



Doncaster Council

Agenda

To all Members of the

PLANNING COMMITTEE

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

Venue: Virtual Meeting via MS Teams

Date: Tuesday, 6th October, 2020

Time: 2.00 pm

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

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Damian Allen
Chief Executive

Issued on: Monday, 28 September 2020

Governance Services Officer for this meeting

Amber Torrington
Tel 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.	
A.	Reports where the Public and Press may not be excluded.	
	<u>For Decision</u>	
4.	Schedule of Applications	1 - 120

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

DONCASTER METROPOLITAN BOROUGH COUNCIL

6th October 2020

To the Chair and Members of the

PLANNING COMMITTEE

PLANNING APPLICATIONS PROCESSING SYSTEM

Purpose of the Report

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

Human Rights Implications

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

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

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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.	20/01481/FUL	Tickhill And Wadworth	Tickhill Parish Council
2.	20/01324/COU	Town	
3.	19/02171/OUT	Hatfield	Hatfield Parish Council
4.	20/01413/FUL	Finningley	Auckley Parish Council
5.	20/01177/3FUL	Wheatley Hills And Intake	

Application	1
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Application Number:	20/01481/FUL
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Application Type:	Planning FULL Minor
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Proposal Description:	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, DN11 9NF

For:	Mr Lloyd Nicholson
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Third Party Reps:	27 Letters of representation received- 26 in opposition, 1 in support	Parish:	Tickhill Parish Council
		Ward:	Tickhill and Wadworth

Author of Report:	Andrea Suddes
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SUMMARY

The proposal seeks permission for the change of use of the Millstone Hotel, an existing pub, to a retail use at ground floor with flats above. The site is in an edge of centre location, close to Tickhill Town Centre. The proposal is considered to be acceptable in policy terms being “the establishment or extension of non-residential use” within a residential Policy Area (PH12). The proposal is of an appropriate scale and the use would not cause unacceptable loss of residential amenity through, for example, excessive traffic, noise, fumes, smells or unsightliness. No assessment is required regarding the impact of the proposal on the Town Centre as the footprint falls below the nationally set threshold. It is considered that the proposed change of use would have minimal impact on the Conservation Area, and there are no policies within the Tickhill Neighbourhood Plan to substantiate a reason for refusal.

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, trees, local centres, the highway network or the wider character of the area.

RECOMMENDATION: GRANT planning permission subject to the prior completion of a S106 Agreement and imposition of suitable conditions.

Application Site

Extension on this part of the site

Existing access to Castle and Mill Dam (Castlegate)

Tickhill Town Centre (c.165m to the north)



Mill Dam Pond

Tickhill Castle

1.0 Reason for Report

- 1.1 This application is being presented to Planning Committee as a result of the high level of public interest in this application. This application is a resubmission of an application that was previously reported to the planning committee on 4th February 2020 and was deferred to 26th May 2020 planning committee in order to assess road safety concerns. The application was subsequently refused for the following reasons;
1. *The proposed development fails to provide a high quality environment lacking sufficient and adequate landscaping contrary to paragraph 127 parts a) and b) of the National Planning Policy Framework (NPPF 2019) and Policy 49 of the emerging Doncaster Local Plan.*
 2. *The proposal would result in an unacceptable risk to pedestrian and road safety by virtue of vehicle movements within and outside of the site, contrary to paragraph 109 of the National Planning Policy Framework (NPPF, 2019) and Policy CS14 A(iii) of the Doncaster Core Strategy (2011 - 2028).*
- 1.2 This current application has been amended in order to overcome the reasons for refusal. The amendments include a reduction in the number of first floor flats from 5 to 4 move; The reduction of car parking spaces from 21 to 19 to allow easier manoeuvrability for deliveries and a landscaping scheme.
- 1.3 The Applicant has also submitted a draft Section 106 legal agreement for the landscaping that is currently outside of the application site boundary.

