



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: Virtual Meeting via Microsoft Teams

Date: Tuesday, 2nd March, 2021

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 meeting. 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.

BROADCASTING NOTICE

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Damian Allen
Chief Executive

Issued on: Monday, 22 February 2021

Governance Services Officer for this meeting

Amber Torrington
Tel No. 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 2nd February, 2021	1 - 10
A.	Reports where the Public and Press may not be excluded.	
	<u>For Decision</u>	
5.	Schedule of Applications.	11 - 152
	<u>For Information</u>	
6.	Appeal Decisions.	153 - 182

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, 2ND FEBRUARY, 2021

A MEETING of the PLANNING COMMITTEE was held as a VIRTUAL MEETING VIA MS TEAMS on TUESDAY, 2ND FEBRUARY, 2021, at 2.00 pm.

PRESENT:

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

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

APOLOGIES:

An apology for absence was received from Councillor Jonathan Wood.

37 Declarations of Interest, if any.

In accordance with the Members' Code of Conduct, the Chair, Councillor Susan Durant, declared an interest in relation to Agenda Item No. 8 and took no part in the discussion at the meeting and vacated the meeting during consideration thereof.

38 Minutes of the Planning Committee Meeting held on 8th December, 2020

RESOLVED that the minutes of the meeting held on the 8th December, 2020 be approved as a correct record and signed by the Chair.

39 Minutes of the Extraordinary Planning Committee Meeting held on 18th December, 2020

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

40 Minutes of the Planning Committee Meeting held on 5th January, 2021.

RESOLVED that the minutes of the meeting held on the 5th January, 2021 be approved as a correct record and signed by the Chair.

41 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'.

42 Town and Country Planning Act 1990 Section 106 Agreements

RESOLVED that prior to the issue of planning permission in respect of the following planning application, which is included in the Schedule of Planning and Other Applications marked Appendix 'A' and attached hereto, the applicant be required to enter into an Agreement under Section 106 of the Town and Country Planning Act 1990, regulating the development:-

Application No	Description and Location
20/00725/FULM	Erection of 55 dwellings including areas of open space and associated infrastructure. Land off Doncaster Road, Hatfield, Doncaster.

43 Appeal Decisions

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 & Location	Appeal Decision	Ward	Decision Type	Committee Overturn
18/02496/OUTM	Outline application for residential development with means of access to be agreed. at Rivendell , Bloomhill Road, Moorends, Doncaster	Appeal Dismissed 21/12/2020	Thorne & Moorends	Committee	No
20/00004/FUL	Section 73 application to vary condition 6 of planning application 13/01192/FUL granted 02/10/2013. at Barnburgh	Appeal Dismissed 15/12/2020	Sprotbrough	Delegated	No

	Fishing Lakes , Ludwell Hill, Barnburgh, Doncaster				
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44 Planning Enforcement Quarterly Report - December 2020

The Committee considered a report which detailed all Planning Enforcement performance in the third Quarter 2020/21.

RESOLVED that all Planning Enforcement Cases received and closed for the period for 1st October to 31st December, 2020, be noted.

DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE – 2nd February, 2021

Application	1		
Application Number:	20/00109/3FULM		
Application Type:	Planning FULL (DMBC Reg 3) Major		
Proposal Description:	Erection of 21 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

A proposal was made to grant the Application.

Proposed by: Councillor Sue McGuinness

Seconded by: Councillor Iris Beech

For: 9 Against: 0 Abstain: 1

Decision: Planning permission granted.

In accordance with Planning Guidance 'Having Your Say at Planning Committee', Mr Simon Bond and Mr Oliver Dike, Drainage Engineers from BSP Consulting, spoke in support of the application for the duration of up to 5 minutes.

Application	2
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Application Number:	20/00725/FULM
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Application Type:	Planning FULL Major
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Proposal Description:	Erection of 55 dwellings including areas of open space and associated infrastructure.
At:	Land off Doncaster Road, Hatfield, Doncaster

For:	Mr Tate - Barratt And David Wilson Homes
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Third Party Reps:	0	Parish:	Hatfield Parish Council
		Ward:	Hatfield

A proposal was made to grant the Application subject to a Section 106 Agreement.

Proposed by: Councillor Iris Beech

Seconded by: Councillor Sue McGuinness

For: 10 Against: 0 Abstain: 0

Decision: Planning permission granted subject the completion of an Agreement under Section 106 of the Town and Country Planning Act 1990 in relation to the following matters, the deletion of Condition 21 and the amendment of Conditions 03 and 06 to read as follows:-

- 03. 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. 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. The trees shall be container grown or root balled and of minimum Extra Heavy Standard (14-16cm) size in accordance with table 1 of British Standard 3936-1: 1992 Nursery Stock. The pots of containerised trees must be proportionate to the size of the tree in accordance with table D4 of British Standard 8545: 2014 Trees: From nursery to independence in the landscape - Recommendations (BS8545) and the rootball of rootballed trees in accordance with table D5 of British Standard 8545. The trees shall be handled in accordance with 'Handling and Establishing Landscape Plants' by the Committee of Plant Supply & Establishment (1995) published by the Joint Council for Landscape Industries and/or section 9 Handling and Storage and Annex E of BS8545. 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 dwelling, which will be monitored by the Local Planning Authority. Any part of the scheme which fails to achieve independence in the landscape, or is damaged or removed within five years of planting shall be replaced during the next available planting season in full accordance with the approved scheme, unless the local planning authority gives its written approval to any variation.

REASON

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

06. Prior to the commencement of the development hereby granted a scheme for the protection of all retained trees that complies with clause 6.2 of British Standard 5837: 2012 Trees in Relation to Design, Demolition and Construction - Recommendations shall be submitted to and approved in writing by the Local Planning Authority. Tree protection shall be implemented on site in accordance with the approved details and the local planning authority notified of implementation to approve the setting out of the tree protection scheme before any equipment, machinery or materials have been brought on to site for the purposes of the development. Thereafter, all tree protection shall be maintained in full accordance with the approved details until all equipment, machinery and surplus materials have been removed from the site, unless the local planning authority gives its written approval to any variation. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

REASON

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

In accordance with Planning Guidance 'Having Your Say at Planning Committee', Mr Liam Tate, representing the Applicant, spoke in support of the application for the duration of up to 5 minutes.

(Receipt of an amendment to paragraph 9.45 of the report, the deletion of Condition 21 and the amendment of Condition 06, were reported at the meeting.)

Application	3
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Application Number:	20/00469/FUL
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Application Type:	Full Planning Application
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Proposal Description:	Erection of one replacement dwelling and erection of two new dwellings (amended proposal).
At:	9 The Close, Branton, Doncaster, DN3 3LX

For:	Mr Mclaughlin
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Third Party Reps:	8 Objections	Parish:	Cantley with Branton Parish Council
		Ward:	Finningley

Application deferred due to amendments to the ridge height which need to be re-advertised and re-considered.

Application	4
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Application Number:	20/02578/FUL
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Application Type:	Planning FULL
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Proposal Description:	Erection of detached dwelling and detached garage.
At:	Land off Minneymoor Lane, Conisbrough

For:	Rural Estates
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Third Party Reps:	3 letters of Objections	Parish:	N/A
		Ward:	Conisbrough

A proposal was made to grant the Application.

Proposed by: Councillor Mick Cooper

Seconded by: Councillor Sue McGuinness

For: 9 Against: 0 Abstain: 1

Decision: Planning permission granted.

Application	5
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Application Number:	20/03180/FUL
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Application Type:	Full Planning Application
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Proposal Description:	Erection of first floor extension above existing ground floor extension and erection of single storey pitched roof store to rear and internal alterations
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At:	Dentist Practice, 5 Alston Road, Bessacarr, Doncaster
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For:	Ms Heema Sharma
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Third Party Reps:	Statement of support from 3 residents and 7 objections	Parish:	
		Ward:	Bessacarr

Application deferred due to highway concerns which need to be resolved.

DONCASTER METROPOLITAN BOROUGH COUNCIL

Date 2nd March 2021

To the Chair and Members of the

PLANNING COMMITTEE

PLANNING APPLICATIONS PROCESSING SYSTEM

Purpose of the Report

1. A schedule of planning applications for consideration by Members is attached.
2. Each application comprises an individual report and recommendation to assist the determination process. Any pre-committee amendments will be detailed at the beginning of each item.

Human Rights Implications

Member should take account of and protect the rights of individuals affected when making decisions on planning applications. In general Members should consider:-

1. Whether the activity for which consent is sought interferes with any Convention rights.
2. Whether the interference pursues a legitimate aim, such as economic well being or the rights of others to enjoy their property.
3. Whether restriction on one is proportionate to the benefit of the other.

Copyright Implications

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Scott Cardwell
Assistant Director of Economy and Development
Directorate of Regeneration and Environment

Contact Officers: Mr R Sykes (Tel: 734555)

Background Papers: Planning Application reports refer to relevant background papers

Summary List of Planning Committee Applications

NOTE:- Site Visited applications are marked 'SV' and Major Proposals are marked 'M'
Any pre-committee amendments will be detailed at the beginning of each item.

Application	Application No	Ward	Parish
1.	20/00469/FUL	Finningley	Cantley with Branton Parish Council
2. M	20/00434/FULM	Hatfield	Hatfield Parish Council
3.	20/03003/FUL	Bessacarr	
4.	20/03480/FUL	Edenthorpe And Kirk Sandall	Edenthorpe Parish Council
5.	20/02321/COU	Town	

Application	1.
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Application Number:	20/00469/FUL
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Application Type:	Full Planning Application
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Proposal Description:	Erection of one replacement dwelling and erection of two new dwellings (amended proposal).
At:	9 The Close, Branton, Doncaster, DN3 3LX

For:	Mr Mclaughlin
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Third Party Reps:	8 Objections	Parish:	Cantley With Branton Parish Council
		Ward:	Finningley

Author of Report:	Roisin McFeely
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SUMMARY

The application seeks full planning permission for the erection of one replacement dwelling and erection of two new dwellings. The scheme has been amended to overcome issues raised by the Planning Officer and consultees and removes a dwelling from the scheme. The site lies within an allocated 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.

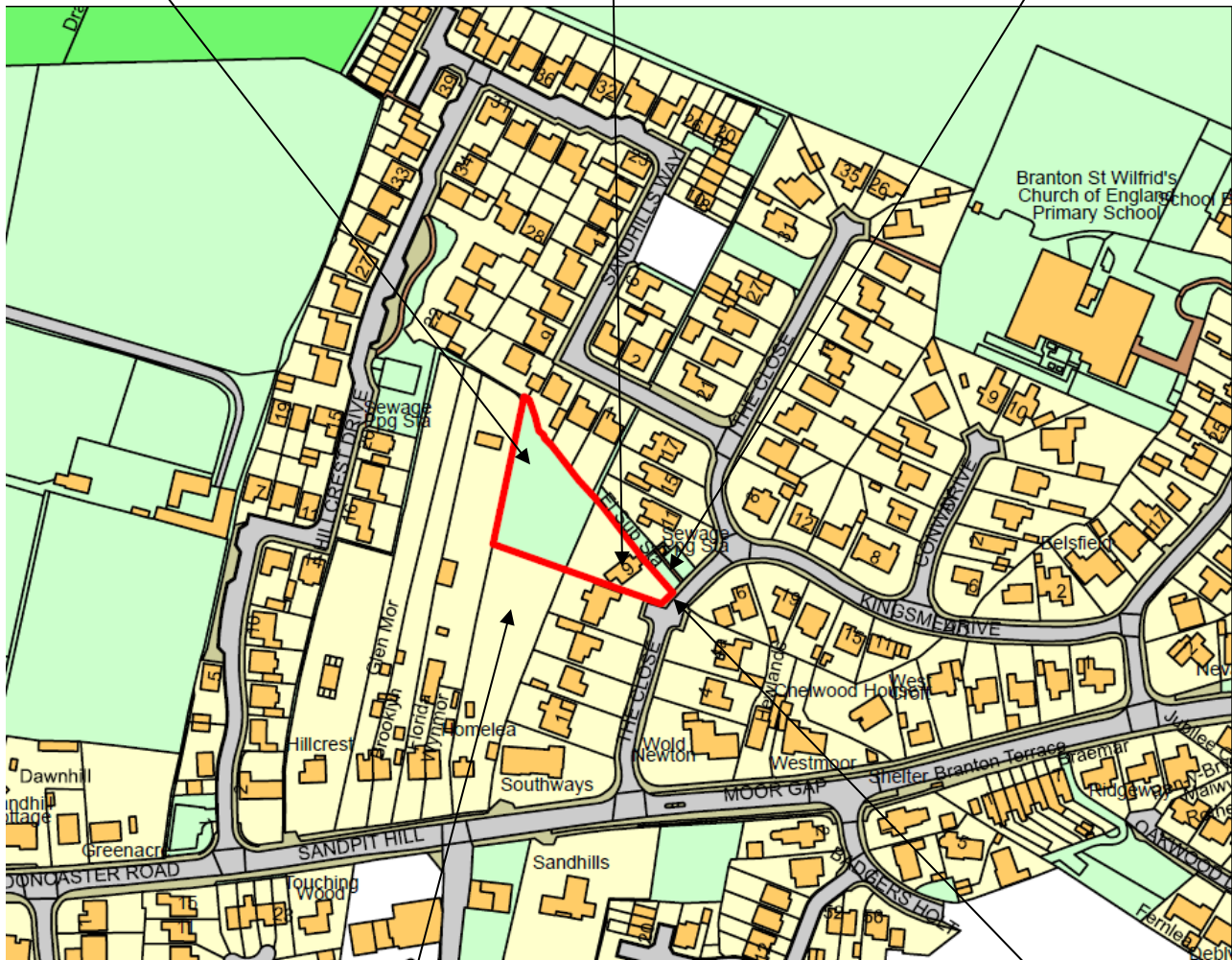
The application was due to be heard at January's planning committee, however it was deferred due to the submission of additional information, which had not been assessed. The application was re-advertised due to the submission of additional information and raising of the ridge heights of the proposed dwellings.

RECOMMENDATION: GRANT subject to conditions.

Application Site

Existing dwelling on site to be demolished and replaced

Electricity substation adjacent to the site



Site of recently approved application - 20/02837/FUL

Access to the site, via an existing dropped kerb

1.0 Reason for Report

- 1.1 This application is being presented to Planning Committee because of the high level of public interest in this application.

2.0 Proposal

- 2.1 Planning permission is sought for the erection of one replacement dwelling and erection of two new dwellings.
- 2.2 This current application has been amended in order to overcome issues raised by the Planning Officer with regards to harm to the character of the area and amenity of neighbouring properties and was re-advertised due to significant amendments to the scheme. The proposal has been amended from the erection of one replacement dwelling and the erection of three new dwellings to the erection of one replacement dwelling and two new dwellings, thus removing one dwelling from the scheme.
- 2.3 The application was re-advertised due to the submission of additional information, which had not been assessed as part of the application. A street scene was submitted, which showed an increase in the finished floor levels and therefore ridge heights of the proposed dwellings, due to the introduction of a no-dig drive.

3.0 Site Description

- 3.1 The proposal site currently features a red brick bungalow with grey tiled hipped roof. There is a good sized garden to the front of the property, which features a paved driveway providing off street parking for two vehicles. To the rear of the property there is a generous garden.
- 3.2 The proposal site is a triangular shaped piece of land located on a residential street. The street scene is characterised by bungalows which are set back from the street scene by good sized front gardens. Properties feature small brick wall boundary treatments to the front of the properties.

4.0 Relevant Planning History

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

5.0 Site Allocation

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

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 38 states that Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- 5.7 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).
- 5.8 Paragraphs 54 – 56 set out the requirements for a local planning authority's use of conditions and obligations when considering whether an otherwise unacceptable development could be made acceptable. Imposing conditions should only be used where; they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. 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.
- 5.9 Paragraph 59 sets out the Government's objective to significantly boost the supply of homes.
- 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 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.
- 5.12 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.

5.13 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.

5.14 Core Strategy 2011 - 2028

5.15 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 (as amended) and section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended)).

5.16 In May of 2012 the Local Development Framework Core Strategy was adopted and this replaced many of the policies of the Unitary Development Plan (UDP); some UDP policies remain in force (for example those relating to the non-residential use in a Residential 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:

5.17 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, protect local amenity and are well designed.

5.18 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.

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

5.20 Policy PH11 states that within residential policy areas development for housing will normally be permitted except where:-

A) the development would be at a density or of a form which would be detrimental to the character of the surrounding area or would result in an over-intensive development of the site;

B) the effect of the development on the amenities of occupiers of nearby properties would be unacceptable;

C) tandem or backland development would result in an unsatisfactory access, overlooking or over-intensive development;

D) the development would result in the loss of social, community and recreational or other local facilities for which there is a demonstrated need.

5.21 Local Plan

5.22 Paragraph 48 of the NPPF states that the local planning authority 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). Taking into account the remaining stages of the local plan process, it is considered that the following levels of weight are appropriate between now and adoption dependant on the level of unresolved objections:

- Substantial
- Moderate
- Limited

- 5.23 The Local Plan has been through Examination in Public, and consultation on proposed main modifications to the Plan is ongoing until Sunday 21 March 2021. The Council is aiming to adopt the Local Plan in Summer/Autumn 2021. 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.
- 5.24 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.
- 5.25 Policy 8 sets out the requirements for the range of housing including the need for affordable housing. This policy is afforded limited weight as there are outstanding unresolved objections.
- 5.26 Policy 11 (Residential Policy Areas) reinforces some of the wording of PH11 stating that within Residential Policy Areas, as defined on the Proposals Map and is afforded substantial weight:
- 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.
- 5.27 Policy 43 seeks to ensure high standards of residential design. This policy is afforded moderate weight.
- 5.28 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 afforded substantial weight.
- 5.29 Policy 46 deals specifically with residential design standards ensuring that new housing meets the Nationally Described Space Standard minimum. This policy is afforded limited weight as there are outstanding unresolved objections.

- 5.30 Policy 48 (Safe and Secure Places) states that developments will be supported which are designed in a way that reduces the risk of crime and the fear of crime. This policy is afforded substantial weight.
- 5.31 Policy 49 (Landscaping of New Developments) 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. This policy is afforded limited weight as there are outstanding unresolved objections.
- 5.32 Policy 56 deals with the need to mitigate any contamination on site. This policy is afforded limited weight as there are outstanding unresolved objections.
- 5.33 Policy 57 requires the need for satisfactory drainage including the use of SuDS. This policy is afforded moderate weight.
- 5.34 Other material planning considerations
- Development Requirements and Guidance Supplementary Planning Document (SPD) (2015)
 - South Yorkshire Residential Design Guide (SYRDG) (2015)
 - National Planning Policy Guidance
 - Residential Backland and Infill Development 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 (as amended) by means of the Council website and neighbour notification.
- 6.2 11 public representations have been received from 8 objectors. All the representational are objections to the scheme, 3 of the representations are additional comments from previous objectors.
- 6.3 The letters of objection are in regard to the following summarised points:
- Main sewer infrastructure cannot cope new properties/ issues with drainage
 - Disruption from demolition of existing bungalow – this is not a material consideration and will not be considered further
 - Proposed dwellings would block out the natural light of surrounding dwellings
 - Increase in vehicles would create issues with parking / access on The Close
 - Overlooking/loss of privacy
 - Concerns with increase in traffic and highway safety
 - Removing trees from the site
 - Loss of view – this is not a material consideration and will not be considered further
 - Bungalows would be more in keeping with surroundings
- 6.4 The application was amended and re-advertised to neighbouring properties. No further representations were received.

7.0 Parish Council

7.1 Cantley with Branton Parish Council were consulted and provided the following response:

“The parish council has no objections to the proposal to replace the existing dwelling with a dormer bungalow as this is largely in keeping with surrounding properties.

The parish council objects to the proposal to erect three further dwellings on the following basis:

It constitutes an overdevelopment of the site and the Local Plan denotes that there is no requirement for further dwellings as a substantial amount of development has taken place in the last ten years.

The building of detached houses is not in keeping with properties on The Close as these are bungalows and any additional building should be restricted to one/one and half storey properties

The road is narrow and additional vehicles will exacerbate current safety issues. There are serious drainage issues as the main sewer overflows during periods of heavy rainfall creating a major concern for the health and safety of residents. It is important that trees are retained for their ecological value and it is a concern that some trees have already been removed from the site impacting on the habitat of wildlife.

8.0 Relevant Consultations

8.1 **Yorkshire Water** – no objections, deferred to Severn Trent for sewage comments. Requested an informative relating to water industry Act. Previous comments still apply to the amended proposal.

8.2 **DMBC Highways DC** – originally objected to the application as there were issues with refuse collection vehicles, fire appliances and parking within the site. Highways removed their objection upon receipt of the amended plans, subject to standard conditions HIGH1, HIGH2, HIGH11.

8.3 **Internal Drainage** – no objections to original proposal or to amended proposal, requested standard condition.

8.4 **Cantley with Branton Parish Council** – objected to the original proposal due the following:

- Overdevelopment of the site
- Detached dwellings not in keeping with neighbouring bungalows
- Concerns over highway safety due to additional vehicles
- Concerns with drainage issues

Welcomes a reduction to the number of proposed dwellings on the amended plans, but reiterates its original concerns in respect of highway and drainage issues. The Parish council had no further comments in respect of the further amended proposal.

8.5 **Tree Officer** – no concerns with proposal, has requested a condition relating to a no dig driveway and a landscaping condition.

9.0 **Assessment**

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

- Principle of development;
- Impact on Residential Amenity
- Impact on the character and appearance of the area;
- Highway safety and traffic;
- Flood Risk, Foul and Surface water drainage
- Trees and Landscaping;
- 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 PH11 of the UDP sets out that Residential uses within a Residential Policy Area are acceptable in principle provided that they do not harm the character of the area or the amenity of neighbouring properties and provide adequate living conditions for any occupiers. PH11 also sets out that residential uses must be appropriate to the character of the area and would not result in an overdevelopment of the site.

9.4 Therefore, the proposal is acceptable in principle subject to acceptable design, no significant harm being caused to local amenity, highway safety or the character of the locality, which will be assessed below.

9.5 **SOCIAL SUSTAINABILITY**

Impact on Residential Amenity

9.6 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. 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’.

- 9.7 In March 2015, the Government introduced a ‘Nationally Described Space Standard’ (NDSS). The NDSS deals with internal space within new dwellings and is suitable for application across all tenures and number of bedrooms. It sets out the requirements for the Gross Internal Floor Area (GIA) of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height.
- 9.8 The full standards are available on the Government’s website, however a summary table is provided below:

Table 1 - Minimum gross internal floor areas and storage (m²) Number of bedrooms (b)

Number of bedrooms (b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
1b	1p	39 (37) ²			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	
5b	6p	103	110	116	3.5
	7p	112	119	125	
	8p	121	128	134	
6b	7p	116	123	129	4.0
	8p	125	132	138	

¹https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/524531/160519_Nationally_Described_Space_Standard_Final_Web_version.pdf

Figure 1 – Nationally Prescribed Space Standards (m²)

- 9.9 The Council do not currently impose internal space standards through a policy in the current Development Plan and rely on guidance on space standards through the South Yorkshire Residential Design Guide SPD which was adopted in 2015. Under the SPD, internal space standards were produced after extensive research into standards in other local authorities. The standards set out the minimum internal spaces for different aspects of a dwelling, across various dwellings sizes.
- 9.10 An associated Written Ministerial Statement (WMS) to the NDSS is clear in that ‘Decision takers should only require compliance with the new national technical standards where there is a relevant current Local Plan policy.’ The MWS states that the NDSS are optional for planning purposes and should only be required if they address a clearly evidenced need and are incorporated into a Local Plan.
- 9.11 As mentioned above, the Council does not yet have a relevant adopted local plan policy relating to space standards. Although Policy 46 in the Draft Local Plan specifically addresses this issue, the amount of weight which can be applied this policy is limited by the fact that the policy has received significant unresolved objections and the Council’s evidence has yet to be tested in public examination. As such, the current standards set out in South Yorkshire Residential

Design Guide are the most appropriate measure of determining internal dimensions until such time that more weight can be attributed to the relevant policy in the Draft Local Plan.

- 9.12 The South Yorkshire Residential Design Guide (SYRDG) sets out internal and external space standards. It states that 3 + bed homes should have a private rear amenity space at a minimum of 60m²; all of the plots meet or exceed this standard. The properties all exceed the overall floor standards set out in the SYRDG. Except for Bedroom 2 of Plot 1 all of the rooms meet the individual room standards in the SYRDG. Bedroom 2 of Plot 1 is 11m², which is 1m short of the standard for a double bedroom; other rooms within the property are larger providing adequate living space. A full comparison can be seen in appendix 6 of this report. It is not considered that the proposal would result in a poor standard of living for future occupiers given the overall floor space of each of the plots.
- 9.13 The original proposal did not adhere to separation distances as set out in the Supplementary Planning Documents (SPDs) and the Planning Officer raised concerns with regards to poor outlook, overlooking and overshadowing. The proposal has been amended to overcome these issues, which are discussed below.
- 9.14 To the front, Plot 1 has a separation distance in excess of 21m to the nearest habitable room windows in accordance with guidance as set out in the SPDs. To the rear there are only windows at ground floor level, which have a separation distance in excess of 28m and no direct line of sight into any habitable room windows of proposed plots 2 & 3. At first floor level there was a side window overlooking the neighbouring property at no. 11. The Planning Officer raised concerns regarding harm to the neighbouring properties amenity. Amended plans were received which removed this window. There are no window on the side elevations of Plot 1 at first floor level. There is one window on the east side elevation at ground floor level, which serves a bathroom and will be conditioned to be obscure glazed. Patio windows on the west side elevation have a separation distance in excess of 10m to the neighbouring garden at no. 7. Furthermore, a boundary treatment condition will be imposed on the application to ensure screening and mutual privacy for future occupiers of the development and the neighbouring property at no. 7. There are no windows on the side elevations at first floor level and thus there are no concerns that significantly harmful overlooking would arise as a result of the proposal.
- 9.15 The main two-storey element of plot 1 sits in a similar position to the existing dwelling on the plot and it is considered that the impact of the dwelling would be relatively similar to that of the existing dwelling. The single storey element is located over 11m from the neighbouring dwellings at no. 7 and no. 11. Furthermore, an electricity substation, the driveway to plots 2&3 and the driveway of no. 11 separate plot 1 and no. 11. To the rear, the proposal is located over 21m from the proposed dwellings in plots 2 & 3. Given the accordance with separation distances there are no concerns with significantly harmful overshadowing arising as a result of plot 1.
- 9.16 Plots 2 and 3 have no windows on the side elevations at first floor level and to the rear there are no neighbouring habitable room windows. Plot 3 has no windows on side elevations at ground floor level. It should be noted that there is a recently approved planning permission (20/02837/FUL) for two detached bungalows on a plot of land to the South of the current proposal. The amenity of the approved properties should therefore be considered as part of this application, the main considerations relate to an approved dwelling to the south of plot 2 of the current application. Plot 2

has a window serving a utility room at ground floor level, there will be a boundary conditioned between the proposal and the approved dwelling providing screening and mutual privacy and there are no concerns with regards to any significantly overlooking occurring from this window.

- 9.17 At first floor level plots 1 & 2 have a separation distance of 11.7m to the boundary of the neighbouring garden at Florida, Doncaster Road, in accordance with separation distances as set out in the SPDs. At ground floor level the separation distance is 9.3m which is 0.7m short of the 10m garden separation distance. The proposal would overlook the least usable part of an extremely large garden and it is not considered that the short fall would cause significantly harmful overlooking and would not warrant a refusal of the application. Furthermore, a boundary treatment condition will be imposed on the application to ensure screening and mutual privacy for future occupiers of the development and neighbouring properties.
- 9.18 To the front of the properties there is a separation distance in excess of 21m from both plot 1 and the neighbouring dwelling at no. 11 The Close. To the side of plot 1 there is a separation distance in excess of 16m to the nearest neighbouring property at no. 1 Sandhills Way, in accordance with separation distances as set out in the SPD. To the rear any overshadowing would occur on the very rear part of an approximately 105m garden of Florida on Doncaster Road. There is over 12m from the rear elevation of the approved dwelling under application 20/02837/FUL and the side elevation of plot 2 of the current application. This separation distance is in excess of the 11m separation distance as set out in the SPD. Given the placement of the proposed dwellings in relation to neighbouring dwellings and the adequate separation distances there are no concerns that significantly harmful overshadowing would occur.
- 9.19 There are two garages situated to the west of the site bordering the rear gardens of no. 7 The Close and Homlea, Doncaster Road. The garages have hipped roofs, which reduces their massing, and the roofs have been designed to sloped away from the neighbouring gardens to lessen their impact. The overall height of the garages is 2.7m, given that a garage could be erected at 2.5m under permitted development it is not felt that an additional 0.2m in height would be significantly more harmful to neighbouring amenity.
- 9.20 Several objections were received raising concerns regarding overlooking, overshadowing, loss of light and loss of privacy. As discussed above the proposal meets separation distances as set out in the SPD, and where there are shortfalls these are minimal and overlook the least usable part of an extremely large garden and would not warrant a refusal of the application. A boundary treatment condition will be imposed on the application to ensure screening and mutual privacy for neighbouring dwellings. Thus there are no concerns that significant harm to the amenity of neighbouring dwellings would occur as a result of the proposal.

9.21 Conclusion on Social Impacts

- 9.22 In conclusion, of the social impacts of the development, it is not considered that the impact of residential amenity will be adversely affected by the proposal for neighbouring properties or future occupiers of the proposal.

9.23 ENVIRONMENTAL SUSTAINABILITY

Impact on the character and appearance of the area

- 9.24 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.
- 9.25 The proposal site lies within a residential area, characterised by modest circa 1950s hipped bungalows set back from the street. Properties are enclosed at the front by low lying red brick walls, with generous front gardens and single-track driveways running up the sides of the gardens. To the rear, properties have good-sized gardens. Dwellings are mainly erected in brick, with red or dark tiled hipped roofs. The application site is a triangular shaped plot that currently features a red brick bungalow with grey tiled hipped roof. There is a good-sized garden to the front of the property, which features a paved driveway providing off street parking for two vehicles. Due to the siting of the plot on a bend in the road, the property has a generous garden, which is larger than that of surrounding properties.
- 9.26 The SPD also states that 'By its nature, backland development should largely be out of view and not dominate the frontage property, but still be partly visible so people can find it. This however cannot be an excuse for poor design'. The original scheme presented two storey dwellings, which were out of character for the locality and did not appear subservient to the existing bungalows on The Close. The dwellings were domineering in relation the existing dwellings and alien to the street scene. The design of the proposed dwellings did not respect or reflect the characteristics of the street scene or locality, introducing large protruding chimneys and incongruent roof forms. The proposed dwellings were very modern in design and introduced cladding and floor to ceiling windows. The Planning Officer raised concerns regarding the design of the dwellings and the harm caused to the character of the locality (appendix 9).
- 9.27 Amended plans were received for the current scheme, which amended the amount of dwellings from four to three. The reduction in the number of dwellings, provides a lower density development which is more in keeping with its surrounding. The scheme also amended the design of the proposal significantly. The dwellings have been amended from two storey dwellings to low-level bungalows with rooms in the roof, in order to better reflect the street scene. The roofs have been amended to be hipped in order to reflect surrounding dwellings and reduce their massing. The chimneys have also been removed from the proposals. Although the bungalows are taller than then frontage property and we would normally look for subservient dwellings to the rear, the proposal is set back from the frontage bungalows and has two storey dwellings to the side. As a result in this case the proposal will be a stepping of scale between bungalows and two storey dwellings and will not appear over dominant or harmful here. Overall, the design of the bungalows has been amended and better reflects and respects the character of the existing bungalows on The Close.

- 9.28 Further amendments to the scheme were received which showed an increase in the finished floor levels and therefore ridge heights of the proposed dwellings, due to the introduction of a no-dig drive. The no dig-drive will be approximately 400mm to facilitate use by refuse and emergency vehicles. The increase in the height of the dwellings would be 0.75m from the previous scheme that was to be presented to committee last month, so that they do not sit lower than the driveway. There is a recently approved application (20/02837/FUL) for two bungalows, bordering the application site. These approved dwellings would be partially visible in 'The Close's' street scene, being taller than the existing dwellings on The Close. The proposed dwellings to the back of the application site, plot 2 & 3 – sit in a similar build line to the approved dwellings. Plots 2 & 3 are smaller in height than the adjacent approved dwellings. Plots 2 & 3 are set over 45m from the front of the plot and are set back over 20m from the rear of the existing dwellings on The Close. This significant setback reduces the prominence of the dwellings, making them appear less dominating due to the degree of separation when viewed from a distance from the street scene. Being set among the other taller dwellings to the rear, the proposed dwellings appear less dominant. It is considered that the increase in height is not so large that it would warrant or justify a refusal of the application. On balance given that the increase in height is to facilitate tree protection measures, is in keeping with a neighbouring approval which is visible in the street scene and is not a large increase in height – the proposed increase in height is acceptable in this instance. (Appendix 11 shows the amended site plan with the increase in height in the context of the existing and approved dwellings around the site).
- 9.29 The no dig drive will increase the land levels by approximately 400mm, to facilitate use by refuse and emergency vehicles and also to facilitate drainage on this part of the site. Due to the raise in land levels, the houses would not be accessible as the floor levels would be higher than the doors and water run off would run towards the houses. Therefore, the land levels need to be increased to allow the properties to sit at a similar level to the raised driveway. The raising in land levels is not considered to be so significant that it would warrant a refusal of the application.
- 9.30 The Backland and Infill Development SPD states that backland development are mainly planned in existing residential areas where residents and neighbours can enjoy a certain level of amenity. The proposal site lies within a residential area and would afford a good level of amenity to neighbouring dwellings. There are examples of backland development in close proximity to the proposal site including the adjacent site at Home Lea, Doncaster Road (20/02837/FUL). An outline planning permission was also granted for up to 4 dwellings at Hillcrest, to the south west of the site. The amended scheme proposes low-level bungalows at low density which reflects not only the surrounding bungalows but also the recently approved backland development at Home Lea, Doncaster Road (20/02837/FUL). It is considered that the amended proposal would not cause significant harm to the character of the locality and it's acceptable in terms of character and design.
- 9.31 An objection was received stating that the proposal was an overdevelopment of the site, however the scheme has been amended to reduce the number of dwelling from four to three. The Planning Officer considers the reduction in dwellings to be an appropriate density for the urban grain. Another objection was received stating that bungalows would be more in keeping with the area, the proposal has been amended to provide bungalows on the site. The proposed bungalows are considered to be appropriate for the site.

Highway safety and traffic

- 9.32 'Quality, stability, safety and security of private property, public areas and the highway' and 'permeability - ease of pedestrian movement with good access to local facilities and public transport services' are listed as qualities of a successful place within policy CS 14 (A). The NPPF in para 109 states that 'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on road safety, or the residual cumulative impacts on the road network would be severe'.
- 9.33 The site is accessed via an existing dropped kerb off The Close and would create a private driveway to serve the three properties on the site. Each property will have two parking spaces in accordance with parking standards as set out in the Development Guidance and Requirements SPD. Plots 1 & 2 will have detached double garages and Plot 3 will have an integrated single garage.
- 9.34 The scheme has been amended at the request of the Highways Officer to ensure that vehicles can move within the site and leave in a forward facing gear and also to ensure that there is sufficient space for cars to pass each other on the driveway. The Highways Officer has no objections to the amended scheme, subject to standard conditions.
- 9.35 A no dig driveway has been requested by the Tree Officer to protect existing trees on site. The site will have a surfaced driveway from the road to the rear of plot one and a no dig drive from the rear of plot one onwards. This will protect the highway with a bound surfacing nearest the road. Permitted development rights for hardstanding have also been removed from the site, this is to provide protection for trees on site.
- 9.36 Objections have been received which raised concerns about an increase in traffic, properties and overspill of parking onto The Close. However, the Highways Officer has raised no objections to the scheme, deeming the parking provided on site to be adequate and in line with standards as set out in the SPD. It is considered that any increase in traffic as a result of the dwellings would be minimal and would not cause harm that would be so significant that it would warrant a refusal of the application. Another objection was received regarding concerns about works vehicles blocking access to existing. It cannot be assumed that works vehicles would behave unreasonably and there is separate legislation to deal with any vehicles that park illegally or cause nuisance. The development therefore complies with the above policies.

Flood Risk, Foul and Surface water drainage

- 9.37 Concerns have been raised regarding drainage in representations and previous issues on the site. The site is not located within a Flood Zone and thus is considered to be at a low risk of flooding. Any surface water will be directed to a soakaway in accordance with the drainage hierarchy. No objections were received from internal drainage subject to a standard condition.

Trees and Landscaping

- 9.38 There are no protected trees on the site, it should be noted that the owners have removed several trees from the site historically. The site is not subject to any TPOs. There are several mature trees on the Northern border of the site, these trees are not subject to any protection orders but are considered to be of a good quality. The applicant wishes to retain the trees as part of the scheme on the Northern border. The impact on these trees has been designed out by the agent with a no dig drive and tree protection measures. The Root Protection Area of one of the trees is breached minimally by Plot 3, however this minimal breach is not considered to be so significantly harmful that it would warrant or justify a refusal of the application. The approved dwellings are single storey and there are no concerns that the canopy of the nearest tree to Plot 3 would be harmfully affected by the development.
- 9.39 The agent has agreed to several mitigation measures on the site including a no dig drive, which will ensure minimal disruption to the trees. The Tree Officer has stated that they have no concerns with the proposal and welcome not only the conservation of the trees on the site, but also the mitigation measures the agent has provided for the development. A landscaping scheme has been agreed as part of the application, providing four trees in total application, which has been conditioned. This provision is in excess of the requirements of: a minimum one tree per dwelling as per requirements in the Development Guidance and Requirements SPD. The parking provision for plot 1 has been moved from the front of the plot to the rear, to allow a garden, which reflects the landscaping of the surrounding large green gardens. The current use of the land is a residential garden and is of low ecological value and the condition would ensure that the proposal provides adequate landscaping. Given that the trees on the Northern Border of the site are not protected and could be removed from the site without the prior permission of the local planning authority, their retention is welcomed. The agent has worked hard to design the scheme to have minimal impact of the trees, has agreed to mitigation measures and has agreed to additional planting on the site.
- 9.40 An objection was received stating that trees and hedgerows were removed from the site. However, these trees were not subject to any protection orders on the site. The proposal will be conditioned to include the provision of replacement trees on the site.

