a central area, providing informal amenity and a play area. Access to the site is to be taken from Fairfield Road. The scheme includes two pedestrian accesses onto the Trans Pennine Trail (TPT) that runs along the eastern boundary of the site (see site plan in the appendix).

3.0 Site Description

- 3.1 The site is triangular and currently comprises approximately 1.4 hectares of vacant land. Industrial uses previously occupied the site, but it has been vacant for over 13 years and cleared of any buildings. There is an existing vehicular access to the site on Watch House Lane to the north and along Fairfield Road bordering the north west of the site. The site topography is largely flat. Currently there is a large man made mound in the centre of the northern half of the site, as well as 1.5m perimeter banks along Watch House Lane and Fairfield Road.
- 3.2 Shrubbery and trees surround the majority of the site boundary, with the TPT running along the eastern boundary. To the north east of the site, beyond a landscape buffer, are industrial uses. To the south east is dense tree cover, interspersed by the TPT footpaths. To the west and north west is existing two storey semi-detached housing. Finally, to the north, beyond Watch House Lane, construction is nearing completion for new homes (brought forward by Persimmon).

4.0 Relevant Planning History

4.1 The relevant planning history is as follows:

Application Reference	Proposal	Decision
17/03140/COUM	Change of use from vacant industrial land to a Residential Park Home complex. (Sui-Generis).	Withdrawn 01.06.2018

5.0 Planning Policy Context

5.1 The site is allocated as an Employment site in the Doncaster UDP.

National Planning Policy Framework (NPPF 2019)

5.2 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 NPPF is a material consideration in planning decisions and the relevant sections are outlined below:

5.3 Paragraphs 7 – 11 establish that all decisions should be based on the principles of a presumption in favour of sustainable development. One of the three overarching objectives of the NPPF is to ensure a significant number and range of homes are provided to meet the needs of present and future generations (paragraph 8b).

5.4 Paragraph 48 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 The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force (para 57).

5.6 The BtR sector is formally recognised within the NPPF and is included within the glossary. BtR is singled out in the NPPF at paragraph 64 as being a housing sector that is exempt to the general affordable housing obligations. The NPPF confirms (within the glossary) that when affordable housing is proposed on BtR schemes, it should ordinarily be provided in the form of affordable private rent, a class of affordable housing specifically designed for BtR.

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

- 5.8 Paragraph 118(c) notes '*decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes*', and '*support appropriate opportunities to remediate contaminated land*'. Part (d) of the same paragraph also supports the development of under-utilised land.
- 5.9 Paragraph 120 acknowledges that decisions need to reflect changes in the demand for land and confirms that where there is no reasonable prospect of an application coming forward for the use allocated in the Development Plan, local planning authorities should (a) reallocate land for a more deliverable use as part of plan updates; and (b) support applications for alternative uses, where the proposed use would contribute to meeting an unmet need for development in the area.
- 5.10 Planning decisions should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new developments and avoid noise giving rise to significant adverse impacts on health and the quality of life (para 180).

National Planning Policy Guidance (NPPG)

- 5.11 The National Planning Policy Guidance (NPPG) sets a general benchmark of 20% of the homes in a BtR scheme to be affordable private rent, set at a 20% rent discount. This should however be provided where it is viable.

Doncaster Core Strategy 2011 - 2028

- 5.12 Policy CS1 states that as a means of securing and improving economic prosperity, enhancing the quality of place and the quality of life in Doncaster, proposals will be supported that contribute to the Core Strategy objectives and which in particular provide opportunities for people to get jobs and protect local amenity and are well designed.
- 5.13 Policy CS2 identifies Bentley within the Main Urban Area, which is the focus for growth and regeneration with an indicative housing allocation of between 9,225 and 11,808, making up between 50 and 64 per cent share of housing allocations.
- 5.14 Policy CS4 seeks to direct development to areas of lowest flood risk and ensure that mitigation measures are in place to ensure that developments do not flood. Developments within flood risk areas will be supported where they pass the Sequential and/or Exceptions Test.
- 5.15 Policy CS5 states that major employment sites will be retained for employment uses, which may include some small scale supporting uses.
- 5.16 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.
- 5.17 Policy CS10 sets out the phasing of housing for the period of the plan. Existing housing allocations can be built from 2011 onwards, except where flood risk or other delivery issues cannot be resolved.
- 5.18 Policy CS12 states that new housing developments will be required to include a mix of house size, type, price and tenure to address identified needs and market demand and to support communities. Housing sites of 15 or more houses will

normally include affordable houses on-site with the proportion, type and tenure split reflecting the latest Strategic Housing Market Assessment except where a developer can justify an alternative scheme in the interests of viability.

- 5.19 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.
- 5.20 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.
- 5.21 Policy CS17 states that proposals will be supported that provide suitable and appropriate on-site open space, or an equivalent contribution towards off-site provision.
- 5.22 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.

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

- 5.23 Saved policy EMP6 notes that permission will normally be granted for B1, B2 and B8 uses within Employment Policy Areas, whilst proposals for other industrial, business or commercial uses will be considered on their merits in accordance with other relevant plan policies.
- 5.24 Policy RL4 requires 10-15% of the total site area of new developments with over 20 family dwellings to be laid out as public open space, except where the Council requires a commuted sum.

Local Plan

- 5.25 The Local Plan has been formally submitted for examination on 4th March and an Inspector has been appointed therefore the Local Plan is now under examination. Paragraph 48 of the NPPF states that the LPA may give weight depending on the stage of the Local Plan and 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). When the local plan was published under Regulation 19 in August 2019, all of the policies were identified as carrying 'limited weight' for the purposes of determining planning applications. Taking into account the remaining stages of the local plan process, it is considered the following levels of weight are appropriate between now and adoption dependant on the level of unresolved objections:

- Substantial

- Moderate
- Limited

The Council has now sent out the notice of examination (regulation 24 stage) and is aiming to adopt the Local Plan by winter 2020. The following policies are considered appropriate in assessing this proposal and consideration has been given to the level of outstanding objections resulting in appropriate weight attributed to each policy:

- 5.26 The emerging Local Plan identifies the site as Residential Policy Area.
- 5.27 Policy 1 reinforces the guidance within the NPPF in that there should be a presumption in favour of sustainable development.
- 5.28 Policy 2 identifies Bentley as falling within the Main Urban Area, which is to be the focus for development in the Borough, where at least 50 per cent of new housing is to be delivered.
- 5.29 Policy 3 identifies the need for additional housing of between 6,805 and 7,315.
- 5.30 Policy 8 sets out the requirements for the range of housing including the need for affordable housing.
- 5.31 Policy 11 states that within Residential Policy Areas, new residential development will be supported provided that:
 - i) the development would provide for an acceptable level of residential amenity for both new and existing residents; and
 - ii) the development would help to protect and enhance the qualities of the existing area and contribute to a safe, healthy and prosperous neighbourhood; and
 - iii) the development would meet other development plan policies including those relating to flood risk, open space, design and sustainable construction.
- 5.32 Policy 14 seeks to promote sustainable transport within new developments.
- 5.33 Policy 17 seeks to consider the needs of cyclists within new developments.
- 5.34 Policy 18 seeks to consider the needs of pedestrians within new developments.
- 5.35 Policy 19 states that proposals will be supported which improve the number and quality of opportunities for walking, cycling and riding and create multi-user routes through development sites.
- 5.36 Policy 29 deals with open space provision in new developments and states that proposals of 20 family dwellings or more will be supported which contribute 10 or 15 per cent of the site as on-site open space to benefit the development itself.
- 5.37 Proposals will only be supported which deliver a net gain for biodiversity and protect, maintain and enhance the Borough's ecological network.
- 5.38 Policy 31 deals with the need to value biodiversity.
- 5.39 Policy 33 states that the design process should consider woodlands, trees and hedgerows.

- 5.40 Policy 43 deals with the need for good urban design.
- 5.41 Policy 46 states that new housing proposals will be supported where they are designed to include sufficient space for the intended number of occupants and shall meet the Nationally Described Space Standard as a minimum.
- 5.42 Policy 49 states that development will be supported which protects landscape character, protects and enhances existing landscape features and provides a high quality, comprehensive hard and soft landscape scheme.
- 5.43 Policy 53 states that where significant housing proposals will create or exacerbate a shortfall in the number of local school places, mitigation will be required, either through an appropriate contribution to off-site provision or, in the case of larger sites, on-site provision.
- 5.44 Policy 55 requires the need to take into account air and noise pollution.
- 5.45 Policy 66 deals with developer contributions.
- 5.46 Policy 67 states that where the applicant can demonstrate that particular circumstances justify the need for a Viability Appraisal, the Council will take a pragmatic and flexible approach to planning obligations and consider their genuine impact on viability of development proposals on an independent and case-by-case basis.

Other material planning considerations

- 5.47 Several Supplementary Planning Documents (SPDs) have been published, which are material considerations in the determination of planning applications, the main ones of which include:

Development Guidance and Requirements SPD (July 2015)

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

South Yorkshire Residential Design Guide SPD (2011)

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

6.0 Representations

- 6.1 Prior to submitting the application, a public consultation event took place on 16th September 2019 at Cornerstone Church, Watch House Lane. Notification of the event was via post, with leaflets delivered to 685 local residents and businesses informing them of the proposals and inviting them to the public consultation event. 65 people attended the event with 26 of those completing the feedback forms provided. Although broadly supportive of the principle of the

development for residential use, local residents raised some local issues focusing around highways, access and drainage.

6.2 This application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015 by means of site notice, Council website, press advertisement and neighbour notification to all houses bordering the site. 30 letters of objection have been received and these can be summarised as follows:

- i) Fairfield Road and Halifax Crescent act as a thoroughfare during peak traffic time and are regularly used as a short cut between Watch House Lane and York Road.
- ii) there will be disruption during construction.
- iii) there have been numerous accidents along this stretch of road.
- iv) there is insufficient parking provided within the scheme.
- v) The access into the site will compromise access to and from a driveway of an adjoining residential property.
- vi) Fairfield Road and Halifax Crescent share a sewerage and drain system that at times is overloaded and causes flooding and blockage.
- vii) nothing is being done with this development against methane that was reported in the remedial statement from the previous planning application and has not been mentioned in this application.
- viii) there will be overlooking.
- ix) this will result in the loss of an employment site.
- x) it would affect house prices.

6.3 ED Miliband MP has written in to ask that the concerns of his constituents are taken into account.

6.4 Trans Pennine Trail Partnership has stated that there is a need to provide direct access to the Trans Pennine Trail as part of this application.

7.0 Relevant Consultations

7.1 **Transportation** has raised no objections subject to the provision of a Transport Bond to ensure that mitigation measures are in place in the event that traffic numbers exceed those set out in the Transport Assessment.

7.2 **Highways** has raised no objections subject to conditions.

7.3 The **Urban Design Officer** has responded and has raised no objections.

7.4 **Ecology** has raised no objections subject to a net gain in biodiversity.

7.5 The **Tree Officer** has raised no objections and is happy with the proposed landscaping scheme.

7.6 The **Open Space Officer** has responded and has raised no objections.

7.7 **Environmental Health** has raised no objections subject to hours of restriction on construction and provision of a 2.3m acoustic barrier as required by the Noise Assessment. The acoustic barrier is shown on the Boundary treatment plan and hours of construction are to be controlled through the submission of a Construction Method Statement as set out in condition 8.

- 7.8 The **Contamination Officer** has raised no objection subject to a condition requiring further remedial works to those already carried out.
- 7.9 The **Air Quality Officer** has raised no objection, as each dwelling shall benefit from an Electric Vehicle (EV) charging point and cycle parking within the curtilage of each dwelling.
- 7.10 The **Environment Agency** has raised no objections, as the site is within Flood Zone 1 and satisfactory remediation has been carried out to ensure that risks posed to controlled waters are at an acceptable level.
- 7.11 **Yorkshire Water** has raised no objections subject to a condition that development is carried out in accordance with the drainage plan.
- 7.12 The **Internal Drainage Officer** has responded and has raised no objections.
- 7.13 **South Yorkshire Archaeology Service** consider that the archaeological potential is likely to be negligible, as the site has been developed previously in the 20th Century and contained standing buildings until recently. No archaeological investigation is necessary.
- 7.14 **Public Rights of Way** has raised no objections and welcome the connections linking the proposed development and the TPT.
- 7.15 **Education** state that the development will create the need for additional school places resulting in a contribution of £157,859 towards Scawthorpe Sunnyfields Primary School and £164,673 towards Don Valley Academy totalling £322,532.
- 7.16 **Public Health** are pleased to see that the development plans includes two access points to the TPT.
- 7.17 **Strategic Housing** advise that demand for affordable housing in Bentley and Scawsby is very high with the majority of demand (95%) being for 3 bed family properties.

8.0 Ward members

- 8.1 Councillor Jane Nightingale has raised a number of concerns including:
- i) The amount of traffic using Watch House Lane, especially during peak periods.
 - ii) Serious accidents have occurred on Watch House Lane.
 - iii) Fairfield Road is not wide enough to accommodate extra traffic.
 - iv) Surface water is becoming a problem over recent years.
- 8.2 Councillor Bill Mordue has written in to reaffirm his views that the development of 60 houses is in his view too many. Two previous attempts to build far less have been withdrawn. Highways now seemed to have changed their mind regarding traffic issues. The site map does not show the widening of Fairfield Road where it meets Watch House Lane, which it is believed was a condition because of the narrowness it already causes jams. Nothing is mentioned of this, or the former history and the Highways Department's previous view of the junction on to Watch House Lane.

9.0 Assessment

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

- Principle of development;
- Impact on Amenity
- Design and Impact on the character and appearance of the area
- Ecology
- Trees and Landscaping
- Highway safety and traffic
- Flooding
- Noise
- Air Quality
- Contamination
- Energy efficiency
- Economy
- S106 obligations
- 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

Principle of Development

9.3 The site is designated as an Employment Policy Area in the Doncaster UDP. Saved Policy EMP6 states that permission will normally be granted for B1, B2 and B8 uses within Employment Policy Areas, whilst proposals for other industrial, business or commercial uses will be considered on their merits in accordance with other relevant plan policies. Since this allocation within the UDP, the site has been cleared of buildings and the context of the site has significantly changed by the clearance and redevelopment for residential use of the former employment area to the north and north-west of the site beyond Watch House Lane. The application site has been vacant for over 13 years following the clearance of the previous industrial and office buildings. The site has been marketed for commercial development for approximately 13 years. Evidence submitted with the application confirms that the level of interest in the site from industrial occupiers and developers has been poor, with no credible offers received. Reasons for why the site is not attractive to commercial developers include the shape and size of the site, which would restrict the density of the development, the proximity of residential properties causing potential conflict and rental levels being too low to justify new build development.

9.4 In the emerging Doncaster Local Plan, the site is no longer to be included as an Employment Policy Area and is instead designated Residential Policy Area under Policy 11. Assessed against this policy, residential use would be ~~acceptable~~ acceptable in principle. Therefore, recent assessment of the site's suitability and value for

employment use (as part of Local Plan preparation) has concluded it is no longer required as an Employment Policy Area.

- 9.5 This application for residential development should therefore be considered on its own merits, having regard to the need for housing development in the Doncaster Main Urban Area to support sustainable local communities. Whilst there is employment development to the north east of the site, the predominant land use in the area is residential. Residential development would therefore be an appropriate use in this location.
- 9.6 Policy CS2 of the Core Strategy identifies Bentley as falling in the Main Urban Area, which is the focus for housing growth and regeneration. The housing requirement for the Main Urban Area is between 9,225 and 11,808 new dwellings and equates to 50-64% of the total borough allocation. The proposal would therefore make a significant contribution towards the Main Urban Area's housing requirement on an urban site and thus contributing towards the objectives of policy CS2 and CS10 of the Core Strategy. As an urban site within the Main Urban Area, there are no phasing implications, because policy CS10 makes it clear that urban sites within the Main Urban Area can be developed from 2011 onwards. The site is sustainable being well located to access the services and facilities in the area, including schools, shops, employment and access to public transport.

Conclusion on principle of development

- 9.7 The extensive marketing and the fact that the site has been vacant for over 13 years, clearly demonstrates that there is no reasonable prospect of the site coming forward for an employment use. In this instance, paragraph 120 of the NPPF supports the delivery of alternative and more appropriate uses, which in this case is residential. Although the Local Plan still has limited weight in terms of considering planning applications, this and the revised land-use context of the site favours the proposed residential use of the site. The loss of the allocated employment site for housing development would still result in a sufficient and healthy supply of future employment land across Doncaster and hence its allocation as residential in the emerging Local Plan.

Sustainability

- 9.8 The 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 and these are social, environmental and economic. Paragraph 10 of the NPPF states 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

Impact on Residential Amenity

- 9.10 The scheme has been designed to ensure that there is no unacceptable impact on the amenity of those residential properties on Fairfield Road that border the site. In

all cases, the scheme either meets or exceeds the minimum separation distances to avoid any unacceptable overlooking or overshadowing. There is a slight pinch point with plot 59, which is 18m from the rear elevation of the closest property on Fairfield Road, but this is set at an angle to avoid any unacceptable direct overlooking. The perpendicular distance measured from the rear elevation achieves the minimum 10m distance to the boundary as outlined in the Development Guidance and Requirements SDP. (Pages 18-19 and point 3 of table 'Separation Distances'). The existing high wall at the rear of the houses on Fairfield Road is to be retained, which will afford some privacy.

- 9.11 During the public consultation, local residents shared issues of anti-social behaviour currently experienced at the site, including littering and throwing of rubbish and rubble from the site into surrounding residents gardens. The development of the site will therefore help to remove these issues currently experienced by some residents. Development of the site for residential is likely to lead to much less harm to amenity than any industrial use on site.

ENVIRONMENTAL SUSTAINABILITY

Design and impact upon the character of the area

- 9.12 The development proposes 60 new homes across a 1.4ha site, resulting in a density of 43 dwellings per hectare. Although quite a high density, this is largely a result of the fact that many of the properties on site are terraced. All of the dwellings are two storey, which reflects the general character of the surrounding area. Materials will be agreed to ensure that they respect the surrounding area, which is mainly red brick, with some buff/brown brick (see typical street scene in appendix).
- 9.13 The scheme has been designed to ensure that those properties that can be seen from Watch House Lane will front onto the road, providing a strong frontage to the development and avoid any back gardens fronting the road, which would be undesirable. Plots 18 to 26 in the north-eastern corner of the site have the back gardens facing Watch House Lane, but this is acceptable given that this part of the site is obscured by trees and the rising road, where it goes over the TPT. Properties (plots 1 to 6) also front onto Fairfield Road to provide a strong frontage to the road.
- 9.14 A boundary and surface treatment plan has been submitted with the application. A water main runs along the boundary of the site and Yorkshire Water has advised that no built structures are provided along this boundary. As such, provision is to be made for low hedges in the front gardens of houses fronting Watch House Lane and Fairfield Road. Other boundary treatments include walling and fencing, with retention of the high wall along the back gardens of houses along Fairfield Road.
- 9.15 The development provides new areas of open space situated centrally to the site, populated with trees (see image in appendix). Furthermore, links are proposed through to the TPT and this will improve connectivity and use into this local amenity for the community. It is understood that the land beyond the site boundary to the TPT routes are within Council ownership.
- 9.16 Each home includes a private rear garden, all of which include the 10m deep distance requirement as per the Council's SPD. Most gardens meet and, in some cases, exceed the minimum private garden space requirement of 50sqm for two-

bed homes and 60sqm for three-bed homes. The properties do not meet the Nationally Described Space Standards (NDSS), but until these are adopted through the Local Plan then the Council cannot insist on this. The application therefore accords with policy CS14 of the Core Strategy.

Ecology

- 9.17 An Ecological Assessment has been submitted in support of the application. The site is not situated within influencing distance of any nature conservation sites of either statutory or non-statutory designation. The report concludes that the site has a very limited ecological value, with some scattered trees along the boundary, whilst the site has moderate potential for bat, bird and hedgehog species. None of the habitats on site are likely to host a wide diversity of invertebrates or mammals. No non-native invasive plant species were found to be present on site during the time of the site survey.
- 9.18 The newly created gardens and trees are likely to provide nesting and foraging opportunities for bird species and form a commuting habitat connecting to the wider landscape for bats, birds and hedgehogs. The newly created habitat of floral species will increase the diversity of invertebrates on site for birds and bats to feed on. The application therefore accords with policy CS16 of the Core Strategy.

Trees and Landscaping

- 9.19 A Tree Survey has been carried out and this shows that the trees that border the site are generally in a good condition. The trees are not protected by a Tree Preservation Order. No tree removals or remedial pruning works are required to facilitate the proposed development.
- 9.20 A landscaping scheme has been submitted and this has been agreed by the Tree Officer. The site will be managed by one management company and this should ensure that all areas are maintained and kept to a high standard. The application therefore accords with policy Cs16 of the Core Strategy.

Impact upon Highway Safety

- 9.21 A Transport Assessment and Travel Plan have been submitted in support of this application. The site is considered to be located in a sustainable location with good access to local amenities, public transport and cycling and walking opportunities.
- 9.22 In terms of walking, Scawsby Saltergate Junior/Infant School is approximately a 700m/9 minute walk to the west of the site. The Cusworth Centre, Scawthorpe Sunnyfields Primary School and Kirkby Primary School are also located within walking distance of the site. Aldi, Morrison's, Tesco Express, and Danum Retail Park are all considered to be within walking distance. There are other healthcare and employment facilities within walking distance of the site. Direct pedestrian access between the development site and the TPT will be provided on the eastern boundary of the site.
- 9.23 In terms of cycling, the report shows that the whole of Doncaster town centre can be accessed within 5km cycling distance of the site. The Travel Plan indicates a commitment to cycle parking within the curtilage of each dwelling with access provided to gardens so that bicycles do not have to be carried through homes.

- 9.24 In terms of access to public transport, the closest bus stop is located on Watch House Lane approximately 325m to the west of the development site and is served by the Number 54 service. In addition, bus stops located on York Road, approximately 350m from the site access offer a number of services towards Doncaster town centre and other local destinations. Additional bus stops are located on York Road, Cusworth Lane and Newlands Drive, which are within 800m walking distance. Bentley train station is located approximately 1km/12 minute walk from the site, which provides services to Leeds and Doncaster.
- 9.25 The Travel Plan sets out a number of measures that will encourage residents on site to use sustainable modes of transport. These includes a Travel Plan Coordinator to provide transport advice to residents and travel information provided to prospective and new residents on all available modes of transport including maps, health benefits, local amenities and public transport timetables.
- 9.26 The development is forecast to generate 35 2-way trips in the AM peak and 37 2-way trips in the PM peak. A junction capacity assessment has been undertaken at the Fairfield Road/Watch House Lane junction and the results show that the junction operates within capacity in the future (year 2024) with the proposed development traffic included. As part of the proposed access arrangements, road markings will be provided at the Watch House Lane / Fairfield Road junction to provide a 'build out' and improve visibility from Fairfield Road.
- 9.27 Vehicular access to the site will be taken approximately 65m to the south of the Fairfield Road /Watch House Lane existing junction. The existing width of Fairfield Road between the access point and Watch House Lane will be retained. With reference to the South Yorkshire Residential Design Guide for conventional streets with a design speed of 20mph or less, a "*minimum carriageway width of 4.8 metres [is] needed for two cars to pass with some care*". Drawings submitted with the application demonstrate that the existing width of the carriageway is sufficient for two large cars to pass each other and for occasional use by fire appliances and refuse vehicles. Widening the carriageway is not considered necessary to accommodate the development. Widening the carriageway on Fairfield Road could potentially encourage drivers to increase their speed and potentially induce additional through traffic from the A638 York Road, to the detriment of existing residents living on Fairfield Road and Halifax Crescent. Overall, taking into account the nature of Fairfield Road within an established residential area, the existing carriageway width (of approximately 5.2m) is adequate for the current and future use of the road.
- 9.28 During pre-application discussions, it was requested that the issue of rat-running using Halifax Crescent, to avoid any queuing on Watch House Lane, be investigated and this has been carried out. Queue length surveys were undertaken during the peak hours on Watch House Lane and Halifax Crescent. There is evidence of queuing on Watch House Lane during the peak hours and evidence of some vehicles using Halifax Crescent to avoid the queues on Watch House Lane. However, the numbers are relatively low and the queue on Halifax Crescent was observed to clear within two green phases of the traffic signals. The addition of the development traffic will, inevitably, add to the queue but the impact is not expected to be significant with the development generating approximately 1 trip every 2 minutes in the peak hours.
- 9.29 100 car parking spaces are proposed across the site. This equates to 40 spaces for the 20 x 3-bed homes and 20 additional spaces for visitors in accordance with the

Council's parking standards. 40 spaces are also proposed for the 40 x 2-bed homes, against the parking standards sought within the SPD of 1.5 spaces per 2-bed unit. Based on the Council's requirements, 115 parking spaces would be required. The overall proposed parking provision is therefore slightly lower than would be expected in line with the Council's requirements. However, as noted above, the site is readily accessible by a range of suitable transport modes and falls within walking distance of a range of amenities and facilities, including schools and shops, thus reducing reliance on owning a car. As such, it is considered the proposed quantity of car parking spaces is sufficient and appropriate to accommodate the proposed development.

- 9.30 Swept path analysis has been undertaken to demonstrate that a fire appliance (as the largest emergency vehicle that would need to use the access) will be able to access the site. In an emergency, a fire appliance would be able to get to a point within 45m of accesses to each dwelling, meeting the requirements of Building Regulations. Sufficient turning space is provided within the site to allow the fire appliance to exit the site in forward gear. The application therefore accords with policy CS9 of the Core Strategy.

Flood Risk, Foul and Surface water drainage

- 9.31 The site sits within Flood Zone 1 (lowest risk of flooding) as indicated on the Environment Agency flood maps. A Flood Risk Assessment and Drainage Strategy has been submitted in support of this application because the site is more than 1 hectare in size. The site levels vary from around 9.35mAOD at the site entrance to 8.63mAOD to the east, but generally, the site is flat with an overall slight fall from east to west. There is no history of flooding occurring at the site. This report has identified that the main flood risk to the development is from over topping of the local watercourse or blockage of drains. The minimum finished floor levels (FFL) are recommended to be 9.35mAOD for the site. The FRA confirms that the site has a no or low risk of flooding and the proposed development is appropriate for this location. The application therefore accords with policy CS4 of the Core Strategy.

Noise

- 9.32 A Noise Assessment has been submitted to assess the potential impact of surrounding noise on the proposed development. Noise measurements were taken within the vicinity of the proposed development site for night-time and daytime periods. The results of the noise monitoring were used to create a noise model of the site. The noise model was used to identify the proposed residential façade that would be subject to the highest levels of noise. Noise ingress calculations were undertaken, which demonstrated that noise levels could be achieved for both daytime and night-time periods with the incorporation of a glazing and ventilation strategy, therefore demonstrating that internal noise levels would not pose a barrier to the development of the site.
- 9.33 The noise model identified plots where World Health Organisation criteria of external amenity areas would not be met. Mitigation is recommended in the form of a 2.3m acoustic fence to provide protection to the affected plots 18 to 26 (this is shown on the submitted boundary detail plan). The noise model demonstrates that this would be sufficient to meet the criteria, therefore demonstrating that with mitigation, external noise levels would not pose a barrier to the development of the site. The predictions were also inclusive of commercial noise from Queens Drive Industrial Estate. The assessment was based on Plot 23, which would experience

the highest levels of commercial noise. The assessment indicates likelihood of a low impact at the receptor location, therefore demonstrating that commercial noise from the industrial estate should not pose a barrier to the development of the site.

- 9.34 With the inclusion of the mitigation measures recommended within the report, it has been concluded that noise will not have any amenity impacts on the new residential development. The application therefore accords with guidance set out in the NPPF.

Air quality

- 9.35 An Air Quality Assessment has been submitted with the application. This report provides a review of existing air quality in the vicinity of the proposed development. It also provides an assessment of the impact of the proposed development on local air quality during both its construction and operational phases. With the implementation of appropriate mitigation measures (such as dust monitoring and dealing with any complaints etc.), the impact of dust associated with construction and demolition activities is considered to be not significant when considered in accordance with Institute of Air Quality Management (IAQM) guidance.
- 9.36 Existing air quality around the development has been reviewed. Concentrations of Nitrogen Dioxide (NO₂) and Particulate Matter 10 (PM₁₀) are likely to be below their respective long and short-term objectives at the proposed development site, which is therefore considered suitable for residential use with regards to air quality. Vehicle emissions associated with the proposed development are not likely to have a significant impact on local air quality. A number of mitigation measures are proposed including the provision of an Electric Vehicle (EV) charging point within each dwelling and cycle parking within the curtilage of each dwelling. The application therefore accords with policy CS18 of the Core Strategy.

Contamination

- 9.37 Previous environmental investigations and risk assessments have been undertaken on the site in consultation with the Environmental Agency and Doncaster's Pollution Officer. Remediation works have already been carried out on site during 2016, which were attended by the Environment Agency and the Council. A Geo-environmental Overview and Remedial Strategy has been prepared in support of this application, which outlines a future remedial strategy and this is secured by a condition. The application therefore accords with policy CS18 of the Core Strategy.

Energy Efficiency

- 9.38 An Energy Statement has been submitted in support of the application. Through assessing low or zero carbon technologies at the development, it concludes that it is not technically feasible or viable to install these technologies. However, through the incorporation of good passive suitable design measures, a 23% improvement in energy efficiency can be achieved when compared to baseline Building Regulations. The application therefore accords with policy CS14 of the Core Strategy.

Conclusion on Environmental Issues

- 9.39 The scheme involves redeveloping previously developed land within the Main Urban Area, which in turn will reduce pressure on the development of more environmental valuable land. The site has undergone significant remediation to

remove contamination. Finally, the development of this site will remove this vacant and underutilised land.

ECONOMIC SUSTAINABILITY

9.40 The construction of the development will create approximately 60 construction jobs, with local supply chains targeted during construction. The annual household spending on goods and services from 60 homes would be expected to be £748,003. Given the site's proximity to local shops and services, a significant proportion of this could be spent in the location area, contributing towards the local economy.

10.0 Planning Obligations

10.1 There are a number of Planning Obligation requirements that have been identified in accordance with local and national planning policy. There is a requirement for a commuted sum of £157,859 towards Scawthorpe Sunnyfields Primary School and £164,673 towards Don Valley Academy, totalling £322,532. Twenty per cent of units on site are to be affordable which equates to 12 dwellings, or a commuted sum in lieu of this of £361,036. The scheme provides on-site open space, but this only equates to 10 per cent of the overall site area and so an additional sum of £15,275 is required to meet the 15 per cent requirement given that the Bentley community profile area is deficient in 3 out of 5 open space typologies. There is a Biodiversity offsetting contribution requirement of £53,687 and a returnable Travel Plan Bond of £7,352 to mitigate any traffic in the event that targets in the Travel Plan are exceeded.

10.2 A viability appraisal has been submitted with the application. It was assessed by Adams Integra who have provided an independent review of the viability of the scheme. Adams Integra conclude that the scheme could contribute £361,036 and still remain viable.

10.3 In line with the Council's Section 106 Protocol, the Section 106 Board met to discuss where the available Section 106 monies should be spent. The Section 106 Board have recommended that half of the available contribution is given over to education, with the focus being on Don Valley Academy where there is the greater need for providing school places. The 106 Board have asked for the full Biodiversity contribution of £53,687. They have also asked that the full off-site open space contribution be given towards improvements to Black Park off York Road. They have asked that the remaining monies of £111,556 be given towards off-site affordable housing.

10.4 Advice in the National Planning Policy Guidance (NPPG) discusses what happens if homes within a Build to Rent (BtR) scheme are sold off into separate ownership. It clearly expects BtR schemes to remain within the rental sector, but accepts that there may be circumstances where a developer needs to sell all or part of a scheme. To allow for such cases, it advises local planning authorities to consider a covenant period *'for the retention of private market rent homes in that tenure and potential compensation mechanisms in the event that private market rent homes are sold before the expiration of an agreed covenant period.'*

10.5 There is little advice on the length of an appropriate covenant period, but BtR is seen as a viable alternative to home ownership and long-term tenancies are seen as one of the benefits of BtR. In light of this, in its Supplementary Planning Guidance on affordable housing and viability, the Greater London Authority

recommends that BtR homes have minimum 3-year tenancies, to be held under a covenant for at least 15 years. A covenant period of 15 years is considered to be reasonable, given that short-term sales would cancel out many of the advantages of BtR, but it would not prevent a secondary buyer's market from developing over the longer term. Moreover, the BtR PPG notes states that *'in granting planning permission for build to rent developments, authorities should set in place a planning condition requiring scheme operators to offer tenancies of 3 or more years to all tenants in the development, who are eligible to live in the country for that period (under the right to rent).'*

- 10.6 Where affordable private rent homes are converted to another tenure, the NPPG provides a formula that may be used to calculate the amount of clawback payable. This is not required in this case as no affordable private rent is being provided on site, however the NPPG also sets out that it is for local authorities to decide how to structure any clawback arrangements for the sale of private market rent homes in the covenant period. The NPPG suggests that it could be calculated by reference to viability at the time of the original application, or viability when the scheme is sold and again makes reference to the value of two sets of figures, one based on Build to Rent and one on Build for Sale. In any case, the NPPG is clear that *'the sale of homes from a build to rent development should not result in the loss of affordable housing without alternative provision being made.'*
- 10.7 Therefore, while the viability assessment undertaken on this application concluded that a total affordable housing contribution of £361,036 could be provided now, it is considered that a further assessment should be undertaken in the event that all or part of the BtR scheme is sold within a 15 year covenant period, to determine the level (if any) of alternative affordable housing provision. This could again take the form of an additional off-site commuted sum.
- 10.8 It is therefore recommended that if permission is granted, a 106 Agreement secures provision of the option of 3-year tenancies for a minimum of 15 years, with a suitable clawback arrangement likely to involve a re-running of the viability assessment at a point of sale within the covenant period to determine whether a further affordable housing contribution can be provided. The heads of terms for the 106 shall therefore include the following:

1) Covenant to secure the option of 3-year tenancies and the provision of all of the private market rental units for a minimum of 15 years.

2) Clawback arrangement, should the covenant be breached, to compensate for the loss of private market rental units based upon viability at the point of sale.

11.0 PLANNING BALANCE & CONCLUSION

- 11.1 The site is allocated as an employment site within the Doncaster UDP, but this is outdated and does not reflect the fact that the site has never come forward for industrial development over the last 13 years or so. The land allocated for employment use to the north of Watch House Lane has been developed for housing and so the predominant land use in the area is residential. Although yet to go through examination, the Local Plan is more relevant and shows the Council's direction of travel and this allocates the site as falling within the Residential Policy Area. The NPPF is clear in that where there is no reasonable prospect of an application coming forward for the use allocated in the Development Plan, local planning authorities should support applications for alternative uses. Given the

surrounding land uses, residential is an appropriate use and would help to support the Council's need for delivering housing in the Main Urban Area in a sustainable location such as this.

- 11.2 The information submitted in support of the application shows that there are no issues with highway safety and as such, no objections have been raised by highways. The site is within walking and cycling distance of schools, shops and public transport provision and the Travel Plan will help to deliver sustainable travel modes. The scheme provides connections to the TRP and EV charging points are to be provided to every dwelling on site.
- 11.3 The scheme has been designed to reflect the character of the surrounding area and avoid any impact on the amenity of surrounding residential properties. Development of the site for residential is much more desirable than industrial when it comes to assessing the potential impact on the amenity of surrounding properties. All other issues such as ecology, air quality, noise and contamination have been thoroughly assessed with the submission of technical documents and are all satisfactory subject to the necessary mitigation measures that are either shown on the plans or secured by condition. There have been no objections from any consultees.
- 11.4 In conclusion, this application comprises a highly sustainable development and accords with national planning policy.

12.0 RECOMMENDATION

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

- 1) Covenant to secure the option of 3-year tenancies for those that want them and the provision of all of the private market rental units for a minimum of 15 years.
- 2) Clawback arrangement, should the covenant be breached, to compensate for the loss of private market rental units based upon viability at the point of sale.
- 3) £164,673 for Don Valley Academy
- 4) £15,845 for Sunnyfields Primary School
- 5) £53,687 for Biodiversity offsetting
- 6) £15,275 for improvements to Black Park, off York Road
- 7) £111,556 towards off-site Affordable housing

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

Conditions / Reasons

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

REASON

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

2. 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:

100-448/(P)002 A dated 07.01.19 (Location plan)
100-448/(P)001O dated 11.01.19 (Site plan)
100-448/(P)015B dated 01.11.19 (Typical cluster 2B)
100-448/(P)018B dated 01.11.19 (Typical cluster 2A)
100-448/(P)011B dated 01.11.19 (Typical cluster 3)
100-448/(P)008 A dated 01.11.19 (Typical cluster 4)
100-448/(P)019B dated 01.11.19 (Cluster 4 street corner)
100-448(P)017 dated 11.11.19 (Typical cluster front elevations)
100-448/(P)007B dated 30.10.19 (House type plans)
100-448/(P)016D dated 11.01.19 (Boundary and surface treatment)
19.1473.001 Rev C dated 13.11.2019 (Landscape proposals 1)
19.1473.002 Rev C dated 13.11.2019 (Landscape proposals 2)
19.1473.003 Rev B dated 13.11.2019 (Landscape proposals 3)
5269-JPG-SW-00-DR-D-1401-S2 Rev PO4 (Drainage Plan)

REASON

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

3. The approved phase 3 remediation works (as set out in JPG's Geo- Environmental Overview & Remedial Strategy Ref 5269-jpg-zz-xx-rp-g-1301-s2-p01. Nov 2019. Revision P01) shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. If during the works, contamination is encountered which has not previously been identified, then all associated works shall cease until the additional contamination is fully assessed and an appropriate remediation scheme approved by the LPA. Upon completion of the Phase 3 works, a Phase 4 verification report shall be submitted to and approved by the LPA. The site or parts of the site shall not be brought into use until such time as all verification data has been approved by the LPA.

REASON

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

4. Prior to the installation of any external lighting on site, a lighting strategy including a lux level diagram detailing all the lighting levels resulting from lighting to be installed on the site shall have been submitted and approved by the local authority. The lighting shall then be installed in accordance with the approved scheme.

REASON

To ensure the ongoing ecological interests of the site with respect to bats in accordance with policy CS16 of the Core Strategy.

5. The development shall be carried out in accordance with the mitigation measures set out in Section 11 of the Air Quality Report Number 102178V2 dated 28th January 2020 including the provision of EV charging points and cycle storage for each dwelling.

REASON

To reduce air pollution on site in accordance with policy CS18 of the Core Strategy.

6. The development shall be carried out in accordance with the measures set out in Section 5 of the submitted Travel Plan by Fore dated 19th November 2019.

REASON

To promote sustainable modes of travel in accordance with policy CS9 of the Core Strategy.

7. Prior to the occupation of any dwellings on site, an informal play area shall have been installed and be operational on the area of open space in accordance with a scheme previously submitted to and approved in writing by the local planning authority.

REASON

To ensure adequate play provision in accordance with policy CS17 of the Core Strategy.

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

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

REASON

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

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

REASON

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

10. No dwellings shall be occupied on site until highway improvement works, as indicated on plan reference 3798 SK001 04 rev A dated 14/10/19, have been implemented in accordance with a detailed scheme previously submitted to and approved in writing by the local planning authority.

REASON

In the interests of highway safety and to ensure adequate visibility at the junction of Watch House Lane and Fairfield Road.

11. No dwellings shall be occupied until connections to the Trans Pennine Trail as indicated on 100-448/(P)001O dated 11.01.19 have been provided in accordance with a scheme previously submitted to and approved in writing by the local planning authority.

REASON

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

12. Upon commencement of development, details of measures for the provision of on-site infrastructure to facilitate the potential future connection of gigabit-capable full fibre broadband for the dwellings hereby permitted, including a timescale for implementation of the on-site infrastructure, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON

To ensure that the development provides the on-site infrastructure for potential future connectivity to the fastest technically available Broadband network in line with the NPPF (para. 112) and Policy 22 of the Doncaster Local Plan.

13. Prior to the commencement of the development hereby granted a scheme for the protection of all retained trees that complies with British Standard 5837: 2012 Trees in Relation to Design, Demolition and construction shall be submitted to the Local Planning Authority for approval. Tree protection shall be implemented on site in accordance with the approved scheme before any equipment, machinery or materials have been brought on to site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

REASON

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

INFORMATIVES

01. Works carried out on the public highway by a developer or anyone else other than the Highway Authority shall be under the provisions of Section 278 of the Highways Act 1980. The agreement must be in place before any works are commenced. There is a fee involved for the preparation of the agreement and for on-site inspection. The applicant should make contact with Malc Lucas - Tel 01302 735110 as soon as possible to arrange the setting up of the agreement. The developer shall ensure that no vehicle leaving the development hereby permitted enter the public highway unless its wheels and chassis are clean. It should be noted that to deposit mud on the highway is an offence under provisions of The Highways Act 1980.

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

Site plan



Typical street scene



Area of open space



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Application	2.
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Application Number:	19/02626/FULM
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Application Type:	Planning FULL Major
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Proposal Description:	Erection of 156 dwellings & associated infrastructure & landscaping proposals (amended plans)
At:	Plot 6, Lakeside Boulevard, Lakeside, Doncaster, DN4 5PL

For:	Mr David Lynch - Keepmoat Homes
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Third Party Reps:	36 representations in opposition	Parish:	N/A
		Ward:	Town

Author of Report:	Dave Richards
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SUMMARY

The proposal is considered to be acceptable in policy terms given the planning history of a previous housing consent and in its amended form is considered to be an acceptable and sustainable form of development in line with paragraph 7 and 8 of the National Planning Policy Framework (NPPF, 2019).

The report demonstrates that there are no material planning considerations that would significantly or demonstrably outweigh the social, economic or environmental benefits of the proposal. The development would not cause undue harm to neighbouring properties, the highway network or the wider character of the area. The unavoidable consequences of developing the site in terms of environmental impact will be mitigated. The scheme will deliver housing supply for the Borough and is an allocated housing site in the Draft Local Plan.

RECOMMENDATION: Grant planning permission subject to a Section 106 Agreement



1.0 Reason for Report

- 1.1 This application is being presented to Members for decision in line with the Council's Agreed Scheme of Delegation, as the proposal is a major development on land currently owned by the Council and also due to the number of representations received.

2.0 Proposal & background

- 2.1 The proposal involves the erection of 156 dwellings comprising terraced, semi-detached, detached and apartments along with associated works including a substation station, highway infrastructure and open space. The application site is known as Plot 6 Lakeside and has been advertised for sale by the Council.
- 2.2 The site is located on the west side of Lakeside Boulevard, between roundabout junctions forming the 'ring road' around the lake. The site is sandwiched between the lake on the west side and existing residential development to the east, with Doncaster Leisure Park to the north and mixed use leisure and residential development to the south.
- 2.3 The layout of the development is in the form of a number of cul-de-sacs taken from two main access points in to the site. The layout and mixture of properties takes the opportunity to make use of the views across the lake with a number of difference types of property enjoying with views in key positions. The scale and density of the development is in keeping with the surrounding environment.
- 2.4 The properties are to be constructed in an interesting mix of materials consisting of contrasting bricks with a darker brick feature and grey flat roof tiles. Fencing is to be vertically close boarded providing privacy, with walling to side boundaries adjacent the public realm giving a contemporary feel to the development. The highway is to be part tarmac with the use of block paved routes for driveways, footpaths and patios in gardens.
- 2.5 The application is accompanied by various plans and supporting documents including:
- Design and Access Statement and Planning Statement
 - Transport Statement
 - Flood Risk Assessment and Drainage Details
 - Air Quality Assessment
 - Site Investigation
 - Ecology Reports
 - Tree Survey
 - Site and Location plans
 - Proposed Elevations
 - Proposed Floor Plans
 - Streetscenes
 - Landscape Details

- 2.6 The site has developed naturally and is covered in surface vegetation. The site's only public use is that for access along lakeside or utilising the central area as open space which is proposed to be largely retained for this purpose.

3.0 Relevant Planning History

- 3.1 There is no relevant planning history for the site in recent years. In 2006, planning permission was granted under reference 06/02537/FULA for the 'erection of 308 apartments in 4 complexes, each varying in height between 2 and 4 storeys with limited 5 storey elements, with associated public open space, landscaped areas and car parking, together with a building for Class A3 use'. This permission was not implemented due to the ensuing financial downturn.

4.0 Site Allocation

- 4.1 The site is located within an area defined in the UDP as a Mixed Use Regeneration Project Area for the Doncaster Leisure Park and Doncaster Carr Area. Housing is specified as an appropriate use along with various other leisure, recreation, tourism and employment uses.
- 4.2 The site has been allocated as a Housing Site for development in the forthcoming Local Plan.

National Planning Policy Framework (NPPF) (2019)

- 4.3 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 NPPF is a material consideration in planning decisions and the relevant sections are outlined below:
- 4.4 Paragraphs 7 – 11 establish that all decisions should be based on the principles of a presumption in favour of sustainable development.
- 4.5 Paragraph 48 of the NPPF states that local planning authorities may give weight to relevant policies in emerging plans according to:
- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
 - b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
 - c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).
- 4.6 Paragraph 59 states the Government's objective is to significantly boost the supply of homes, including providing sufficient land where it is needed and that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
- 4.7 Paragraphs 91 – 93 state that planning decisions should aim to achieve healthy, inclusive and safe places which, amongst other things, promote street layouts which enhance connectivity, are safe and accessible and support healthy lifestyles.

- 4.8 Paragraph 109 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or if the residual cumulative impacts on the road network would be severe.
- 4.9 Paragraph 118 states that give substantial weight should be given to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land. Planning decisions should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively.
- 4.10 Paragraph 127 states that planning policies and decisions should ensure that development will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. This includes establishing a strong sense of place which is sympathetic to local character and which optimises the potential of the site to accommodate and sustain an appropriate amount and mix of development.
- 4.11 Paragraph 130 recognises that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 4.12 Paragraph 155 states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.
- 4.13 Paragraph 180 recognises that decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

Doncaster Core Strategy (2012)

- 4.14 Policy CS1 states that as a means of securing and improving economic prosperity, enhancing the quality of place and the quality of life in Doncaster, proposals will be supported that contribute to the Core Strategy objectives and which in particular provide opportunities for people to get jobs and protect local amenity and are well designed.
- 4.15 Policy CS2 identifies Lakeside as being part of the Main Urban Area and states, together with other settlements, this area will be the focus for growth and regeneration. It sets a plan period housing target of between 9,225 and 11,808 homes for the Main Urban Area of Doncaster.
- 4.16 Policy CS10 sets out the phasing of housing for the period of the plan. Existing housing allocations can be built from 2011 onwards, except where flood risk or other delivery issues cannot be resolved.

- 4.17 Policy CS12 states that new housing developments will be required to include a mix of house size, type, price and tenure to address identified needs and market demand and to support communities.
- 4.18 Policy CS14 relates to design and sustainable construction and states that all proposals in Doncaster must be of high quality design that contributes to local distinctiveness, reinforces the character of local landscapes and building traditions, responds positively to existing site features and integrates well with its immediate and surrounding local area. Policy CS14 also seeks to achieve ease of pedestrian movement, the protection of public safety and securing a functional highway network.
- 4.19 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.
- 4.20 Policy CS17 of the Core Strategy states that proposals will be supported which have regard to local standards and opportunities, and help to address deficiencies, by making an appropriate contribution to sport, recreation and related community uses by providing suitable and appropriate, on-site (or an equivalent contribution towards off-site contribution).

Saved Unitary Development Plan (UDP) (1998)

- 4.21 Policy RP2 will promote the co-ordinated, large-scale development of Doncaster Carr and Leisure Park defined on the proposals map.
- 4.22 Policy PH11 states within residential policy areas development for housing will normally be permitted except where, amongst other things, the development would be at a density or of a form which would be detrimental to the character of the surrounding area or the effect of the development on the amenities of occupiers of nearby properties would be unacceptable.
- 4.23 Policy ENV59 will attach considerable importance to the need to protect existing trees, hedgerows, wetland habitats, watercourses and other natural landscape features and will require that new developments do not cause unnecessary loss of trees, nor imperil trees by building works.
- 4.24 Policy RL4 states that new developments will require the provision of local public open space, principally of benefit to the development itself, within new residential developments in accordance with agreed standards.

Emerging Local Plan (Published 2019)

- 4.25 The Local Plan has been formally submitted for examination on 4th March and an Inspector has been appointed therefore the Local Plan is now under examination. Paragraph 48 of the NPPF states that the LPA may give weight depending on the stage of the Local Plan and 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). When the local plan was published under Regulation 19 in August 2019, all of the policies were identified as carrying 'limited weight' for the

purposes of determining planning applications. Taking into account the remaining stages of the local plan process, it is considered the following levels of weight are appropriate between now and adoption dependant on the level of unresolved objections:

- Substantial
- Moderate
- Limited

The Council has now sent out the notice of examination (regulation 24 stage) and is aiming to adopt the Local Plan by winter 2020. The following policies are considered appropriate in assessing this proposal and consideration has been given to the level of outstanding objections resulting in appropriate weight attributed to each policy:

- 4.26 Policy 1 reinforces the guidance within the NPPF in that there should be a presumption in favour of sustainable development. Limited weight.
- 4.27 Policy 2 identifies the area as a Main Town. These areas will be the focus for substantial housing growth. Limited weight.
- 4.28 Policy 3 identifies that Main Town areas should receive around 40% of the Borough's total housing allocation. Limited weight.
- 4.29 Policy 8 sets out the requirements for the range of housing including the need for affordable housing. Limited weight.
- 4.30 Policy 14 seeks to promote sustainable transport within new developments. Limited weight.
- 4.31 Policy 17 seeks to consider the needs of cyclists within new developments. Moderate weight.
- 4.32 Policy 18 seeks to consider the needs of pedestrians within new developments. Moderate weight.
- 4.33 Policy 27 relates to the protection and enhancement of green infrastructure. Limited weight.
- 4.34 Policy 28 concerns the protection of open space and non designated open space. Limited weight.
- 4.35 Policy 29 deals with open space provision in new developments. Limited weight.
- 4.36 Policy 30 concerns the suitable protection of ecological networks. Limited weight.
- 4.37 Policy 31 deals with the need to value biodiversity. Limited weight.
- 4.38 Policy 33 states that the design process should consider woodlands, trees and hedgerows. Substantial weight.
- 4.39 Policy 40 deals with understanding and recording the historic environment. Moderate weight.

- 4.40 Policy 43 deals with the need for good urban design. Moderate weight.
- 4.41 Policy 46 deals with housing design standards and at criterion a) makes reference to ensuring all new housing should meet the Nationally Described Space Standards. Limited weight.
- 4.42 Policy 49 concerns the landscaping of new developments. Limited weight.
- 4.43 Policies 55 and 56 deals with pollution and on site contamination. Limited weight.
- 4.44 Policy 57 requires the need for satisfactory drainage including the use of SuDS. Moderate weight.
- 4.45 Policy 58 deals with the need to consider flooding. Limited weight.
- 4.46 Policy 66 deals with developer contributions. Moderate weight.