2.0 Proposal

- 2.1 Planning permission is sought for the change of use of the existing building to accommodate a ground floor retail use with 4no. flats above. The proposal also comprises an extension to the southern elevation of the existing pub to provide a new storage area and installation of an ATM within western elevation. The application proposes the insertion of a glazed panel and door into the Western Elevation to provide the access to the supermarket. The majority of features on the building are proposed to be retained however, some openings are proposed to be bricked up in order to facilitate the retail use. All of the openings that are proposed to be bricked up are within the rear (southern) elevation.

3.0 Site Description

- 3.1 The application site comprises an existing pub, on the southern approach to Tickhill Town Centre, with associated car parking space. Mill Dam pond and Tickhill Castle lie to the south and east (respectively) of the application site. The pub is currently vacant. The car park lies to the west of the existing pub.
- 3.2 The stable block to the south of the Millstone does not form part of the application site therefore comments received related to this building are afforded negligible weighting.

4.0 Relevant Planning History

4.1 Application site:

Application Reference	Proposal	Decision
19/01725/FUL	Change of Use of former Public House to ground floor retail and first floor residential including erection of extension following demolition of outbuildings	Refused 27.05.2020 <i>1. The proposed development fails to provide a high quality environment lacking sufficient and adequate landscaping contrary to paragraph 127 parts a) and b) of the National Planning Policy Framework (NPPF 2019) and Policy 49 of the emerging Doncaster Local Plan.</i> <i>2. The proposal would result in an unacceptable risk to pedestrian and road safety by virtue of vehicle movements within and outside of the site, contrary to paragraph 109 of the National Planning Policy Framework (NPPF, 2019) and Policy CS14 A(iii) of the Doncaster Core Strategy (2011 - 2028).</i>
18/01080/FUL	Erection of new porch entrance, demolition in a Conservation Area of existing toilet block to create external seating, internal alterations, installation of disabled ramp and extension to existing boundary wall	Granted 06.07.2018

5.0 Site Allocation

5.1 The site falls within Tickhill Conservation Area and is designated as Residential Policy 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 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.
- 5.6 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 Comments received related to Paragraph 85 (d) of the NPPF, which states that planning policies should allocate a range of suitable sites in town centres to meet the scale and type of development likely to be needed, looking at least ten years ahead. Meeting anticipated needs for retail, leisure, office and other main town centre uses over this period should not be compromised by limited site availability, so town centre boundaries should be kept under review where necessary.
- 5.8 Paragraph 86 states a sequential test for Town centre uses in out of centre uses should be used to locate town centre uses in Town Centre locations and then in out of centre locations.
- 5.9 Paragraph 87 of the NPPF is relevant and states that when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored. An edge of centre location is defined as “a location that is well connected to, and up to 300 metres from, the primary shopping area.” (NPPF Annex 2: Glossary)
- 5.10 Paragraph 89 of the NPPF requires an Impact Assessment for development where the creation of gross retail floor space is over 2,500m². The proposal does not meet this threshold therefore this policy is not applicable.
- 5.11 Regarding Highways: Paragraph 109 of the NPPF 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.

- 5.12 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.
- 5.13 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.
- 5.14 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.
- 5.15 Paragraph 184 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.
- 5.16 Paragraph 192. In determining applications, local planning authorities should take account of:
- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c) the desirability of new development making a positive contribution to local character and distinctiveness.
- 5.17 Paragraph 193 of the NPPF states 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.
- 5.18 Paragraph 194 of the NPPF states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
- 5.19 Paragraph 196 of the NPPF states where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 5.20 Paragraph 197 of the NPPF states the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated

heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

5.21 Core Strategy 2011 - 2028

- 5.22 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)).
- 5.23 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:
- 5.24 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.
- 5.25 Policy CS2 identifies the site as a Conservation Town under the settlement hierarchy. In Conservation Towns the priority will be conservation and enhancement, with only quality infill within existing settlement boundaries being supported. CS2 states the (D) Distinctive and vibrant communities will be supported through:
1. provision of local facilities and improved access to these by creating walkable neighbourhoods;
 2. physical regeneration including housing renewal and environmental improvement schemes;
 3. preservation and enhancement of the distinctive local character of the historic built and natural environment, a commitment to high quality design; and;
- 5.26 Policy CS7 (E) states that outside town centres, small shops within residential areas to serve the local area will be supported.
- 5.27 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.
- 5.28 Policy CS15 of the Core Strategy seeks to preserve, protect or enhance Doncaster's historic Environment.
- 5.29 Policy CS16 of the Core Strategy states that Doncaster's natural environment will be protected and enhanced.