9.41 Conclusion on Environmental Issues

- 9.42 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.
- 9.43 In conclusion of the environmental issues, it is considered that there has been no significant issues raised which would weigh against the proposal that cannot be mitigated by condition. As such, significant weight can be attached to this in favour of the development

9.44 ECONOMIC SUSTAINABILITY

- 9.45 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.
- 9.46 On a wider level, additional housing will increase spending within the Borough which is of further economic benefit in the long term.

9.47 Conclusion on Economy Issues

- 9.48 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.
- 9.49 Whilst the economic benefit of the proposal is slight and afforded only limited weight, it does not harm the wider economy of the Borough and for that reason weighs in favour of the development.

10.0 PLANNING BALANCE & CONCLUSION

- 10.1 In accordance with Paragraph 11 of the NPPF the proposal is considered in the context of the presumption in favour of sustainable development. The amended proposal has been deemed acceptable for the site; the proposal would be in keeping with the surrounding locality due to the reduction of the number of dwellings and the reduction in scale and mass of the dwellings. 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 SUBJECT TO CONDITIONS

Conditions / Reasons

01. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.
REASON
Condition required to be imposed by Section 91(as amended) of the Town and Country Planning Act 1990.
02. The development hereby permitted shall be carried out in complete accordance with the details shown on the amended plans referenced and dated as follows:

Proposed Plans, Plot 1 - Drawing no. UKSD-SA-08-0006 Rev. A.02 - Received on 05.01.2021

Proposed Plans, Plot 2 - Drawing no. UKSD-SA-08-0007 Rev. A.01 - Received on 28.12.2020

Proposed Plans, Plot 3 - Drawing no. UKSD-SA-08-0008 Rev. A.01 - Received on 28.12.2020

Proposed Plans, Garage Details - Drawing no. UKSD-SA-08-0009 Rev. A.01 - Received on 28.12.2020

Site Plan, Ground Floor Level - UKSD-SA-08-0003, Rev A.03 - Received on 19.01.2021

Site Plan, First Floor Level - Drawing no. UKSD-SA-08-0004, Rev A.03 - Received on 19.01.2021

Site Plan, Roof Level - Drawing no. UKSD-SA-08-0005, Rev A.03 - Received on 19.01.2021

Street Scene/ Topographical Information - Drawing no. UKSD-SA-08-0010, Rev A.04 - Received on 08.02.2021

REASON

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

03. Before the first occupation of the dwellings hereby permitted, the boundary treatments as shown on plan UKSD-SA-08-0011, Rev A.00 - Received on 19.01.2021 shall be erected and shall be permanently retained in that condition thereafter.

REASON

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

04. Before the first occupation of the dwellings hereby permitted, the windows(s) at the ground floor bathroom of plot 1 shall be fitted with obscured glazing and shall be permanently retained in that condition thereafter.

REASON

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

05. Before the development is brought into use, the hard surfacing and no dig drive shall be installed and completed in accordance with the approved details (plan ref. UKSD-SA-08-0012 Rev.A.00 dated January 2021, Barrel Tree Consultancy Site Guidance Note 9: "Installing/upgrading surfacing in root protection areas" and Neoweb Method Statement Tree Root Protection System – GMS Rev.4; Cooper Clarke) . The hard surfacing shall serve plot 1 and shall be laid no further than the rear of plot 1. Past plot 1, the driveway shall be no dig as shown in *Plan - Showing Tree Protection* – Received on 27.01.2021. The driveway hereby approved shall be retained as such for the lifetime of the development.

REASON

To ensure adequate provision for the disposal of surface water and ensure that the use of the land will not give rise to mud hazards at entrance/exit points in the interests of public safety and to protect trees from damage to their Root Protection Areas

06. The vehicle turning space as shown on the approved plans shall be constructed before the development is brought into use and shall thereafter be maintained as such.

REASON

To avoid the necessity of vehicles reversing on to or from the highway and creating a highway hazard.

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

REASON

To avoid damage to the verge.

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

REASON

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

09. Unless specifically approved in writing by the Local Planning Authority, the scheme of tree planting shown on the approved site plan ref: Site Plan, Ground Floor Level - UKSD-SA-08-0003, Rev A.03 - Received on 19.01.2021 and associated documents ref. Branton Landscape Specification, 29th January 2021 - Received on 29.01.2021 shall be implemented in full accordance with the approved details and British Standard [8545](#):2014 Trees, 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. The trees shall be container grown and of extra-heavy standard (14-16cm) size and compliant with British Standard 3936: Part 1: 1992 Specification for Trees. Any part of the scheme which fails to achieve independence in the landscape or is damaged or removed within five years of planting shall be replaced during the next available planting season in full accordance with the approved scheme, unless the local planning authority gives its written approval to any variation.

REASON:

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

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

REASON

The local planning authority considers that further hard surfacing could cause detriment to trees on the site.

11. Prior to the occupation of the first dwellinghouse, the no dig driveway shall be installed and completed, in complete accordance with the details shown on the plans referenced and dated as follows:

Installing/upgrading surfacing in root protection areas – Received on 27.01.2021
Load Support Systems Table – Received on 27.01.2021
Method Statement Tree Root Protection – Received on 27.01.2021

Plan - Showing Tree Protection – Received on 27.01.2021
Tree Protection, Protective Fencing Detail, and Ground Protection Detail –
Received on 27.01.2021
Additional Information (No dig driveway details) – Received on 02.02.2021

REASON

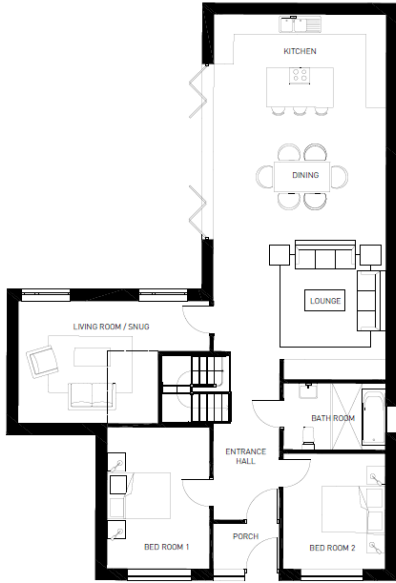
To ensure that the development is carried out in accordance with the application as approved.

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.

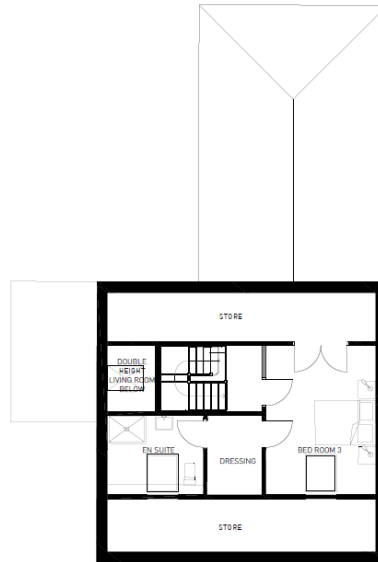
Appendix 1: Amended Site Plan



Appendix 2: Amended Proposed Plans Plot 1



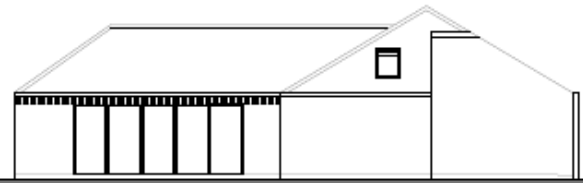
PLOT ONE GROUND FLOOR PLAN 1:50



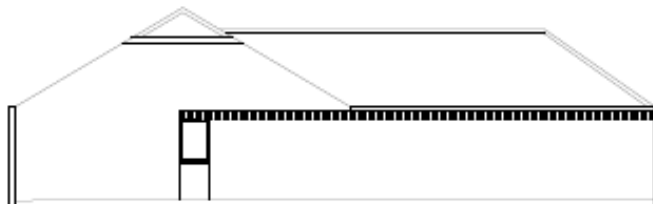
PLOT ONE FIRST FLOOR PLAN 1:50



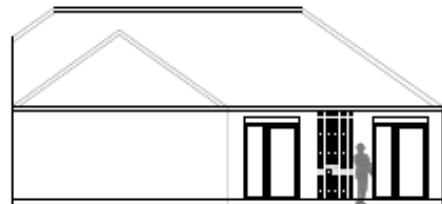
PLOT ONE FRONT ELEVATION 1:100



PLOT ONE SIDE ELEVATION 1:100



PLOT ONE REAR ELEVATION 1:100

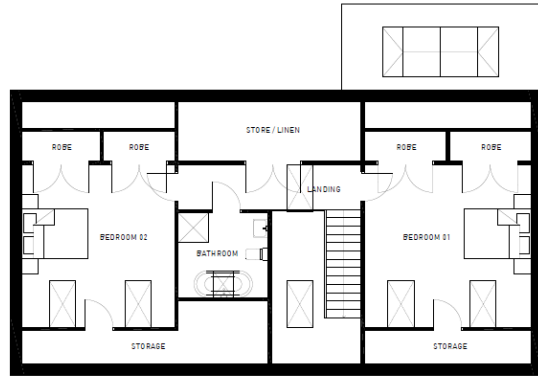


PLOT ONE SIDE ELEVATION 1:100

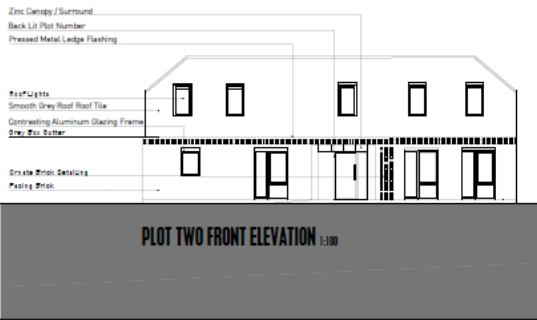
Appendix 3: Amended Proposed Plans Plot 2



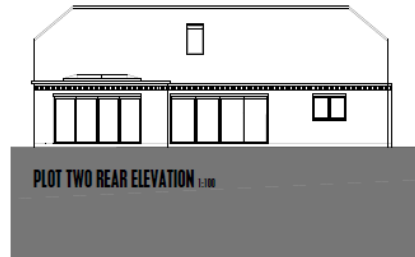
PLOT TWO GROUND FLOOR PLAN 1:50



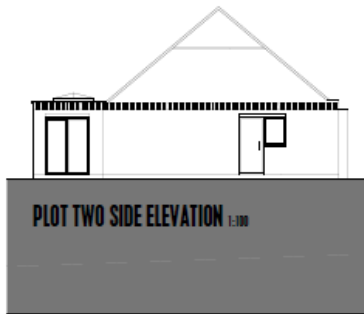
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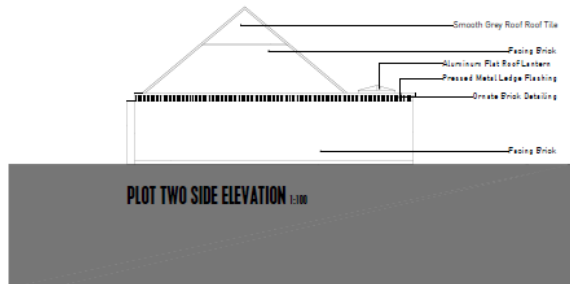
PLOT TWO FRONT ELEVATION 1:100



PLOT TWO REAR ELEVATION 1:100

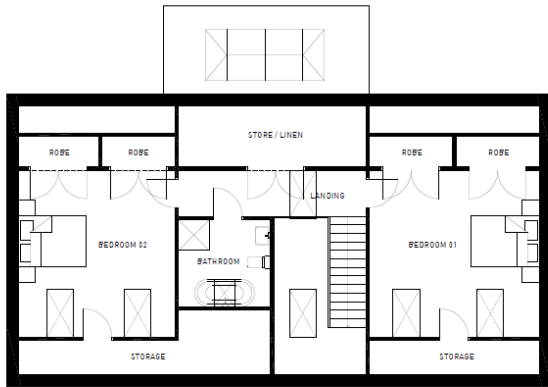


PLOT TWO SIDE ELEVATION 1:100

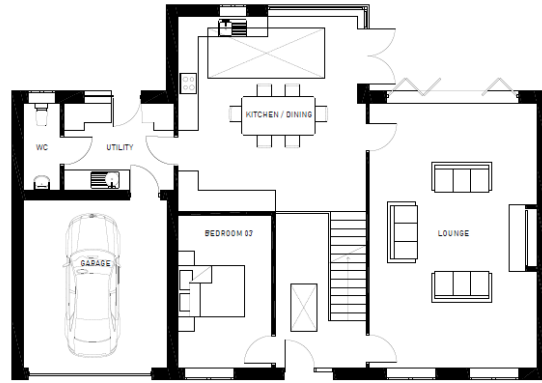


PLOT TWO SIDE ELEVATION 1:100

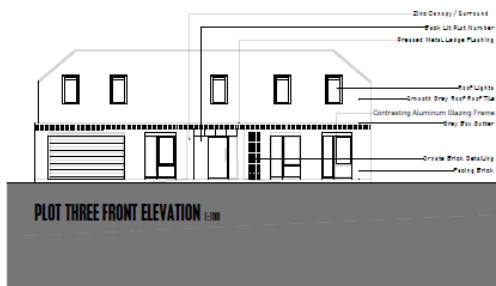
Appendix 4: Amended Proposed Plans Plot 3



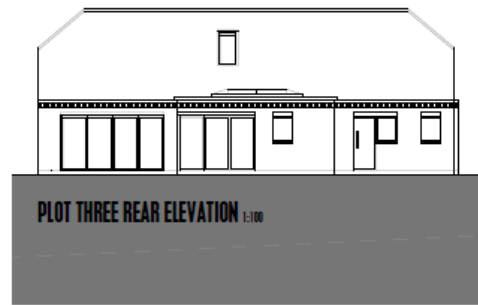
PLOT THREE FIRST FLOOR PLAN 1:50



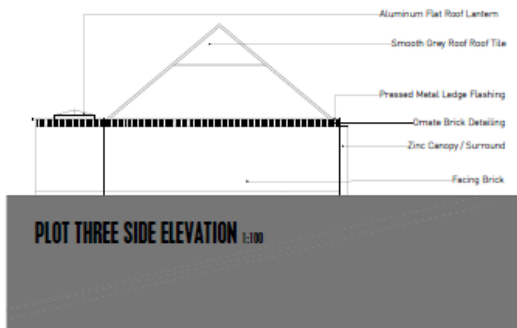
PLOT THREE GROUND FLOOR PLAN 1:50



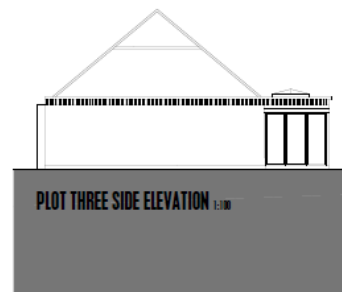
PLOT THREE FRONT ELEVATION 1:100



PLOT THREE REAR ELEVATION 1:100

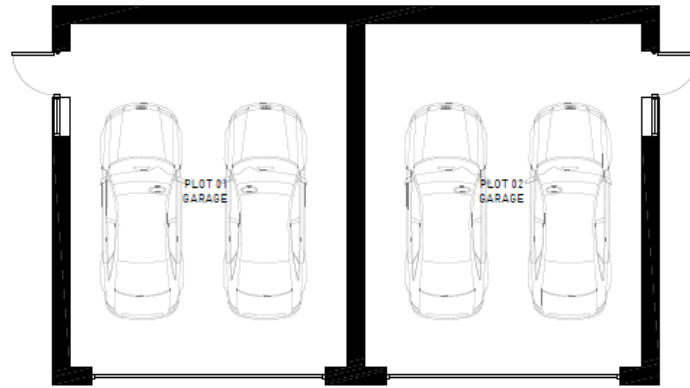


PLOT THREE SIDE ELEVATION 1:100

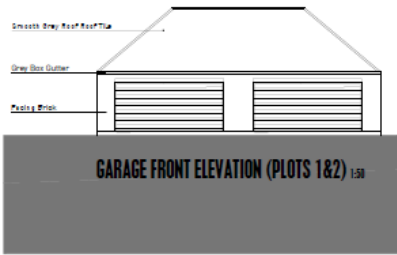


PLOT THREE SIDE ELEVATION 1:100

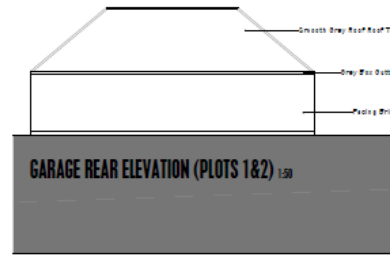
Appendix 5: Proposed Garages



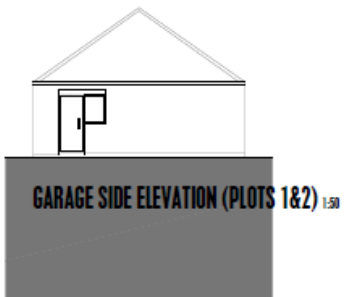
GARAGE GROUND FLOOR PLAN (PLOTS 1&2) 1:50



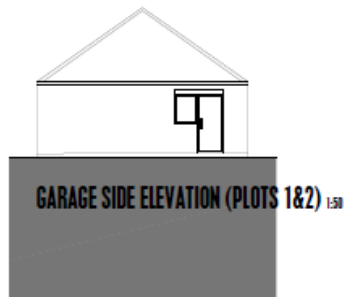
GARAGE FRONT ELEVATION (PLOTS 1&2) 1:50



GARAGE REAR ELEVATION (PLOTS 1&2) 1:50



GARAGE SIDE ELEVATION (PLOTS 1&2) 1:50



GARAGE SIDE ELEVATION (PLOTS 1&2) 1:50

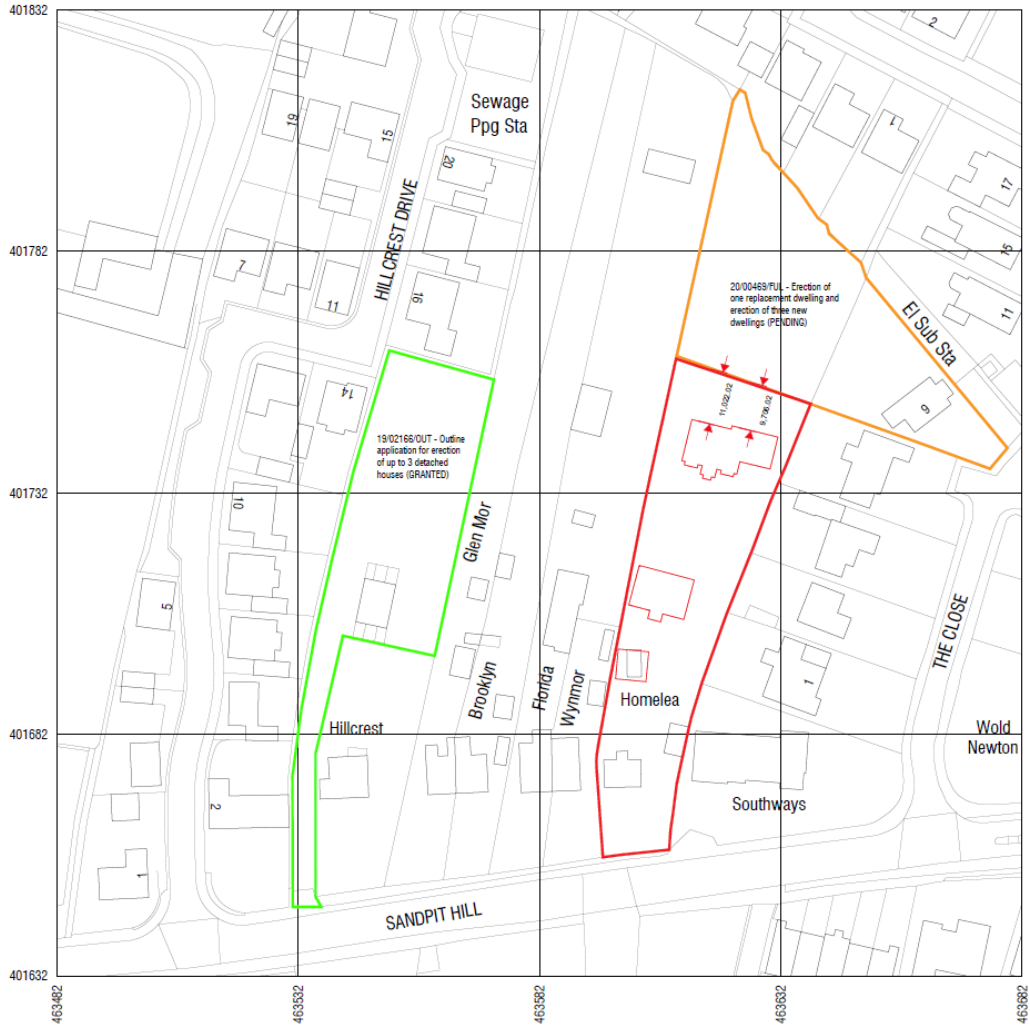
Appendix 6: Space Standards comparison of floor space with SYRDG

	SYRDG (3 bed 4 person)	Plot 1 (3 bed)	Difference
Double Bedroom	12	Bed 1 -13.5 Bed 2 -11 Bed 3 -16	Bed 1 - +1.5 Bed 2 - 1 Bed 3 - +4
Single Bedroom	7	n/a	n/a
Living Room	15	18	+3
Living/Dining	18	n/a	n/a
Kitchen	13	n/a	n/a
Kitchen/Dining	11	n/a	n/a
Open Plan/ combined	30	56	+26
Bathroom /WC combined	3.5	GF - 6.5 FF - 7.5	GF +3 FF +4
Storage	4.5	12	+7.5
Overall	77	170	+76

	SYRDG (4 bed 5 person)	Plot 2 (4 bed)	Difference
Double Bedroom	12	Bed 1 - 25 Bed 2 - 23 Bed 3 -13.5 Bed 4 - 20	Bed 1 +13 Bed 2 +11 Bed 3 +1.5 Bed 4 +8
Single Bedroom	7	n/a	n/a
Living Room	15	33	+18
Living/Dining	19	n/a	n/a
Kitchen	13	n/a	n/a
Kitchen/Dining	12	39.5	27.5
Open Plan/ combined	30	n/a	n/a
Bathroom /WC combined	3.5	GF 4 FF 7.4	GF +0.5 FF +3.9
Storage	5.5	15	+9.5
Overall	93	245	152

	SYRDG (3 bed 4 person)	Plot 3 (3 bed)	Difference
Double Bedroom	12	Bed 1 - 25 Bed 2 - 22.5 Bed 3 - 13	Bed 1 +13 Bed 2 +10.5 Bed 3 +1
Single Bedroom	7	n/a	n/a
Living Room	15	39	+24
Living/Dining	18	n/a	n/a
Kitchen	13	n/a	n/a
Kitchen/Dining	11	31.5	+20.5
Open Plan/ combined	30	n/a	n/a
Bathroom /WC combined	3.5	7	+3.5
Storage	4.5	30	+25.5
Overall	77	221	+144

Appendix 7: Approved Scheme Site Plan on Neighbouring Site (20/02837/FUL)



BLOCK PLAN 1:500

Appendix 8: Original site Plan



Appendix 9: Original Elevation Plans



Appendix 10: Boundary Treatment Plan

Boundary Treatment A - 1.8m Timber Close Board Timber Fence



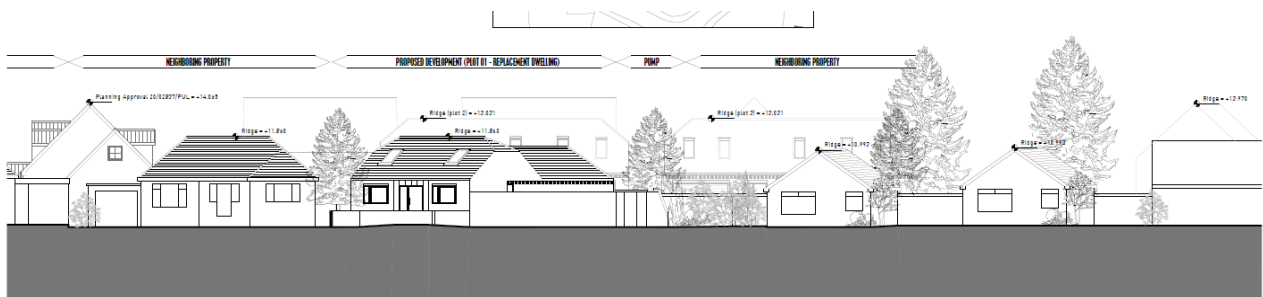
Boundary Treatment B - 1.8m Brick Wall



Boundary Treatment C - 1m Brick Wall



Appendix 11: Amended Street Scene



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Application	2.
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Application Number:	20/00434/FULM
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Application Type:	Full Planning Major
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Proposal Description:	Residential development comprising of 72 dwellings, including associated works of landscaping, public open space and means of access and car parking.
At:	Land between Doncaster Road and Lings Lane Hatfield Doncaster DN7 6AB

For:	Avant Homes
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Third Party Reps:	5 Letters of objection	Parish:	Hatfield Parish Council
		Ward:	Hatfield

Author of Report:	Nicola Elliott
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SUMMARY

The proposal seeks full permission for residential development comprising of 72 dwellings, including associated works of landscaping, public open space and means of access and car parking. The proposal represents a departure from the development plan due to the proposed siting within countryside policy area as defined by Doncaster's Unitary Development Plan (UDP), Core Strategy and emerging Local Plan.

The report demonstrates that the harm generated by the proposal through inappropriate development in the countryside is outweighed by other material planning considerations. The development would not cause undue harm to neighbouring properties, heritage assets, the highway network or the wider character of the area.

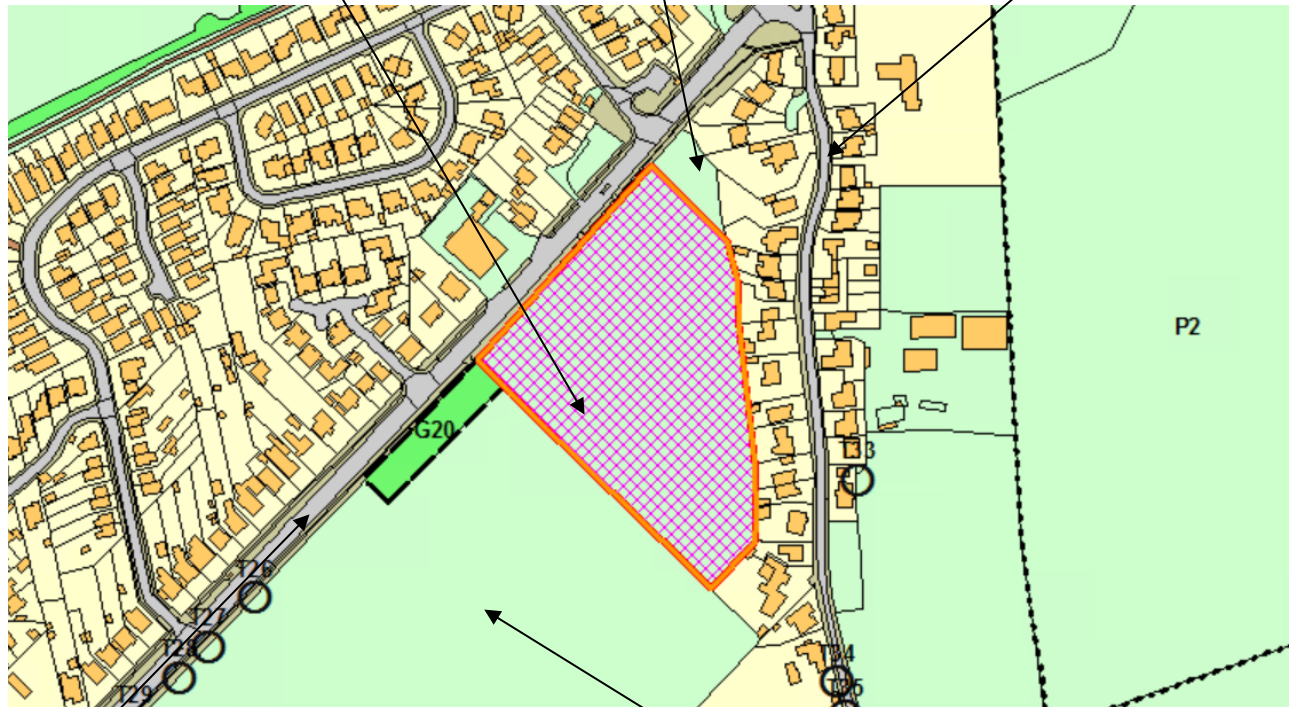
A viability appraisal has been submitted and been assessed by an independent consultant who has agreed that the scheme is not fully viable.

RECOMMENDATION: GRANT subject to Section 106 Agreement

Application Site

Application 19/02171/OUT - Outline development for erection of two detached dwellings and associated works (all matters reserved) – Approved 09.10.2020

Lings Lane



Doncaster Road

Site approved under application 16/00998/OUTM for 400 dwellings.

1.0 Reason for Report

- 1.1 This application is being presented to Planning Committee because the application represents a departure from the development plan and the application has been submitted with a viability appraisal.

2.0 Proposal and Background

- 2.1 This application seeks full permission for the erection of 72 dwellings, including associated works of landscaping, public open space and means of access and car parking. The development as proposed comprises of 72 dwellings in a mix of 2 – 4 bedroom dwellings of two storeys in height, with the exception of one house-type which as 2.5 storey (of which there are 6 units on site).
- 2.2 The neighbouring site to the south west has planning permission for 400 dwellings and development has commenced. The site to the north east has outline planning permission with all matters reserved for two dwellings (approved by Planning Committee at the meeting held on 6th October 2020). Please see history outlined in section 4.2 of this report.

3.0 Site Description

- 3.1 The application site is a triangular piece of land comprising of approx. 2 hectares, located between Doncaster Road and Hatfield Lane to the south of Hatfield. The land is currently agricultural in use enclosed by hedgerows, with residential dwellings fronting on to Lings Lane along the eastern site boundary, as well as along the north western boundary with Doncaster Road. The land to the south of the application site is currently under construction for a residential development. The character of the area is typically rural / edge of settlement.

4.0 Relevant Planning History

- 4.1 The relevant planning history is as follows:

Application Reference	Proposal	Decision
13/02059/OUTM	Outline application for residential development on approx 2ha of land (Approval being sought for access)	Refused (22.01.2015)
15/00806/OUTM	Outline application for residential development on approx 2ha of land (Approval being sought for access) (being resubmission of application 13/02059/OUTM, refused on 22/01/2015).	Refused (05.08.2015)
15/00023/REF	Appeal against 13/02059/OUTM (Outline application for residential development on approx 2ha of land (Approval being sought for access))	Appeal withdrawn

4.2 Relevant planning history on neighbouring sites includes;

Application Reference	Proposal	Decision
16/00998/OUTM	Outline application for residential development (Class C3) with open space, landscaping and associated access on approx 17.72 ha of land (Approval being sought for access) (being resubmission of application ref 14/01789/OUTM, refused on 02/10/2015)	Granted (s106) (03.11.2016)
18/01338/REMM	Details of the appearance, landscaping, layout and scale for the erection of 211 dwellings (Being matters reserved in outline application previously granted under ref 16/00998/OUTM on 03/11/2016).	Granted (22.10.2018)
20/00724/REMM	Details of appearance, landscaping, layout and scale (being reserved matters for outline application 16/00998/OUTM, granted on 03/11/2016) for the erection of 189 dwellings.	Granted (03.09.2020)
20/00725/FULM	Erection of 55 dwellings including areas of open space and associated infrastructure.	Pending decision – resolution to grant subject to signing of s106 agreement
19/02171/OUT	Outline development for erection of two detached dwellings and associated works (all matters reserved).	Granted (09.10.2020)

16/00998/OUTM is the overarching outline consent for the adjacent site, granting up to 400 dwellings. Linden Homes received reserved matters permission for 211 dwellings in the northern half of the site under that outline (18/01338/REMM). Barratt received reserved matters permission for 189 dwellings in the southern part of the site under 20/00724/REMM. That is 400 dwellings in total which is the maximum allowed under the outline, however Barratt's layout resulted in there being more capacity for additional dwellings, so they have submitted an application for 55 more dwellings under 20/00725/FULM (which has a resolution to grant). The whole site will deliver 455 units, rather than the 400 allowed by the outline.

5.0 Site Allocation

5.1 The site is located within Countryside Policy Area as defined by Doncaster's Unitary Development Plan.

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 54 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.
- 5.8 Paragraph 56 states that planning obligations must only be sought where they meet all of the following tests:
- a) necessary to make the development acceptable in planning terms;
 - b) directly related to the development; and
 - c) fairly and reasonably related in scale and kind to the development.
- 5.9 Paragraph 57 states that where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. 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. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available.
- 5.10 Paragraph 59 states 'To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of

land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay'.

- 5.11 Paragraph 68 states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly.
- 5.12 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.
- 5.13 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.
- 5.14 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:
- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);

5.17 Core Strategy 2011 - 2028

- 5.18 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.
- 5.19 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:

- 5.20 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.
- 5.21 Policy CS2 of the Core Strategy sets out the Council's growth and regeneration strategy which includes the settlement hierarchy. It identifies Hatfield, alongside Stainforth, Dunville and Dunscroft, as a Potential Growth Town and identifies within Table 1 of Criterion A) an indicative housing allocation number between 1200 dwellings over the plan period.
- 5.22 Policy CS3 of the Core Strategy sets out the Council's position in relation to development in the countryside and Green Belt. Policy CS3 states that Doncaster's countryside will be protected and enhanced. It cites a number of examples of development that would be acceptable in the countryside and these do not include major housing schemes. Proposals which are outside of development allocations will only be supported where they would: retain and improve key green wedges; not be visually detrimental; not create or aggravate highway or amenity problems and preserve the openness of the Countryside Protection Policy Area.
- 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 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.
- 5.25 Policy CS10 sets out the phasing of new houses to be built and states that existing housing allocations (except where flood risk or other delivery issues cannot be resolved) are linked to phase 1 where it is anticipated that development will be delivered from 2011 onwards.
- 5.26 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.
- 5.27 Policy CS 15 of the Core Strategy sets out to preserve, protect or enhance Doncaster's historic environment in accordance with a set of principles, including;
- (B) Proposals will be supported which protect or enhance the heritage significance and setting of locally identified heritage assets such as buildings of local architectural or historic interest
- 5.28 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.

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

5.30 Saved Policy ENV2 is a general planning policy setting out that the borough council will maintain a countryside policy area in the eastern part of the borough covering all countryside outside the Green Belt and sets out specific criteria for protecting the countryside.

5.31 Saved Policy ENV4 is a general development control policy and sets out the generally acceptable uses within the Countryside. The proposal for residential development is not listed as an acceptable use within ENV4 and consequently the proposal represents a departure from the development plan.

5.32 Saved Policy ENV 37 seeks to protect sites of local archaeological significance.

5.33 Saved Policy ENV53 sets out 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 b) views across open countryside. Whilst scale and appearance are a reserved matter, consideration should be given to the principle of development is material consideration to which this policy should be applied.

5.34 Saved Policy RL 4 sets out how the Borough will seek to remedy local public open space deficiencies within existing residential areas and will require the provision of local public open space, principally of benefit to the development itself, within new residential developments in accordance with a number of standards.

5.35 Local Plan

5.36 On 4 March 2020 the Council submitted the Local Plan to the Government for independent examination. A number of hearing sessions, guided by a Government appointed Planning Inspector, were held in October/December 2020 to discuss representations submitted to the Publication Draft Plan. As a result, the Council is now inviting responses to a number of proposed Main Modifications to the Plan which are considered necessary to make the Plan legally compliant and sound, ending on the 21st March 2021.

5.37 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. The Council is currently out for further consultation on the modifications of the Local Plan for a period running until the 21st March 2021 and the Council envisages that the Local Plan will be adopted in summer/autumn 2021. 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 for each policy the level of outstanding objections has been assessed and the resulting appropriate weight noted against each policy:

- Substantial
- Moderate
- Limited

The emerging Local Plan identifies the site as Countryside Policy Area.

5.38 The Council is aiming to adopt the Local Plan by summer/autumn 2021 and the following policies would be appropriate:

5.39 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.

5.40 Policy 2 identifies Duncroft, Dunsville, Hatfield & Stainforth as a main town, which will be a focus for new development. This policy is considered to carry limited weight at this time.

5.41 Policy 3 sets out that at least 40 per cent of the borough's total housing should be within the main towns such as Duncroft, Dunsville, Hatfield & Stainforth. This policy is considered to carry limited weight at this time.

5.42 Policy 6 sets out the Housing Allocations (Strategic Policy) and identifies sites that will help to deliver the housing requirement of which this site is one (Site 170 - Land at Doncaster Road, Hatfield). This policy is considered to carry limited weight at this time.

5.43 Policy 8 sets out the requirements for the range of housing including the need for affordable housing. This policy is considered to carry limited weight at this time.

5.44 Policy 14 seeks to promote sustainable transport within new developments. This policy is considered to carry limited weight at this time.

5.45 Policy 17 seeks to consider the needs of cyclists within new developments. This policy is considered to carry moderate weight at this time.

5.46 Policy 18 seeks to consider the needs of pedestrians within new developments. This policy is considered to carry moderate weight at this time.

- 5.47 Policy 26 deals with development in the countryside setting out the circumstances in which development in the countryside is acceptable. This policy is considered to carry limited weight at this time.
- 5.48 Policy 29 deals with open space provision in new developments. This policy is considered to carry limited weight at this time.
- 5.49 Policy 31 deals with the need to value biodiversity. This policy is considered to carry limited weight at this time.
- 5.50 Policy 33 states that the design process should consider woodlands, trees and hedgerows. This policy is considered to carry substantial weight at this time.
- 5.51 Policy 43 deals with the need for good urban design. This policy is considered to carry moderate weight at this time.
- 5.52 Policy 55 requires the need to take into account air and noise pollution. This policy is considered to carry limited weight at this time.
- 5.53 Policy 56 deals with the need to mitigate any contamination on site. This policy is considered to carry limited weight at this time.
- 5.54 Policy 57 requires the need for satisfactory drainage including the use of SuDS. This policy is considered to carry moderate weight at this time.
- 5.55 Policy 58 deals with the need to consider flooding. This policy is considered to carry limited weight at this time.
- 5.56 Policy 59 deals with low carbon and renewable energy within new developments. This policy is considered to carry moderate weight at this time.
- 5.57 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.
- 5.58 Policy 66 deals with developer contributions. This policy is considered to carry moderate weight at this time.