Other material planning considerations

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

Development Guidance and Requirements SPD (July 2015)

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

South Yorkshire Residential Design Guide SPD (2011)

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

Development and Flood Risk SPD (October 2010)

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

- 4.51 Other Council initiatives include:

- The Doncaster Green Infrastructure Strategy 2014 - 2028
- Doncaster's Economic Growth Plan 2013-18
- Doncaster's Borough Strategy 2014
- Doncaster Health and Wellbeing Strategy 2016- 2021
- Doncaster Growing Together

- 4.52 The National Design Guidance (2019) is a material consideration and sets out ten characteristics of well-designed places based on planning policy expectations. A

written ministerial statement states that local planning authorities should take it into account when taking decisions.

5.0 Representations

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

5.2 36 representations have been received in opposition to the application. This incorporates initial objections to the submitted proposals and the application being re-advertised following a design review. The comments can be summarised as follows:

- Increase in traffic generation
- Location of substation
- High density of housing
- Lack of visitor parking
- Loss of wildlife habitat
- Increase in pressure on local services
- Noise and air pollution
- Development is too high in scale
- More litter
- Lack of green space
- Overlooking
- Noise from construction traffic
- Loss of trees
- Highway safety
- Speed of traffic on Lakeside Boulevard
- Comments on visitor behaviour around the lake

5.3 A number of residents have raised the potential loss of views over the lake as a consideration. Whilst visual amenity is taken into account, the right to a view is not protected in the planning system. Furthermore, some residents have expressed concern over the potential impact to property prices if the development was constructed. Given there are many factors which can affect property prices, this also cannot be a material planning consideration.

6.0 Relevant Consultations

6.1 **The Ecology Officer** has raised no objections in relation to the potential to impact on any significant wildlife habitats on site. The proposal does, however, result in a deficit in biodiversity and requests that a mitigation scheme proposed via a project from an environmental bank or via a commuted sum which would be put towards an offsite habitat creation / restoration project aiming to deliver the required units. This would be secured via a section 106 agreement.

6.2 **The Tree Officer** has noted pockets of B category trees would be removed to make way for the development however, this is an acceptable compromise in light of the design changes which retain the best key frontages to the site. A proportionate replacement strategy would involve the planting of 85 trees as a replacement, together with a target of 156 trees (one per dwelling). Given the constraints of

development, this is likely to be hard to achieve on site. It is suggested that a commuted sum for off site planting is agreed via a legal agreement. Suitable measures of tree protection and a method statement have been agreed.

- 6.3 **The Design Officer** – believes the revised scheme is much improved over previous iterations and there are some nice features, spaces and details which will raise the bar. Further details are required to fine tune the development and are to be reserved by condition.
- 6.4 **The Open Space Officer** agrees the central space is the only effective area for public open space and a commuted sum is proposed via a Section 106 to top up the deficiency. With regards to the design of the play space, the general presumption is that it provides a good outlook to the lake and can be used for picnics, informal meetings, etc. Banking the grassed area to create a platform is an interesting idea but efforts should be made to maintain openness and views of the lakeside along with the incorporation of any such imaginative play pieces. Overall, the Officer is pleased to see something a bit more unique and adventurous and the idea is entirely commendable, however further design points are made and the final layout of the open space area is to be reserved by condition.
- 6.5 **Transportation** have no objections following additional amendments/additional information being supplied and that the development is carried out in accordance with the contents of the approved Transport Assessment and Travel Plan.
- 6.6 **Strategic Housing Officer** says as this is a Council owned site, the development which takes place has to be of the highest standard that conforms to the Council's own design policy and guidance as well as meeting all Planning Policy and S106 requirements. The latest layout plan provides 16 x 2 bed apartments, 4 x 2 bed houses and 21 Richmond houses, which are a mixture of 3 and 4 beds. As some of these will be agreed as Shared Ownership units with a Housing Association, we would request that there is not many 4 beds offered up as rented as the demand for 4 beds is low compared to 2 and 3 bed properties. This can be resolved via negotiation.
- 6.7 **Planning Policy Officer** states this site is proposed as a housing allocation (Site 262) in the emerging Local Plan. It is a brownfield site which has been reclaimed for development as part of a long-standing, and largely completed, successful regeneration area.

The site is acceptable in principle for the proposed use subject to meeting other policy requirements of the development plan, including the need to provide affordable housing.

- 6.8 **Highways Development Control** have raised no objections. Conditions imposed.
- 6.9 **The Public Rights of Way Officer** has raised no objections.
- 6.10 **The Waste and Recycling Officer** has raised no objections.
- 6.11 **Environmental Health** have raised no objections subject to conditions.
- 6.12 **The Air Quality Officer** have raised no objections.
- 6.13 **The Contaminated Land Officer** have raised no objections subject to conditions.

- 6.14 **The Environment Agency** have no objections.
- 6.15 **Yorkshire Water** have raised no objections subject to conditions.
- 6.16 **The Drainage Officer** has advised that insufficient information has been provided. No response to further consultation.
- 8.17 **South Yorkshire Police Architectural Liaison Officer** states following amended plans, I have no further observations.
- 6.18 **Public Health** requested additional information and the applicant has responded with a Health Impact Assessment which sets out the merits of the proposal. The applicant has responded to further comment on the siting of affordable units, modal transport and green space.
- 6.19 **South Yorkshire Archaeology Service** have no objections.
- 6.20 **Yorkshire Wildlife Trust** have great concerns over the appropriateness of this proposal due to the presence of notable habitats, proximity to designated sites, loss of greenspace and ecological connectivity and potential impacts on protected species. Therefore, a sensitive landscape plan, advised by the biodiversity metric, and a sensitive lighting scheme, advised by transect surveys, would be required at a minimum prior to determination of the proposals.

7.0 Assessment

7.1 The principle issues for consideration under this application are as follows:

- Principle of development;
- Impact on the area as open space
- Ecology
- Trees and Landscaping
- Impact on the character and appearance of the area
- Impact on residential amenity
- Highway safety and traffic
- Flooding
- Archaeology
- Viability and S106 obligations
- Overall planning balance

7.2 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

- 7.3 The site is defined as a Mixed Use Regeneration Project area in the current adopted UDP. Housing is specified as an appropriate use along with various other leisure, recreation, tourism and employment uses. The site is also proposed as a Housing Site in the Local Plan which is currently going through the Examination in Public process. As such the proposal for housing on this site is acceptable in principle.
- 7.4 The Core Strategy May identifies that housing allocations will be phased as set out within Policy CS10. The plan requires that a five-year supply of deliverable housing land is to be maintained at all times. This proposal would directly contribute towards maintained a deliverable supply of housing.
- 7.5 The site is well related and close to other services with a wide range of facilities being within a reasonable walking distance to the site, such as local amenities at the leisure park, local schools, community buildings, public houses, restaurants and access to green spaces. The site is close to public transport. Frequent bus services are available on Lakeside Boulevard to provide regular access to the town centre and the train station.
- 7.6 The site will contribute towards the Council's housing requirement and will enhance a prominent site that has been left derelict for some years. The site is open to view on a main road into the town and its current derelict appearance does nothing to enhance the image of the town. The proposal is therefore acceptable in principle and considerable weight should be given towards its location within a housing policy area.

Sustainability

- 7.7 The NPPF 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
- 7.8 There are three strands to sustainability and these are 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 NPPF is a presumption in favour of sustainable development.

SOCIAL SUSTAINABILITY

Design

- 7.9 Policies CS1 and CS14 of the Core Strategy look at design components including the density and form of development to ensure it is functional as a place to live comfortably and with good standards of amenity. Further guidance is set out in the Doncaster Developer Requirements and Guidance and the South Yorkshire Residential Design Guide. A masterplan brief was prepared by the Council with the sale of the land and the applicant also sought pre-application advice.
- 7.10 Concerns were raised with the initial plans for the development, which although outwardly appeared acceptable, had a messy and car dominated internal layout. The

quality of the public realm required improvement and other concerns were raised including the siting of affordable housing, the proximity to trees worthy of retention, security issues and other design requirements under Policy CS14. These concerns were reflected in the advice of the Design Officer and were also picked up in representations by the general public and the Doncaster Civic Trust.

- 7.11 A design review with the Council and subsequent changes in house type provision by the applicant has resulted in a revised proposal which is considered to be an improved infill scheme. The scheme generally meets the Council's existing and emerging standards in terms of garden space, and parking standards and the Design Officer believes the layout is well-balanced with an attractive public realm and streetscapes. The proposals have been redesigned to take into account feedback with respect to hard and soft landscaping, alterations to elevation treatment, tree retention on Lakeside Boulevard, natural surveillance and social connectivity.
- 7.12 The outcome of these changes result in the support of the Design Officer who has been influential in the improved design of the layout overall and specifically the internal arrangement to create attractive infill courtyard areas which have good levels of connectivity and natural surveillance. The frontage both to the lake and Lakeside Boulevard provides a strong presence and will be key elevations in the street scene.
- 7.13 The applicant is keen to agree to high quality materials for these properties as this is considered a landmark site for the company. Various conditions with regards to the materials and external treatment of the buildings are recommended should planning permission be granted.
- 7.14 A landscape strategy has also been provided with the application which includes details hard and soft landscaping and boundary treatments. Further minor details regarding other surface treatments and planting will be reserved by condition.
- 7.15 It is noted that the siting of the sub-station is less than ideal but it has been repositioned in a manner which less obstructive. The final appearance will be reserved by condition.
- 7.16 During the course of the application, the design layout of the proposed open space was open to some negotiation. In general terms, it is the Council's aim to retain openness and views to the lake within this space whilst still allowing play equipment to be installed and to offer a range of functions and activities for all ages. The proposed layout is now considered to be acceptable in principle and a condition will require a detailed layout to be provided and agreed.
- 7.17 The proposal is considered to comply with Policies CS1 and CS14 of the Core Strategy in that it will deliver a development that complements the existing character, is attractive works functionally, is robustly designed and will make a positive contribution to the area. Some elements are subject to final detailed design reserved by condition.

Local amenity

- 7.18 Policies CS1 and CS14 of the Core Strategy states that proposals will be supported which contribute towards quality of life, in particular protecting local amenity and being well-designed, attractive and capable of achieving nationally recognised environmental, anti-crime and design standards.

- 7.19 The Council's Environmental Health Officer has been consulted and offers no objections but notes that suitable controls should be placed on noise insulation of the new properties and that existing properties should be protected from unreasonable levels of disruption during the construction phase. Suitably worded conditions have been imposed.
- 7.20 In terms of impact to adjacent land uses, the implications for traffic generation and noise are discussed elsewhere in the report. With regard to protecting residential amenity, the nature of the site means that existing residential neighbours are sufficiently distanced with respect to protection from any additional overshadowing, loss of privacy or visual amenity. The proposed dwellings enjoy decent standards of plot, internal standards, garden size, access and car parking provision.
- 7.21 The application is considered to provide suitable living conditions in compliance with Policies CS1 and CS14 of the Core Strategy which seek a good standard of amenity for all existing and future occupants of buildings. The compliance with these policies attracts neutral weight in the overall planning balance.

Provision of affordable homes

- 7.22 Policy CS12 of the Core Strategy requires that developments of 15 or more dwellings will normally include affordable housing on-site equal to 26% of the total development. A target of 74% of these affordable homes will be provided for rent, with the remaining 26% provided as an intermediate tenure, to be agreed on a site by site basis. The application complies Policy CS12 in that it includes 41 affordable units. The agreed plot numbers, mix and tenure, along with suitable trigger points, will be secured as part of a Section 106 agreement. Compliance with Policy CS12 attracts neutral weight.

Open Space

- 7.23 Policy CS17 of the Core Strategy states that proposals will be supported which have regard to local standards and opportunities, and help to address deficiencies, by making an appropriate contribution to sport, recreation and related community uses by providing suitable and appropriate, on-site (or an equivalent contribution towards off-site contribution). Policy RL4 of the UDP requires 10-15% of the total site area of larger developments to be laid out as public open space, except where the Council requires a commuted sum to enhance an existing area of open space in the vicinity of the site.
- 7.24 The applicant had hoped that multiple areas of land could be used as open space but realistically only the central undeveloped area remains viable. This equates to approximately 7.5% of the site being available for open space. Therefore, the developer has agreed to provide a commuted sum of £346,575 to 'top up' the remaining policy requirement in addition to providing the central area as formal open space. The commuted sum would then be used to fund equipment required to create or upgrade existing play area space to benefit the development and others in the area. This will be delivered through a Section 106 Agreement as detailed in the Heads of Terms at the end of the report.
- 7.25 Subject to this agreement, the application will comply with Policy CS17 and Policy RL4 in respect of delivering acceptable on site and off site provision of open space.

Local services

- 7.26 Policy CS1 of the Core Strategy attaches importance on providing opportunity for protecting and enhancing local provision of amenities and services. Concerns have been raised by local residents of the impact of the development on local services.
- 7.27 The Council's Education Officer has advised that the development will have an impact on school places. The local schools within this catchment area that will be affected by the development are Bessacarr Primary and Hall Cross Academy. Taking into account the development, an additional 31 places would be required at Bessacarr Primary and 22 places Hall Cross Academy too ensure the schools have capacity in the future. A total contribution of £778,967.00 is to be secured via a Section 106 agreement to comply with Policy CS1.
- 7.28 Turning to other local infrastructure, issues have been highlighted with regard to pressure on local services such as water, telecoms, broadband, schools and doctor's surgery places. However, no objections have been raised by the Water Authority nor have any of the other utilities providers objected. The impact on school places is addressed above and there is insufficient evidence to suggest that capacity would be reached at any nearby medical facility.
- 7.29 The proposal would therefore have an acceptable impact on local infrastructure in accordance with Policy CS1.

ENVIRONMENTAL SUSTAINABILITY

Highways & traffic management

- 7.30 Policies CS1 and CS14 of the Core Strategy and Policy PH11 of the UDP seek, amongst other things, to achieve ease of pedestrian movement, the protection of public safety and securing a functional highway network. Policy CS9 of the Core Strategy states that proposals will be supported where they make an overall improvement to travel choice and the transport network.
- 7.31 A key focus for objections against the application is the opinion that the Lakeside area suffers from high traffic and that the addition of further dwellings to the area will exacerbate this issue. Other concerns raised include speeding on Lakeside Boulevard and the provision of acceptable levels of private and visitor parking.
- 7.32 A Transport Assessment (TA) has been provided with the application to inform the highways assessment of the proposal. The TA includes:
- A review of the existing situation on the highway network in the vicinity of the site;
 - A review of the development proposal, including access arrangements, parking and internal layout;
 - An appraisal of the public transport connectivity to the site, i.e. by bus, walk and cycle;
 - Determination of the traffic generation of the proposed development; and
 - Consideration of the highway impact associated with the proposals.
- 7.33 The TA has given due consideration to the development proposals and concludes that there is no reason why planning permission should be refused on the grounds

of traffic or transportation issues. It is noted that the TA recognises the impact White Rose Way/Wilmington Drive/Carolina Way signalised crossroads and the Bawtry Road/Gliwice Way signalised T-junction and it is recommended that the operation of the signals are re-validated on occupation of the 100th dwelling. The cost of this to be borne by the developer and secured as part of a S106 Agreement.

- 7.34 Policy CS9 states that proposals will be supported which make a contribution to the improvement of travel choice and the transport network will be supported where they improve the number and quality of opportunities for cycling and walking and that new developments will provide transport assessments and travel plans to ensure the delivery of travel choice and sustainable opportunities for travel. The development will have excellent access to local facilities and public transport services.
- 7.35 A financial contribution to Travel Plan Monitoring and a Transport Improvement Bond is required to mitigate any traffic increase above what has been set out in the Travel Plan and will also be secured within the legal agreement.
- 7.36 The Highways Development Control Officer has considered the proposed development and no objections have been raised with regards to the layout of the highway, access or parking areas. One entrance point is proposed to be repositioned from the current position. The proposal has acceptable access and egress and the highway layout, subject to the imposition of conditions relating to the detailed engineering and highway drainage being submitted and agreed prior to the commencement of development.
- 7.37 There are well used footpaths within the vicinity of the site, one that runs along the western boundary adjacent to the lake and the public footpath that runs along Lakeside Boulevard. Furthermore, the area allocated to be open space is used as a walkthrough and for informal recreation. The Council's Public Rights of Way Officer confirms that there are no recorded Public Rights of Way affected by the development. The footpaths referred to are un-recorded footpaths and the development would not interrupt or inhibit these from being used. Moreover, the existing routes are likely to be used by new residents who would enjoy the easy access and location to local amenities.
- 7.38 It is considered that the proposal will have no adverse impact on the highway and that the proposal accords with Policies CS1 and CS14 of the Core Strategy and Policy PH11 of the UDP

Trees and landscaping

- 7.39 Policy CS16 of the Core Strategy and Policy ENV59 of the UDP attach importance to protecting trees and welcoming proposals that enhance the Borough's landscape and trees. A tree survey, arboricultural impact assessment, arboricultural method statement and an indicative landscaping plan have been submitted with the planning application. These submissions give advanced assurances to the Council that adequate tree protection measures have been considered in accordance with the BS 5837:2012 standard. There has been comment on the impact on trees in representations.
- 7.40 The design review of the scheme protects the avenue trees on Lakeside Boulevard with the exception of some localised removal to facilitate a repositioned main access to the site. The revised arrangement would respect the uniformity of the street scene and suitable replacements would be agreed with the Tree Officer.

- 7.41 It is noted that there will be tree removal on the site, with up to 57 category B trees removed in certain pockets where they would unavoidably sterilise sections of the site. In order to fully mitigate against this loss, it is proposed to plant at least 85 heavy standard trees as direct replacement together with a further 156 trees in line with SPD guidance. The final breakdown of what can be fully achieved on site shall be realised via a landscaping condition with an agreed formula per new tree to be planted by the Council for remaining stock to be agreed via a the commuted sum secured through the Section 106 Agreement.
- 7.42 In terms of the impact of the removal on the character of the area and the scheme overall, the revised arrangement protects the most important elevations along Lakeside Boulevard and the approach to the lake. It is recognised that the removal of Hornbeam adjacent to the open space area will reduce green cover, however a compromise had to be reached to reorganise development around retaining the best trees. It is proposed that the areas of soft landscaping surrounding the open space is to be replanted with appropriate species to 'frame' this space effectively.
- 7.43 Subject to appropriate conditions and securing funding for new planting via a legal agreement, the application will comply with Policy CS16 and Policy ENV59 in respect of seeking to protect natural infrastructure and offer appropriate mitigation and replacement as part of development proposals.

Ecology

- 7.44 Policy CS16 of the Core Strategy also seeks to protect and enhance Doncaster's natural environment. An Ecological Report has been submitted with the application. Objections have raised the impact on local wildlife and pressure on the wider ecological network overall.
- 7.45 The Council's Ecologist agrees with the findings of the report which says that the site reflects habitats that have been developing for several years to create fairly poor conditions. There are no protected species associated with the site and no statutory designations that would be impacted by the proposed development.
- 7.46 Paragraph 170 of the NPPF states that development should deliver and contribute towards a net gain in biodiversity. At present, there is no standardised approach, however the Government has reintroduced the Environment Bill, which is currently making its way through Parliament. Although the detail may be different when it comes into force, the draft provisions indicate that "biodiversity net gain" requires development to deliver at least a 10 per cent improvement in "biodiversity value".
- 7.47 In this case, the Metric assessment shows that the development would result in a net loss of 12.40 units. The Council's Ecologist has suggested that given the constraints of enhancement to the unbuilt parts of the site, appropriate mitigation can be secured via bio-diversity offsetting with a contribution through the environmental bank to deliver a scheme which provides a net gain contribution towards bio-diversity in line with the requirement of the NPPF. Alternatively, should the Council adopt a tariff approach towards delivering projects itself, then a financial contribution of equal or higher value to the unit loss is to be proposed. Either approach will be secured via a section 106 agreement. Regardless of who would deliver it, this would be put towards an offsite habitat creation / restoration project aiming to deliver the required units in order to meet the policy requirement.

- 7.48 A condition is to be imposed requiring the submission of an Ecological Enhancement Plan to be submitted prior to commencement of the development in order to provide as much on site bio-diversity mitigation as possible via landscaping and other measures. As noted above, the requirements to include bio-diversity offsetting will be delivered through the Section 106 Agreement. Subject to the above, the application will comply with Policy CS16 and the requirements to protect and enhance green infrastructure.

Design and impact upon the character of the area

- 7.49 The design credentials of the proposal have been discussed in section 7.9 - 7.17 of this report, however the scheme would also present an enhancement to the architectural character of the area in environmental terms. In this regard, the design aspirations of the development result in moderate weight being applied in favour of the application.

Flooding and drainage

- 7.50 Policy CS4 of the Core Strategy requires a proactive approach towards the management of flood risk and drainage. A Flood Risk Assessment have been submitted with the application.
- 7.51 Due to the high water table, it is proposed to discharge surface water into an appropriate outflow drains. There are no objections from Yorkshire Water to the outline drainage methods, conditions have been recommended to require full details.
- 7.52 The applicant is not required to carry out an assessment of sequentially preferable sites which are reasonably available as the area is appropriate for residential development in an area of low risk.
- 7.53 Considering the above factors, the development complies with Policy CS4 of the Core Strategy. The compliance with this policy attracts neutral weight in the overall planning balance.

Pollution

- 7.54 Policy CS18 of the Core Strategy states that proposals will be supported where they contribute towards protection and enhancement of the Borough's air, water and land resources.
- 7.55 The Pollution Control Officer has recommended that conditions are imposed requiring an assessment is undertaken to ensure there is no risk to human health from any contaminants via inhalation, ingestion and contact.
- 7.56 No objections have been raised from the Council's Air Quality Officer with regards to the proposal creating any significant air pollution. The site lies within a sustainable location with good access to public transport. The development also provides better linkages to adjacent sites to encourage occupants and visitors to walk or cycle. Slow charging electric vehicle charging points at each property will be reserved by condition.
- 7.57 The proposal complies with the principles of Policy CS18 that seek to ensure that Doncaster's air, water and land resources will be conserved, protected and

enhanced. The compliance with this policy attracts neutral weight in the overall planning balance.

Archaeology

- 7.58 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 puts a statutory duty on local planning authorities to pay special attention to preserving or enhancing historic assets. This approach is reflected in Policy CS15 of the Core Strategy which requires the quality of the historic environment, including archaeological features, to be conserved and enhanced. The South Yorkshire Archeology Service has been consulted and has raised no objections to the proposed development and the development otherwise complies with Policy CS15 of the Core Strategy. The compliance with this policy attracts neutral weight in the overall planning balance.

ECONOMIC SUSTAINABILITY

- 7.59 The proposed development will support construction and employment. Furthermore, disposing of the land to the applicant has the potential to lever in investment according to the Council's housing team; including Council Tax revenues, new homes bonus, removal of management and maintenance costs to the council whilst the site is vacant, the creation of local construction jobs/apprenticeships and opportunity for local supply chains. As some of these benefits would be temporary and may benefit areas other than Doncaster, moderate weight is applied in favour of the application.

Other matters

- 7.60 The proposal has been screened under the Environmental Impact Assessment (EIA) Regulations. The development is outside the scope of the regulations and is not Schedule 2 Development. As such, an EIA was not required.

8.0 Planning Obligations

- 8.1 Paragraph 54 of the NPPF states that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.
- 8.2 In Paragraph 56, it is stated 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.

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

Affordable Housing

- 8.3 The development is to provide 26% per cent affordable housing, of 41 units.

Public Open Space

- 8.4 Given the shape of the site, it is unlikely that complete onsite provision can be secured with housing and so, in addition to approximately 7.5% of the site being given over to open space, a commuted sum of 7.5% is to be provided in order to improve a local green space. The value of this contribution is to be £346,575.

Ecology

- 8.5 The Metric assessment of the site shows that the development would result in a loss of 12.40 units. The NPPF requires planning applications to demonstrate a net gain in biodiversity and therefore either a scheme of equivalent or greater value is to be provided off site or a commuted sum will delivery an offsite habitat creation / restoration project aiming to deliver the required units.

Education

- 8.6 As noted in the report, the development will have an impact on the number of school places and it is proposed that £778,967.00 is to be paid by the applicant.

Trees

- 8.7 In view of likely on site constraints in providing suitable and appropriate planting, it is proposed to offset any shortfall via a commuted sum. For the contribution, it will be expected to cover the cost of the Council purchasing the trees, planting, protecting, establishing and initially maintaining the new tree. This is approximately £265 per tree.

Highways

- 8.8 A Travel Plan Monitoring and Transport Improvement Bond has been proposed to mitigate the impacts if Travel Plan targets are being missed. The purpose of the Bond is to ensure that the targets presented in the Travel Plan can be achieved relating to the mode shift towards sustainable travel (public transport, walk, cycle, car share etc.). If the Travel Plan targets are not met, the Council would introduce measures to encourage sustainable travel using the Bond. The costs associated with the Bond are £19,665.36.

- 8.9 The Legal Agreement will require some traffic monitoring will be done in accordance with the Transportation Assessment and Travel Plan. The agreement will include provision for the MOVA control on nearby traffic signals to be revalidated after the 100th occupation.

9.0 Planning balance & conclusion

- 9.1 The proposal will make a contribution to the delivery of housing (including affordable housing), open space and highway improvements, without having an adverse impact on planning interests including highway safety and residential amenity. The development of the site will make a significant visual improvement to the appearance of this prominent site on a main road into the town that has been left un-developed for many years. There will be some unavoidable loss of green infrastructure as a result of an underused site becoming developed, however this will be quantified and an equivalent level of infrastructure can be provided through the planning system.

9.2 The NPPF require a presumption in favour of sustainable development. This development will enhance and improve this prominent, sustainable area of the Borough making effective use of a deliverable site to deliver a wide choice of quality homes. It is on this basis that it is recommended that planning permission be granted subject to the relevant conditions and obligations.

10.0 RECOMMENDATION

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

- (A) THE PROVISION OF AFFORDABLE HOUSING WITH TRIGGERS ON COMMENCEMENT TO BE AGREED WITH THE LPA.**
- (B) THE PROVISION OF OPEN SPACE ON SITE WITH 7.5% OF THE LAND VALUE ALSO PROVIDED IN LIEU OF ON SITE OPEN SPACE SHORTFALL. TO BE PAID AT THE TRIGGER POINTS OF THE START OF CONSTRUCTION OF THE ROOFS OF PROPERTIES TO BE AGREED WITH THE LPA.**
- (C) THE PROVISION OF DETAILS AND MECHANISM TO DELIVER A SCHEME OF BIO-DIVERSITY NET GAIN EQUAL OR GREATER TO THAT IN MITIGATION OF THE DEVELOPMENT.**
- (D) TO PROVIDE FOR IMPROVEMENTS TO A SCHOOL WHERE CHILDREN FROM THE HOMES ON THE APPLICATION SITE WILL GO TO A SPECIFICATION STIPULATED BY DMBC EDUCATION TEAM OR AS A COMMUTED SUM OF UP TO £778,967.00 TO BE PAID AT A TIME TO BE AGREED WITH DMBC EDUCATION TEAM.**
- (E) THE SUM OF £265 PER NEW TREE PLANTING IN LIEU OF OFF-SITE TREE PLANTING BY THE COUNCIL.**
- (f) A TRANSPORT IMPROVEMENT BOND WOULD BE SET AT £19,665.36.**
- (G) A RETURNABLE MONITORING FEE (IF REQUIRED) AT A COST OF £5,000 PER ENTRANCE/ EXIT POINT**
- (I) PROVISION FOR THE MOVA CONTROL ON NEARBY TRAFFIC SIGNALS TO BE REVALIDATED AFTER THE 100TH OCCUPATION.**

THE HEAD OF PLANNING BE AUTHORISED TO ISSUE THE PLANNING PERMISSION ON COMPLETION OF THE AGREEMENT

Conditions / Reasons

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

REASON

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

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

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

Dwg. No. GL1393 SK2 Landscape Masterplan
Dwg. No. GL1393 SK1 Central Open Space Concept
Dwg. No. 2042-Y2-01-100 Rev A Boundary Treatment Plan
Dwg. No. 2042-Y2-04-01 Rev A Planning Layout
Dwg. No. 1927-APPT-1 A Ground Floor Layout (Plots 32-47 & 126-141)
Dwg. No. 1927-APPT-101 A First Floor Layout (Plots 32-47 & 126-141)
Dwg. No. 1927-APPT-102 A Second Floor Layout (Plots 32-47 & 126-141)
Dwg. No. 1927-APPT-103 A Third Floor Layout (Plots 32-47 & 126-141)
Dwg. No. 1927-APPT-104 A Elevation 1 (Plots 32-47 & 126-141)
Dwg. No. 1927-APPT-105 A Elevation 2 (Plots 32-47 & 126-141)
Dwg. No. 1927-APPT-106 A Elevation 3 (Plots 32-47 & 126-141)
Dwg. No. 1927-APPT-107 A Elevation 4 (Plots 32-47 & 126-141)
Dwg. No. 1927-APPT-200 A Ground Floor Layout (Plots 48-63)
Dwg. No. 1927-APPT-201 A First Floor Layout (Plots 48-63)
Dwg. No. 1927-APPT-202 A Second Floor Layout (Plots 48-63)
Dwg. No. 1927-APPT-203 A Third Floor Layout (Plots 48-63)
Dwg. No. 1927-ATEL-01 Atelier House Type
Dwg. No. 1927-APPT-100 Ground Floor Layout
Dwg. No. 1927-APPT-101 First Floor Layout
Dwg. No. 1927-APPT-102 Second Floor Layout
Dwg. No. 1927-APPT-103 Third Floor Layout
Dwg. No. 1927-APPT-104 Elevation 1
Dwg. No. 1927-APPT-105 Elevation 2
Dwg. No. 1927-APPT-106 Elevation 3
Dwg. No. 1927-APPT-107 Elevation 4
Dwg. No. 1927-APPT-200 A Ground Floor Layout (Plots 48-63)
Dwg. No. 1927-APPT-201 A First Floor Layout (Plots 48-63)
Dwg. No. 1927-APPT-202 A Second Floor Layout (Plots 48-63)
Dwg. No. 1927-APPT-203 A Third Floor Layout (Plots 48-63)
Dwg. No. 1927-APPT-204 A Elevation 1 (Plots 48-63)
Dwg. No. 1927-APPT-205 A Elevation 2 (Plots 48-63)
Dwg. No. 1927-APPT-206 A Elevation 3 (Plots 48-63)

Dwg. No. 1927-APPT-207 A Elevation 4 (Plots 48-63)
 Dwg. No. 1927-APPT-300 A Ground Floor Layout (Plots 110-125)
 Dwg. No. 1927-APPT-301 A First Floor Layout (Plots 110-125)
 Dwg. No. 1927-APPT-302 A Second Floor Layout (Plots 110-125)
 Dwg. No. 1927-APPT-303 A Third Floor Layout (Plots 110-125)
 Dwg. No. 1927-APPT-304 A Elevation 1 (Plots 110-125)
 Dwg. No. 1927-APPT-305 A Elevation 2 (Plots 110-125)
 Dwg. No. 1927-APPT-306 A Elevation 3 (Plots 110-125)
 Dwg. No. 1927-APPT-307 A Elevation 4 (Plots 110-125)
 Dwg. No. 1927-BRANT-01 Brantwood Balcony Version
 Dwg. No. 1927-RICH-V1 Richmond Version 1 (Lake View)
 Dwg. No. 1927-RICH-V2 Richmond Version 2 (Lakeside Boulevard View)
 Dwg. No. 1927-RICH-V3 Richmond Version 3 (Lakeside Boulevard View - 3 Bed)
 Dwg. No. 1927-BAM-01 Bamburgh
 Dwg. No. 1927-BRA-05 Brantwood Sheet 4
 Dwg. No. 1927-BRA-06 Brantwood Sheet 5
 Dwg. No. 1927-HAR-01 Hardwick
 Dwg. No. 1927-HAR-02 Hardwick & Bamburgh Sheet 1
 Dwg. No. 1927-HAR-03 Hardwick & Bamburgh Sheet 2
 Dwg. No. 1927-05 Location Plan
 Dwg. No. 1927-B-01 Boundary Treatment Details
 Dwg. No. 2042-Y2-01-100 A Boundary Treatment Plan
 Dwg. No. 13185 V3.1 ECUS Arboricultural Impact Assessment and Arboricultural Method Statement
 Dwg. No. 13185-ARB-03 A Tree Protection Plan
 Dwg. No. 13185-ARB-02 A Tree Removal Plan
 Dwg. No. 13185-ARB-01 A Tree Survey
 Dwg. No. LTP/20/2758 21/08/2020 LTP - Stage 1/2 Road Safety Audit
 Dwg. No. LTP/20/3825 A LTP - Supplementary Transport Assessment
 Dwg. No. LTP/20/3826 C LTP - Travel Plan
 2 STEN - Design & Access Statement
 Dwg. No. NIA/8589/19/8565/v3 -- ENS - Noise Assessment
 Dwg. No. 13185 V1.0 ECUS - Preliminary Ecological Appraisal
 Dwg. No. 44020-001 1 E&P - Flood Risk Assessment
 Dwg. No. 13185 V1 ECUS - Archaeological Desk-based Assessment

REASON

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

03.

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

REASON

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

04.

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

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

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

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

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

e) Upon completion of the Phase 3 works, a Phase 4 verification report shall be submitted to and approved by the LPA. The verification report shall include details of the remediation works and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the verification report

together with the necessary documentation detailing what waste materials have been removed from the site. The site shall not be brought into use until such time as all verification data has been approved by the LPA.

REASON

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

This has to be prior to commencement so that any risks are assessed before works begin to the ground whether this be demolition works or construction works and remediation in place before works begin.

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

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

REASON

To ensure that highway safety is protected during the construction phase as required by Policy CS14 of the Core Strategy. The condition is required to be a pre-commencement condition in order to have a plan in place on how highway safety will be protected during the construction phase.

06. No development shall take place on the site until a detailed hard and soft landscape scheme has been submitted to and approved in writing by the Local Planning Authority.

The hard landscape scheme shall include details of all external hard surfacing materials including footpath treatments and carriageway finishes. It shall include confirmation of agreement to implementation of any offsite footpath connections with third parties, in order to ensure suitable connectivity with the adjacent lakeside public footpath, and details of boundary treatments and the proposed decorative railings to lakeside walk. A detailed design for the central area of Public Open Space, seating and activity areas, including details of proposed equipment and street furniture shall be submitted and agreed.

The soft landscape scheme shall include a soft landscape plan; a schedule providing plant and tree numbers and details of the species, which shall comply with section 8 Landscape, Trees and Hedgerows

of the Council's Development Guidance and Requirements Supplementary Planning Document, nursery stock specification in accordance with British Standard 3936: 1992 Nursery Stock Part One and planting distances of trees and shrubs; a specification of planting and staking/guying; a timescale of implementation; and details of aftercare for a minimum of 5 years following practical completion of the landscape works. Thereafter the landscape scheme shall be implemented in full accordance with the approved details and the Local Planning Authority notified in writing within 7 working days to approve practical completion of any planting within public areas or adoptable highway within the site. Soft landscaping for any individual housing plot must be implemented in full accordance with the approved scheme, prior to occupation of the home, which will be monitored by the Local Planning Authority. Any part of the scheme which fails to achieve independence in the landscape, or is damaged or removed within five years of planting shall be replaced during the next available planting season in full accordance with the approved scheme, unless the local planning authority gives its written approval to any variation.

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

REASON

In the interests of protecting and enhancing the area in accordance with Policies CS14, CS15 and CS17 of the Core Strategy. The condition is required to be a pre-commencement condition in order to have a plan in place on how the site will be landscaped and be policy compliant prior to development taking place.

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

REASON

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

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

REASON

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

09. Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filing and level raising shall be tested for

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

REASON

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

10. Details of electric vehicle charging provision shall be submitted to and approved in writing by the local planning authority. No dwellings shall not be occupied until the approved electric vehicle charging provision for that property has been installed and is operational. Following installation the electric vehicle charging provision shall be retained for the lifetime of the development.

REASON

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

11. Before the first occupation of any part of the development hereby approved, details of the vehicular access, parking and turning area for the site and how it is surfaced, drained and where necessary marked out shall be approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and shall remain available for access for the lifetime of the development.

REASON

To ensure adequate parking, delivery and turning provision in the interests of public safety as required by Policy CS14 of the Core Strategy.

12. Before the first occupation of any part of the development hereby approved, details of both vehicular crossings over the footpath/verge shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

REASON

To avoid damage to the verge and to ensure the access is constructed to an appropriate standard in accordance with Policy CS14 of the Core Strategy.

13. Upon commencement of development details of measures to facilitate the provision of gigabit-capable full fibre broadband for the dwellings/development hereby permitted, including a timescale for implementation, shall be submitted to and approved in writing by the

Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON

To ensure that all new housing and commercial developments provide connectivity to the fastest technically available Broadband network in line with Paragraph 112 of the NPPF and Policy 22 of the Doncaster Local Plan.

14. The site shall be developed with separate systems of drainage for foul and surface water on and off site.

REASON

In the interest of satisfactory and sustainable drainage in accordance with Policy CS4 of the Core Strategy.

15. No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall for surface water have been completed in accordance with details to be submitted to and approved by the local planning authority before development commences.

REASON

To ensure that the site is properly drained and surface water is not discharged to the foul sewerage system which will prevent overloading in accordance with Policy CS4 of the Core Strategy.

16. Before the development hereby permitted is brought into use, that part of the site to be occupied shall be provided with parking as shown on the approved plans. 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 in accordance with Policy CS14 of the Core Strategy.

17. The details and appearance of the substation shall be submitted to and approved in writing by the Local Planning Authority along with any details of screening that may be deemed necessary. The development shall be carried out in accordance with the approved details.

REASON

In the interest of visual amenity and compliance with Policy CS14 of the Core Strategy.

Informatives

01. **INFORMATIVE**
The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining

feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

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

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

02. The applicant should take into account advice received from the Council's Drainage Officer and South Yorkshire Police which can be viewed on the Council's Public Access website.

03. **INFORMATIVE**

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

The document can be found at the following web address:

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

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

04. **INFORMATIVE**

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

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

p.evans@doncaster.gov.uk or Tel 01302 735162 as soon as possible to arrange the setting up of the permit agreement.

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

Access arrangements including shared private drives should conform to Approved Document B Volume 1 Part B5 Sect. 11.2 - 11.5 inc. They should be constructed to withstand a minimum carrying capacity of 26 Tonnes without deflection.

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

05. INFORMATIVE

Birds may be nesting in trees and shrubs proposed for removal. It is an offence under the Wildlife and Countryside Act 1981 (as amended) to disturb nesting birds, and vegetation removal should be timed therefore to avoid the nesting season (March to August inclusive). Where this is not possible measures must be taken to ensure any nesting birds on site are identified and protected.

Justification

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

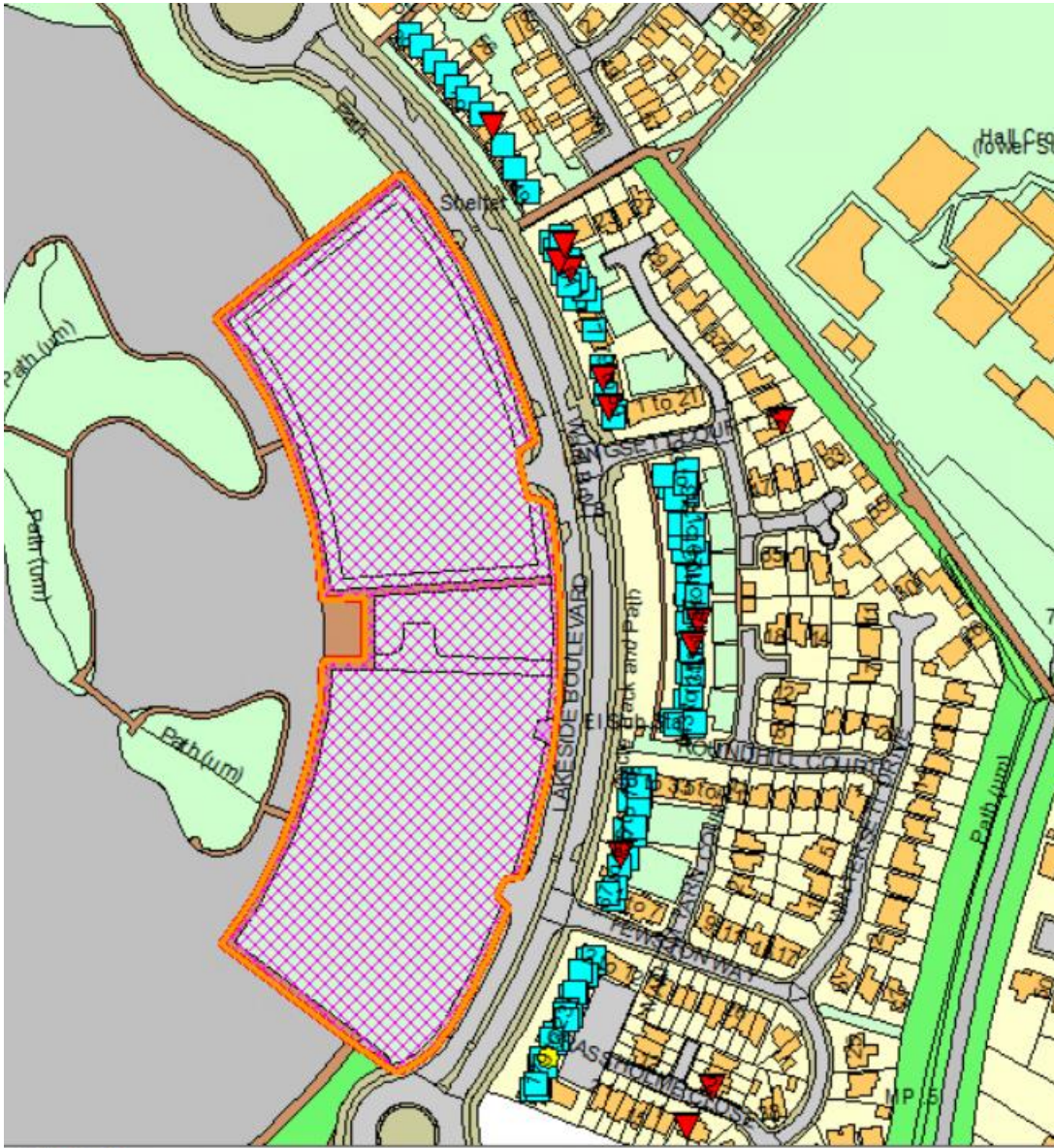
In dealing with the application, the Local Planning Authority has worked with the applicant to find solutions to the following issues that arose whilst dealing with the planning application:

Ecology
Trees
Character of the area
Open space
Highway safety



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

Appendices

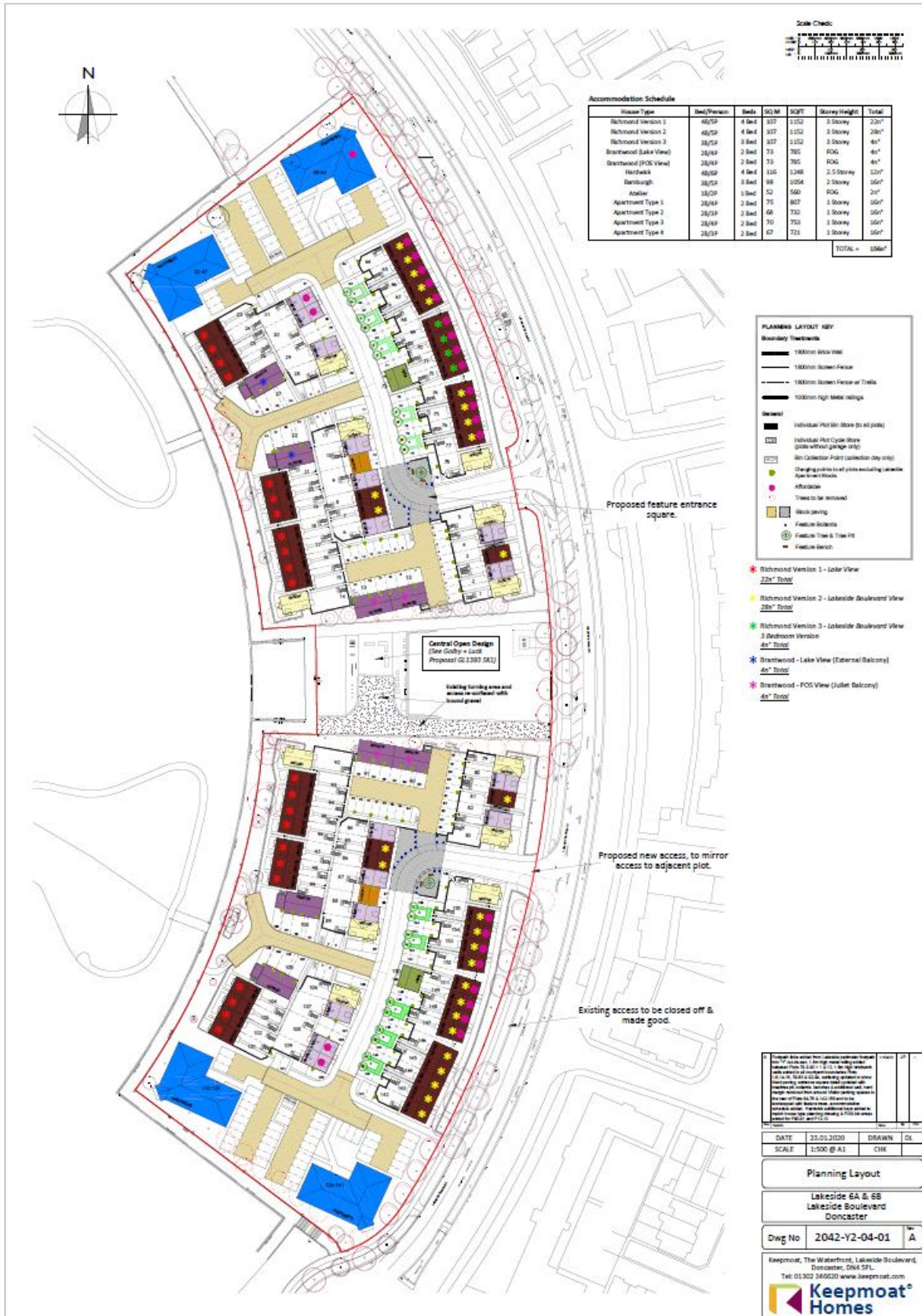
Appendix 1 – Neighbour Notification



Key

-  Neighbours notified
-  Representation

Appendix B – Site Plan



Appendix C – Visualisation of house type materials



STREET SCENE A-A @ 1:200



STREET SCENE B-B @ 1:200



STREET SCENE B-B (2) @ 1:200



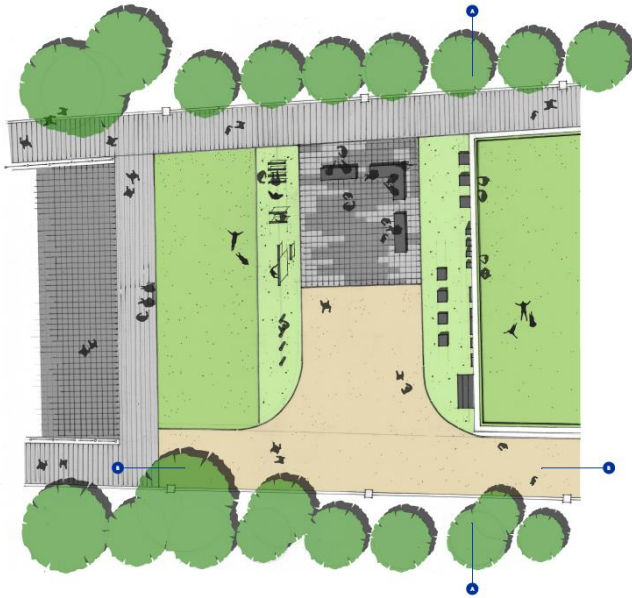
STREET SCENE C-C @ 1:200



STREET SCENE KEY (NTS)



Appendix D – Open Space area



Key	Proposed landscape
[Green square]	Proposed landscape
[Grey square]	Proposed building
[Dark grey square]	Proposed building footprint
[Light green square]	Proposed lawn
[Dark green square]	Proposed lawn
[Light brown square]	Proposed path
[Dark brown square]	Proposed path
[Light blue square]	Proposed water feature
[Dark blue square]	Proposed water feature
[Light grey square]	Proposed paved area
[Dark grey square]	Proposed paved area
[Light green square]	Proposed lawn
[Dark green square]	Proposed lawn
[Light brown square]	Proposed path
[Dark brown square]	Proposed path
[Light blue square]	Proposed water feature
[Dark blue square]	Proposed water feature



Section A - A



Section B - B

The walkway will be constructed using paving slabs using permeable paving. The design philosophy is to create a walkway that is a mix of paved and green spaces. The walkway will be paved with paving slabs using permeable paving. The design philosophy is to create a walkway that is a mix of paved and green spaces. The walkway will be paved with paving slabs using permeable paving. The design philosophy is to create a walkway that is a mix of paved and green spaces.



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 Council Open Space
 Council
 Doncaster

Appendix E – House Types

Hardwick and Bamburgh

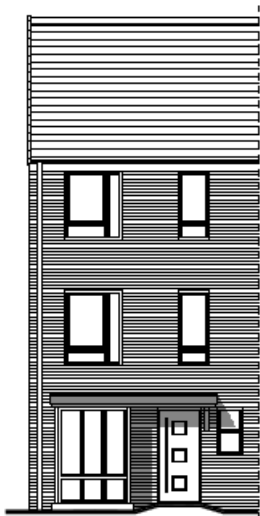


Lawton



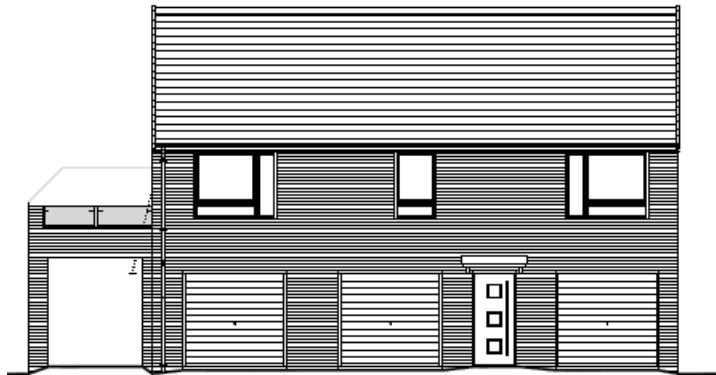
FRONT ELEVATION

Richmond



Front Elevation
(Lakeside Boulevard View - 3 Bed)

Brantwood



Front Elevation

Apartment elevations



Elevation 1

Appendix F – Indicative Masterplan



Green Space Inventory

Item	1980	1990	2000	2010
Green Space Inventory	100	100	100	100
Green Space Inventory	100	100	100	100
Green Space Inventory	100	100	100	100
Green Space Inventory	100	100	100	100

Public Space Inventory

Item	1980	1990	2000	2010
Public Space Inventory	100	100	100	100
Public Space Inventory	100	100	100	100
Public Space Inventory	100	100	100	100
Public Space Inventory	100	100	100	100

Notes: The above is an indicative masterplan and not a detailed plan. It is intended to provide a general overview of the proposed development and its relationship to the surrounding environment. The actual layout and design of the development will be determined by the detailed planning process.