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

5.31 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.

5.32 Policy PH12 states that within the residential policy areas the establishment or extension of non-residential uses of appropriate scale will be permitted provided the use would not cause unacceptable loss of residential amenity through, for example, excessive traffic, noise, fumes, smells or unsightliness.

5.33 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.

5.34 ENV53 states that the scale and appearance of new development must have regard to its wider visual impact. Development will not normally be permitted if it would have a significant adverse visual impact on:

A) views from major transportation routes; or

B) views across open countryside; or

C) views of important landmarks.

5.35 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.

5.36 ENV56 States that new shop fronts or alterations to existing ground floor frontages should respect the scale and character of the building and the street scene. The shop front, surrounds, and fascias and their materials should be integrated into the elevation of the building and should not detract from the detailing of the building.

5.37 CF2 states that the loss of community facilities not defined on the proposals maps will be resisted, especially where that facility lies within an area deficient in community facilities.

5.38 Policy SH16 sets out requirements for new retail development including extension/alterations of existing properties.

5.39 Local Plan

5.40 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

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

5.42 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.

5.43 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.

5.44 Policy 23 looks at a hierarchy of town centres uses in a sequential approach. Out of centre uses such as small scale shops and other ancillary uses which would complement the function and role of existing or proposed employment, housing or mixed-use sites where they serve a local need would be supported. This policy is afforded substantial weight.

- 5.45 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.
- 5.46 Policy 47 states that Non-Residential, Commercial and Employment Developments should be designed to be high quality, attractive, and make a positive contribution to the area in which they are located. This policy is afforded substantial weight.
- 5.47 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.
- 5.48 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
- 5.49 Tickhill Neighbourhood Plan
- 5.50 Following a successful Referendum the Tickhill Neighbourhood Plan was 'made' by Full Council on the 24 November 2016 when it was adopted as part of Doncaster's Development Plan. The relevant policies from the Tickhill Neighbourhood Plan (TNP) are as follows:
- 5.51 Policy TC1 (Quality of the environment) states: Planning applications for development in the Core Business Area of the town centre will be required to demonstrate through the design and access statement that they will both enhance the character and appearance of the area and improve the public realm. Such improvements should seek to better the safety and convenience of pedestrians over car borne traffic.
- 5.52 Policy TC2 (Town centre uses) states: The Core Business Area (shown on Map 2) is the main shopping area of the town centre. In order to maintain the shopping function of the retail frontages within this area, it is important that the concentration of A1 (Retail) uses is protected and enhanced. Proposals that seek to dilute that concentration will not generally be supported and the introduction of non-retail uses (Classes A2, A3, A4, A5 and Sui Generis) will be restricted to a maximum of 40% of the sum total of the retail frontages unless it can be demonstrated that:
- a) there is no demand for retail use,
 - b) the proposal will protect and/or enhance the vitality and viability of the street, and
 - c) the proposal will have an attractive shop front which contributes positively to the appearance of the street.
- 5.53 Policy TC5 (Security of business premises) states that measures which will provide greater security for commercial property in the town centre will be supported, provided that they respect the character of the Conservation Area.

(1) Where roller shutters are being installed to a traditional shop front, features of architectural or historic interest should always be preserved, particularly in the case of listed buildings. Wherever possible, roller shutters should be incorporated within

the façade, rather than simply being fastened to its surface, and shutters should always be perforated and coloured to match or complement the shop front.

(2) Security cameras should be small and fixed in a discreet location.