5.59 Other material planning considerations

- Community Infrastructure Levy (CIL) Regulations (2010)
- Town and Country Planning (Environmental Impact Assessment) Regulations (2017)
- Development Requirements and Guidance Supplementary Planning Document (SPD) (2015)
- South Yorkshire Residential Design Guide (SPD) (2015)
- National Planning Policy Guidance

6.0 Representations

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

6.2 The application was initially submitted on 12th February 2020 and advertised via site notice (6th March 2020) and press notice on 5th March 2020. Following this publicity, a total of 5 letters of objection were received. A summary of the material planning issues raised is set out below:

- Number of houses already built in the area
- Disruption to transport links
- Loss of hedgerow/trees
- Impact on wildlife/ecology
- Highway safety
- Provides no social, economic or environmental benefit to Hatfield
- No need for more housing, one of the last few remaining rural parts of the locality
- Development is heavily weighted towards semidetached and terraced dwellings. This doesn't offer a diverse range of housing to support different needs.
- Overlooking
- Loss of light
- Noise and disturbance
- No public open space
- Loss of agricultural land with no compensation
- Site rumoured to be a burial ground, archaeological assessment inconclusive
- Low level of local amenities and only one primary school in walking distance which is oversubscribed
- Natural England have not conducted a wildlife assessment with residents concerned about the impact on Buzzards, Birds and Bats.
- High levels of traffic being experienced making it hard to pull out of Lings Lane.
- Should allow greater to see effects of other developments on infrastructure.
- Overdevelopment
- Impact on environment, pollution, sewerage, surface water run off, traffic, access to education, doctors.
- Flooding
- Urban sprawl
- Loss of open field

6.3 Non material issues raised included the following

- Dirt left on path
- Loss of view
- Greater incidence of burglary to terraced and semi-detached properties
- LDF 468 states not suitable for development (*this document has since been withdrawn and is not material consideration*)
- Not given full designs (*these are on the online planning application file*)
- Results of Hatfield Village Plan questionnaire showed residents do not want further housing (*there is no Neighbourhood Plan for Hatfield*)
- Insufficient time given for public to comment (*statutory periods have been complied with*)
- Number of houses for sale in Hatfield
- Loss of Green Belt (*the land is allocated as Countryside Policy Area*)

7.0 Hatfield Town Council

7.1 Objects. The Council believes this is an over-intensive development of the site and has concerns regarding the safety of access and egress onto the surrounding rounds.

8.0 Relevant Consultations

8.1 Yorkshire Wildlife Trust – It is noted that there is no proposed mitigation for the loss of hedgerows on site. Nor does there seem to be inclusion of compensation for the loss of habitats on site. Whilst this loss is considered small, there is a requirement under NPPF (para175d) to show measurable biodiversity net gain is outlined. Therefore, biodiversity enhancements must be demonstrated by clear landscaping plans and utilisation of a metric (recommended Defra v2.0). The metric will provide baseline habitat condition and post development enhancements to allow a more accurate assessment of the potential biodiversity losses and gains to be made. Without this information it is not possible to have confidence that the works will result in anything other than a loss to biodiversity. *(This is dealt with in paragraph 9.54).*

Due to the potential presence of bats utilising the site for foraging/commuting, a sensitive lighting scheme must be conditioned for both construction and operation, as in accordance with ILP and BCT guidance (2018).

8.2 National Grid – No comments received.

8.3 Northern Powergrid – No comments received.

8.4 Environment Agency – Consultation not required.

8.5 Yorkshire Water – Following an earlier objection, there are now no objections, subject to condition.

8.6 DMBC Ecology – No objections subject to condition.

8.7 DMBC Tree Officer – No objections, subject to condition.

8.8 DMBC Internal Drainage – No objection subject to condition relating to sustainable drainage scheme.

8.9 Doncaster East Internal Drainage Board – No comments received.

8.10 DMBC Education – No objections subject to the signing of a S106 agreement.

8.11 DMBC Housing Policy - The proposed development should be considered in the context of the approved residential development under 16/00998/OUTM which potentially affects the relationship of the site to Hatfield. Once developed (*currently under construction*) this approval would effectively cause the site to be surrounded by built development – and as such, the proposal would relate well to settlement built form.

8.12 DMBC Highways Development Control – No objections, subject to conditions.

8.13 DMBC Transportation – No objections following amendments to Travel Plan, and condition for Electric Vehicle Charging.

8.14 DMBC Design Officer – Following amendments, no objections subject to condition.

- 8.15 DMBC Open Space Officer** – Following confirmation of on site POS, with remaining balance as commuted sum and confirmation of access to adjacent site, no objections.
- 8.16 DMBC Pollution Control (Contaminated Land)** – No objections, subject to condition.
- 8.17 DMBC Area Manager** – No comments received.
- 8.18 DMBC Air Quality** – Following amendments to the Air Quality Assessment, no objection subject to condition for EV charging.
- 8.19 DMBC Affordable Housing** – The affordable housing officer will need to advise on the plots which are to be affordable units, should the Section 106 Board decide to use some of the available Section 106 monies for affordable housing.
- 8.20 South Yorkshire Police Architectural Liaison Officer** – The Police Designing out crime officer has no objections or comments to make in relation to the design, layout and security of this development/property/location.
- 8.21 South Yorkshire Archaeology Service** – No objections, however further investigation required by condition.
- 8.22 South Yorkshire Fire and Rescue Service** – No objections.
- 8.23 Natural England** – No comments to make.
- 8.24 South Yorkshire Passenger Transport Executive** – No comments received.
- 8.25 The Coal Authority** – Consultation not required.
- 8.26 DMBC Environmental Health** – No objection subject to conditions for Construction Method Statement and noise levels from the road.
- 8.27 DMBC Noise** – No comments received.
- 8.28 Ward Members:** No comments received.
- 9.0 Assessment**
- 9.1 The proposal seeks full planning permission for a residential development comprising of 72 dwellings, including associated works of landscaping, public open space and means of access and car parking. In considering the proposal the main material planning considerations are outlined below:
- The principle of residential development with the Countryside Policy Area
 - The impact on the character of the area
 - The impact on neighbouring residential properties
 - The impact on the highway network and highways standards
 - The impact on the existing trees and hedgerows
 - The impact on the ecology of the site
 - The archaeological implications
 - Flooding and Drainage issues

- Financial contributions
- 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
 - No

Principle of development

- 9.3 The site lies within the Unitary Development Plan (UDP) defined 'Countryside Policy Area' (CPA), and is also considered to lie within the broad extent of the Core Strategy (CS) defined Countryside Policy Protection Area (CPPA). Therefore, the proposal should be primarily judged against UDP Policies ENV2 and ENV4, as well as Core Strategy Policies CS2 and CS3. As such, the proposed development would not be consistent with the purposes of the Countryside Policy Area defined in ENV2, or the stated purposes of appropriate development in this area given in ENV4.
- 9.4 Policy CS2 defines Stainforth and Hatfield (including Duncroft and Dunsville) as a 'Potential Growth Town' where significant housing growth could be sustainably accommodated as part of economic developments of regional/ national significance. Housing growth will be supported subject to the co-ordinated deliver of jobs and infrastructure and tied to housing renewal and improvements to services." The proposal is not an allocation, so with regards to Policy CS3, relevant parts of this policy include parts B3 & B4 and Part C.
- 9.5 Given the designated countryside location, this site is contrary to the Development Plan, and would not normally be permitted when judged against Policies ENV4 and CS3.
- 9.6 The Core Strategy has not been accompanied by the anticipated Sites and Policies Document so new allocations for the settlement have not been defined. Therefore, if considered against Parts B1 & B2 of CS3, an argument could be made that the proposal would be supportive of the Core Strategy's Growth and Regeneration Strategy, as set out in CS2 – i.e. that the site lies adjacent to a 'Potential Growth Town'. The provision of 72 dwellings is significant in terms of contributing to housing supply.
- 9.7 The proposed development should be considered in the context of the approved residential development under 16/00998/OUTM, now under construction, which potentially affects the relationship of the site to Hatfield. Once fully developed this approval would effectively cause the site to be surrounded by built development – and as such, the proposal would relate well to settlement built form.
- 9.8 Furthermore, Doncaster's emerging Local Plan has now been submitted for examination. The Publication Draft (which completed its formal consultation period on 30th September 2019) shows the application site as within a proposed housing

allocation (site 170 - Land at Doncaster Road, Hatfield, see table H2(E) below). The land to the west with planning permission under 16/00998/OUTM is also shown as a proposed housing allocation (site 970 - Land Off Doncaster Road, Hatfield). At this stage of the emerging Local Plan, this policy carries little weight but does give a clear indication of the direction of travel towards future planning policy for the site.

Table H2(E): Allocations without planning permission (as at 1st April 2018):

Site Ref	Address	Site Area (Ha)	Indicative Capacity (No of houses)	Achievability (deliverable & developable)				
				0-5 Yrs	6-10 Yrs	11-15 Yrs	15-17 Yrs	Beyond Plan Period
170	Land at Doncaster Road, Hatfield	2	72	72	0	0	0	0
784	Cuckoo Lane, Hatfield	1.2	36	36	0	0	0	0
TOTALS			108	108	0	0	0	0

9.9 The approved outline permission 16/00998/OUTM is now proceeding and is assessed as a deliverable housing allocation through the Local Plan process (Site 970, see table H1 (E) below). As such, it can be concluded that this proposal is acceptable in principle as the site relates well to the changed built form of the area and is flanked by residential development on all sides (and the recent planning permission for the north - reference 19/02171/OUT). Whilst policy 6 of the Local Plan can only be afforded limited weight, the development of the adjacent site should be afforded substantial weight and provides justification to now support the proposal further to the two previous refusals on the site.

Table H1(E): Allocations with planning permission (as at 1st April 2018)

Site Ref	Address	Site Area (Ha)	Permission		Capacity (Net)		Achievability (deliverable & developable)				
			Type	Status	Total	Units Remaining	0-5 Yrs	6-10 Yrs	11-15 Yrs	15-17 Yrs	Beyond Plan Period
418	The Unity Project, Hatfield-Stainforth	428.4	Outline	Not Started	3,100	3,100	175	350	350	140	2,085
794	Land at Former Industrial Estate, Briars Lane, Stainforth	4.1	Full	Started	152	152	105	47	0	0	0
890	Land R/O 67 - 79 South End, Station Road, Dunscroft	0.2	Full	Not Started	7	7	7	0	0	0	0
901	East Lane House, 60 East Lane, Stainforth	0.2	Full	Not Started	10	10	10	0	0	0	0
946	Land Off Station Road, Dunscroft	0.1	Outline	Not Started	5	5	5	0	0	0	0
957	Land At Kingsway, Stainforth	5.4	Full	Started	170	132	132	0	0	0	0
970	Land Off Doncaster Road, Hatfield	17.8	Outline	Not Started	400	400	245	155	0	0	0
989	Church Road, Stainforth	0.1	Full	Started	9	9	9	0	0	0	0
992	Millcroft House, Adjacent 5 Mill Croft, Stainforth	0.1	Full	Not Started	6	6	6	0	0	0	0
1058	Land Off Westminster Drive, Dunsville	3.4	Outline	Not Started	97	97	97	0	0	0	0
1068	Land At Former The Warrenne Youth	0.3	Full	Not Started	14	14	14	0	0	0	0

9.10 It is noted that the Planning Statement makes reference to an appeal decision recovered by the Secretary of State (February 2019 – Ref: Page 59 APP/F4410/W/17/3169288 / LPA ref: 15/01278/OUTM in relation to land to the east

of Mere Lane, Edenthorpe) which concluded that UDP Policies ENV2 and ENV4 are out of date, and that the tilted balance in favour of sustainable development, as stated in paragraph 11 of the National Planning Policy Framework (then 2018) applied, attaching only 'limited weight' to them for the purposes of that case. The Secretary of State also concluded that the Borough has a 10 year supply of housing land.

- 9.11 It is the local planning authority's opinion that the Mere Lane decision related only to the circumstances of that particular case and that each case should be considered on its own merits. However, in view of the Secretary of State's decision on Mere Lane, it is recognised that UDP Policies ENV2 and ENV4 should be afforded moderate weight as opposed to full development plan status.

Sustainability

- 9.12 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
- 9.13 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

Impact on Residential Amenity

- 9.14 Policy CS 14 of the Core Strategy seeks to ensure that proposals have no unacceptable negative effects upon the amenity of neighbouring land uses or the environment. The Development Guidance and Requirements SPD makes clear that 2-3 storey properties should have back to back distances (between facing habitable rooms) of no less than 21m. The properties most likely to be affected by the development are those located on Lings Lane (north east of the site). The submitted plans have been carefully designed so as to minimise the impact of the development on existing neighbouring properties. As previously set out, Doncaster's SPD sets out required separation distances in order to minimise issues such as overlooking, over dominance and loss of privacy. In general terms, principle and rear elevations should achieve 21m separation between the neighbouring equivalent and the proposed plan shows that these separation distances can largely be achieved.
- 9.15 The SPD also makes clear that there should be at least 10m separation between the rear elevation and the rear boundary with neighbouring properties. Again the site plan shows that proposed properties along the north eastern boundary can achieve the 10m required.
- 9.16 Whilst it is acknowledged that the view from many of the properties on Lings Lane will change, there is no right to a view. Moreover, the proposed site plan is able to demonstrate the necessary separation distances to safeguard the amenities of neighbouring properties.

- 9.17 As such it is considered that the proposal would not adversely affect neighbouring properties in terms of excessive levels of overlooking, over dominance, loss of privacy or overshadowing. This weighs positively in favour of the application, carrying moderate weight.

Conclusion on Social Impacts.

- 9.18 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 residential development can be achieved on the site without adversely affecting the residential amenity of neighbouring properties through overlooking, over dominance or loss of privacy.
- 9.19 It is 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 could mitigate this harm through the submission of a Construction Method Statement and as such this is considered to carry limited weight against the proposal.

9.20 ENVIRONMENTAL SUSTAINABILITY

Impact upon the character and appearance of the surrounding area

- 9.21 Policy ENV2 makes clear that the countryside should be protected in order to safeguard it from encroachment.
- 9.22 Policy ENV4 goes onto to make clear that developments should be sited, designed and, where necessary, screened so as to minimise its impact on and wherever possible enhance the character, landscape and nature conservation value of the local environment. Core Strategy Policy CS3 makes clear that development in the Countryside should protect and enhance the character of the countryside.
- 9.23 As set out above, development in the countryside is not acceptable in principle due to the fact that development would inevitably lead to the encroachment of residential development into the countryside. However, the purpose of retaining this piece of land as countryside would be ineffectual given that it is surrounded by development on all sides and therefore development of this site could not be considered an encroachment. It is more an island within the centre of housing development. It is agreed that Lings Lane has a more rural character, leading out the further countryside, however the area to the west is a dense housing development, similarly the land to the south will tightly knit once it is completed, albeit for pockets of Public Open Space.
- 9.24 Policy ENV 53 of the UDP states that the scale and appearance of new development must have regard to its wider visual impact. Development will not be permitted if it would have a significant adverse visual implication on (a) views from major transportation routes; or (b) views across open countryside; or (c) views from important landmarks. Whilst the site will be visible from Doncaster Road, it will have no greater wider visual impact than that of the development to the south and it will be a continuation of built form. The open countryside is not adjacent the site and there are no important landmarks within the immediate vicinity. As such, it is

not considered that there is any conflict with policy ENV 53, to which moderate weight should be afforded in favour of the development.

Highways

- 9.25 Highways safety and traffic generation is one of the concerns noted from objections to the proposal.
- 9.26 Policy CS 14 lists quality, stability, safety and security of private property, public areas and the highway; and permeability as qualities of a successful place. Policy CS 9 of the Doncaster Council Core Strategy states that proposals will be supported which make an overall contribution to the improvement of travel choice and the transport network.
- 9.27 There is one means of access/egress to the site from Doncaster Road. The access is toward the north of the site, a significant distance away from the access serving the adjacent development. With regard to parking, the SPD lists the required parking allocation as '2 bed units; 1.5 spaces, where 1 space is allocated and 1 space is provided for every 2 dwellings in defined bays within the public highway, 3+ bed units; 2 allocated spaces per dwelling, plus 1 visitor space per 4 dwellings unallocated and provided in defined bays within the public highway or private drive'. In total, 140 car parking spaces are proposed for the development. This equates to 1.9 per dwelling. Overall, 130 spaces are allocated (4 in garages) and a further 10 visitor spaces, and 6 on street spaces. 31 properties have 2 beds, 31 have 3 beds and 10 have 4 beds, generating a requirement of 138.75 spaces. Therefore, this meets with the SPD and a further 6 unallocated spaces are available on the road.
- 9.28 Highways Development Control and Transportation have been consulted on the proposal. Amendments to the layout were made to incorporate highways comments, including the manoeuvrability of parking spaces and length of the primary road which limited options for pedestrians.
- 9.29 Discussion has also taken place to agree the location of the pedestrian access into the site, and relocation of the pedestrian refuge on Doncaster Road. As such, there are no highway objections to the proposed access and layout.
- 9.30 With regard to transportation matters, a Transport Statement and Travel Plan have been submitted in support of this application, and the documents have been reviewed. The development is forecast to generate 42 vehicle movements (2-way) in the AM Peak and 41 vehicle movements (2-way) in the PM Peak. Cycle parking is to be provided within the curtilage of each dwelling.
- 9.31 Whilst it is acknowledged that the predicted trip generation from this development does not meet the trigger for any other junction capacity assessments, for completeness, it was requested that further information be submitted in respect of the traffic counts, that the committed development known as Unity (15/01300/OUTA) is also to be taken into account, and in relation to traffic growth, a future year assessment of + 10 years be provided. Amendments were requested to the Travel Plan.
- 9.32 A Travel Bond is required to mitigate any traffic in the event that targets are not met. The purpose of the TP Bond is to ensure that the targets within the Travel Plan towards sustainable travel (bus, walk, cycle etc.) can be met, and if not met the Council would step in with sustainable measures using the Bond. The Council needs

to be assured that the Travel Plan is effective and has reasonable targets that can be met. The Bond is requested via a Section 106 Agreement.

The formula for calculating the bond is as follows:-

No. of dwellings x the current cost of a 28 day SY Connect+ ticket (currently £111.40)
x 1.1 = £8822.88

As such, the Transport Statement was repeated using the above updated information, and Travel Plan amended to the satisfaction of the Transportation team, subject to a condition to ensure Electric Vehicle Charging.

- 9.33 The NPPF makes clear at paragraph 109 that 'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'. The impact of this proposal has not been considered severe by colleagues in Highways Development Control and Transportation.
- 9.34 The application site is located in a sustainable location, in close proximity to several bus routes and local facilities and services. As such, the development can be accessed via a wide range of transport modes discouraging reliance on the private car. Furthermore, cycle parking is accommodated for each dwelling, and as stated above, electric vehicle charging will be secured by condition.

Design

- 9.35 Paragraph 124 of the NPPF states that 'the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.'
- 9.36 Paragraph 127 of the NPPF states that 'planning policies and 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 users⁴⁶; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.'

- 9.37 On initial submission, generally layout was considered to be acceptable by the Urban Design Officer, in terms of the block structure orientation and outlook of properties. There were however some matters of detail which needed to be addressed to bring the scheme in line with Council policy and standards / Supplementary Planning Document. The application was duly amended including providing a connection to the adjacent site and a more direct pedestrian access onto Doncaster Road, reduction in frontage parking, enhanced landscaping scheme, increased separation to reduce potential for overlooking. The Design Officer now raises no objections to the scheme, subject to conditions including materials and a landscape management plan.
- 9.38 The development faces Doncaster Road and individual parcels of land are also outward facing to ensure that development does not turn its back on key vantage points. The properties are a mixture of 2 and 2 and half storeys to complement the existing built form within the vicinity of the site. Existing hedgerows are largely retained to assist in screening the development, and in softening its appearance.
- 9.39 All of the proposed dwellings will provide future occupiers with adequate living conditions. All of the proposed house types exceed the South Yorkshire Residential Design Guide minimum space standard, with the exception of Alderbridge which is marginally under the standard (by less than 1 sqm). This is not considered to weigh against the development. Gardens on the whole generally meet the 50sqm for 2 bedrooms and 60 sqm for 3 bedrooms or more, as set out in the SPD.

Loss of agricultural land

- 9.40 The site is not identified as affecting BMV agricultural land using the post 1988 ALC Magic map, as the site does not identify as being within grades 1-3b. There is therefore, no loss of high quality agricultural land and the proposal complies with policy CS18 of the Core Strategy.

Archaeology

- 9.41 Policy ENV 36 of the Doncaster Unitary Development Plan states that where the information about the archaeology of a site is insufficient to determine a planning application, the applicant will be required to provide an archaeological evaluation of the site to the satisfaction of the Borough Council. Policy CS 15 of the Doncaster Council Core Strategy seeks to preserve, protect and enhance the borough's heritage assets. The presence of potential archaeology on the site was a concern raised in the objections to the scheme from the public.
- 9.42 An archaeological desk based assessment has been carried out by an archaeological consultant and assessed by South Yorkshire Archaeology Service (SYAS). SYAS confirm that the proposal does have archaeological implications. The desk-based assessment provided for the previous application has been resubmitted alongside a geophysical survey and archaeological summary. Since SYAS' previous comments, detailed archaeological investigation of the site to the immediate south has been undertaken ahead of development. The somewhat surprising results have shown that the field system and trackways recorded there, although in use during the Iron Age and Romano-British periods, originated over 1000 years earlier in the Bronze Age. This is a significant advance in SYAS' understanding of the later prehistoric period in this area. These archaeological features can be expected to continue into the current application. The geophysical survey is useful in establishing that any buried remains here, although requiring

evaluation and possible subsequent mitigation, do not appear to be of such significance that preservation in situ is required. The large mound at the northern part of the site is also of archaeological interest. This is marked as the location of Lings Windmill on the 1st Ed. OS map of 1854. Groundworks associated with this scheme could, therefore, destroy finds and features of archaeological importance and as such, a scheme of archaeological investigation is required. SYAS recommend that the necessary investigation be secured by attaching the condition given in the covering letter. In the first instance, a programme of archaeological trial trenching will be required the results of which will be used to inform and devise a mitigation strategy, if required.

- 9.43 Therefore, SYAS have no objection, subject to a condition requiring a Written Scheme of Investigation to be submitted and approved by the local planning authority, in consultation with SYAS.

Flooding and Drainage

- 9.44 The application site lies within an area designated as Flood Risk Zone 1 and has a low probability of flooding. However, in accordance with policy CS 4 of the Core Strategy and the NPPF, as the site is 1.9ha, a site specific flood risk assessment (FRA) has been submitted. According to the FRA, ground levels are approximately 10.0m AOD over the greater part of the site, with a relatively steep fall of 1 in 20 at the northern end of the site, from 10.0 to 8.5 m AOD.
- 9.45 Soakaway testing has been carried out on site to determine the viability of infiltration techniques for the site. These have shown that they are not considered viable and therefore the use of attenuation systems to reduce the run-off from the site to agricultural, or agreed discharge rates, would be required to ensure there is no increase in flood risk to the downstream catchment. An underground attenuation tank is shown on the proposed site plan, this will be grassed over and will be able to be used as informal POS.
- 9.46 The Council's Drainage Engineer, Environment Agency, Doncaster East Internal Drainage Board and Yorkshire Water have all been consulted on the proposal. The Environment Agency have confirmed that they do not need to comments on the proposals as the only potential reasons for the consultation are 1) potentially polluting development on SPZ – but the EA do not consider residential developments to come into that category, or 2) potentially polluting previous use, but it's listed as agricultural which again the EA do not consider is an issue.
- 9.47 The Council's Drainage Engineer raises no objection to the proposal subject to a condition requiring a sustainable drainage scheme, Yorkshire Water request that permitted development rights are removed from the properties adjacent the water main easement at the front of the site, and no comments have been received from the Drainage Board.
- 9.48 As such, in accordance with policy CS 4 and the NPPF, it is not considered that there are any flooding or drainage issues which would prevent approval of the application, which carries considerable weight.

Trees and Landscaping

- 9.49 Policy ENV 59 of the Doncaster Unitary Development Plan states that in considering proposals for new development the borough council will attach considerable importance to the need to protect existing trees and hedgerows and other natural landscape features and will require that new developments do not cause unnecessary loss of tree, nor imperil trees by building works. Policy CS 16 (D) in part states that proposals will be supported which enhance the borough's landscape and trees by ensuring designs are of high quality, include appropriate hard and soft landscaping and retaining and protecting appropriate trees and hedgerows, and incorporating new tree, woodland and hedgerow planting.
- 9.50 A tree survey has been submitted with the proposal and has been assessed by the Council's Trees and Hedgerows Officer. Initially the Tree Officer raised concern that there were very few trees on the site and the best were being lost to development. However, through negotiation trees T5 and T6 are to be retained. The Tree Officer raised concerns as to how utilities would affect the roots to T6 and as a final, composite services layout has not yet been prepared because as the agent advises, utilities companies will not generally agree to finalised proposals until developers are scheduled in to meet with them at a later date in the development process. A series of preliminary drawings have been worked up to date, some of which could require the routing of services to be located in close proximity to the root protection areas (RPAs) of the retained trees. If this is to be the case when matters are finalised, then the vac-ex (air space) method could be used for the installation of the services to ensure that the RPAs remain protected. The developer's engineering team have spoken with their preferred utilities provider about this matter, and they have confirmed that their preference is also to propose the use of vac-ex. The Tree Officer does not wish to object on these grounds subject to a custom worded condition that requires confirmation of the method that will be used once the composite services layout is finalised, post the application being determined.
- 9.51 Therefore, on balance, there are no arboricultural objections to the proposal. The existing hedge will also be enhanced where there are gaps, to offset the gap created by the access.

Ecology and Wildlife

- 9.52 Policy CS 16 seeks to protect and enhances the borough's ecological networks, avoiding harm where possible and ensuring that any unavoidable harm is appropriately mitigated and compensates. Doncaster's Ecologist has been consulted during the course of the application and is generally happy with the ecology survey that has been provided and agrees with its assessment that further protected species surveys are not required for the site. The ecologist requests a condition is added requiring a bat sensitive lighting scheme as well as one that secured gaps for hedgehogs in any fences on the site. As such, there are no objections on ecological grounds, subject to condition.
- 9.53 With regards to biodiversity, in line with Paragraph 170 of the NPPF, planning 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. The site has been fairly accurately described as being of relatively low biodiversity value with significant ecological constraints having been identified. The losses from the proposed development were taken into account in the biodiversity

net gain assessment that was requested. Biodiversity value as calculated through the DEFRA metric is expressed as biodiversity units which have no intrinsic value but are just used as a proxy which can have a value allocated.

- 9.54 The habitat losses were confined to arable and tall ruderal areas and from a total of 4.14 biodiversity units 2.18 were to be retained or created on site. The retention and created of habitats on site has to be managed over a period of 30 years according to BNG guidance. This can be conditioned. The overall loss of biodiversity can be expressed as a deficit of 1.95 biodiversity units and according to the principles of biodiversity net gain this must be accounted for. However at the current stage of implementation the Council do not currently have a tariff set for the actual value of a biodiversity unit. Although there were no significant constraints to the proposed development from faunal species on the site in line with both national and local planning guidance mitigation of the impacts can be conditioned accordingly.

Pollution issues

- 9.55 A Geo-Environmental Appraisal and Air Quality Assessment (AQA) have been submitted with the proposal and assessed by the Contaminated Land and Air Quality section of the Pollution Control team. With regard to contaminated land, whilst there is no indication on the historic maps of previous industrial land use on site and contamination is more likely to arise in former industrial areas, it cannot be ruled out in other locations. As this development is for a vulnerable/sensitive end use, an appropriate contaminated land risk assessment should be carried out, and whilst the above report has been submitted as an appropriate contaminated land risk assessment, given its age there is the potential that changes may have occurred across the site since the original walkover was undertaken. In addition, adjacent development may have impacted upon the site. As such, the risk assessment will need to be updated to ensure it reflects the current situation on site and is written in accordance with current guidance. Subsequently, there are no objections subject to conditions requiring a contaminated land assessment and measures taken place should any contaminants be found.
- 9.56 In terms of air quality, the AQA follows standard methodology and uses data from recognised sources and therefore its proposals and conclusions may be accepted with a high degree of confidence. Pollution Control consider that it seems reasonable therefore that the development will not have the potential to result in an exceedance of the extant air quality objectives; thus subject to a number of conditions, there are no objections on grounds of air quality.

Conclusion on Environmental Issues

- 9.57 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.
- 9.58 In conclusion of the environmental issues, it is considered that issues in relation to trees, ecology, landscaping, highways, flood risk and drainage and pollution have been overcome subject to suitably worded conditions. Collectively these issues weigh significantly in favour of the application. Overall therefore, the proposal is considered to balance positively in relation to environmental matters.

9.59 ECONOMIC SUSTAINABILITY

9.60 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.

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

9.62 Conclusion on Economy Issues

9.63 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.

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

9.65 Planning Obligations

9.66 Concerns have been raised by objectors that the proposed development would have an adverse impact on existing facilities and that the development provides no social, economic or environmental benefit to Hatfield. 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.

9.67 Paragraph 56 states that planning obligations must only be sought where they meet all of the following tests

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

9.68 These are the statutory tests as set out in the Community Infrastructure Levy Regulations 2010. In the event that planning permission is granted, the following contributions would be required.

Affordable Housing

9.69 To accord with policy CS 12 of the Core Strategy, the scheme should provide 26% on site affordable housing, as more than 15 dwellings are proposed. In this case the development will need to provide 19 dwellings for affordable housing to be policy compliant. However, in accordance with the NPPF and policy CS 12 which states that 'commuted sums will be considered where this would assist the viability of a development and deliver more affordable homes than on-site provision'. The provision of 19 dwellings is subject to viability.

Public Open Space

- 9.70 In the event that planning permission is granted the development should look to provide 15% on site open space in order to be policy compliant. The scheme provides approximately 3.3% on site, which falls short of the 15% requirement. It was therefore requested that this shortfall was made up with the provision of a commuted sum. Agreement has also been reached with the developer on the adjacent site, that an access can be formed to the adjacent POS for use by residents of this development. A LAP (Local Area of Play which includes small, low key equipment) will also be provided on site. It is also requested that benches be provided on the POS to allow for parents to watch children and this can be submitted to the submission of the full details by condition. The area of the attenuation basin will also be grassed and allow for informal play. The commuted sum to make up the shortfall would equate to 11.2% of the land value, subject to viability.
- 9.71 This is only considered acceptable as the applicants have provided written confirmation that they have an agreement to form an access to the neighbouring site and therefore residents can make use of the good POS offer adjacent. Without this access, the size of the open space provided is not acceptable. Officers are only taking this approach given the adjacent housing sites open space offer.

Education

- 9.72 Policy CS 1 (A) of the Core Strategy states that as a means to securing and improving economic prosperity, enhancing the quality of place, and the quality of life in Doncaster, proposals will be supported which contribute to the Core Strategy objectives and in particular 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. As such, the Education team have been consulted and 16 additional primary school places are required as well as 11 additional secondary school places with a total educational contribution calculated at £395,555.

Transportation

- 9.73 Policy CS 9 requires new developments to provide, as appropriate, transport assessments and travel plans. As mentioned earlier in this report a returnable Transport Bond of £8822.88 is required to ensure that the development meets with the measures outlined in the travel bond.

9.74 Viability

- 9.75 Paragraph 57 of the NPPF states that 'where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. 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'.
- 9.76 A viability appraisal has been submitted with the proposal which sought to show the proposal could not provide any Section 106 obligations and remain viable. This was assessed by an independent viability consultant who concluded that the

scheme was fully viable (S106 payments of £594,178 and 19 units, or 26%, of affordable housing).

- 9.77 This was contested at length by the developer and agreement was made to seek the views of another independent consultant, which was duly carried out. This consultant reached an alternative conclusion to the original assessor and considered that the scheme could provide the required S106 payments of £594,178 and could provide some affordable housing on site or an off-site contribution of £559,280 (approximately 9 units or 12.5%).
- 9.78 This was still not agreed by the applicant, who considered that there had been an inconsistency with the approach applied by the same consultant at the Westminster Drive site at Dunsville, which is close to this application site. The main areas of difference related to amount of planning gain, revenue, profit and benchmark land value. The applicant then put forward an offer of £200,000 towards S106 payments and 7 units of affordable housing, with a revised appraisal.
- 9.79 Following a series of joint meetings, the viability consultant reviewed the justification submitted by the applicant and has concluded that a sum for Section 106 requirements to the value of £688,358 can be supported, this meets with the applicant's offer. However, the way in which the monies are split is the decision of the Section 106 Board. It was not possible to arrange for a meeting of the Board prior to the publication of this Report. Therefore, the outcome of the Board meeting, and resultant Heads of Terms will be presented verbally, and by pre-committee amendment, to Members of the Planning Committee at the meeting.

10.0 PLANNING BALANCE & CONCLUSION

- 10.1 In accordance with Paragraph 11 of the NPPF, 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 any benefits identified when considered against the policies in the NPPF taken as a whole. It is considered that subject to the recommended conditions, there are no material considerations which indicate the application should be refused.
- 10.2 The proposed layout offers adequate protection of residential amenity as a result of its design and layout, and will be of a design which sits sympathetically with existing development, being seen as a continuation of built form. Whilst the scheme does not provide the full 15% POS on site, there is provision of a LAP on site and small area for informal play, combined with access to large area of POS on the adjacent site, which on the whole is considered acceptable and is not found to weigh significantly against the development. Further Section 106 monies could supplement other areas of POS within the vicinity should Members of the Section 106 Board agree that this has greater community benefit.
- 10.3 Whilst it is unfortunate that the development cannot longer provide all of the planning obligations to make the scheme fully policy compliant, this has been substantiated by a viability appraisal that has been assessed by an independent consultant who has agreed that the scheme is not fully viable. As such, the proposal is compliant with the NPPF and this is not considered to be a sufficient reason to refuse the application.
- 10.4 The development will be in-keeping with its context and there is sufficient parking across the development. The scheme also offers permeability through the site,

providing access to other forms of transport. Matters relating to trees, ecology, drainage and archaeology have been taken into account and are not considered to weigh against the development. The proposal is therefore recommended for approval.

11.0 RECOMMENDATION

Planning permission be **GRANTED** subject to a Section 106 Agreement and 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. 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:

Planning Layout - 1963.01 Rev M

Detailed Landscape Plans - 3610/1 Rev E

Palmbridge - Det - Elevations - B20/PAGE/002 Rev A

Palmbridge - Det - Floorplans - B20/PAGE/002 Rev A

Greybridge - End - Elevations - B20/GRGE/002 Rev A

Greybridge - End - Floorplans - B20/GRGE/002 Rev A

Alderbridge - End - Elevations - B20/ALGE/002 Rev A

Alderbridge - End - Floorplans - B20/ALGE/002 Rev A

Floorplans and Elevations Hazelbridge - Det - B20/HAGE/001 A

Floorplans and Elevations Nithsdale - End - A20/NILE/001 A

Floorplans and Elevations Foxbridge - End - B20/FOGE/001 A

Floorplans and Elevations Culbridge - Det - B20/CUGE/001 A

Floorplans and Elevations Helmsdale - End - A20/HEL/001 A

Floorplans and Elevations Lakebridge - Det - B20/LAGE/001 A

Floorplans and Elevations Luxbridge - End - B20/LUGE/001 A

Single Garage - 1963.G.01

Boundary Treatments 1.2m Timber Post and Rail Fence - 1963.B.03

Boundary Treatments 1.2m Timber Fence w/0.3m Trellis - 1963.B.07

Boundary Treatments 1.8m Timber Screen Fence - 1963.B.01

Boundary Treatments 1.8m Brick and Timber Panel Wall - 1963.B.02

REASON

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

03. Before the development commences, product details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority. This may include samples if requested by the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, the development shall be carried out in accordance with the approved materials.

REASON

To ensure the satisfactory appearance of the development.

04. Before the development commences, details of the proposed benches to serve the play area shall be submitted to and approved in writing by the Local Planning Authority. This may include samples if requested by the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, the development shall be carried out in accordance with the approved materials.

REASON

To ensure the satisfactory appearance of the development.

05. No development shall take place on the site until details of the aftercare for the landscaping scheme (3610/1 Rev E) for a minimum of 5 years following practical completion of the landscape works have been submitted to and approved in writing by the Local Planning Authority. Thereafter the landscape scheme shall be implemented in full accordance with the approved details and the Local Planning Authority notified in writing within 7 working days to approve practical completion of any planting within public areas or adoptable highway within the site. Soft landscaping for any individual housing plot must be implemented in full accordance with the approved scheme, prior to occupation of the home, which will be monitored by the Local Planning Authority. Any part of the scheme which fails to achieve independence in the landscape, or is damaged or removed within five years of planting shall be replaced during the next available planting season in full accordance with the approved scheme, unless the local planning authority gives its written approval to any variation.

REASON

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

06. Prior to the commencement of development a 30 year adaptive Management and Monitoring Plan for proposed onsite habitats shall be submitted to the Local Planning Authority for approval in writing. The Management and Monitoring plan shall detail the following:

- A 30 year adaptive management plan for the site detailing the management measures to be carried out over the phased restoration of the site in order to achieve the target conditions proposed for each habitat parcel.
- Objectives relating to the timescales in which it is expected progress towards meeting target habitat conditions will be achieved.
- A commitment to adaptive management that allows a review of the management plan to be undertaken and changes implemented if agreed in writing by the LPA and if monitoring shows that progress towards target conditions is not progressing as set out in the agreed objectives.

- That monitoring reports shall be provided to the LPA on the 1st November of each year of monitoring (Years 1, 2, 3, 5, 10, 15, 20, 25 and 30) immediately following habitat creation. GIS files showing the current habitat condition of each habitat parcel will accompany each monitoring report.