Public Space Inventory

Item	1980	1990	2000	2010
Public Space Inventory	100	100	100	100
Public Space Inventory	100	100	100	100
Public Space Inventory	100	100	100	100
Public Space Inventory	100	100	100	100

Public Space Inventory

Item	1980	1990	2000	2010
Public Space Inventory	100	100	100	100
Public Space Inventory	100	100	100	100
Public Space Inventory	100	100	100	100

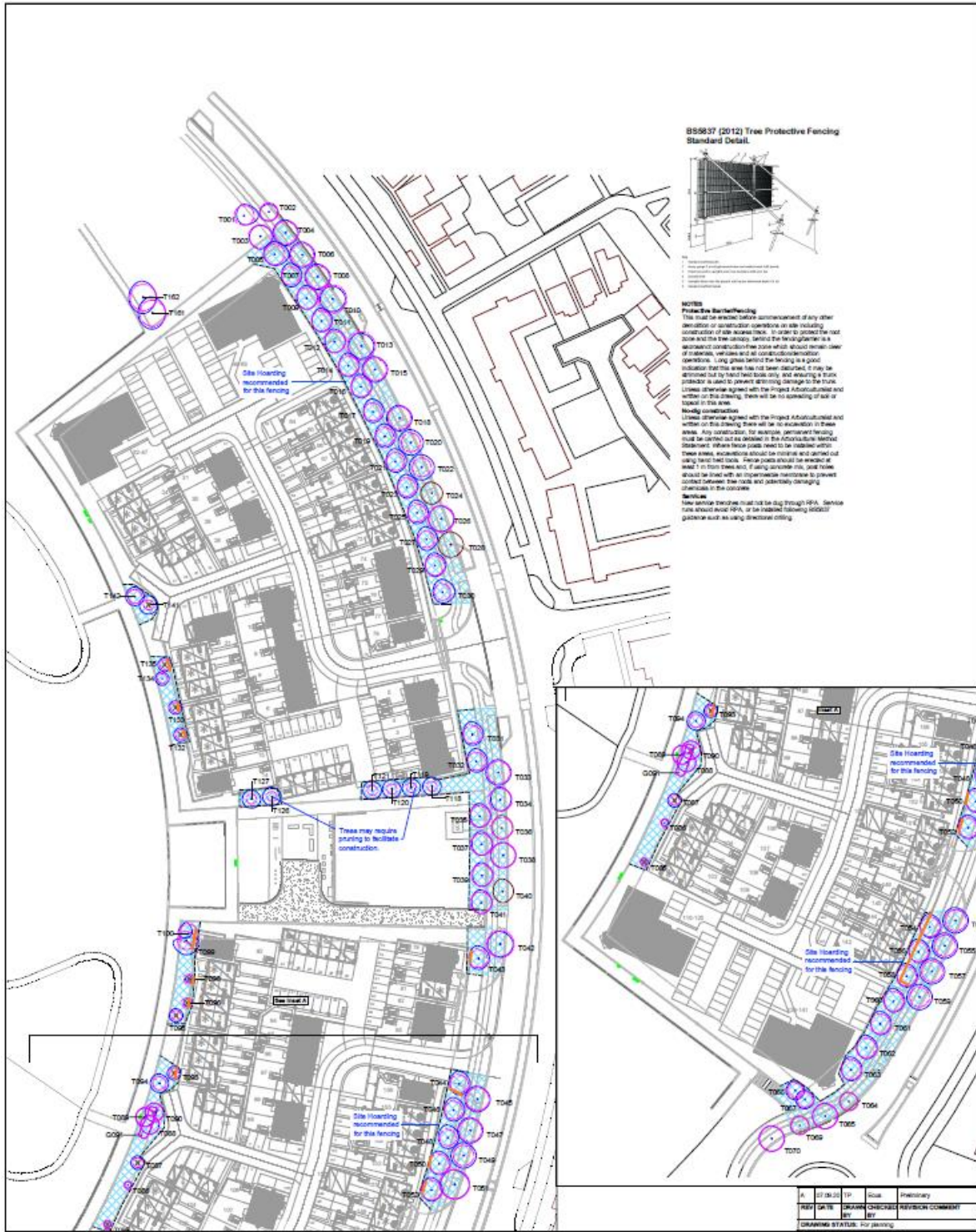
Public Space Inventory

Item	1980	1990	2000	2010
Public Space Inventory	100	100	100	100
Public Space Inventory	100	100	100	100
Public Space Inventory	100	100	100	100

Notes: The above is an indicative masterplan and not a detailed plan. It is intended to provide a general overview of the proposed development and its relationship to the surrounding environment. The actual layout and design of the development will be determined by the detailed planning process.

- Key**
- High quality public space
 - High quality public space
 - High quality public space
 - High quality public space
 - High quality public space
 - High quality public space
 - High quality public space
 - High quality public space
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 - High quality public space
 - High quality public space

Appendix G – Tree Protection Plan



Application	3.
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Application Number:	19/02884/FULM
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Application Type:	Planning FULL Major
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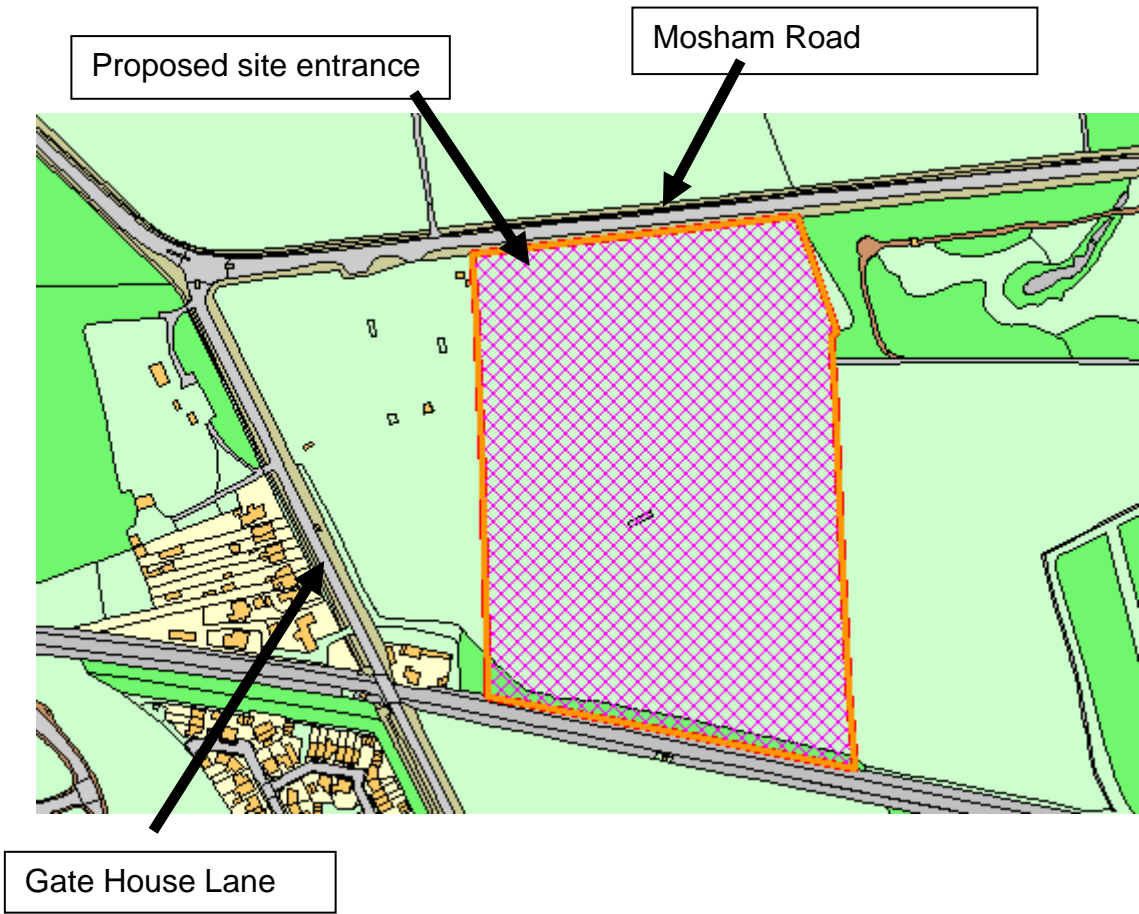
Proposal Description:	Use of land as a commercial crane hire business including re profiling of ground levels, construction of a new office and welfare building, workshop, prep, blast and paint areas, crane tracks, car parking, landscaping and means of access.
At:	Land At Former Blaxton Quarry Mosham Road Auckley Doncaster

For:	HTC Wolffkran Ltd
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Third Party Reps:	8 in opposition	Parish:	Auckley Parish Council
		Ward:	Finningley

Author of Report	Mark Sewell
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<p>SUMMARY</p> <p>The proposal is considered to be acceptable in policy terms given the planning history of the site and its policy allocation and is considered to be an acceptable and sustainable form of development in line with paragraph 7 and 8 of the National Planning Policy Framework (NPPF, 2019).</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. The development would not cause undue harm to neighbouring properties, the highway network or the wider character of the area. The unavoidable consequences of developing the site in terms of environmental impact will be mitigated. The scheme will deliver additional jobs for the Borough and is an allocated employment site in both the saved Unitary Development Plan proposals map and the Draft Local Plan.</p> <p>RECOMMENDATION: Grant planning permission subject to a Section 106 Agreement</p>



1.0 Reason for Report

- 1.1 This application is being presented to Planning Committee as a result of the level of public interest and number of representations received.

2.0 Proposal and Background

- 2.1 The application seeks full planning permission for the use of land as a commercial crane hire business including re profiling of ground levels, construction of a new office and welfare building, workshop, prep, blast and paint areas, crane tracks, car parking, landscaping and means of access.
- 2.2 The proposal is a specific scheme for an existing operation HTC Wolffkran, who are currently located on a site on the outskirts of Sheffield, adjacent to the M1, and are intending to relocate to the application site. The company are a Swiss owned manufacturer, and a major supplier in the European tower crane rental sector, with a combined fleet of around 700 cranes based over 8 rental locations throughout continental Europe. The company operates the largest concentration of rental cranes within the group from the UK at its existing site. The current business is the third largest crane rental business in the UK with 243 cranes and a share of just under a quarter of the UK rental market. HTC Wolffkran currently employ 324 people, all of which are managed from the head office in Sheffield, however 70% of these employees are remote workers who operate the tower cranes on various construction projects throughout the UK. Currently at the Sheffield premises, there are 38 staff in the offices and 35 staff in the workshop / yard and it is expected that these staff will relocate to the Auckley premises. HTC Wolffkran also has 6 apprentices in training as crane operators, electricians and mechanics. It is envisaged that new staff employment will be created through the proposed relocation.
- 2.3 The scheme intends to accommodate all of the requirements of the business, and improve upon the facilities at the existing site. This includes a permanent base for office staff to sit alongside various welfare amenities, a workshop facility with defined areas suitable for varying functions, and the hard standing areas needed for the crane storage. The scheme also includes staff parking area and landscaping.
- 2.4 The office/welfare building would be B1 use class with ancillary kitchen / leisure use. The workshop building would be B2 use class. The remainder of the site would be a mixture of B2/B8 use. The proposed staff offices and welfare building would be three storeys (height of the building will be circa 12.4m) with a gross internal floor area of 1345sq.m. The proposed workshop building would have a GIFA of 1500 sq.m providing a workshop area and associated prep, blast and paint bays. An electricity substation is also proposed near the entrance to the site to power the site. The site would be accessed from the B1396 Mosham Road, with the access road positioned slightly further east than the existing access road.
- 2.5 In terms of floorspace, the following is to be created:
- o Office/Welfare Building (Ground Floor) - 435 sqm (for the yard staff)
 - o Office (First Floor) - 455 sqm
 - o Office (Second Floor) - 455 sqm
 - o Workshop - 1500 sqm
 - o Total GIFA - 2845 sqm

3.0 Site Description

- 3.1 The application site is located just outside of the village of Auckley, and adjacent to the north west boundary of Doncaster Sheffield Airport. The site is brownfield land, and approximately 6.45 hectares in size. The site was formerly a sand and gravel quarry and is now largely open ground with spoil heaps and banking, particularly along the eastern side. The site is bound on all sides by mature tree planting which screens views into and out of the site
- 3.2 The frontage of the site is accessed from the B1396 Mosham Road. Railway lines are located to the south of the site, whilst to the east are open fields with a garden centre beyond. Residential properties on Gate House Lane are located to the west of the site. The site is close to the Great Yorkshire Way, connecting Doncaster Sheffield Airport to Junction 3 of the M18 and providing access to and from the site with the national road network.

4.0 Relevant Planning History

Application Reference	Description	Decision
06/02257/CPE	Certificate of Lawful Use for the storage of storage of oils, plant, vehicles, equipment, scrap metals and timber; vehicle repairs, repair of heavy goods vehicles, plant and equipment and retail sales of bitumen, gravel and minerals not extracted from the site	Granted
14/00877/WCC	Outline application for Mixed Use Commercial and Industrial Development on approx. 9.6 ha of land (without compliance with condition 2 of planning application 09/01292/OUTM, granted on 28/08/09 - amendments requested to provide for an additional three years of time in which to apply for Reserved Matters).	Granted
09/01292/OUTM	Outline application for Mixed Use Commercial and Industrial.	Granted

5.0 Site Allocation

- 5.1 The site is allocated for employment uses on the Unitary Development Plan's Proposals Map, and under saved Policy EMP2.

National Planning Policy Framework

- 5.2 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 NPPF is a material consideration in planning decisions and the relevant sections are outlined below:
- 5.3 Paragraphs 7 - 11 establish that all decisions should be based on the principles of a presumption in favour of sustainable development.
- 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.
- 5.6 Paragraph 109 goes on to state that development proposals 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.
- 5.7 Paragraph 111 identifies that any developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.
- 5.8 Paragraph 127 states that decisions should ensure that developments:
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
 - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
 - f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 5.9 Paragraph 130 recognises that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 5.10 Paragraph 170 states that planning policies and decisions should contribute to and enhance the natural and local environment by.. recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland... minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures
- 5.11 Paragraph 180 recognises that decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

Doncaster Core Strategy (2012)

- 5.12 Policy CS1 states that as a means of securing and improving economic prosperity, enhancing the quality of place and the quality of life in Doncaster, proposals will be supported that contribute to the Core Strategy objectives and which in particular provide opportunities for people to get jobs and protect local amenity and are well designed.
- 5.13 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
- 5.14 Policy CS3 sets out guidance on protection and enhancement of the Countryside. The proposed development site is within a designated Countryside Protection Policy Area where development is managed. Part C) of Policy CS3 requires that proposals which are outside development allocations will only be supported where they would:
1. protect and enhance the countryside, including the retention and improvement of key green wedges where areas of countryside fulfil a variety of key functions;
 2. not be visually detrimental by reason of siting, materials or design;
 3. not create or aggravate highway or amenity problems; and
 4. preserve the openness of the Countryside Protection Policy Area and not conflict with the purposes of including land within them.

- 5.15 Policy CS4 confirms that development will be directed to areas at lowest risk of flooding. The proposed development site is within Flood Zone 1 of the Environment Agency's Flood Map for Planning and is considered to be low risk, however the former nature of the quarrying on site and the proximity to Flood Zones 2 and 3 to the east of the site requires that a robust flood risk assessment should be undertaken as part of the application and a drainage strategy implemented to ensure the development can be adequately drained. Both of these documents are submitted with the application.
- 5.16 Policy CS5 confirms that Doncaster's economy will be supported to enable improved levels of economic output and increase access to opportunities. Part C) of Policy CS5 confirms that local employment sites will generally be retained for employment purposes with alternative uses being supported where the use is appropriate in terms of scale, design and location and will not adversely affect the efficient operation of adjacent employment land or uses.
- 5.17 Policy CS14 states that all development proposals must be of high-quality design that contributes to local distinctiveness, reinforces the character of local landscapes and building traditions, responds positively to existing site features and integrates well with its immediate and surrounding local area. New development should also have no unacceptable negative effects upon the amenity of neighbouring land uses or the environment. Part C (2) of Policy CS14 also requires that all new developments must secure at least 10% of their total regulated energy from decentralised and renewable or low carbon sources.
- 5.18 Policy CS16 states that proposals will be supported which enhance the borough's landscape and trees by:
1. being appropriate to the landscape's character, sensitivity and capacity;
 2. including measures to mitigate any negative impacts on the landscape;
 3. ensuring designs are of high quality, include appropriate hard and soft landscaping, a long-term maintenance plan and enhance landscape character while protecting its local distinctiveness; and;
 4. retaining and protecting appropriate trees and hedgerows, and incorporating new tree, woodland and hedgerow planting.
- 5.19 Policy CS17 Part (b) requires that the Growth and Regeneration Strategy (Policy CS2) emphasises deliverable urban brown field sites. However, where any risks to ground conditions arising from contamination or previous land uses are identified, proposals will need to incorporate measures to prevent, control and reduce air and water pollution, mitigate any ground instability and enhance the quality of these resources.

Saved Policies of the UDP

- 5.20 Policy EMP2 allocates the site for employment uses, referenced as site 22 Mosham Rd Auckley, where proposals for B1, B2 and B8 uses will normally be permitted.
- 5.21 Whilst specifically allocated for employment uses, the site is surrounded by the Countryside Policy Area, where policy ENV2 is pertinent. This states that the Council will maintain a Countryside Policy Area in the Eastern Part of the Borough covering all countryside outside of the Green Belt. The purposes of the Countryside Policy is to:

- Assist in safeguarding the countryside from encroachment
- To provide an attractive setting for towns and villages
- To prevent settlements from Coalescing
- To provide opportunities for outdoor sport and recreation near urban areas
- To retain land in agriculture, forestry and nature conservation use
- To protect other non-renewable resources
- To assist in regeneration by directing development towards urban areas and strategic allocations
- To sustain rural communities and a diverse rural economy

5.22 Policy ENV53 states that 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
- b) Views across open countryside; or
- c) Views of important landmarks

5.23 Policy ENV59 advises that proposals for new development will need to protect existing trees, hedgerows, wetland habitats, watercourses and other natural landscape features and will require that new developments do not cause unnecessary loss of trees, nor imperil trees by building works.

Emerging Local Plan (Submission 2020)

5.24 The Local Plan has been formally submitted for examination on 4th March and an Inspector has been appointed therefore the Local Plan is now under examination. Paragraph 48 of the NPPF states that the LPA may give weight depending on the stage of the Local Plan and 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). When the local plan was published under Regulation 19 in August 2019, all of the policies were identified as carrying 'limited weight' for the purposes of determining planning applications. Taking into account the remaining stages of the local plan process, it is considered the following levels of weight are appropriate between now and adoption dependant on the level of unresolved objections:

- Substantial
- Moderate
- Limited

The Council has now sent out the notice of examination (regulation 24 stage) and is aiming to adopt the Local Plan by winter 2020. The following policies are considered appropriate in assessing this proposal and consideration has been given to the level of outstanding objections resulting in appropriate weight attributed to each policy:

5.25 The emerging Local Plan identifies the site as an Employment Allocation with permission under Policy 4.

5.26 Policy 14 seeks to promote sustainable transport within new developments. Limited weight.

5.27 Policy 30 concerns the suitable protection of ecological networks. Limited weight.

- 5.28 Policy 31 deals with the need to value biodiversity. Limited weight.
- 5.29 Policy 33 states that the design process should consider woodlands, trees and hedgerows. Substantial weight.
- 5.30 Policy 42 deals with character and local distinctiveness. Moderate weight.
- 5.30 Policy 49 concerns the landscaping of new developments. Limited weight
- 5.31 Policies 55 and 56 deals with pollution and on site contamination. Limited weight.
- 5.32 Policy 57 requires the need for satisfactory drainage including the use of SuDS. Moderate weight

Auckley Neighbourhood Plan

- 5.33 Residents of Auckley have started to progress a Neighbourhood Plan to help guide development in the village boundaries. The proposed development site is within the Neighbourhood Plan designated area designated on the 11th June 2018.
- 5.34 The Neighbourhood Plan steering group undertook a Householder Survey in 2018 to form the evidence base for the Neighbourhood Plan. The Survey results identified some demand for flexible workspace within the village and immediate area.
- 5.35 The Neighbourhood Plan is in draft format and there are no draft policies as yet which can be applied to the proposed development at the time of submission to the Local Planning Authority.

Other material planning considerations

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

Development Guidance and Requirements SPD (July 2015)

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

Development and Flood Risk SPD (October 2010)

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

- 5.39 Other Council initiatives include:

- The Doncaster Green Infrastructure Strategy 2014 - 2028
- Doncaster's Economic Growth Plan 2013-18
- Doncaster's Borough Strategy 2014

- Doncaster Health and Wellbeing Strategy 2016- 2021
- Doncaster Growing Together

6.0 Representations

- 6.1 This application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015 by means of site notices, council website, press advertisement and neighbour notification.
- 6.2 Objections have been received from 5 local residents to the application. The main issues raised include the impact of proposal upon the local road network and the additional traffic generated, noise and disturbance, the impact upon ecological interests within the site, and surface water drainage concerns.
- 6.3 Local Ward Member Cllr Cox has expressed his concern with the proposal, stating that routing of traffic via Hurst Lane would not be appropriate.
- 6.4 A representative from the Yorkshire Wildlife Park has provided comment, not objecting to the scheme, however seeking to ensure that the transportation issues associated with the proposal have been properly assessed.

7.0 Parish Council

- 7.1 Auckley Parish Council have made the following comments;

"It is noted that paragraph 3.4.3 of the Transport and Assessment Statement/Strategy states that the workshop and yard operational times will be 0800 - 16.30 Monday - Friday, and 0800 - 12 midday Saturdays. However, movement of crane parts can take place between 0500 - 2200 to suit erection and dismantling schedules. Members of Council have serious concerns that movement of crane parts at 0500 hours will create an unacceptable noise nuisance for residents living on Gatehouse Lane.

With regard to public transport - paragraph 2.3.1 of the Transport and Assessment Statement lists the nearest bus stops to the application site at Gatehouse Lane are approximately 4.5m from the centre of the site, and implies that there is a regular bus service along Gatehouse Lane. However, since new bus routes were implemented in 2019, no buses now operate along Gatehouse Lane."

- 7.2 Blaxton Parish Council have also provided comment, stating that they feel the proposal is unacceptable in transportation terms, and does not properly take account of existing and proposed traffic flows in the area.

8.0 Relevant Consultations

- 8.1 **DMBC Trees & Hedgerows** - no objections subject to a condition to ensure the protection of retained trees on the site.
- 8.2 **DMBC Environmental Health** - no objections, suggest conditions for construction management plans and restricted noise limits from the site.
- 8.3 **DMBC Drainage** - no objections, suggest conditions to agree drainage details prior to commencement.

- 8.4 **DMBC Highways** – Initially requested details over turning areas, visibility at the junction, and for the scheme to be subject to a Stage 2 Road Safety Audit. The applicants provided the requested details, and no objections are raised.
- 8.5 **DMBC Ecology** – Initially objected to the scheme, requesting that further survey work in respect of bats, reptiles and great crested newts be carried out. The applicants provided this information, together with a biodiversity net gain assessment. Following receipt, no objections are raised, subject to a condition for onsite enhancement works, and for Biodiversity Net Gain to be delivered through s106.
- 8.6 **DMBC Built Environment** – No objections, request conditions around building materials, crane colour and finish, fencing, landscaping and renewable energy use and BREEAM requirements.
- 8.7 **DMBC Transportation** – no objections to the scheme, query frequency of buses to the site as claimed in Transport Statement, recommend Travel Bond to be secured via s106.
- 8.8 **DMBC Internal Drainage** – no objections to the scheme, request detailed drainage arrangements to be agreed prior to development.
- 8.9 **Environment Agency** – raise no objections to the scheme.
- 8.10 **DSA Safeguarding** – raise no objections, subject that a Line of Sight Radar assessment takes place to assess the potential radar interference caused by the crane structures, and to agree any suitable mitigation measures. In addition, the airport have recommended a maximum height the crane structures could be constructed (which they are well within), that any changes to the proposed ground levels will require further assessment, and for a scheme of lighting to be agreed.
- 8.11 **Yorkshire Water** – raise no objections to the scheme, suggest condition to ensure that there shall be no construction in proximity to a water main running along the Mosham Road frontage.
- 8.12 **National Air Traffic Service (NATS) Safeguarding** – raise no objections to the scheme.

9.0 Assessment

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

- Principle of development;
- Impact on Amenity
- Design and Impact on the character and appearance of the area
- Ecology
- Trees and Landscaping
- Highway safety and traffic
- Flooding
- Noise
- Air Quality
- S106 obligations
- Overall planning balance

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

SUSTAINABILITY

9.2 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

9.3 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

Principle of Development

9.4 The site is designated as an Employment Site in the Doncaster UDP. Schedule 3 of saved Policy EMP2 lists the site as site 22 - Mosham Road, where only use classes B1, B2 and B8 will normally be permitted, whilst proposals for other industrial, business or commercial uses will be considered on their merits in accordance with other relevant plan policies.

9.5 In the emerging Local Plan the site is also proposed as an Employment Allocation under Policy 4. Assessed against this policy, the proposed use would be acceptable in principle.

9.6 The site benefits from a Certificate of Lawful Use for the storage of oils, plant, vehicles, equipment, scrap metals and timber; vehicle repairs, repair of heavy goods vehicles, plant and equipment and retail sales of bitumen, gravel and minerals not extracted from the site (Ref: 06/02257/CPE). The lawful use of the land already allows for storage of plant, vehicles and equipment. This planning application seeks to build upon this lawful use.

9.7 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 new employment development which brings forward inward investment and the creation of new jobs, as well as associated socio-economic benefits.

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

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.

9.8 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 the relocation into the borough of a large established employer, bringing across circa 70 jobs, as well as 5 apprentice places

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.

The relocation of the business will provide future 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. 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, which is of benefit to the occupiers. Being close to the airport enables direct links to international markets.

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 and the impact upon the character of the surroundings, this will be discussed later in the report. That notwithstanding, the application includes a range of key design principles, visual impact assessments and sustainability information.

9.9 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.

- 9.10 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.
- 9.11 Taking all of this into account, it is clear that the principle of development is acceptable in this location, being in accordance with both national and local planning policies, and representing an important economic investment in the Borough.

Impact on Residential Amenity

- 9.12 The nearest residential properties lie approximately 150m at the closest point to the west of the site on Gate House Lane. Further properties are located around half a kilometre to the east of the site on Mosham Road.
- 9.13 In terms of the impacts upon residential amenity, the main potential causes of disturbance would be around operational noise, lighting and comings and goings. The Council's Environmental Health Team have been consulted as part of the application process.
- 9.14 It is proposed that the site offices would operate between 07:30-18:00 hours and the workshop / yard between 08:00-16:30 hours. It is stated that HGVs may occasionally be required to deposit or collect pre-prepared trailers between 05:00 and 22:00 hours, although this would be very infrequently, typically two occasions per week.
- 9.15 The applicants have provided a noise survey with the application, which sets out the baseline noise levels and closest sensitive receptors, as well as the principal noise sources associated with the proposal. Those are stated to be;
- Noise associated with the paint shop external plant.
 - Noise associated with dismantling crane sections.
 - Noise associated with loading operations.
 - Noise associated with HGV movements.

The report expands upon the specific activities within these sources which would cause noise, and the frequency with which they would take place. For instance, in terms of HGV movements, this would be 2 per hour, whilst there would be 10 instances of cranes being dismantled in a week.

- 9.16 The closest sensitive receptors are mentioned above, and the Council's Environmental Health Team note that existing ambient and background noise levels in these areas are already elevated due to the presence of road traffic and the nearby airport. The report finds that, although some of the activities will produce noise that could be noticeable at the closest receptors, the levels and duration of the noise events will be such that they will have only a minimal or negligible impact. Being a former quarry the site is characterised as industrial in nature so the development is in keeping with that.

- 9.17 A condition is proposed to ensure that noise levels from the operation of the site do not exceed agreed background noise levels at the closest noise receptors. Additional conditions to ensure construction activities are controlled are also suggested.
- 9.18 The applicants have also provided a Lighting statement, which contains an outline lighting strategy. The main potential source of harm would come from lighting columns used to light the crane storage yard, which would typically stand to around 25m in height. As previously mentioned, the closest residential properties are located to the west of the site, and would be some 150m from the closest edge of the storage yard. Further mitigating this is a mature belt of trees in front of the dwellings on the eastern side Gate House Lane which effectively screen the site from view. Given this, and in the absence of an objection from Environmental Health, a condition to agree the detailed lighting design on the site is considered to be adequate.
- 9.19 In terms of HGV movements, as already discussed, this is anticipated to be up to 20 no. HGV movements per day (i.e. between 08:00 and 16:30 hours), which equates to 2 no. HGV movements per hour. This is considered to be a very low level of movement, certainly when compared to other more typical industrial / employment occupiers. Given that the site currently has an outline permission for mixed commercial / employment use, this low level of vehicle use is considered to be betterment, and certainly does not add any significant amount of additional HGV movements on to the local road network.

Conclusion on Social Impacts

- 9.20 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.
- 9.21 In conclusion the proposal would not adversely affect neighbouring residential properties by virtue of the separation between the proposed buildings and existing properties, and the level of activity proposed. 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

Design and visual impact of the proposal

- 9.22 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".

- 9.23 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."
- 9.24 As previously described, the site is brownfield land, and approximately 6.45 hectares in size. The site was formerly a sand and gravel quarry and is now largely open ground with spoil heaps and banking, particularly along the eastern side. The site is bound on all sides by mature tree planting which screens views into and out of the site. The site is currently accessed in the northwest corner, with two entrances located close together on Mosham Road. There is no boundary fence therefore the access points are secured by large lumps of concrete. In recent months the site has been cleared of some spoil mounds, although a number remain, along with partially demolished buildings and structures.
- 9.25 The frontage of the site is accessed from the B1396 Mosham Road. Railway lines are located to the south of the site, whilst to the east are open fields with a garden centre beyond. Residential properties on Gate House Lane are located to the west of the site. The site is close to the Great Yorkshire Way, connecting Doncaster Sheffield Airport to Junction 3 of the M18 and providing access to and from the site with the national road network.
- 9.26 In terms of the wider context, the site is located approximately 8.5kms south east of Doncaster town centre. It lies to the south of Mosham Road (B1396), 580m southeast from the village of Auckley and 900m to the west of Blaxton village. The Doncaster to Lincoln railway line runs immediately adjacent to the southern site boundary, with Doncaster Sheffield Airport located on the other side of the railway. The airport and wider estate have been subject to extensive redevelopment over recent years, including the construction of Great Yorkshire Way, linking the airport directly to the M18.
- 9.27 Agricultural land lies to the north of the B1396, between the M18 and the A614 Thorne Road. It primarily comprises large-scale arable fields and isolated farmsteads, with drainage ditches running north to south. The canalised River Torne runs in a south west-north east direction through this area. Extensive views over this open and low-lying landscape can be gained from the north of Mosham Road, opposite the site. Beyond the western boundary, Gate House Lane separates the site from a small strip of residential development on the eastern side of the road. Beyond this lies a former sand quarry, which has been disused for the last 60 years. To the east of the site, adjoining the railway, are a series of agricultural fields with dense conifer planting to boundaries. Airfield landing lights extend into the fields further to the east. Land immediately to the south of the B1396 is occupied by the extensive Walkers Nurseries development, comprising a garden centre and various Show Garden areas, one of which extends to the eastern boundary of the site.
- 9.28 The proposed scheme is located in the eastern half of the overall site, with the western side not subject to this application. The development is comprised of 2 distinct areas. A landscaped area to the north will include the northern section of the proposed main building on the site, which will contain the office and welfare

facilities and be accessed from this section of the site. The northern section of the site will also include the private access road which gives access to the large parking area running parallel to Mosham Road behind the landscaped buffer, and further access to the second and larger section of the site, the crane hardstanding.

- 9.29 The southern part of the site is the storage and working yard section, which contains the two required permanent cranes, storage, and the southern part of the main building, which houses the workshop areas. The hardstanding area will also include provision for HGV parking to the South of the site, along with crane loading facilities, and a gate house entrance to the north-western corner of the area.
- 9.30 It is proposed that the boundaries of the site will maintain the existing mature trees and hedgerows which provide an effective buffer. The car parking provision to the north of the scheme includes 58 standard car parking spaces and an additional 11 accessible car parking spaces, with a total of 69 spaces. 10% of these will be used for the charging of electric vehicles. The crane yard has space allocated for the parking for 20 heavy goods vehicles.
- 9.31 As described above, the site will house one large building sub-divided into 2 distinct sections, with the northern section housing office and welfare facilities, and the southern section containing the larger workshop spaces. The building will stand to an overall height of 12.7m, with a flat roof over and a modern contemporary look. The northern elevation is positioned with views to the boundary and Mosham Road, with the upper level faced being glazed over two floors, framed by a grey cladding. The glazing is proposed to wrap around onto the eastern and western side elevations, with metalwork bracing used to add interest and detail to the façade. The ground floor level is alternatively constructed with a grey brick facade, and includes the triple height entrance atrium and stairwell that provides access to the office levels and the ground floor reception area. The larger southern section of the building is made distinct with a clear change in materials and colour of the exterior cladding. The southern workshop section of the building features 4 HGV access doors on both the eastern and western elevations.
- 9.32 The Council's Built Environment team have been consulted as part of the application, and raises no objections to the proposals. It is noted that for the use proposed, and considering the previous permission, the design is an appropriate response. The importance of retaining and improving the boundaries of the site through landscaping is recognised and welcomed. The landscaping scheme itself is deemed to be acceptable by both the built environment and tree officers, however a condition is recommended to secure a detailed planting and maintenance specification, which deals with how the planting scheme will be implemented from ground preparation to aftercare.
- 9.33 The design of the building itself does not raise significant concerns, and the applicants have amended the height of the parapet to the rear section of the building to reduce some of the overall bulk and massing of the building following comments made by the Built Environment team.
- 9.34 The applicants have provided sustainability information with the application, noting the requirements of Policy CS14 for such proposals to achieve BREEAM Very Good, and to secure at least 10% of energy from renewable sources, or an equivalent carbon saving. The build materials proposed for the office / welfare building and the workshop would be as energy efficient as possible and energy would be sourced in accordance with Policy CS14 and BREEAM guidance. The

applicants have also appointed consultants to undertake a BREEAM pre-assessment with works ongoing and certificates to demonstrate compliance. The building also includes cycle storage facilities and electric vehicle charging points.

- 9.35 On the basis of the above, the scheme is considered to be acceptable in design terms, meeting the criteria of CS14. Conditions are recommended to secure details of external materials, the colour and finish of the 2 tower cranes, fencing details, landscape management, and BREEAM and renewables.
- 9.36 In terms of the visual impact of the proposal, this will obviously come from the 2 travelling cranes positioned within the site, which are mounted on tracks running in a north south direction. These are used to lift and load the various crane components stored in the yard. Crane TC1 stands to a height of 34m, whilst Crane TC2 stands to a height of 32m. When out of service, the travelling cranes will be stored in a north-south orientation at least 160m away from the Gate House Lane boundary and 75m away from the boundary with Walkers Nurseries.
- 9.37 To accompany the planning application, the applicants have undertaken a Landscape / Visual Impact Assessment. 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.
- 9.38 The Assessment covers a study area with an approximate radius of 3km from the centre of the site. It includes the immediate properties around the site as well as the wider surrounding landscape to the north, villages of Blaxton, Auckley and Finningley, Doncaster Sheffield Airport and the surrounding public rights of way and road networks. There are no landscape designations within the site or the 3km study area. Two Parks and Gardens of Local Historic Interest (Cantley Hall and Rossington Hall Gardens) lie just outside the 3km study area. The Finningley and South Bessacarr Conservation Areas lie within the study area, as well as number of Listed Buildings within the surrounding villages.
- 9.39 Within the Councils adopted "Doncaster Landscape Character Assessment and Capacity Study", the site falls within Landscape Character Area H2; 'Blaxton to Stainforth Sandland Heaths and Farmland'. This is a large character area that extends from the south of Doncaster Sheffield Airport to just south of Thorne and from eastern Doncaster across to the authority boundary. The key characteristics are noted to be;
- Flat low-lying floodplain with Sherwood sandstone overlain by gravel and sand.
 - Medium to large scale intensive arable farmland with rectangular fields and fragmented and missing hedge boundaries and frequently lined with bracken.
 - Scattered farms with diversifying and recreational land uses.
 - Network of larger drains and smaller wet ditches.
 - Numerous sand and gravel extraction sites including restored areas.
 - Occasional mixed deciduous and coniferous woodlands.
 - Occasional heathland and small remnants of roadside heath land vegetation including both bracken and gorse.
 - Small rural settlements scattered in the east, and large former mining settlements in the west.
 - Major transport routes including motorway and railway

The assessment of Landscape Quality considers the LCA to have 'Moderate Quality'. This reflects the good condition of the arable farmland areas and the diverse character that is indistinct in areas. The assessment considers the LCA to demonstrate 'Moderate Value'. The study identifies the types of sensitive viewers that may be affected by changes to visual amenity within the character area as being residents on the edges of the larger settlements in the area, residents of the smaller rural settlements, farms and isolated dwellings, recreational viewers using public rights of way and recreational facilities, and less sensitive viewers traveling the many major roads and also aircraft coming into land at the airport.

- 9.40 In general, the character area includes a large amount of land falling outside of the designated Countryside, including three villages (Auckley, Blaxton, Branton), also the extensive area of urban development encompassing Doncaster Sheffield Airport and associated villages of Finningley and Hayfield Green. It is also noted that substantial areas of land are proposed for development around the airport both within the DSA Masterplan, and the proposed Doncaster Local Plan.
- 9.41 The Character Assessment also makes a judgement on the capacity of each character area to withstand specific forms of development, which includes housing, employment, mineral workings, windpower and more. In assessing the capacity for strategic employment, the assessment notes that whilst large-scale industrial development is not characteristic of the wider Character Area, there are several ongoing developments around the northern side of Robin Hood Airport. A Detailed Strategic Employment Survey was therefore prepared for land on the northern edge of Robin Hood Airport. This notes that land between the northern edge of the airport and the southern edge of the B1396 has an indistinct character, due to the poor condition of landscape elements, fragmented and diverse land uses (nurseries, quarries, railway, airport fuel depot and busy roads), the dominant influence of existing and new urban development and the lack of tranquillity and remoteness. As a result, the landscape capacity in this area is judged to be High.
- 9.42 The judgement on the Landscape Capacity for Windpower is considered relevant to this assessment, due to the tall, vertical elements common to both forms of development. The study considers the LCA to have 'Low to No Capacity for Windpower' due to the scale of the turbines in comparison to the flat landscape and small and medium sized fields, the high number of sensitive viewers on the edge of settlements and the limited scope for mitigation.
- 9.43 Within the immediate context of the landscape has a distinctly mixed character. The settlement areas associated with the airport and the villages of Auckley, Branton and Blaxton result in a significant urban influence across this area. The activities of the airport, with landing planes, screening and lighting infrastructure also exert a strong influence.
- 9.44 In assessing the impacts, within and around the site, views of the office buildings, car parking, site infrastructure and crane section storage (maximum height 15m) can generally be contained within the site boundary, and only slight adverse impacts will be experienced by adjoining properties during winter months. Landscape mitigation measures include additional planting to the site perimeter and intermediate boundary to enhance the screening effects of existing vegetation. The site is designated as an employment site under UDP saved policy EMP2 and has extant planning permission for mixed-use development up to 17m in height, therefore any slight adverse impacts experienced are not considered to be out of character or scale with the receiving environment.

- 9.45 In terms of the impact of the scheme to the surroundings within 1km of the site, it is considered that there will be perceivable changes to the local landscape character however the setting of landscape, heritage or ecological designations will not be affected. Although land within the immediate setting is included within Landscape Character Area H2, it is recognised that the character area also includes large areas of Settlement. For this reason, the southern end of the LCA is considered to demonstrate lower levels of sensitivity to development. The immediate setting of the site does encompass areas of designated countryside, although it is a landscape undergoing transitions due to the recent construction of the Great Yorkshire Way and associated housing and employment development. Further development of countryside areas proposed within the Airport Masterplan and Local Plan will further exacerbate this change. Capacity studies undertaken as part of the Landscape Character Assessment recognise that this belt of land has an indistinct but diverse landscape character with a high capacity for employment uses. In this context the creation of a new employment site on land formerly used for quarrying activities is not considered to represent an unacceptable change in land use. The change in views will primarily be experienced by receptors to the west, east and south of the site, where they adjoin large-scale agricultural landscapes. For most receptors, the Airport and surrounding settlement provides a strong influence on existing views, and the introduction of crane activity above the horizon is not considered to be out of keeping within this context. To the immediate north of the site, views from the countryside will be restricted to farmworkers and the limited number of properties at the southern edge of Auckley.
- 9.46 Looking further afield with the wider study area, the change in landscape character will be perceivable in this areas where open landscape or countryside facilitate views of the cranes. It is not considered that these changes will affect the setting of landscape, heritage or ecological designations. To the north and south of the site extensive views of the site can be gained over open countryside, the airport runway and associated development. The number of highly sensitive receptors exposed to this change is limited though, with a small number of isolated farmsteads to the north and no residential properties within the southern airport area. The public footpath network is also limited in extent, and lacks wider connectivity which would encourage greater use than is the case. The greatest number of visual receptors that will be exposed to a change in view will be road users (A614) and farm workers. The two crane structures will be visible above field boundaries and woodland blocks, but their slender appearance means they will only occupy a very small proportion of the view, and will appear lower against the horizon than other manmade structures, such as pylons on the 400kv Thorpe Marsh to Stalybridge overhead transmission line. As users focus will not generally be fixed on the skyline for significant amounts of time, the change in view is not considered to represent a significant adverse impact.
- 9.47 On this basis, whilst it is acknowledged that the scheme will result in a change to some of the views within the surrounding area, given the location of sensitive receptors, surrounding land uses and existing boundary treatments, the scheme is considered to be acceptable in terms of its visual impact.

Highways and Transport

- 9.48 As part of the application a full Transport Statement and Travel Plan have been undertaken by the applicants, which details the proposed access arrangements and

impact of the development upon the local highways network, together with the estimated vehicle trip generation and parking provision.

- 9.49 The applicants agreed the scope of the Transport Statement with the Authority prior to submitting, and cumulative impact on the highways network has been fully assessed including access via Hurst Lane, vehicle movements past the Hayfield School and the addition of the recently approved new entrance to the Yorkshire Wildlife Park off Hurst Lane. The majority of traffic travelling to the site would be accessed from Junction 3 of the M18, eastwards on the Great Yorkshire Way, northwards on Hurst Lane and eastwards on the B1396 Mosham Road with a single access road into the site.
- 9.50 As previously mentioned in the report the offices operate between 07:30-18:00 hours and the workshop / yard between 08:00-16:30 hours. The Transport Assessment concludes that the weekday AM peak hour on the local highway network is 07:45 to 08:45 and the PM peak hour is 16:45 to 17:45. It is therefore unlikely that all staff will be travelling to and from the Site in the AM and PM peak hours respectively.
- 9.51 The Transport Statement shows that the development is forecast to generate 23 2-way vehicle movements in the AM Peak Hour and 15 2-way vehicle movements in the PM Peak Hour. In addition to this, there could be an average of 4 movements of large HGVs and a further 3 standard HGV movements per day. This level is not considered severe by the Transportation Team. For context, the traffic generation associated with the extant planning permission are 188 vehicle movements in the AM Peak and 176 vehicle movements in the PM Peak. The proposed development is forecast to generate considerably less traffic movements than the extant planning permission allows.
- 9.52 The proposed access road is shown positioned slightly further to the east than the existing access road, now being more centrally located on the site frontage to allow for adequate visibility splays.
- 9.53 69 parking spaces are proposed for the development, 11 of which would be available for disabled drivers. There will also be provision made for Electric Vehicle Charging Points. The level of parking is considered to be acceptable for the size of the proposal.
- 9.54 No objections have been received from the Council's Transportation Team to the proposal. As already mentioned, the predicted trip generation (which is based obviously on the existing business practices) is considered to be low and not severe, being 23 2-way vehicle movements in the AM Peak Hour and 15 2-way vehicle movements in the PM Peak Hour. As also mentioned, this is considerably less than traffic generation associated with the extant planning permission.
- 9.55 The Council's Highways Development Management Team have also been consulted as part of the application process. Further details were requested from the applicants, namely a full swept path analysis of the site, and visibility of the access junction using the appropriately sized articulated vehicle. A Road Safety Audit of the proposed access arrangement was requested. The applicants provided the requested details, and the Highways team have confirmed that the site layout is satisfactory, with vehicles able to safely enter and leave the site, and manoeuvre within it.

9.56 On this basis, the proposal is considered to be acceptable in terms of its impact upon the local highway network, and would be able to operate in a safe and acceptable way. A transport bond is recommended to be secured via s106, to ensure that appropriate mitigation measures can be implemented should single occupancy vehicle movements fail to meet the targets outlined within the submitted Travel Plan.

Trees and Ecology

9.57 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.

9.58 The Council's Tree Officer initially provided comments on the proposals, querying whether the existing bunding along the site frontage on to Mosham Road was to be retained, and if so whether adjustments could be made to the site remediation proposals to allow for the retention of a group of 4 mature oaks. In response, the applicants provided updated information in relation to the proposed earthworks and their impacts upon the trees within the site, and showed that this group could indeed be retained.

9.59 The scheme proposes the retention of the vast majority of the trees within and bounding the site, with either no impacts or some canopy lifting. One smaller group of trees is proposed for removal which are positioned within the proposed car parking area, and it is proposed their loss will be mitigated through additional planting within the site. Given the very small loss overall of trees and adequate mitigation proposed, the Council's Tree Officer has raised no objections to the proposals. The proposed landscaping scheme shows additional woodland planting mix along the site frontage to bolster the exiting planting in this location. The landscaping scheme is considered to be acceptable in terms of both numbers and species type, however a condition is recommended to ensure that the landscaping scheme is delivered in accordance with the approved details, and for any planting that fails within 5 years to be replaced within the next planting season. Overall, the scheme is considered to be acceptable in terms of its impacts upon trees.

9.60 The applicants have also provided an initial preliminary ecological assessment with the application, and the Council's ecologist has provided comments on the information submitted. As stated previously in the report, the application site a former sand and gravel quarry which has been disused for some time. As such the site has come to be overgrown with a variety of natural habitats having begun colonisation to varying degrees, from bare concrete ground to self-set trees becoming established.

9.61 The preliminary assessment noted the following habitat types across the site; Scrub, short ephemeral, rank grassland, hardstanding and buildings, Hedgerow and trees. Open mosaic habitat land has been identified on the land immediately adjoin

to the east of the application site however this will not be impacted by the proposed development. The habitats within the site are not considered to be unique, and are typical of such a brownfield site, however were shown to have the potential to host protected species such as bats and reptiles, whilst the presence of great crested newts was also considered to be a possibility due to the presence of nearby, but offsite, ponds and suitable terrestrial habitat within the site.

- 9.62 The Council's ecologist initially objected to the scheme, due to the absence of survey data to demonstrate whether any of the aforementioned species were present within the site, and lack of mitigation details if they were. On this basis, the applicants carried out the various surveys over the summer months and submitted these as additional information.
- 9.63 The survey results showed no evidence of reptiles or great crested newts on the site. Multiple bat surveys were undertaken over Autumn '19, Spring '20 and Summer '20, which showed that the site was of relatively low importance to bats, with low activity being measured on each occasion. The activity that was measured focussed along existing field boundaries. The proposals show the current landscaped boundaries being retained, and it is considered that the proposed development would be unlikely to impact significantly on local bat populations. It is recommended that in terms of mitigation, sensitive lighting should be provided, and additional landscape planting should incorporate species that maximise value to bats.
- 9.64 The Council's ecologist has assessed the updated information, and raises no objections to the findings or proposed mitigation measures. Paragraph 170 of the NPPF states that development should deliver and contribute towards a net gain in biodiversity. At present, there is no standardised approach, however the Government has reintroduced the Environment Bill, which is currently making its way through Parliament. Although the detail may be different when it comes into force, the draft provisions indicate that "biodiversity net gain" requires development to deliver at least a 10 per cent improvement in "biodiversity value".
- 9.65 In this case, the Metric assessment shows that the development would result in a net loss of 3.99 Biodiversity Units. The Council's Ecologist has suggested that given the constraints of enhancement to the unbuilt parts of the site, appropriate mitigation can be secured via bio-diversity offsetting with a contribution through the environmental bank to deliver a scheme which provides a net gain contribution towards bio-diversity in line with the requirement of the NPPF. Alternatively, should the Council adopt a tariff approach towards delivering projects itself, then a financial contribution of equal or higher value to the unit loss is to be proposed. Either approach will be secured via a section 106 agreement. Regardless of who would deliver it, this would be put towards an offsite habitat creation / restoration project aiming to deliver the required units in order to meet the policy requirement.
- 9.66 A condition is to be imposed requiring the submission of an Ecological Enhancement Plan to be submitted prior to commencement of the development in order to provide as much on site bio-diversity mitigation as possible via landscaping and other measures. As noted above, the requirements to include bio-diversity offsetting will be delivered through the Section 106 Agreement. Subject to the above, the application will comply with Policy CS16 and the requirements to protect and enhance green infrastructure.

Drainage and Flooding

- 9.67 Policy CS4 of the Core Strategy requires a proactive approach towards the management of flood risk and drainage. A Drainage & Flood Risk Assessment has been submitted with the application, and the Council's Drainage team, the Environment Agency, and Yorkshire Water have been consulted with the proposals.
- 9.68 The application site is located entirely with Flood Zone 1 of the Environment Agency's flood maps, and so is considered to be at low risk from flooding. This notwithstanding, the site's former use as a quarry and the presence of flood zones 2 and 3 to the east of the site have been taken into account within the assessment.
- 9.69 In terms of the risk of flooding from surface water, the EA maps show small localised areas of surface water flooding on the site, which are associated with low areas in the topography - basically where water can pool after heavy rainfall. There are no overland flow routes that drain through the site, and so the flood risk from surface water is considered to be low. In terms of the risk from groundwater, the site is an area where only a small part has geological and hydrogeological conditions where groundwater might emerge. Likewise, given the topography of the site and lack of public sewer infrastructure in the vicinity of the site, flood risk from sewers is considered to be low.
- 9.70 The drainage strategy confirms that the proposed site drainage will consist of a separate surface and foul water drainage system. The drainage assessment sets out the preferred methods of surface water proposal, with the use SuDS and onsite attenuation to achieve the acceptable run off or infiltration rates.
- 9.71 No objections have been received from the EA, Drainage Team or Yorkshire Water to the proposals, recommending conditions to ensure that the detailed drainage solutions are agreed prior to the commencement of any development.

Air Safety

- 9.72 Given the sites proximity of less than a kilometre from the end of the runway at Doncaster Sheffield Airport, the applicants have been in detailed discussions with the airport's safeguarding team over the impact of the 2 permanent cranes on the site upon flights coming in and out and the safe operation of the airport.
- 9.73 The applicants engaged with the airport prior to the application being submitted, and the safeguarding team have confirmed that they have no objections to the scheme subject to certain criteria. It is recommended that a Line of Sight Radar assessment takes place to assess the potential radar interference caused by the crane structures, and to agree any suitable mitigation measures. In addition, the airport have recommended a maximum height the crane structures could be constructed (which they are well within), that any changes to the proposed ground levels will require further assessment, and for a scheme of lighting to be agreed.

Pollution

- 9.74 Policy CS18 of the Core Strategy states that proposals will be supported where they contribute towards protection and enhancement of the Borough's air, water and land resources.
- 9.75 The applicants have provided a geo environmental desk study as part of the application, and the Council's Pollution Control team have been consulted. Given the previous use of the site, there have been previous site investigations and risk assessments. The assessment identifies areas of the site where higher levels of contaminants are present, recommending further sampling and appropriate works to remediate the site accordingly. The Pollution Control Officer agrees with the content of the report, and has recommended that a condition is imposed requiring an assessment is undertaken to ensure there is no risk to human health from any contaminants via inhalation, ingestion and contact.
- 9.76 The proposal complies with the principles of Policy CS18 that seek to ensure that Doncaster's air, water and land resources will be conserved, protected and enhanced. The compliance with this policy attracts neutral weight in the overall planning balance.

Conclusion on Environmental Issues

- 9.77 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.
- 9.78 In conclusion of the environmental issues, it is considered that there has been no significant issues raised which cannot be adequately mitigated when weighed against the benefits of the scheme. As such, significant weight can be attached to this in favour of the development.

ECONOMIC SUSTAINABILITY

- 9.79 The proposed development proposes the relocation into the borough of a large established employer, bringing across circa 70 jobs, as well as 5 apprentice places, which results in increased business rates for the borough, as well as providing future 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.

Other matters

- 9.80 The proposal has been screened under the Environmental Impact Assessment (EIA) Regulations. The development is classed as Schedule 2 Development, however was not considered to meet the criteria to invite an EIA.

8.0 Planning Obligations

- 10.1 Paragraph 54 of the NPPF states that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through

the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

10.2 In paragraph 56 it is stated 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.

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

Ecology

10.2 The Metric assessment of the site shows that the development would result in a loss of 3.99 units. The NPPF requires planning applications to demonstrate a net gain in biodiversity and therefore either a scheme of equivalent or greater value is to be provided off site or a commuted sum will delivery an offsite habitat creation / restoration project aiming to deliver the required units.

Transportation

10.3 A Travel Plan Monitoring and Transport Improvement Bond has been proposed to mitigate the impacts if Travel Plan targets are being missed. The purpose of the Bond is to ensure that the targets presented in the Travel Plan can be achieved relating to the mode shift towards sustainable travel (public transport, walk, cycle, car share etc.). If the Travel Plan targets are not met, the Council would introduce measures to encourage sustainable travel using the Bond. The costs associated with the Bond is £8945.42.

9.0 PLANNING BALANCE AND CONCLUSION

11.1 The proposal will bring forward an established business on to a brownfield site, delivering new employment opportunities within the borough. The site is allocated for such employment uses within local planning policy allocations, and also benefits from an extant outline permission for more general non-specific employment uses. The proposal would represent betterment in terms of the impacts upon the local highways network than is currently approved. Subject to conditions, it is considered that the proposal is acceptable without having significant adverse impacts, and so the benefits of the scheme weigh most heavily in the balance of considerations.

11.2 The NPPF require a presumption in favour of sustainable development. This development will enhance, improve and make effective use of a long disused prominent brownfield site within the borough which has been allocated for such uses, whilst delivering jobs and increasing the local economy. It is on this basis that it is recommended that planning permission be granted subject to the relevant conditions and obligations.

12.0 RECOMMENDATION

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

(A) THE PROVISION OF DETAILS AND MECHANISM TO DELIVER A SCHEME OF BIO-DIVERSITY NET GAIN EQUAL OR GREATER TO THAT IN MITIGATION OF THE DEVELOPMENT.

(B) A TRANSPORT IMPROVEMENT BOND WOULD BE SET AT £8945.42

THE HEAD OF PLANNING BE AUTHORISED TO ISSUE THE PLANNING PERMISSION ON COMPLETION OF THE AGREEMENT

RECOMMENDATION

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

01. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.
REASON
Condition required to be imposed by Section 91(as amended) of the Town and Country Planning Act 1990.
02. Prior to the commencement of the relevant works, details of the proposed external materials shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved materials.
REASON
To ensure that the materials are appropriate to the area in accordance with policy CS14 of the Doncaster Core Strategy.
03. Prior to the commencement of development, details of the colour and finish of the approved cranes TC1 and TC2 shall be submitted to and approved in writing by the Local Planning Authority. The cranes shall be coloured, finished and maintained in accordance with the approved details.
REASON
In the interests of visual amenity
04. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials, height, and type of boundary treatment to be erected on site, including any gates. Unless otherwise approved in writing by the local planning authority, the

details as approved shall be completed before the occupation of any buildings on site.

REASON

To ensure the satisfactory appearance of the development.

05. Unless as shall be specifically approved in writing by the Local Planning Authority, the scheme of landscaping shown on plans refs. HTC-DEP-XX-GF-L-0300 Rev. P03 and HTC-DEP-XX-GF-L-0100 Rev. P03 dated Nov. 19 shall be implemented in full accordance with the approved details during the first available planting season following the completion of the development hereby granted and the local planning authority notified in writing within 7 working days of the completion of the landscape works to inspect and approve practical completion in writing. Any part of the scheme which fails to achieve independence in the landscape or is damaged or removed within five years of planting shall be replaced during the next available planting season in full accordance with the approved scheme, unless the local planning authority gives its written approval to any variation. Any tree or shrub planted as part of the scheme that is removed or is found to be dying, diseased or seriously damaged within five years of practical completion of the planting works shall be replaced during the next available planting season in full accordance with the approved scheme, unless the local planning authority gives its written approval to any variation.

REASON

In the interests of environmental quality and core strategy policy CS16: Valuing our Natural Environment.

06. 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 approved 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.

07. 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.

08. Prior to the commencement of the development, a Biodiversity Enhancement Master Plan shall be submitted and approved in writing by the LPA. The content of the Plan shall include:
- Identification of the mitigation and/or compensation areas within the development site, as set out in the LPA approved biodiversity net gain assessment dated 02/06/2020;
 - Detailed drawings of on-site retained, enhanced and created habitats;
 - Baseline specifications for biodiversity creation and enhancement works and other ecological features specific to mitigation proposals for habitats;
 - Timescales, target conditions and indicators of management progress over the statutory 30 year period.

REASON:

To ensure the delivery of on-site of biodiversity net gain in accordance with NPPF and that the ecological interests of the site maintained in accordance with Core Strategy Policy 16

09. No development shall commence until a scheme ("the scheme") to ensure that there is no net biodiversity loss as a result of the development has been submitted to and agreed in writing by the Local Planning Authority.

The net biodiversity impact of the development shall be measured in accordance with the DEFRA biodiversity offsetting metric as applied in the area in which the site is situated at the relevant time and the scheme shall include:

1. Proposals for on-site mitigation (full details of which will be provided in relation to each phase of development) and/or for off-site offsetting;
2. A method for the identification of any receptor site(s) for offsetting measures;
3. The identification of any such receptor site(s);
4. The provision of arrangements to secure the delivery of any offsetting measures (including a timetable for their delivery); and
5. A management and monitoring plan (to include for the provision and maintenance of any offsetting measures in perpetuity).

The development shall be carried out in accordance with the agreed scheme.

If the scheme is not agreed by the Local Planning Authority, not to commence the development until a fixed sum contribution based on Biodiversity Units lost and a requirement to deliver 10% of Biodiversity Net Gain has been paid to the Local Planning Authority. The Local Planning Authority shall use the biodiversity contribution to enhance and secure long term management of biodiversity within the vicinity of the site.

REASON

To comply with the requirements of the NPPF Chapter 15.
Conserving and enhancing the natural environment

10.

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

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

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

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

e) Upon completion of the Phase 3 works, a Phase 4 verification report shall be submitted to and approved by the LPA. The verification report shall include details of the remediation works and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the verification report together with the necessary documentation detailing what waste

materials have been removed from the site. The site shall not be brought into use until such time as all verification data has been approved by the LPA.

REASON

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

This has to be prior to commencement so that any risks are assessed before works begin to the ground whether this be demolition works or construction works and remediation in place before works begin.

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

REASON

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

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

REASON

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

13. 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.

14. No building shall be erected within 8 metres of the piped water course which passes through/runs adjacent to the site.

REASON

To ensure adequate access at all times and to protect the culvert from damage.

15. All surface water run off from the site, excepting roof water, shall be discharged to the public surface water sewer/land drainage system or Highway Drain 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 avoid pollution of the public sewer and land drainage system.

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

REASON

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

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

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

REASON:

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

18. 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

19. The rating level of sound emitted from any fixed plant and/or machinery associated with the development or any industrial activities at the use hereby approved shall not exceed background sound levels between the hours of 0700-2300 (taken as a 15 minute LA90 at the boundary of nearest sound sensitive premises) and shall not exceed the background sound level between 2300-0700 (taken as a 15 minute LA90 at the boundary of nearest sound sensitive premises). All measurements shall be made in accordance with the methodology of BS4142 (2014) (Methods for rating and assessing industrial and commercial sound) and/or its subsequent amendments). Where access to the boundary of the nearest sound sensitive property is not possible, measurements shall be undertaken at an appropriate location and corrected to establish the noise levels at the nearest sound sensitive property. Any deviations from the LA90 time interval stipulated above shall be submitted to and approved in writing by the local planning authority.

REASON:

To protect the amenities of nearby residents

20. No development shall take place until details of external lighting have been submitted to and approved in writing by the local planning authority. The external lighting shall be installed in accordance with the approved details and thereby retained as such unless a variation is subsequently submitted to and approved in writing by the local planning authority.

REASON

To ensure that the proposed lighting scheme safeguards the character of the area and/or the living conditions of neighbouring residents, having regard to the effects of the proposed illumination.

21. 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:

HTC-NIE-SP-ZZ-DR-A-0002-S1-P04 Schematic Site Plan Reduced Site Option
HTC-NIE-OF-ZZ-DR-A-0007-S01-P0 Proposed Section
HTC-NIE-SP-ZZ-DR-A-0003-S1-P02 Site Sections Reduced Options
HTC-NIE-OF-L3-DR-A-0009-S01-P1 Proposed Roof Plan
HTC-NIE-OF-L0-DR-A-0003-S1-P3 Proposed Ground Floor
HTC-NIE-OF-L1-DR-A-0004-S01-P3 Proposed First Floor
HTC-NIE-OF-L2-DR-A-0005-S01-P3 Proposed Second Floor
HTC-NIE-OF-ZZ-DR-A-0006-S1-P3 Proposed Elevations
HTC-NIE-SP-ZZ-DR-A-0009-S1-P00 Boundary Details
HTC-DEP-XX-GF-L-0100 Landscape Plan
HTC-DEP-XX-GF-L-0300 Planting Plan
19158/GA/01 Proposed Access Arrangements

REASON

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

22.

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

REASON

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

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

Appendices

Appendix 1 Satellite view of site



Appendix 2 Proposed site layout

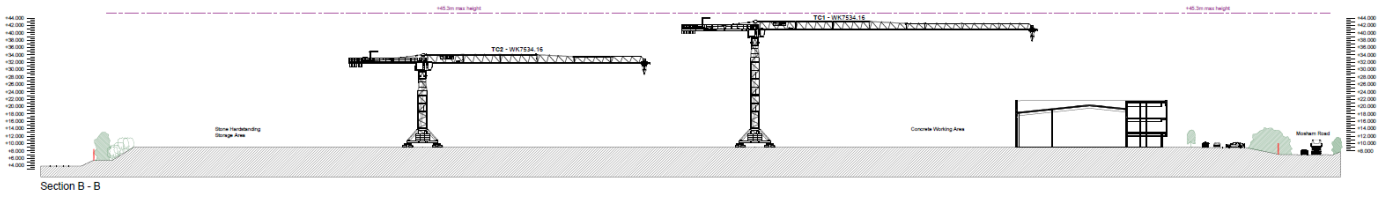
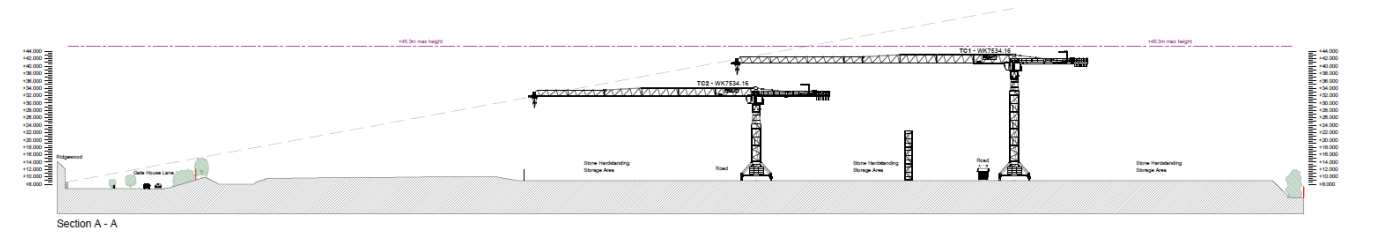


Appendix 3 Main building elevations



RE	15/11/20	Commercial Development
PL	15/11/20	Office/Industrial/Residential/Commercial/Community
PI	15/11/20	Development
PC	-	Site Plan
NO	01/01/20	01/01/20
NO	01/01/20	01/01/20
Commercial Development at Macquarie Road, Sydney, New South Wales		
JTC ARCHITECTS		
Proposed Elevations		
15/11/20		
NO	01/01/20	01/01/20
JTC ARCHITECTS		

Appendix 4 Sectional drawing of the site



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Application	4.
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Application Number:	19/01500/OUT
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Application Type:	Outline Planning
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Proposal Description:	Outline application for mixed use development to include B1 (Business), D1 (Non -residential institutions), D2 (Assembly and leisure) uses in addition to A3 use (Food and drink) ancillary to the office unit (Approval being sought for access)
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At:	Land at South End, Thorne, Doncaster, DN8 5QP
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For:	Mr James and Albert Clarke
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Third Party Reps:	22 objections	Parish:	Thorne Town Council
		Ward:	Thorne And Moorends

Author of Report:	Mary Fleet
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SUMMARY

The proposal seeks outline permission for a mixed use development to include B1 (Business), D1 (non-residential institutions), D2 (assembly and leisure) uses in addition to A3 use (food and drink) ancillary to the office unit (Approval being sought for access) with matters of appearance, landscaping, scale and layout being reserved.

B2 use was initially included in the description but this has now been removed.

The proposal is considered to be acceptable in policy terms being sited on land designated in the Doncaster UDP as for mixed use development. This site is one of three sites (under the heading RP7) which are linked by the canal and designated as being for a range of uses: the site at South End being allocated as for housing, boatyard works, marina, public open space, leisure, small scale commercial uses and light industrial workshops (B1).

Under the UDP the development 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).

Under the emerging Local Plan the land is proposed to be reallocated as countryside.

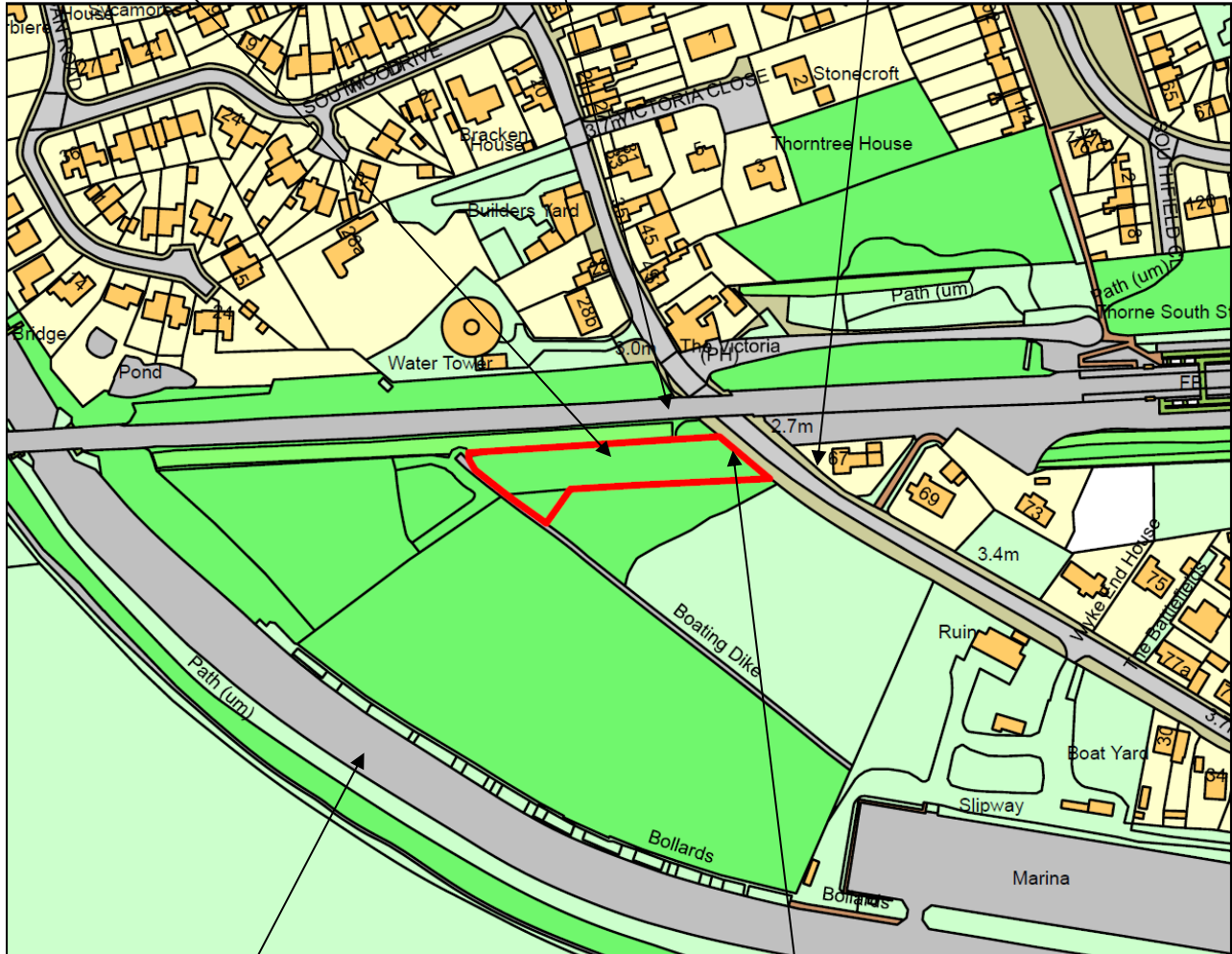
The report demonstrates that there are no material planning considerations that would significantly or demonstrably outweigh the social, economic or environmental benefits of the proposal in this location. The development would not cause undue harm to neighbouring properties, the highway network, rail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

RECOMMENDATION: GRANT planning permission subject to conditions.

Application site

Hull and Doncaster Branch Line

South End



Canal

Approximate position of proposed access

1.0 Reason for Report

- 1.1 The application is being presented to Members having generated significant public interest.

2.0 Proposal and Background

- 2.1 This application is for outline mixed use development to include B1 (Business), D1 (Non -residential institutions), D2 (Assembly and leisure) uses in addition to A3 use (Food and drink) ancillary to the office unit. Approval is being sought for access only. (B2 use was included in the original application but this has now been removed)
- 2.2 The site is allocated within the Unitary Development Plan as subject to policy RP7 which sets out that a number of uses are acceptable in this location in particular small scale commercial uses and small scale light industrial uses.

3.0 Site Description

- 3.1 The site lies to the south of the existing settlement of Thorne bound on its northern boundary by the North Eastern Railway's Hull and Doncaster Branch line and to the south and west by the Sheffield and South Yorkshire Navigation and to the east by the road way – South End. Residential properties front onto South End. To the south east however is Blue Water Marina; a commercial enterprise specialising in the sale of narrow boats, it provides a mooring for others and in addition to this some of the moorings are primary residences.
- 3.2 The site is generally flat with gentle undulations with a mixture of scrub and vegetation within the site boundary. The site in recent months appears to have been cleared the most notable greenery now flanks the site. At the time of visiting the site in the first instance it was apparent that Network Rail were undertaking works along the railway embankment.
- 3.3 Thorne South railway station lies immediately to the north east of the application site and immediately to the north the water tower is a dominant landscape feature.
- 3.4 The housing development along South End is varied: some built development fronts almost immediately on to the road, other properties are set further back. Boundary treatments are varied also tending to consist of a mixture of mixed hedgerow and low level boundary walls.

4.0 Relevant Planning History

- 4.1 There is no recent relevant planning history. Historically applications had been granted for a single dwelling (under application 92/3668/P) and later under reference 94/2648/P granted consent for 2 dwellings. Neither scheme was ever implemented and now under the UPD would be considered contrary to the aspirations set out on policy RP7.

5.0 Site Allocation

- 5.1 The site is located within an area designated as for mixed use development RP7 by the Doncaster Unitary Development Plan. The site is also in flood zone 3.

5.2 National Planning Policy Framework (NPPF 2019)

- 5.3 The National Planning Policy Framework 2019 (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. Planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions and the relevant sections are outlined below:
- 5.4 Paragraph 2 states that planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 5.5 Paragraphs 7 – 11 establish that all decisions should be based on the principles of a presumption of sustainable development.
- 5.6 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).
- 5.7 Paragraph 80 states: 'Planning policies and decisions should help to 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'
- 5.8 Paragraph 83 states that 'Planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data driven, creative or high technology industries....'
- 5.9 Paragraph 87 states that 'when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale so that opportunities to utilise suitable town centre or edge of centre sites are fully explored.'
- 5.10 Paragraph 109 states development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 5.11 Paragraph 111 states that 'all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed'

- 5.12 Paragraph 117 states that ‘planning policies and decisions should promote an effective use of land in meeting the needs for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions’
- 5.13 Paragraph 118 states that planning policies and decisions should: a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside.
- 5.14 Paragraph 158 states that the aim of the sequential test is to steer new development to areas with the lowest risk of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test. The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding.
- 5.15 Paragraph 160 states that the application of the exception test should be informed by a strategic or site specific flood risk assessment, depending on whether it is being applied during plan production or at the application stage. For the exception test to be passed it should be demonstrated that:
- a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
 - b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.
- 5.16 Paragraph 170 states that planning policies and decisions should contribute to and enhance the natural and local environment by:
- d) minimising impacts on and providing net gains for bio-diversity, including by establishing coherent ecological networks that are more resilient to current and future pressures
- 5.17 Paragraph 180 states that planning policies and decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to the impacts that could arise from the development. In doing so they should:
- a) 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 the quality of life.
- 5.18 Core Strategy 2011 - 2028
- 5.19 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.

- 5.20 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:
- 5.21 Policy CS1 of the Core Strategy states that as a means of securing and improving economic prosperity, enhancing the quality of place and the quality of life in Doncaster, proposals will be supported that contribute to the Core Strategy objectives and which in particular provide opportunities for people to get jobs and protect local amenity and are well designed.
- 5.22 Policy CS2 of the Core Strategy sets out the Council's growth and regeneration strategy which includes the settlement hierarchy. It identifies Thorne as a principal town and identifies within Table 2 the broad locations for employment citing Thorne as one of the principal towns where growth in the retail, leisure and catering sector should where possible be encouraged.
- 5.23 Policy CS4 of the Core Strategy sets out the Authorities approach to dealing with Flood Risk in line with National Policy. Criterion A, B and C of Policy CS4 are applicable which looks to steer development away from the highest areas of flood risk, ensure that developments will be safe for the lifetime of the development and apply the Sequential Test and Exceptions tests where appropriate.
- 5.24 Policy CS5 of the Core Strategy states that local employment sites will generally be retained for employment purposes with alternative uses being supported where the use is appropriate in terms of scale, design and location, will not adversely affect the efficient operation of the adjacent employment land or uses and meets one of the following criteria:
1. It supports the employment uses located on the employment allocation.
 2. It is a specialist use which is appropriate to an employment site and cannot be located elsewhere; or
 3. Has a mix of commercial and/or community uses that provides clear additional benefits.
- 5.25 Policy CS14 of the Core Strategy requires development to have no unacceptable negative effects upon the amenity of neighbouring land uses or the environment. The policy goes on to state the developments must be robustly designed, work functionally, (be) attractive and make a positive contribution to a successful place:
3) Quality, stability, safety and security of private property, public areas and the highway.
- 5.26 Policy CS16 of the Core Strategy seeks to protect and enhance Doncaster's natural environment.

Doncaster's natural environment will be protected and enhanced, in accordance with the principles set out below.

A) Proposals will be supported which enhance the borough's Ecological Networks;

D) Proposals will be supported which enhance the borough's landscape and trees by:

1. being appropriate to the landscape's character, sensitivity and capacity;
2. including measures to mitigate any negative impacts on the landscape;
3. ensuring designs are of high quality, include appropriate hard and soft landscaping, a long term maintenance plan and enhance landscape character while protecting its local distinctiveness; and;
4. retaining and protecting appropriate trees and hedgerows, and incorporating new tree, woodland and hedgerow planting.

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

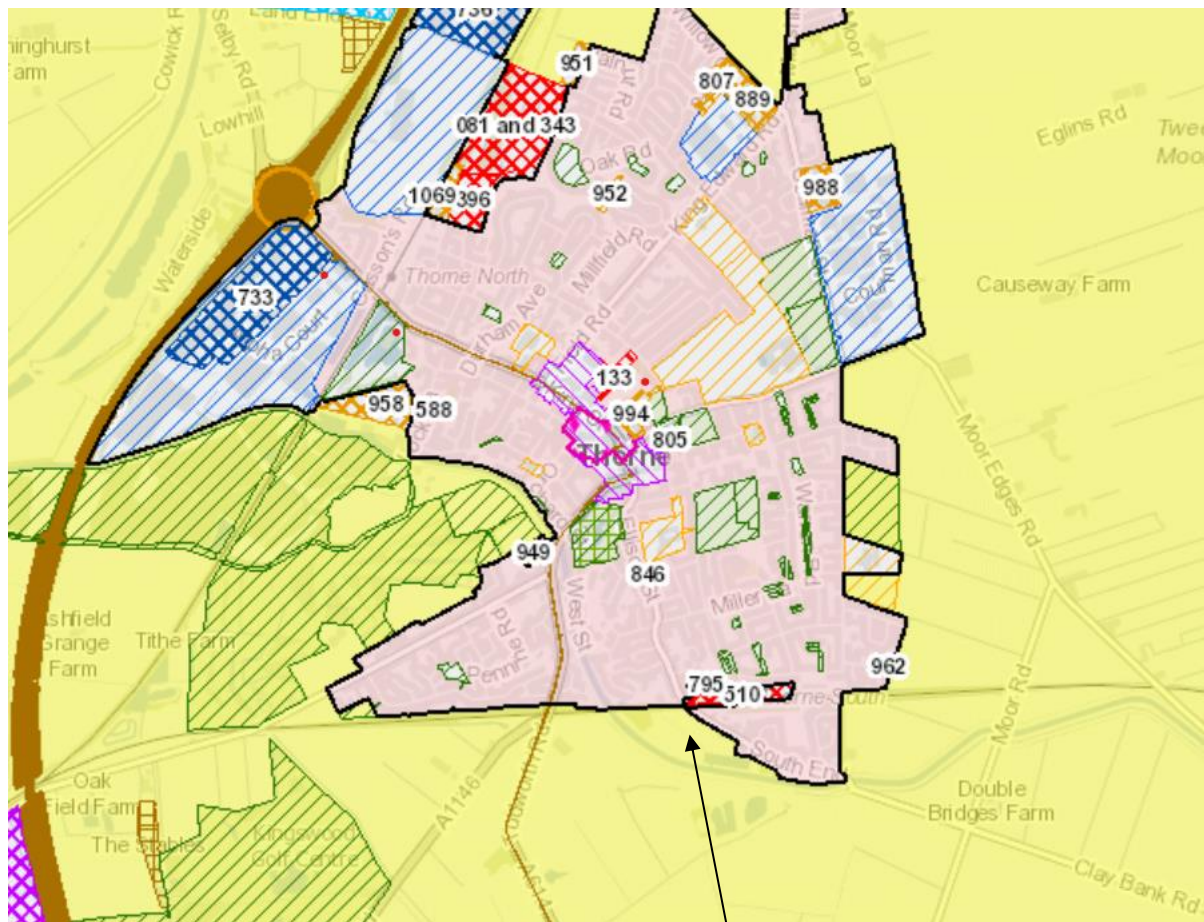
5.28 Policy RP 7 of the UDP is the policy governing what is considered to be acceptable development on this allocated site. This policy covers the use of three sites linked by the canal in Thorne. The policy states in point c) that South End Marina and land to the south of South End will be developed for housing, boatyard works, marina, public open space, leisure, small scale commercial uses and light industrial workshops (B1) uses.

5.26 Local Plan

5.27 The Local Plan has been formally submitted for examination on 4th March and an Inspector has been appointed therefore the Local Plan is now under examination. Paragraph 48 of the NPPF states that the LPA may give weight depending on the stage of the Local Plan and 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). When the local plan was published under Regulation 19 in August 2019, all of the policies were identified as carrying 'limited weight' for the purposes of determining planning applications. Taking into account the remaining stages of the local plan process, it is considered the following levels of weight are appropriate between now and adoption dependant on the level of unresolved objections:

- Substantial
- Moderate
- Limited

5.28 The Council has now sent out the notice of examination (regulation 24 stage) and is aiming to adopt the Local Plan by winter 2020. The following policies are considered appropriate in assessing this proposal and consideration has been given to the level of outstanding objections resulting in appropriate weight attributed to each policy: The emerging Local Plan identifies the site as being on land designated as countryside – this is a change to the allocation under the UDP.



Application Site

- 5.29 Policy 1 reinforces the guidance within the NPPF in that there should be a presumption in favour of sustainable development. This policy is considered to carry limited weight at this time.
- 5.30 Policy 2 identifies Thorne and Moorends as a main town, which will be a focus for new development. This policy is considered to carry limited weight at this time.
- 5.31 Policy 26 considers development in the countryside and states in part 4 that proposals for non-residential development will be supported provided that:
- A) The rural location of the enterprise is justifiable to support a prosperous rural economy in accordance with national policy in the NPPF;
 - B) The location of the enterprise would not have a significant adverse effect on neighbouring use or on highway safety;
 - C) The development is of a size (including floorspace) and scale commensurate with an existing use, or that reasonably required for a new use, and with the rural character of the location; and
 - D) The scale and design of the proposal would not have a significant adverse impact on the landscape.

This policy is considered to carry limited weight at this time.

- 5.32 Policy 31 deals with the need to value biodiversity. This policy is considered to carry limited weight at this time.

- 5.33 Policy 33 states that the design process should consider woodlands, trees and hedgerows. This policy is considered to carry substantial weight at this time.
- 5.34 Policy 43 deals with the need for good urban design. This policy is considered to carry moderate weight at this time.
- 5.35 Policy 55 requires the need to take into account air and noise pollution. This policy is considered to carry limited weight at this time.
- 5.36 Policy 56 deals with the need to mitigate any contamination on site. This policy is considered to carry limited weight at this time.
- 5.37 Policy 57 requires the need for satisfactory drainage including the use of SuDS. This policy is considered to carry moderate weight at this time.
- 5.38 Policy 58 deals with the need to consider flooding. This policy is considered to carry limited weight at this time.
- 5.40 Policy 61 requires the need to protect the best and most versatile agricultural land. This policy is considered to carry limited weight at this time.
- 5.41 Policy 66 deals with developer contributions. This policy is considered to carry moderate weight at this time.
- 5.43 Thorne & Moorends Neighbourhood Plan (NP).
- 5.44 A neighbourhood plan for Thorne and Moorends is currently in preparation. Pre-submission consultation and publicity has taken place and is currently at what is known as Regulation 14 stage. Consequently it is considered that the weight to be afforded to the Thorne and Moorends NP is moderate.
- 5.45 The application site is not allocated within the Neighbourhood Plan and in addition to this the plan is silent, with the exception of Thorne Moor visitor centre, in respect of the countryside surrounding the built up area.
- 5.48 Policy DDH3 however is relevant setting out the need for good design, for development to respect residential amenity and for employment proposals to be suitably landscaped and architecture chosen at a human scale to help integrate the development into its setting.
- 5.49 Policy T3 relates to increased parking at Thorne South station. The proposals map identifies an area around Thorne South station that is safeguarded for the provision of additional car parking to serve the train station. Development within the safeguarded area will be supported here public car parking forms part of the proposal.
- 5.50 On all other respects it is relevant to defer to the UDP and the Core Strategy as the development plan documents.
- 5.51 Other material planning considerations

- Development and Flood Risk (SPD) (2010)
- National Planning Policy Guidance
- Air Quality Technical Planning Guidance

6.0 Representations

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

6.2 The application was initially submitted on 19.6.2019 and advertised via neighbour notification on 4.7.2019 and via site notice on 12.7.2019. Additional notices were also posted on 9.8.2019 following complaints from local residents that the application had not be publicised sufficiently. Following this publicity, a total of 22 local residents sent in letters of objection. A summary of the material planning issues raised is set out below:

- Outline nature of the plans
- Development not respectful of the sites ecology – the site was cleared removing trees/vegetation and shrubs
- Lack of clarification regarding flooding issues – the proposed development will make flooding issues worse. Historically the land has been flooded – new development of the site will be problematic.
- Detrimental to character/landscape beauty of the area. The area attracts hobby uses – horse riding, walking, cycling – the development will interrupt this and the interaction with nature. Granting this development will encourage further development to the south of Thorne.
- Development not in keeping with the residential area; if developed at all it should be for dwellings. Concerns were expressed regarding noise/pollution from the proposed use.
- Minimal impact on jobs – other sites are new/vacant and these could be utilised – lack of need
- Highway safety issues relating to visibility given existing issues for traffic exiting the railway station this development will add to this. The road is narrow with parking on it, raising concerns regarding increased traffic on what is already a busy road. Concerns also raised in respect of larger vehicles visiting the site /using the local roads larger bringing increased noise, the height restriction on the bridge has also been raised as is the weight limit on the canal bridge to the south meaning that it is only possible for larger vehicles to access the site from the town centre. It is considered that the existing 20mph speed limit indicates that the road is not capable of accommodating further traffic, there is no footpath and it is considered unsafe for residents especially children walking to school.
- The land isn't designated as being for business use in the Local Plan (principle)

Non material issues raised included the following:

- Worries in respect of impact of the construction period both generally speaking and in terms of the railway embankment
- Property values
- Obstructing the view ...blight to the view of the canal and the boats – from the point of view of residents and users of the canal

Non-material issues are not planning considerations and are therefore outside of the scope of this report.

7.0 Relevant Consultations

7.1 DMBC Local Plans (flooding) – have provided advice with regards to the scope of the sequential test and the need for the exception test in respect of the D1 element of the application given this use is classed as ‘more vulnerable’

7.2 DMBC Local Plans (employment) – have raised no objections in principle – identifying the site as a small scale mixed use regeneration project (RP7: Canal Side, Thorne). A number of use classes are appropriate in this location in particular small scale commercial uses and small scale light industrial uses.

7.3 DMBC Ecology – initially objected given the clearance of the site and the lack of information submitted in the preliminary appraisal. Further information has been submitted including a bio-diversity net gain calculation which would need to be delivered at reserved matters stage following the submission of a BNG DEFRA metric calculation. On this basis the ecology objection has been removed.

7.4 DMBC Trees – Given that the site has been cleared the main interest lies in the site boundary. It has been clarified that the vegetation flanking the site can be pruned, and maintained to achieve the visibility splay.

7.5 Network Rail – have raised no objections to the principle of the development subject to a number of conditions and informatives

7.6 Canal and Rivers Trust – have responded to say they don't wish to be consulted

7.7 Yorkshire Water – no objections subject to conditions relating to foul and surface water drainage

7.8 Environment Agency – removed their objection following the submission of the flood risk assessment compiled by EWE Associates Ltd (ref: 2019/2426 Rev C) the development is to be carried out in accordance with this assessment and it is stated that an emergency evacuation plan should be agreed upon with the LPA.

7.9 Doncaster East Drainage Board – raised an objection relating to the proximity of the development to the board's maintained watercourse. Given however that this is an outline applications, agreeing only access then the specifics of this can be agreed at reserved matters stage. In this instance the board require a minimum of 9m clearance between the water course bank top and the edge of any new building/structure including walls, fences, hedges, trees etc. The boards consent is required for any development within 9m of the top edge of any Board maintained watercourse/culvert

- 7.10 DMBC Drainage** – have requested that full drainage details be agreed pre-commencement
- 7.11 DMBC Environmental Health** – has raised no objections however they have stated that upon the submission of the reserved matters application a noise impact assessment should be submitted mainly to establish the existing background noise levels. They have stated also that at that point it may be necessary to attach conditions/agree details of other matters relating to kitchen extraction equipment or opening hours, for example.
- 7.12 DMBC Pollution Control** – have asked for conditions to be applied to this consent to protect future user of the site from potential land contamination.
- 7.13 DMBC Air Quality** – have raised no objections given the location and scale of the development. None of the uses are proposed on such a scale that would necessitate further assessment based on the criteria set out in the Air Quality Technical Planning Guidance.
- 7.14 DMBC Highways** – having reviewed the requested details relating to the visibility splays and the tracking movements highways have no objections
- 7.15 DMBC Transportation** – have raised no objections following receipt of the transportation statement which clarifies that the anticipated number of vehicle movements will be at an acceptable level, footways have been included as well as dropped kerbs and tactile paving. They welcome the cycle parking and the transportation assessment includes details of the EV charging point hence removing the need for a condition relating to this.
- 7.16 National Grid** – have responded to say that it is the applicant’s responsibility to contact them prior to the commencement of any works on site in order to determine whether any apparatus is likely to be affected by the works. An informative note is to be included in this regard.

7.17 DMBC Area Manager – no response

7.18 Parish Council - no response

8.0 Assessment

8.1 The proposal seeks outline permission mixed use development to include B1 (Business), D1 (Non -residential institutions), D2 (Assembly and leisure) uses in addition to A3 use (Food and drink) ancillary to the office unit. Approval here is being sought for access. In considering the proposal the main material planning considerations are outlined below:

- The acceptability of the mixed use development
- The impact on neighbouring residential properties
- The impact on the ecology of the site
- The impact on the existing trees
- The impact on the character of the area
- Flooding and Drainage issues
- Whether there is an impact on the nearby rail network
- The impact on the highway network and highways standards
- Pollution matters

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

- Substantial
- Considerable
- Significant
- Moderate
- Modest
- Limited
- Little
- No

Appropriateness of the proposal

8.3 Paragraph 80 of the NPPF places significant weight on the need to support economic growth and productivity taking into account both local business needs as well as wider opportunities for development. Saved Policy RP 7 of the UDP establishes what is considered to be an acceptable form of development on this allocated site. The policy states in point c) that South End Marina and land to the south of South End will be developed for housing, boatyard works, marina, public open space, leisure, small scale commercial uses and light industrial workshops (B1) uses. Whilst the Unitary Development Plan was adopted in 1998 the allocation maps form part of the development plan and as such is a material planning consideration carrying substantial weight.

8.4 Consideration should also be given to the Thorne and Moorends Neighbourhood Plan. Paragraph 29 of the NPPF states that Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies. The plan is currently at what is known as Regulation 14 stage following pre-submission consultation and publicity and therefore the weight that is to be afforded to the plan is moderate.

8.5 The application site is not allocated within the Neighbourhood Plan and in addition to this the plan is silent, with the exception of Thorne Moor visitor centre, in respect of the countryside surrounding the built up area.

8.6 Policy DDH3 stresses the need for employment proposals to be suitably landscaped and architecture chosen at a human scale to help integrate the development into its setting. In addition to this policy T3 seeks to encourage more car parking at Thorne South railway station. Other than this the plan is silent in terms of policies relevant to this application therefore it is relevant to defer to the UDP and the Core Strategy as the development plan documents.

8.7 Further to this having identified policy RP 7 of the UDP as being of relevance in determining this application policies CS 1 and CS 2 of the Core Strategy seek to secure and improve economic prosperity and support growth and regeneration.

8.8 It is further noted that the emerging Local Plan alters the designation of this site to countryside without the mixed use allocation. However the Local Plan has yet to be adopted as the statutory development plan so this change in allocation carries

limited weight. There has been an objection received from a member of the public noting this anomaly stating that the granting of the development will encourage further development to the south of Thorne. This would be policy complaint only on the land designated as RP 7 for the time that the UDP forms part of the statutory development plan. Thereafter following the adoption of the Local Plan the land will revert to a countryside designation and development will be restricted accordingly. At the current time the policies within the UDP hold greater weight.

8.9 In respect of the objection received relating to the outline nature of the plans, it is important to state that the application seeks outline planning permission with permission sought in relation to the principal of permission and access. Details in relation to landscaping, appearance, scale and layout will form reserved matters applications which will be considered at a later date should permission be granted.

8.10 Sustainability

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

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

SOCIAL SUSTAINABILITY

8.13 Impact on Residential Amenity

8.14 The properties most likely to be affected by the development are those located on South End (east of the site), to a lesser extent those residents on boats moored on the canal and at Blue Water Marina. Whilst indicative, the amended plans have been carefully designed so as to minimise the impact of the development on existing neighbouring properties. The built form is set back into the site by more than 36m (in respect of South End), greater than 17m (in respect of the canal at the closest point) and over 100m (in respect of the marina) thus the proposal does not raise concerns in terms of dominance.

8.15 Whilst it is acknowledged that the view from many of the properties on South End and from the canal will change, there is no right to a view. Moreover the plans are at this point indicative with the specifics of the layout, scale and design of the development to be agreed at reserved matters stage. This is not a matter being considered as part of the current application.

8.16 Though the specifics of scale and design are to be agreed at reserved matters stage it is considered that there is scope within the site to locate the proposed buildings and the parking and for the layout to be workable in such a way that does not adversely affect neighbouring properties in terms of over dominance or loss of privacy. The built form can also easily be located where there will be no issue in respect of overshadowing. This weighs positively in favour of the application carrying moderate weight.

- 8.17 The impact of the proposed use on residential amenity in terms of noise is also relevant, the concerns of local residents noted, and in this respect environmental health have been consulted. Their response has acknowledged the already raised noise levels due to the proximity of the railway line. Given this existing situation it is considered unlikely that the proposed use is going to have a detrimental impact. They recommend however that noise conditions should be applied to any fixed plant to prevent any noise over and above the existing background level. On submission of a reserved matters application a noise assessment will therefore be required and the findings of this will be used to guide the specifics of the development as well as informing further conditions relating to air conditioning, air extraction units, opening hours and so on to ensure the development is not detrimental to those resident in the locality in terms of noise.

Conclusion on Social Impacts.

- 8.18 In conclusion of the social impacts of the development, it is not considered that residential amenity will be adversely affect by the proposal in accordance with policy CS14. The proposal has been able to adequately demonstrate that this mixed use development can be achieved on the site without adversely affecting the residential amenity of neighbouring properties through overlooking, over dominance or loss of privacy though the specifics of the layout, scale and design have yet to be agreed.
- 8.19 In order to ensure there is no significant noise impact is generated by the proposed use a noise impact assessment will be required to guide the specifics of the development.
- 8.20 It is also anticipated that the proposal would lead to some noise and disturbance being generated whilst construction is taking place, however this is considered to be short term when considered against the lifetime of the development. Notwithstanding this, planning conditions have sought to mitigate this harm as far as possible by the submission of a Construction Impact Management Plan and Construction Method Statement and as such this is considered to carry limited weight against the proposal.

ENVIRONMENTAL SUSTAINABILITY

Impact upon the character and appearance of the surrounding area

- 8.21 Policies CS1 and CS14 of the Core Strategy requires that all proposals in Doncaster must be of high quality design that respects the character of the area in regard to a number of principles of good design. Whilst the site plan submitted is for indicative purposes it is considered that that the proposed development makes reasonable use of the site: in its current iteration the land does not appear to be overdeveloped, the built form is set back from the road, landscaping is proposed and there remains an element of openness to the site which is positive.
- 8.22 The applicant has provided amended plans to clarify that the layout, scale and design thoughts are at this time indicative with the matter of principle and access being for consideration here.
- 8.23 Whilst the value of the land and the contribution it makes to character is of value and to be considered as part of the planning process the site itself is not a space open for the benefit of the publics enjoyment/recreation. Therefore much as an

objection has been made and the fact that the area is used for hobby use – horse riding, cycling and so on these activities are taking place around the site and will not be precluded from continuing should the site go on to be developed out.

- 8.24 Should planning permission be granted the appearance of the area would undoubtedly change however it is considered that there is scope within the proposal to ensure that this is not done to the detriment of the area or without suitable mitigation in the form of landscaping (for which a condition is to be included) and an assessment of the proposed layout at reserved matters stage.

Highways

- 8.25 Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway or the residual cumulative impacts would be severe. Paragraph 111 goes on to stipulate the requirement for all developments which have the potential to generate significant amounts of movement to be supported by a transport statement /assessment into the potential impacts of the development.
- 8.26 This application seeks outline consent in principle and also for the access. It is relevant to give consideration to both the suitability/ workability of the access as well as to the potential impact of this use locating here in order to determine as to whether this proposal is acceptable.
- 8.27 The proposal has raised a number of objections from local residents and in progressing this application it is considered that the following analysis gives clarity on these issues as well as detailing how it is considered that the access will work and what the details of the transportation statement have clarified in terms of the potential impact of this proposal on the surrounding area.
- 8.28 The highways department have requested that the applicant provide further, more detailed plans relating to the access (in terms of visibility and manoeuvring) and to clarify in respect of the feasibility of movements within the site.
- 8.20 One of the concerns raised by local residents related to visibility given the proximity of the proposed access to the railway bridge. This was a detail the highway department also sought to clarify and accordingly a preliminary access design and a more detailed drawing detailing the visibility splay have been provided (plan LTP/3896/C1/01.01B) These plans confirm that to the right a visibility splay of 2.4m x 48m is achievable, based on a speed limit of 30mph, to the left a splay of 2.4m x 40m subject to some minor clearance of vegetation. This is considered to be acceptable from a highways perspective and also in accordance with the Manual for Streets guidance.
- 8.21 In addition to demonstrating the required visibility splays both the preliminary access design plan and the more detailed visibility splay drawing demonstrate that footpaths, tactile paving and dropped kerbs are to be provided which have been approved by both the highways and transportation team. These both ensure the safety of pedestrians and enable the development to be easily and safely accessed on foot which is welcomed in terms of sustainable travel.
- 8.22 In respect of the comments made relating to the access to Thorne South railway station this is noted but not a matter for consideration here. If, as is suggested may be the case by policy T3 of the Thorne and Moorends Neighbourhood Plan, a

proposal comes forward which as well as other benefits would see an increase in the parking at the station, then any application would be subject to the same analysis and an assessment made in relation to the safety of the access at that time. Concerns raised by local residents would also be considered at that time.

- 8.23 The applicant has provided also a swept path analysis plans showing for illustration purposes a refuse wagon turning into and out of the site (plan LTP/3896/T1/01.01 B) in order to demonstrate that the proposed access is feasible for the largest vehicle likely to need to access the site. Likewise a further tracked plan (LTP/3896/T1/02.01B) has been provided showing the ability of the refuse wagon to manoeuvre within the site. Both of these are considered to be workable and have been approved by the highways department illustrating that as well as the access being safe in terms of visibility it is also fit for purpose and able to accommodate larger vehicles without compromising other road users or the schematics of the site.
- 8.24 In addition to considering the access it is also necessary to look at the potential wider impact of the proposal and the capacity of the existing road network to withstand the increase in traffic associated with this development. In support of this proposal the applicant has commissioned a Transportation Statement (December 2019) which has been reviewed by both the highways and transportation teams. Of particular interest given the concerns raised by local residents was both the collision records, the road safety impact and the proposed traffic generation.
- 8.25 The report identified that over an extended 5 year period (01.01.2013 – 30.06.2018) there had been a total of 3 collisions within the study area, resulting in 6 casualties. Figure 6 of the transportation statement shows the location of these collisions and it is notable that none of these occurred in the vicinity of the proposed site access. Figure 4.2.1 goes on to conclude that an analysis of the study collisions has not revealed any identifiable existing collision issues associated with the expected movements of the proposed development and it is further considered that provided the site access junction and the internal roads are designed with due consideration to road safety then it is not thought that the proposal will be detrimental to road safety, impact negatively on the local highways network or adversely affect the safety of pedestrians and cyclists. Therefore, although concerns have been raised in relation to highway safety it is not considered that the details relating to accidents and road safety in the transportation assessment substantiates these concerns.
- 8.26 In terms of proposed traffic generation section 5 of the transport statement looks at this in more detail looking at comparable sites, and with the assistance of computer modelling has produced figures to show the projected trip generation projections for this site. The proposed development could generate up to 29 two-way vehicle trips during the AM peak hour (08:00 – 09:00), with 25 during the PM peak hour (17:00-18:00) and 218 across a day (07:00- 19:00). These figures are based on the worst case scenario meaning that the entire floor area is occupied by B1 uses, furthermore it is assumed that each unit will be let to separate businesses though this is not expected to be the case given that the 3 proposed lock up units are expected to provide storage facilities thus the traffic generation will in reality be lower. National Department for Transport Guidance, which hitherto was not applied rigidly, stated that the impact of a development could be based on a threshold of 30 two-way peak hour vehicle trips, has now been superseded deferring instead to the NPPF and Planning Practice Guidance to provide a steer. In line with the NPPF the transportation statement has been provided and although this sets no specific threshold the fact that the proposal is in accordance with the former guidance from

the Department of Transport is reassuring. It is considered that the impact of a development at this site is not expected to be severe and therefore the proposal is regarded as being in accordance with paragraph 109 of the NPPF.

- 8.27 Given the modelling that has been undertaken relating to proposed traffic generation, the potential impact of the proposal is not considered to be of sufficiently significant to warrant either a contribution towards necessary highways improvements or a recommendation that the application be refused. The weight limit on the bridge to the south of the site is noted but the access from the north via the town centre considered capable of accommodating the projected level of traffic.
- 8.28 The issue of noise has been raised in relation to additional traffic movements however this has been addressed when the issue of noise has been discussed more generally above..
- 8.29 The transportation assessment therefore clarifies that the required visibility splays can be achieved. Further to this details have been provided within this assessment that clarify that the application suitably mindful of road safety as well as clarifying that the proposal will have limited impact on the highway network based on the modelling exercise that has been undertaken. These details weigh considerably in favour of the application and it is considered that the above assessment answers local residents concerns relating to the highways situation.