- The detailed scope of proposed monitoring reports including (but not exclusively), presence of any target species, date stamped photos accompanied by detailed site notes on the extent of growth and condition of habitats, notes on factors that could be hindering the progress towards proposed target condition, detailed recommendations on changes to the management actions for parcels where progress is not as planned.

- Data will be provided in an agreed standard format to allow for collation into a district-wide biodiversity network database.

Once approved in writing the management measures and monitoring plans shall be carried out as agreed in accordance with the timeframes set out in the agreed Management and Monitoring Plan.

REASON

To ensure the habitat creation on site and subsequent management measures are sufficient to deliver a net gain in biodiversity as required by the NPPF paragraph 170.

07. Within one month of the commencement of development, an ecological enhancement plan shall be submitted to the local planning authority for approval in writing. This plan shall include details of the following measures, all of which shall be implemented in accordance with the agreed plan prior to the first occupation of the site or an alternative timescale to be approved in writing with the local planning authority:

o Siting of 3 No. bat boxes of the Schwegler type 2F or similar in suitable buildings.

o Siting of 3No. swift boxes of the integrated 'WoodStone' type or similar at a suitable height and orientation in upper eaves of buildings.

o The creation of hedgehog access holes (minimum 13x13 cm in all fences and barriers to ensure safe movement of this terrestrial mammal throughout the site.

REASON

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

08. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) there shall be no:

a) enlargement or extension to the frontage of the dwelling (s) hereby permitted (excluding any additions or alterations to the roof structures),

b) buildings or other structures ,

c) new fences, gates, walls or other means of enclosure or works as defined within Part 1 Classes A and E of Schedule 2 , and Part 2

Class A of Schedule 2 inclusive of that Order , erected or undertaken within the curtilages of any of the properties numbered plots 1-3 inclusive, 52-60 inclusive and 69-72 inclusive shown on drawing

"Planning Layout" Revision M with easement and drainage annotation

, without the prior written approval of the Local Planning Authority in consultation with the statutory water supply undertaker .

REASON

To protect public health and ensure access can be maintained at all times for the purposes of repair and maintenance to the public water supply infrastructure that is located within the site boundary.

09. No construction works in the relevant area (s) of the site shall commence until measures to protect the public water supply infrastructure that is laid within the site boundary have been implemented in full accordance with details that have been submitted to and approved by the Local Planning Authority. Ground levels within 5 metres either side of the centre -line of the 14" diameter water main located within the site shall not be raised or lowered without the prior written approval of the Local Planning Authority and no trees shall be planted within the 10 metre protective strip around water main located within the site boundary . Furthermore, the submitted details shall include but not be exclusive to the means of ensuring that access to the water supply infrastructure for the purposes of repair and maintenance by the statutory undertaker is retained at all times .

REASON

In the interest of public health and protecting and maintaining the public water supply at all times.

10. The site shall be developed with separate systems of drainage for foul and surface water on and off site prior to the occupation of the first dwelling.

REASON

In the interest of satisfactory and sustainable drainage.

11. There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works , details of which will have been submitted to and approved by the Local Planning Authority . If discharge to public sewer is proposed , the information shall include , but not be exclusive to the means of limiting the discharge to a maximum rate of 5 litres a second.

REASON

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

12. 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.. The approved connection 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.

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 and timescales.

REASON

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

14. 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.

15. Part A (pre-commencement)

No development, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation and this has been approved in writing by the Local Planning Authority. The WSI shall include:

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

Part B (pre-occupation/use)

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

REASON

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

16. 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.

17. 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.

18. 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.

19. 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.

20. Development shall not begin until a scheme for protecting residents in the proposed dwellings from noise from road traffic has been submitted to and approved in writing by the local planning authority. The scheme shall be in accordance with the recommendations set out in the BWB Noise Statement (reference LDP2324) submitted with the application. All works which form part of the approved scheme shall be completed before occupation of the permitted dwellings, unless otherwise agreed in writing by the Local Planning Authority. The protection measures in the agreed scheme shall be maintained throughout the life of the development

REASON

To safeguard the living conditions of neighbouring residents

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

Standing Advice valid from 1st January 2021 until 31st December 2022

02. **INFORMATIVE**
The site has good security designs incorporated in respect of its layout.

These can be complemented by ensuring that all external doors and windows fitted on the estate comply with Pas 24 (2016), LPS1175 SR2 (or equivalent) as a minimum

Windows also to comply with the PAS24 (2016)

The glazing units consist of a minimum of one pane of glass that achieves compliance under the BS EN356 P1A attack resistance standard.

Should the builder or developer apply for Secured by Design accreditation, this can easily be achieved by complying with the above recommendations

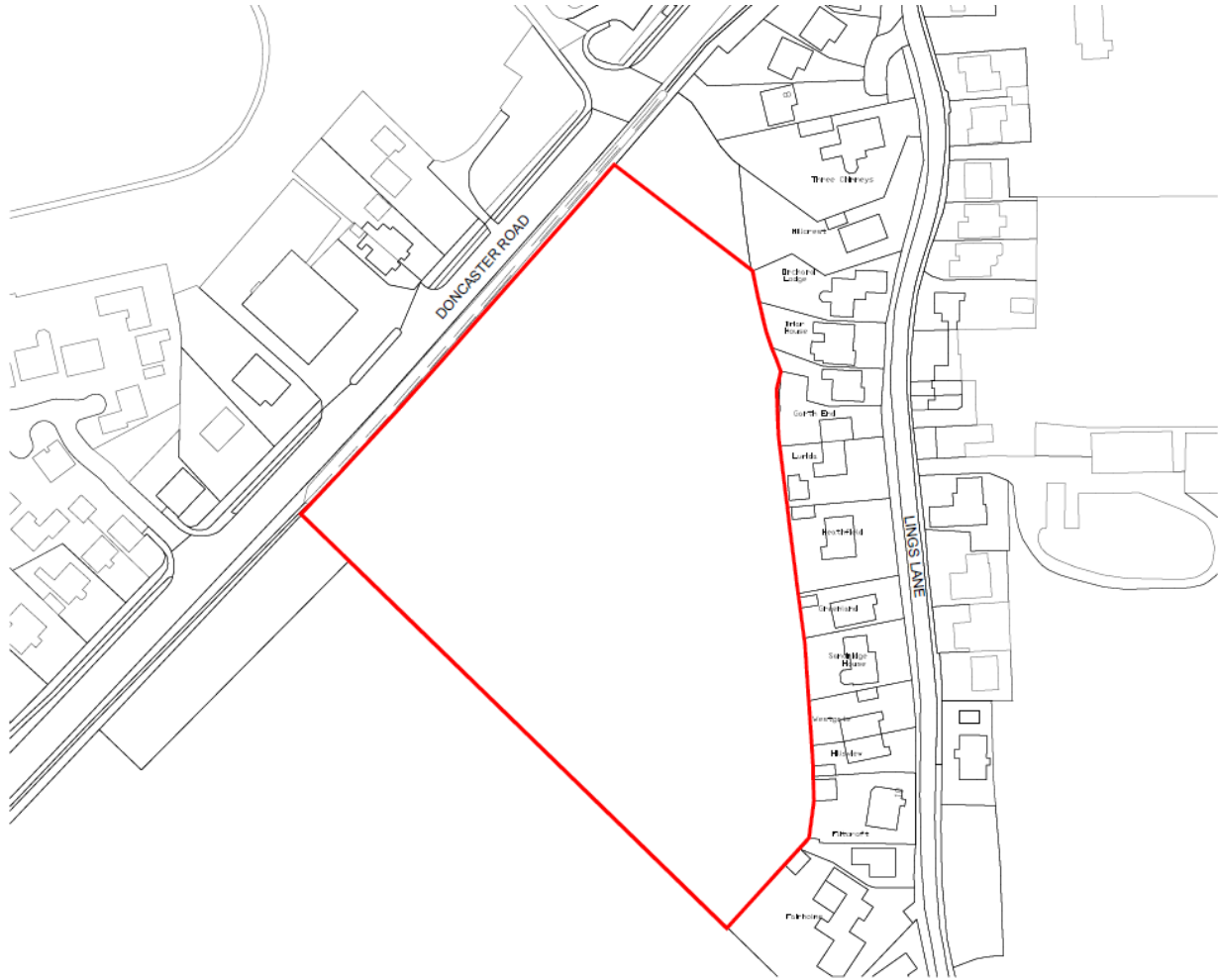
03.

INFORMATIVE

South Yorkshire Fire and Rescue Service are keen to promote the benefit of sprinkler systems to protect lives, property and the environment. As such it is recommended that this is allowed for when determining water supply requirements for the site.

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



Appendix 3 – Typical Street Scenes



STREET SCENE A-A @ 1:200



STREET SCENE B-B @ 1:200



STREET SCENE C-C @ 1:200

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Application	3
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Application Number:	20/03003/FUL
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Application Type:	Full Application
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Proposal Description:	Erection of single storey detached gym to rear garden plus erection of first floor front extension atop flat roof attached garage (amended proposal)
At:	152 Bawtry Road, Bessacarr, Doncaster, DN4 7BT

For:	Mr D Simcock
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Third Party Reps:	5 objectors 0 supporters	Parish:	N/A
		Ward:	Bessacarr

Author of Report:	Laura Williams
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SUMMARY

The application seeks permission for the erection of a single storey detached gym to the rear garden and the erection of a first floor front extension above the existing attached garage. The application is presented to Planning Committee at the request of ward member Councillor Neil Gethin and owing to significant public interest.

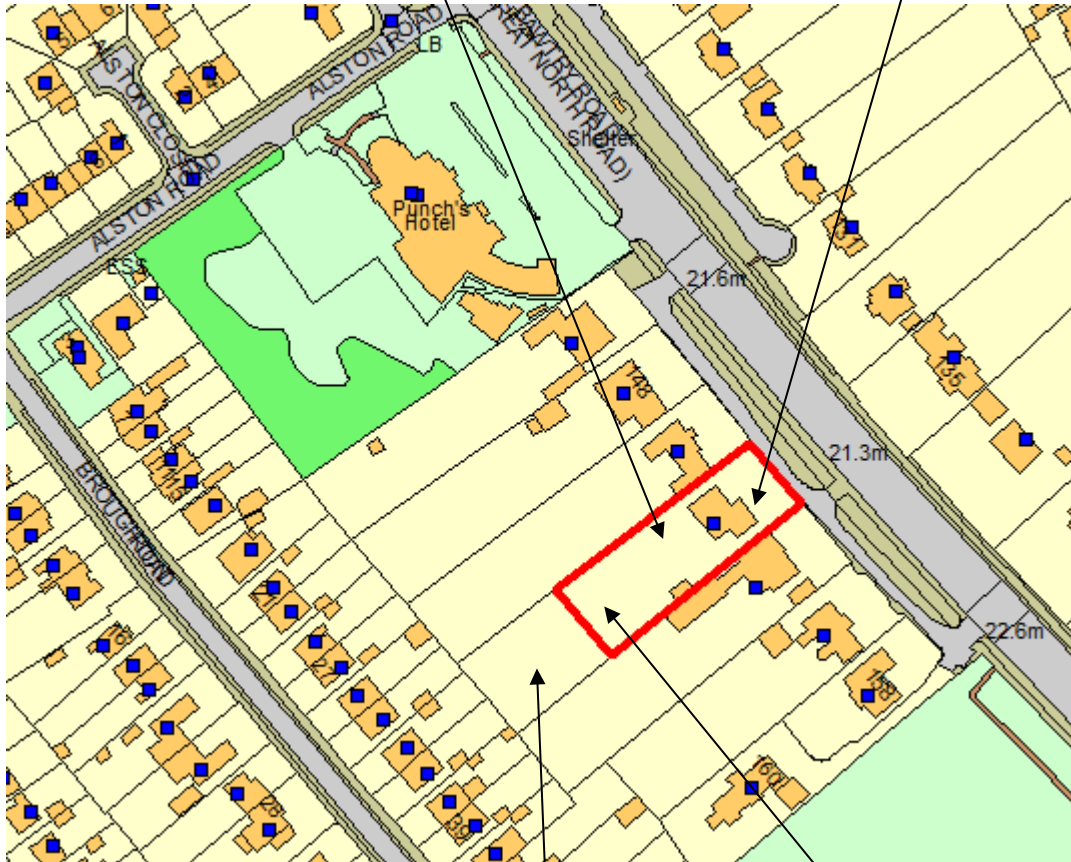
The proposed scheme has been amended to overcome issues raised by the Planning Officer and Conservation Officer. The scale of the proposal has been reduced and the design has been improved to better tie in with the character of the host dwelling, and it is now considered an appropriate form of development. The proposal would not harm the character of the Conservation Area or the locality, there would be no harm to neighbour amenity and the proposal is considered to be an acceptable and sustainable form of development in line with paragraphs 7 and 8 of the National Planning Policy Framework (NPPF, 2019).

This 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 or the wider character of the area.

RECOMMENDATION: GRANT planning permission subject to conditions.

Application Site

First floor front extension on this part of the site



Planning application 20/02415/FUL, running concurrently with this application

Detached gym on this part of the site

1.0 Reason for Report

- 1.1 This application is being presented to Planning Committee at the request of Councillor Neil Gethin, ward member for Bessacarr, and because of the level of public interest in this application.

2.0 Proposal

- 2.1 Planning permission is sought for the erection of a single storey detached gym to the rear garden and the erection of a first floor front extension above the existing attached garage.
- 2.2 This current application has been amended in order to overcome issues raised by the Planning Officer with regards to harm to the character of the street scene and the Conservation Area, and was re-advertised due to significant amendments to the scheme. The amendments include a reduction to the length of the detached gym and a reduction of the extension from a front and side extension to a front extension only.
- 2.3 It is also worthy to note that there is a current application for development to the rear of the site, which historically formed part of the rear garden of No.152, for 3 detached properties, under application reference 20/02415/FUL.

3.0 Site Description

- 3.1 This is a two storey detached dwelling on the south side of Bawtry Road within the Bessacarr Conservation Area. The building is constructed of brick and render with a concrete tile pitched gable roof. A stone and brick wall encloses the front of the property. There is a driveway and mature shrubs the front and a large garden to the rear, which is bound by a hedge to the north and west, and a brick wall to the south.
- 3.2 The application site is a rectangular shaped piece of land located on a residential street. No.152 is one of a grouping of buildings (from 146 to 158) set back from the main Bawtry Road on a private drive and its long thin plot has been truncated at the rear. The street scene is characterised by detached two storey dwellings with front driveways. Brick walls form the front boundary of these properties with some mature hedges and shrubs softening the landscape.

4.0 Relevant Planning History

- 4.1 Application site:

Application Reference	Proposal	Decision
19/02084/FUL	Erection of two storey and single storey rear extensions to detached dwelling	Granted 31.10.2019

5.0 Site Allocation

- 5.1 The site is designated as Residential Policy Area and the Bessacarr Conservation Area, as defined by the Proposals Maps of the Doncaster Unitary Development Plan (adopted in 1998). This is not in a high risk flood zone being allocated as Flood Risk Zone 1 (FZ 1)
- 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 Paragraphs 7 – 11 establish that all decisions should be based on the principles of a presumption of sustainable development.
- 5.5 Paragraph 47 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 54-56 state local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Imposing conditions should only be used where; they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Planning obligations must only be sought where they meet all of the following tests:
- a) Necessary to make the development acceptable in terms;
 - b) Directly related to the development; and
 - c) Fairly and reasonably related in scale and kind to the development.
- 5.8 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.

- 5.9 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.
- 5.10 Paragraph 127 states that good design criteria should ensure that developments function well and add to the overall quality of the area, are sympathetic to local character and history and 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 occupiers. Planning decisions should ensure are visually attractive and optimise the potential of the site.
- 5.11 Paragraph 184 states that Heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.
- 5.12 Paragraph 193 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 5.13 Core Strategy 2011 - 2028
- 5.14 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 (as amended) and section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended)).
- 5.15 In May of 2012 the Local Development Framework Core Strategy was adopted and this replaced many of the policies of the Unitary Development Plan (UDP); some UDP policies remain in force (for example those relating to the non-residential use in a Residential 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:
- 5.16 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, protect local amenity and are well designed.
- 5.17 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.
- 5.18 Policy CS15 of the Core Strategy seeks to preserve, protect or enhance Doncaster's historic Environment.

- 5.19 Policy CS16 of the Core Strategy states that Doncaster's natural environment will be protected and enhanced.
- 5.20 Saved Unitary Development Plan (UDP) Policies (Adopted 1998)
- 5.21 ENV25 states that within conservation areas, as defined on the proposals map, new development including alterations and extensions to, and changes of use of, existing buildings will be expected to preserve or enhance the character or appearance of the area. Development will not be permitted if it would detract from the character or appearance of the area by virtue of its nature, height, density, form, scale, materials or design or by the removal of trees or other important landscape features. The desirability of preserving or enhancing the character or appearance of a conservation area will be a material consideration when dealing with proposals for new development outside a conservation area which would affect its setting or views into or out of the area.
- 5.22 ENV54 states that alterations and extensions to existing buildings should be sympathetic in scale, materials, layout and general design to the existing building. All features which contribute to the character of the building or surrounding area should be retained.
- 5.23 ENV59 States that in considering proposals for new development the Borough Council will attach considerable importance to the need to protect existing trees, hedgerows, wetland habitats, watercourses and other natural landscape features and will require that new developments do not cause unnecessary loss of trees nor imperil trees by building works.
- 5.24 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
- 5.26 The Local Plan has been through Examination in Public, and consultation on proposed main modifications to the Plan is ongoing until Sunday 21 March 2021. The Council is aiming to adopt the Local Plan by Summer/Autumn 2021. 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:

- 5.27 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.
- 5.28 Policy 33 deals with Woodland, Trees and Hedgerows. Significant weight can be afforded to this Policy.
- 5.29 Policy 35 deals with Valuing our Historic Environment (Strategic Policy). No objections have been received so this policy can be afforded 'substantial weight'.
- 5.30 Policy 38 (Conservation Areas) states that proposal should take into account the identified significance contained in the Conservation Area Appraisal for the relevant designated area where published. Moderate weight is afforded to Policy 38 as there are outstanding unresolved objections however they are not considered to be significant.
- 5.31 Policy 42 (Character and Local Distinctiveness) is afforded limited weight. This policy states that development proposals will be supported where they:
1. recognise and reinforce the character of local landscapes and building traditions;
 2. are of a high quality design that contributes to local distinctiveness;
 3. respond positively to their context, setting and existing site features, respecting and enhancing the character of the locality; and
 4. integrate visually and functionally with the immediate and surrounding area at a settlement, neighbourhood, street and plot scale.

In all cases, applications and design proposals will need to demonstrate an understanding of the context, history, character and appearance of the site, adjacent neighbourhood and the wider area, to inform the appropriate design approach.

- 5.32 Policy 45 (Residential Design) has moderate weight in decision-making. New housing, extensions, alterations and changes of use to housing will be supported where they respond positively to the context and character of existing areas (refer to Policy 42), or the host property, and create high quality residential environments through good design. Developments must protect existing amenity and not significantly impact on the living conditions or privacy of neighbours or the host property (including their private gardens), be over-bearing, or result in an unacceptable loss of garden space.
- 5.33 Other material planning considerations

Development Requirements and Guidance Supplementary Planning Document (SPD) (2015)

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 (as amended) by means of site notice, council website, press advertisement and neighbour notification.

6.2 21 public representations have been received from 5 objectors. All the representations are objections to the scheme, 15 of the representations are additional comments from previous objectors.

6.3 The letters of objection are in regard to the following summarised points:

- Piecemeal overdevelopment in this part of the Bessacarr Conservation Area due to ongoing and previously granted applications
- Compounded impact of ongoing and previously granted applications on habitat loss and biodiversity
- Compounded impact of light pollution
- Compounded impact of development on drainage system

6.4 The issues raised are not material planning considerations and so cannot be considered under this application. The following points are material planning considerations to be discussed later in the report:

- Contamination of the area from landfill gases as a result of this and other applications and overall responsibility for potential consequences of development
- Potential use of the gym building as a health club / apartments / independent dwelling and potential for increased traffic - this proposal is for the erection of a detached gym and there is no evidence to suggest that the building would be used in any other such way. As such the proposal is determined regarding the erection of the detached gym for private use, and not on the speculative potential of it becoming anything else
- Reduction of privacy and security of houses on Broughton Road as a result of the gym building
- Loss of green space as a result of the gym and reduction in built footprint to plot ratio as a result of the 11 ongoing planning applications in the area
- Unclear end use; gym or garden room – the end use has been confirmed as a private use gym for the property
- Non-compliance of the development in accordance with the emerging Local Plan (policies 45, 31, 38, 55)
- Noise pollution from gym and contravention with Human Rights Act
- Maintenance of trees
- Scale of the detached gym
- Status of the large established tree and implications of proposal for said tree
- Harm to character of the area – through the reduction green and open spaces because of additional buildings, hard landscaping and the potential of removal of trees
- Concerns that the proposal would conflict with the condition of a previously approved planning application which removed permitted development rights on the site (condition 9 of application 18/02962/FUL)

7.0 Parish Council

7.1 There is no Parish Council for this site.

8.0 Relevant Consultations

8.1 Tree Officer

There are no trees on the site as these have been previously removed by the owners of the site. The site is not subject to any TPOs. There is an existing conifer hedge on the site which is to be retained as part of the scheme, which is welcomed by the local authority. The Tree Officer raised no objections to the scheme and requested no conditions.

8.2 Ecology

The site is primarily a garden with typical garden features. In respect of this application as there are no buildings, which are to be demolished or modified, then no emergence surveys for bats would be required. It is considered that the erection of a gym building is not likely to have any significant effect on bats.

8.3 Conservation Officer

No objections to the amended proposal; a matching materials condition is sufficient and no post approval conservation details are required.

8.4 Pollution Control

Historic maps indicate that the application site is located within 250m of a sand pit. Early on in the consultation process, Pollution Control had no objections to the proposal subject to an informative regarding the potential hazards associated with sand pits. Following a number of public representations concerning the matter, Pollution Control was re-consulted with a screening assessment form that contained more information about the proposal. There are no objections from Pollution Control subject to the informative regarding the potential hazards associated with sand pits.

9.0 Assessment

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

- Principle of the development;
- Impact on neighbouring amenity of existing and future residents;
- Impact on the character and appearance of the area;
- Trees and Landscaping;
- 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 the Development

9.3 The site is located within a Residential Policy Area as designated in the UDP. As such, residential use of the site is acceptable in principle, subject to compliance with other policies and consideration of the scheme's design and its impact on residential amenity, the conservation area and other issues.

9.4 **Sustainability**

9.5 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.

9.6 There are three strands to sustainability, social, environmental and economic. Paragraph 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.

9.7 **SOCIAL SUSTAINABILITY**

Impact on Neighbouring Amenity

9.8 Policies CS1 and CS14 (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 .

Detached gym

9.9 There have been several objections to the proposal, however it is not considered that the proposed detached gym as amended would result in harm being caused to the residential amenity through overlooking or overshadowing. The length of the outbuilding no longer spans the width of the plot, and has been reduced from 19.1m to 15.1m. The detached gym would measure 3.7m in height and be located to the very rear of the garden to be screened by a mature conifer hedge. As such it would impact the least usable part of a large garden and would have no overshadowing impact on neighbouring properties. The detached gym would not be harmful to the amenity of neighbours therefore complies with Policy CS14.

9.10 Doncaster's Supplementary Planning Document (SPD) makes clear that development of this nature should be of a scale and proportion that is subservient to the host dwelling, in relation to the height, massing, roof pitch, and remaining curtilage space. The reduced length of the detached gym would not compete with the host dwelling and would be subservient to it. The proposal is set within a large plot; the proposal preserves adequate private amenity space and does not dominate the rear garden. The detached gym is therefore compliant with the SPD and policy CS14.

9.11 The use of the detached gym will be for private use only that is ancillary to the residential use of the main dwelling; a condition preventing its use for purposes other than ancillary use will form part of this consent.

- 9.12 It is therefore considered the application is in accordance with Policy CS1 and CS14 thus carries significant weight.

First floor front extension

- 9.13 There have been several objections to the proposal, however it is not considered that the proposed first floor front extension as amended would result in harm being caused to the residential amenity through overlooking or overshadowing. The extension has been amended and reduced from a front and side extension which would have enveloped the side elevation of the host dwelling. The extension would be atop the existing flat roof garage and not within the main circulation space of neighbouring properties. There would be no increase to the footprint of the dwelling as a result of this proposal. The extension would not be harmful to the amenity of neighbours therefore complies with Policy CS14.
- 9.14 It is therefore considered the application is in accordance with Policy CS1 and CS14 thus carries significant weight.

9.15 Conclusion on Social Impacts

- 9.16 The proposed development as amended would not detract from the residential amenity of neighbouring properties and would not significantly detract from the social sustainability of the locality. Although the application has received a number of neighbour representations, the concerns raised are considered to be satisfied and addressed by the amended proposal. Therefore the proposal weighs positively in terms of the social impact and carries significant weight.

9.17 ENVIRONMENTAL SUSTAINABILITY

Impact upon the character and Heritage assets

- 9.18 Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Regulations Act 1990 require that in the exercise of planning functions special regard is had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses and special attention is paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 9.19 The site is within the Bessacarr Conservation Area, as defined by the Proposals Maps of the Doncaster Unitary Development Plan (adopted in 1998).

Detached gym

- 9.20 Given the positioning of the detached gym to the very rear of the garden, it would be out of clear public view and have a minimal impact on the character of the street scene and the conservation area. The length of the building has been reduced to prevent it from being visible from Bawtry Road between No.152 and No.54. A conifer hedge would screen the gym to the rear of the site. The proposal therefore complies with policies CS14, CS15, ENV25 and ENV54.

First floor front extension

- 9.21 The amendments to the first floor front extension have made the proposal subservient, and the design sympathetic to, the character of the host dwelling. The front extension would have a gable roof to match the host dwelling, and it would be set down from the ridge of the dwelling to minimise the impact of its positioning on the principal elevation. Materials would match the host dwelling. As such, there would be no harmful impact upon the character of the street scene and the conservation area. The proposal therefore complies with policies CS14, CS15, ENV25 and ENV54.

Impact on Trees

- 9.22 The site is not subject to any TPOs. The Tree Officer has no objections to the application as the proposal includes the retention of a mature conifer hedge, and the tree that was subject to a neighbour objection has been confirmed as already removed by the owners.

Pollution and Noise issues

- 9.23 Several concerns have been raised in relation to the potential for subsidence and the contamination of the area from landfill gases as a result of the detached gym development. Pollution Control has been consulted on the proposal and there are no objections to the proposal subject to an informative.
- 9.24 The detached gym and extension would be for private use by the homeowner and it is not considered that there would be excessive or harmful noise generated by this residential development.

9.25 Conclusion on Environmental Issues

- 9.26 In summary, it is not considered the proposal would significantly harm the character of the conservation area or the street scene, therefore the environmental impact of the proposed development is acceptable.

9.27 ECONOMIC SUSTAINABILITY

- 9.28 This application is a householder application for a minor development whilst providing employment for a number of people during the period of the works this is the extent of its economic impact.

10.0 PLANNING BALANCE & CONCLUSION

- 10.1 In accordance with Paragraph 11 of the NPPF 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 NPPF taken as a whole. Subject to the recommended conditions, the proposal is compliant with the development plan and there are no material considerations which indicate the application should be refused.

11.0 RECOMMENDATION

11.1 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 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 shall be carried out in complete accordance with the details shown on the amended plans referenced and dated as follows:
Proposed plans including site and location plan (Front extension); Drawing No. 3226-02H; Revision H; Received 16/02/2021
Proposed plans including site and location plan (Detached gym); Drawing No. 3226-05K; Revision K; Received 16/02/2021
REASON
To ensure that the development is carried out in accordance with the application as approved.
03. The detached gym hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the main dwelling.
REASON
To ensure that the detached gym does not become a separate unit and thereby harming the amenity of the main dwelling and the surrounding area.

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

Standing Advice valid from 1st January 2021 until 31st December 2022

02.

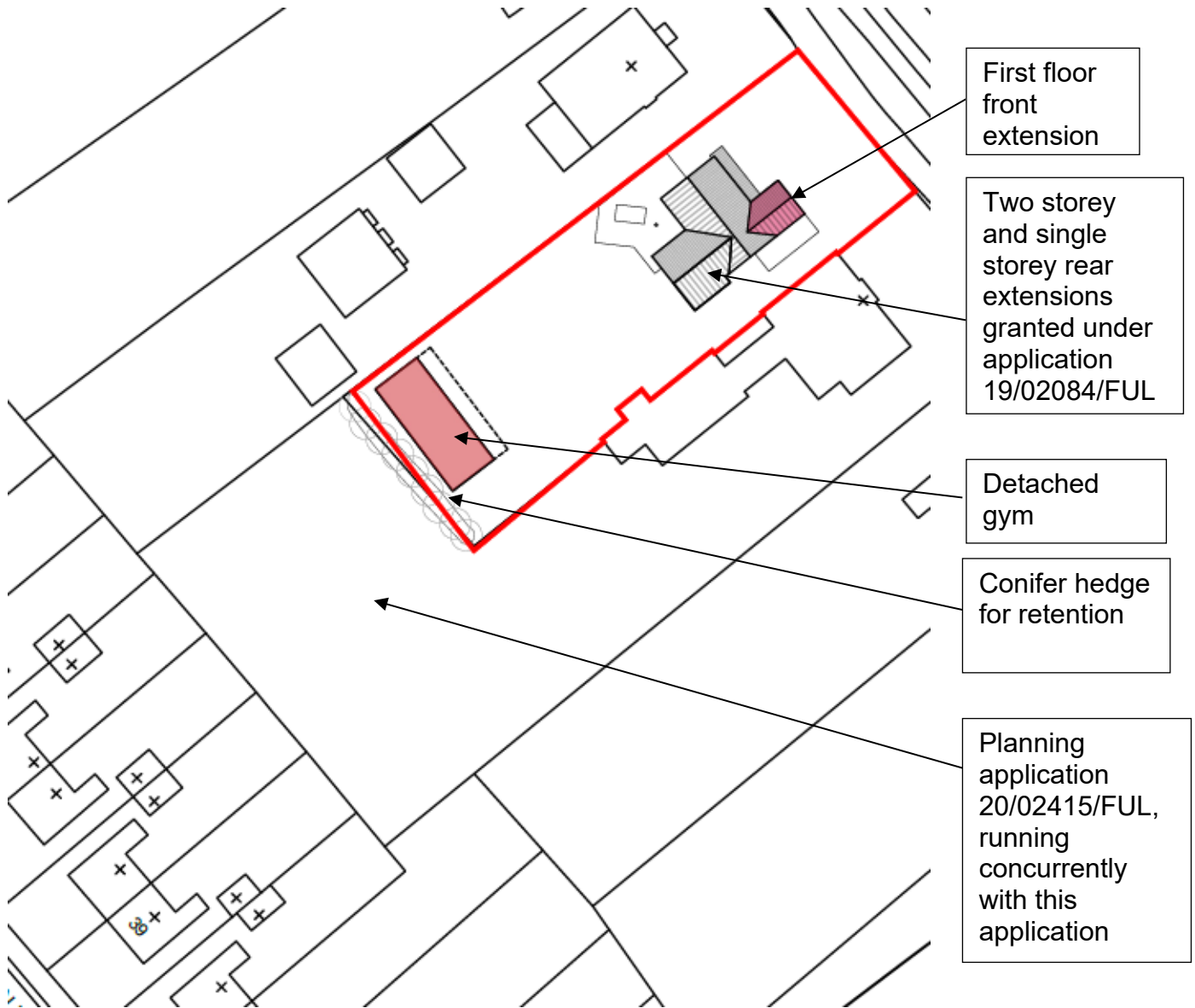
INFORMATIVE
DEVELOPMENTS NEAR LANDFILLS

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.

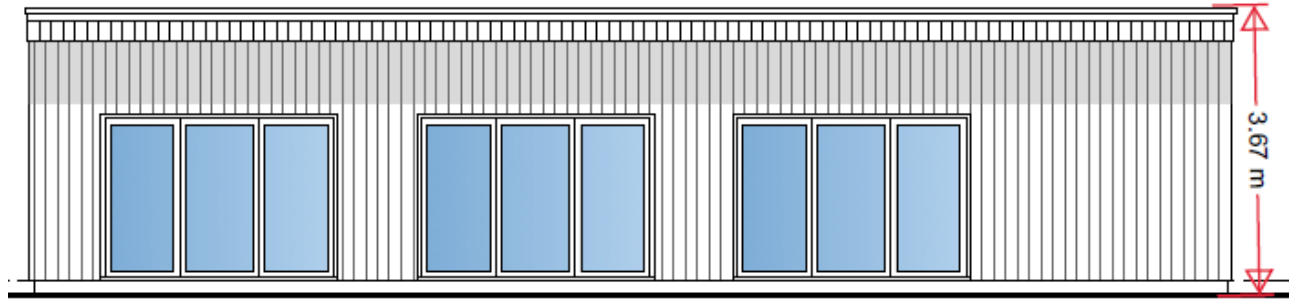
The above objections, consideration and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family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