Ecology

- 8.30 Paragraph 170 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment d) minimising impacts on and providing net gains for bio-diversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. Policy CS 16 of the Core Strategy echoes this sentiment.
- 8.31 There were objections raised initially relating to ecology both from members of the public and from Doncaster's ecologist planner: the site has been cleared prior to survey work being undertaken and the information submitted in the preliminary ecological appraisal was considered to be insufficient. Following the submission of further survey work as well as a biodiversity net gain calculation our ecologist has removed their objection to this application given that all protected species and habitat surveys have been carried out and a biodiversity net gain assessment has been approved. It has been identified that there will be a loss of 0.6 biodiversity units on site and this would have to be increased to 0.66 units to deliver a 10% net gain.
- 8.32 Given that this is an outline application the biodiversity net gain requirement does not need to be delivered until a reserved matters application is submitted. At that point the applicant's will be required to submit a biodiversity net gain DEFRA metric calculation based upon the proposed footprint of the development and the actual on-site losses that will occur through that development. It has been calculated that as a guide, using our unit price calculator for 'neutral grassland' and the 0.66 units calculated above, an off-site contribution in the region of £6,438 would be required at reserved matters stage to offset the losses on the site. A condition requiring this calculation is to be attached to this outline permission.
- 8.33 As this undertaking has been reached with regards to the compensation for the loss of bio-diversity on this site on balance this is considered to be acceptable and the application in accordance with paragraph 170 of the NPPF as well as policy CS 16.

It is considered that the proposal achieving a 10% net gain in relation to biodiversity weighs in favour of the application carries moderate weight.

Trees

- 8.34 Policy CS 16 in addition to seeking to retain and protect existing trees and hedgerows, seeks also to incorporate hard and soft landscaping as well as new tree, hedgerow and woodland planting into new developments.
- 8.35 Given that the site has been cleared the main interest lies in the site boundary. It has been clarified that the vegetation flanking the site can be pruned and maintained to achieve the visibility splay. The tree officer has been consulted and has approved the pruning and in addition has stated that a hedgerow of locally characteristic species with vertical elements (trees) should be used to help screen /soften the development. As this is an important factor in ensure the appearance of this development is acceptable and also important in terms of the benefits it has the potential to bring to the natural environment a condition is to be attached to this permission ensuring that at reserved matters stage such an agreement is arrived at.

Network Rail

- 8.36 Network Rail have raised no objections to the principle of the proposed development subject to being able to satisfy a number of conditions relating to drainage, boundary fencing, Armco barriers, lighting and landscaping. These conditions are required to protect the safety, operational needs and integrity of the railway.
- 8.37 The consultation response raises other points which are to be included in the decision notice as informative notes: these matters relate to fail safe use of crane and plant, excavations/earthworks, security of the mutual boundary, method statements, OPE, vibro impact machinery, scaffolding, bridge strikes, cranes, encroachment, and access to the railway.

Flooding and Drainage

- 8.38 The concerns of local residents relating to flooding are noted and the following points made by way of clarification. The application site lies within an area designated as Flood Risk Zone 3 benefiting from flood defences. The Environment Agency have been consulted as part of the application and originally objected to the application. An updated Flood Risk Assessment (FRA) has been submitted and the Environment Agency confirmed in October 2019 that they were able to remove their objection subject to a suitably worded condition. It is also noted that a condition is required regarding an emergency evacuation plan given that the floor levels are not to be raised above the critical flood level of 4.1m AOD. Instead of this the proposed nursery will incorporate a first floor refuge above 4.1m AOD which is acceptable particularly given the relatively low existing site levels. It requires though nonetheless the agreement of a flood evacuation plan. It then turns to determine whether the proposal has adequately applied the Sequential Test and Exceptions Test.
- 8.39 The NPPF makes clear that residential developments within high flood risk zones should look to apply the Sequential Test (ST). Paragraph 158 sets out that the aim of the sequential test is to steer new development to areas with the lowest risk of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding.

- 8.40 Table 3: Flood risk vulnerability and flood zone 'compatibility' sets out the circumstances where the Exceptions Test should be applied. The D1 (non-residential institutions) element is classed as more vulnerable and this in combination of the site being classified as Flood Risk Zone 3 triggers the need for an Exceptions Test.
- 8.41 At paragraph 160 of the NPPF it states that the application of the exception test should be informed by a strategic or site-specific flood risk assessment, depending on whether it is being applied during plan production or at the application stage. For the exception test to be passed it should be demonstrated that:
- a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
 - b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.
- 8.42 In respect of the sequential test the search area was agreed as being elsewhere within the town of Thorne for suitable sites which are reasonably available and which are sequentially preferable. The sequential test submitted looked at sites identified by the Housing and Economic Land Availability Assessment (HELAA) 2015. The HELAA update 2017, within the Core Strategy (2012), the saved policies from the UDP as well as the Thorne and Moorends Neighbourhood Plan. Given that the site is located entirely in flood zone 3 to be sequentially preferable the site must be located in flood zone 1 or 2. The search returned results both from the HEELA, from the emerging Local Plan and another site (Thorne Coronation Club) was up for sale. All of these identified sites are located in flood zone 3 and therefore there is nothing that is sequentially preferable hence it is considered that the sequential test has been passed in respect of this application.
- 8.43 As the proposal contains D1 use which is classed as more vulnerable by national policy and its supporting guidance, then both parts of the exceptions test must also be met in line with NPPF para.160 and Policy CS4. Part 1 requires demonstration that the development provides wider sustainability benefits to the community that outweighs the residual risk.
- 8.44 The exceptions test response confirms the allocation of the site as a priority mixed use site within saved policy RP 7 of the UDP and a principal town for proposed growth and regeneration within the Core Strategy. The provision of employment generating development on the site accords closely with the save policies of the UDP and with the Core Strategy. It is concluded therefore that the benefits arising from the delivery of a mixed use scheme in a highly sustainable location weighs positively in support of the scheme. Additionally the scheme will provided facilities which will be of benefit to the local community.
- 8.45 Part 2 of the Exceptions Test process requires that the development will be safe for its lifetime (given to be 100 years) taking into account the vulnerability of its users without increasing flood risk elsewhere and, where possible, reduce flood risk overall. Here attention is drawn to Section 5 of the EWE Flood Risk Assessment which sets out the proposed mitigation measures which include the raising of land and floor levels safe emergency access and egress and control of run off. The applicant also proposes to sign up to flood warnings to ensure that the occupiers of the site are made aware of any potential flood events. Given that the Environment Agency have removed their objection subject to the development being carried out in accordance

with the measures outlined in the EWE Associates Ltd flood risk assessment (ref: 2019/2426 Rev C) it is considered that part 2 of the exceptions test has been passed.

Pollution issues

- 8.46 As part of the consultation process, Doncaster's Pollution Control Team and Air Quality teams have been consulted. Pollution Control have advised that the site could potentially be contaminated and that therefore any consent should be subject to conditions ensuring this is safeguarded against.
- 8.47 The Air Quality Team has been consulted and have raised no objections given the location and scale of the development. None of the uses are proposed on such a scale that would necessitate further assessment based on the criteria set out in the Air Quality Technical Planning Guidance.

Conclusion on Environmental Issues

- 8.48 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.
- 8.49 In conclusion of the environmental issues, it is considered that there has been no significant issues raised which would weigh against the proposal that cannot be mitigated by condition. As such, moderate weight can be attached to this in favour of the development through the achievement of biodiversity offsetting.
- 8.50 The proposal has demonstrated that the development would be safe for the lifetime of the development (as set out above) through the imposition of a planning condition requiring the development to be carried out in accordance with the submitted Flood Risk Assessment. In addition, sufficient information has been supplied to demonstrate that the application has passed the Sequential Test and that in this case the development would as a result of being allocated for mixed employment use, located within a sustainable location and through the imposition of conditions would provide wider sustainability benefits to the local community in line with the Exceptions Test. This weighs positively in favour of the application carrying moderate weight.
- 8.51 It is acknowledged that the appearance of the land would invariably change in the event that planning permission is granted. The proposed development would occupy land previously undeveloped which will alter the character of the site. That said the layout, scale and design of the proposal have yet to be approved and as part of a subsequent application a scheme befitting to the local context can be arrived at within the scope of the conditions attached to this outline consent.. Consequently, the impact of the development on the appearance of the surrounding area is considered to weigh neutrally.
- 8.52 Additional noise issues associated with the development are considered to be short term negative impacts which can be mitigated through appropriate conditions. Given the relative short term nature of the potential construction noise and disturbance when viewed over the lifetime of the development, it is considered that this carries limited weight against the proposal.

ECONOMIC SUSTAINABILITY

- 8.53 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 which is restricted to a short period of time whilst the works are being undertaken. In addition to this the proposal is in the spirit of that which policy RP 7 set out to achieve and will bring jobs to the local economy which carries moderate weight.

Conclusion on Economy Issues

- 8.54 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.
- 8.55 Whilst the economic benefit of the proposal will not be huge the nature of the development is in accordance with UDP policy RP 7 proposing as it does to deliver a mixed use scheme on an allocated site in a sustainable location.

9.0 PLANNING BALANCE & CONCLUSION

- 9.1 In accordance with Paragraph 11 of the NPPF (2019) the proposal is considered in the context of the presumption in favour of sustainable development. The proposal is considered to be located within a sustainable location on a site allocated for mixed use development in the UDP which remains the statutory development plan at this time. The principle of the development is therefore acceptable and the fact that this is the case carries substantial weight given that the issues relating to ecology, flooding and highways can be overcome by the inclusion of conditions.
- 9.2 This application looks to establish the acceptability of the development in principle as well as the details of the access. The aspects of landscaping, scale, appearance and layout are not for consideration here. Should members resolve to grant permission then these aspects will need to be considered under separate reserved matters application(s).
- 9.3 Importantly as this application seeks to establish not only consent for the principle of the development but also the access the highways considerations relating to visibility, road safety and proposed trip generation have been appropriately assessed and the plans and transport assessment details agreed upon.
- 9.4 Likewise at reserved matters stage a biodiversity net gain calculation will be required to compensate for the calculated on site loss and similarly the flood risk assessment as well as the sequential and exceptions test information have provided reassurance of the safety and sustainability of this proposal. A flood evacuation plan will be conditioned to supplement this.
- 9.2 Though the site is not of a significant size once developed out the units will make a contribution to the local economy by bringing jobs into the town.

- 9.3 It is also acknowledged that there will be some short term disruption whilst the site is being developed out however this is considered to carry limited weight when balanced against the other merits of the scheme.

10.0 RECOMMENDATION

- 10.1 MEMBERS RESOLVE TO GRANT PLANNING PERMISSION FOR THE PROPOSED DEVELOPMENT SUBJECT TO THE CONDITIONS BELOW

Conditions / Reasons

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

REASON

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

02. In the case of the reserved matters, application for approval must be made not later than the expiration of three years beginning with the date of this permission

REASON

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

03. Approval of the details of the appearance, landscaping, scale and layout (hereinafter referred to as reserved matters) shall be obtained from the Local Planning Authority before the commencement of any works.

REASON

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

04. 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 as follows:

Proposed plans dated 28.9.20 (indicative elevations and floor plans)

Swept path analysis dated 23.9.20 (refuse wagon accessing site)

Swept path analysis dated 23.9.20 (turning area within the site)

Visibility splay dated 23.9.20

Preliminary access design dated 23.9.20

REASON

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

05.

Following submission of a Reserved Matters application no development shall take place unless approved by the Council and a Biodiversity Net Gain Assessment has been submitted to and approved in writing by the Council. This shall result in an Approved Scheme ("the Approved Scheme"). The Approved Scheme shall be approved with the purpose of ensuring that the Development shall not result in a biodiversity loss in accordance with the National Planning Policy Framework. The Approved Scheme shall either Include: -

- an on-site scheme that clearly demonstrates a biodiversity net gain within the development site which will be maintained for 30 years from the date of implementation of the Scheme;
- the identity of an appropriate receptor site or sites;
- include a management plan for the provision and maintenance of such offsetting measures for not less than 30 years from the date of implementation of the Scheme;
- include the provision of contractual terms to secure the delivery of the offsetting measures. The development shall be carried out in accordance with the Approved Scheme.

or

provide for a fixed sum contribution to be paid to the Council based on Biodiversity Units lost and a requirement to deliver 10% of Biodiversity Net Gain. The Council shall use the biodiversity contribution to enhance and secure long term management of biodiversity within the vicinity of the Application Site.

REASON

To comply with the requirements of the NPPF

06

The site shall be developed with separate systems of drainage for foul and surface water on and off site

REASON:

In the interest of satisfactory and sustainable drainage

07

No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority .

REASON:

To ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the foul sewer network

08

Surface water run -off from hardstanding (equal to or greater than 800 square metres) and/or communal car parking area (s) of more than 50 spaces must pass through an oil , petrol and grit interceptor/separator of adequate design that has been submitted to and approved by the Local Planning Authority, prior to any discharge to an existing or prospectively adoptable sewer.

REASON:

To prevent pollution of the aquatic environment and protect the public sewer network

09

The development shall be carried out in accordance with the submitted flood risk assessment compiled by EWE Associates Ltd (Ref: 2019/2426 Rev C) dated September 2019 and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 3.53 metres above Ordnance Datum (AOD) as indicated in section 5 of the FRA.
- A first floor refuge above the critical flood level of 4.4mAOD to be constructed as stipulated in section 5 of the FRA.
- Flood resilient design measures to be incorporated in to the final design to a height of 4.4mAOD as indicated in section 5 of the FRA.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

REASON:

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

10

On submission of the reserved matters application the applicant shall provide and reach agreement with regards to a suitable flood evacuation plan to safeguard the D1 use from the potential risks posed by a flooding emergency. The plan shall be agreed with the LPA and adhered to for the life of the development.

REASON:

To ensure the increased risk of flooding is dealt with appropriately and users of the facility thus safeguarded.

11

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.

12

The development shall not commence until a report has been submitted to and approved in writing by the Local Planning Authority giving details of the existing background noise levels in the area and the predicted noise levels at the site boundary and boundary of the nearest noise sensitive premises arising from the proposed development. The information should cover night time as well as daytime periods and should be undertaken by a competent acoustic consultant using a

recognised methodology such as BS 4142: 2014. The report shall detail a scheme of noise attenuation measures to be utilised in order to prevent noise being a problem if identified by the report. The approved noise attenuation measures shall be installed and operational prior to occupation of the development. A further survey shall be undertaken when the scheme has been completed to compare the actual noise levels against the predicted noise levels to ensure that there has been no loss of amenity at the nearest noise sensitive premises.

REASON:

To protect the amenities of nearby properties from the adverse effects of noise.

- 13 Prior to the commencement of the development hereby approved full details of a scheme of landscaping, including the enhancement of the boundary, shall be submitted to and approved in writing by the Local Planning Authority. Unless as shall be specifically approved by the Local Planning Authority, the landscape scheme shall include a plan indicating the planting location of all trees and shrubs; a schedule including the nursery stock specification for all shrubs and trees in compliance with British Standard 3936: Part 1: 1992 Specification for Trees and Shrubs and planting density/numbers; a detailed specification for engineered tree pit construction that utilises a professionally recognised method of construction to provide the minimum rooting volume set out in the Council's Development Guidance and Requirements supplementary planning document and a load-bearing capacity equivalent to BS EN 124 Class C250 for any paved surface above; a specification for planting including details of tree support, tree pit surfacing, aeration and irrigation; a maintenance specification and a timescale of implementation, which shall be within 3 months of completion of the development or alternative trigger to be agreed. Thereafter, the landscape scheme shall be implemented in full accordance with the approved details and the Local Planning Authority notified prior to backfilling any engineered tree pits to inspect and confirm compliance and within seven days of the completion of landscape works to inspect and approve practical completion in writing. Any tree or shrub planted as part of the scheme that is removed or is found to be dying, diseased or seriously damaged within five years of practical completion of the planting works shall be replaced during the next available planting season in full accordance with the approved scheme, unless the local planning authority gives its written approval to any variation.

REASON

These details have not been provided and are required prior to commencement of development to ensure that a landscape scheme is implemented in the interests of environmental quality and compliance with Core Strategy policy CS16.

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

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

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

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

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

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

REASON

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

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

REASON

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

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

REASON

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

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

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

REASON:

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

18. 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.

19. All surface and foul water arising from the proposed works must be collected and diverted away from Network Rail property. All soakaways must be located so as to discharge away from the railway infrastructure. The following points need to be addressed:
1. There should be no increase to average or peak flows of surface water run off leading towards Network Rail assets, including earthworks, bridges and culverts.
 2. All surface water run off and sewage effluent should be handled in accordance with Local Council and Water Company regulations.
 3. Attenuation should be included as necessary to protect the existing surface water drainage systems from any increase in average or peak loadings due to normal and extreme rainfall events. Attenuation ponds/SUDs features should not be located within 20 metres of the railway boundary where the site is below the level of the railway.
 4. There should be no connection to existing railway drainage without agreement with Network Rail prior to work commencing on site.

REASON:

To ensure the safety, operational needs and integrity of the railway

20. Prior to the commencement of development details of an Armco or similar barrier shall be submitted to and approved in writing by the Local Planning Authority. The details shall include indicating the positions where vehicles may drive into or roll onto the railway or damage the lineside fencing.

REASON

To ensure the safety, operational needs and integrity of the railway

21. Prior to the commencement of development details of a trespass proof fence shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the type, height, location and specification of the fencing and once erected shall be maintained for the lifetime of the development.

REASON:

To ensure the safety, operational needs and integrity of the railway

22. Prior to the commencement of development, details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the location and colour and shall be design in such a way so as not to dazzle train drivers. The development shall be carried out in complete accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON:

To ensure the safety, operational needs and integrity of the railway

INFORMATIVES

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

02. INFORMATIVE

The applicant is reminded of the need to contact Plant Protection prior to the commencement of any works on site to ensure no apparatus belonging to either National Grid or Cadent Gas is affected by the proposed works. Further details, including of how to make contact can be found in correspondence available to view on Doncaster Planning Applications online (letter dated 21.8.2019)

03. INFORMATIVE

All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.

04. INFORMATIVE

All excavations/ earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/ structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Project Manager should be undertaken. Network Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the railway infrastructure nor for any noise or vibration arising from the normal use and/or maintenance of the operational railway. No right of support is given or can be claimed from Network Rails infrastructure or railway land.

05. INFORMATIVE

Security of the railway boundary will need to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail's Asset Protection Project Manager.

06. INFORMATIVE

Method statements may require to be submitted to Network Rail's Asset Protection Project Manager at the below address for approval prior to works commencing on site. This should include an outline of the proposed method of construction, risk assessment in relation to the railway and construction traffic management plan. Where appropriate an asset protection agreement will have to be entered into. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. "possession" which must be booked via Network Rail's Asset Protection Project Manager and are subject to a minimum prior notice period for booking of 20 weeks. Generally if

excavations/piling/buildings are to be located within 10m of the railway boundary a method statement should be submitted for NR approval.

07. INFORMATIVE

Once planning permission has been granted and at least six weeks prior to works commencing on site the Asset Protection Project Manager (OPE) MUST be contacted, contact details as below. The OPE will require to see any method statements/drawings relating to any excavation, drainage, demolition, lighting and building work or any works to be carried out on site that may affect the safety, operation, integrity and access to the railway.

08. INFORMATIVE

Where vibro-compaction machinery is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement

09. INFORMATIVE

Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed.

10. INFORMATIVE

Applications that are likely to generate an increase in trips under railway bridges may be of concern to Network Rail where there is potential for an increase in 'Bridge strikes'. Vehicles hitting railway bridges cause significant disruption and delay to rail users. Consultation with the Asset Protection Project Manager is necessary to understand if there is a problem, particularly in connection with any large construction or delivery vehicles connected to the site that may be routed under the adjacent railway bridge on South End which has a height restriction of 4.3m. If required there may be a need to fit bridge protection barriers which may be at the developer's expense.

11. INFORMATIVE

With a development of a certain height that may/will require use of a crane, the developer must bear in mind the following. Crane usage adjacent to railway infrastructure is subject to stipulations on size, capacity etc. which needs to be agreed by the Asset Protection Project Manager prior to implementation.

12. INFORMATIVE

The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail and its infrastructure or undermine or damage or adversely affect any railway land and structures. There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail air-space and no encroachment of foundations onto Network Rail land and structures. There must be no physical encroachment of any foundations onto Network Rail land. Any

future maintenance must be conducted solely within the applicant's land ownership. Should the applicant require access to Network Rail land then must seek approval from the Network Rail Asset Protection Team. Any unauthorised access to Network Rail land or air-space is an act of trespass and we would remind the council that this is a criminal offence (s55 British Transport Commission Act 1949). Should the applicant be granted access to Network Rail land then they will be liable for all costs incurred in facilitating the proposal.

13. INFORMATIVE

All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development. In particular, access to Thorne South Station must remain clear and unobstructed at all times both during and after construction.

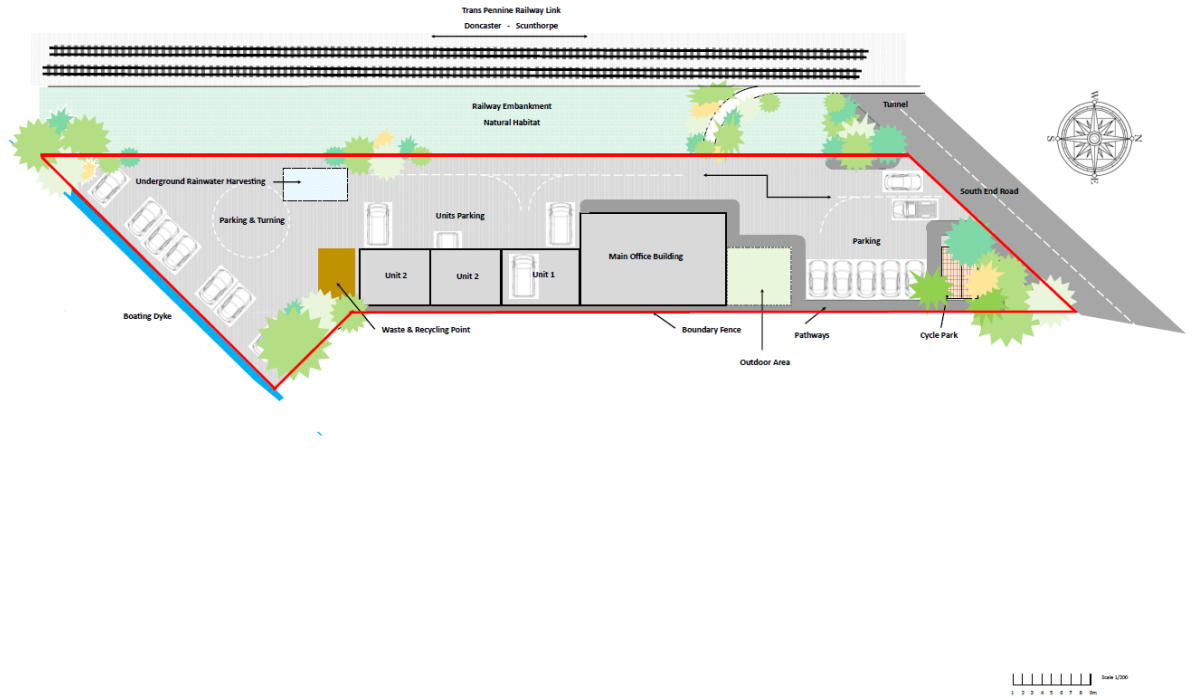
Network Rail is required to recover all reasonable costs associated with facilitating these works.

14. INFORMATIVE

The applicant's attention is drawn to correspondence dated 17.9.2019 detailing matters whereby there is the need to seek drainage board consent prior to the commencement of any works on site. This correspondence is available to view on Doncaster Planning Applications Online and should be attended to in addition to any granted of consent under the Town and Country Planning Act 1990.

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

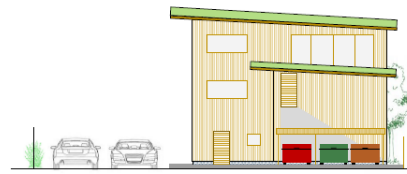


Appendix 2

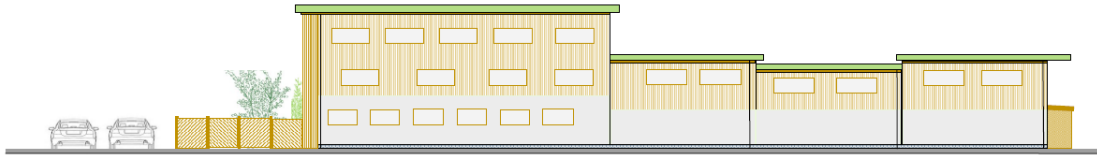
Indicative Elevations Land at South End Thorne



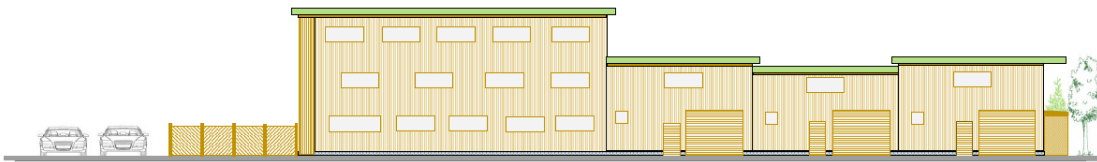
Front North Elevation To South End Road



Rear South Elevation To Boating Dyke



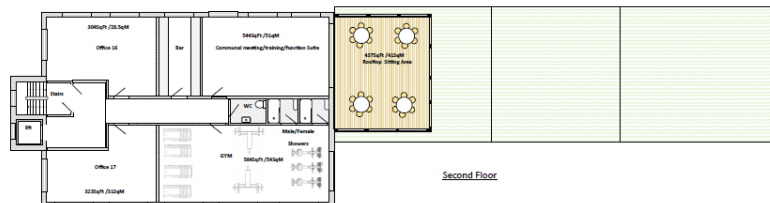
East Elevation To Thorne Marine

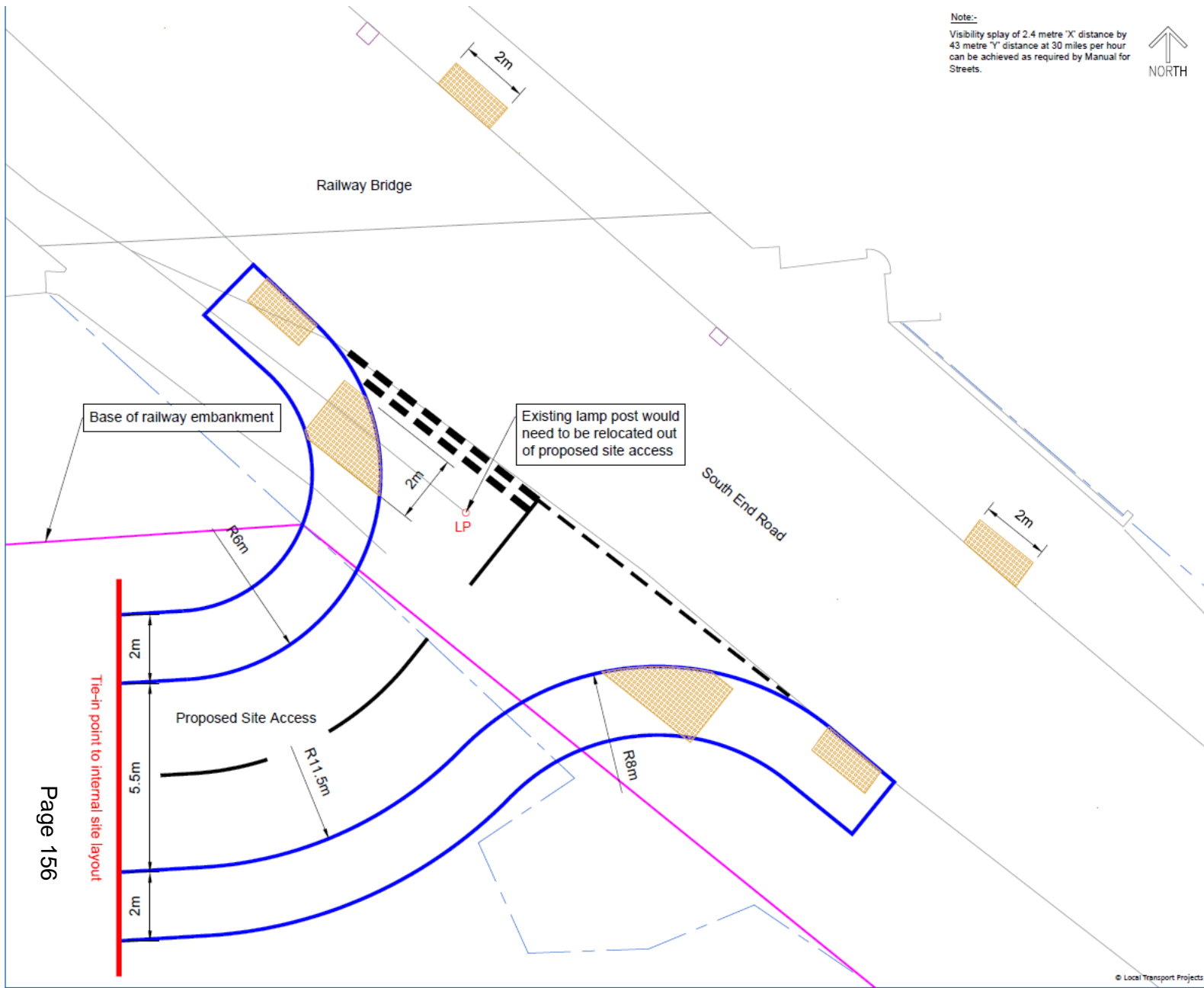


West Elevation To Railway Embankment



Indicative Floor Plans Land at South End Thorne





Note:-
 Visibility splay of 2.4 metre 'X' distance by 43 metre 'Y' distance at 30 miles per hour can be achieved as required by Manual for Streets.



A3

	Proposed Road Markings
	Proposed Kerbline
	Assumed Site Boundary
	Proposed Dropped Kerb and Tactile Paving
	Effectuated Lamp Post

Note:-

- 1. Preliminary Design Layout Only.** Scheme subject to further detailed design (inc. drainage design).
- 2. Scheme subject to Statutory Undertakers Apparatus Search.**

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- Based on topographical survey provided by client.

Rev.	Date	By	Chk	Description
B	18/07/20	OA	AM	Amended to reflect comments from Doncaster etc.
A	16/05/19	OA	AM	Access relocated to northern side of site

Client

Build Junky

Project

Proposed Start-up Business Park, South End, Thorne

Title

Preliminary Access Design



local transport projects
 traffic engineering and transport planning
 Accrediting House:
 The Pennington Centre,
 Beverley,
 East Riding of Yorkshire,
 HU17 0NW.
 t: 01482 679 911
 e: info@local-transport-projects.co.uk
 www.local-transport-projects.co.uk
 Registered No. 5295339

Drawn	OA	Date	26/09/19
Scale	1:100	Checked	AM
Status	APPROVED		

PRELIMINARY

Drawing number	LTP/3896/P1/01/01
Project	Build Junky
Job	Access
Sheet	01
Revision	B

Tie-in point to internal site layout

Note:-
 Visibility splay of 2.4 metre 'X' distance by 43 metre 'Y' distance at 30 miles per hour can be achieved as required by Manual for Streets.



	Proposed Road Markings
	Proposed Kerbline
	Assumed Site Boundary
	Proposed Dropped Kerb and Tactile Paving
	Right visibility splay (2.4m x 48m) achievable in excess of MFS (30mph/48kph)
	Left visibility splay (2.4m x 40m) achievable in excess of MFS (30mph/48kph)

Note:-
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 2. Scheme subject to Statutory Undertakers Apparatus Search.

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 vi. Based on topographical survey provided by client.

B	08/07/20	OA	AM	Approved to reflect comments from Developer etc.
A	08/07/20	OA	AM	Access relocated to northern side of site
Rev.	Date	By	Chk	Description

Client
 Build Junky

Project
 Proposed Start-up Business Park, South End, Thorne

Title
 Preliminary Access Design Visibility Splay

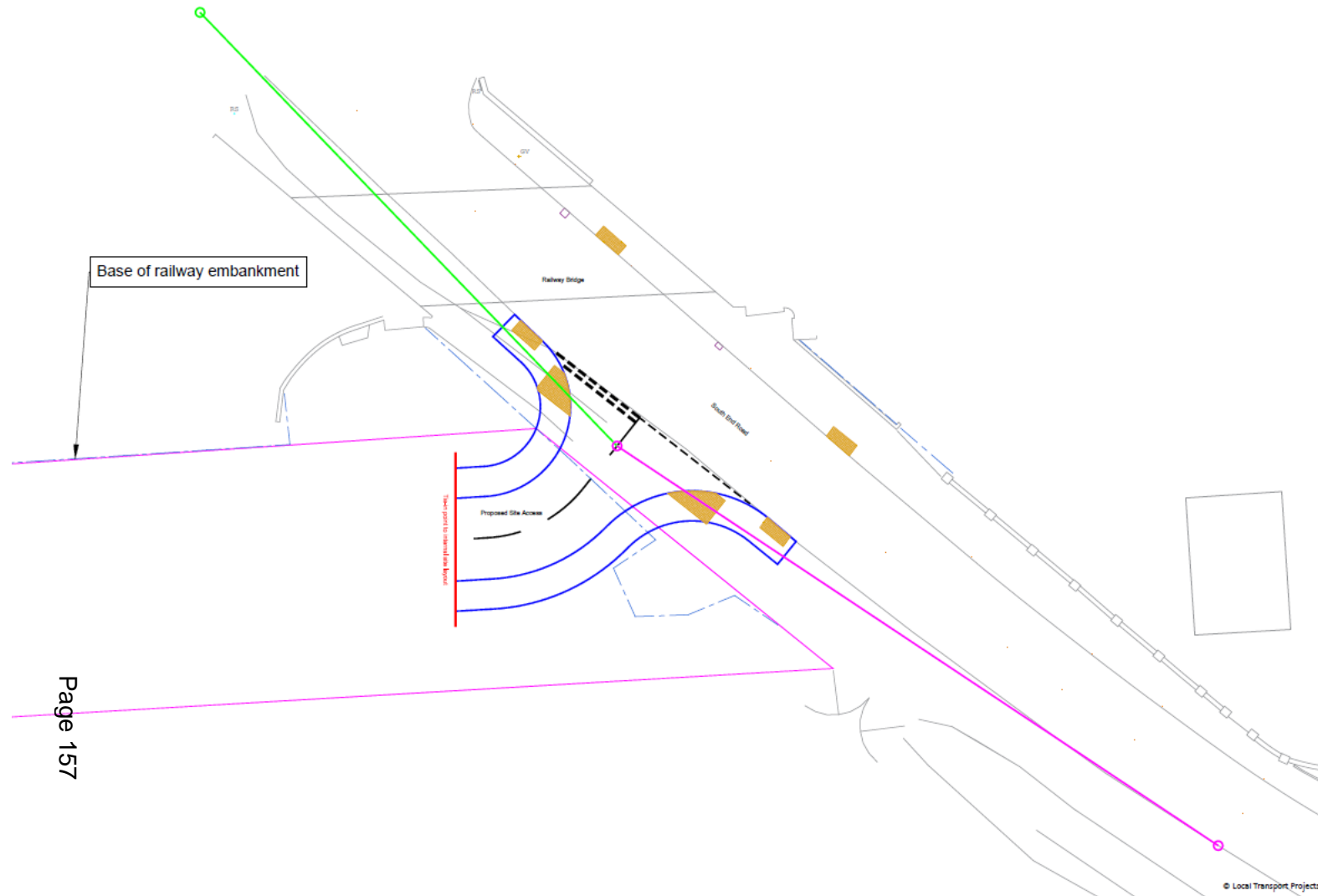
local transport projects
 traffic engineering and transport planning

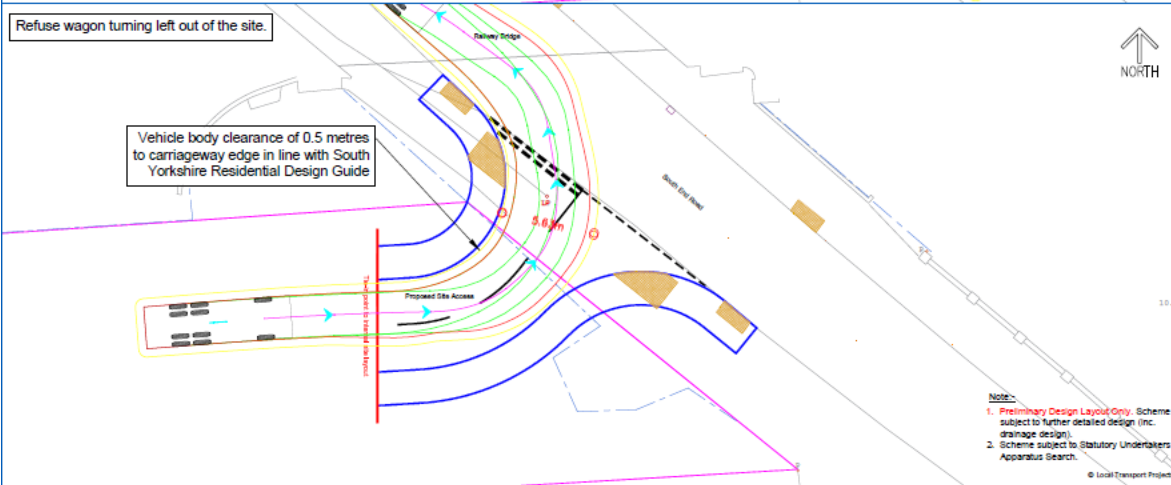
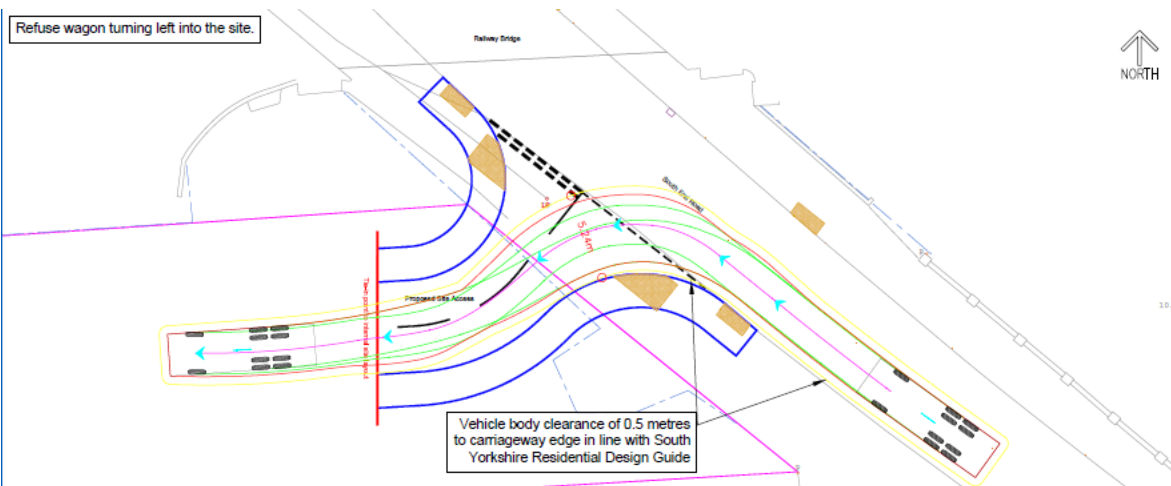
Acrosting House, The Farmgate Centre, Dewsbury, East Riding of Yorkshire, HU17 0NW. | 01482 679 911 | info@local-transport-projects.co.uk | www.local-transport-projects.co.uk | Registered No. 1295328

Drawn	OA	Date	06 12 19
Scale	1 : 250	Checked	AM
Status		Approved	AM

PRELIMINARY

Drawing number	LTP/3896/C1/01/01	Revision	B
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Notes:
 1. Preliminary Design Layout Only. Scheme subject to further detailed design (inc. drainage design).
 2. Scheme subject to Statutory Undertakers Apparatus Search.

A3

	Proposed Kerbline
	Assumed Site Boundary
	Outer Wheel Track
	Vehicle Swept Path
	Vehicle Centreline and Direction
	Vehicle Body Clearance

REFUSE WAGON

Width	2.30
Track	2.20
Overhead Clearance	4.0
Turning Radius	10.1

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- vi. Based on topographical survey provided by client.

Rev.	Date	By	Chk	Description
B	16/12	OA	AM	Revised to reflect comments from Client
A	20/10	OA	AM	Issue released to customer site of site

Client: **Build Junky**

Project: **Proposed Start-up Business Park, South End, Thorne**

Title: **Preliminary Access Design
Swept Path Analysis
Refuse Wagon Accessing Site**

local transport projects
 High engineering and transport planning

Addressing Services: The Farmgate Centre, 1, 23-25, 47th St, Leeds, West Yorkshire, LS11 2DQ. Tel: 0113 254 4747. Email: info@localtransportprojects.co.uk. Website: www.localtransportprojects.co.uk. Registration No: 12581028

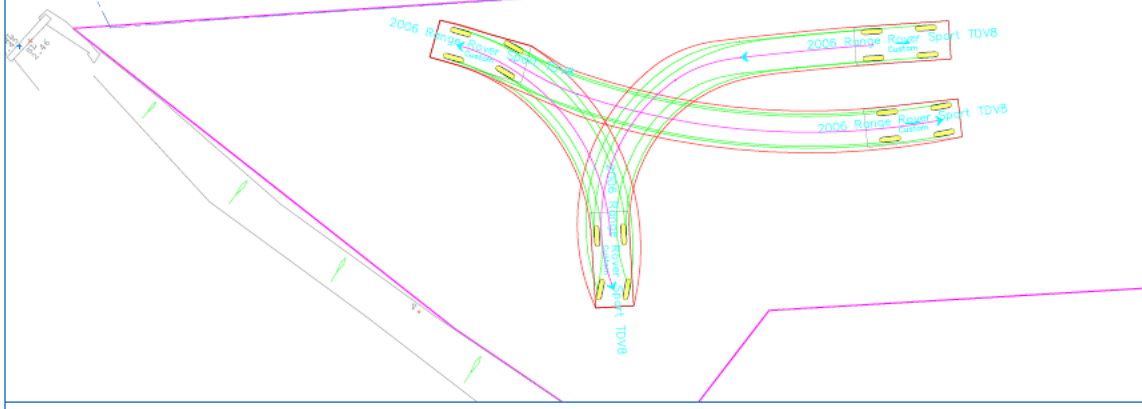
Drawn	OA	Date	26 09 19
Scale	1 : 200	Drawn	AM
Scale		Drawn	AM

PRELIMINARY

Drawing number	Issue	Jan	Issued	Issue	Revised
LTP/3896/T1/01	01	01	01		B

© Local Transport Projects

Passenger vehicle doing 3 point turn in approximate location of turning area.



4.79

2006 Range Rover Sport TDV8

Width	: 1.93
Track	: 1.61
Lock to Lock Time	: 6.0
Steering Angle	: 32.9

10mm A3

	Assumed Site Boundary
	Outer Wheel Track
	Vehicle Swept Path
	Vehicle Centreline and Direction
	Vehicle Body Clearance

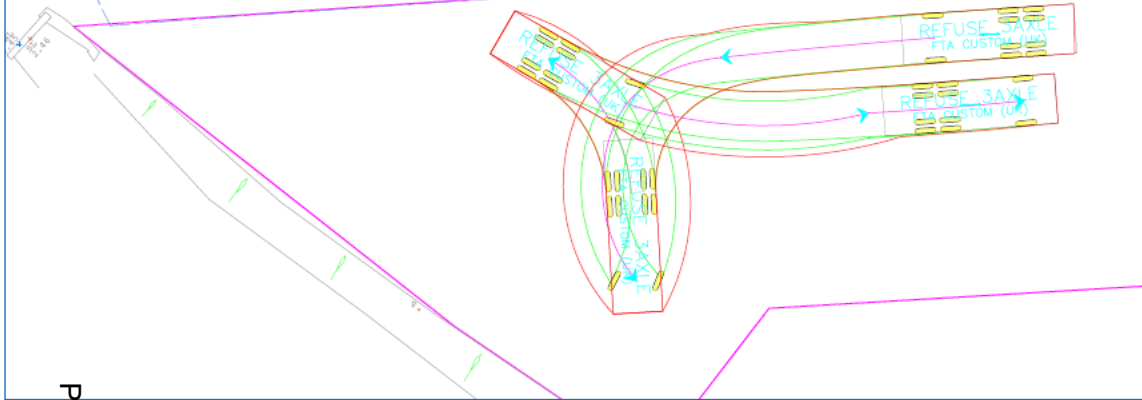
Note:-

- Preliminary Design Layout Only.** Scheme subject to further detailed design (inc. drainage design).
- Scheme subject to Statutory Undertakers Apparatus Search.
- Swept Path Analysis are indicative only as Internal site layout not provided by client.

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- Reference should be made to the project's drawing register to ensure the latest drawing is being referred to.
- All dimensions are to be checked by the contractor prior to commencement of work. Any discrepancy shall be reported immediately to Local Transport Projects Ltd.
- All work shall be carried out in accordance with local authority, statutory authority and health & safety requirements & regulations.
- This drawing is produced to be printed and read in colour. Reproduction in black and white may prevent correct interpretation of some aspects.
- Based on topographical survey provided by client.

Refuse wagon doing 3 point turn in approximate location of turning area.



8.74

REFUSE 3AXLE

Width	: 2.50
Track	: 2.50
Lock to Lock Time	: 6.0
Steering Angle	: 35.3

B	2019	OA	AM	Issued to reflect comments from Designer
A	2019	OA	AM	Access released to northern side of site
Rev.	Date	By	CHK	Description

Client: **Build Junky**

Project: **Proposed Start-up Business Park, South End, Thorne**

Title: **Preliminary Access Design Swept Path Analysis Turning Area at Rear of Site**

local transport projects
traffic engineering and transport planning

Armstrong House, The Beveridge Centre, Beveridge, 47 Hildesborough Road, Hull HU11 7DNW. Tel: 01482 479 911. Email: info@localtransportprojects.co.uk. Website: www.localtransportprojects.co.uk. Registered No. 5266228

Drawn	OA	Date	24.09.19
Scale	1 : 200	Checked	AM
Status	PRELIMINARY		

Approved: AM

Drawing number	Project	Iss	Drawn	Check	Issue	Revised
LTP/3896/T1/02/01						B

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Application	5.
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Application Number:	20/00719/FUL
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Application Type:	Full Planning Application
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Proposal Description:	Change of use of land for siting of mobile home for a temporary period.
At:	Lumbreck House Farm , Prospect Road, Toll Bar, Doncaster, DN5 0QP

For:	Mr A Wood
-------------	-----------

Third Party Reps:	No representations received	Parish:	n/a
		Ward:	Bentley
Author of Report:	Roisin McFeely		

SUMMARY

The application seeks planning permission for the siting of a mobile home for a temporary period.

The proposal is a departure from the development plan, due to the site being located within the Green Belt. The proposal is for a temporary period of three years to provide accommodation during the completion of the conversion of the approved dwelling on site. Due to its temporary nature and its connection to the approved dwelling on site, the mobile home is considered to be acceptable within the Green Belt.

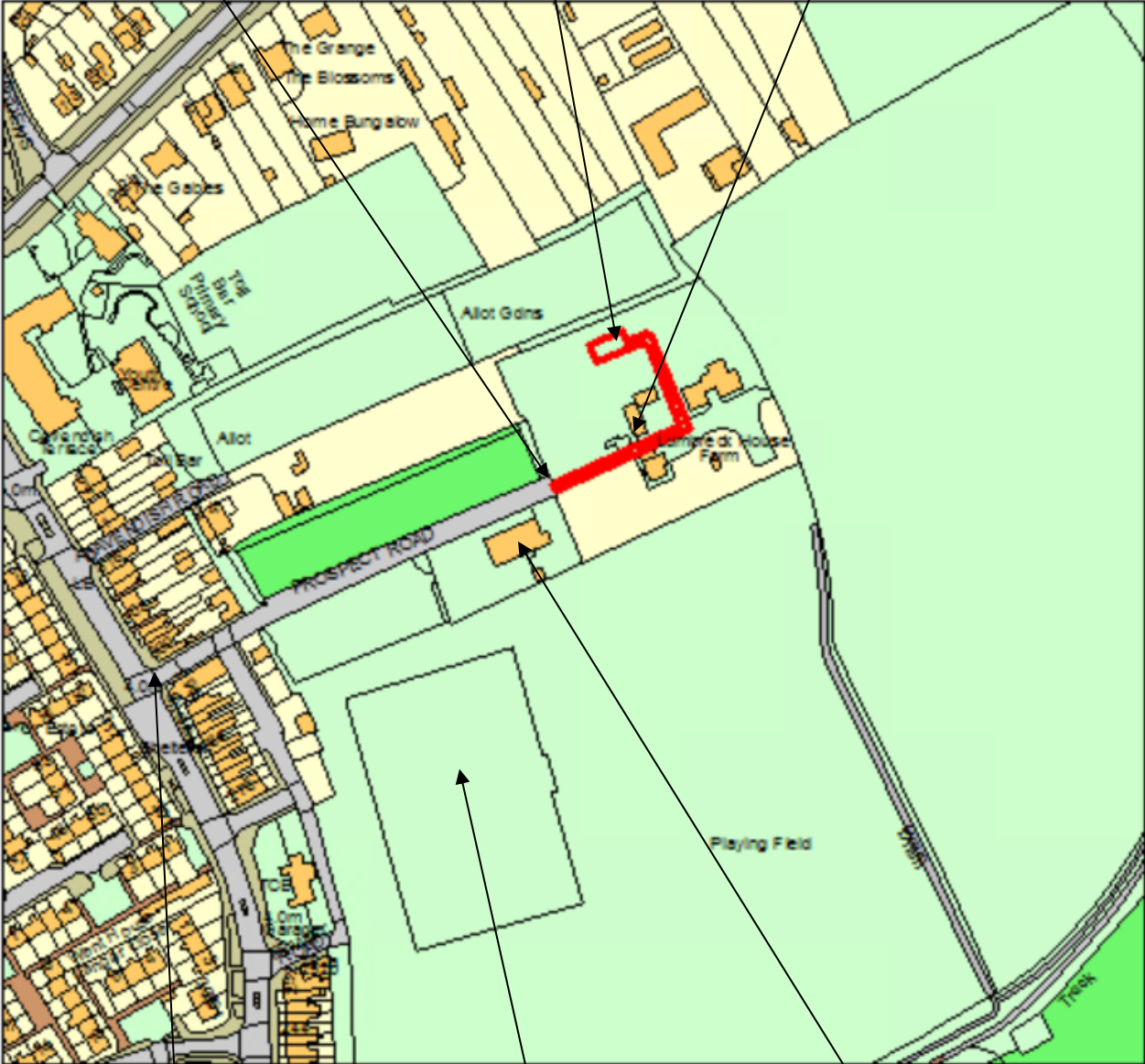
Furthermore, the development would not have a detrimental impact on the character and appearance of the countryside. Other technical matters have been addressed as part of the planning application. The report demonstrates that there are no material planning considerations that would significantly or demonstrably outweigh the social, economic or environmental benefits of the proposal in this location. Therefore, this application is recommended to planning committee for approval, subject to conditions.

RECOMMENDATION: To GRANT planning permission subject to conditions.

Existing access to the site from Prospect Road

Application Site – proposed siting of mobile home

Approved dwelling part completed, part under - construction



Existing access to the site off Askern Road

Existing rugby pitch

Doncaster Toll Bar Amateur Rugby League club house

1.0 Reason for Report

- 1.1 This application is being presented to members due to the proposal being a departure from the development plan by virtue of part of the site being in the Green Belt.

2.0 Proposal

- 2.1 Planning permission is sought for the change of use of land for the siting of a mobile home for a temporary period.

3.0 Site Description

- 3.1 The proposal site is an enclosed piece of land at the end of Prospect Road, accessed off Askern Road. Askern Road features a mix of residential and commercial properties. The site is located next to Doncaster Toll Bar Amateur Rugby League, which features a club house car park and rugby field. The site is surrounded on all other sides by fields. The site is enclosed on all sides by a hedgerow and features several trees. There is an existing barn on the site which is currently still under construction, being converted to a dwelling. Part of the conversion is complete and is inhabited.

4.0 Relevant Planning History

- 4.1 The historical use of the site is farmland and more recently planning permission has been granted for a dwelling on the land the use is currently residential:

Application Reference	Proposal	Decision
01/0922/P	RETENTION OF SITING OF TEMPORARY MOBILE HOME	GRANTED
01/4586/P	RETENTION OF SITING OF TEMPORARY MOBILE HOME	REFUSED
93/3419/P	SITING OF TEMPORARY RESIDENTIAL CARAVAN	GRANTED
91/0254/P	CONVERSION OF BARN TO DWELLING INCLUDING ERECTION OF TWO STOREY HALL/STAIRCASE/LANDING EXTENSION (4.3M X 3.2M OVERALL)	GRANTED
88/3862/P	OUTLINE APPLICATION FOR ERECTION OF FARM MANAGER'S	REFUSED

	BUNGALOW ON APPROX. 0.082 HA OF LAND	
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5.0 Site Allocation

- 5.1 The application site is designated as Green Belt as defined by the Proposals Maps of the Doncaster Unitary Development Plan (adopted in 1998).
- 5.2 The site is also located within Flood Zone 3 as shown on the Environment Agency's Maps.
- 5.3 National Planning Policy Framework (NPPF 2019)
- 5.4 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:
- 5.5 Paragraphs 7 – 11 establish that all decisions should be based on the principles of a presumption of sustainable development.
- 5.6 Paragraph 48 sets out that weight may be given to relevant policies of emerging plans according to the stage of preparation of the emerging plan, the extent to which there are unresolved objections to such policies and the degree of consistency of the emerging policies to the existing framework.
- 5.7 Paragraphs 54 – 56 set out the requirements of imposing conditions, which should only be used subject to meeting specific tests and where it is not possible to address unacceptable impacts through a planning condition.
- 5.8 Paragraphs 77 – 79 establishes that in rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Housing should be located where it would enhance or maintain the vitality of rural communities and should not be isolated, except for in special circumstances.
- 5.9 Paragraph 109 states development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 5.10 Paragraph 117 states planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.
- 5.11 Paragraph 124 of the NPPF states 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. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

- 5.12 Paragraph 127 states planning decisions should ensure developments will function well and add to the overall quality of the area, are visually attractive and optimise the potential of the site.
- 5.13 Paragraph 133 – 134 sets out the importance and purpose of Green Belt Land, which is to prevent urban sprawl.
- 5.14 Paragraph 143 – 145 set out what development is acceptable within the Green Belt and the very special circumstances in which development can be approved.
- 5.15 Core Strategy 2011 - 2028
- 5.16 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.
- 5.17 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:
- 5.18 Policy CS1 of the Core Strategy states that as a means of securing and improving economic prosperity, enhancing the quality of place and the quality of life in Doncaster, proposals will be supported that contribute to the Core Strategy objectives and which in particular provide opportunities for people to get jobs and protect local amenity and are well designed.
- 5.19 Policy CS3 of the Core Strategy sets out how Doncaster's countryside will be protected and enhanced, having regard for key principles:
A) The general extent of the Green Belt will be retained (as indicated on the Key Diagram). The key considerations for land within this area are:
1. national policy will be applied, including a presumption against inappropriate development other than in very special circumstances; and;
 2. land will only be taken out of the Green Belt for development allocations in exceptional circumstances for example where necessary to sustainably deliver the Growth and Regeneration Strategy.
- 5.20 Policy CS4 of the Core Strategy requires a proactive approach towards the management of flood risk and drainage.
- 5.21 Policy CS14 of the Core Strategy requires development to be of a high quality design that contributes to local distinctiveness and that integrates well with its immediate surroundings.

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

Doncaster's natural environment will be protected and enhanced, in accordance with the principles set out below.

A) Proposals will be supported which enhance the borough's Ecological Networks;

D) Proposals will be supported which enhance the borough's landscape and trees by:

1. being appropriate to the landscape's character, sensitivity and capacity;
2. including measures to mitigate any negative impacts on the landscape;
3. ensuring designs are of high quality, include appropriate hard and soft landscaping, a long term maintenance plan and enhance landscape character while protecting its local distinctiveness; and;
4. retaining and protecting appropriate trees and hedgerows, and incorporating new tree, woodland and hedgerow planting.

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

- 5.24 Policy ENV3 states that within the green belt development will not be permitted except in very special circumstances including limited extension and alteration or replacement of existing dwellings subject to limitations included in policies ENV 13 and ENV 14.

- 5.25 Policy ENV 14 ensures that buildings should not have a visual impact which would harm the character of the countryside or significantly increase the size of the existing dwelling.

5.26 Local Plan

- 5.27 The Local Plan has been formally submitted for examination on 4th March and an Inspector has been appointed therefore the Local Plan is now under examination. Paragraph 48 of the NPPF states that the LPA may give weight depending on the stage of the Local Plan and 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). When the local plan was published under Regulation 19 in August 2019, all of the policies were identified as carrying 'limited weight' for the purposes of determining planning applications. Taking into account the remaining stages of the local plan process, it is considered the following levels of weight are appropriate between now and adoption dependant on the level of unresolved objections:

- Substantial
- Moderate
- Limited

- 5.28 The Council has now sent out the notice of examination (regulation 24 stage) and is aiming to adopt the Local Plan by winter 2020. The following policies are considered appropriate in assessing this proposal and consideration has been given to the level of outstanding objections resulting in appropriate weight attributed

- 5.28 Policy 1 reinforces the guidance within the NPPF in that there should be a presumption in favour of sustainable development. This policy is considered to carry limited weight at this time.
- 5.29 Policy 2 and 3 set out the Borough's focus for new housing in sustainable locations. These policies are considered to carry limited weight at this time.
- 5.30 Policy 26 sets out acceptable uses in the Countryside, for sites within the Green Belt national planning policy will be applied. This policy is considered to carry limited weight at this time.
- 5.31 Policy 31 deals with the need to value biodiversity. This policy is considered to carry limited weight at this time.
- 5.32 Policy 33 states that the design process should consider woodlands, trees and hedgerows. This policy is considered to carry substantial weight at this time.
- 5.33 Policy 43 seeks to ensure high standards of residential design. This policy is considered to carry moderate weight at this time.
- 5.34 Policy 55 requires the need to take into account air and noise pollution. This policy is considered to carry limited weight at this time.
- 5.35 Policy 56 deals with the need to mitigate any contamination on site. This policy is considered to carry limited weight at this time.
- 5.36 Policy 57 requires development sites to incorporate satisfactory measures for dealing with drainage impacts and to reduce flood risk to existing communities. This policy is considered to carry moderate weight at this time.
- 5.37 Policy 58 deals with the need to consider flooding. This policy is considered to carry limited weight at this time.
- 5.38 Neighbourhood Plan
- 5.39 There is no neighbourhood plan allocated for this site.
- 5.40 Other material planning considerations
- *Development Requirements and Guidance Supplementary Planning Document (SPD) (2015)*
 - *South Yorkshire Residential Design Guide (SPD) (2011)*
 - *National Planning Policy Guidance (ongoing)*
 - *Development and Flood Risk Supplementary Planning Document (SPD) (2010)*

6.0 Representations

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

6.2 No public objections or letters of support have been received by neighbouring properties.

7.0 Parish Council

7.1 There is no Parish Council for this site.

8.0 Relevant Consultations

8.1 **Highways Development Control** – no objections to the proposal, given that an existing track would be utilised and there are parking provisions within the site.

8.2 **Environment Agency** – removed objection upon receipt of a satisfactory Flood Risk Assessment (FRA) and requested a condition relating to the development being carried out in accordance with the FRA and implementing flood mitigation measures.

8.3 **Environmental Health** - no objections.

8.4 **Internal Drainage Officer** – requested standard condition DA01.

8.5 **Pollution Control (Contaminated Land)** – following receipt of the YALPAG Agricultural screening assessment form, requested standard conditions CON2, CON3

8.6 **Tree Officer** – no objections, no conditions as the siting of the mobile home will not have a harmful impact on existing trees on the site.

8.7 **Ecology Officer** – following receipt of the Preliminary Ecological Appraisal (PEA), requested breeding birds informative.

8.8 **Yorkshire Water** – no comment to make.

8.9 **Doncaster East Internal Drainage Board** – watercourses are in the vicinity of Lumbreck House Farm all appear to be Danvm Drainage Commissioners maintained watercourses, therefore consent would be required from the Board.

9.0 Assessment

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

- Principle of development;
- Whether the scheme is appropriate development in the Green Belt;
- The effect of the proposed scheme on the character and appearance of the area and openness of the Green Belt;
- Need for the development
- Landscape impact and visual effects
- Impact on residential amenity & quality of life
- Highway safety and traffic
- Flood risk and drainage
- Air quality
- Ecology
- Noise

- Energy efficiency
- If the scheme is inappropriate development in the Green Belt, whether there are very special circumstances which would justify granting planning permission
- Overall planning balance

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 Policy ENV3 states that within the Green Belt development will not be permitted except in very special circumstances including limited extension and alteration or replacement of existing dwellings subject to limitations included in policies ENV 13 and ENV 14.

9.4 The proposal does not meet the very special circumstances as set out in Policy ENV3 and in the NPPF, however residential use on the site was established under a 1991 application on the site, which approved the conversion of a barn to a dwellinghouse. The proposal will provide temporary accommodation to support the completion of the barn conversion.

9.5 The use of the proposal is for a temporary period of 3 years connected to an approved residential use on the site. The proposal is in close proximity to existing buildings and the impact on openness of the Green Belt is considered to be minor.

9.6 Whilst the proposal is a departure from policy, the proposal is considered to be acceptable in principle as it is temporary and will be removed within three years. Furthermore, the proposal supports the completion of an approved residential conversion on the site.

9.7 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

9.8 Impact on Residential Amenity

9.9 The site bordered on three sides by fields and there is in excess of 40m from the proposed siting of the mobile home to the nearest neighbouring amenity space. The site also features hedgerows on all sides, which provide screening and mutual privacy. Thus there are no concerns that there would be any significantly harmful overlooking or overshadowing arising as a result of the proposal.

9.10 The proposal would leave sufficient amenity space for the occupiers of the site. The mobile home would be temporary accommodation and there are therefore no concerns with regards to the amenity of current or future occupiers of the site.

9.11 Conclusion on Social Impacts.

9.12 In conclusion of the social impacts of the development, it is not considered that residential amenity will be adversely affect by the proposal in accordance with policy CS14 for the occupiers of the nearest neighbouring properties, due to significant separation distances. It is therefore felt that the proposal will not harmfully affect amenity which carries significant weight. The short term noise and disturbance associated with implementing the planning permission is considered to carry limited weight against the proposal.

9.13 ENVIRONMENTAL SUSTAINABILITY

9.14 Green Belt

9.15 Whilst the proposal is temporary and would be removed within 3 years of the decision date the impact on the Green Belt should still be considered for its temporary period. The mobile home is located in close proximity to existing buildings on the site and it is considered that the impact on the openness of the Green Belt would be limited to the period of the permission i.e. 3 years. A temporary consent would not lessen the harm to the Green Belt but would limited harm to a fixed period whilst the development of the barn is completed. Once complete or upon expiry of this permission the mobile home will be removed from the site and will revert to it previous condition. On this basis, the proposal is considered to be acceptable.

9.16 Impact upon the character of the area

9.17 The proposal is for a temporary period of three years and therefore the impact on the character of the area would be limited for that period. The proposal would mainly be shielded from public view as the site has hedgerows and trees on site providing screening. The proposal is small in scale being single storey, and does not dominate the site. The impact on the character of the area is considered to therefore be acceptable.

9.18 Impact upon Highway Safety

9.19 Policies CS1 and CS14 of the Core Strategy seek, amongst other things, to achieve ease of pedestrian movement, the protection of public safety and securing a functional highway network. Furthermore, the Council's SPD guidance set out good design principles concerning the protection of highway safety.

9.20 The proposal would utilise an existing access to the site off Prospect Road and does not impact the existing parking arrangements on site. There is sufficient parking on site for the part finished dwelling and the mobile home, due to the large nature of the site.

9.21 There is sufficient space on the site to turn within the site and leave within a forward facing gear. Highways raised no objections to the scheme.

9.22 Ecology and Trees

9.23 Trees on the site are situated a significant distance away from the siting of the mobile home will not have a harmful impact on existing trees on the site. The Tree Officer raised no objections to the scheme and did not request any conditions.

9.24 The Ecology Officer removed their objection to the application upon receipt of a Preliminary Ecological Assessment (PEA). The Ecology Officer confirmed that they were in agreement with the findings of the PEA; there are no significant ecological constraints on the proposed temporary siting of a caravan on the site. The Ecology Officer recommended that the mobile home is 3m or more than the hedge, to avoid any damage and requested a nesting birds informative.

9.25 Flood Risk, Foul and Surface water drainage

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

9.27 The application site lies within an area designated as Flood Risk Zone 3.

9.28 The application is for a temporary period of 3 years which is necessary to support the completion of the conversion of a previously approved dwelling, and a sequential and exceptions test is therefore not necessary for this application.

9.29 The Environment agency initially objected to the proposal due to the absence of an acceptable FRA.

9.30 The updated FRA increased the floor levels of the scheme to 4.93m AOD, a reduction in the length of time the mobile home would be located on the site from 10 years to 3 years and other flood mitigation measured.

9.31 Following the submission of an updated FRA, the Environment agency removed their objection to the scheme, subject to conditions relating to the proposal being carried out in accordance with the updated FRA and flood mitigation measures.

9.32 Conclusion on Environmental Issues

9.33 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.

9.34 The proposal would be temporary and there is considered not to be inappropriate development in the open countryside. The impact in terms of layout, scale, highway safety, flood risk and drainage are all considered to be acceptable, subject to conditions. Whilst the proposal would bring land allocated for the countryside into temporary residential use, the proposal would support the completion of a previously approved residential scheme. As such, significant weight can be attached to this in favour of the development.

9.35 ECONOMIC SUSTAINABILITY

9.36 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

9.37 Conclusion on Economy Issues

9.38 Whilst the economic benefit of the proposal is of limited benefit, it does not harm the wider economy of the Borough and for that reason weighs in favour of the development.

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. Whilst the proposal would be a departure from the development plan, the proposal would be temporary and its impact on the Green Belt would be limited to a fixed period. The proposal would be removed within three years and its use is connected to an approved residential conversion on the site. The proposal has three main considerations: layout, scale and highway safety. It is considered that the proposed temporary mobile home has have an appropriate layout and scale for the locality and would not cause harm to highway safety or the highway network. Furthermore, it is considered that 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. There are no material considerations which indicate the application should be refused.

11.0 RECOMMENDATION

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

Conditions / Reasons

01. The building hereby permitted shall be for a limited period being the period of 3 years from the date of this decision. At the end of this period, the mobile home hereby permitted 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 building hereby approved is not considered suitable as a permanent form of development to safeguard the Green Belt and to comply with policy ENV 3 of the Doncaster Unitary Development Plan.

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

Site Plan - Ref Wood (19/200) - Received on 07.04.2020

Proposed Plans, elevation and floor plans Ref Wood (19/200) - Received on 07.04.2020

REASON

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

03. The development shall be carried out in accordance with the submitted flood risk assessment (ref 23.07.2020 / 447.02 Scheme Plan Elevations / DDM Agriculture Limited) and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 4.93m above Ordnance Datum (AOD).

- The earth mound shall be constructed as per the submitted drawing "447.02 Scheme Plan Elevations"

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

REASON

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

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

REASON

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

06. Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules,

sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and be approved in writing by the LPA prior to any soil or soil forming materials being brought onto site. The approved contamination testing shall then be carried out and verification evidence submitted to and approved in writing by the LPA prior to any soil and soil forming material being brought on to site.

REASON

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

Informatives

01. INFORMATIVE

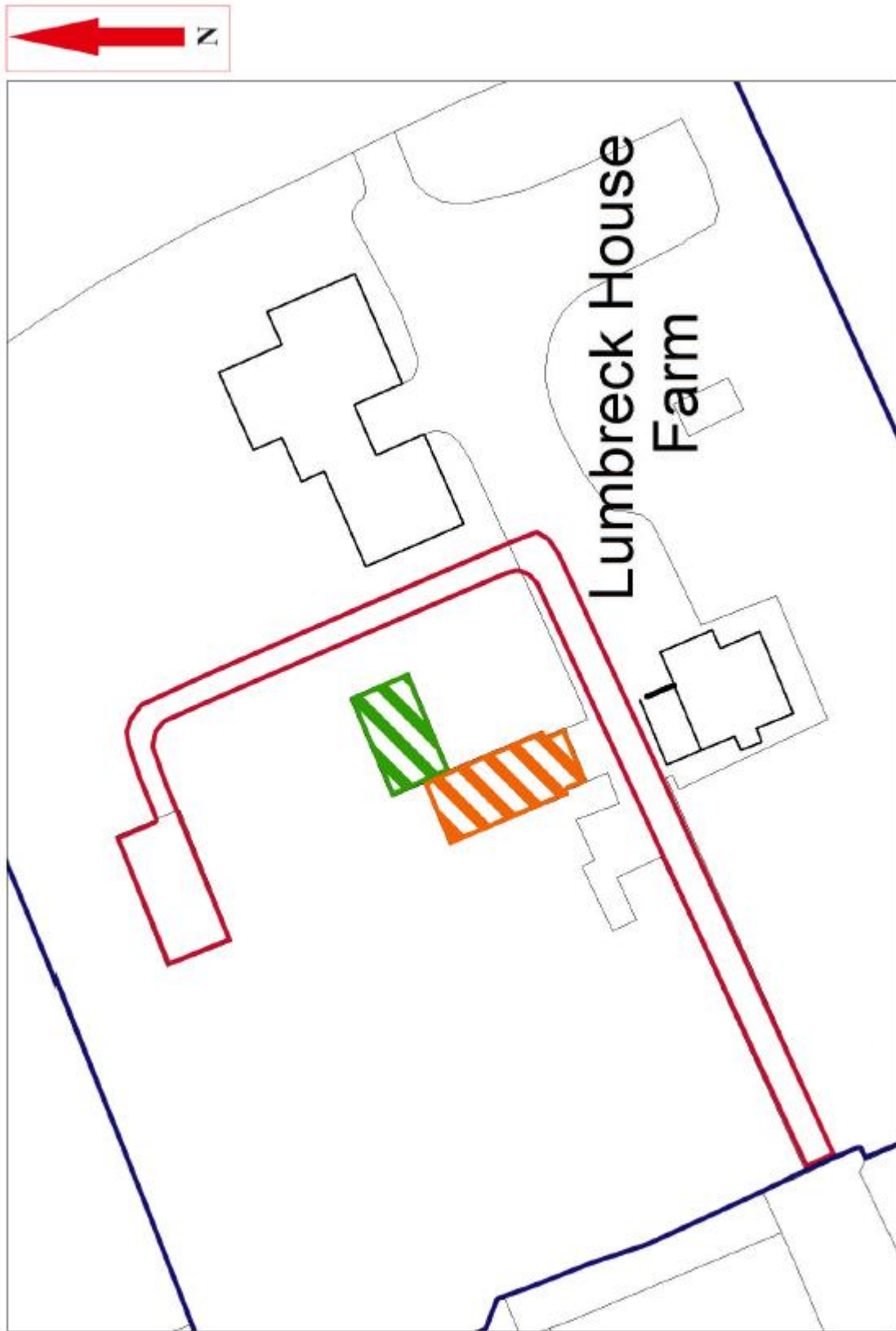
Birds may be nesting in trees and shrubs on the site. It is an offence under the Wildlife and Countryside Act 1981 (as amended) to disturb nesting birds, and vegetation removal or disturbance should be timed therefore to avoid the nesting season (March to August inclusive).

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:

Reducing the length of time the proposal would be sited on the site and flood mitigation measures to satisfy the Environment Agency.

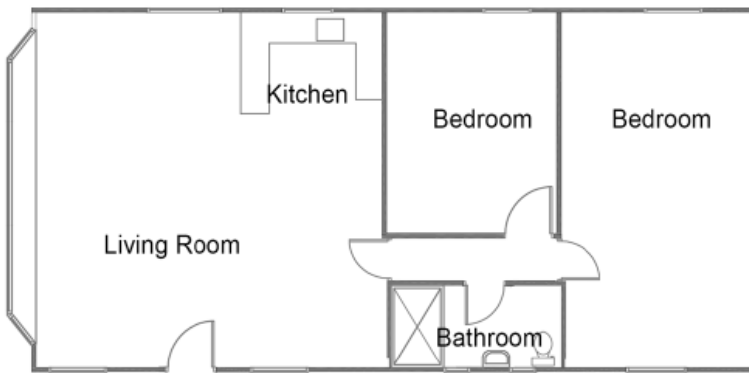
The above objections, consideration and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1999. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence



Appendix 2 – Proposed Plans Elevations and Floor Plan



Elevations



Floor Plan

Appendix 3 – Annotated Site Plan



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Application	6.
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Application Number:	20/01206/3FUL
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Application Type:	Planning OUTLINE
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Proposal Description:	Modification and extension of existing car parks, including the installation of EV Charging points.
At:	Scarborough House Car Park

For:	Andrew Gartland – Construction Services
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Third Party Reps:	None	Parish:	N/A
		Ward:	Town

Author of Report:	Jessica Duffield
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SUMMARY

The application relates to the proposed works to connect and expand two existing car parks at the former Scarborough House site. The proposed car park will primarily be used to provide overflow accommodation for the Council's fleet of pool cars, as well as additional staff permit holders parking.

The existing Council House Car Park, has recently been sold to South Yorkshire Police. It is expected the development of the new Police Station will commence within 12 months and therefore the site will no longer be available for Pool Car parking. As such, a new location within close proximity to the Civic Office must be sought. Additionally, DMBC are moving towards replacing the existing Pool Car fleet, with a fleet of Electric Vehicles for staff to use.

A sequential assessment, which evaluated various town centre locations, has been provided. However, the application site was found the most suitable.

The site has previously been identified for future residential development in the Emerging Local Plan.

The proposal has been recommended for approval on the basis that the permission is for 5-year temporary period.

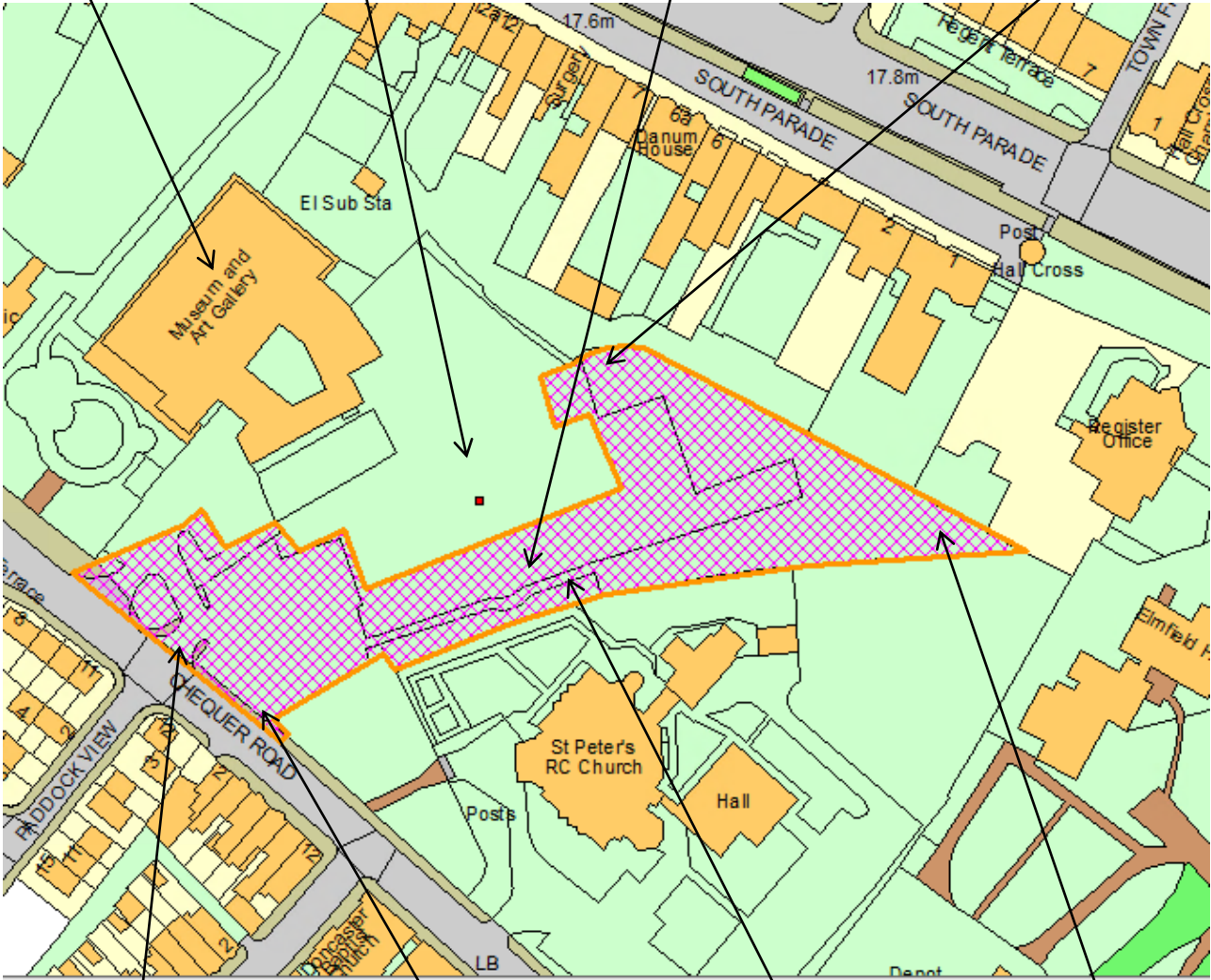
RECOMMENDATION: GRANT planning permission subject to conditions

Former Museum

Open Space to be retained

Application Site

Existing Exit to South Parade to be closed



Existing Car Park Entranced- accessed off Chequer Road

Proposed Site Entrance

Existing Car Parks to be connected

Existing Car Park- accessed off South Parade

1.0 Reason for Report

- 1.1 This application is being presented to planning committee because the land is owned by DMBC and therefore the applicant is an internal Council department.

2.0 Proposal

- 2.1 Planning Permission is being sought for the proposed works to connect and alter two existing car parks, to create one larger/merged car park, primarily to facilitate the Council's fleet of Pool Cars.
- 2.2 The identification and allocation of a new parking location for Council owned pool car vehicles is required. The sale of Council House car park requires the council to relocate its fleet of 39 pool cars and other vehicles to a new location within the Civic Quarter/ Town Centre.
- 2.3 The new parking location will support both the electrification of the Council's fleet with Electric Vehicle (EV) charging infrastructure and continue to provide access for the efficient collection and return of vehicles for Civic Office and town centre based staff.
- 2.4 The application site is considered to be most appropriate location, particularly given that the site is already used for car parking by DMBC staff Monday- Friday (although this is significantly underutilised). The site is within 2 minute walk of the Civic Office and is ideally located close to an electrical supply which can be used for EV Charging.
- 2.5 In terms of the total number of pool cars owned by the Council, this is deemed necessary in order to meet current service demands. The use of pool cars continues to be considered as the preferred option, rather than 'grey mileage' in terms of expenditure.
- 2.6 Currently the two car parks independently provide a total of 98 regular bays and 4 disabled bays. Following the proposed extension and alterations, the proposed Car Park will provide the following:
- 39 EV Charging Bays (19 for DMBC pool car use + 20 for public use)
 - 2 Accessible EV Charging Bays
 - 94 Regular Bays
 - 5 Accessible Bays
- 2.7 The 94 regular parking bays will be for permit parking only between the hours 08:00- 18:00 Monday – Friday. These permits are primarily for Council staff, although this service may be opened up to other public sector employers. This is addressed further in the report.
- 2.8 The regular bays will then be used as public pay and display spaces on Saturdays between 08:00- 18:00. Outside of these hours, the regular spaces will be free to use.
- 2.9 19 of the 39 EV Charging Points will solely be used to park/charge the Council's future electric fleet of pool cars, in line with the Council's environmental agenda. The remaining 20 EV Charging Points will be available for public use at all times. Currently EV Charging/parking is available free of charge for a 3 hour period. At this

stage it is unclear if this will continue or will be reviewed, to give the Council the option to financially charge for EV charging/parking.

- 2.10 The proposed disabled/accessible bays are free to use by both the public and permit holders at all times, in line with the usual disabled badge holders rules, excluding the accessible EV bay.
- 2.11 The proposed plans have been amended to include additional planting, to both improve the aesthetic appearance of the car park and address concerns raised by the Conservation Officer.
- 2.12 The proposed development has been recommended for approval, subject to a condition limiting any permission to a 5-year temporary period. This is in relation to the site's aspirations to potentially facilitate residential development in the future.
- 2.13 Other works include the relocation of the existing vehicular access point, off Chequer Road, further to the south. The existing stone wall and metal railings will be removed. The stone will then be used to rebuild a new wall around the proposed pedestrian access, in the same position as the current existing access. The existing bollards which close off the vehicular access to the Museum car park will be removed, to reopen the direct access off Chequer Road.

3.0 Site Description

- 3.1 The application site is in Doncaster Town Centre. The site was formerly used as Council Offices known as 'Scarborough House'. Following the development of the Civic Office building, Scarborough House was demolished. The demolition works were approved under planning references 13/02079/3DEM and 13/02088/3CAC.
- 3.2 As part of the demolition works, the two existing car parks were retained. The two existing car parks are independent from each other, separated by an area of open space, but are connected by a pedestrian footpath. The western car park is accessed directly off Chequer Road, meanwhile the eastern car park is accessed via a back lane off South Parade. Both the existing car parks are currently permit parking only 08:00 – 18:00 Monday – Friday, and Pay and Display 08:00- 18:00 on Saturdays. Outside of these hours the existing car parks are free to use.
- 3.3 A small section of the application site (the north western corner) falls within the South Parade Conservation Area. The remainder of the application site borders the Conservation Area boundary.
- 3.4 The former Museum and Art Gallery building is located to the north of the site. This building is to be retained and used for archive storage, following the recent development of the new Museum and Library building.
- 3.5 St Peter's Church lies to the immediate south of the site. Elmfield Park, which is a designated Park and Garden of Local Historic Interest and includes a Grade II Listed Asset (Elmfield House), lies further to the south of the application site.
- 3.6 The application site is within a 2-3 minute walk from the DMBC Civic Office. The site is included within the boundary of the Civic and Cultural Quarter, in which

outline planning permission was granted in March 2010 (planning ref: 08/02535/OUTA).

- 3.7 The application site abuts existing residential development, in a western and south-western direction.
- 3.8 The site is in Flood Zone 1 as defined by the Environment Agency's Flood Maps, and is therefore at low risk of flooding.

4.0 Relevant Planning History

4.1 Planning History for the site as follows:

Application Reference	Proposal	Decision
81/0211/P	Retention of use of existing offices	Granted, 29/5/1981
81/1760/P	Erection of temporary extension to existing offices	Granted, 27/11/1981
86/0018/P	Retention of use of temporary offices and erection of extensions	Granted, 31/1/1986
88/1761/P	Siting of 2 no. temporary buildings for use as office accommodation in existing car park	Granted, 24/6/1988
88/2317/P	Erection of single storey office extension to side of existing buildings	Granted 16/9/1988
89/0194/P	Erection of single storey office extension	Granted, 10/2/1989
90/1276/P	Renewal of planning permission for extension to offices	Granted, 29/6/1990
90/2763/P	Erection of office extension	Granted, 30/11/1990
92/2563/P	Renewal of planning permission for extension to offices	Granted, 26/10/1992
92/3034/P	Use of Scarborough House Car Park as public car park on Saturdays only	Granted, 7/12/1992
94/0140/P	Siting of two temporary office buildings	Granted, 7/3/1994
94/0403/P	Erection of single storey office extension	Granted, 21/3/1994
94/0835/P	Formation of extension to car park	Granted, 9/5/1994
94/3031/P	Retention of office extension	Granted, 16/11/1994
94/3522/P	Erection of two rear extensions	Granted, 18/1/1995
96/0121/P	Renewal of all previous individual temporary planning permissions in respect of Scarborough House and its extensions to expire on one specific date	Granted, 18/1/1996
08/02535/OUTA (as part of a wider site)	Outline application for development of mixed use Civic and Cultural Quarter on approx 11.2ha of land (Comprising of new performance venue, public library, civic offices, A1/A2/A3/A4 retail, B1 offices, D2	Granted, with S106, 30/3/2010

	Leisure uses, C1 Hotels, C3 residential, public open space)	
13/02079/3DEM	Demolition of single storey office building	Planning Permission Not Required, 24/10/2013
13/02088/3CAC	Conservation Area Consent for demolition of single storey office building in connection with redevelopment of Civic and Cultural Quarter	Granted, 25/11/2013

5.0 Site Allocation

- 5.1 The site is allocated as Office Policy Area as defined by the Proposals Maps of the Doncaster Unitary Development Plan (adopted in 1998).
- 5.2 The site is also allocated within a larger parcel of land (*the application site boundary to Waterdale*) as a Development Opportunity Site. This is covered by Policy TC3.
- 5.3 National Planning Policy Framework (NPPF 2019)
- 5.4 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:
- 5.5 Paragraph 2 states that planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 5.6 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).
- 5.7 Paragraphs 122 states that planning policies and decisions should support development that makes efficient use of land, taking into account where sustainable transport is promoting.
- 5.8 Paragraph 102 states that transport issues should be considered at the earliest stages of development proposals opportunities from existing transport infrastructure and changing transport technology and usage.

- 5.9 Paragraph 104 states that planning policies should support an appropriate mix of uses in terms of sustainable transport, to minimise the number and length of journeys needed for employment, shopping and other activities.
- 5.10 Paragraph 105 adds to this further stating that policies should take into account both the type, mix and use of development, as well as the need to ensure an adequate provision for charging plug-in and other ultra- low emission vehicles.
- 5.11 Paragraph 110 also states that developments should be designed to enable charging on plug in vehicles in safe, accessible and convenient locations.
- 5.12 Paragraph 108 states that when assessing sites it should be ensured that appropriate opportunities to promote sustainable transport modes can be taken up, given the type of development and its location.
- 5.13 Paragraph 109 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety or the impact upon the road network would be severe.
- 5.14 In terms of Town Centre development, paragraph 85 states that planning policies should allocate a range of suitable sites to meet the scale and type of development likely to needed.
- 5.15 Paragraph 120 states that planning decision need to reflect changes in the demand for land.
- 5.16 Core Strategy 2011 – 2028
- 5.17 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).
- 5.18 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:
- 5.19 Policy CS1 relates to the quality of accommodation and development within Doncaster. It makes it clear that development should be accessible by a range of transport modes. Developments should also be designed to work with their surroundings which protects and enhances the built and natural environment.
- 5.20 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.

- 5.21 Policy CS8 refers to Doncaster Town Centre. It states that regeneration should be focused to development opportunities at the Civic and Cultural Quarter.
- 5.22 Policy CS9 refers to Travel Choice, stating that parking in the Town Centre will be appropriately managed to support vitality and viability as well as reflecting local priorities.
- 5.23 Saved Unitary Development Plan Policies (Adopted 1998)
- 5.24 Policy TC3 states that land at Chequer Road, including the application site is identified as suitable for development. The planning brief sets out that '*the area as a whole provides scope for development to strength the commercial and cultural functions of the Town Centre.*'
- 5.16 Policy TC11 refers to the Office Policy Area which states that proposals for other uses will be treated on their merits having regard to highway safety and the relationship of the site to surrounding uses, providing that they are consistent with other policies in the plan, particularly shopping and conservation.
- 5.17 Policy TC21 states that within Doncaster Town Centre the accommodation of adequate car parking facilities should reflect the balance needed between short and long stay parking; highway capacity; environmental factors and highway safety.
- 5.18 Policy TC24 states that proposals within the town centre should be considered in relation to the Council's current car parking standards and the need to maintain commercial attractiveness.
- 5.19 Local Plan
- 5.20 The Local Plan has been formally submitted for examination on 4th March and an Inspector has been appointed therefore the Local Plan is now under examination. Paragraph 48 of the NPPF states that the LPA may give weight depending on the stage of the Local Plan and 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). When the local plan was published under Regulation 19 in August 2019, all of the policies were identified as carrying 'limited weight' for the purposes of determining planning applications. Taking into account the remaining stages of the local plan process, it is considered the following levels of weight are appropriate between now and adoption dependant on the level of unresolved objections:
- Substantial
 - Moderate
 - Limited
- 5.21 The Council has now sent out the notice of examination (regulation 24 stage) and is aiming to adopt the Local Plan by winter 2020. The following policies are considered appropriate in assessing this proposal and consideration has been given to the level of outstanding objections resulting in appropriate weight attributed to each policy:
- 5.22 Policy 1 reinforces the guidance within the NPPF in that there should be a presumption in favour of sustainable development. This policy is afforded limited weight as there are outstanding unresolved objections.

- 5.23 The site is allocated under Site Ref 841 in the Emerging Local Plan, which relates to Policy 69: Key Doncaster Town Centre and Main Urban Area Mixed-Use Sites.
- 5.24 Policy 69 states that the allocation aims to become a 'central business district' that will build on the existing civic developments. Future development will include a mixture of uses including high density housing; Grade A offices; education facilities; new library; leisure uses **and additional parking provision**. Development will be expected to follow the high architectural standard and quality public realm delivered in the earlier phases. This policy can be afforded substantial weight as there are no unresolved objections.
- 5.25 Policy 15 relates to Town Centre parking and states that car parks should be managed in favour of short stay car parking with supply aligned to meet operational demand. The policy states that car park development will only be permitted where it provides efficient parking, which makes the best use of the land; is of high quality; discourages all day commuter car parking; well-designed for the provision of disabled drivers; and includes sustainable refuelling infrastructure such as EV Charging points. This policy is afforded substantial weight as there are no unresolved objections.
- 5.26 Policy 59 states that low carbon and renewable energy proposals will be supported where they have no unacceptable adverse effects on highway safety and infrastructure. This policy is afforded moderate weight as there are no significant unresolved objections.
- 5.27 Neighbourhood Plan
- 5.28 There is no Neighbourhood Plan for this area.
- 5.29 Other Material Planning Considerations
- Development Requirements and Guidance Supplementary Planning Document (SPD) (2015)
 - National Planning Policy Guidance

6.0 Representations

- 6.1 This application has been advertised in accordance with The Town and Country Planning (Development Management Procedure (England)) Order 2015 as follows:
- 6.2 Site Notice- Consultation period expired 3/7/2020
- 6.3 No representations have been received in response to the application publicity.

7.0 Parish Council

- 7.1 No Parish Council for this area

8.0 Relevant Consultations

8.1 **Footpaths** – No response

8.2 **Public Health** – the use of electric vehicles is a positive step, although use of park and ride facilities should be maximised to encourage the use of sustainable transport.

8.3 **Ramblers Association**– No response

8.4 **Conservation**- Initially objected. Following modifications to the proposed design it is considered that the proposal will enhance the conservation area and the setting of the listed building- Condition attached regarding rebuilding of existing wall. Noted that if the proposal were to become permanent then restoration of the wall separating the car park to the back lane would need to be included in future proposals.

8.5 **Tree Officer**- No objection, conditions attached

8.6 **Highways**- No objection, number of spaces meets the Developer Guidance.

8.7 **Ecology**- No objections and no conditions

8.8 **Pollution Control** – No response

8.9 **Urban Design**- Standing objection, considers that the site should be used for housing, concerned that the proposed development could be detrimental to the long term aspiration of the site being used for residential development.

8.10 **Environmental Health**- No comments

8.11 **Local Plan**- Full Council approved the Publication version of the Draft Local Plan in July 2019 and the plan is currently going through EiP. In the Local Plan the site is identified as a mixed-use allocation, as part of the CCQ Outline Permission, site ref 841. The site is identified to provide is a housing supply in terms of both the Local Plan period and the 5-year housing land supply, which is anticipated to be developed for housing by March 2024. Emerging Policy 6 which refers to residential elements of mixed use allocations can currently only be afforded limited weight.

8.12 **Transportation**- Initial queries have been satisfied, support the development on a short term basis (5-10 years).

9.0 Assessment

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

- Principle of Development
- Alternative Sites Assessment
- Allocation/Outstanding Permission
- Sustainability
- Impact Upon Residential Amenity
- Location
- Alternative Use/Urban Design Officer Objection

- Conservation
- Highways
- Trees

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 allocated as Office Policy Area in the adopted UDP 1998.

9.4 Policy TC11 states that for uses other than offices, proposals will be treated on their merits in regard to highway safety and the relationship of the site to surrounding uses.

9.5 The application proposal relates to the modifications to two existing car parks, to form one larger car park which will predominantly be used to accommodate the DMBC Pool Car fleet. The main works associated with the development include the installation of an additional tarmacked area along the southern boundary of the site, to connect the two existing car parks.

9.6 On 19th September 2019, Doncaster Council Committee unanimously voted to pass the Motion to declare a Climate and Biodiversity Emergency and to establish a Local Commission,. Following this, Doncaster's Commission on the Climate and Biodiversity, , was formed. Findings from the commission will inform Team Doncaster's new Borough Strategy in 2020, which will outline opportunities to accelerate progress towards a net-zero carbon and regenerative place. The Commission published an Interim Position Statement in July 2020.

9.7 Page 10 of this document makes reference to the current activity which the Council are undertaking as part of the climate agenda and particularly refers to the replacement of Doncaster Council '*diesel pool cars and a selection of light commercial vans with electric vehicles in 2020*'. It builds on this further referring to the '*development of a dedicated EV-only fleet car park at the Council's Civic Office and the redevelopment of Scarborough House car park with 39 EV charge points (subject to planning)*'.

9.8 The proposal is part of a wider masterplan, as proposed by the Transportation/ Energy Department, which also includes developing the land to the rear of the Civic Office to provide a further 20 EV Charging spaces (the planning application for this is yet to be submitted). The development to the rear of the Civic Office will be for DMBC Pool Car charging/parking only. Due to the total number of pool cars required, not all of these can be accommodated to the rear of the Civic Office. As such the overflow EV Pool Cars (19) will be accommodated at the Scarborough House development.

- 9.9 Policy TC11 makes it clear that proposals should have regard to its surroundings. The application proposal is associated with the existing office use at the Civic Building. The pool cars must be accommodated within close proximity to the office and therefore the application site is ideally located. The proposal has been amended to ensure that it appears aesthetically pleasing and does not harmfully impact the setting of the Conservation Area.
- 9.10 Taking the above considerations into account, the principle of car park redevelopment at the application site is acceptable. On balance it is considered that the temporary use of the site is capable of forming a sustainable development when assessed against UDP and Core Strategy policy. The proposal is therefore acceptable in principle, subject to other policy considerations.

Alternative Sites Assessment

- 9.11 The applicant has undertaken a thorough sequential test activity, analysing various potential sites within the Town Centre, which could accommodate the Council's fleet of Pool Cars. It is understood that these options papers have previously been presented to Directors and Members of the Executive Board. A summary of alternative sites and why these were disregarded have been included below:
- 9.12 Chamber Road Car Park- *already a functioning car park. However, public parking within the Civic Quarter is limited and may become over-subscribed following development of the new library and cinema. If the site is used for pool cars then a loss of income may be caused.*
- 9.13 Civic Quarter Car Park- *currently close to maximum capacity Monday – Friday, with 70+ DMBC staff on waiting list for a permit. Therefore limited capacity for pool car fleet.*
- 9.14 College Road/Cleveland Street- *site is not large enough to accommodate all of the pool car vehicles, the site is exposed with highest level of vandalism.*
- 9.15 Colonnades Car Park- *Furthest away from Civic Office, only 31 parking spaces currently available, unlikely to have surplus electricity supply capacity due to central town location.*
- 9.16 Old Civic Theatre- *high development costs due to power supply previously being removed and challenging topography, ward members previously expressed desire for the site to be used as a park. Harmful impact upon Conservation Area, established trees on the site.*
- 9.17 It is recognised that the land to rear of Civic Office (previously used as the compound for the Museum/Library development) is the Council's preferred site.. However, this site is not large enough to accommodate the entire Council pool car fleet. Therefore the application site is required to house the overflow of pool cars.

Allocation/Outstanding Permission

- 9.18 The site is allocated as Office Policy Area in the adopted UDP. However, in the Emerging Local Plan, the site forms part of the Waterdale, Civic and Business District Mixed Use Allocation- Site Ref 841. This relates to the Emerging Policy 69.

- 9.19 Policy 69 outlines that the Waterdale site is allocated for a mixture of uses as set out in Paragraph 5.24, which includes both high density housing and car parking.
- 9.20 Although the policy does not directly set out which sections of the allocation are to be developed for which uses, a masterplan which was approved as part of the CCQ Outline Permission in 2010 (08/02535/OUTA) does indicate an indicative overview of the land uses. In this masterplan, the application site- labelled as Parcel N- is identified as a potential housing site.
- 9.21 Table H1(A) in the Emerging Local Plan states that the allocation has a net capacity of providing 132 dwellings, of which 46 are remaining to be developed. It is recognised that a small number of these 46 units may come forward through conversions within future Waterdale developments. However, in terms of the application site, the Local Plan Team have identified the application site could accommodate approximately 33 dwellings.
- 9.22 Based on the context set out above, it is therefore recognised that the Council has aspirations for the development of the site for housing should no other sites be forthcoming in this locale.
- 9.23 In response to this, the proposed car park development will be conditioned to a 5-year temporary permission. This will mean that in the short term, the Council's fleet of pool cars can be accommodated within close proximity to the Civic Office, where the majority of the Council Staff are based. It will also allow the aspiration to replace the current fleet with electric vehicles, as set out in the position statement, can be achieved. However the temporary permission caveats the long terms use of the site and facilitates the site to come forward for housing development at a later date if required. This is therefore considered to be acceptable.

Sustainability

- 9.24 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.
- 9.25 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.
- 9.26 **SOCIAL SUSTAINABILITY**
- 9.27 Impact Upon Residential Amenity
- 9.28 Policy CS 14 (A) of the Core Strategy states that 'new development should have no unacceptable negative effects upon the amenity of neighbouring land uses or the environment' and paragraph 127 (f) of the National Planning Policy Framework states that planning decision should create places that have a high standards of amenity for existing and future users .

- 9.29 The proposed development is in close proximity to existing residential housing. Given that the application site is already in use as a car park, albeit to a lesser intensity, the proposed development is not considered to harmfully impact residential amenity.
- 9.30 The proposal does include the closing of the existing rear exit via South Parade, meaning that the only entrance point into the development will be off Chequer Road and therefore closer to the existing housing. However, as the primary use of the proposed car park is the accommodation of the Council's Pool Car fleet, these will predominantly be used during typical office hours. Therefore, limited comings and goings from the car park during anti-social hours will be caused.
- 9.31 The use of the EV Charging Points will be controlled and managed by the Council's enforcement team. Therefore it is not anticipated that proposal will encourage anti-social behaviour.
- 9.32 Overall, it is not considered that the proposed development will harmfully impact existing residential amenity. This is also reinforced by the fact the proposal relates to a temporary permission.
- 9.33 Location
- 9.34 The application site is located in a sustainable location. The site is on the southern edge of the Town Centre, in close proximity to various commercial and business uses, including those within the Civic and Cultural Quarter.
- 9.35 Although typically the use of vehicles to commute to the Town Centre is discouraged, the use of Council Pool Cars is required by various departments, in order to undertake site visits/home visits etc. Therefore, the proposed use must be within close walking distance of the Civic Office.
- 9.36 As outlined in paragraph 9.11 various other locations were analysed, however these were sequentially discounted for the reasons detailed.
- 9.37 For the purpose and nature of this application proposal, the proposed site is therefore well connected and is considered to be a sustainable location.
- 9.38 Alternative Use/Urban Design Officer Objection
- 9.39 As explained above, other Council departments have anticipated that the application site is to be developed for housing in the future. The Urban Design Officer has expressed that currently there is a lack of adequate town centre sites, such as the application site, which are available for high-quality family housing.
- 9.40 The Urban Design Officer has maintained his objection to the proposed development and provided the following comments:
- 9.41 *'Although the application seeks a temporary permission, I am concerned that the investment required for the proposal will make the car park a permanent longer term use, potentially of detriment to the regeneration of the town centre and compromise delivery of much needed family housing in the future. The fact that the EV points will be used by the public and will be a source of revenue for the Council suggests that once established through this permission, the proposal will stay*

longer than the anticipated temporary permission albeit it will require a renewed permission.'

9.42 *'There is an expectation that more homes would be built in the area. A number of conversions to residential are proposed in Waterdale by Lazarus, but these are unlikely to meet the remaining homes identified in the allocation or be larger family type housing which the Scarborough House site could deliver and is likely to be scarce anywhere else in the Town Centre. Emerging proposals for the remaining sites within the mixed use allocation boundary are unlikely to deliver housing (e.g. Council House Car Park/ St James Baths/ Chamber Road Car Park), so without the development of this site for housing it is likely that only a lower number of decent family homes will be delivered in the main town centre. In this respect, a car park will not help support the vibrant mixed use ambitions the allocation seeks to achieve in terms of land use in my view.'*

9.43 *'I think a better use of it would be housing (as approved and indicatively designed in the outline permission) given we don't have many 'attractive' sites in the Town Centre capable of delivering proper family housing. I appreciate why the Council have chosen this use / location but I am concerned the proposals do not make best use of land in a sustainable location.'*

9.44 Whilst the principle of the temporary permission aims to ensure that the site can be developed for housing at a later date, it is recognised that the development of the site to deliver car parking, rather than family housing, cumulatively leads to negative social impact, particularly in the short term. The temporary permission however, affords the Council to take a view on housing provision in this locale at a future date – where a decision can be taken to either make the car park permanent or whether to promote the site for future housing growth.

9.45 Conclusion on Social Impacts.

9.46 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.

9.47 In conclusion the principle of application site being used for car parking is consistent with its current use. It is considered that the proposal would not adversely affect neighbouring residential properties through excessive disturbance or loss of privacy, given the site's existing use. The application site is in a sustainable location which is well connected to the Town Centre. However, the objection raised by the Urban Design Officer in relation to the delayed availability of the site to deliver residential development does harmfully impact the social sustainability. The proposal does not detrimentally harm nor improve the social sustainability. This weights moderately in favour of the application.

9.48 ENVIRONMENTAL SUSTAINABILITY

9.49 EV Charging

9.50 The replacement of existing diesel pool cars to provide a fleet of electric vehicles, is a clear improvement in terms of environmental sustainability and will assist in reducing the carbon footprint created by the Council and its activities. Adopted

Policy CS14 states that developments should be designed so that they are environmentally responsible and well managed.