APPENDIX 1: Amended Site Plan

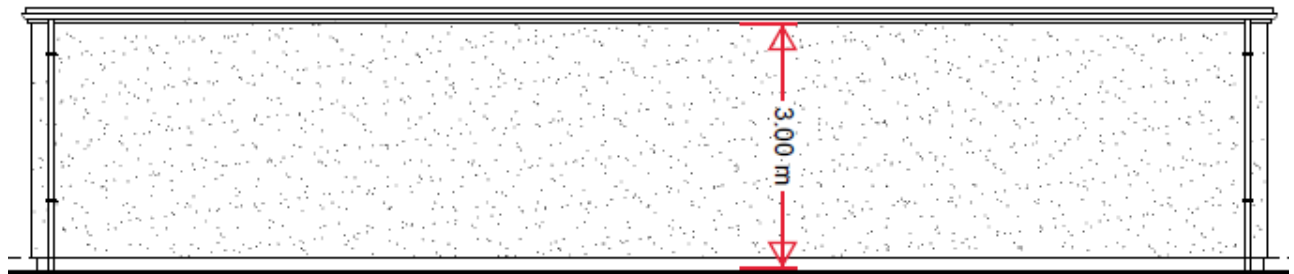


APPENDIX 2: Detached Gym Plans

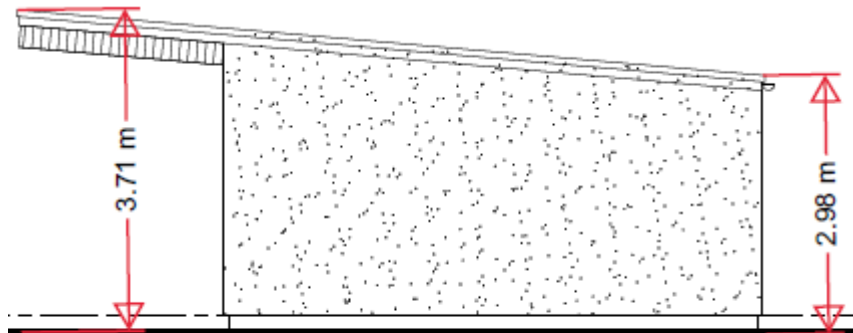
Amended Proposed Elevations



Proposed Front Elevation
1:100 @A1

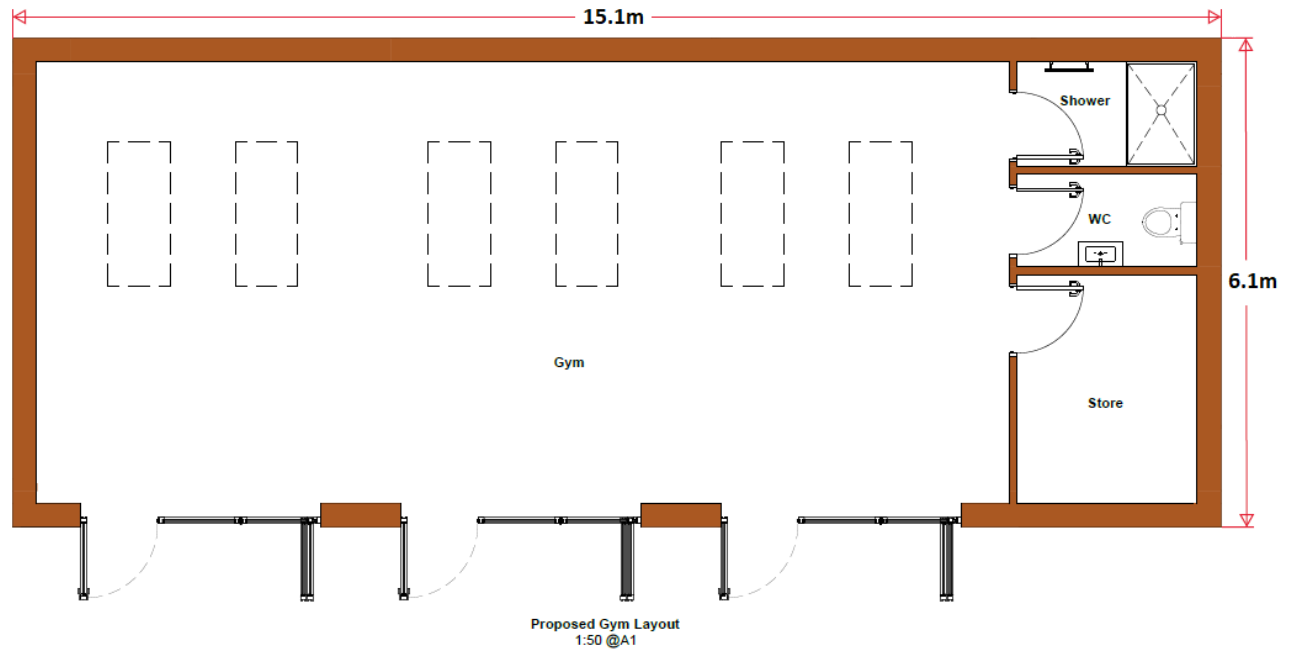


Proposed Rear Elevation
1:100 @A1



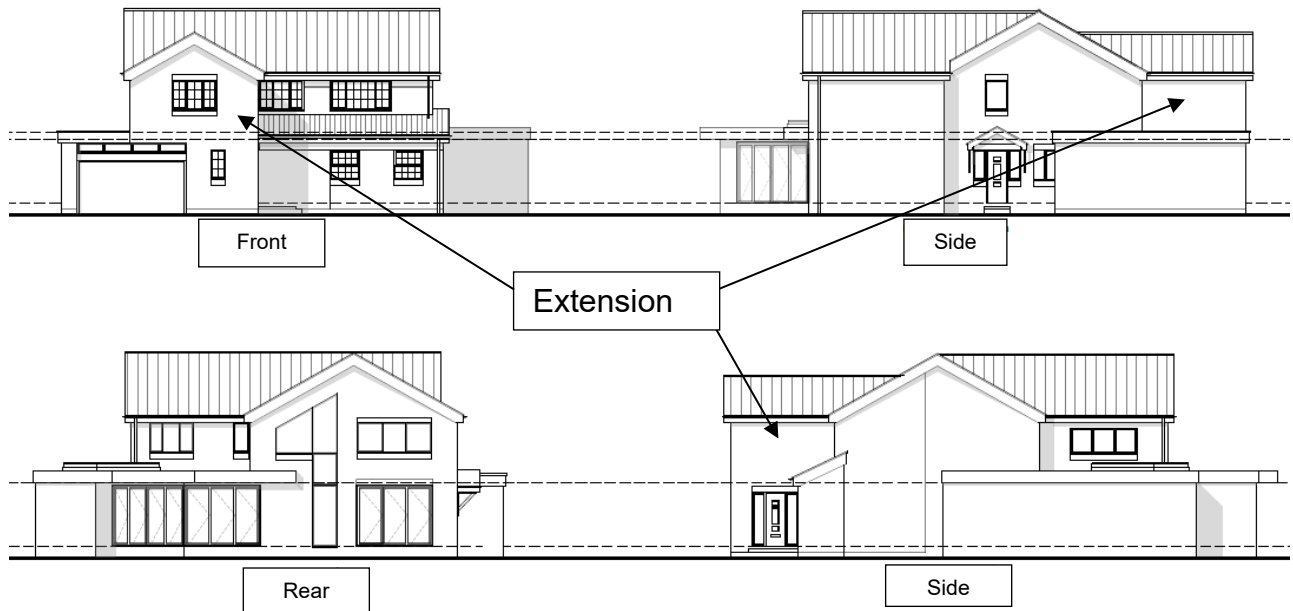
Proposed Side Elevation
1:100 @A1

Amended Proposed Floor Plans

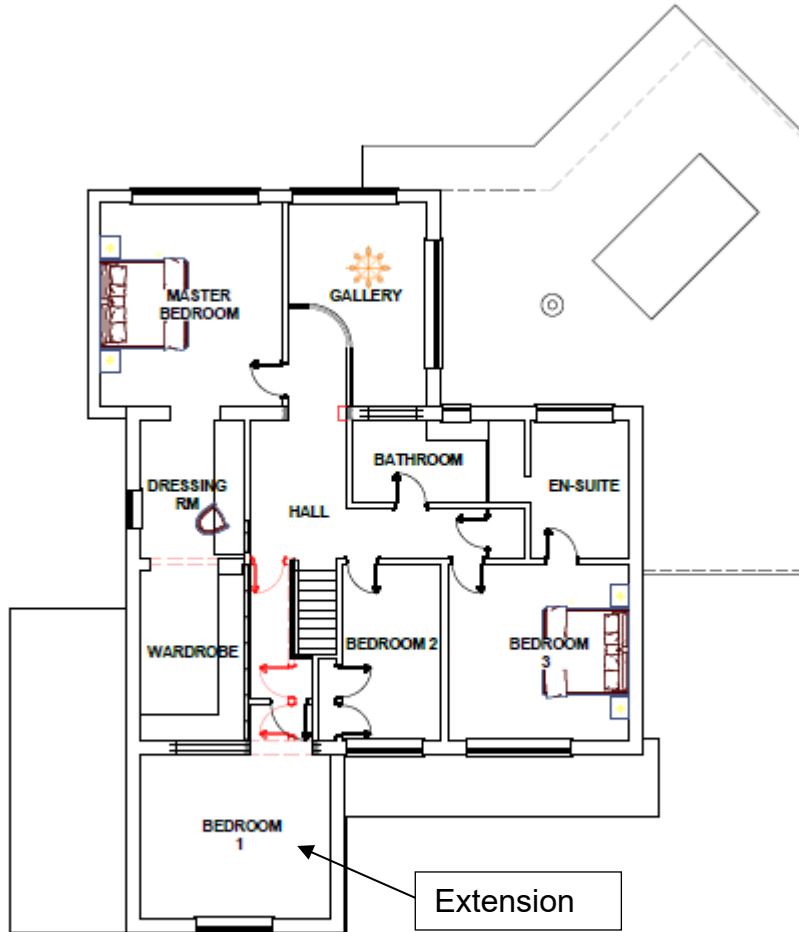


APPENDIX 3: First Floor Front Extension Plans

Amended Proposed Elevations



Amended Proposed Floor Plans

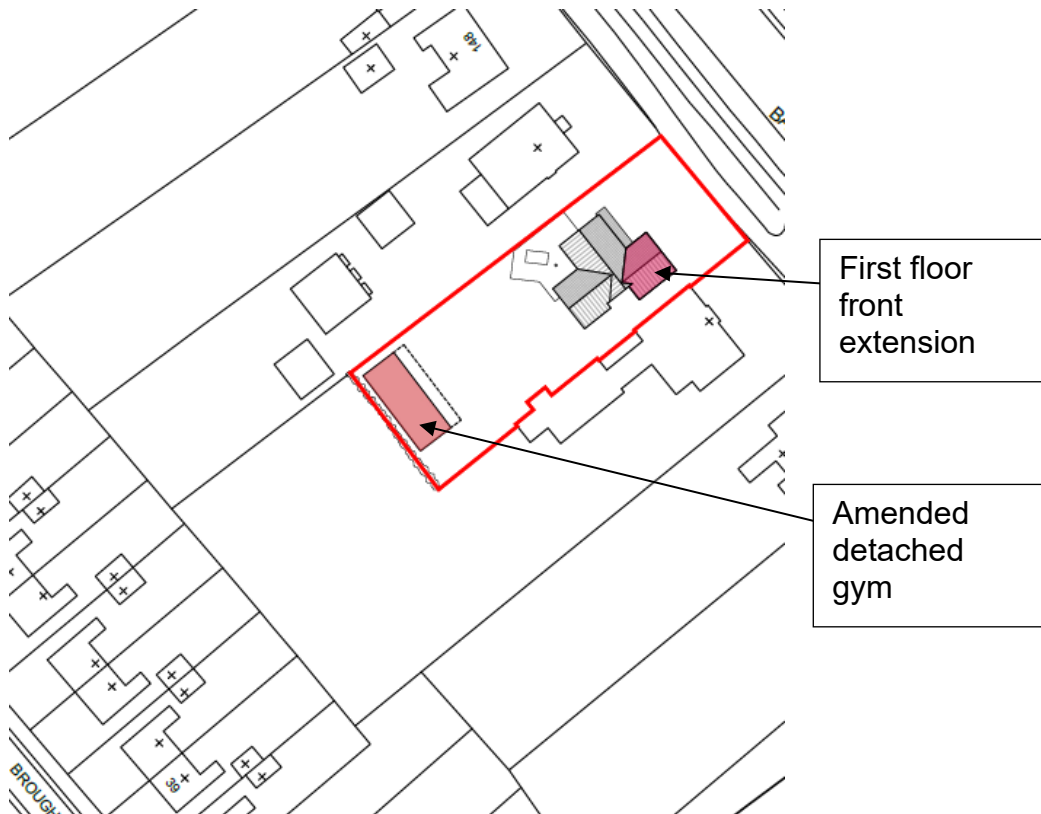


Proposed First Floor Layout
1:100 @A1

APPENDIX 4: Original Site Plan (Detached Gym)

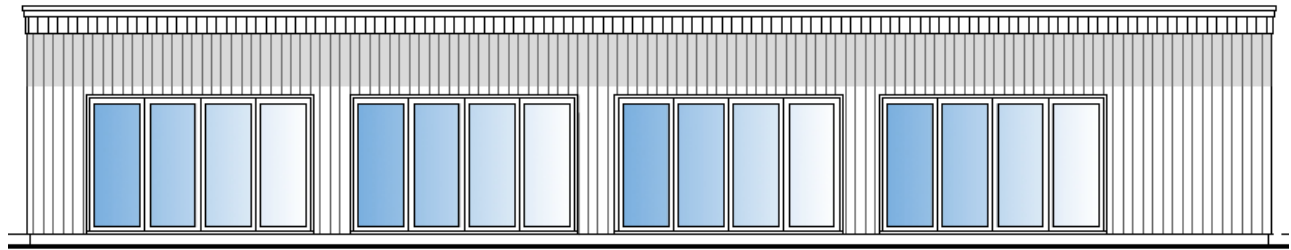


APPENDIX 5: Original Site Plan (First Floor Front Extension)

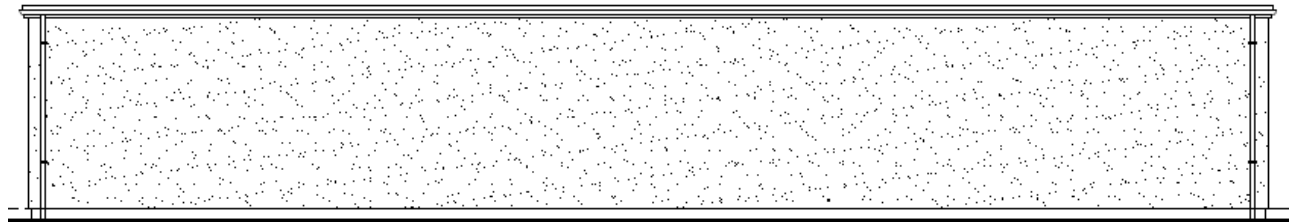


APPENDIX 6: Original Plans (Detached Gym)

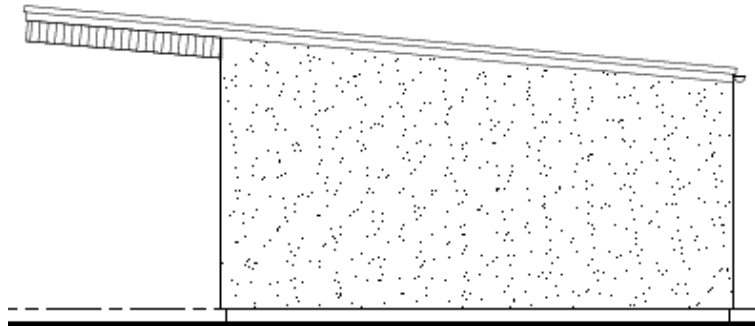
Original Proposed Elevations



Proposed Front Elevation
1:100 @A1

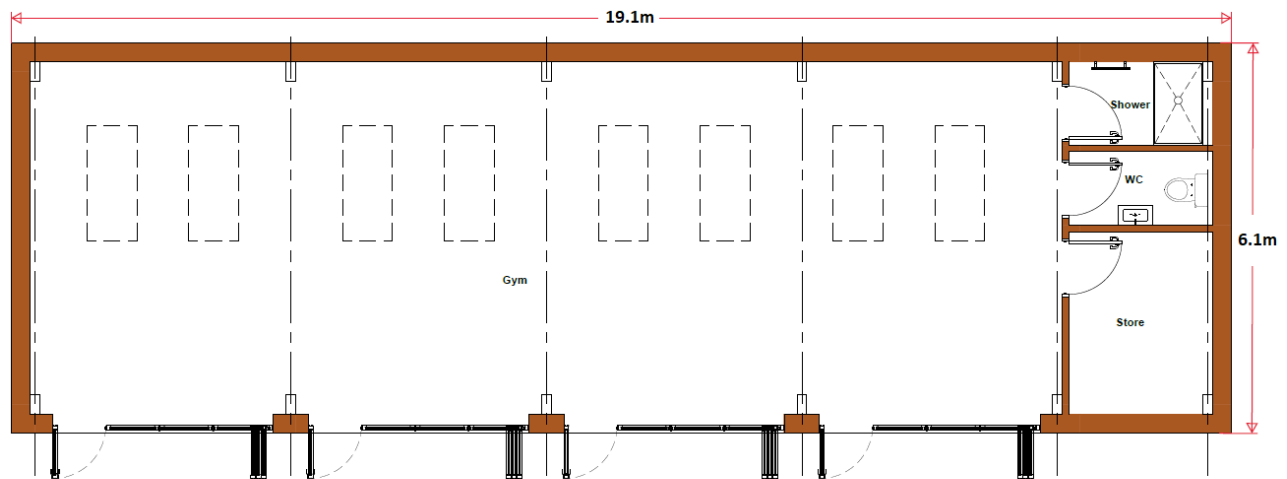


Proposed Rear Elevation
1:100 @A1



Proposed Side Elevation
1:100 @A1

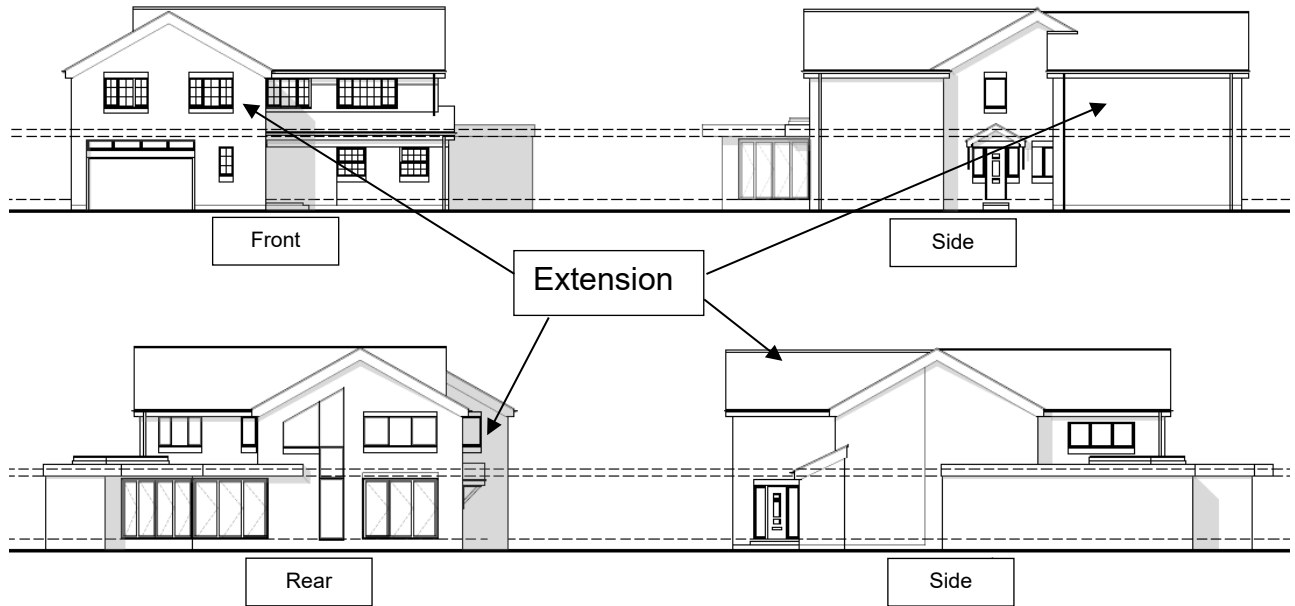
Original Proposed Floor Plans



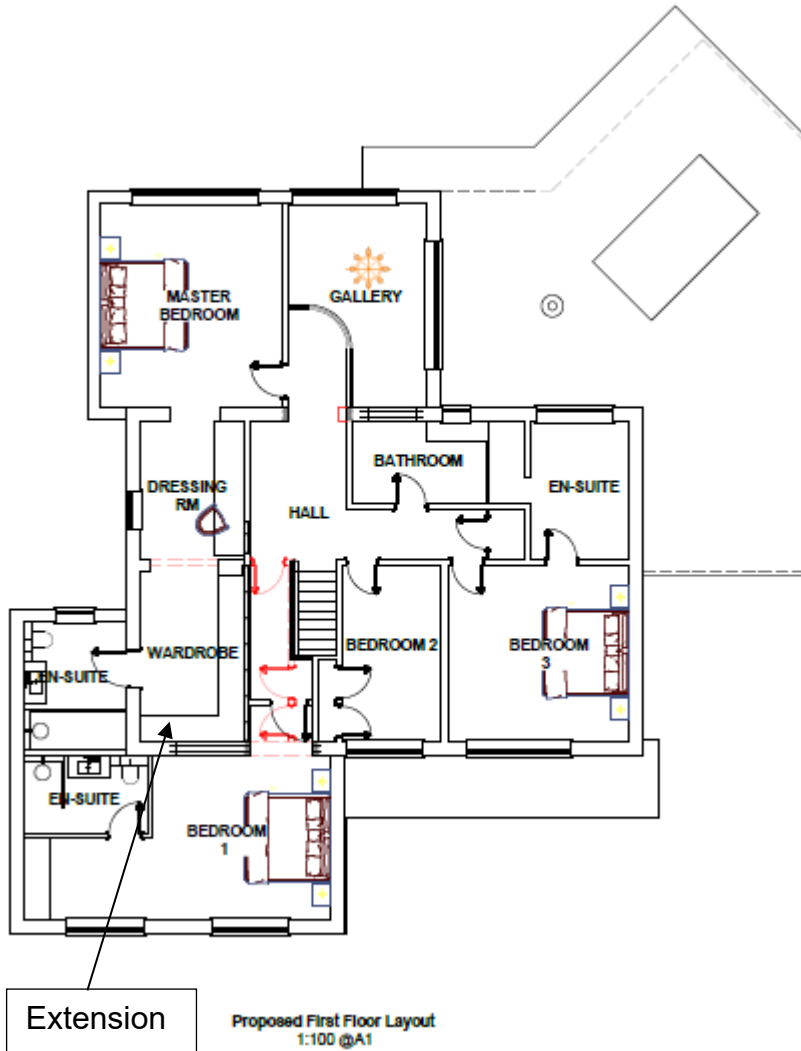
Proposed Gym Layout
1:50 @A1

APPENDIX 7: Original Plans (First Floor Front Extension)

Original Proposed Elevations



Original Proposed Floor Plans



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Application	4.
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Application Number:	20/03480/FUL
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Application Type:	Planning FULL
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Proposal Description:	Erection of two semi-detached dwellings
At:	Land adjacent to 36 Ivanhoe Road Edenthorpe Doncaster DN3 2JG

For:	Mr Nigel Parkin
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Third Party Reps:	1 objector, 0 supporters	Parish:	Edenthorpe Parish Council
		Ward:	Edenthorpe and Kirk Sandall

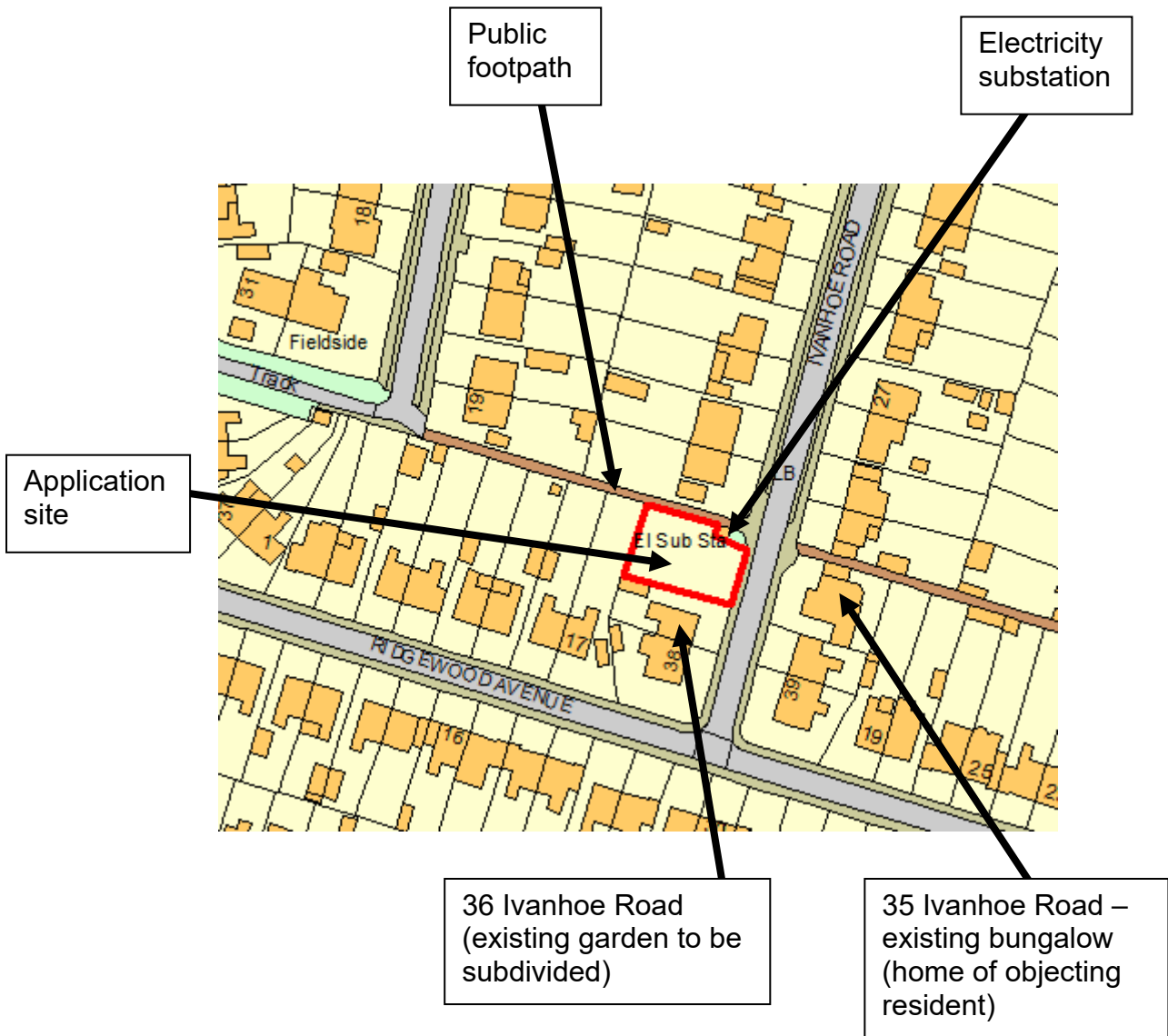
Author of Report:	Jacob George
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SUMMARY

This application seeks planning permission for the erection of a pair of 3-bedroom semi-detached houses to the side of 36 Ivanhoe Road in Edenthorpe. The application is presented to Planning Committee at the request of ward member Councillor Andrea Robinson.

The proposal has been amended since the original submission, to revise the internal layout as well as change the design of the roof, porches, front windows and driveway. The development is now considered to be acceptable in terms of residential amenity, visual impact and highways impact, and would provide two new homes without causing any substantial harm to the street scene or the wider neighbourhood. There are no material planning considerations that would demonstrably suggest that the application should be refused.

RECOMMENDATION: GRANT planning permission subject to the imposition of suitable conditions.



1.0 Reason for Report

- 1.1 This application is being presented to Planning Committee at the request of Councillor Andrea Robinson, ward member for Edenthorpe and Kirk Sandall.

2.0 Proposal

- 2.1 Planning permission is sought for the erection of a pair of semi-detached houses to the side (north) of 36 Ivanhoe Road. The dwellings would feature hipped roofs finished in red roof tiles, with the walls finished in red brickwork. Each dwelling would have three bedrooms, with living and kitchen space downstairs and a small porch to the front. Externally, the two dwellings would be served by private gardens to the rear and block paved driveways to the front, providing off-street parking spaces for two vehicles per house.
- 2.2 The proposal has been revised since the original submission, in response to feedback from the case officer and from Highways Development Control. The first floor layout has been amended to relocate the main bedrooms to the front of the house, as this results in a better outlook from the habitable rooms in the dwellings (as explained later in this report). The roof form, front windows and front porches have all been amended to result in a design more in keeping with the street scene. The layout of the driveways and front landscaping has been revised to ensure appropriate visibility splays for vehicles egressing from the site.

3.0 Site Description

- 3.1 The application site comprises a substantial private garden to the side of 36 Ivanhoe Road. To the north of the site is a narrow footpath separating the plot from 34 Ivanhoe Road. To the north-east corner of the site is an electricity substation, which would be retained following development of the land adjacent to no. 36. To the rear of the site is the garden area of 17 Ridgewood Avenue.
- 3.2 The site is located in the neighbourhood of Edenthorpe, within a residential area characterised by uniform pairs of semi-detached two-storey houses with hipped roofs. There are few appropriate opportunities for infill development in a planned housing estate such as this, but on the opposite side of the road, a bungalow (35 Ivanhoe Road) has been erected in the previous equivalent gap in built form to the side of no. 37.

4.0 Relevant Planning History

- 4.1 There have been no previous planning applications related to this site.

5.0 Site Allocation

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

5.2 The site is located in Flood Zone 1 and is not considered to be at high risk of flooding.

5.3 Relevant Planning Policies

5.4 National Planning Policy Framework 2019 (NPPF)

5.5 The National Planning Policy Framework 2019 (NPPF) sets out the Government's planning policies for England and outlines how local planning authorities should apply these policies. 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:

5.6 Paragraphs 7-11 establish that all decisions should be based on the principle of a presumption in favour of sustainable development (considering the social, environmental and economic pillars of sustainability).

5.7 Paragraph 38 states that local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

5.8 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 the Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

5.9 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 if the residual cumulative impacts on the road network would be severe.

5.10 Paragraph 117 states that 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.

- 5.11 Paragraph 124 states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. 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 that planning decisions should ensure developments will function well and add to the overall quality of the area, are visually attractive and sympathetic to local character, and will establish or maintain a strong sense of place. Paragraph 127(f) sets out that planning decisions should 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.
- 5.13 Paragraph 130 states 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, taking into account any local design standards or style guides in plans or supplementary planning documents.
- 5.14 Core Strategy 2011 - 2028
- 5.15 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 (as amended) and section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended).
- 5.16 In May 2012, the Local Development Framework Core Strategy was adopted and this replaced many of the policies of the Unitary Development Plan (UDP); some UDP policies remain in force and will continue to sit alongside Core Strategy Policies until such time as the Local Plan is adopted. The Core Strategy policies relevant to this proposal are set out below.
- 5.17 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. Proposals should 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. Developments should be place-specific in their design and work with their surroundings, protecting and enhancing the built and natural environment. Proposals should also protect local amenity and be well-designed.

5.18 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 and surrounding local area. Policy CS14(A) sets out the following qualities of a successful place:

1. character – an attractive, welcoming place with its own identity appropriate to the area;
2. continuity and enclosure of streets and spaces by buildings;
3. quality, stability, safety and security of private property, public areas and the highway;
4. permeability – ease of pedestrian movement with good access to local facilities and public transport services;
5. legibility – a development that is easy to navigate;
6. adaptability – flexible buildings capable of changing over time;
7. inclusive – accessible development that meets the needs of as much of the population as possible;
8. vitality – creating vibrant, busy places with a mix of uses where appropriate; and
9. sustainability – proposals are environmentally responsible and well managed.

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

5.20 Policy PH9 designates Residential Policy Areas as shown on the Proposals Map.

5.21 Policy PH11 states that within Residential Policy Areas, development for housing will normally be permitted except where:

- A) the development would be at a density or of a form which would be detrimental to the character of the surrounding area or would result in an over-intensive development of the site;
- B) the effect of the development on the amenities of occupiers of nearby properties would be unacceptable;
- C) tandem or backland development would result in an unsatisfactory access, overlooking or over-intensive development;
- D) the development would result in the loss of social, community and recreational or other local facilities for which there is a demonstrated need.

5.22 Local Plan

5.23 Paragraph 48 of the NPPF states that the local planning authority 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). Taking into account the remaining stages of the local plan process, it is considered that the

following levels of weight are appropriate between now and adoption dependant on the level of unresolved objections:

- Substantial
- Moderate
- Limited

5.24 The Local Plan has been through Examination in Public, and consultation on proposed main modifications to the Plan is ongoing until Sunday 21 March 2021. The Council are aiming to adopt the Local Plan in Summer/Autumn 2021. 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 Policy 2 sets out a Settlement Hierarchy by which development will be directed, with Edenthorpe falling within the Doncaster Main Urban Area, where additional growth on non-allocated sites within Development Limits is considered favourably. This policy has limited weight based on the volume of objections.

5.26 Policy 11 states that within Residential Policy Areas as defined on the Policies Map, new residential development will be supported, provided that:

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.

This policy has substantial weight based on the volume of objections.

5.27 Policy 14 (Promoting Sustainable Transport in New Developments) states that new development shall make appropriate provision for access by sustainable modes of transport to protect the highway network from residual vehicular impact. The Council will work with developers to ensure that appropriate levels of parking provision are made in accordance with the standards contained within Appendix 6 of the Local Plan. Development should not result in unacceptable impacts on highway safety, or the severe residual cumulative impacts on the road network. Developers must consider the impact of new development on the existing highway and transport infrastructure. This policy has limited weight based on the volume of objections.

5.28 Policy 42 (Character and Local Distinctiveness) states that development proposals will be supported where they:

1. recognise and reinforce the character of local landscapes and building traditions;
2. are of a high quality design that contributes to local distinctiveness;

3. respond positively to their context, setting and existing site features, respecting and enhancing the character of the locality; and
4. integrate visually and functionally with the immediate and surrounding area at a settlement, neighbourhood, street and plot scale.

In all cases, applications and design proposals will need to demonstrate an understanding of the context, history, character and appearance of the site, to inform the appropriate design approach. This policy has limited weight based on the volume of objections.

- 5.29 Policy 43 (Good Urban Design) states that high quality development that reflects the principles of good urban design will be supported. This policy has moderate weight based on the volume of objections.
- 5.30 Policy 45 (Residential Design) states that new housing will be supported where it responds positively to the context and character of existing areas, or the host property, and creates high quality residential environments through good design. Developments must protect existing amenity and not significantly impact on the living conditions or privacy of neighbours, be over-bearing, or result in an unacceptable loss of garden space. Part B of this policy sets out key residential design objectives, including good connectivity, high standards of residential amenity, adequate car parking, safe access points and satisfactory refuse collection arrangements. This policy has moderate weight based on the volume of objections.
- 5.31 Policy 46 (Housing Design Standards) requires all new homes to meet the Nationally Described Space Standard as a minimum. This policy has limited weight based on the volume of objections.
- 5.32 Policy 48 (Safe and Secure Places) supports developments which are designed in a way that reduces the risk of crime. This policy has substantial weight based on the volume of objections.
- 5.33 Policy 56 (Contamination and Unstable Land) states that development on land that is unstable, currently contaminated or suspected of being contaminated due to its previous history or geology, or that will potentially become contaminated as a result of the development, will require the submission of an appropriate Preliminary Risk Assessment. Proposals will be required to mitigate contamination by demonstrating that there is no significant harm to human health or the natural environment; ensuring necessary remedial actions are undertaken to safeguard site users; demonstrating that adverse ground conditions have been properly identified and safely treated; and clearly demonstrating that the land is suitable for its proposed use. This policy has limited weight based on the volume of objections.
- 5.34 Policy 57 (Drainage) requires development sites to incorporate satisfactory measures for dealing with their drainage impacts to ensure waste water and surface water run-off are managed appropriately and to reduce flood risk to

existing communities. This policy has moderate weight based on the volume of objections.

5.35 Edenthorpe Neighbourhood Development Plan

5.36 A referendum relating to the adoption of the Edenthorpe Neighbourhood Plan was due to be held on Thursday 19 March 2020. The referendum has been postponed due to the outbreak of Covid-19. As such, the Plan is still in draft form and holds moderate weight. The following policies are relevant:

5.37 Policy 1 (New Residential Development) takes a positive approach to new residential development, with development proposals within the existing development limit supported where they would retain or improve the continued sustainability of Edenthorpe. In all cases, proposed new dwellings should provide appropriate garden amenity space to meet household recreation needs. The space provided should be in scale with the dwelling concerned, reflect the character of the surrounding area and be appropriate in relation to the local topography and to secure privacy between adjacent dwellings.

5.38 Policy 5 (General Development Principles) states that all new developments must achieve high quality design that contributes positively to the local landscape and streetscape. The policy sets out design principles including requiring development to complement neighbouring properties; reinforce local distinctiveness; be in keeping with the height of neighbouring properties; retain existing mature hedging and trees; provide adequate parking; not have any unreasonable negative impact on highway safety; not reduce garden space to an extent where it adversely impacts on the character or the area or the amenity of neighbours; and consider measures to mitigate and adapt to climate change.

5.39 Other material planning considerations

- Development Requirements and Guidance Supplementary Planning Document (SPD) (adopted 2015)
- South Yorkshire Residential Design Guide 2011 SPD (adopted 2015)
- Residential Backland and Infill Development SPD (adopted 2010)
- National Planning Practice Guidance
- National Design Guide (2019)

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 (as amended) as follows:

- Advertised on the Council website
- 10 neighbours notified by letter

6.2 One public objection was received on 2 February 2021 from the occupier of 35 Ivanhoe Road, which is the bungalow on the opposite side of the road to the application site. The resident's comments are summarised as follows:

- The proposed dwellings would overlook the bungalow and compromise privacy
 - The driveways are of an insufficient width to park two cars
 - The lack of boundary treatments would harm the street scene
 - The windows would not be in keeping with the front windows of neighbouring properties
 - The gardens are too small
 - The proposal constitutes overdevelopment
 - A similar bungalow to 'mirror' no. 35 would be a preferable proposal
- 6.3 The objector's comments all relate to material planning considerations which are addressed fully in section 9 ('Assessment') of this report. In the time since these comments were received, amendments to the design have been received, in relation to the front windows and driveways.
- 6.4 The case officer has approached the application agent regarding the idea of amending the proposal to a single detached bungalow in line with the neighbour's comments, as this would be considered the optimum use of the site. However, the applicant was unwilling to revise the proposal to a single bungalow and has, instead, managed to address the Council's concerns by amending the design of the semi-detached houses. The Council cannot consider alternative proposals as part of this planning application, and can only assess the development proposal put forward at the present time. As set out below, the amended design of the semi-detached houses is considered to be acceptable on balance, and there would be no sound justification for a refusal.
- 6.5 The objector has been in touch with Councillor Andrea Robinson regarding his concerns. In particular, the neighbour and Councillor Robinson have expressed worries that public opinion has not been fully considered, due to postal delays in delivering the neighbour notification letters. Accordingly, on reaching an acceptable proposal, the case officer agreed an extension of time with the application agent, to allow for an extra week during which further public comments could be accepted, thus ensuring the statutory 21-day consultation period had been properly carried out.
- 6.6 Despite this extra time and the receipt of amended plans which had successfully addressed the Council's concerns, Councillor Robinson wished to call in the application for a determination by the Planning Committee, on the basis that this would allow for fuller consideration of the concerns raised by the objecting resident and the Parish Council (see below).

7.0 Parish Council

- 7.1 Edenthorpe Parish Council submitted an objection on 2 February 2021, raising the following concerns:
- The telegraph pole in front of the site would prevent safe access, failing to facilitate adequate highway infrastructure in line with Policy 1 (section 4(e)) of the draft Neighbourhood Plan

- The gardens are not in keeping with surrounding garden sizes, thus failing to comply with Policy 1 (section 4(f)) and Policy 5 (section 1(g)) of the draft Neighbourhood Plan
- The application represents overdevelopment and poor design, contrary to Policy 5 (section 1(a)) of the draft Neighbourhood Plan
- The development fails to retain existing mature hedging and established trees, contrary to Policy 5 (section 1(d)) of the draft Neighbourhood Plan
- The additional vehicles will create parking and highway safety issues

7.2 Access, parking, garden sizes and design are addressed in section 9 ('Assessment') of this report.

8.0 Consultations

8.1 Pollution Control

A land contamination screening assessment form was received at Pollution Control's request. Appropriate conditions are requested to safeguard site users from any unexpected contamination risks.

8.2 Environmental Health

No objections.

8.3 Internal Drainage Board

Condition requested to secure further details of the appropriate drainage systems prior to commencement of the development. A condition relating to sustainable drainage systems (SuDS) was also requested, but this is not considered relevant to the proposal as no SuDS is proposed.

8.4 Public Rights of Way Team

According to records, the path to the side of the property is not recorded as a highway. The path is surfaced and has been used by the public for a considerable amount of time, so the path will have acquired public rights.

No objections to the planning application, provided that the path is not obstructed at any point during and after construction.

8.5 Highways Development Control (HDC)

HDC requested visibility splays of 2 metres by 2 metres where the back of the driveway joins the footpath. The splays should be kept free of obstructions and anything over 900 millimetres in height, in the interest of pedestrian and road safety.

A revised site plan has amended the parking layout, with planting moved from the centre of the site to the side, allowing for appropriate visibility splays. HDC are satisfied with the amendments, subject to the imposition of conditions to

secure the satisfactory surfacing of the driveways and the installation of a dropped kerb vehicle crossing.

8.6 Yorkshire Water

Conditions requested to secure separate systems of drainage for foul and surface water, and to prevent piped discharge of surface water until works to provide a satisfactory outfall have been completed.

8.7 Waste and Recycling

No objections.

8.8 Ecology

The site is primarily a garden with typical garden features. From the proposed layout drawing, there seems to be very little of the garden left and any open space will be used for lawns and amenity space.

In line with policy CS16 and paragraph 174 of the NPPF, enhancements providing biodiversity benefits should be secured, such as bird and bat boxes attached or integrated into the proposed building. No objections subject to the imposition of an ecological enhancement plan condition.

8.9 South Yorkshire Archaeology Service

No comments received.

8.10 Superfast South Yorkshire

No comments received.

9.0 Assessment

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

- The Principle of the Development
- Residential Amenity
- Design and Visual Impact
- Highway Safety and Parking
- Trees, Landscaping and Ecology

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

- Substantial
- Considerable
- Significant
- Moderate
- Modest

- Limited
- Little or no

The Principle of the Development

- 9.3 The site is located within a Residential Policy Area as designated in the UDP. As such, residential use of the site is acceptable in principle in line with Policy PH11, subject to compliance with other policies and consideration of the scheme's design and its impact on residential amenity, highways and other issues.