- 9.51 The proposed development will facilitate the accommodation of electric vehicles, ensuring that when DMBC staff undertake site visits etc, there will no negative impact upon the local environment caused.
- 9.52 In order to facilitate the 39 EV Charging bays, the application looks to build a small brick building, which will house the electrical equipment. The location and design of this has been amended following initial concerns raised by both the Urban Design and Conservation Officer.
- 9.53 The building has been relocated to be within the car park/tarmacked area boundary, rather than within the existing open grassland.
- 9.54 The EV Charging bays will be positioned along the northern boundary of the car park, two of which will be accessible bays.
- 9.55 Conservation
- 9.56 Policy CS15 states that proposals will be supported which protect or enhance the heritage significance and setting of the borough's heritage assets. Initially the Conservation Officer raised concerns regarding the design of the development. The concerns particularly related to the proposed access via South Parade and the position of the electrical equipment building. The plans have been amended to address these concerns.
- 9.57 A new brick/stone wall, to match the existing, will be built to close off the existing car park entrance from South Parade. The new wall will be built from stone sourced from the demolition of the existing wall on Chequer Road. By sealing off the South Parade exit, this will reduce the amount of cars using the back lane and therefore reducing the impact of traffic flow on the character and appearance of the Conservation Area and the listed buildings within it. This is considered to be suitable and addresses the concerns raised.
- 9.58 As referred to above the proposed building has also been relocated to be within the built form of the site, against the above mentioned new wall. This will therefore be shielded from the listed buildings and the CA making it less impactful.
- 9.59 The amended plans also include increased planting on the eastern part of the site, as recommended by the Conservation Officer. The proposal also includes the building of a new stone wall along Chequer Road, using reclaimed materials, to soften the appearance of the car park, whilst being in-keeping with the surroundings.
- 9.60 Overall the proposal is now considered to enhance the Conservation Area and is therefore in accordance with the relevant policies, subject to the attached condition.
- 9.61 However, the Conservation Officer has noted that should the proposal become permanent then the future works should include the restoration of the wall separating the car park to back lane. This will be assessed at the appropriate time.

9.62 Highways

9.63 The Highways DC Officer has reviewed the proposal. The proposed development has included the required number of accessible spaces and is in accordance with the relevant guidance. The Officer is therefore in support of the application and has no further comments.

9.64 Trees

9.65 The Tree Officer has reviewed the application proposals. In terms of planting, due to the temporary nature of the proposal, a combination of low to medium height shrubs have been proposed, throughout the car park. Isolated higher shrubs have been used in particular places. The previously proposed mature/high quality trees have been removed as this was seen to constrain the long term of availability of the site to deliver residential development.

9.66 A proposed planting plan/scheme has been provided. The Tree Officer is supportive of the proposed landscaping and agrees that the planting improves the aesthetic appearance of the car park.

9.67 The proposal will not impact the existing trees which are located around the site boundary, although these should be protected during construction. Two conditions have been proposed.

6.68 Conclusion on Environmental Issues

9.69 Paragraph 8 (c) 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.

9.70 The application proposal is not considered to harmfully impact the environment and helps to address the climate change agenda. The proposed development will facilitate the accommodation of the Council's future fleet of EV Pool Cars, which will therefore improve the Council's output in terms of carbon footprint, and will be in accordance with Emerging Policies relating to climate change.

9.71 The application causes no harm upon the Conservation Area or nearby listed assets. Both the Tree Officer and Highways Officer are in support of the application given the positive impacts. Therefore the proposal will have a positive impact upon the environment. This weights substantially in favour of the application.

9.72 ECONOMIC SUSTAINABILITY

9.73 As outlined in the introduction, the proposed car park expansion will in turn create a potential economic investment in terms of the public use associated with the car park.

9.74 Whilst the purpose of the development is primarily to deliver new accommodation for DMBC Pool Cars, parking permits for the regular bays will be available to Council staff, as a continuation of the current service at the site. However this

offer could in future be opened up to other public section partners such as SY Police, particularly during the construction phase of the new Police Station. This could create an additional revenue during the temporary use of the site.

9.75 The proposed development will create additional chargeable public car parking available on Saturdays. Given the recent developments within the Civic Quarter, including the new library and museum, and cinema, this is now likely to be in higher demand.

9.76 19 of the 39 proposed EV Charging Points will be restricted to DMBC vehicles only. The remainder of these bays will be available for public use. The enforcement team will penalise any non-EV vehicle which parks in an EV parking bay. Currently EV Charging/parking is available free of charge for a 3 hour period. At this stage it is unclear if this will continue or will be reviewed, to give the Council the option to financially charge for EV charging/parking.

9.77 Conclusion on Economy Issues

9.78 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.

9.79 The economic benefit of the proposal is of moderate benefit. The proposal will create an additional provision of chargeable parking in the form of both permits and public parking. The proposal does not directly create investment into the wider economy of the Borough but will create a limited amount of revenue for the Council. For this reason weighs moderately in favour of the development.

10.0 PLANNING BALANCE & CONCLUSION

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

11.0 RECOMMENDATION

11.1 GRANT planning permission subject to conditions:

01. The temporary use of the site for the proposed development hereby granted consent shall be for a limited period of five years from the date of this decision. At the end of this period, the land shall be restored in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

To assess the cumulative future impact of the proposed development and its impact upon the availability of housing sites within the town centre.

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

Proposed Plans, Proposal, Drawing No: A02, Received 21/9/2020

Site Plan, Location Plan, Drawing No: A01, Received 21/9/2020

Proposed Plans, Planting Plan, Drawing No: L01, Received 21/9/2020

Proposed Plans, Parking Allocation, Drawing No: A03, Received 21/9/2020

REASON

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

3. Prior to commencement of relevant works details of the wall that will seal up the entrance to the car park from the back lane to South Parade shall be submitted to and approved in writing by the Local Planning Authority. Details shall include materials and coursing/banding. The wall shall be stone on the side facing the back lane and use salvaged stone from the wall to be demolished on Chequer Road and be brick facing the car park to match existing unless otherwise agreed in writing by the Local Planning Authority. Samples of the brick and any additional stone shall be provided on site for approval of the Local Planning Authority. Works shall be carried out in accordance with approved details.

REASON

To protect the setting of the adjoining listed buildings and to enhance the Doncaster – South Parade Conservation Area.

4. No development or other operations shall commence on site in connection with the development hereby approved (including tree pruning, ground works, soil moving, or any operations involving the use of construction machinery) until a detailed Method Statement has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in complete accordance with the approved Method Statement. The Method Statement shall be prepared by a competent arboriculturist in accordance with British Standards Institute 5837: Trees in relation to design, demolition and construction (2012) and the council's Supplementary Planning Document 'Planning for Trees

and Hedgerows on Development Sites in Doncaster' and shall include full details of the following:

- Installation of a tree protection fencing scheme
- Siting of materials and plant storage areas and site cabins
- Specification for facilitation tree work (if required)
- Excavation, root pruning and the installation of underground service around/in the vicinity of retained trees

REASON

To prevent damage to trees shown for retention on the Approved Plan

5. The planting scheme shown on Planting plan Drawing L01 hereby approved in writing by the Local Planning Authority, shall be implemented in the first available planting season after commencement of development. The local Planning Authority shall be notified in writing within 7 working days of completion of the landscape works to the required standard and the completion shall be subsequently approved in writing by the Local Planning Authority. The approved scheme shall be maintained for a minimum of five years in accordance with BS 8545: 2014 Trees: from nursery to independence in the landscape - Recommendations. Any landscape which is defective, damaged or removed within five years of establishment shall be replaced.

REASON

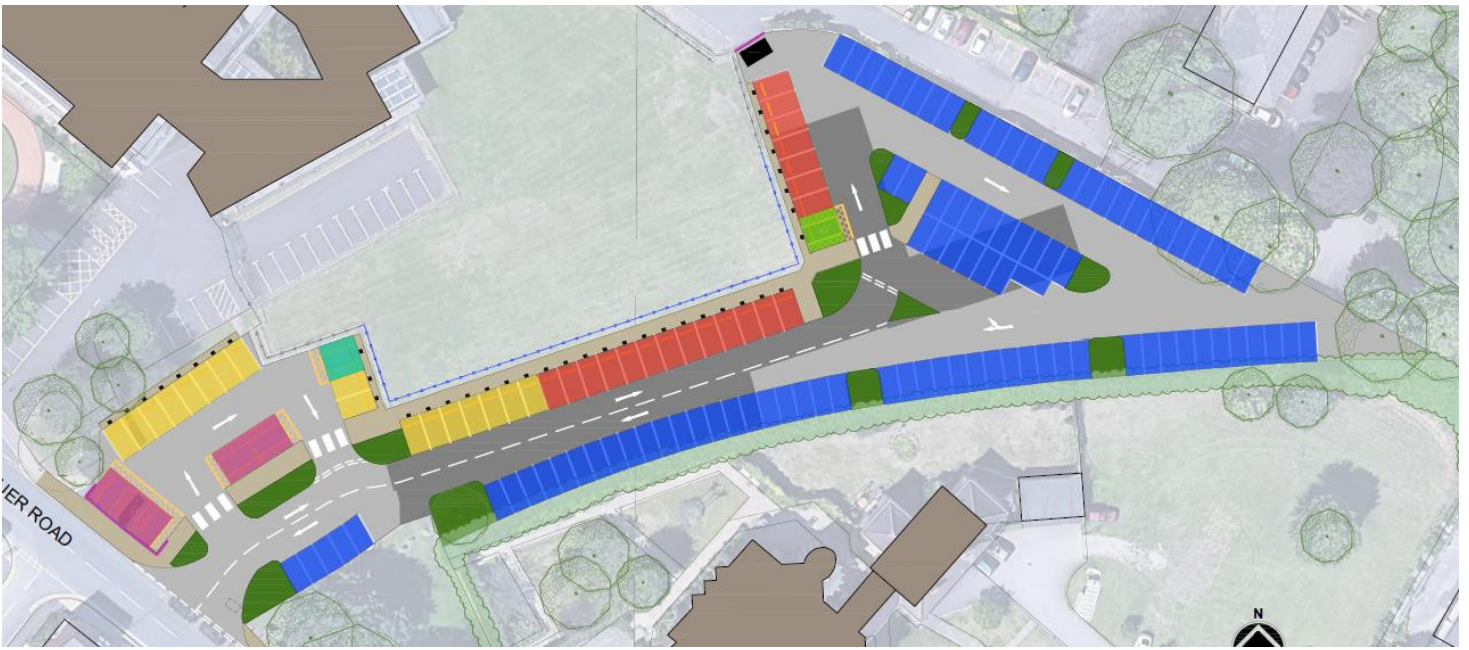
In the interests of environmental quality

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 Layout



APPENDIX 2- Allocation Plan



-  Regular Parking - Permit parking only, 08:00 till 18:00, Monday to Friday and Pay and Display on Saturday, 08:00 till 18:00. Free outside these hours.
-  Disabled Parking - Bays are free to use, for all, any time.
-  EV Parking - Permit only
-  Disabled EV Parking - Permit only
-  EV Parking - Available to the public at all times
-  Disabled EV Parking - Available to the public at all times

Application	7.
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Application Number:	20/01499/FUL
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Application Type:	Planning FULL
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Proposal Description:	Section 73 application to vary condition 2 of planning application 19/02145/FUL granted 24/10/2019 (variation to include rear dormers and reduction in size from approved plans).
At:	Land Adj To 54 Carlyle Street, Mexborough, S64 9DE

For:	SMK Construction Services (Doncaster) Ltd
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Third Party Reps:	15 letters of objection	Parish:	
		Ward:	Mexborough

Author of Report:	Hannah Wilson
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SUMMARY

The application seeks to vary the existing planning permission to alter the design of the properties to include dormer windows and reduce the size of the dwellings by varying the plans condition (section 73). The proposal is considered to be acceptable in policy terms as it is residential policy area and has been previous approved. It is felt that the reduction in size is not harmful to the character of the area or amenity and the inclusion of the dormers does not create a significantly harmful degree of overlooking or loss of amenity. It is therefore considered to be an acceptable and sustainable form of development in line with paragraph 7 and 8 of the National Planning Policy Framework (NPPF, 2019).

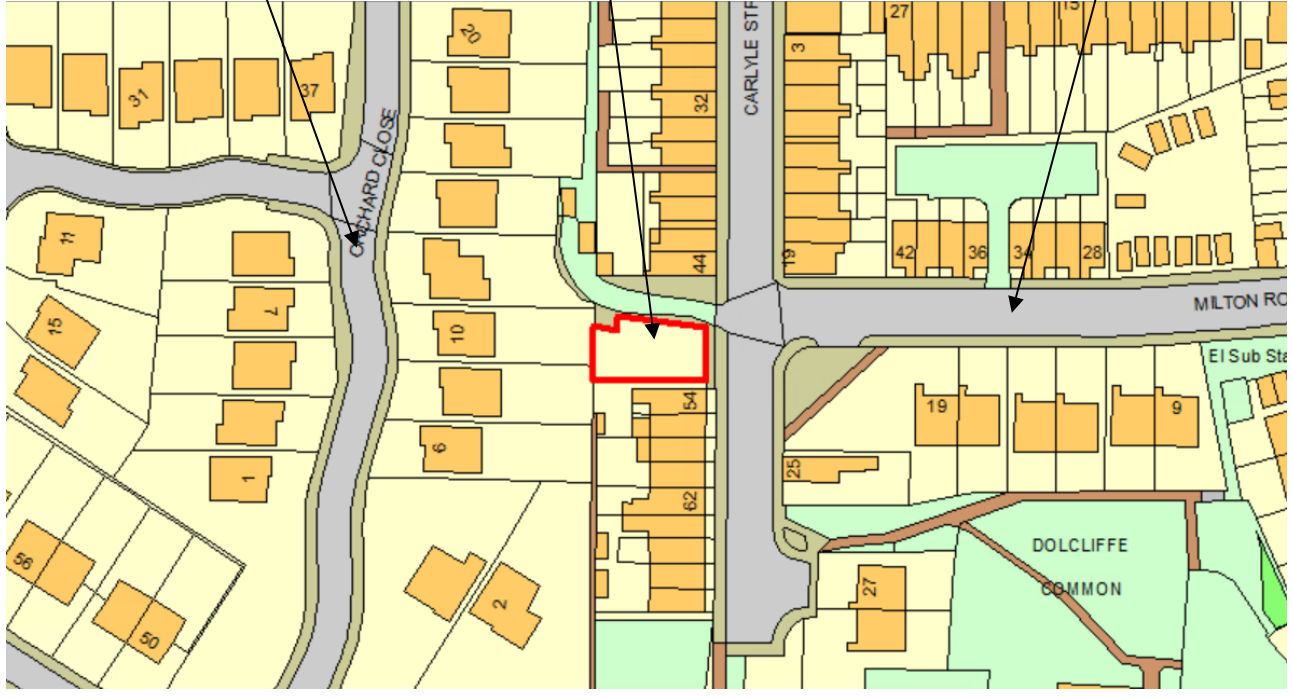
The report demonstrates that there are no material planning considerations that would significantly or demonstrably outweigh the social, economic or environmental benefits of the proposal in this location. The development would not cause undue harm to neighbouring properties, the highway network or the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

RECOMMENDATION: GRANT planning permission subject to conditions

Orchard Close

Application Site

Milton Road



1.0 Reason for Report

- 1.1 This application is being presented to planning committee due to the significant number of objections to the proposal.

2.0 Proposal and Background

- 2.1 Planning permission is sought to vary the approved plans condition to reduce the size and to install dormers to the rear elevation of the approved dwellings. The dwellings have permission which was established through planning application 19/02145/FUL.
- 2.2 The dwellings and dormers have already been built and as a result this application is retrospective.
- 2.3 The application originally submitted in association with the dormer window alterations however during the process of the application it was noted the dwellings are slightly smaller and consequently this change was also included. The application was re-advertised on this basis.

3.0 Site Description

- 3.1 The site was formerly the curtilage to an end terrace property next to a vehicle access leading to the rear of the next row or terrace properties. It is also next to the junction with Milton Road.
- 3.2 The street is characterised mainly by blocks of Terraces on the same side of the road and north of the adjacent junction on both sides of the road. There are semis on Milton Road and the opposite side of Carlyle Street. There are bungalows fronting the next street to the west of the site.
- 3.3 The dwellings have now been erected on this land and are a semi pair of dwellings with gable roofs and three floors.

4.0 Relevant Planning History

- 4.1 The relevant planning history is as follows:

Application Reference	Proposal	Decision
18/01672/FUL	Erection of 2 semi-detached houses	Withdrawn 04.10.2018
19/00354/FUL	Erection of a pair of semi-detached dwellings with accommodation on the three floors and on street parking	Refused 15.04.2019
19/02145/FUL	Erection of a pair of semi-detached dwellings with accommodation on the three floors and on street parking (being resubmission of application 19/00354/FUL, refused on 15/04/19).	Granted 24.10.2019

5.0 Site Allocation

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

5.2 National Planning Policy Framework (NPPF 2019)

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

5.4 Paragraphs 7 – 11 establish that all decisions should be based on the principles of a presumption of sustainable development. One of the three overarching objectives of the NPPF is to ensure a significant number and range of homes are provided to meet the needs of present and future generations (paragraph 8b).

5.5 Paragraph 48 sets out that weight may be given to relevant policies of emerging plans according to the stage of preparation of the emerging plan, the extent to which there are unresolved objections to such policies and the degree of consistency of the emerging policies to the existing framework.

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

5.7 Paragraph 59 sets out the Government's objective to significantly boost the supply of homes.

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

5.9 Paragraph 117 states planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.

5.10 Paragraph 124 of the NPPF states 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. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

5.11 Paragraph 127 states planning decisions should ensure developments will function well and add to the overall quality of the area, are visually attractive and optimise the potential of the site; and should promote health and well being with a standard of high amenity for existing and future users.

5.12 Core Strategy 2011 - 2028

5.13 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.

5.14 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:

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

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

5.17 Policy CS16 of the Core Strategy requires development to protect and enhance Doncaster's natural environment.

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

5.19 Policy PH11 allows for residential development in allocated residential areas except where there would be adverse effect on the amenity of neighbours or the development would be at a density or form that would be detrimental to the character of the area or result in an over-intensive development.

5.20 Local Plan

5.21 The Local Plan has been formally submitted for examination on 4th March and an Inspector has been appointed therefore the Local Plan is now under examination. Paragraph 48 of the NPPF states that the LPA may give weight depending on the stage of the Local Plan and 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). When the local plan was published under Regulation 19 in August 2019, all of the policies were identified as carrying 'limited weight' for the purposes of determining planning applications. Taking into account the remaining stages of the local plan process, it is considered the following levels of weight are appropriate between now and adoption dependant on the level of unresolved objections:

- Substantial
- Moderate
- Limited

The Council has now sent out the notice of examination (regulation 24 stage) and is aiming to adopt the Local Plan by winter 2020 and the following policies would be appropriate for each policy the level of outstanding objections has been assessed and the resulting appropriate weight noted against each policy :

- 5.22 Policy 1 reinforces the guidance within the NPPF in that there should be a presumption in favour of sustainable development. This policy is considered to carry limited weight at this time.
- 5.23 Policies 2 and 3 set out the Borough's focus for new housing in sustainable locations. This policy is considered to carry limited weight at this time.
- 5.24 Policy 11 (Residential Policy Areas) reinforces some of the wording of PH11 stating that within Residential Policy Areas, as defined on the Proposals Map:
- A) New residential development will be supported provided:
1. the development would provide for an acceptable level of residential amenity for both new and existing residents; and
 2. the development would help protect and enhance the qualities of the existing area and contribute to a safe, healthy and prosperous neighbourhood; and
 3. the development would meet other development plan policies including those relating to flood risk, open space, design and sustainable construction.
- B) The establishment or increase of non-residential uses of appropriate scale will be permitted provided they would not cause unacceptable loss of residential amenity through, for example, excessive traffic, noise, fumes, smells or unsightliness. This policy is considered to carry substantial weight at this time.
- 5.25 Policy 42 requires proposals to reflect and respect character and local distinctiveness. This policy is considered to carry limited weight at this time.
- 5.26 Policy 43 seeks to ensure high standards of residential design. This policy is considered to carry moderate weight at this time.
- 5.27 Policy 45 requires that new housing, extensions and alterations respond positively to the context and character of existing areas or the host dwelling and create high quality residential environments through good design. This policy is considered to carry moderate weight at this time.
- 5.28 Policy 46 deals specifically with residential design standards ensuring that new housing meets the Nationally Described Space Standard minimum. This policy is considered to carry limited weight at this time.
- 5.29 Policy 56 deals with the need to mitigate any contamination on site. This policy is considered to carry limited weight at this time.
- 5.30 Neighbourhood Plan
- 5.31 There is no Neighbourhood Plan for this area.
- 5.32 Other material planning considerations

- *South Yorkshire Residential Design Guide [SYRDG] (2011)*
- *Development Requirements and Guidance Supplementary Planning Document (SPD) (2015)*

- *Residential Backland and Infill Development Supplementary Planning Document (SPD (2010)*
- *National Planning Policy Guidance (ongoing)*

6.0 Representations

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

6.2 The application was amended and re-advertised because it came to light the dwellings were smaller than approved. 15 objections were received from 7 neighbouring properties. The comments can be summarised as:

- They feel the dormers are not in keeping, are imposing, and do not continue aesthetically with the terraced properties adjacent and in the local area. *The applicants state that 'Policy CS14 of the Core Strategy outlines that all proposals contribute to local distinctiveness and reinforces the character of local landscapes and building traditions.'* They feel that the dormers do none of those things and neither does it integrate with the immediate surrounding area. The applicant's statement that "*dormer windows are a characteristic of many areas in Doncaster and are increasingly becoming more common as development provide additional accommodation in the roof space*" they feel is completely irrelevant and has no bearing on the development in question.
- As for the statement several existing properties to the south of the development site also have dormers installed at roof level, they ask exactly how far south do they have to look? There are only 2 properties in the terraced row that this development is built in that have very small rear dormer windows. These dormers were installed prior to the year 2000 when the Orchard Close estate was built and the houses are also significantly further away from the neighbouring dwellings they back onto. The dormers on the new build completely dominate the rear roof of the dwellings.
- The SYRDG stipulates that dormers should not be over-dominant and fussy. They feel that dormer windows are just that..... Completely over dominant and imposing.
- The neighbours feel the dormers represent an invasion of privacy. They feel these will cause harmful overlooking to both properties and gardens and do not feel this to be minimal. They feel that policy CS14 states that "*new development should have no unacceptable negative effects upon the amenity of neighbouring land uses or the environment*" and the dormer windows on this development are entirely the opposite of this.
- They feel that the 24m separation that the applicants state and their photos do not truly represent the impact on them. They feel this takes no consequence of the fact that these properties are higher than the properties on Orchard Close, therefore more overbearing.
- The approved plans have absolutely no windows in the roof space to the rear of the property. If the application was rejected due to loss of privacy with the introduction of south facing dormer windows, how on earth can

west facing dormer windows which look directly into the neighbouring properties gardens, living space and bedroom areas be now deemed acceptable.

6.3 The objectors have raised the following which have been addressed below:

- They feel this will devalue their properties. *However this is not a material planning consideration.*
- They raise concerns that this affects their view. *The right to a view is not a material planning consideration.*
- They feel that the application makes planning look irrelevant and a mockery/farce of the planning system as the builder has already completed the works. *However the planning system does allow for retrospective applications to rectify unauthorised works.*

7.0 Parish Council

7.1 There is no parish council.

8.0 Relevant Consultations

8.1 No consultation responses have been received. The proposal is the same as previous, policy and site context have not changed. Except for the design and this is considered in this report.

9.0 Assessment

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

- Principle of development
- Impact on residential amenity & quality of life
- Character and appearance
- 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

Principle of Development

9.3 With regard to the principle of residential development on this site, the site is designated as 'Residential Policy Area' in the Doncaster Unitary Development Plan where proposals should be assessed against Policy PH11. The development is acceptable in principle under this policy.

- 9.4 The emerging Local Plan has completed its consultation for the Regulation 19 Publication stage. The Council is aiming to adopt the Local Plan by the end of 2020. This gives a clear indication of the direction of travel towards future planning policy of the site. The Local Plan proposes that the site continues to be designated as 'Residential Policy Area' (Policy 11).
- 9.5 The principle was shown to be acceptable in the approved application (19/02145/FUL) and the proposal is to vary the design of the dwellings and not assess the consideration of the acceptability of a pair of semi-detached dwellings on this site, which is approved.

Sustainability

- 9.6 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
- 9.7 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

9.8 Impact on Residential Amenity

- 9.9 Policy CS 14 (A) of the Core Strategy states that 'new development should have no unacceptable negative effects upon the amenity of neighbouring land uses or the environment' and paragraph 127 (f) of the NPPF states that planning decision should create places that have a high standards of amenity for existing and future users . The SPD Development Guidance and Requirements states in section 2.5 that 'new housing should not give rise to adverse amenity issues, particularly with respect to overshadowing, privacy and overlooking of existing occupiers'.
- 9.10 The dwellings other windows have been approved and considered under application 19/02145/FUL. The only windows to be considered under this S.73 application are the rear dormer windows.
- 9.11 The dormer windows would not normally need permission if the property was completed and erected under permitted development rights (50 cubic metres). However they were installed as part of the construction stage of the dwellings and this varied from the approved plans. In addition it should be noted that permitted development rights have been removed. Therefore the application is to regularise the unauthorised dormers by amending the plans.
- 9.12 It is noted that the neighbouring terraced properties do have their permitted development rights and could erected dormers without consent (40 cubic metres on terraced dwellings). The terraced properties appear to be constructed pre-1948 and would not benefit from the new Class AA for an additional 2 storeys above their dwellings. Concerns have been raised by residents that the dormer windows create a harmful degree of overlooking, invasion of privacy and are overbearing on their properties and gardens.

- 9.13 The Development Guidance and Requirements SPD recommends that ‘2-3 storey properties should have back to back distances (between facing habitable rooms) of no less than 21m’. In appendix 2 it can be seen on the site plan that the property directly to the rear (nearest property) is in excess of this separation with a 23m distance to their rear extension and 26m separation distance to the rear of the main part of the house. The other neighbouring properties are in excess of this and at an angle from these dormer windows meaning that the potential for overlooking would be diminished. Consequently, it is felt that the proposal represents a good separation from neighbouring dwelling house’s amenity in line with the Council’s Supplementary Planning Document (SPD) requirements and significantly weighs in favour of the proposal.
- 9.14 This SPD also states that ‘*Habitable room windows that overlook neighbouring garden space should normally be at least 10 metres from the boundary. Where a new property overlooks an existing garden these distances may need to be increased.*’ The dormer windows respect this 10m separation and although these are existing gardens it must be considered that the existing neighbouring terraces could erect similar dormers at the same separation distance and it is not felt that this distance is an unacceptable separation.
- 9.15 The objections raised that the previous refusal had dormer windows and these were removed. However these were in the side elevations and the plans associated with this are contained within appendix 4. It is considered that this represented a different proposal, which a different consideration, which was deemed to be unacceptable.
- 9.16 The current application also seeks to regularise the size of the dwelling. The plans indicate that the dwellings have been built slightly smaller than the approved plans. For comparison the sizes are laid out below:

Height: approved at 9.2m and are now 8.6. A lowering of 0.6m.

Length: approved at 9.8m and are now 9.8m.

Width: approved at 9.5 and are now 9m. A reduction in 0.5m. plus the rear single storey projection of 2.8m which remains the same.

- 9.17 It is considered that the reduction in height benefits the neighbours as decrease of 0.6m results in a less dominant form of development.
- 9.18 The reduction in width by only 0.5m is not felt to be detrimental. It allows the dwellings to appear to have a similar width to the neighbour dwellings and is not felt to cause a significant decrease in amenity to the future occupiers over what was originally approved, to warrant the demolition of the buildings and re-building. The change could be described as de-minimus and would not be expedient for the Local Planning Authority to take enforcement action against.

9.19 Conclusion on Social Impacts.

- 9.20 The amended proposal would not be significantly harmful to the living conditions of future occupiers or the existing neighbouring properties meeting separation distances in the SPD. In addition the proposal would also see a small reduction of 0.5 in width and reduction in the overall height which are not considered to adversely affect the character of the development or the surrounding area.

Therefore the proposal would be in accordance with policy CS1, CS14 of the Core Strategy, which seeks amongst other things for development to safeguard residential amenity; to be designed to a high quality consistent with national good practice standards and be able to adapt to changing lifestyle needs. It would also not conflict with the NPPF which seeks as a core principle to secure a good standard of amenity for future occupiers of dwellings and neighbouring dwellings.

9.21 ENVIRONMENTAL SUSTAINABILITY

9.22 Impact upon the character of the area

9.23 Policy CS 14 of the Doncaster Council Core Strategy sets out the Council's policy on the design of new development. It states that all proposals in Doncaster must be of high quality design that contributes to local distinctiveness, reinforces the character of local landscapes and building traditions, responds positively to existing site features and integrates well with its immediate and surrounding local area. New development should also have no unacceptable negative effects upon the amenity of neighbouring land uses or the environment. This will be achieved through a set of design principles and quality standards as set out.

9.24 The overall design of the dwellings being gable ended semi detached dwellings is not for consideration here it is only the reduced width, height and dormer windows being applied for.

9.25 The reduction in size of the dwellings makes them appear more subservient to the neighbouring properties being lower and having a reduced width than what was originally approved.

9.26 The dormer windows are to the rear of the property and so do not have a wider impact on the streetscene. To the rear the neighbouring terraced properties could erect similar dormer windows without planning permission. These dormers are set down from the ridge, in from the sides and up from the eaves so that they do not dominate the roofscape. They do not take up over 50% of the roofplane either. It is not felt that they are harmful to the character of the area or dominating the property.

9.27 Impact upon Highway Safety, Drainage, Ecology & Trees

9.28 The proposals do not alter the approved highways situation, drainage, ecology or trees that was approved in the 2019 permission.

9.29 Conclusion on Environmental Issues

9.30 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.

9.31 In conclusion of the environmental issues, it is considered that there has been no significant issues raised which would weigh against the proposal causing no significant harm to character and the other material planning considerations remain unchanged. As such, significant weight can be attached to this in favour of the development.

9.32 ECONOMIC SUSTAINABILITY

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

9.34 Conclusion on Economy Issues

9.35 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.

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

10.0 PLANNING BALANCE & CONCLUSION

10.1 In accordance with Paragraph 11 of the NPPF (2019) the proposal is considered in the context of the presumption in favour of sustainable development. Officers have identified no adverse economic, environmental or social harm that would significantly or demonstrably outweigh the benefits identified when considered against the policies in the Framework taken as a whole. The retention of the dormer windows and reduced height and width, would not significantly harm neighbouring amenity by virtue of overlooking, overshadowing or over-dominance and does not significantly harm the character and appearance of the area. The proposal is compliant with the development plan and there are no material considerations which indicate the application should be refused. The proposal is therefore recommended for approval subject to conditions to ensure the development still complies with the original approval, the varied condition 2 to reflect these plans, condition 3 removing permitted development will remain and condition 4 for materials is no longer required as the development is built.

11.0 RECOMMENDATION

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

Conditions

01. The permission hereby granted shall only be implemented in conjunction and compliance with planning permission reference 19/02145/FUL, with the exception of conditions 2 which are varied by this permission.

REASON

This permission is granted under the provisions of Section 73 of the Town and Country Planning Act 1990.

02. The development hereby permitted must be carried out and completed entirely in accordance with the terms of this permission and the details shown on the approved plans listed below:
1416: 300: Rev A Proposed Elevation Plans dated February 2020 amendments received 13.08.2020
1416: 200: Rev B Proposed Ground Floor Plan dated February 2020 amendments received 22.06.2020
1416: 201: Rev A Proposed First, Second and Roof Plan dated February 2020 amendments received 22.06.2020
P20-20- 1371 Site Plan dated June 2020 received 01.07.2020
REASON
To ensure that the development is carried out in accordance with the application as approved.

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

Informatives

01. **INFORMATIVE**
DEVELOPMENTS NEAR OR ON POTENTIAL CONTAMINATED SITES
Information derived from historic maps show that the above planning application is near or on a potential contaminated site, and in light of this it is recommended caution is taken during any excavation works.
02. **INFORMATIVE**
DEVELOPMENTS NEAR LANDFILLS
The proposed development is within 250 meters of a landfill site about which insufficient information is known to permit an adequate response to be made on the extent to which landfill gas may be present on or off site.
Planning permission has been granted on the basis that there is no sound and clear-cut reason to refuse. The applicant is, however, reminded that the responsibility for safe development and secure occupancy of the site rests with the developer and accordingly is advised to consider the possibility of the presence or future presence of

landfill gas and satisfy himself of any gas precaution which may be necessary.

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

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

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

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

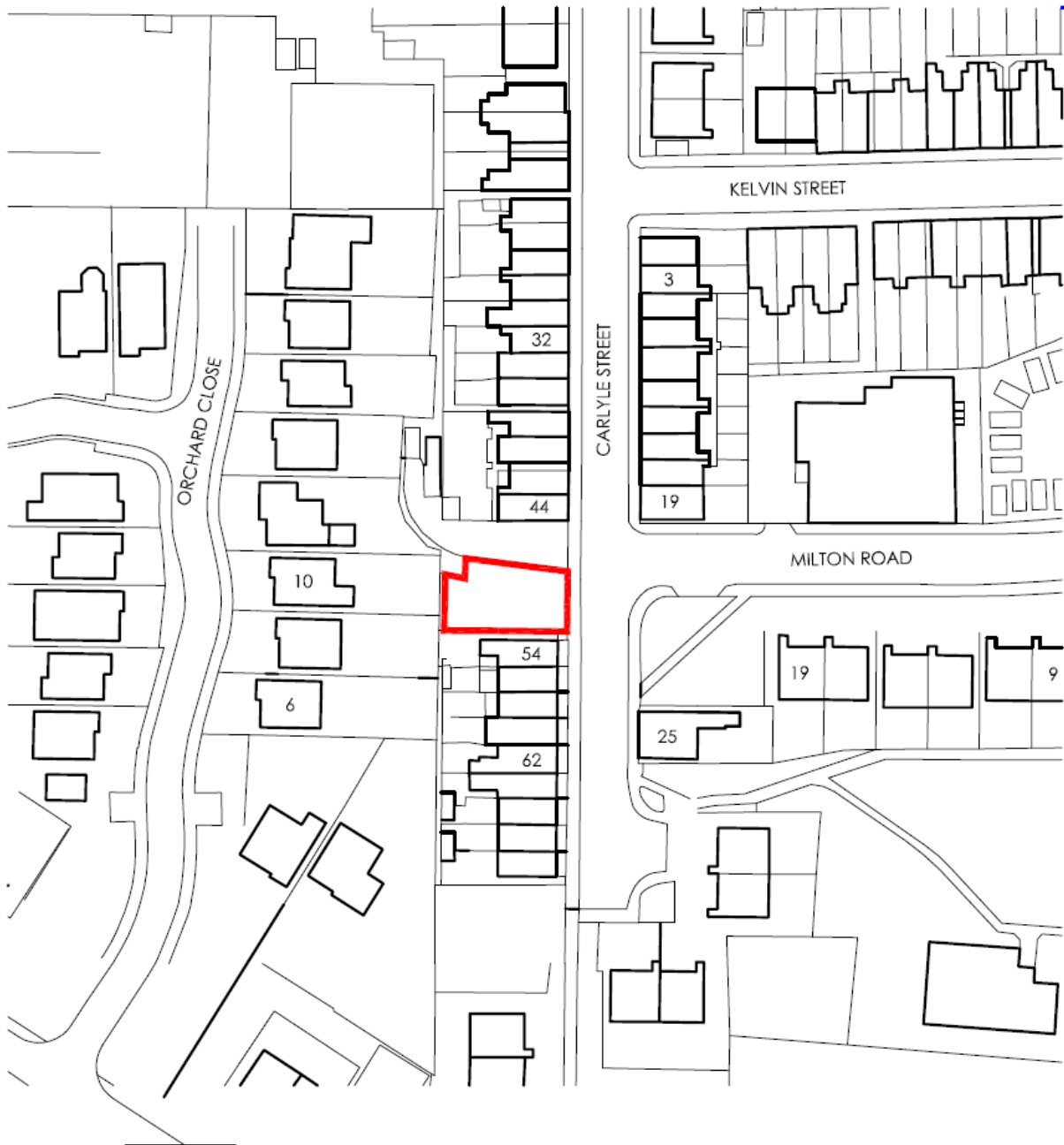
STATEMENT OF COMPLIANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY DEVELOPMENT MANAGEMENT PROCEDURE ORDER 2015

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:

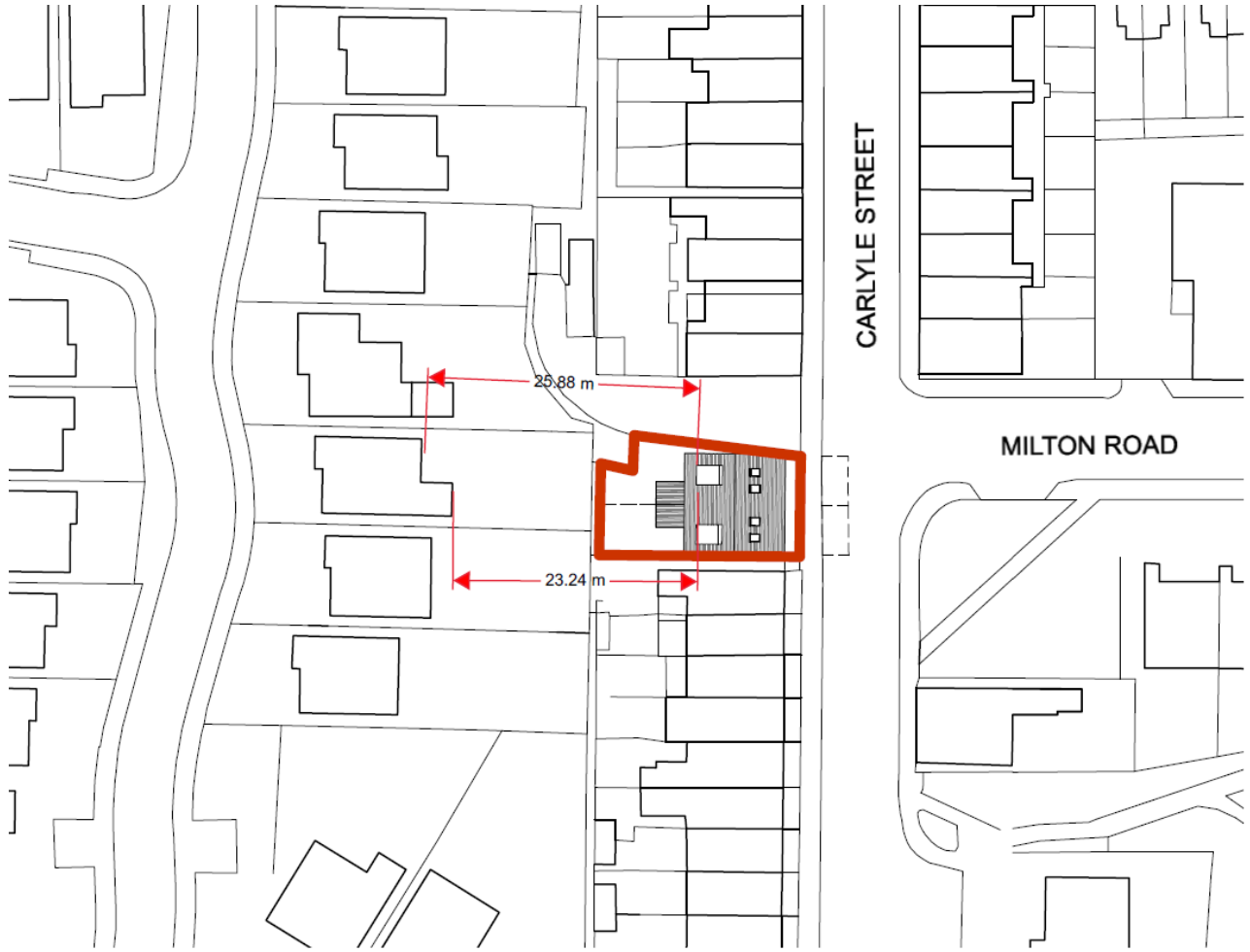
The proposal has been amended to include the changes to the width and height of the dwellings.

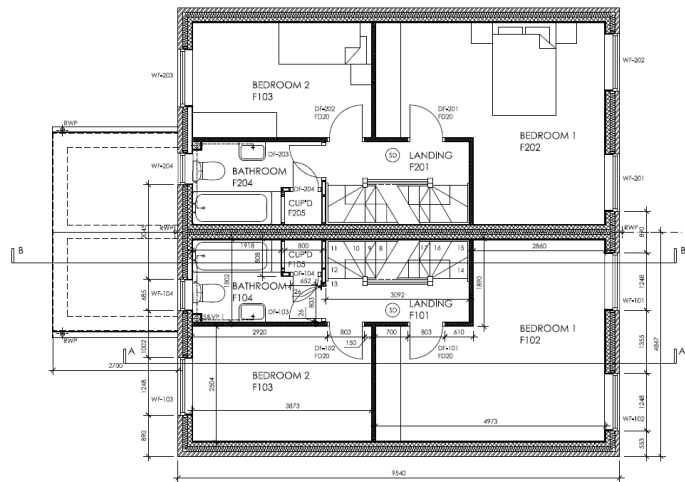
The above objections, consideration and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family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

Appendix 1 – Location Plan

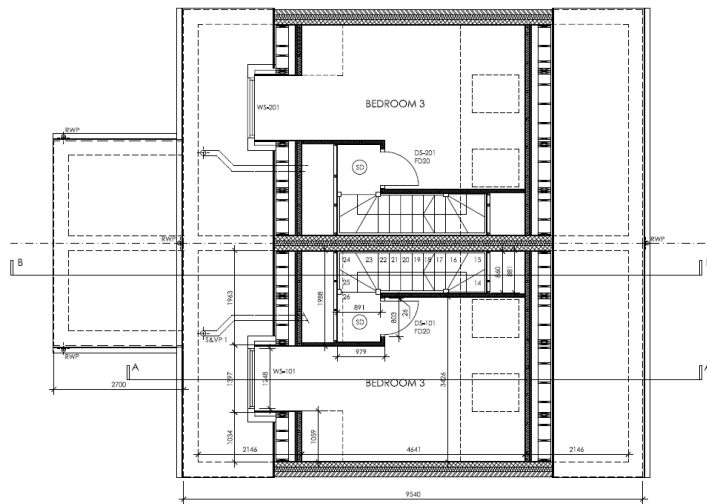


Appendix 2 – Site Plan

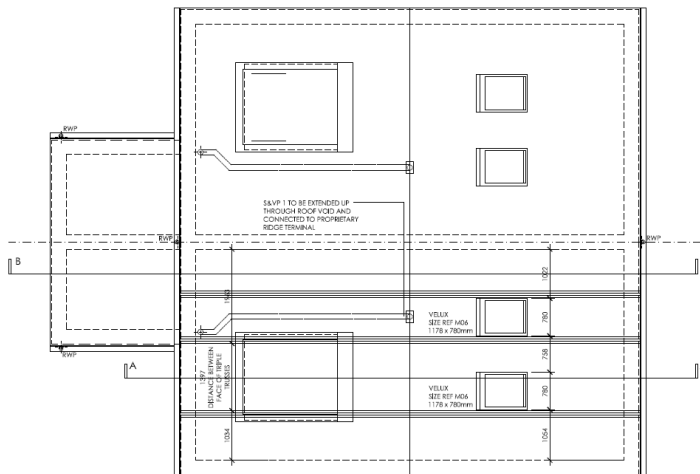




FIRST FLOOR PLAN

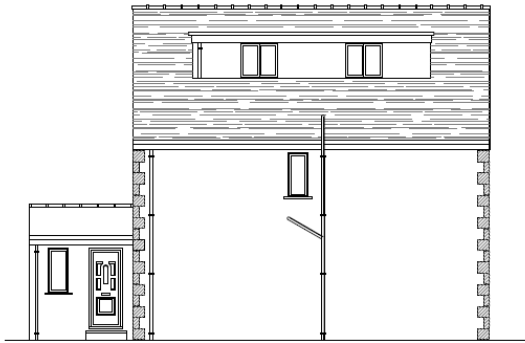


SECOND FLOOR PLAN



ROOF PLAN

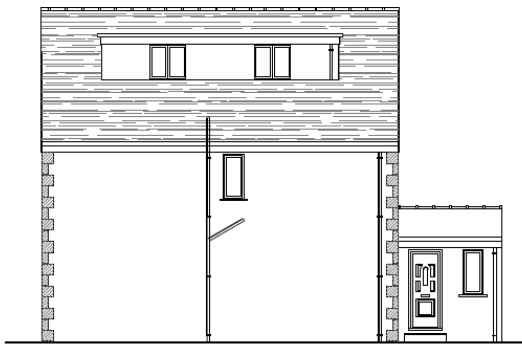
Appendix 4: Refused Plans 19/00354/FUL



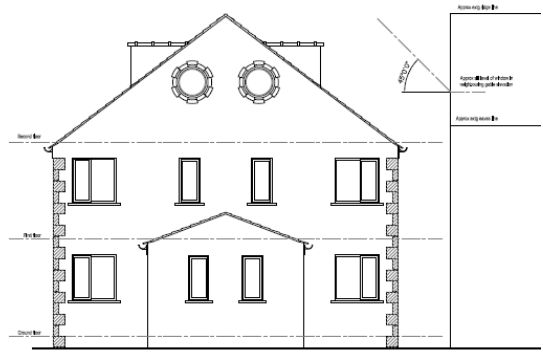
Left hand elevation (1:50)



Front elevation (1:50)

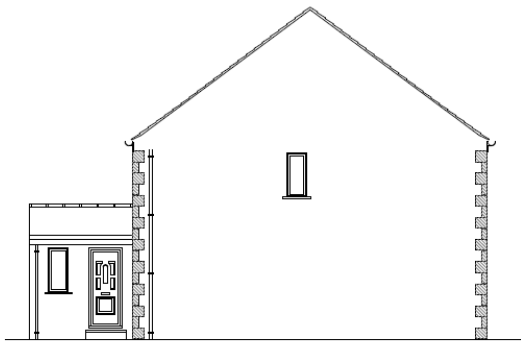


Right hand elevation (1:50)

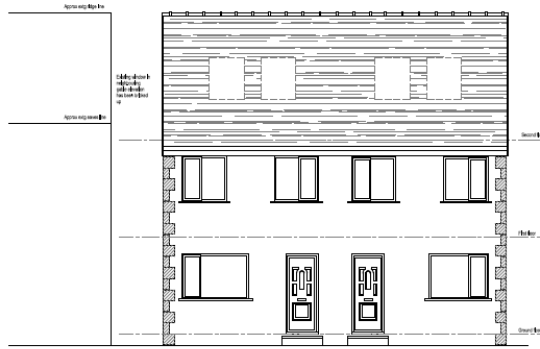


Rear elevation (1:50)

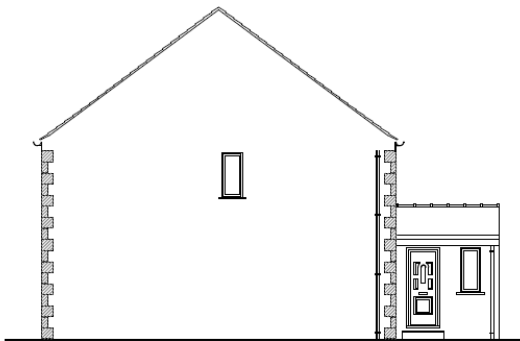
Appendix 5: Approved Plans 19/02145/FUL



Left hand elevation (1:50)



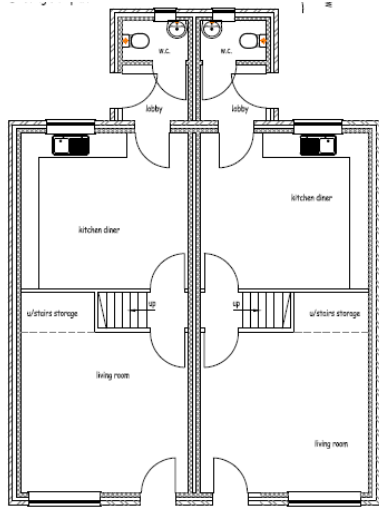
Front elevation (1:50)



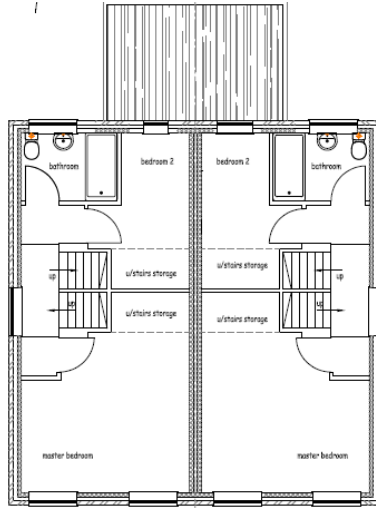
Right hand elevation (1:50)



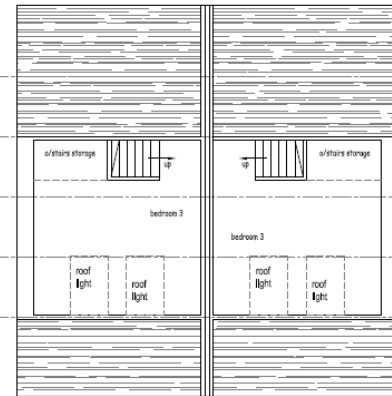
Rear elevation (1:50)



Ground floor plan (1:50)



First floor plan (1:50)



Second floor plan (1:50)

PLANNING COMMITTEE - AMENDMENTS TO THE AGENDA

Committee Date: 13th October 2020

Officers Present: Roy Sykes – Head of Planning, Garry Hildersley – Planning Development Manager, Mel Roberts – Principal Planning Officer, Dave Richards – Principal Planning Officer, Mark Sewell – Principal Planning Officer, Hannah Wilson – Principal Planning Officer, Mary Fleet – Senior Planning Officer, Roisin McFeely– Senior Planning Officer, Jess Duffield – Senior Planning Officer, Stacy Cutler – Senior Legal Officer, Amber Torrington – Governance Officer

Agenda Item No. and Application Reference	Notes
ITEM 1 19/02977/FULM	<p>Application description: Erection of residential development (Use Class C3), internal access roads, car parking, open space and associated works.</p> <p>Location: Land off Watch House Lane, Bentley</p> <p><u>Further information</u></p> <p>The applicant has submitted further information on highway matters, including vehicular access and egress, suitability of Fairfield Road, car parking provision and traffic surveys (see attached note by Fore). If Committee feel it is necessary, the applicant is offering a bond of £10,000 to be used by the Council in the event that parking restrictions are required along Fairfield Road following occupation of the development. The applicant has also submitted further information on space standards, open space provision and matters relating to the status of the Development Plan (see attached note by Quod).</p> <p><u>Request to Speak</u></p> <p>Ken Murray and Stephen Benstead are to speak in opposition to the application.</p> <p>Tim Waring of Quod (Planning agent) is to speak in support of the application. The applicant, transport consultant and architect will also be available to answer questions if needed.</p>
ITEM 2 19/02626/FULM	<p>Application description: Erection of 156 dwellings & associated infrastructure & landscaping proposals (amended plans)</p>

	<p>Location: Plot 6, Lakeside Boulevard, Lakeside, Doncaster, DN4 5PL</p> <p><u>Request to Speak</u></p> <p><u>Change in speaker for the applicant</u></p> <p>Lydia Sadler – DLP (Planning Consultant) to speak in support of the application.</p> <p>The applicant (Keepmoat) will be available to allow any questions to be answered, in addition to transport and ecology consultants.</p>
<p>ITEM 3 19/02884/FULM</p>	<p>Application description: Use of land as a commercial crane hire business including re profiling of ground levels, construction of a new office and welfare building, workshop, prep, blast and paint areas, crane tracks, car parking, landscaping and means of access.</p> <p>Location: Land At Former Blaxton Quarry, Mosham Road, Auckley</p> <p><u>Request to speak</u></p> <p>Barry Lifsey to speak in opposition to the application</p> <p><u>Additional conditions</u></p> <p>Upon construction of the approved cranes TC1 and TC2, and prior to them being brought into use, a Line of Site Radar assessment must take place to assess radar interference, and suggest suitable mitigation measures. The assessment shall be submitted to and approved in writing by the Local Planning Authority, in consultation with Doncaster Sheffield Airport. The development will be carried out in accordance with the approved details.</p> <p>REASON: In the interests of air safety</p> <p>If during the construction process another mobile or fixed crane is to be used to erect the structures TC1 and TC2 and is taller than those structures themselves, a separate assessment of the impact upon radar at Doncaster Sheffield Airport will be carried out and submitted to and agreed in writing by the Local Planning Authority in consultation with Doncaster Sheffield Airport. The development will be carried out in accordance with the approved details</p> <p>REASON: In the interests of air safety</p>

	<p><u>Amended condition</u></p> <p>20. No development shall take place until details of external lighting have been submitted to and approved in writing by the local planning authority. The external lighting shall be installed in accordance with the approved details and thereby retained as such unless a variation is subsequently submitted to and approved in writing by the local planning authority.</p> <p>REASON</p> <p>To ensure that the proposed lighting scheme safeguards the character of the area and/or the living conditions of neighbouring residents, having regard to the effects of the proposed illumination, and in the interests of air safety.</p>
<p>ITEM 4 19/01500/OUT</p>	<p>Outline application for mixed use development to include B1 (Business), D1 (Non -residential institutions), D2 (Assembly and leisure) uses in addition to A3 use (Food and drink) ancillary to the office unit (Approval being sought for access)</p> <p>Location: Land at South End, Thorne, DN8 5QP</p> <p><u>Request to speak</u></p> <p>Councillor Joe Blackham to speak in opposition to the application Diane Holgate to speak in support of the application</p>

Technical Note: Response to Highway Comments at Planning Committee

28 September 2020
Version 1.2
Issue



Introduction

The purpose of this note is to respond to highway comments provided at the Planning Committee meeting on Tuesday 15 September 2020. The comments raised included the following:

- Vehicular access and egress.
- Suitability of Fairfield Road.
- Car parking provision.
- Transport surveys used for the assessment work.
- Impact of potential use of Halifax Crescent as an alternative to Watch House Lane.