9.4 SOCIAL SUSTAINABILITY

Residential Amenity

- 9.5 Policies CS1 and CS14 of the Core Strategy, policy PH11 of the UDP and paragraph 127(f) of the NPPF all place a requirement on developments to provide a good standard of amenity for existing and future users. This includes access to daylight and sunlight, a positive outlook from the windows of habitable rooms, a good standard of privacy, and sufficient internal and external amenity space.
- 9.6 The development would have no impact on the privacy, outlook or light enjoyed by the houses either side (nos. 36 and 34). There are no first floor windows on the side elevations of the proposed dwellings, and side windows on the neighbouring houses serve non-habitable rooms, meaning that a minor loss of natural light is acceptable.
- 9.7 The occupier of the opposite bungalow on Ivanhoe Road has expressed concerns that the development would overlook his habitable rooms, claiming that the front elevation of the proposed houses would be 12 metres from his property. In actual fact, this distance would be approximately 22 metres when measured on both aerial images and the submitted block plan. This would be in excess of the required separation distance of 21 metres between habitable rooms. In any case, the Development Guidance and Requirements SPD outlines that the minimum acceptable front-to-front distance is 12 metres, as the street-facing elevation of a property is naturally considered to be less private than the rear. With the separation here vastly exceeding 12 metres, it is therefore considered that there would be no harmful impact upon the residential amenity of the bungalow 35 Ivanhoe Road.
- 9.8 The rear of the proposed dwellings would not look directly onto the habitable windows of any neighbouring property. However, the rear windows would be located 7 metres from the rear garden of 17 Ridgewood Avenue, which is below the minimum recommended guideline of 10 metres outlined in the SPD to protect neighbouring amenity in outdoor areas. The applicant's solution to this issue has been to provide obscure glazing in all rear windows up to 1.7 metres above floor level, which would prevent residents from being able to look out of their windows at the neighbour's garden.

- 9.9 Whilst there could still be an element of perceived overlooking resulting from the introduction of rear windows in this location, the occupiers of the affected dwelling have not submitted any objection to the proposal, and obscure-glazed non-openable windows up to 1.7 metres in height would prevent any actual overlooking.
- 9.10 It is worth noting that, under permitted development rights (Schedule 2, Part 1, Class A of the General Permitted Development Order), it is possible for existing householders to erect a two-storey rear extension 7 metres from the rear boundary, with no requirement for any obscure glazing. From this, it can be reasonably interpreted that the Government considers a shorter separation distance of 7 metres between habitable first floor windows and a neighbouring garden area to provide an acceptable standard of amenity. In this context, it is considered that the amenity impact of the proposal upon the garden area of 17 Ridgewood Avenue would not be a justifiable reason for refusal.
- 9.11 At the time of submission, the Local Planning Authority had some concerns about the quality of indoor space inside the new dwellings, with rooms to the rear effectively having no outlook due to the obscure glazing. In the original proposal, the two main bedrooms were located to the rear of the dwellings, but the floor plans have now been amended to relocate the main bedrooms to the front, providing these bedrooms with a view of the street. The rear windows now serve the bathroom and the third bedroom. Bathrooms are considered as non-habitable spaces, so outlook is not important. In the third bedrooms, rooflights would be provided in addition to the windows. The quality of light and outlook would therefore be equivalent to that in an attic room served by rooflights, which is considered to be acceptable. Considering that the two main bedrooms have a view of the street, and the smallest bedroom in each house has a rooflight as well as an obscure-glazed window, the quality of light and outlook in the proposed dwellings is now considered to be acceptable.
- 9.12 Internally, the gross internal floor area of each dwelling would be approximately 98 square metres, exceeding the minimum requirements for internal floor space in a 3-bedroom two-storey dwelling set out in both the South Yorkshire Residential Design Guide (77 square metres) and the Nationally Described Space Standard (84 square metres). Bedrooms also meet minimum standards, and built-in storage is provided. Accordingly, the proposed dwellings are considered to provide a high quality living environment overall.
- 9.13 Policies 1 and 5 of the draft Edenthorpe Neighbourhood Plan place an emphasis on providing sufficient outdoor garden space. Guidance on an appropriate amount of outdoor space is provided in the South Yorkshire Residential Design Guide, which states that houses with three or more bedrooms should have gardens of at least 60 square metres. The site plan shows that each house would be served by a garden measuring 62 square metres. When measuring from the plans, the case officer actually found the garden areas for each property to measure approximately 57 square metres, which is slightly lower than the recommendation in the South Yorkshire Residential Design Guide. A garden area of approximately 57 square metres would also be retained for the existing house at 36 Ivanhoe Road. Whilst this

falls below the minimum recommendation, the Design Guide only has the status of guidance, rather than policy. A shortfall of 3 metres compared to the recommendation is considered to be relatively minor, and due to the constraints of the site it would not be possible to improve the garden provision beyond that which is proposed. The garden sizes would not be considered to create a substandard level of amenity, and would not provide reasonable justification for refusal. On balance, the outdoor amenity space is considered to be acceptable.

Conclusion on Social Impacts

- 9.14 The proposed dwellings would provide a good standard of internal space for future residents, causing no loss of light, outlook or privacy to the houses on either side, or to the bungalow on the opposite site of the road. Whilst slightly larger gardens and increased separation from the neighbouring garden to the rear would have been preferable, the constraints are such that this would not be possible, and the applicant has taken all practicable measures to ensure an acceptable standard of residential amenity. On balance, it is considered that there would be no harmful impact on residential amenity, and the proposal is in accordance with policies CS1 and CS14 of the Core Strategy as well as paragraph 127(f) of the NPPF.

9.15 ENVIRONMENTAL SUSTAINABILITY

Design and Visual Impact

- 9.16 Policy CS14 of the Core Strategy and paragraph 127 of the NPPF require developments to display a high quality of design, integrating well into the local context.
- 9.17 The area is characterised by semi-detached houses with pitched roofs, and the introduction of an additional pair of semi-detached dwellings would integrate appropriately with the local pattern of development. The development would not inappropriately project forward of the building line set by properties either side. The design of the dwellings has been amended since the original submission. Most notably, a simple hipped roof form has now been adopted, whereas the original design featured a strange hybrid between a gable end and a hipped roof, which would have appeared incongruous in the street scene.
- 9.18 The fenestration on the front elevation has also been changed to more sensitively reflect the proportionality of surrounding dwellings. The front porches of the two dwellings were initially joined together, forming a single, wide front projection. There are no other examples of joined porches on the street, so the design was amended to provide separate, smaller porches at the case officer's request.
- 9.19 The Parish Council has submitted objections relating to the size of the rear gardens of the proposed dwellings, stating that they are smaller than other gardens in the area. As discussed above, on balance the gardens are considered to be of an adequate size in terms of providing sufficient outdoor amenity space for future residents. In terms of the effect on the character of the

area, the neighbourhood does not have any special status as a Conservation Area or otherwise, and spacious gardens are not a protected characteristic. Whilst the rear gardens may be smaller than most on Ivanhoe Road, they would be comparable in size to nos. 35, 37 and 39 on the opposite side of the road. Dwellings on the south side of Ridgewood Avenue, and in the more modern estate further to the south, generally have smaller garden sizes. In the wider residential context, the garden sizes are therefore considered to be acceptable and would not harm the character or pattern of the area. The proposal would not be contrary to policies 1 and 5 of the draft Neighbourhood Plan.

- 9.20 Objections also relate to the loss of mature hedging at the boundaries, particularly the front boundary which would be open to allow access for four vehicles. An open front boundary is necessary to prevent issues with parking and highway safety – whilst the retention of vegetation might have been preferred, the constraints of the site prevent this from being possible. However, the site plan does show details of planting to the front of the dwellings, which would soften the impact on the street scene and would visually break up the hard surfacing.
- 9.21 Whilst larger gardens and green boundary treatments might have been desirable, they are not practicable to deliver on this site, and it would be unreasonable to refuse the application for this reason when the application site is not located in any designated area of special character. The NPPF applies a presumption in favour of sustainable development and supports the delivery of new housing to meet the needs of a growing population. The open front boundary would not be harmful to the extent that it would outweigh the benefits of the development in terms of providing new housing in a sustainable location.
- 9.22 The design of the dwellings themselves would integrate well into the street scene and contribute positively to the character of the area. For this reason, the design is considered to be acceptable when taken as a whole, and the proposal would be in accordance with policy CS14 and the NPPF.

Highway Safety and Parking

- 9.23 The proposal would provide in-curtilage car parking spaces for two vehicles per dwelling, in line with the parking guidelines set out in Appendix 1 of the Development Guidance and Requirements SPD. Each parking space would exceed the minimum requirement of 5 metres in length and 2.5 metres in width.
- 9.24 The Parish Council and neighbouring objector have expressed concerns about the safety of the parking, and raised the issue of the telegraph pole outside the site which could cause an obstruction. Highways Development Control additionally requested that an appropriate visibility splay be provided to ensure that motorists can see oncoming pedestrian and vehicular traffic when driving out of the site.
- 9.25 By relocating planting to the north side of the site, rather than in the centre, it has been possible to move the parking spaces allocated for the house to the north, thus ensuring each vehicle has an appropriate visibility splay, taking into

account the location of the telegraph pole. The proposal is now acceptable in terms of highway safety and accords with part 3 of policy CS14(A).

Trees, Landscaping and Ecology

- 9.26 The removal of boundary hedging and trees is necessary to accommodate the proposed development. According to representations by a neighbour, trees have already been removed. Whilst this is regrettable, the site is not in a Conservation Area and the trees are not protected by a Tree Preservation Order. Therefore, there is no planning mechanism to prevent the felling of trees or removal of vegetation on the site, and this could occur even if the development were not granted permission.
- 9.27 With that said, the site plan shows a landscaping scheme to the front and rear, specifying the breeds of shrubs and trees to be planted. The carrying out of the development in accordance with these planting details can be secured through condition, improving the appearance of the development. A condition is also applied to secure ecological enhancements on the site by attaching bird and bat boxes to the building. Therefore, the proposal is not considered to be contrary to policy CS16 of the Core Strategy.

Conclusion on Environmental Issues

- 9.28 The amended proposal would have not have a harmful visual impact, and the amended design would be appropriate to the surrounding local environment. The parking provision is acceptable, and suitable visibility splays are provided to ensure there are no negative impacts on highway safety. Whilst there will be a loss of trees and hedging (some of which has already occurred), this cannot be prevented, and the planting scheme and ecological enhancement measures will improve the biodiversity of the site. Overall, the development is considered to be in accordance with policies CS14 and CS16 of the Core Strategy, and with the NPPF.

9.29 ECONOMIC SUSTAINABILITY

- 9.30 The proposal would have limited economic benefits in terms of providing temporary employment opportunities for local tradespeople during construction. There would be no economic disadvantages to the development, as the site would not otherwise be used for any business or commercial uses.

Conclusion on Economy Issues

- 9.31 The development would have little economic impact, either positive or negative, and as such the proposal would not be contrary to the economic pillar of sustainable development.

10.0 PLANNING BALANCE & CONCLUSION

- 10.1 In accordance with Paragraph 11 of the NPPF, 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 any benefits identified when considered against the policies in the NPPF taken as a whole. The development would create new homes in a sustainable location, of an appropriate design for the local area and without harmfully impacting upon residential amenity. Subject to the recommended conditions, there are no material considerations which indicate that the application should be refused.

11.0 RECOMMENDATION

11.1 MEMBERS RESOLVE TO GRANT PLANNING PERMISSION FOR THE PROPOSED DEVELOPMENT SUBJECT TO THE CONDITIONS BELOW:

Conditions

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

REASON

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

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

- Site Plan - CRB 3 - Amended 11.02.2021
- Drainage Plan - CRB 4 - Amended 27.01.2021
- Proposed Plans and Elevations - CRB 5 - Amended 27.01.2021
- Street Scene Elevation - CRB 6 - Amended 27.01.2021
- Section Drawing - CRB 7 - Amended 27.01.2021

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.

04. Before the first occupation of the dwellings hereby permitted, the rear windows as indicated on the approved plans shall be permanently obscure-glazed to a level of obscurity to Pilkington level 3 or above or its technical equivalent by other manufactures and non-openable up to a height of 1.7 metres above floor level, and shall be permanently retained in that condition thereafter, unless otherwise approved in writing by the local planning authority.

REASON

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

05. The planting scheme shown on the approved site plan (CRB 3, amended 11.02.2021) shall be implemented in full accordance with the details provided prior to the occupation of the first dwelling, unless alternative landscaping details are approved in writing by the Local Planning Authority.

REASON

To ensure the satisfactory appearance of the development and the provision of high quality landscaping, in accordance with policies CS14 and CS16 of the Core Strategy.

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

REASON

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

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

REASON

To avoid damage to the verge.

08. Within one month of the commencement of development, an ecological enhancement plan shall be submitted to the local planning authority for approval in writing. This plan shall include details of the following measures, all of which shall be implemented in accordance with the agreed plan prior to the first occupation of the site or an alternative timescale to be approved in writing with the local planning authority:
- 2x Bat Boxes to be attached or integrated into the new dwellings.
 - 2x Bird boxes to be attached to the new dwellings,
 - The use of native species in proposed landscaping
 - Fence gaps that allow the safe travel of hedgehogs through garden areas

REASON

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

09. 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.

10. Unless otherwise approved in writing by the Local Planning Authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

REASON

To ensure that no foul or surface water discharge take place until proper provision has been made for their disposal.

11. The site shall be developed with separate systems of drainage for foul and surface water on and off site prior to the occupation of the first dwelling.

REASON

In the interest of satisfactory and sustainable drainage

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

REASON

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

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

REASON

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

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

Standing Advice valid from 1st January 2021 until 31st December 2022

02.

INFORMATIVE

In light of the above drainage conditions the following information is provided:

Surface water drainage plans should include the following:

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

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

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

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

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

If infiltration systems are to be used for surface water disposal, the following information must be provided:

- Ground percolation tests to BRE 365.
- Ground water levels records. Minimum 1m clearance from maximum seasonal groundwater level to base of infiltration compound. This should include assessment of relevant groundwater borehole records, maps and on-site monitoring in wells.
- Soil / rock descriptions in accordance with BS EN ISO 14688-1:2002 or BS EN ISO 14689-1:2003
- Volume design calculations to 1 in 30 year rainfall + 30% climate change standard. An appropriate factor of safety should be applied to the design in accordance with CIRIA C753 - Table 25.2.
- Location plans indicating position (Soakaways serving more than one property must be located in an accessible position for maintenance). Soakaways should not be used within 5m of buildings or the highway or any other structure.
- Drawing details including sizes and material.
- Details of a sedimentation chamber (silt trap) upstream of the inlet should be included.
- Soakaway detailed design guidance is given in CIRIA Report 753, CIRIA Report 156 and BRE Digest 365.

Written evidence is required from the sewerage undertaker to confirm any adoption agreements and discharge rates.

The proposed development is within a groundwater source protection zone (SPZ3)

Where the development lies within SPZ 1 or 2, the applicant is advised to consult with the Environment Agency to ensure that pollution risk to aquifers is minimised.

All necessary precautions should be taken to avoid any contamination of the ground and thus groundwater. Guiding principles on the protection of groundwater are set out in Environment Agency document GP3.

No part of the proposed development shall be constructed within 5-8m of an ordinary watercourse and a minimum 3m for a culverted watercourse (increases with size of culvert).

03.

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 Malcolm Lucas (tel. 01302 735110) as soon as possible to arrange the setting up of the agreement.

04. INFORMATIVE

The drainage details submitted on drawing CRB 4 require amendments, but amendments can be dealt with by condition. The submitted drawing appears to show a foul sewer crossing the site. Yorkshire Water has no record of such a sewer. It does have record of a 225 mm public foul sewer located adjacent the site within the land of 36 Ivanhoe Road. Yorkshire Water suspects MH F1 will drain to the sewer shown on the public sewer map and not extend into the development site.

On the Statutory Sewer Map, there is a 225 mm diameter public foul sewer recorded adjacent to the site. It is essential that the presence of this infrastructure is taken into account in the design of the scheme. In this instance, Yorkshire Water would look for this matter to be controlled (by Requirement H4 of the Building Regulations 2000).

If the developer is looking to have new sewers included in a sewer adoption agreement with Yorkshire Water (under Section 104 of the Water Industry Act 1991), he should contact the Developer Services Team (telephone 0345 120 84 82, email: technical.sewerage@yorkshirewater.co.uk) at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with the WRc publication 'Sewers for Adoption - a design and construction guide for developers' 6th Edition as supplemented by Yorkshire Water's requirements.

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).

06. INFORMATIVE

Doncaster Council provides an alternate weekly collection service with residual waste collected one week and recyclable waste collected the following week:

Week 1 Black Bin

Week 2 Blue bin / Green box + Green bins

Our standard domestic service provision for each council tax paying household is set-out below.

Each household receives a 240 litre Blue bin for the storage and collection of clean / dry recyclable materials:

- Plastic bottles (clear and coloured)
- Paper, newspapers, magazines (excluding shredded paper and windowed envelopes)
- Cardboard (Brown and Grey)
- Steel / Aluminium food and drinks cans, foil, Aerosols

Each household receives a 55 litre Green box for the storage and collection of glass bottles / jars (no sheet glass).

Each household receives a 240 litre Black bin for the storage and collection of non-recyclable / non-hazardous Household Waste:

- Shredded paper and windowed envelopes;
- Broken / sheet glass;
- Crockery;
- Nappies and sanitary products;
- Yoghurt pots, plastic tubs, trays and lids;
- Liquid food cartons (Tetra/Pure Pak);
- Plastic film or cling film;
- Polystyrene and soiled takeaway containers;
- DIY bottles / containers used for paint, oils, chemicals etc. (No liquids or hazardous waste);
- Dog and cat faeces (wrapped or bagged);
- Pet bedding and straw;
- Turf and ash; and
- Food waste (wrapped or bagged as necessary).

Each household (with a suitable gardens) receives a 240 litre Green bin for the storage and collection of green garden waste:

- Grass cuttings;
- Hedge clippings and shrub pruning's;
- Flowers, plants and weeds;
- Root balls (please remove excess soil);
- Leaves, bark, small twigs and branches.

For the proposed development, with limited outside space, Green bin collections may not be required.

Doncaster Council charges a fee for the delivery of bins to households, current Fees and Charges can be found on the Council's website here. Each council tax paying household can arrange for delivery of any bins for which they are eligible (do

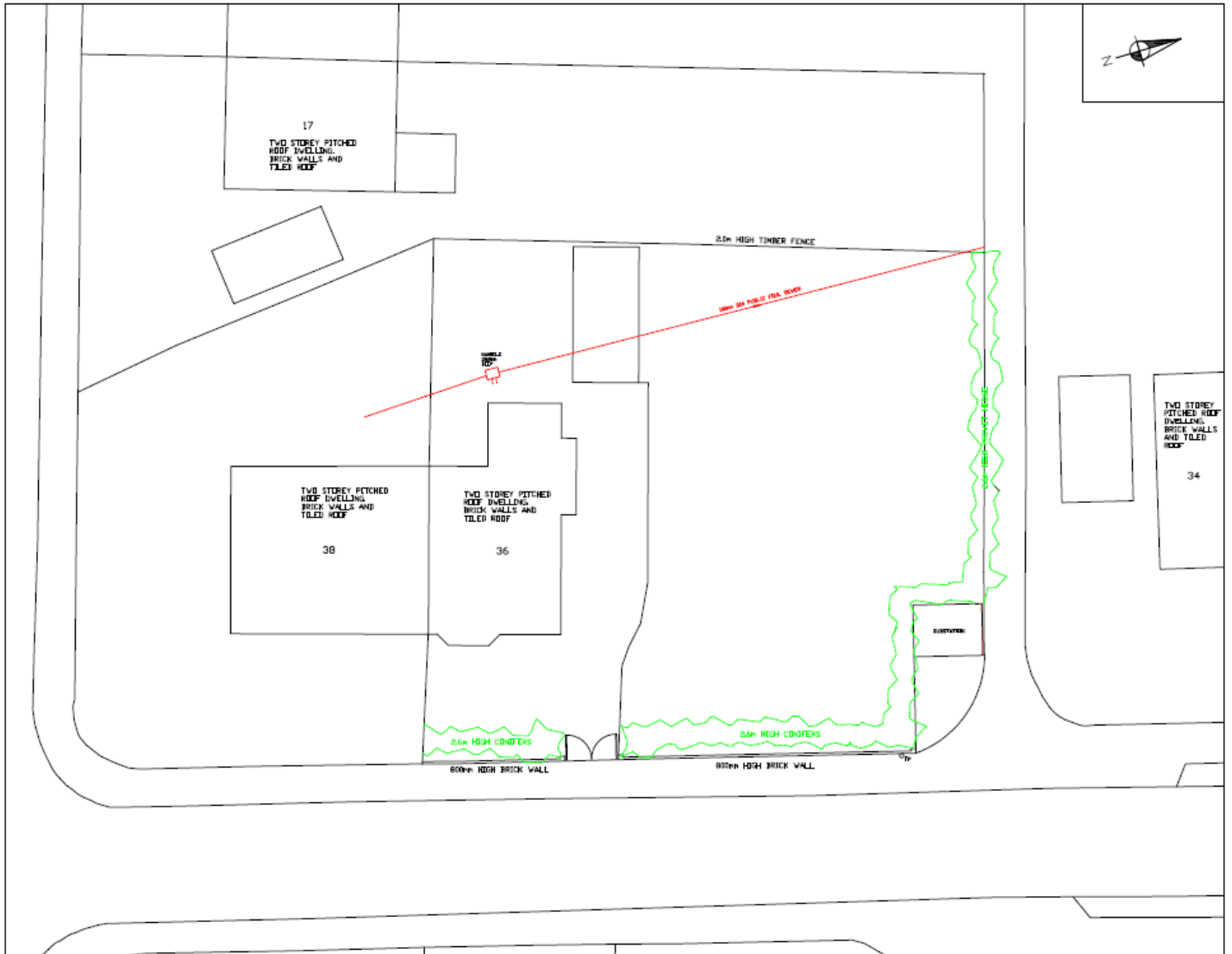
not have or that require replacement) by telephoning our Customer Contact Centre T: 01302 736000.

07. INFORMATIVE

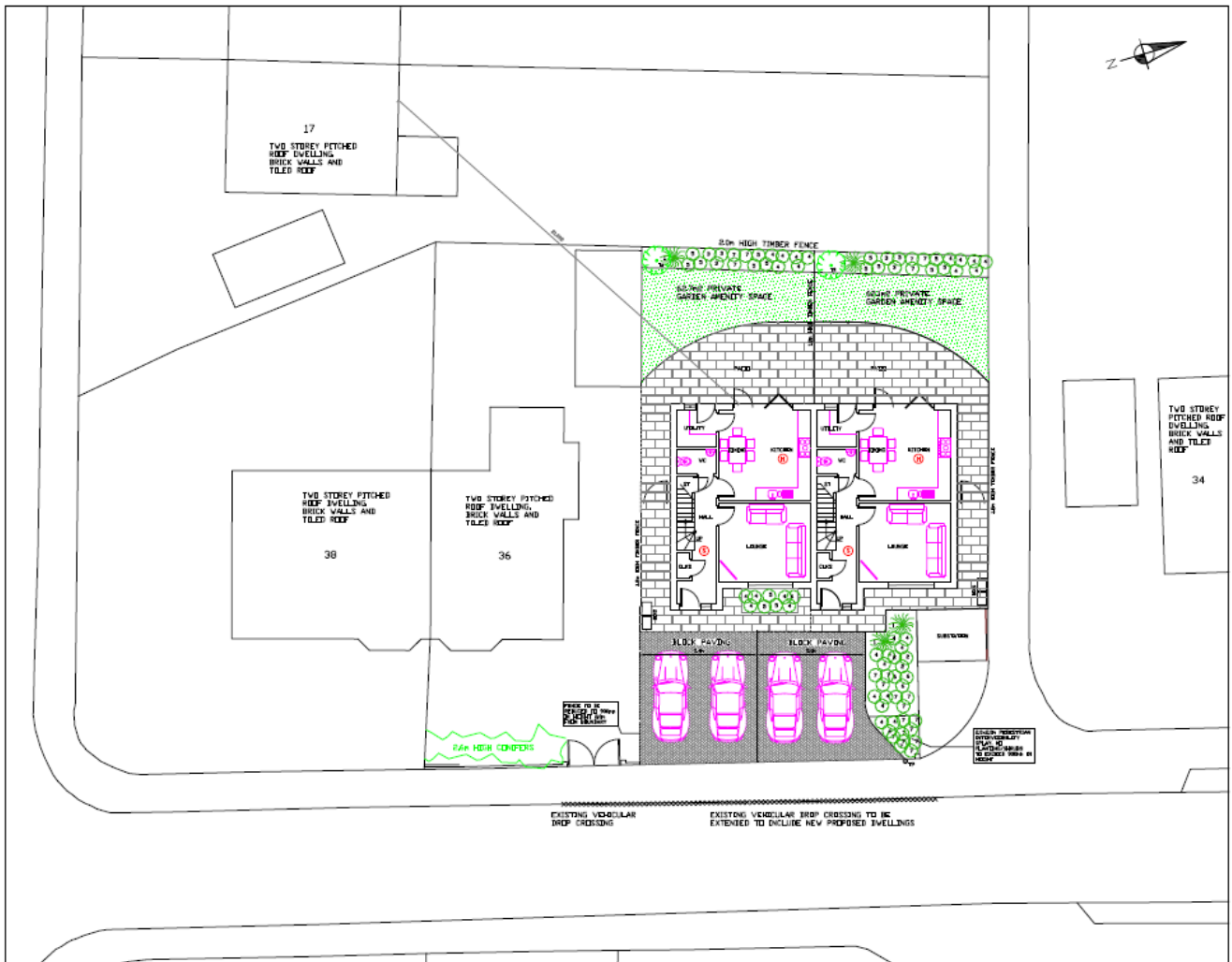
A public footpath runs adjacent to the application site. The footpath must not be obstructed at any point during or following the construction of the development.

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.

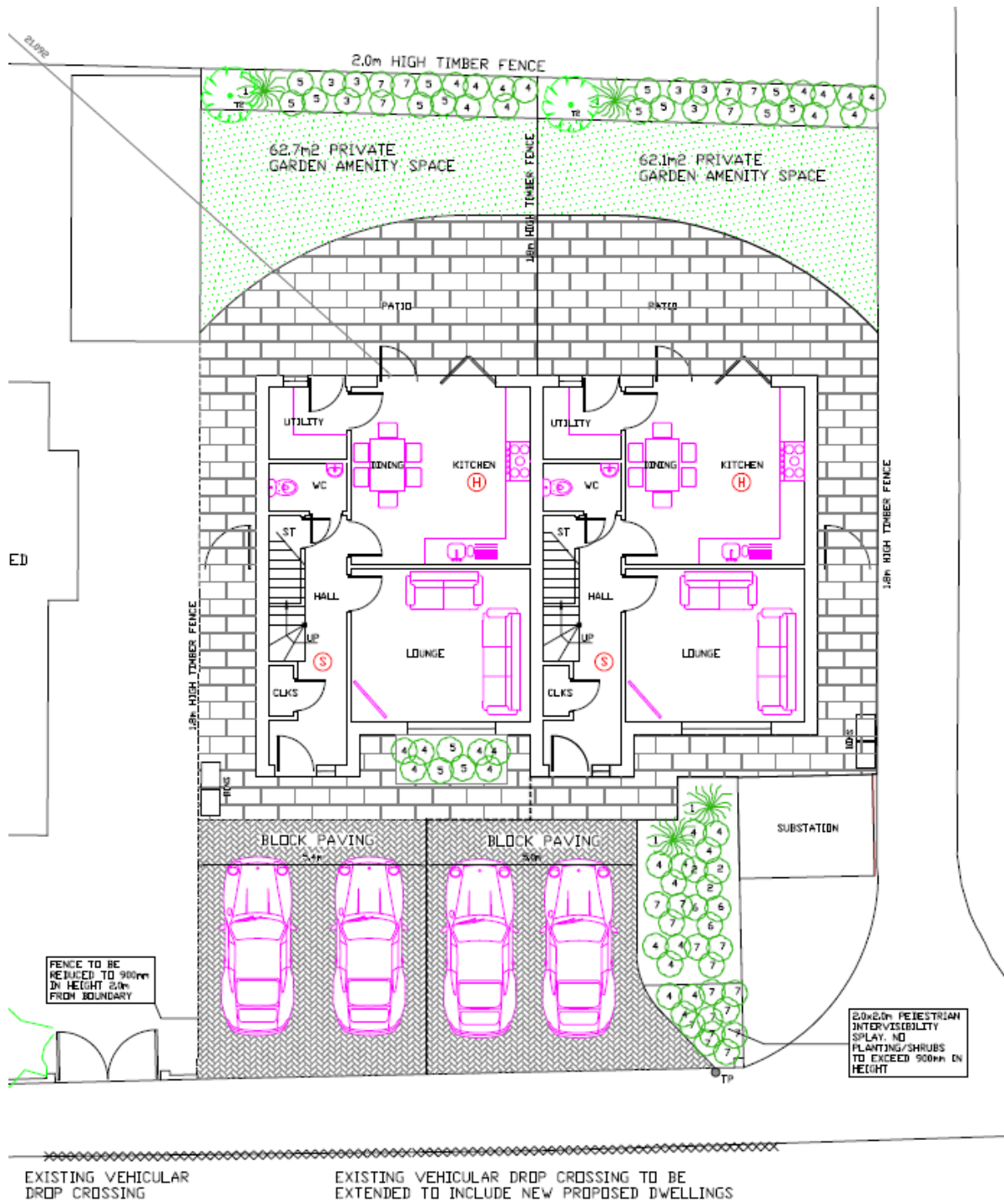
Appendix 1: Existing Site Plan (amended 11.02.2021)



Appendix 2: Proposed Site Plan (amended 11.02.2021)



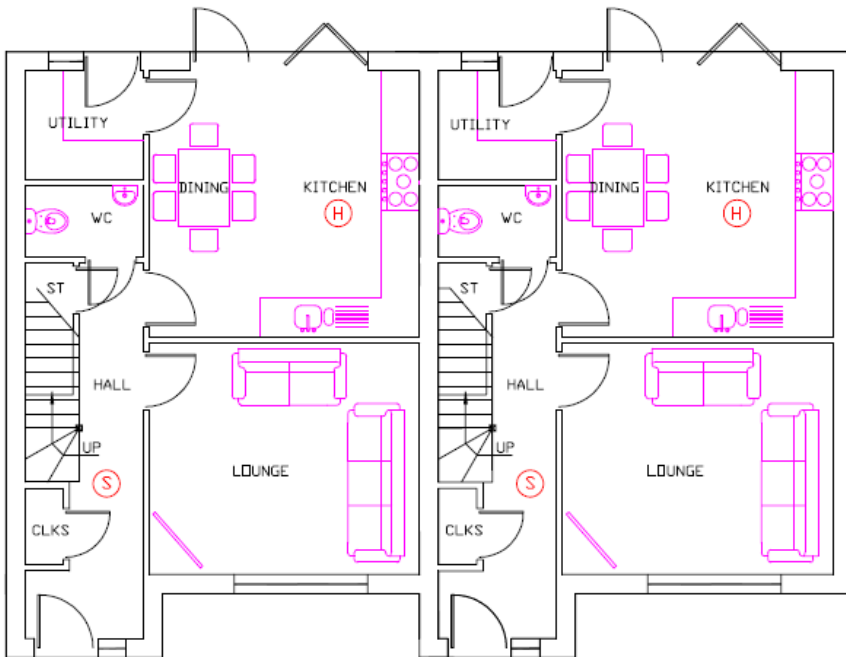
Appendix 3: Proposed Site Plan (amended 11.02.2021)



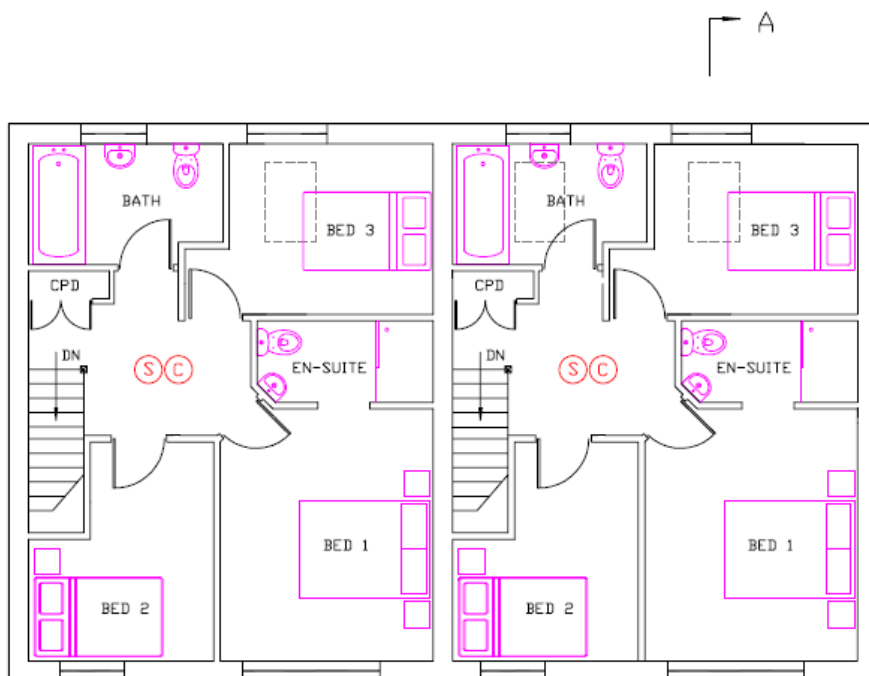
EXISTING VEHICULAR DROP CROSSING

EXISTING VEHICULAR DROP CROSSING TO BE EXTENDED TO INCLUDE NEW PROPOSED DWELLINGS

Appendix 4: Proposed Plans (amended 27.01.2021)



PROPOSED GROUND FLOOR LAYOUT

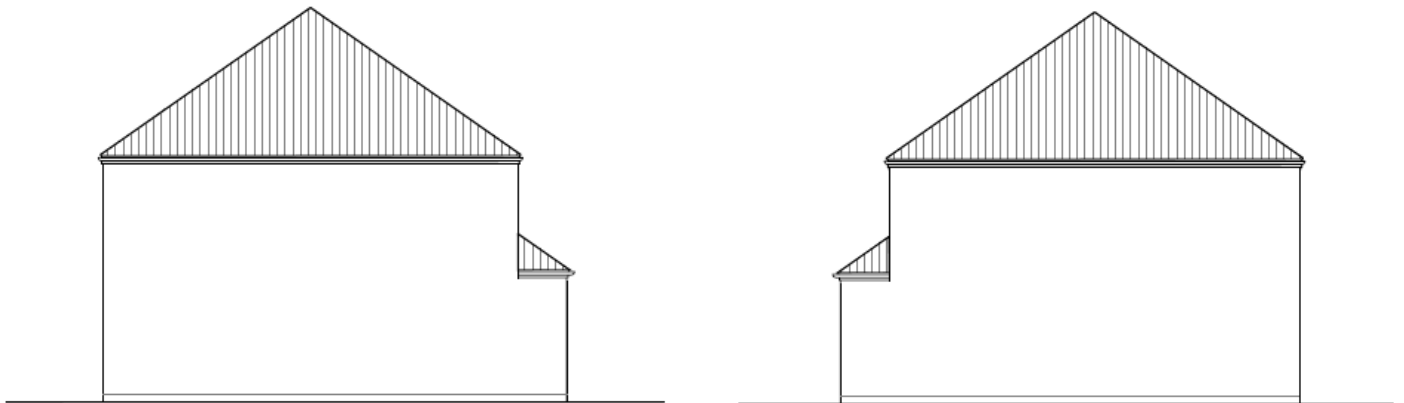


PROPOSED FIRST FLOOR LAYOUT

Appendix 5: Proposed Elevations (amended 27.01.2021)

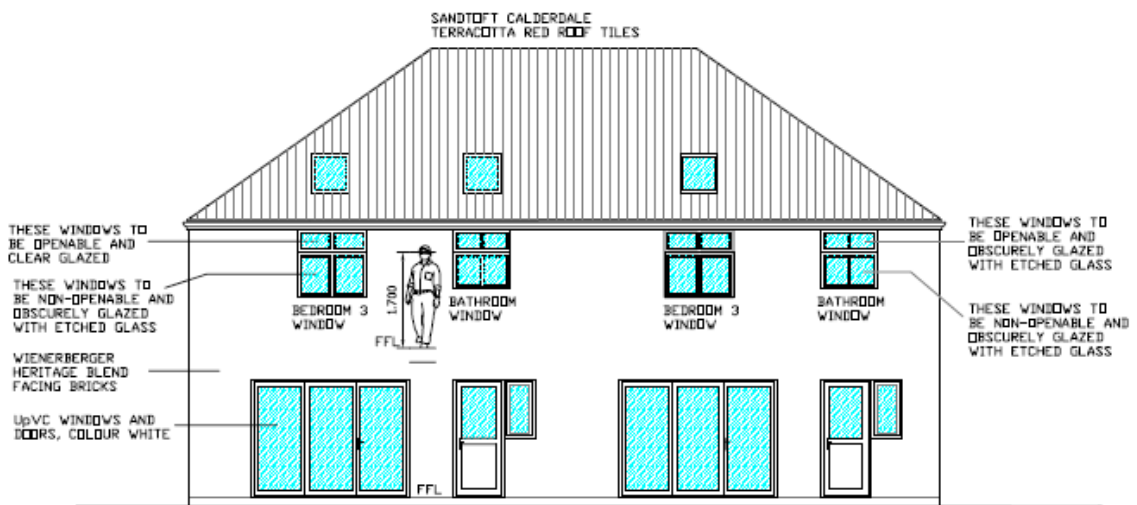


PROPOSED FRONT ELEVATION



PROPOSED SIDE ELEVATION

PROPOSED SIDE ELEVATION



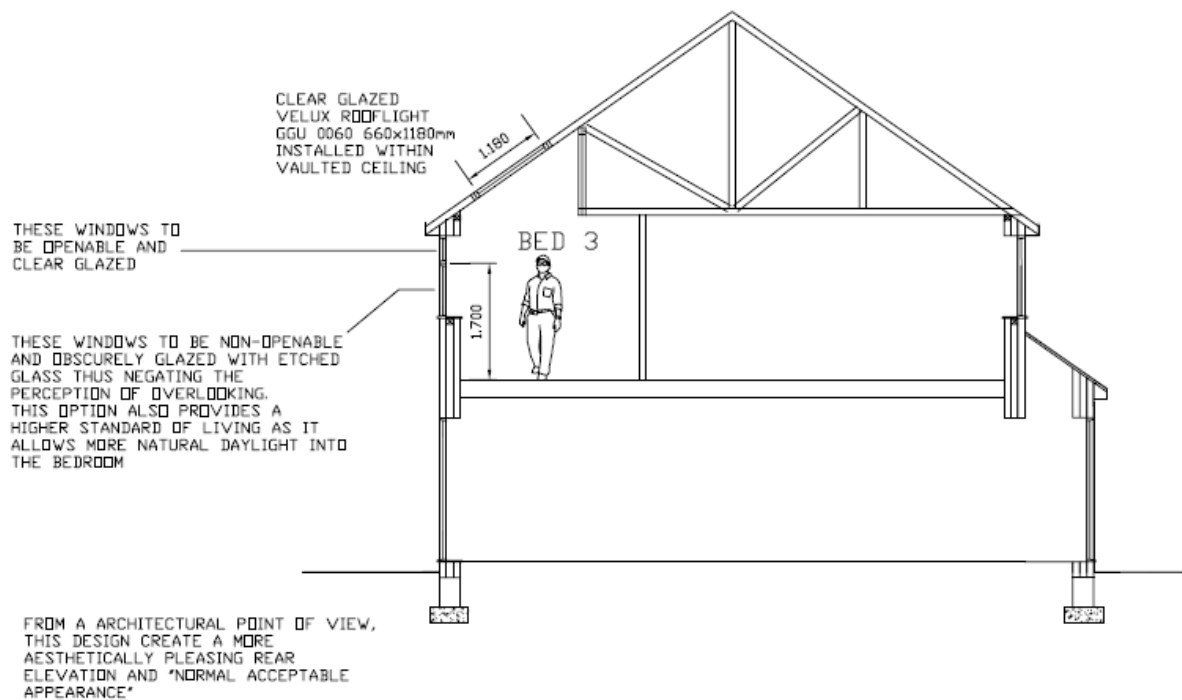
PROPOSED REAR ELEVATION

Appendix 6: Street Scene Elevation (amended 27.01.2021)