These issues are summarised in this note.

Vehicular Access and Egress

When preparing the application proposals, the feasibility of accessing the site was considered in detail. The following options were identified:

- **Provision of a mini roundabout located on Watch House Lane to the north-west corner of the site.** The proposal involved physically blocking the existing section of Fairfield Road at the northern end to meet junction spacing requirements. Dedication of a significant part of the site as public highway would also be required, as well as the potential loss of 10 residential dwellings. Given the significant economic costs associated with this proposal, in addition to the reasons outlined above, the option was rejected.
- **Access to the site from Queens Drive (located to the east of the site) via a new road crossing the Trans Pennine Trail.** To accommodate the new road crossing, the Trans Pennine Trail would be severed, as well as the removal of a significant number of trees in the nearby area, and access through industrial premises would be

required. In addition to the high costs associated with this option, and the issues created for residents off Queens Drive / Haslemere Grove, this option was rejected on the basis it would not receive public support and would not be accepted in highways terms.

- **Access to the site from Watch House Lane, opposite the existing Hastings Place Persimmon site access.** This option would result in a crossroads-type arrangement to the north-east of the existing junction of Watch House Lane and Fairfield Road. This proposal would fail to meet the design standards for junction spacing, as well as the parameters required for a crossroads junction outlined in the South Yorkshire Residential Guide.

Following assessment of these options, it was concluded that the most appropriate location for vehicular access to the site is as proposed within the planning application, via the existing access point onto Fairfield Road, located approximately 65m to the south of the existing Fairfield Road / Watch House Lane junction.

Suitable visibility is available along Fairfield Road. However, as part of the proposed arrangements, a scheme of road markings will be provided at the Watch House Lane / Fairfield Road junction to improve visibility for drivers turning from Fairfield Road in line with surveyed speeds (detailed separately below).

The access proposals were discussed with the Council's planning and highways officers at the pre-application stage, through consideration of the planning application, and have been subject to an independent Stage 1 Road Safety Audit.

The proposed arrangements and the findings of the Road Safety Audit are accepted by the Council's highways officers.

Suitability of Fairfield Road

Given the identified access options, the suitability of Fairfield Road to accommodate the development as well as existing traffic was investigated in detail through the preparation of the planning application in discussion with DMBC's highways officers.

The existing carriageway width of Fairfield Road (approximately 5.2m) is more than sufficient for two large cars to pass each other, as well as for the occasional use of fire appliances and refuse vehicles. Relevant technical guidance used by the Council (the South Yorkshire Residential Design Guide) states that for conventional streets with a design speed of 20mph or less, a "*minimum carriageway width of 4.8 metres is needed for two cars to pass with some care*". The submitted Transport Assessment demonstrates that the necessary vehicles manoeuvres (including emergency access) would be satisfactorily accommodated, and this is accepted by DMBC's highways officers.

The proposed access arrangement has been subject to an independent Stage 1 Road Safety Audit and no road safety concerns have been raised by the auditors regarding the existing width of the Fairfield Road carriageway. **The proposed access arrangements and the findings of the Road Safety Audit have both been accepted by the Council's highways officers.**

Increasing the width of the Fairfield Road carriageway was considered, however it was not considered to be appropriate for the following reasons:

- Widening the carriageway would have the effect of encouraging additional through traffic to use the route via Halifax Crescent to York Road, and potentially also encouraging higher traffic speeds. Both are clearly undesirable outcomes to the community. In contrast, the existing carriageway width represent an appropriate means of discouraging through traffic and high vehicle speeds.
- Widening the carriageway would require diversion of existing utilities in the footway. Although this would be technically feasible, the costs of doing so would be of a scale that means the development becomes uneconomic.

In summary, Fairfield Road currently provides access to and from an established residential area and in its existing form is considered to be entirely suitable for the purposes of accessing the development residential dwellings.

There is no road safety reason why the proposals are not acceptable and on this basis there is no need to increase the carriageway width.

This conclusion has been accepted by the Council's highways officers.

Notwithstanding this, the risk of additional vehicles parking on Fairfield Road was raised by Members, with concerns that this could potentially impede access for vehicles travelling along Fairfield Road. There are no current kerbside parking restrictions in place on Fairfield Road between the junction of Watch House Lane and the proposed site access. It is suggested that a suitable scheme of kerbside controls could be put in place through lining and signing, promoted through a Traffic Regulation Order (TRO) to prevent such issues arising on Fairfield Road in the future.

If Members consider it to be necessary, the developer is willing to provide a financial contribution to allow the Council highways department to implement a future TRO on Fairfield Road between Watch House Lane and the proposed site access to introduce kerbside restrictions, including limiting parking where necessary. The scheme would comprise implementation of lining and signing to ensure that inappropriate parking on Fairfield Road does not arise in the future.

Car Parking Provision

For this development, it is proposed that 100 parking spaces will be provided. This consists of 40 spaces for 2-bed units (40no proposed), 40 spaces for 3-bed units (20no proposed), plus 20 dedicated spaces for use by visitors.

The overall proposed parking provision is slightly lower than would be expected in line with the Council's guidance. However, **the site is in a sustainable location within the urban area of Doncaster, and is clearly accessible by sustainable modes of travel. It will be possible for future residents to travel for a wide range of purposes without reliance on owning a car, in accordance with local and national planning policy.**

Bus stops on Watch House Lane and York Road are located within convenient walking distance of the site and are served by a high frequency of buses. The site is a walking distance of around 1.0km from Bentley rail station, which is readily walkable within 12 minutes. In addition, a range of facilities and amenities (including schools, retail, and leisure facilities) are located within a convenient walking distance of the site.

Residents who choose to live at the site will be made aware of the level of parking provided through the leasing process, and therefore it can be expected that prospective residents will consider parking availability through their decision to live at the development accordingly. Furthermore, through the travel plan, residents will be provided with information to encourage and promote the use of sustainable modes. On this basis it is reasonable to suggest that not all future residents of the site would require a car parking space.

Car parking provision has been discussed with the Council's planning and highways officers at the pre-application stage and through consideration of the planning application. Overall, **the proposed quantity of car parking spaces is adequate, given the location and accessibility of the site by all modes of travel. The proposed level of car parking provision is accepted by the Council's highways officers.**

Traffic Surveys

Traffic data used for the purposes of the Transport Assessment was collected in accordance with relevant technical guidance and to a methodology discussed and agreed with the Council's highways officers through preparation of the planning application.

The approach is summarised in the following sections.

Turning Count Surveys

Base traffic flows were derived from a fully classified turning count survey undertaken during peak times (07:00 to 09:00 and 15:00 to 18:00) on Thursday 5 September 2019, at

the Watch House Lane / Fairfield Road / Dominion Road junction. The traffic survey was carried out with no recorded incidents or disruptions likely to affect the results.

The peak hours (representing the hour with the maximum hourly flow observed) were:

- AM Peak Hour: 07:30-08:30.
- PM Peak Hour: 16:00-17:00.

For robustness, surveyed peak hour flows were used for the purposes of the Transport Assessment submitted with the planning application.

Development traffic flows are considered on the basis of the development peak hours during the AM and PM peak periods, as 08:00-09:00 and 17:00-18:00.

The periods considered in the Transport Assessment represent the weekday hours with the maximum combination of existing and development-related traffic. The peak hours identified for existing and development-related traffic do not match exactly and, as such, the assessment can be considered extremely robust; in practice traffic flows are likely to be more dispersed than as forecast in the assessment.

Automatic Traffic Count

An automatic traffic count was undertaken west of the Watch House Lane / Fairfield Road junction to gather volumetric and speed data over a period of 7 days between 5 and 11 September 2019, in accordance with the relevant technical guidance for measuring speeds to determine visibility requirements. The survey results confirmed 85th percentile speeds on Watch House Lane of 32.7mph and 26.8mph in the eastbound and westbound directions respectively.

As part of the proposed access arrangements, road markings will be provided at the Watch House Lane / Fairfield Road junction to provide a 'build out' and improve visibility for drivers turning from Fairfield Road. With these works in place, visibility splays of 2.4m x 43m would be achievable at the junction, which is in accordance with the urban nature of the surroundings and the surveyed speeds.

These works were reviewed through the independent Stage 1 Road Safety Audit, the conclusions of which have been accepted by DMBC highways officers.

Halifax Crescent

Concerns were raised at the public consultation event held prior to submission of the planning application related to drivers using Halifax Crescent to avoid queuing at peak times on Watch House Lane.

Based on trip rates derived from comparable developments, the development is expected to generate approximately 1 vehicle trip every 2 minutes in the peak hours, which is not considered to represent a significant impact on the operation of the highway network.

However, given the concerns raised, site observations and queue length surveys were undertaken in the AM and PM peak periods on Thursday 5 September 2019 on Watch House Lane and Halifax Crescent as part of the preparation of the Transport Assessment.

The surveys indicated:

- There is evidence of vehicles travelling to/from York Road rerouting via Halifax Crescent to avoid queues on Watch House Lane. A maximum of 5 vehicles was recorded during one 5-minute interval, though generally through the peak periods typically 1 or 2 vehicles were observed in each 5-minute period.
- No vehicles associated with residents of the Hastings Place Persimmon development were observed to use Fairfield Road as a result of queues on Watch House Lane. This suggests that residents in the immediate area currently prefer to use Watch House Lane than the route via Halifax Crescent.
- Queuing on Halifax Crescent (for access to York Road) occurred infrequently, and only at times of peak queues on Watch House Lane. Such queues were generally observed to clear during the next green phase at the signals, but on occasion fully cleared by the following green phase. It is not considered desirable to increase green time for Halifax Crescent to reduce these queues; in practice this would potentially encourage use of Halifax Crescent by through traffic, and in turn reduce green time available for the York Road approaches to the junction, which would have significant impacts on the operation of the wider network.

Summary and Conclusion

- Safe and efficient vehicular access can be accommodated from the existing access on Fairfield Road. The proposed arrangements and the findings of an independent Road Safety Audit undertaken in respect of the arrangements have been accepted by DMBC's highways officers.
- Notwithstanding this, if Members consider it to be necessary, the developer is willing to provide a financial contribution to allow the Council to implement a future TRO on Fairfield Road between Watch House Lane and the proposed site access to introduce kerbside restrictions, including limiting parking where necessary.
- The proposed car parking provision is acceptable given the sustainable location of the site, which means it will be possible for future residents to travel for a wide range of purposes without reliance on owning a car.



- Traffic surveys used for the Transport Assessment were undertaken in accordance with the relevant technical guidance and are fit for purpose.
- The development is expected to generate approximately 1 vehicle trip every 2 minutes in the peak hours. Such an impact is considered unlikely to significantly affect the operation of the highway network.

Overall, it is concluded that the transport impacts of the development are acceptable and there are no highway safety reasons why development should not proceed.

This conclusion is accepted by the Council's highways officers in their consideration of the application.



Note

Watch House Lane – Note to Planning Committee

1 Introduction

- 1.1 This Note provides further information to the Committee Members in relation to the planning application at Watch House Lane.
- 1.2 It addresses the comments and requests for further information by Members on the Planning Committee of 15th September 2020 comprising:
 - Space standards
 - Open space
 - Consideration against adopted and draft local plan

2 Space Standards

- 2.1 Members commented that the internal space standards did not meet the Nationally Described Space Standards (NDSS).
- 2.2 DMBC adopted policy on space standards is set in the South Yorkshire Residential Design Guide (SYRDG) SPD. The space standards of the proposed homes are in accordance with the Doncaster's SYRDG SPD standards.
- 2.3 DMBC intend to adopt the NDSS within their emerging Local Plan under draft Policy 46. The emerging Local Plan is yet to go through examination and is still subject to objection, with specific objections to draft Policy 46. In these instances, the NPPF (paragraph 48) notes that little weight should be given to emerging policies with unresolved objections, as such, the emerging Local Plan carries little weight.
- 2.4 Indeed, we note that DMBC have recently consented a number of schemes which do not meet the NDSS, including application reference: 19/01170/FULM consented in January 2020. In a further application (reference: 19/01982/FULM, consented in July 2020), 18% of the dwellings fell below the SYRDG SPD standards.
- 2.5 The homes proposed comprise a mix of semi-detached and terraced houses of two storeys.
- 2.6 BtR homes are designed to be far more efficiently laid out. As such, the design of the scheme has been driven by an efficient use of the floorspace, through open plan living and reducing the circulation areas.
- 2.7 The layouts for all housing types are arranged in a similar way. The ground floor comprises an open plan living/dining/kitchen area that opens onto the rear gardens, along with a downstairs WC. At the first floor, the configuration comprises a compact landing from which the family bathroom and two or three bedrooms are accessed. Indeed, the three bed homes comprise an en-suite, in addition to the family bathroom and ground floor WC.
- 2.8 Figures 1 to 3 below show the internal layouts of the proposed homes, demonstrating the efficient layout and open plan living.



Note continued

Figure 1: House Type A (2 bed)

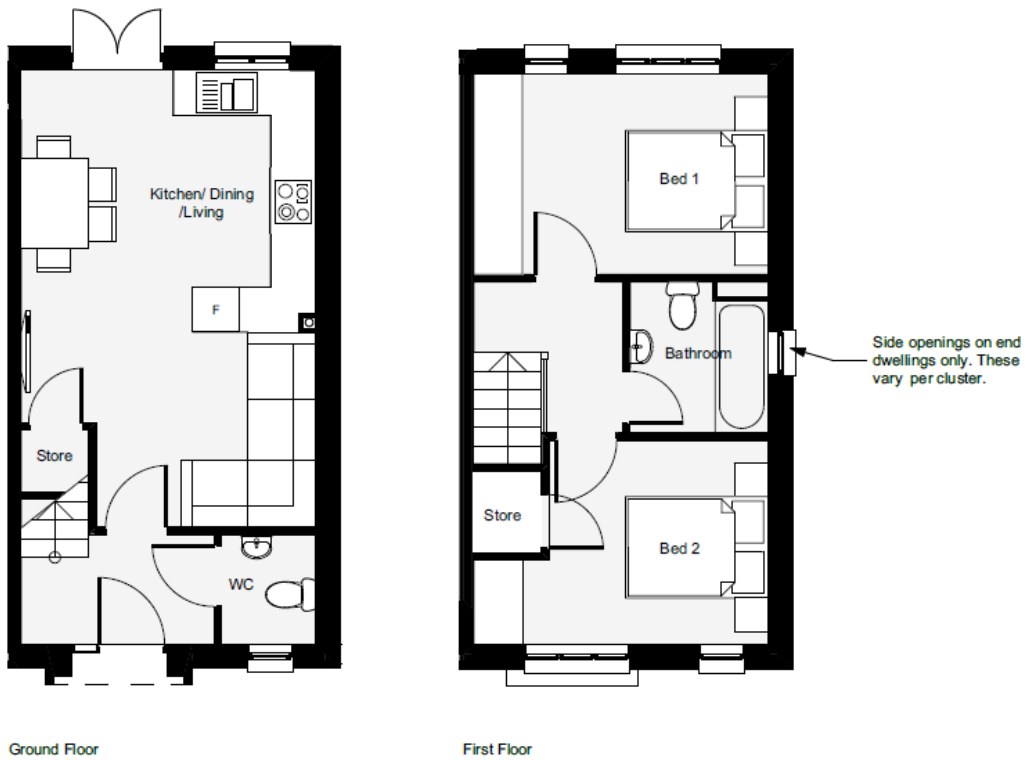
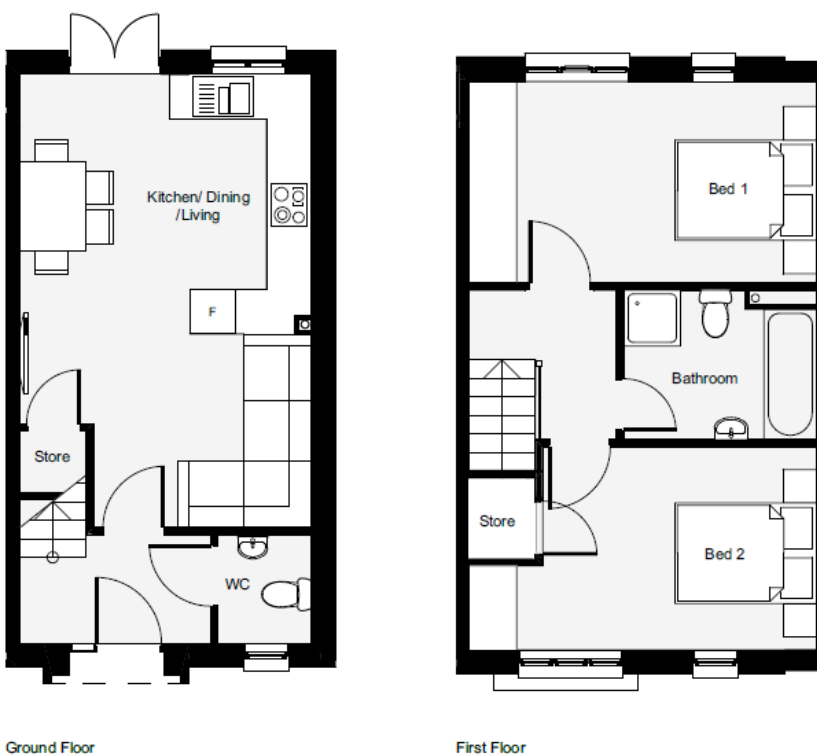


Figure 2: House Type A (with undercroft) (2 bed)





Note continued

Figure 3: House Type B (3 bed)



2.9 The nature of BtR homes are for short term rentals (i.e. from 6 months up to 3+ year tenancies), catering for the growing sector who want to rent, or are currently unable to get onto the property ladder. As such those who wish to rent at the development will do so if the home is suitable for their needs and space requirements and is appropriately priced.

2.10 When compared to build-to-sell models, BtR has a much lower rate of return, which can create viability issues. Applying the NDSS to BtR in the same manner as traditional market products can place undeliverable demands on the design, in turn impacting on the deliverability of new homes in this sector and impacting on the financial contributions that are proposed as part of this application.

2.11 The internal spaces standards for the proposed BtR homes, which meet DMBC's adopted SPD standards, are therefore appropriate in this instance and provide high-quality amenity and living conditions for future residents.

3 Open Space

3.1 Members commented on the amount of open space provided within the scheme.

3.2 Each home includes a private rear garden, all of which include the 10m deep distance requirement. The majority of gardens meet the minimum private garden space requirement of 50sqm for two-bed homes and 60sqm for three-bed homes, and in many cases far exceed these standards, providing more than twice the required standard. Only six out of the 60



Note continued

gardens fall marginally below these standards (between 14% and 6% below the minimum required) due to the orientation of the Site or to provide bike/bin access to gardens.

- 3.3 Adopted planning policy requires 10-15% of the total site area of new developments to be laid out as open space. The development also includes a generous amount of communal open space for use of all new residents, including provision of informal play space, amounting to 10.3% of the total site area. A financial contribution is provided to address the shortfall of 4.7%.
- 3.4 The open space provided within the scheme is centrally located, highly usable, and will provides visual amenity to the new residents within the scheme.
- 3.5 Indeed, there is also significant amounts of open space within the area, including the Trans Pennine Trail to the east of the Site in which connections will be made to increase access for existing and new residents within the area.
- 3.6 The development therefore provides appropriate and well laid out levels of private and communal open space and amenity areas, in accordance with DMBC's adopted standards.

4 Consideration against adopted and draft Local Plan

- 4.1 In addition to the topics discussed above, Members queried the consistency of the consideration of the application against both the adopted and emerging Local Plan in respect of the principle of the site's development for residential use and the internal space standards.
- 4.2 The emerging Local Plan seeks to remove the Employment Policy Area (EPA) allocation from the site, instead designating it within a 'Residential Policy Area'. This shows DMBC's future direction of travel for the site, acknowledging the site is no longer suitable, appropriate or necessary for employment, instead acknowledging its suitability for residential having regard to the changing nature of the surrounding area to primarily residential uses.
- 4.3 Notwithstanding the emerging Local Plan, the principle of residential development at the site is determined having regard to the currently adopted Local Plan (comprising the saved UDP Policies and Core Strategy) and other material considerations, and most notably in this case the NPPF.
- 4.4 In this regard, the site has been left vacant and marketed for 13 years for commercial development. This has concluded that the level of interest in the Site from industrial operators and developers was very poor, with no credible offers received. It is evidenced from the marketing carried out that the Site is not viable or suitable for employment development. This clearly demonstrates that there is no reasonable prospect of the Site coming forward for employment uses. In such cases the most up to date national policy, which post-dates the Local Plan by 22 years, is the NPPF. Paragraph 120 of the NPPF requires local planning authorities to take a positive approach to applications for alternative uses and more appropriate uses, which in this case is residential.
- 4.5 Whilst the development may be inconsistent with Saved UDP Policy EMP6, the Policy does not preclude other uses from coming forward within EPA.
- 4.6 The provision of residential on the site is, therefore, appropriate in view of adopted local and national planning policy.



Note continued

4.7 As addressed within the above, the space standards for the homes are also in accordance with DMBC's adopted SPD standards and not the emerging Local Plan, which carries little weight at this current stage.

5 Summary

5.1 In conclusion, the internal space standards will provide high-quality, open plan living conditions for future residents meeting DMBC's adopted space standards. The scheme also provides generous private external gardens, the vast majority far exceeding the required standards, as well as communal open space provision along with off-site financial contributions, in accordance with DMBC policy requirements. The scheme has been considered against the relevant adopted local and national planning policy.

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To the Chair and Members of the Planning Committee

APPEAL DECISIONS

EXECUTIVE SUMMARY

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

RECOMMENDATIONS

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

WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?

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

BACKGROUND

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

OPTIONS CONSIDERED

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

REASONS FOR RECOMMENDED OPTION

6. To make the public aware of these decisions.

IMPACT ON THE COUNCIL'S KEY OUTCOMES

7.

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

RISKS AND ASSUMPTIONS



8. N/A

LEGAL IMPLICATIONS [Officer Initials AB Date 30/09/2020]

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 30/09/2020]

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 30/09/2020]

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

TECHNOLOGY IMPLICATIONS [Officer Initials PW Date 30/09/2020]

12. There are no technology implications arising from the report

HEALTH IMPLICATIONS [Officer Initials RS Date 30/09/2020]

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

EQUALITY IMPLICATIONS [Officer Initials RR Date 30/09/2020]

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	Committee Overturn
18/00112/FUL	Erection of dwelling and detached garage. at The Star Inn , Moss Road, Moss, Doncaster	Appeal Allowed 17/09/2020	Norton And Askern	Delegated	No
19/02612/FUL	Erection of 3 bedroom dwelling (being resubmission of planning application 19/01542/FUL). at 7 High Street, Dunsville, Doncaster, DN7 4QG	Appeal Allowed 22/09/2020	Hatfield	Delegated	No
19/02635/FUL	Change of use of outbuilding to retail, for sale of sweets and household goods (Retrospective). at 38 Hawthorne Crescent, Mexborough, S64 9EL,	Appeal Dismissed 04/09/2020	Mexborough	Delegated	No

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PETER DALE
Director of Economy and Environment

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Appeal Decision

Site visit made on 18 August 2020

by K Savage BA MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 September 2020

Appeal Ref: APP/F4410/W/20/3248545

Starland, Moss Road, Moss, Askern, Doncaster, South Yorkshire DN6 0HQ

- 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 & Mrs Malcolm & Patricia Bulmer against the decision of Doncaster Metropolitan Borough Council.
 - The application Ref 18/00112/FUL, dated 30 April 2018, was refused by notice dated 2 December 2019.
 - The development proposed is 'a bungalow with garage off Moss Rd between the Star Inn and Star Farm in the grounds of the Old Star Inn.'
-

Decision

1. The appeal is allowed and planning permission is granted for a bungalow with garage off Moss Rd between the Star Inn and Star Farm in the grounds of the Old Star Inn, at Starland, Moss Road, Moss, Askern, Doncaster, South Yorkshire DN6 0HQ, in accordance with the terms of the application Ref 18/00112/FUL, dated 30 April 2018, and subject to the conditions set out in the attached schedule.

Main Issue

2. The main issue is whether the proposal would represent a suitable location for housing, having regard to local and national development plan policy, the accessibility of local services and facilities, and the effect on the character and appearance of the area.

Reasons

Policy Context

3. The appeal site forms part of the grounds of the former Star Inn on Moss Road between the settlements of Moss and Askern. Planning permission has been granted to convert the inn to three dwellings, whilst a large barn stands between the inn and the appeal site. Two dwellings stand to the other side of the appeal site, with a number of agricultural buildings located behind these. The site lies some 550 metres from the edge of Moss, and around 3 kilometres to the centre of Askern, and is within the countryside for planning purposes.
4. The development plan comprises the Doncaster Core Strategy 2011-2028 (May 2012) (the CS) and saved policies of the Doncaster Unitary Development Plan (July 1998) (the UDP). The site lies within the Countryside Policy Area (CPA) as defined under the UDP. Saved Policy ENV2 sets out the purposes of the CPA as being effectively equivalent to those of the Green Belt, whilst saved Policy ENV4 sets a restrictive approach to development in the CPA, except for certain

listed forms of development, none of which are applicable to the appeal scheme. CS Policy CS3 relates to development in the countryside and is more recently adopted than ENV2 and ENV4, but it reiterates the protection of the CPA and has a similarly restrictive approach to development within it.

5. My attention is drawn to an appeal decision from February 2019¹ where the Secretary of State agreed with the Inspector that Policies ENV2 and ENV4 are not in line with the direction of travel of local and national policies, particularly in respect of the CPA, which is an historic designation linked to the delivery of objectives of the UDP from more than 20 years ago.
6. The National Planning Policy Framework (the Framework) does not impose a blanket restriction on development outside defined settlements, and neither does it include a requirement that any special circumstances need to be met for all development in the open countryside as it does with respect to the Green Belt. Rather it advocates an approach where all material considerations in favour and against are weighed in the balance. I recognise the scale of the proposal in the 2019 appeal was significantly greater than that before me; however, I agree with the Inspector that whilst Policies ENV 2 and ENV 4 aim to protect the countryside with some recognition of its intrinsic character and beauty, neither reflect the need to 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 and meet the needs of present and future generations. Accordingly, I find that the approach to development in the countryside set out in Policies ENV2 and ENV4 is not consistent with the Framework and these policies are out-of-date.
7. Given the site's location in the countryside, I regard these policies as the most important for determining the application. Paragraph 11(d)(ii) of the Framework sets out that where the policies which are most important for determining the application are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. On this basis, and notwithstanding that there is no dispute that the Council can demonstrate in excess of a five year supply of deliverable housing land, the presumption in favour of sustainable development at Paragraph 11 of the Framework is engaged.
8. I am aware that the Council has submitted its new Local Plan for examination, and it is indicated that draft Policy 2 contains similar approach to development in the countryside as Policy CS3. However, this policy has yet to be examined and it could yet change. As such, and given it is not advocating a substantially different policy approach, I afford it only limited weight.

Location

9. Paragraph 78 of the Framework sets out that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Paragraph 79 adds that planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more specific circumstances applies. The judgement in *Braintree*² established that 'isolated' in the context of the Framework refers

¹ APP/F4410/W/17/3169288

² Braintree District Council v SSCLG & Ors [2017] EWHC 2743 (Admin)

to physical proximity to other dwellings and settlements. There are dwellings to both sides of the appeal site, whilst the edge of Moss is a relatively short distance away to the east and other dwellings sporadically line the road to Askern. Therefore, the proposal would not amount to an 'isolated home' for the purposes of the Framework and none of the exceptions at Paragraph 79 are therefore required to be met.

10. The appeal site is nevertheless located outside of any defined settlement and in the countryside, which draws conflict with Policies CS3, ENV2 and ENV4. There would also be consequential conflict with the settlement hierarchy of CS Policy CS2, which directs development to the most sustainable locations.

Accessibility

11. Facilities in Moss are limited to an equestrian centre and occupants of the dwelling would therefore need to visit Askern which has a good amount of services. The road to Askern is not conducive to walking as it is unlit, it does not have a footpath for much of the route and it is subject to the national speed limit outside the site. The appellant indicates that a number of bus routes pass the site which can be hailed down, though the currency of this is disputed by the Council. Nonetheless, the Framework recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. Whilst the proposal would generate additional journeys by private car, they would be limited in number given the small size of the proposed dwelling. I note the Council considered the three dwellings proposed for the former inn would generate less vehicle movements than the former pub use and, to my mind, this would still be the case even with the addition of the proposed dwelling. As such, I find no material conflict with the requirements of Policies CS1 or CS14 to provide developments accessible to local facilities by a range of transport modes.

Character and appearance

12. The appeal site is separated from the inn by a large, agricultural barn and contains various materials scattered among overgrown grass. The parties differ as to whether the site was in domestic use in the past, but my impression was that it has an ancillary relationship of some form to the inn, acting as an informal storage area.
13. The proposed bungalow and garage would be modest in size and smaller than the existing buildings to either side. The site is effectively screened from views from Moss Road by roadside trees and hedges and the adjacent buildings, and the proposed structures would not appear prominent from the road. Moreover, whilst they would infill a gap in the built form, this is very limited in size in the context of the wider countryside and its loss could not be said to undermine any strategic function in separating settlements. Neither would the infilling of the gap erode a significant countryside vista given views are foreshortened by a significant hedgerow beyond the site to the rear and the presence of the agricultural buildings of The Old Inn.
14. The existing buildings also vary in their design and materials and in this context the simple, rectangular footprint and pitched roof design of the dwelling and garage would sit unobtrusively between the surrounding development, whilst the rendered façade would reflect the appearance of the

adjacent former inn. The proposal would also improve the general appearance of the presently overgrown site.

15. For these reasons, I conclude that the proposal would not harm the character and appearance of the area, and so would accord with Policies CS3 and CS14 of the CS, which together require proposals to protect and enhance the countryside; 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.

Other Material Considerations

16. I have taken into account the evidence put to me regarding the personal health circumstances of a family member and the resulting need to provide single storey accommodation. The evidence does not explain whether other options have been pursued, such as adapting accommodation within the inn, and therefore I cannot be confident that this is the only possible option available to address the family member's health circumstances. Nonetheless, I do not doubt these needs are genuine, and I afford them limited weight in favour of the proposal.
17. The dwelling would be accessed by an entrance approved under the permission to convert the former inn, and which would be shared with one of the dwellings to be formed through that permission. No objection was raised by the Council to this aspect of the proposal. I saw visibility to be good in both directions and on the evidence before me, I have no reason to disagree with the Council.

Planning Balance

18. The proposed development would result in harm to the spatial strategy for the area through its location outside of defined settlements; however, this harm would be limited given I have found that there would be no adverse effect on the character and appearance of the countryside and only a modest increase in use of the private car.
19. Set against this harm, the proposal would add to the district's housing stock and through its location close to other dwellings and within reach of services in Moss and Askern, it would make limited but positive social and economic contributions which would help maintain the vitality of rural communities, consistent with a key aim of the Framework. I also afford limited weight to the benefits of the proposal in meeting the health needs of the appellant's family.
20. Having regard to Paragraph 11 of the Framework, the adverse impacts of granting permission in this case would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. Accordingly, the Framework is a significant material consideration in this case which points toward the grant of planning permission.
21. In conclusion, while not fully in accordance with the development plan, the proposed development would provide a suitable location for housing having regard to the character and appearance of the area and the specific circumstances of this case, and would represent a sustainable form of development in accordance with the Framework.

Conditions

22. I have had regard to the Conditions suggested by the Council. Where necessary, I have amended the wording to ensure accordance with the relevant tests of conditions set out in the Framework.
23. In addition to the standard time limit, a condition listing the approved plans is required to provide certainty. Conditions are also necessary to specify the external materials to be used, and proposed landscaping, to ensure a satisfactory appearance. Conditions are also necessary to ensure visibility splays are provided, parking and turning areas are laid out in suitable materials and adequately drained before the development is brought into use, in the interest of highway safety and disposal of surface water.

Conclusion

24. For the reasons set out, I conclude that the appeal should be allowed.

K Savage

INSPECTOR

Schedule – Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; Drawing 2018/1/12 Revision F (Parking and Plot Layout); Drawing 2018/1/12 B (Dwelling Plans and Elevations); Drawing 2018/4/17 (Garage Plans and Elevations).
- 3) No building operations shall progress beyond slab level until details of the proposed external materials have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved materials.
- 4) The development shall not be occupied until details of a landscaping and planting scheme have been agreed in writing with the Local Planning Authority. This scheme shall indicate all existing trees and hedgerows on the site, showing their respective size, species and condition. It shall distinguish between those which are to be retained, those proposed for removal and those requiring surgery. The scheme should also indicate, where appropriate, full details of new or replacement planting. All planting material included in the scheme shall comply with Local Planning Authority's 'Landscape Specifications in Relation to Development Sites'. Planting shall take place in the first suitable planting season following the completion or first occupation of the development, whichever is the sooner. Any tree or shrub planted in accordance with the scheme and becoming damaged, diseased, dying or removed within five years of planting shall be replaced in accordance with the above document.
- 5) Before the development hereby permitted 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.
- 6) 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.
- 7) Before the development hereby approved is brought into use, the visibility splay from the vehicular access shall be maximised and rendered effective by removing or reducing the height of anything existing which obstructs visibility at any height greater than 900mm above the level of the nearside channel of the public highway. The visibility thus provided shall thereafter be maintained as such.



Appeal Decision

Site visit made on 18 August 2020

by K Savage BA MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 September 2020

Appeal Ref: APP/F4410/W/20/3250194

7 High Street, Dunsville, Doncaster DN7 4BS

- 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 Derek Hartshorne against the decision of Doncaster Metropolitan Borough Council.
 - The application Ref 19/02612/FUL, dated 19 October 2019, was refused by notice dated 13 December 2019.
 - The development proposed is the erection of a 3 bedroom dwelling.
-

Decision

1. The appeal is allowed and planning permission is granted for erection of a 3 bedroom dwelling, at 7 High Street, Dunsville, Doncaster DN7 4BS, in accordance with the terms of the application Ref 19/02612/FUL, dated 19 October 2019, and subject to the conditions in the attached schedule.

Preliminary Matter

2. I have taken the description of development from the appeal form as it is more succinct than that given on the application form.

Main Issues

3. The main issues are the effect of the proposal on i) the character and appearance of the area and ii) the living conditions of future and neighbouring occupants.

Reasons

Character and appearance

4. The appeal site comprises a bungalow set centrally within its plot on High Street in Dunsville. Running alongside the site is the entrance to Greenacre Close, a later cul-de-sac development of narrowly set, detached, two storey dwellings. The proposal is for a detached, two storey dwelling within the rear garden of the appeal site which would front onto Greenacre Close. The Council's concern is that the proposal would represent an over-intensive development of the site, due to short separation distances between the proposal and existing dwellings.
5. The proposed dwelling has been designed to reflect the form of dwellings on Greenacre Close, in effect seeking to continue the line of development on this side. The dwelling would incorporate the prominent front gable and pitched roof

above the ground floor bay window and porch, and it would match the eaves and ridge height of the adjacent dwelling at 1 Greenacre Close. Whilst it would be set back from the front building line of No 1, it would sit at a slight curve in the road and would reflect the staggered building line on the opposite side. Indeed, development on the opposite side extends for a further two dwellings, meaning the proposed dwelling would appear as part of the existing development rather than as an obvious extension of it. In this respect, the proposal would accord with the Development Guidance and Requirements: Supplementary Planning Document (July 2015) (the DGR) which states that where new developments seek to integrate into existing areas, they should generally follow established building lines, building heights, massing, plot development ratios, materials and landscaping treatments.

6. The Council also refers to conflict with the guidance of the Backland and Infill Development SPD (November 2010). I accept that the dwelling would not be subservient to the existing bungalow given its height; however, it would clearly be read as part of Greenacre Close, rather than as an isolated backland addition, and therefore would not result in an awkward relationship between the two dwellings, nor would the proposal detract from the street scene along High Street given its recessed position and integration with the pattern of development on Greenacre Close.
7. Moreover, though the dwellings on Greenacre Close are largely consistent in scale and materials, there are variations to the detailed design of the bay windows and porches, whilst some dwellings have integral garages. In this context, the proposed dwelling would complement the existing street scene in scale and appearance.
8. The proposed dwelling would stand 11.5m from the main rear wall of the existing bungalow on the site, the garden of which would be reduced to 8.5m in depth. I address the implications of this on living conditions below, but in terms of character and appearance, I saw that the separation distance between 2 Greenacre Close and 11 High Street opposite was comparable, if not shorter, than that which would result from the proposal. No 7 would also retain space to the side of the dwelling and a generous front garden, and both the existing and proposed dwellings would have private external space in excess of the 60 square metre guidance of the DGR.
9. Taking these considerations together, I find that the proposed dwelling would suitably reflect the prevailing scale, layout, design and materials of Greenacre Close, would provide sufficient garden space and would retain adequate physical separation from the existing dwelling.
10. I therefore conclude that the proposal would preserve the character and appearance of the area, and no conflict would arise with Policies CS1 and CS14 of the Core Strategy 2011-2028 (2012), or saved Policy PH11 of the Doncaster Unitary Development Plan (1998), which together require development to be of high quality design which contributes to local distinctiveness, integrates well with its immediate and surrounding local area, and seek to resist development which would be at a density or other form which would be detrimental to the character of the surrounding area or would result in an over intensive development of the site. The proposal would also accord with the design related aims of the National Planning Policy Framework (the Framework).

Living Conditions

11. The Council refers to separation distances set out in the DGR, specifically a distance of 10 metres to the boundary where a habitable room overlooks neighbouring garden space. The DGR adds that this distance may need to be increased where the garden is existing, but also that oblique or obscured outlook from habitable windows within 10 metres may be allowed at the discretion of officers, dependant on site circumstances.
12. The rear windows at first floor level would face towards the end of the rear garden of 5 High Street, at a distance of 8 metres to the boundary. This would fall short of the DGR guidance. However, of the two windows, one is to serve a bathroom and in all likelihood would be obscurely glazed, preventing outlook, and the other would serve a bedroom, which is unlikely to be occupied for long periods in the day when overlooking could take place. Notably, No 5 has a large, detached garage to the rear of the garden, and a tall, solid garden fence with vegetation above it in places. The rear facing windows are at an oblique angle to the proposed dwelling and in excess of 10 metres away. Each of these factors would serve to limit the degree to which the neighbouring property could be overlooked from the proposed dwelling. Having regard to these site circumstances, and the discretion with respect to separation distances set out in the DGR I am satisfied that, despite the shortfall in the depth of the rear garden, the proposed dwelling would not lead to harmful overlooking of the dwelling or garden of No 5 or loss of privacy to its occupants.
13. There would be a small window serving the staircase in the side elevation facing the existing bungalow; however, this would not serve a habitable room and I am satisfied a harmful loss of privacy would not result.
14. As indicated above, both dwellings would retain sufficient private external space. The proposed dwelling would be narrow in depth and would sit in front of the existing dwelling at 1 Greenacre Close, meaning the breadth of massing at the rear would not be significantly different than at present and, although the built form would come closer to the rear of No 7, there would remain sufficient separation distance between them and outlook to either side of the dwelling would be retained for occupants of No 7.
15. Overall, therefore, I conclude that the proposal would not harm the living conditions of existing or proposed residents and no conflict would arise with the aforementioned Policies CS1, CS14 or PH11 in terms of their aims to protect the amenity of neighbouring occupants, land uses and the environment. Nor would there be conflict with the similar aims of the Framework.

Other Matters

16. An interested party refers to the removal of bushes and small trees previously in situ along the boundary with 1 Greenacre Close. However, the evidence does not indicate that any trees on the site were subject to statutory protection, such that their removal may have required consent from the Council. This is not a matter weighing against the proposal, therefore.
17. The Council did not oppose the application in terms of its effect on parking or highway safety. On the evidence before me, including plans showing the provision of off-street parking and the low levels of traffic within the cul-de-sac, I have no reasons to conclude differently on this issue.

Conditions

18. I have had regard to the conditions suggested by the Council. The appellant has confirmed their agreement to proposed conditions where they are pre-commencement.
19. In addition to the standard time limit, a condition listing the approved plans is required, to provide certainty. A condition specifying the external materials to be used is necessary to ensure a satisfactory appearance.
20. The Council's pollution control officer notes the site as formerly being the location of a service/repair station, with strong possibility of contaminants remaining on site. A condition is therefore necessary to require ground investigations to be undertaken, and remedial action where necessary, in the interests of human health. This condition is pre-commencement as to undertake it as a later stage risks exposing and using contaminated soil, undermining its purpose in protecting end users of the development. Further conditions are necessary to address any unexpected contamination which may be discovered during construction, and to ensure any soils brought onto the site are not contaminated.
21. Conditions are necessary to ensure parking areas and visibility splays are laid out to a suitable standard before the development is brought into use, in the interest of pedestrian and highway safety.
22. Finally, a pre-commencement condition is required to ensure details of foul and surface water drainage are agreed prior to development beginning, in order that the approved measures can be constructed as part of the development and are operational prior to it being brought into use.

Conclusion

23. For the reasons given, the appeal is allowed.

K Savage

INSPECTOR

Schedule of Conditions

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Proposed plans drawing no 830/2 Sept 2019.
- 3) Prior to the commencement of the relevant works, details of the proposed external materials shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved materials.
- 4) No development approved by this permission shall be commenced prior to a contaminated land assessment and associated remedial strategy, together with a timetable of works, being accepted and approved by the Local Planning Authority (LPA), unless otherwise approved in writing with the LPA.
 - a) The Phase I desktop study, site walkover and initial assessment must be submitted to the LPA for approval. Potential risks to human health, property (existing or proposed) including buildings, livestock, pets, crops, woodland, service lines and pipes, adjoining ground, groundwater, surface water, ecological systems, archaeological sites and ancient monuments must be considered. The Phase 1 shall include a full site history, details of a site walkover and initial risk assessment. The Phase 1 shall propose further Phase 2 site investigation and risk assessment works, if appropriate, based on the relevant information discovered during the initial Phase 1 assessment.
 - b) The Phase 2 site investigation and risk assessment, if appropriate, must be approved by the LPA prior to investigations commencing on site. The Phase 2 investigation shall include relevant soil, soil gas, surface and groundwater sampling and shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a quality assured sampling and analysis methodology and current best practice. All the investigative works and sampling on site, together with the results of analysis, and risk assessment to any receptors shall be submitted to the LPA for approval.
 - c) If as a consequence of the Phase 2 Site investigation a Phase 3 remediation report is required, then this shall be approved by the LPA prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters, the site must not qualify as contaminated land under Part 2A of the Environment Protection Act 1990 in relation to the intended use of the land after remediation.
 - d) The approved Phase 3 remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. The LPA must be given two weeks written notification of commencement of the remediation scheme works. If during the works, contamination is encountered which has not previously been identified, then all associated works shall cease until the

additional contamination is fully assessed and an appropriate remediation scheme approved by the LPA.

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

- 5) Should any unexpected significant contamination be encountered during development, all associated works shall cease and the Local Planning Authority (LPA) be notified in writing immediately. A Phase 3 remediation and Phase 4 verification report shall be submitted to the LPA for approval. The associated works shall not re-commence until the reports have been approved by the LPA.
- 6) Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filing and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and be approved in writing by the LPA prior to any soil or soil forming materials being brought onto site. The approved contamination testing shall then be carried out and verification evidence submitted to and approved in writing by the LPA prior to any soil and soil forming material being brought on to site.
- 7) 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 first approved in writing by the local planning authority.
- 8) 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 first approved in writing by the local planning authority.
- 9) The development hereby approved shall not be brought into use until a 2m x 2m visibility splay has been provided between the new access and the garden of the donor property.
- 10) 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.



Appeal Decision

Site visit made on 11 August 2020

by Alison Scott BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 September 2020

Appeal Ref: APP/F4410/W/20/3252331

38 Hawthorne Crescent, Mexborough, Doncaster S64 9EL

- 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 Mark Roberts against the decision of Doncaster Council.
 - The application Ref 19/02635/FUL, dated 18 October 2019, was refused by notice dated 19 February 2020.
 - The development proposed is Old outer building that has been converted as a sweet store, foot traffic only for local residents and children.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The name on both the Council's planning application form and the appeal form was listed as Leanne Roberts. At the appellant's request, the name has been amended to that of their father, Mr Mark Roberts. I am satisfied that the appeal can progress on the basis of his name.
3. The description of the proposal has been amended by the Council and is described as; *Change of use of outbuilding to retail, for sale of sweets and household goods (Retrospective)*. I concur this accurately describes the proposal before me.

Main Issues

4. The main issues are:
 - The effect of the proposal on the character and appearance of the area; and
 - The effect on the living conditions of local residents.

Reasons

5. The appeal site is a semi-detached dwelling located in a suburban area of Mexborough of other similar house types within the estate. An outbuilding to the side of the dwelling is currently in use as a small sweet shop with a bench area separating the shop display area from visiting customers.

Character and Appearance

6. Despite the outbuilding being in place, and although it has not been extended in size, it has been altered in appearance and function away from a typical

ancillary domestic building, into an A1 retail commodity. The use of a new serving window to the front creates a commercial element to it and appears as an incongruous feature to its original domestic form. By creating a shop front within an outhouse is not a harmonious addition to the property in a street scene of residential units. It therefore results in harm arising to the host dwelling and to the character and appearance of the area.

7. The proposal conflicts with the aims of Policy CS14 of the Doncaster Core Strategy 2012 (CS) for development to contribute positively to local distinctiveness and integrate well into its immediate surroundings. It does not amount to acceptable design and is in conflict with the aims of the National Planning Policy Framework to achieve well designed places.

Living Conditions

8. The site is located within close quarters of other dwellings within a built-up residential area. Noise is generated by the comings and goings of customers and the quantity of footfall would be significantly more as a result of this type of business, rather than a typical dwelling.
9. The hours of opening can be controlled by condition and the appellant would agree to this being conditioned, nonetheless, the use as a retail shop in a residential area with increased footfall with the added potential for deliveries of wares, does generate a level of noise that is not typical within a residential environment as this.
10. Much emphasis is made by the appellant that the shop would serve local need with people arriving by foot. However, there is no guarantee that patronage of the shop would exclusively come from within the area and that people would walk to it. Despite no highway safety concerns raised to the proposal, noise and disturbance from vehicles visiting the site will increase noise levels with the area, resulting in additional noise and disturbance to local residents.
11. The Doncaster Unitary Development Plan Policy PH12 may support non-residential uses within residential areas. Whilst the proposal may not generate high levels of fumes or smells, it generates noise and is not an appropriate location to provide an A1 retail unit for the aforementioned reasons.
12. I am not persuaded that the appellant's income figures submitted with the appeal realistically demonstrates the low numbers of customers to the site. In any event, numbers could rise significantly with no control of such.
13. On this basis the proposal conflicts with Policy PH12 of the Doncaster Unitary Development Plan 1998 that permits non-residential uses provided local amenity is protected, and polices CS1 and CS14 of the Doncaster Council Core Strategy 2011-2028 (2012) that seeks for all proposals to protect local amenity.

Other Matters

14. The appellant raises issues with the Council's 'opinion' of the proposal. However, it has been determined against both national and local policy and I find no disagreement with their findings.

15. The occupation as the appellant's sole employment has been brought to my attention. CS Policy CS1 may support job creation although this is required to be balanced against other material considerations.
16. Children may visit the shop who come from within walking distance, and this may be a safe environment to do so, which I do not dispute. However, there is no evidence to suggest that a proposal like this would strengthen communities.
17. There may be anti-social behaviour issues within Mexborough, however there is nothing before me to demonstrate that the continued use of the unit would deter people from travelling further to access confectionery and therefore be exposed to anti-social behaviour.
18. Even though the appellant would agree to no advertisements of the shop, this does not lead me to a different outcome.
19. Whilst CS Policy CS14 requires development to be flexible, each application should be considered on its own merits. It is not to say that this building cannot be adapted in another way.
20. Other outlets selling sweets is not within my remit to comment upon nor is the commercial viability of this shop.
21. I appreciate the health issues of the appellant that has been brought to my attention, the implications of this type of job and their health, and their desire to work close to home. Whilst these are factors I have considered in determining this appeal, they however do not outweigh the harm I have identified.

Conclusion

22. Taking account of all matters before me, the appeal is dismissed.

Alison Scott

INSPECTOR

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