STREET SCENE ALONG IVANHOE ROAD

Appendix 7: Section Drawing (amended 27.01.2021)



PROPOSED SECTION A-A THROUGH BEDROOM 3

Application	5.
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Application Number:	20/02321/COU
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Application Type:	Planning FULL
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Proposal Description:	Change of use from dwelling to 2 self-contained flats.
At:	10 Baxter Avenue Wheatley Doncaster DN1 2NL

For:	Mr Majid Khan
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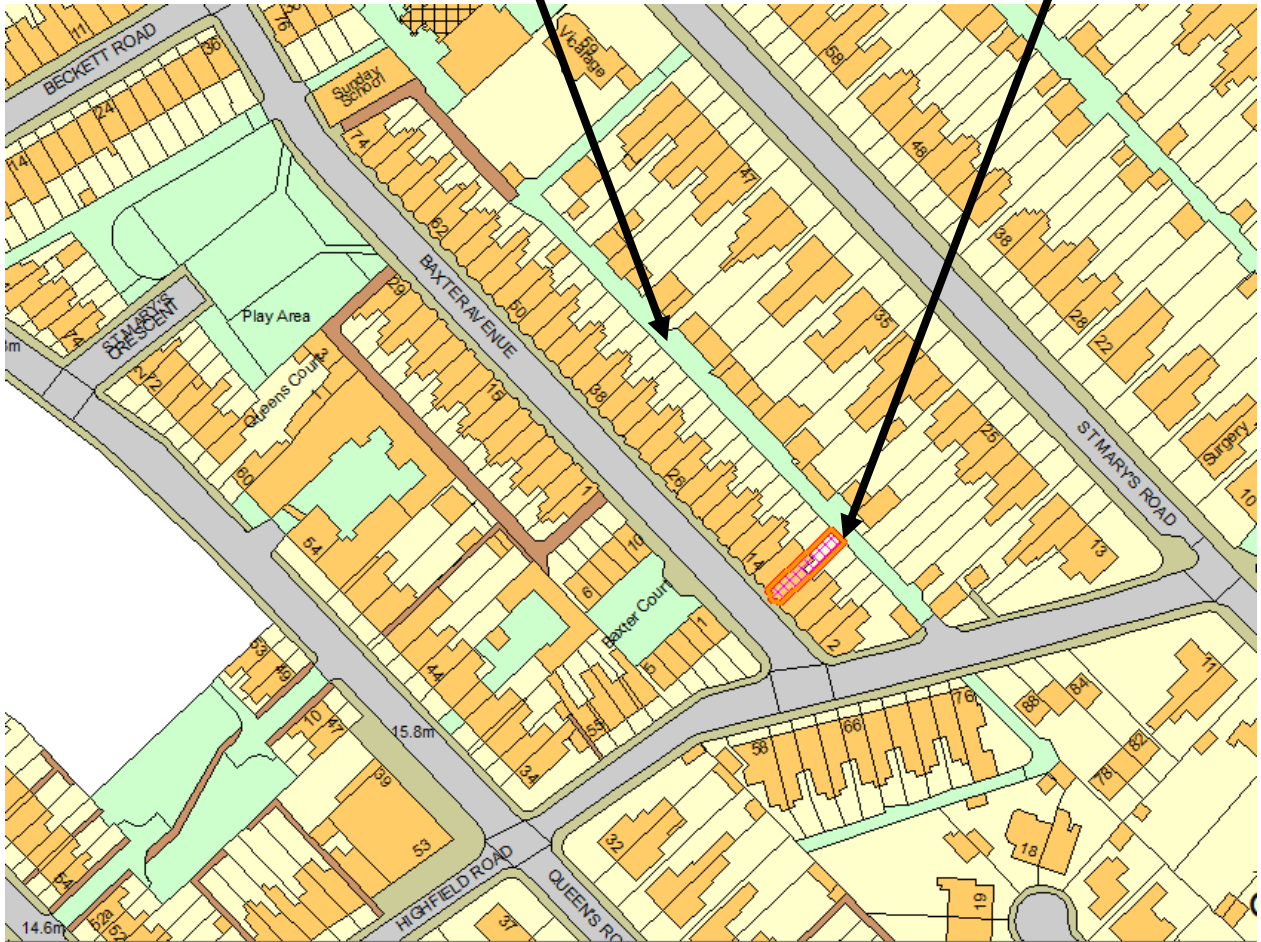
Third Party Reps:	0 objectors 0 supporters	Parish:	N/A
		Ward:	Town Ward

Author of Report:	Mark Ramsay
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<p>SUMMARY</p> <p>This application seeks planning permission for the conversion of a terraced dwelling in Wheatley to two flats. The site lies within Residential Policy Area and as such residential developments are acceptable in principle, subject to the consideration of other material planning considerations. The application is presented to Planning Committee as the applicant is a Doncaster Council Ward Member for Bessacarr.</p> <p>Having considered the planning merits of this application, it is considered that there are no material planning considerations that would demonstrably suggest that the application should be refused.</p> <p>RECOMMENDATION: GRANT planning permission subject to the imposition of suitable conditions.</p>
--

Rear Alleyway

Application site



1.0 Reason for Report

- 1.1 This application is being presented to Planning Committee in accordance with the Council's scheme of delegation as it requires applications made by members of Doncaster Council to be presented to the committee for determination.

2.0 Proposal

- 2.1 Planning permission is sought for the conversion of the existing two storey house to two one bed flats, one on each floor accessed by the existing entrance from the street. Minor external alterations are proposed to provide additional daylight to the kitchen/lounge area at the rear. Internally the layout will provide a shared hallway with internal access to each unit. No other alterations are proposed with the rear yard which is retained.

3.0 Site Description

- 3.1 The application site is located within a row of relatively large terrace villa style Victorian properties. The existing property is a brick building with projecting bay windows projecting into the street at ground floor level. The property is arranged over two storeys with basements and attics. The property is of similar scale and style to the surrounding dwellings which are residential with a more modern development directly opposite and building on Highfield Road featuring small dormers in the roofline
- 3.2 Car parking at the property is on road although some properties along the road have off road car parking. The site is located in the neighbourhood of Wheatley within a residential area characterised largely by streets fronted by two or three storey terraced properties and some semi-detached.

4.0 Relevant Planning History

- 4.1 There have been no previous planning applications related to this site.

5.0 Site Allocation

- 5.1 The site falls within a Residential Policy Area, as defined by the Proposals Maps of the Doncaster Unitary Development Plan (adopted in 1998).
- 5.2 The site is located in Flood Zone 1 and is not considered to be at high risk of flooding.

5.3 Relevant Planning Policies

5.4 National Planning Policy Framework 2019 (NPPF)

- 5.5 The National Planning Policy Framework 2019 (NPPF) sets out the Government's planning policies for England and outlines how local planning authorities should apply these policies. 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:

- 5.6 Paragraphs 7-11 establish that all decisions should be based on the principle of a presumption in favour of sustainable development (considering the social, environmental and economic pillars of sustainability).
- 5.7 Paragraph 38 states that local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- 5.8 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 the Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).
- 5.9 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 if the residual cumulative impacts on the road network would be severe.
- 5.10 Paragraph 117 states that 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.
- 5.11 Paragraph 124 states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. 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 that planning decisions should ensure developments will function well and add to the overall quality of the area, are visually attractive and sympathetic to local character, and will establish or maintain a strong sense of place. Paragraph 127(f) sets out that planning decisions should 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.
- 5.13 Paragraph 130 states 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, taking into account any local design standards or style guides in plans or supplementary planning documents.
- 5.14 Core Strategy 2011 - 2028
- 5.15 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 (as amended) and section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended).
- 5.16 In May 2012, the Local Development Framework Core Strategy was adopted and this replaced many of the policies of the Unitary Development Plan (UDP); some UDP policies remain in force and will continue to sit alongside Core Strategy Policies until such time as the Local Plan is adopted. The Core Strategy policies relevant to this proposal are set out below.
- 5.17 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. Proposals should 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. Developments should be place-specific in their design and work with their surroundings, protecting and enhancing the built and natural environment. Proposals should also protect local amenity and be well-designed.
- 5.18 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 and surrounding local area. Policy CS14(A) sets out the following qualities of a successful place:
1. character – an attractive, welcoming place with its own identity appropriate to the area;
 2. continuity and enclosure of streets and spaces by buildings;
 3. quality, stability, safety and security of private property, public areas and the highway;

4. permeability – ease of pedestrian movement with good access to local facilities and public transport services;
5. legibility – a development that is easy to navigate;
6. adaptability – flexible buildings capable of changing over time;
7. inclusive – accessible development that meets the needs of as much of the population as possible;
8. vitality – creating vibrant, busy places with a mix of uses where appropriate; and
9. sustainability – proposals are environmentally responsible and well managed.

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

5.20 Policy PH9 designates Residential Policy Areas as shown on the Proposals Map.

5.21 Policy PH11 states that within Residential Policy Areas, development for housing will normally be permitted except where:

- A) the development would be at a density or of a form which would be detrimental to the character of the surrounding area or would result in an over-intensive development of the site;
- B) the effect of the development on the amenities of occupiers of nearby properties would be unacceptable;
- C) tandem or back land development would result in an unsatisfactory access, overlooking or over-intensive development;
- D) the development would result in the loss of social, community and recreational or other local facilities for which there is a demonstrated need.

5.22 Local Plan (Submission)

5.23 Paragraph 48 of the NPPF states that the local planning authority 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). Taking into account the remaining stages of the local plan process, it is considered that the following levels of weight are appropriate between now and adoption dependant on the level of unresolved objections:

- Substantial
- Moderate
- Limited

5.24 The Local Plan has been through Examination in Public, and consultation on proposed main modifications to the Plan is ongoing until Sunday 21 March 2021. The Council is aiming to adopt the Local Plan by Summer/Autumn 2021. 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 Policy 8, delivering the Necessary Range of Housing, sets out that there should be a sufficient supply of a mix of house types. Only limited weight is afforded to this policy due to outstanding objections.
- 5.26 Policy 11 states that within Residential Policy Areas as defined on the Policies Map, new residential development will be supported, provided that:
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.

This policy has substantial weight based on the volume of objections.

- 5.27 Policy 14 (Promoting Sustainable Transport in New Developments) states that new development shall make appropriate provision for access by sustainable modes of transport to protect the highway network from residual vehicular impact. The Council will work with developers to ensure that appropriate levels of parking provision are made in accordance with the standards contained within Appendix 6 of the Local Plan. Development should not result in unacceptable impacts on highway safety, or the severe residual cumulative impacts on the road network. Developers must consider the impact of new development on the existing highway and transport infrastructure. This policy has limited weight based on the volume of objections.
- 5.28 Policy 42 (Character and Local Distinctiveness) states that development proposals will be supported where they:
1. recognise and reinforce the character of local landscapes and building traditions;
 2. are of a high quality design that contributes to local distinctiveness;
 3. respond positively to their context, setting and existing site features, respecting and enhancing the character of the locality; and
 4. integrate visually and functionally with the immediate and surrounding area at a settlement, neighbourhood, street and plot scale.

In all cases, applications and design proposals will need to demonstrate an understanding of the context, history, character and appearance of the site, to inform the appropriate design approach. This policy has limited weight based on the volume of objections.

- 5.29 Policy 43 (Good Urban Design) states that high quality development that reflects the principles of good urban design will be supported. This policy has moderate weight based on the volume of objections.
- 5.30 Policy 45 (Residential Design) states that new housing will be supported where it responds positively to the context and character of existing areas, or the host property, and creates high quality residential environments through good design. Developments must protect existing amenity and not significantly impact on the living conditions or privacy of neighbours, be over-bearing, or result in an unacceptable loss of garden space. Part B of this policy sets out key residential design objectives, including good connectivity, high standards of residential amenity, adequate car parking, safe access points and satisfactory refuse collection arrangements. This policy has moderate weight based on the volume of objections.
- 5.31 Policy 46 (Housing Design Standards) requires all new homes to meet the Nationally Described Space Standard as a minimum. This policy has limited weight based on the volume of objections.
- 5.32 Policy 48 (Safe and Secure Places) supports developments which are designed in a way that reduces the risk of crime. This policy has substantial weight based on the volume of objections.
- 5.33 Other material planning considerations
- Development Requirements and Guidance Supplementary Planning Document (SPD) (adopted 2015)
 - South Yorkshire Residential Design Guide 2011 SPD (adopted 2015)
 - National Planning Practice Guidance
 - National Design Guide (2019)

6.0 Representations

- 6.1 This application has been advertised as a departure from the development plan in accordance with Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) as follows:
- Advertised on the Council website
 - 6 neighbours notified by letter

6.2 No representations were received in response to the publicity.

7.0 Parish Council

7.1 The site is not within a parished area of Doncaster.

8.0 Consultations

8.1 Environmental Health

Comments regarding sound proofing, bin storage and restrictions on working practises noted. However on minor schemes it is not practise to impose conditions as nuisance is covered by Environmental Protection legislation and sound proofing would be required by the Building regulations. Otherwise, no objections are recorded.

8.2 Highways Development Control (HDC)

HDC made no objections.

8.3 Waste and Recycling

Noted the collection point is the rear alleyway and that bins should be kept on that part of the site, otherwise no objections.

9.0 Assessment

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

- The principle of the development
- Residential amenity
- Design and visual impact
- Highway safety and parking
- Trees, landscaping and ecology

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

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

The Principle of the Development

9.3 The site is located within a Residential Policy Area as designated in the UDP. As such, residential use of the site is acceptable in principle in line with Policy PH11, subject to compliance with other policies and consideration of the scheme's design and its impact on residential amenity, highways and other issues.

9.4 SOCIAL SUSTAINABILITY

Residential Amenity

- 9.5 Policies CS1 and CS14 of the Core Strategy, policy PH11 of the UDP and paragraph 127(f) of the NPPF all place a requirement on developments to provide a good standard of amenity for existing and future users. This includes access to daylight and sunlight, a positive outlook from the windows of habitable rooms, a good standard of privacy, and sufficient internal and external amenity space.
- 9.6 The development would have no impact on the privacy, outlook or light enjoyed by the houses either side (nos. 08 and 12). There is one first floor windows on the upper level of the side elevations of the proposed dwellings providing a secondary window for the kitchen. It is proposed to condition that this window is obscure glazed to avoid overlooking and loss of privacy to/from the adjacent dwelling. No other external alterations would adversely affect the neighbouring property.
- 9.7 The proposal does not deal directly with the provision of waste storage. However it is noted that the collection point is from the rear alleyway and the development is all within the same ownership. A communal bin storage area could be provided in the rear yard (as suggested by the Environmental Health Officer in their response) and a condition requiring such a provision is recommended to be included in the decision.
- 9.8 The proposed flats would provide an adequate standard of internal space for future residents, causing no loss of light, outlook or privacy to the houses on either side and meet the national minimum standard. The upper level flat would not have access to the rear yard but the site only provides single bed accommodation and is a relatively short distance from amenities in the town centre and the green space of Town Moor.

Conclusion on Social Impacts

- 9.9 On balance, it is considered that there would be no harmful impact on residential amenity, and the proposal is in accordance with policies CS1 and CS14 of the Core Strategy as well as paragraph 127(f) of the NPPF.

9.10 ENVIRONMENTAL SUSTAINABILITY

Design and Visual Impact

- 9.11 Policy CS14 of the Core Strategy and paragraph 127 of the NPPF require developments to display a high quality of design, integrating well into the local context.
- 9.12 The area is characterised by terraced properties and the frontage would remain unaltered with very minor changes to the rear. The proposal would not, therefore impact on the character and appearance of the street scene. For this

reason, the design is considered to be acceptable when taken as a whole, and the proposal would be in accordance with policy CS14 and the NPPF.

Highway Safety and Parking

- 9.13 The proposal would not provide in-curtilage car parking spaces, however it is in a sustainable location not far from the town centre and close to local shops on Beckett Road. The Highway Officer did not raise any objections and it is considered that on street parking for any visitors would be sufficient to service the two units.

Conclusion on Environmental Issues

- 9.14 The amended proposal would not have a harmful visual impact, and the design would be appropriate to the surrounding local environment. There would be no negative impact on highway safety. Overall, the development is considered to be in accordance with policies CS14 of the Core Strategy, and with the NPPF.

9.15 ECONOMIC SUSTAINABILITY

- 9.16 The proposal would have limited economic benefits in terms of providing temporary employment opportunities for local tradespeople during construction. There would be no economic disadvantages to the development, as the site would not otherwise be used for any business or commercial uses.

Conclusion on Economy Issues

- 9.17 The development would have little economic impact, either positive or negative, and as such the proposal would not be contrary to the economic pillar of sustainable development.

10.0 PLANNING BALANCE & CONCLUSION

- 10.1 In accordance with Paragraph 11 of the NPPF, 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 any benefits identified when considered against the policies in the NPPF taken as a whole. The development would create two one bed flats, adding to the mix of accommodation available in the surrounding area, in a sustainable location, without harmfully impacting upon residential amenity. Subject to the recommended conditions, there are no material considerations which indicate that the application should be refused.

11.0 RECOMMENDATION

- 11.1 **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 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 external materials and finishes shall match the existing property.

REASON

To ensure the satisfactory appearance of the development in accordance with policy ENV54 of the Doncaster Unitary Development Plan and CS14 of the Core Strategy

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

Drawing Sheet 2 – Aug 2020

REASON

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

04. Before the first occupation of the dwellings hereby permitted, the side windows to the first floor kitchen (as indicated on the approved plans) shall be permanently obscure-glazed to a level of obscurity to Pilkington level 3 or above or its technical equivalent by other manufactures and non-openable up to a height of 1.7 metres above floor level, and shall be permanently retained in that condition thereafter, unless otherwise approved in writing by the local planning authority.

REASON

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

05. Prior to the first occupation of the development hereby approved, details of the bin stores for both flats 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 there is adequate provision for the storage and collection of waste from the site in accordance with Policy CS14 of the Core Strategy.

Informatives

01.

INFORMATIVE

Doncaster Council provides an alternate weekly collection service with residual waste collected one week and recyclable waste collected the following week:

Week 1 Black Bin

Week 2 Blue bin / Green box + Green bins

Our standard domestic service provision for each council tax paying household is set-out below.

Each household receives a 240 litre Blue bin for the storage and collection of clean / dry recyclable materials:

- Plastic bottles (clear and coloured)
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- Steel / Aluminium food and drinks cans, foil, Aerosols

Each household receives a 55 litre Green box for the storage and collection of glass bottles / jars (no sheet glass).

Each household receives a 240 litre Black bin for the storage and collection of non-recyclable / non-hazardous Household Waste:

- Shredded paper and windowed envelopes;
- Broken / sheet glass;
- Crockery;
- Nappies and sanitary products;
- Yoghurt pots, plastic tubs, trays and lids;
- Liquid food cartons (Tetra/Pure Pak);
- Plastic film or cling film;
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- Dog and cat faeces (wrapped or bagged);
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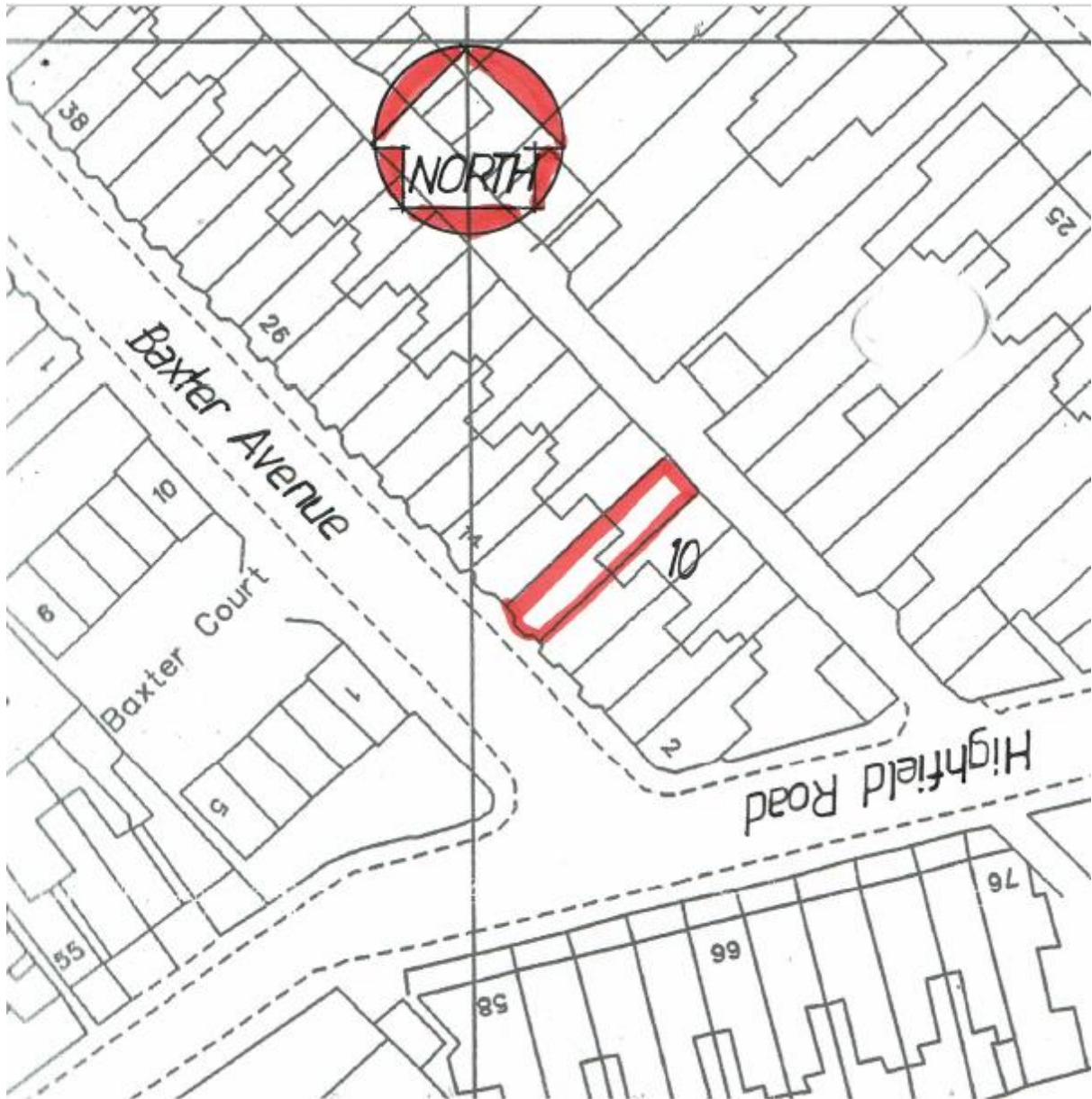
- Grass cuttings;
- Hedge clippings and shrub pruning's;
- Flowers, plants and weeds;
- Root balls (please remove excess soil);
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For the proposed development, with limited outside space, Green bin collections may not be required.

Doncaster Council charges a fee for the delivery of bins to households, current Fees and Charges can be found on the Council's website here. Each council tax paying household can arrange for delivery of any bins for which they are eligible (do not have or that require replacement) by telephoning our Customer Contact Centre T: 01302 736000.

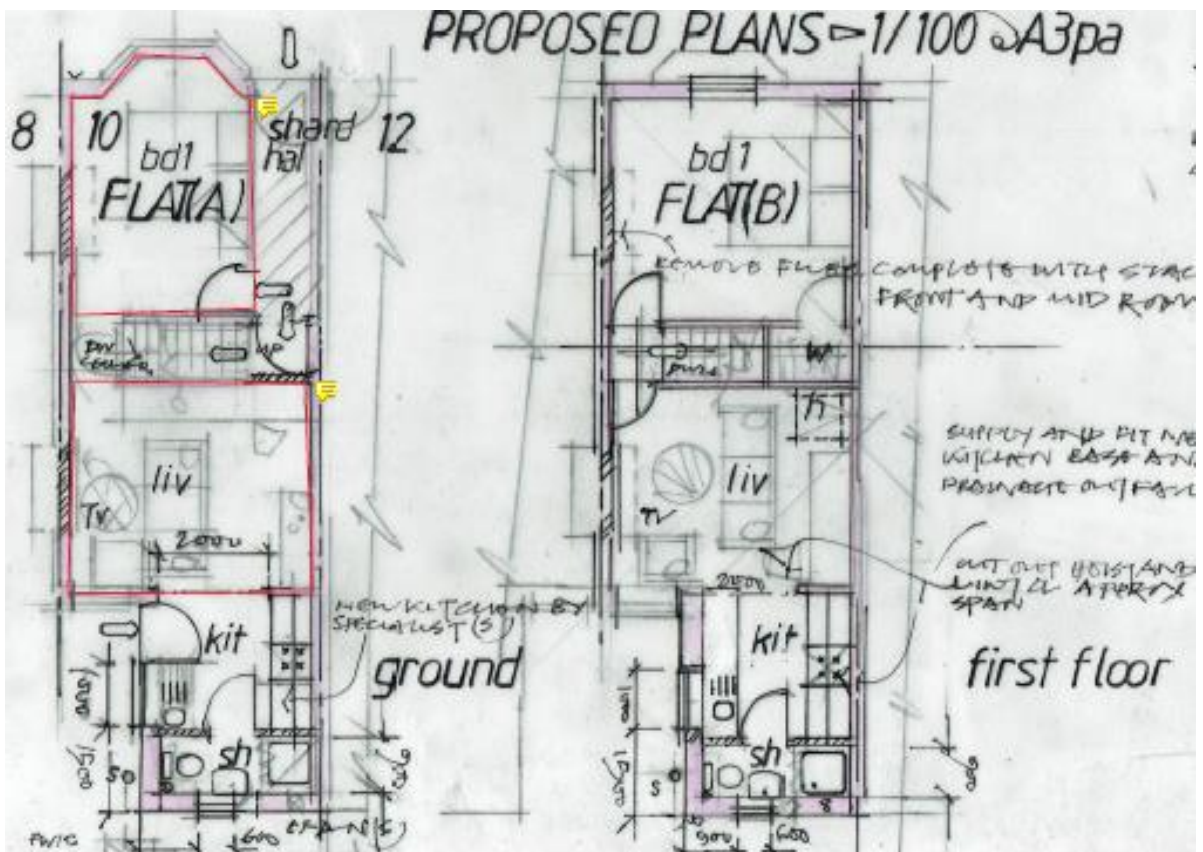
The above objections, consideration and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family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

Appendix 1: Proposed plans





REAR





Date: 2nd March, 2021

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 SC Date 17/02/2021]

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 17/02/2021]

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 17/02/2021]

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

TECHNOLOGY IMPLICATIONS [Officer Initials PW Date 17/02/2021]

12. There are no technology implications arising from the report

HEALTH IMPLICATIONS [Officer Initials RS Date 17/02/2021]

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

EQUALITY IMPLICATIONS [Officer Initials IH Date 17/02/2021]

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
19/03100/FUL	Erection of dwelling following the demolition of existing bungalow as well as the creation of new access and driveway at Hill View Farm , Wilsic Lane, Tickhill, Doncaster	Appeal Dismissed 28/01/2021	Tickhill And Wadworth	Delegated	No
20/00580/FUL	Change of use from dwelling house (C3) to house in multiple occupation (C4), and retrospective planning application for a single storey rear extension and single storey rear/side extension. at 13 Stanhope Road, Wheatley, Doncaster, DN1 2TZ	Appeal Allowed 10/02/2021	Town	Committee	Yes
20/01481/FUL	Change of use of former public house to ground floor retail and first floor residential including erection of extension following demolition of outbuildings (being resubmission of 19/01725/FUL refused 27.05.2020). at Millstone Hotel, Westgate, Tickhill, Doncaster	Appeal Allowed 05/02/2021	Tickhill And Wadworth	Committee	Yes
20/02477/ADV	Installation of 1 x 48 sheet freestanding digital advertising display unit, measuring 6.2m wide x 3.2m high. at Kelham Street Cars , Kelham Street, Balby Carr, Doncaster	Appeal Allowed 22/01/2021	Hexthorpe And Balby North	Delegated	No

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DAN SWAINE
Director of Economy and Environment

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Appeal Decision

Site visit made on 11 January 2021 by L Wilson BA (Hons) MA MRTPI

Decision by Chris Preston BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 January 2021

Appeal Ref: APP/F4410/W/20/3260655

Hill View Farm, Wilsic Lane, Tickhill, Doncaster DN11 9LF

- 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 Simpson (Hydra Park Properties Ltd) against the decision of Doncaster Metropolitan Borough Council.
 - The application Ref 19/03100/FUL, dated 23 December 2019, was refused by notice dated 27 August 2020.
 - The development proposed is described on the application form as demolition of the existing bungalow and outbuildings to replace with a new build 4 bedroom residential property. The outbuildings are currently used for storage. There is going to be no change of use. We will propose a new access to the site with a new driveway.
-

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues are as follows:
 - i. Whether the proposal is inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework (the 'Framework') and development plan policy;
 - ii. The effect of the proposal on the openness of the Green Belt;
 - iii. The effect of the proposal on the character and appearance of the surrounding area; and
 - iv. If the development is inappropriate, whether the harm, by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. If so, would this amount to the very special circumstances required to justify the proposal.

Reasons for the Recommendation

Inappropriate Development

4. Paragraph 145 of the Framework states that new buildings are inappropriate in the Green Belt unless they fall within the given list of exceptions. One such exception is the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.
5. Policy ENV13 of the Doncaster Unitary Development Plan (1998) (UDP) sets out more specific criteria for replacement dwellings within the Green Belt. It states that within the Green Belt the replacement of an existing dwelling of permanent construction will only be permitted where the proposal complies with policy ENV3 or ENV 4 and would not a) have a visual impact prejudicial to the character or amenity of the countryside, b) seek to perpetuate a use of land which would seriously conflict with Green Belt/ countryside policy area policies, c) involve replacing a dwelling which is capable of rehabilitation, adaptation or extension and d) significantly exceed the size of the original dwelling. The supporting text states that the size of the dwelling should not exceed more than 20% of the volume of the original dwelling (over and above the normal permitted development rights).
6. Section 2.18 of the Doncaster Council Development Guide and Requirements Supplementary Planning Document (2015) (SPD) is also relevant for replacement dwellings in the Green Belt. It states that an appropriately proportioned enlargement is considered to be a floorspace increase of no more than 50% of the original floorspace of the dwelling and does not constitute a 50% increase per planning application. The SPD also states that outbuildings more than 5m from the dwelling are not taken into consideration when assessing the extent to which the size of the replacement dwelling may increase.
7. The Framework doesn't explicitly refer to outbuildings in the context of replacement dwellings. However, in order for an outbuilding to be taken into account it seems reasonable that it should be close enough to the main building to be replaced such that it has a direct visual and functional relationship with it. Consequently, I am satisfied that the approach of the SPD is a reasonable basis on which to proceed.
8. In order to comply with both national and local planning policy an assessment is required to establish whether the replacement dwelling would be larger than the one it replaces. An assessment of whether a building is materially larger can include matters of footprint, volume, width, height and visual perception.
9. The two main parties agree that the existing bungalow has a volume of 565m³. The appellant states that the bungalow has a floor area of 121m² whereas the Council state that it has a floor area of 107.8m². The appellant highlights that the existing bungalow has an eaves height of 2.8m and ridge height of 6m. They have also provided volume and floor area measurements for two outbuildings located to the rear of the bungalow.
10. The appellant considers that there would be a reduction in built form on the site due to the removal of the outbuildings. I observed on my site visit that the outbuildings are situated more than 5m from the dwelling and appear visually separate to the residential curtilage of the bungalow due to the fence to the rear of the dwelling which is not shown on the existing site plan drawing. Therefore, having regard to guidance contained within the SPD, the outbuildings should not be taken into consideration when assessing the extent to which the size of the replacement dwelling may increase.

11. The proposed dwelling would have a floor area of approximately 295m² and volume of 1108m³. It would have an eaves height of approximately 5m and ridge height of 7.8m. The Council state that the replacement dwelling represents a volume increase of 96% and a floor space increase of 174%. I note that the floor space would result in an increase of approximately 143% if the appellants floor space measurement, of the existing bungalow, is used in the calculation.
12. Even if the appellants calculations are correct regarding the bungalow's existing floor space, the replacement dwelling would have a floor space over twice that of the existing bungalow and volume nearly double that of the existing building. Furthermore, the scale and massing of the new dwelling would be significantly more than the existing bungalow due to the two-storey height and increase in width which would result in a substantially larger and bulkier dwelling than the existing single-storey bungalow. Moreover, having regard to Policy ENV13, the appellant confirms that the existing bungalow is capable of extension.
13. Consequently, the development would not comply with the exception outlined in paragraph 145d) of the Framework. The new dwelling would be materially larger than the one it replaces. Accordingly, based on the evidence presented, the proposal would be inappropriate development in the Green Belt having regard to Policies ENV3 and EN13 of the UDP, Policy CS3 of the Doncaster Council Core Strategy 2011-2028 (2012) (CS), along with the SPD and the Framework.
14. The appellant highlights that the existing bungalow benefits from planning permission to increase the height and a permitted development scheme to extend the property to the side and rear as well as adding a further outbuilding¹. However, exception d) requires an assessment of whether the replacement building would be larger than the one it replaces. Given that the property has not yet been extended, I must consider the proposal against the current size of the property. Whether the extant planning permission represents a fall-back position in favour of the grant of planning permission is considered later in my report.

Openness

15. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. The existing built development within the site already has an impact upon the openness of the site.
16. The replacement dwelling would be located in a similar location to the existing bungalow, but the main front elevation would sit further back from the highway and the garage would sit no closer to Wilsic Lane than the existing bungalow. The scheme would have a spatial impact upon the openness of the Green Belt given the increase in footprint and introduction of a new access and driveway where there is currently no built development.
17. The scheme would involve removing the outbuildings to the rear of the bungalow. These buildings are visually unobtrusive and currently have limited visual impact upon the openness of the Green Belt because they are single

¹ 19/01528/PD and 19/01558/FUL

storey and well screened from the highway due to the existing built development and hedge. They are also set apart from the dwelling and the gaps between the structures helps to maintain a degree of openness in a visual sense.

18. The proposed development would also have a visual impact upon the openness of the Green Belt because it would result in a significantly larger dwelling. The front boundary hedge partially screens the existing bungalow which limits its visual impact. Given the increase in height, scale, massing and bulk the replacement dwelling would have a greater physical impact and would be more visually prominent compared to the existing bungalow and outbuildings, particularly due to the introduction of a new first floor. The outbuildings would be removed but that would be of minimal benefit in a visual sense, given their discreet location. In contrast to the present gaps between buildings, the bulk and mass of development would be concentrated in a single, much more imposing, structure.
19. For the above reasons, having regard to the scale and massing of the proposed dwelling as well as the siting of the existing bungalow and outbuildings, the development would have a detrimental effect upon the openness of the Green Belt both visually and spatially, albeit that the scale would be limited due to the existing built development within the site. As such, the scheme would conflict with the purposes of Green Belt policy, as stated in the Framework, to keep land permanently open.

Character and Appearance

20. The Council acknowledge that the design of the dwelling in itself is acceptable. However, they are concerned that the design in this location would detract from the character of the countryside by virtue of its modern and grandiose design.
21. The existing bungalow was built as an agricultural worker's dwelling. It is simple in design and is constructed of brick with a red pantile roof. Whilst the bungalow does not have any particular architectural merit it sits modestly within the landscape, screened to some extent by the hedge. Overall it has a neutral impact upon the character and appearance of the area and reflects the character of the original agricultural holding, particularly when viewed alongside the adjacent barn.
22. Development has commenced for the change of use of that barn to form dwellings². This development will alter the character of the area as it will further domesticate the former farmstead. The proposed dwelling would sit closer to the highway than the converted barn. However, the scale and design of the replacement dwelling would be seen in the context of the large converted agricultural building. Nonetheless, based on the evidence presented, the barn conversion would still respect the original form, scale and roof structure of the agricultural building and would maintain the character of an agricultural barn. Whilst the existing bungalow does not reflect the design of the consented barn conversion, it would still sit comfortably alongside it.
23. The appellant considers that the proposal would lead to a visual improvement compared to the consented planning application and permitted development

² 20/00329/PRIOR

schemes. I note that this assessment is reliant on the inclusions of extensions which do not currently exist and thus the appellant's fallback position is discussed in the following section.

24. The materials proposed would to a degree reflect the site's former agricultural use and break up the mass of the building. Nevertheless, the scheme overall would significantly alter the character of the site due to its modern design and scale. Whilst the design in isolation is commendable, it would be visually intrusive and at odds with the rural character and appearance of the area and would unduly contrast with the landscape. The proposed dwelling would draw the eye because it would be a large, two-storey, contemporary building which includes vast expanses of glazing which has little relationship with the agricultural origins of the site which currently reads as a small farmstead. Consequently, the overtly modern design would jar against the rural context and fail to respond sensitively to its setting.
25. The appellant states that the proposed boundary treatment is a hedge. I note that the proposed site plan shows a hedge and fence boundary. Even if the development proposed a hedge boundary, this would not outweigh the harm identified above.
26. For these reasons, I find that the proposed development would be visually harmful to the character and appearance of the surrounding area. Consequently, the scheme would conflict with Policies ENV3, ENV13 of the UDP, Policy CS3 of the CS, along with the SPD and the Framework. These seek, amongst other matters, to ensure new development does not have a harmful visual impact upon the character and appearance of the area.

Other Considerations

27. Substantial weight should be given to any harm to the Green Belt. Development should not be approved unless the harm to the Green Belt, and any other harm, is clearly outweighed by other considerations. Paragraph 144 adds that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
28. The appellant states that the replacement dwelling would result in a reduction in built form on site and would be smaller than the extant schemes to extend the bungalow under permitted development and planning permission. Furthermore, they consider that the replacement dwelling would provide better living conditions for future occupiers than the enlarged bungalow.
29. The appellant asserts that the fallback positions, including the approved planning application and permitted development scheme, are reasonable, realistic and deliverable. It is clear that the permitted development scheme could be implemented and certain elements of the permitted development alternative could be implemented alongside the planning permission to extend the property. If those proposals were implemented the existing bungalow to be increased substantially in floor area, volume and height, together with the addition of an outbuilding.
30. However, although the bungalow could be extended, based on the evidence presented, I am not convinced that there is a significant probability that the fallback would be constructed should this appeal be dismissed. From the

evidence before me, it appears that one of the main motives of the development is to provide a dwelling which is more in keeping with the design of the adjacent barn conversion. The fallback positions would further exacerbate the difference in design between the bungalow and the barn conversion and would result in a development and internal layout which would appear poorly designed and somewhat contrived.

31. In addition, the permitted development scenario includes the addition of a third outbuilding at the site, which would add to the two existing outbuildings and what appears to be shown as a large garage/ extension to the side of the dwelling. It is unclear why any householder would require such an extensive range of outbuildings and storage space given the size of the plot and the fallback position in that regard appears to be based on a theoretical alternative of what may be possible under permitted development regime as opposed to what is a realistic consideration of what would be constructed.
32. Thus, I am not convinced that the appellant would seek to implement the alternative scenarios that are presented. If the appeal is dismissed it seems equally likely that they may seek permission for a more modest alternative with a more coherent design.
33. In any event, I am not satisfied that impact of the alternative scenarios would be comparable to that of the proposed development in terms of the openness of the Green Belt. I accept that the volume and floor area of the alternative scenarios would be greater than that of the proposed dwelling³. However, Green Belt has a visual and physical dimension.
34. A large amount of the 'permitted development' alterations and the rear dormer would be screened by the existing boundary hedge and built development because the extensions are mainly to the rear and single storey. The height of the proposed dwelling would also be higher than the fallback position and the two-storey front façade would be significantly more imposing than the extended bungalow, even taking account of the permission to raise the ridge height. Furthermore, the outbuildings proposed to be removed are well screened from the highway. In effect, the volume that is off-set by the demolition of the outbuildings would be concentrated into the dwelling which would be a single structure of substantial depth and height. I am not satisfied that is comparable to the proposed alternative where the outbuildings would be dispersed, with gaps between structures.
35. Accordingly, based on the evidence submitted, the fallback position would have less of an impact upon the openness of the Green Belt in visual terms than the proposed development as it would be significantly less conspicuous from the highway. Therefore, whilst I acknowledge that the physical size and spatial impact of the alternative scenarios would be greater than the proposed development, the visual impact would be less. Overall, having regard to the significantly more imposing scale and presence of the proposed dwelling in visual terms, I find that the proposal would have a greater impact on the openness of the Green Belt than the alternative scenarios.
36. Even if the permitted development and planning permission scenario was completed, the visual impact of the dwelling would be less than that proposed due to the fact that the majority of the work would be largely concealed to the

³ As set out at paragraphs 3.4 to 3.7 of the appellant's statement

- rear. From the roadside and the majority of public views the dwelling would still appear relatively modest, when compared to the imposing façade of the proposal.
37. Having regard to the above there is some doubt as to whether the alternative scenarios would actually be carried out in the event the appeal was dismissed. Even if my conclusions on that are incorrect, the effect on openness would be greater in the proposed scheme and the alternative scenario would be less imposing and incongruous in the rural setting. Consequently, the suggested fall-back position is a matter to which I attach limited weight.
38. The appellant has drawn my attention to an appeal decision⁴. In this decision the Inspector found that the fallback position would have no greater impact upon the openness of the Green Belt, would have a harmful impact upon the character and appearance of the area and would provide less satisfactory living conditions for future occupiers. The Inspector concluded that the other considerations in the case clearly outweighed the moderate Green Belt harm and limited other harms and that very special circumstances existed which justified the development.
39. This appeal decision cannot be directly compared to the scheme before me as I have found that the development would result in significant harm to the openness of the Green Belt and would harm the character and appearance of the area. Furthermore, in the allowed appeal, there was a higher probability that the appellant would carry out the fallback position if the appeal was dismissed because they had a quotation for the completion of the extensions, and they had partially completed some of the extensions. As a result, the appeal decision does not amount to a positive factor in favour of the development.

Whether Very Special Circumstances Exist

40. The Framework identifies that substantial weight should be given to any harm to the Green Belt and that inappropriate development is, by definition, harmful to the Green Belt. I have concluded that the development constitutes inappropriate development in the Green Belt and would cause harm to the openness of the Green Belt. This is a matter which carries substantial weight. Additional weight is given to the harm to the character and appearance of the surrounding area. As cited above, the proposal conflicts with both national and local planning policy.
41. The Council has referred to an article relating to very special circumstances. A copy of this article has not been provided, and in any event, it does not form part of national or local planning policy and subsequently I have not given it weight in determining whether very special circumstances exist.
42. The advanced considerations relating to the fallback position, including the removal of the outbuildings, are given limited weight. When drawing this together, the advanced considerations in support of the appeal whether taken individually or cumulatively, do not, on balance clearly outweigh the conflict with planning policies that seek to protect the Green Belt. Therefore, the very special circumstances necessary to justify the development do not exist.

Conclusion and Recommendation

⁴ APP/J1535/W/18/3200087

43. For the reasons given above, the proposal would amount to 'inappropriate development' that would cause harm to the openness of the Green Belt and the character and appearance of the surrounding area. There are no very special circumstances to outweigh the harm caused in that respect. The development is contrary to the relevant policies of the UDP, CS and the Framework. There are no material considerations to outweigh the conflict with these policies.
44. For all of those reasons I recommend that the appeal should be dismissed.

L M Wilson

APPEALS PLANNING OFFICER

Inspector's Decision

45. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I agree and conclude that the appeal should be dismissed.

Chris Preston

INSPECTOR



Appeal Decision

Site visit made on 19 January 2021

by **C Dillon BA (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 10 February 2021

Appeal Ref: APP/F4410/W/20/3262009

13, Stanhope Road, Wheatley, Doncaster DN1 2TZ

- 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 Jamie Knott against the decision of Doncaster Metropolitan Borough Council.
 - The application Ref 20/00580/FUL, dated 11 February 2020, was refused by notice dated 29 July 2020.
 - The development proposed is described as change of use from dwelling house (C3) to house in multiple occupation (C4) and retrospective planning application for a single storey rear extension and single storey rear/side extension.
-

Decision

1. The appeal is allowed, and planning permission is granted for change of use from dwelling house (C3) to house in multiple occupation (C4) and a single storey rear extension and single storey rear/side extension at 13, Stanhope Road, Wheatley, Doncaster DN1 2TZ, in accordance with the terms of the application Ref 20/00580/FUL, dated 11 February 2020, subject to the following conditions:
 - 1) The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.
 - 2) Prior to the building being brought into use as a house in multiple occupation (Use Class C4), the development hereby approved shall be carried out in accordance with the following plans: Plan No: AH0175-5g received 14 May 2020 and Plan No: AH0175-4c received 6 May 2020.

Procedural Matters

2. The description of development was amended through the course of the determination of the planning application and is contained in the above banner heading.
3. During my visit, I observed that 2 ground floor extensions had been built to the rear resembling those shown on the refused plans.
4. Reference to the term 'retrospective' in the description of development is omitted for the purposes of paragraph 1, as that is not a type of development.

Main Issues

5. The main issues are whether or not:
 - the appeal proposal would provide acceptable living conditions for its occupants, with particular regard to internal space standards, outlook, light and level of outdoor space; and
 - an appropriate level of Houses in Multiple Occupation (HMOs) in the area would be maintained, with particular regard to the character and appearance of the area and living conditions of occupiers of existing dwellings.

Reasons

Living conditions

6. The appeal site is a dwelling which, prior to the internal works and extensions that have taken place, had two bedrooms. The proposed HMO would provide living accommodation for 4 people.
7. The appeal scheme includes the provision of 3 first floor bedrooms and a fourth bedroom on the ground floor. Each bedroom would have en-suite facilities. A communal kitchen area would be provided. The appeal property has been extended to the rear at ground floor level to create a lounge, toilet and utility room, all of which would also be for communal use. The existing enclosed rear yard area with access to the rear lane would remain.
8. Policy 10 of the Council's emerging Doncaster Local Plan (the emerging Local Plan) seeks to manage further HMOs but does not include any specific space standards. However, the Council's Development Guidance and Requirements Supplementary Planning Document recognises that the internal design and layout of homes can affect health and quality of life. Furthermore, accommodation should have convenient access to adequate private or communal amenity space. The South Yorkshire Residential Design Guide sets out space standards for new dwellings.
9. In terms of their relevance, by the Council's own admission, the standards of the latter document were not devised for HMOs. Furthermore, the Council's evidence indicates that an HMO would have different characteristics to a dwelling.
10. The appeal proposal would fall within the control of the Council's HMO licensing regime. The Council's evidence signals that a degree of flexibility in the application of space standards associated with those controls may be exercised on a case by case basis.
11. Parts of the appeal proposal would fall below these standards. It is evident that subsequent discussions between the main parties in response to this influenced the revisions that were made to the proposed layout. No objections were raised by that team to the appeal proposal as amended.
12. There is no evidence that would indicate that these local licensing standards have been included within local planning policy or supplementary guidance. The

- weight that should be afforded to them as a specific measure for planning purposes is limited because of this.
13. The appeal proposal would provide for a practical internal layout which would allow for private sleeping and washing facilities for the individual occupants. Although these private areas would be compact, this would be mitigated by the availability of a useable amount of separate internal and external communal spaces.
 14. The kitchen area would be somewhat constrained by virtue of its size and layout. However, it remains that a functional kitchen would be provided. The nature of this use would mean that it is likely that occupants would prepare separate meals. No substantive evidence has been presented that would indicate that this would happen at the same time, so as to render the kitchen unfit for purpose.
 15. Indeed, the nature of occupation would mean that the frequency and timing of the use of these communal areas could be of a lesser intensity at any one time to that of a dwelling. This is because the proposed use would not be that of a single household of a size that the property could otherwise accommodate. There is no evidence before me that that would indicate that the use of these communal areas could not be reasonably managed between occupants to suit their own individual requirements.
 16. With the exception of the inner living room, the available outlook for occupants would not be dissimilar to that provided by the original layout of the property. No evidence has been advanced that would demonstrate that levels of light would be diminished to an unacceptable level. The absence of an external window to the inner living room is not ideal. However, it would remain a useable space with some borrowed light.
 17. The proposed outdoor space would be accessible to each occupant. It would be enclosed so as to provide privacy. It would be of a size and layout that would be adequate for refuse and cycle storage and occupant's individual or communal use and enjoyment.
 18. No substantive evidence has been provided that would demonstrate that the proposed outdoor space provision would be of a nature in terms of size and outlook which would fall significantly below that typical of other residencies in the area to a level that would be unacceptable.
 19. For the reasons given and regardless of whether a genuine fallback position exists, the appeal proposal would not give rise to unacceptable living conditions for its occupants, with particular regard to internal space standards, outlook, light and level of outdoor space.
 20. Policy CS1 of the Core Strategy states that developments must provide an adequate quality of life through amongst things being well-designed and fit for purpose. Proposals must provide opportunities for occupiers to have access to good quality housing.
 21. Policy CS14 of that plan seeks to ensure that the use works functionally and will make a positive contribution to quality of private property, inclusivity and sustainability amongst other things.

22. Policy 10 of the emerging Local Plan states that proposals for HMOs will only be supported under very strict circumstances where amongst other things the internal standards of the property are suitable for multiple occupation, including good soundproofing, privacy, outlook, light, ventilation and have good communal facilities for washing, preparation and consumption of food. Furthermore, external communal areas and facilities must be of a sufficient size and standard to satisfactorily accommodate waste and recycling bins, safe and secure cycle storage. Overall, the size of the property should be sufficient to provide proper and adequate accommodation and living space for the number of residents intended to be accommodated.
23. In the absence of unacceptable harm to living conditions, this particular appeal proposal would not conflict with these policy requirements. However, given the stage that the emerging Local Plan has reached the weight that could be attached to emerging Policy 10 is limited. Nonetheless, collectively these policies would indicate that the appeal should succeed.

Level of HMOs

24. The appeal site is a 2 storey dwelling which is located within one of many densely developed residential terraced streets. These properties have rear yards served off a narrow rear lane.
25. This part of Wheatley is the subject of an Article 4 Direction which has brought the creation of dwellings into new HMOs under planning control. The submitted evidence confirms that the adjoining properties on either side of the appeal property are registered HMOs and there are others elsewhere within the street and wider area.
26. The exact numbers of HMOs within the street and wider area have not been precisely quantified because of limitations in data collection. Even when taking the higher of the 2 quantities for Stanhope Road which have been presented by main parties, the overall concentration of known HMOs in the street would not be at a level that would tip the balance and impose unacceptable harm on the character and appearance of this residential street. Neither would that translate to the wider area.
27. The existence of other HMOs in the area was only apparent during my site visit from the presence of several lettings' boards in the surrounding streets. There would be no external alterations to the front of the appeal property that would change its existing character. The extensions to the rear would be domestic in scale and not dissimilar to the design and pattern of other rear extensions in the street. Consequently, the domestic character and appearance of the appeal site would not significantly alter in visual terms.
28. The appeal proposal would result in a cluster of 3 HMOs which emerging Policy 10 seeks to avoid. However, the existing situation represents the sandwiching effect that this very policy also seeks to avoid. Emerging Policy 10 does not distinguish between the level of harm anticipated from any of the scenarios that it seeks to resist. This proposal would represent a small change to the existing situation. The appeal proposal would not adjoin other C3 properties. Furthermore, it would offer some scope to address the potential for the harm anticipated by Council to occur as a consequence of the appeal site itself being bounded on either side by existing HMOs. Consequently, in terms of

harm the overall effect of the proposed change would be neutral in this particular instance.

29. No evidence has been presented to this appeal that would indicate that HMO uses this street have already reached or exceeded a tipping point in terms of unacceptable noise, disturbance or anti-social behaviour. Furthermore, the submitted evidence does not substantiate that the resulting cluster would alter the existing character of this part of the street to a degree that would cause harm to the living conditions of occupants of surrounding dwellings.
30. For these reasons, the particular circumstances of this appeal proposal are such that an appropriate level of Houses in Multiple Occupation (HMOs) in the area would be maintained, with particular regard to the character and appearance of the area and living conditions of occupiers of existing dwellings.
31. Policy CS1 of the Core Strategy states as a means to securing and improving and enhancing quality of place and quality of life, proposals will be supported which ensure safe places where existing amenities are protected amongst other things.
32. Policy CS12 of the Core Strategy encourages a mixture of property types and tenures to ensure a balanced community.
33. Policy CS14 of that plan states all proposals must reinforce character and integrate well with their immediate and surrounding local area. New development should have no unacceptable negative effects upon the amenity of neighbouring land uses. The development will be assessed to ensure that it works functionally and will make a positive contribution to character of the area as well as quality, stability and safety of private property.
34. Saved Policy PH11 of the Doncaster Unitary Development Plan seeks to manage the effects of development on the amenities of occupiers of neighbouring properties.
35. In the absence of harm, the appeal proposal would not conflict with these policies.
36. Policy 10 of the emerging Local Plan states that the proposal should not result in an over-concentration of HMOs within a community, locality, street, row. Proposals must not create more than 2 HMOs side by side, sandwich a single house between 2 HMOs or result in more than 2 HMOs within a run of 20 properties on one side of the road. In this particular context, the appeal proposal would not accord with these standards.
37. However, given the stage that the emerging Local Plan has reached the weight that could be attached to Policy 10 is limited. For these reasons the conflict with this policy would attract very limited weight.

Other Matters

38. The Council has advanced previous decisions relating to HMO proposals. However, being outside of the Council's jurisdiction, there is insufficient certainty that there is a reasonable level of commonality in terms of both the physical and policy contexts to draw any meaningful comparisons. Therefore, they attract limited weight in this instance.

39. In making its decision, the Council had not raised objection to the effects of the rear extensions on neighbouring residents. Nonetheless, by virtue of the design, height and projection of these relative to the adjoining properties, I do not concur with the Council's subsequent stance which is set out in their statement in this regard.
40. The policies within the existing development plan do not specifically refer to HMOs. However, there are sufficient up to date generic policies to determine this proposal. Therefore, the tests set out in paragraph 11(d) of the National Planning Policy Framework would not be engaged in this particular instance.

Conditions

41. As the proposed change of use has not commenced, a planning condition relating to implementation timescales is necessary in the interests of certainty. A planning condition requiring that the development is carried out in accordance with the approved plans prior to the permitted use being implemented is necessary in the interests of safeguarding the living conditions of future occupants.

Conclusion

42. The circumstances of this particular site are such that there would be no unacceptable harm. As such, there is no conflict with the adopted development plan when taken as a whole. These findings would not be out-weighed by the apparent conflict with Policy 10 which can only be attributed very limited weight at the current time given its emerging status.
43. Consequently, this appeal should be allowed subject to the imposition of the prescribed conditions.

C Dillon

INSPECTOR



Appeal Decision

Site Visit made on 25 January 2021

by Robert Walker BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 February 2021

Appeal Ref: APP/F4410/W/20/3262669

Millstone Hotel, Westgate, Tickhill, Doncaster DN11 9NF

- 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 L Nicholson (Bar 24 Ltd) against the decision of Doncaster Metropolitan Borough Council.
 - The application Ref 20/01481/FUL, dated 5 June 2020, was refused by notice dated 9 October 2020.
 - The development proposed is the change of use of former public house to ground floor retail and first floor residential including erection of extension following demolition of outbuildings).
-

Decision

1. The appeal is allowed and planning permission is granted for the change of use of former public house to ground floor retail and first floor residential including erection of extension following demolition of outbuildings at Millstone Hotel, Westgate, Tickhill, Doncaster DN11 9NF in accordance with the terms of the application, Ref 20/01481/FUL, dated 5 June 2020 subject to the conditions set out in the attached schedule.

Applications for costs

2. An application for costs was made by Mr L Nicholson (Bar 24 Ltd) against Doncaster Metropolitan Borough Council. This application is the subject of a separate Decision.

Preliminary Matters

3. In Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a slightly different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application which accurately describes the proposal.
4. The appellant has provided a signed planning obligation pursuant to section 106 of the Town and Country Planning Act 1990 (as amended) (planning obligation). The planning obligation is concerned with ensuring that the proposed landscaping is undertaken prior to the commencement of the retail use. I shall return to the obligation later in my decision.
5. I have been referred to the emerging Doncaster Local Plan 2015-2035 Publication Version 2019 (ELP). Although I understand that the examination has been completed, I do not know the extent to which there are unresolved objections. Given the stage it is at, and in accordance with Paragraph 48 of the National Planning Policy Framework (the Framework), I give it limited weight.

Main Issues

6. The main issues are:

- The effect of the proposed landscaping on the appearance of the development and street scene; and
- the effect of the proposal on highway and pedestrian safety.

Reasons

Landscaping

7. Although not cited in its reason for refusal, the Council refer me to the Doncaster Council Development Guidance and Requirements: Supplementary Planning Document (July 2015) (SPD). The proposed landscaping would provide less than 20% of the site curtilage to a "soft" landscape treatment and would incorporate trees with a smaller girth than sought by the SPD.
8. In this regard, there would be conflict with the expectations of the SPD. However, the wording of the SPD accepts that such expectations would not be achieved in all cases. Moreover, any conflict with the guidance is not in itself a planning harm nor does it necessarily equate to a breach of development plan policy.
9. The proposal would incorporate landscaping in small areas around the building. To the front, this would utilise existing features and would provide an attractive soft edge to the building. The location of the proposed hedge and spacing of trees around the periphery of the parking area would provide an attractive backdrop to the hardstanding.
10. The existing building is in a prominent position in the street scene and there is a large amount of hardstanding at present. The proposal would provide for an improvement on the existing landscaping at the site, complimenting the variety of trees within this part of the town. Whilst smaller in size than expected by the SPD there is no substantive evidence before me that the trees would not establish. In the context of this built up environment, I consider the extent, type and location of landscaping to be appropriate. Overall, this would, in my view, represent a high-quality environment.
11. I therefore find that the proposed landscaping would have a positive effect on the appearance of the development and street scene. The proposal would therefore accord with the provisions of the Framework. This stipulates at paragraph 127, amongst other things, that decisions should ensure that developments 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.
12. Moreover, although I afford limited weight to Policy 49 of the ELP, I find no conflict with its requirements. Policy 49 stipulates, amongst other things, 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.

Highway and pedestrian safety

13. The proposed parking would be less than the maximum standards stipulated in the SPD. However, these are maximum standards and given the building's

location in walking distance from the town centre and residential properties I consider the amount of parking to be acceptable.

14. The Council's highways officer did not object to the proposals and there is no substantive evidence before me as to whether there is a problem with the capacity of existing on-street parking or carparks in the area. Mixed uses and activities are common features in towns and there is no firm evidence that the proposed mix would give rise to situations that would be to the detriment of highway or pedestrian safety.
15. Whilst there maybe occurrences where the car park would reach capacity, the proposed layout provides space for the turning and manoeuvring of vehicles. The presence of delivery vehicles would not be unexpected by consumers and given the likely speed of manoeuvring vehicles in the car park I do not consider that such manoeuvres would represent an unacceptable risk to pedestrian safety.
16. The potential for vehicles waiting to turn into the car park exists, as it does with the Public House use. Nonetheless, in such scenarios it would disrupt the free flow of traffic along the main road. In an edge of town centre location such as this, road users would be alert to the possibility of vehicles turning or exiting the site, along with other road users such as buses. Moreover, there is no evidence that this disruption to traffic would have the effect of causing inappropriate manoeuvres to the detriment of highway safety.
17. From the evidence before me, considering the previous Public House use, the proposed parking, turning space and access arrangements, in this location, I find that the proposal would not result in an adverse effect on highway or pedestrian safety.
18. The proposal would therefore comply with the requirements of Policy CS14 of the Council's Core Strategy (2012) (CS) and paragraph 109 of the Framework. These seek, amongst other things, that development does not have an unacceptable impact on road safety.

Other Matters

19. The Council does not consider that the proposal would harm the special significance of the host building (a non-designated heritage asset), the Conservation Area or the setting of Tickhill Castle (a Scheduled Monument) or any other nearby listed building. Having regard to my statutory duties I have no reason to disagree with these findings. The proposal would adapt the existing building sympathetically, with its alterations and landscaping improving its appearance in the street scene.
20. Although outside of the Core Business Area (CBA) as defined in the Tickhill Neighbourhood Plan (NP), there are other non-residential uses nearby and the appeal site is within walking distance of the CBA. It would increase competition with other retail units in the town centre. However, considering the size of the retail space proposed, in the context of the triggers for impact assessments within the Framework, there is no evidence before me that the proposal would harm the vitality or viability of the town centre. Moreover, I have no reason to question the findings of the Council as to the availability of alternative sites. I do not therefore find conflict with the NP insofar as it relates to the protection of retail uses in the town centre.

21. The activity associated with the retail premises would generate some noise. However, considering the previous Public House use, the size of the retail premises and the location on a main through road, near the town centre, I do not consider that there would be significant harm to the general amenity of the area or living conditions of nearby residents with particular reference to noise, nuisance and disturbance.
22. There is no substantive evidence that the vehicle movements associated with the proposal would give rise to an impact on wildlife. Whilst the building is in a dilapidated condition, concerns regarding the actions of the appellant, are not matters that have a bearing on this appeal. Although there is support for alternative forms of development, I must assess the appeal on the basis of the proposal before me.

Planning Obligation and Conditions

23. The planning obligation would ensure that the proposed landscaping which, in part, falls outside of the appellant's land ownership would be undertaken prior to the retail use commencing. Given my findings on the landscaping the provisions set out in the planning obligation are necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development. It would thus satisfy the tests within paragraph 56 of the Framework.
24. I have adapted the Council's suggested conditions where necessary, in the interests of precision and brevity. In addition to the standard time limit condition, I have imposed a condition specifying the relevant drawings and to require that the development is carried out in accordance with them as this provides certainty.
25. Conditions relating to materials, windows, signage, the shop front, railings, bin store and boundary treatments are appropriate in the interests of the appearance of the development in the CA.
26. Conditions relating to noise, hours of opening and deliveries are necessary in the interests of the living conditions of occupiers of nearby residential properties. Conditions relating to parking, delivery vehicles and the access details are necessary in the interests of highway and pedestrian safety. A condition regarding surface water drainage is necessary to ensure that the site is properly drained and serviced.

Conclusion

27. In conclusion, I have found that the proposed landscaping would have a positive effect on the appearance of the development and street scene. I have also found that the proposal would not harm highway and pedestrian safety. The proposal would comply with the development plan when read as a whole.
28. For the reasons set out, and having considered all other matters raised, the appeal is allowed, subject to conditions.

Robert Walker

INSPECTOR

Schedule of 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: Dwg Nos: 1990-ZY-008 Rev C; 1990-ZY-005 Rev C; 1990-003 Rev D; 1990-MJ-008 Rev C; and 1097-MST 01 Rev C.
3. The retail premises shall only be open for customers between the following hours: 0700 hours to 2200 hours Mondays to Sundays inclusive.
4. No deliveries shall be made to the site, and no delivery vehicles shall enter the site (whether laden or unladen), before the hours of 0700 or after 2000 Monday to Saturday, and 0900 to 1600 on Sundays and Public Holidays.
5. The rating level of sound emitted from any fixed plant associated with the development shall not exceed background sound levels by more than 5dB(A) 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 agreed in writing with the local planning authority.

6. The roof of the new storeroom hereby approved shall be clad in red clay plain tiles and any render panels and timber cladding shall match the colour and finish of the existing main building. Prior to the implementation of the relevant site works samples or details of the brick to be used in the construction of the walls, and details of the design and configuration of the mock timber beams, 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.
7. Any infilled openings, as shown on Dwg: 1990-ZY-005 Rev C, shall be constructed with reused bricks from demolished sections of the existing building. Where this is not possible, details of the brick to be used in the infilled openings shall be submitted to and approved in writing by the local planning authority prior to the implementation of such works. The development shall be carried out in accordance with the approved details.
8. Full details of the design, construction and finish of any new windows shall be submitted to and approved in writing by the local planning authority before the commencement of the relevant site works. Development shall be carried out in accordance with the approved details. All windows, including

existing retained windows as shown on Dwg: 1990-ZY-005 Rev C, shall thereafter be retained.

9. Prior to the commencement of the retail use hereby permitted, full details of the treatment of the back of the ground floor windows or window bays (including any measures for security if needed) shall be submitted to and approved in writing by the local planning authority. Development shall be carried out and thereafter retained in accordance with the approved details prior to the commencement of the retail use.
10. Prior to the installation of the shop front, and notwithstanding its appearance on the elevation drawing, full details of the design, colour and appearance of the shop front to be installed on the west gable (including any lighting elements and any measures for security if needed) shall be submitted to and approved in writing by the local planning authority. Development shall be carried out and thereafter retained in accordance with the approved details.
11. Any signage for the retail use of the building shall be located on the fascia of the shop front hereby approved and elsewhere only on the existing signage locations in accordance with the approved elevation drawing. Prior to the implementation of the relevant site works full details of the new signage (including any lighting elements, if required) shall be submitted to and approved in writing by the local planning authority. Development shall be carried out and maintained in accordance with the approved details.
12. The spears or rails of the new gate to Lindrick shall match that of the adjacent railings.
13. The fencing and hedge, as shown on Dwg 1097-MST 01 Rev C shall be retained for the lifetime of the development.
14. Prior to the commencement of the uses hereby approved the bin store area granted in the location shown on the approved plan shall be enclosed, and prior to the installation of the bin store enclosure details of its height, design, materials, and finish shall be submitted to and approved in writing by the local planning authority. The development shall be carried out and thereafter retained in accordance with the approved details.
15. Prior to the commencement of the uses hereby approved, that part of the site to be used by vehicles shall be drained, surfaced and marked out in accordance with details that shall first have been submitted to and approved in writing by the local planning authority. 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.
16. Prior to the commencement of the relevant works, detailed engineering drawings for the amended site access and crossing over the footpath/verge shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
17. No vehicle in excess of 10m in length shall service the site.

End of Schedule



Costs Decision

Site visit made on 25 January 2021

by R Walker BA Hons DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 February 2021

Costs application in relation to Appeal Ref: APP/F4410/W/20/3262669 Millstone Hotel, Westgate, Tickhill, Doncaster DN11 9NF

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
- The application is made by Mr L Nicholson (Bar 24 Ltd) for a full award of costs against Doncaster Metropolitan Borough Council.
- The appeal was against the refusal of planning permission for the change of use of former public house to ground floor retail and first floor residential including erection of extension following demolition of outbuildings).

Decision

1. The application for an award of costs is refused.

Reasons

2. The Planning Practice Guidance (PPG) advises that costs may be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process.
3. It is put to me that the Council, prevented or delayed development that should have been permitted, failed to produce evidence to substantiate the reason for refusal and refused permission for a reason, in the case of landscaping, that could have been addressed by way of a condition.
4. The crux of the applicant's case is that planning permission should have been granted in accordance with the recommendation of the planning officer and, in respect of the highways matter, the advice of the Council's Highways specialist. The applicant contends that the Council have acted unreasonably in refusing planning permission and provided reasons for refusal which do not stand up to scrutiny on the planning merits of the case. Ultimately, the applicant feels that the appeal was unnecessary.
5. The fact that the application was refused planning permission contrary to the recommendation of officers is not an unusual situation. It in itself is not unreasonable and thus not a ground for a successful claim for costs.
6. The first reason for refusal related to the proposed landscaping. The Council did seek to substantiate its reason for refusal in its Appeal Statement and Costs Rebuttal citing concerns about the amount of planting, size and type of trees. Moreover, it cross referenced this with its requirements within its Supplementary Planning Document. Given the site's location in a prominent position within the Conservation Area it is reasonable for the Council to expect

- a quality landscaping scheme. In this regard it is not unreasonable for the Committee to exercise planning judgement on matters such as appearance, taking into account the particular circumstances of the case.
7. Whilst the type and size of tree could have been reserved by way of a condition, the amount of landscaping could not, without impacting on the proposed layout.
 8. With regards to the second reason for refusal, Highways advisors are consultees into the planning process, not decision makers in themselves. That role fell, in this case, to elected members of the Council's planning committee.
 9. The proposal would be materially different to its previous use with a mix of uses and different delivery needs. The Council do not dispute the vehicle tracking or visibility splay provided by the applicant. However, there was little in the way of traffic or parking data before the Council Members to assist in reaching their decision. In this case, the Council exercised its planning judgement based on local knowledge and representations from local residents and concluded that the proposed development would be in conflict with the development plan.
 10. Although no technical evidence has been presented, the Council supported its reason for refusal within a full statement of case. The statement expanded on the reason for refusal, the concerns are explained in detail, drawing from local knowledge.
 11. It will be seen from my decision that I do not agree with the Council's refusal. However, the decision was a matter of judgement based on the evidence before the Council and they did take into account the development plan.
 12. Consequently, irrespective of the outcome of the appeal, I cannot find that the Council behaved unreasonably, relative to the main issues in offering a different view to my own, given the planning judgement involved.
 13. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the PPG, has not been demonstrated.
 14. Accordingly, I determine that the costs application should fail, and no award is made.

Robert Walker

INSPECTOR



Appeal Decision

Site Visit made on 12 January 2021

by Robert Walker BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 January 2021

Appeal Ref: APP/F4410/Z/20/3265847

Kelham Street Cars Ltd, Kelham Street, Balby Carr, Doncaster DN1 3RE

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by Mr Rob Smith (Alight Media Ltd) against the decision of Doncaster Metropolitan Borough Council.
 - The application Ref 20/02477/ADV, dated 10 September 2020, was refused by notice dated 2 December 2020.
 - The advertisement proposed is the installation of 1 x 48 sheet freestanding digital advertising display unit, measuring 6.2m wide x 3.2m high.
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Decision

1. The appeal is allowed and express consent is granted for the installation of 1 x 48 sheet freestanding digital advertising display unit, measuring 6.2m wide x 3.2m high at Kelham Street Cars Ltd, Kelham Street, Balby Carr, Doncaster DN1 3RE in accordance with the terms of the application, Ref 20/02477/ADV, dated 10 September 2020. The consent is for five years from the date of this decision and is subject to the 5 standard conditions set out in the Regulations and the following additional conditions:
 1. The maximum level of illumination shall be no more than 300 c/m² during hours of darkness (dusk until dawn) and 600 c/m² during daytime hours. The level of luminance of the advertisement display shall be controlled by light sensors that measure ambient light levels and automatically control the perceived brightness to within the limits set by this condition.
 2. The advertisement display shall contain at all times a feature that will turn off the screen (i.e. show a black screen) in the event that the display experiences a malfunction or error.
 3. The advertisement display shall only display static images and shall not display any moving images, animation, intermittent or full motion video images, or any images that resemble road signs or traffic signals.
 4. No individual advertisement shall be displayed for a duration of less than 10 seconds and the transition between advertisement images shall take place over a period no greater than one second.

Main Issues

2. The main issues are the effect of the proposed advertisement on the amenity of the area and on public safety.

Reasons

Amenity

3. The appeal site is positioned along a busy road, adjacent to a used car dealership at the junction of Kelham Street and close to the junction where Carr House Road joins the A630. The surrounding area is characterised by a mix of uses, including residential and commercial uses.
4. The proposed advertisement would be positioned in a prominent location along the main road. At this particular location, commercial buildings and associated signage are apparent and the proposal would be seen more with its commercial surroundings than the residential buildings in the area.
5. The design of the proposal, with its steel monopole, would allow some views either side below the main display. The appellant has stated that the display would not contain any moving images, animation, video or full motion images. The rate of image change and brightness of the advertisement could also be controlled by conditions, as put forward by the appellant.
6. Given the scale of nearby commercial buildings, the open aspect around the advertisement, its height relative to street lighting and overhead lines and controls of its display, the proposal would not appear obtrusive. The design would be functional, but in the context of its surroundings it would not appear as an incongruous feature.
7. Moreover, whilst there are adverts nearby, the area is not cluttered with signage. As such, the introduction of this single digital advertisement, given the spacing between other signs, would be such that the area would not appear cluttered.
8. I therefore find that, although the proposal would be clearly visible and in a prominent position, it would not harm the visual amenity of the area.

Public safety

9. Digital advertisements of the size and form proposed are commonly experienced in an urban transport network. Consequently, having regard to the Planning Practice Guidance (the Guidance), they are not generally of an 'unusual nature'. Therefore, they are generally unlikely to be a distraction to road users in normal driving conditions. However, the Guidance also advises that public safety could be affected where advertisements are located, for example, at junctions, roundabouts, pedestrian crossings, on the approach to a low bridge, level crossing or other places where local conditions present traffic hazards.
10. The Council advise that there has already been some level of incidents at the nearby junctions. However, the absence of precise details of the number or nature of those accidents limits the weight I attach to this. Although I have no firm details, I accept that there will be a high volume of traffic on the road network, particularly, along the A630 and Carr House Road. Safely navigating the junctions will require road users to be alert.
11. The advertisement would be clearly visible to road users travelling along the road. However, as outlined previously, it would not appear as an unusual

feature. Moreover, the junctions have simple layouts with good visibility and the proposal would not impede views of any road signage.

12. The appellant has suggested additional conditions which, include, amongst other things, a restriction on the types of moving images that the Guidance identifies as potentially more dangerous.
13. The advertisement would attract momentary attention. However, road users would have good forward visibility, clear sight lines of the junctions and road signage. As such, and with controls on its display, I find that the proposal would not result in harm to public safety.

Other Matters

14. The Council has cited several local policies in its reasons for refusal, including Policies ENV53 and ENV58 of the Council's Unitary Development Plan (1998) and Policy CS14 of the Council's Core Strategy (2012) as well as the National Planning Policy Framework. Whilst I have taken them into account as material considerations, the power to control advertisements under the regulations may be exercised only in the interests of public safety and amenity. Consequently, these matters have not, themselves, been decisive in my determination.
15. I have considered the arguments that any consent would set a precedent for similar advertisements in the surrounding area. However, each proposal must be determined on its own individual merits and a generalised concern of this nature does not amount to a reason to withhold consent.
16. The need for the advertisement display is not a matter before me.

Conditions

17. In addition to the 5 standard conditions, I have also imposed conditions as put forward by the appellant, to require a cut out in the event of malfunction, to control the frequency of image change, ensure that images remain static and to control the level of luminance. They are necessary to safeguard public safety and in the interests of visual amenity. Where necessary I have adjusted the wording of these conditions for preciseness.

Conclusion

18. In conclusion, the proposal would not have a harmful effect on the amenity of the area or on public safety. As such, and for the reasons given above, the appeal is allowed, subject to the conditions specified.

Robert Walker

INSPECTOR

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