5.54 Policy HT1 (Safety and traffic improvements) states the Neighbourhood Plan will support proposals which have the effect of any of the following:

(1) promoting walking, cycling (including enhancing the local public rights of way network) and the use of public transport (including enhanced provision for those with limited mobility);

(2) promoting road safety by physical means, such as the widening of pavements;

(3) alleviating traffic problems in the town centre when road improvements affecting the parish are implemented;

(4) contributing to an increase in short-term parking opportunities to support town centre trade.

5.55 Policy DE1 (New building) states that new development should be designed to fit into the character of Tickhill, with proposals demonstrating a thorough understanding of local character as part of the design process.

5.56 Policy DE6 (Extensions and alterations) states: Proposals for extensions and alterations will be supported provided that they complement and enhance the main building and its setting, and are proportionate to it in scale and size.

5.57 Policy HE1 (Heritage assets) states that proposals to maintain, conserve and improve, where and when appropriate, Tickhill's heritage assets, including historic buildings and sites outside the Conservation Area, will be supported.

5.58 Other material planning considerations

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

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 27 public representations have been received. 1 letter of representation is in support and 26 are in opposition to the application.

6.3 The letter of support is in regard to the following summarised points:

- The development will benefit Tickhill
- There are many residents who currently do not use the existing grocery stores that may use the proposed one

- The building was previously a busy public house but did not pose any dangers to pedestrians or road users
- The building is currently subject to vandalism and it would be good to see it refurbished and in use

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

- The revised plans do not answer the objections of the Planning Committee or all the objections from the previous plans
- Traffic concerns on account of delivery vehicles into and out of the site
- Problem of congestion and dangerous parking on the side road towards Mill Dam.
- Competition for other food stores that could result in closure of other stores
- Retail store is not in line with the local development plan, being well outside the commercial area of the town.
- Highway safety issues for vehicles entering the access, HGV's on a narrow road and bad corner
- Groups congregating on seats outside
- Retail use would be contrary to Neighbourhood Plan

6.5 The same letter of objection has also been submitted by 15 individual objectors regarding the following issues;

- Environment
- Traffic
- Noise
- Litter
- Local shops/Viability

6.6 Doncaster Civic Trust has submitted the following comments:

“Doncaster Civic Trust objects to this application. It is pleased that the previous application was refused and supports the Council's view that the pedestrian, vehicle and service vehicle conflicts within and outside the site make for a potentially dangerous situation.

The plan showing the on-site service vehicle movements show just how tight and unsafe the situation would be. The possible alternative, servicing the store out of hours, would impact on the residential amenity of the first floor apartments, so would be unacceptable.

The Trust is also pleased to see that the flat-roofed extension to provide storage has been amended to a more appropriate built form. However, the concerns remain about the proposed ground floor retail use.

Doncaster Civic Trust is therefore re-submitting its fundamental objection. Although it would be very good to see the building back in use, this is not the appropriate location for a retail use. It is outside the town's central commercial area, and could diminish activity there.

The proposed retail use could have a negative impact on the character of this part of the Conservation Area. This includes the Castle and the Mill Dam, a popular

local amenity and an area already very busy with parked cars.

The Trust has no objection to the proposed use of the first floor as apartments. It is suggested that the ground floor could be split to provide smaller spaces for restaurant, tea room or cafe-bar which could provide compatible social uses in the area. Failing that, the ground floor could be converted into further apartments.”

7.0 Town Council

7.1 Tickhill Town Council were consulted and provided the following response:

“The re-submission fails to respond adequately to the reasons for refusal of the original application, let alone the matters raised by members of the Planning Committee. We ask that the Committee holds to its original decision and rejects the creation of a store within the Millstone.

Tickhill Town Council remains totally opposed to the creation of a major retail outlet in the Millstone. Section 7 of the NPPF refers to the link between residential development and the vitality of the town centre. With less than 4% housing growth proposed by 2035 and current retail businesses operating on tight margins, there is no need to a further general store of this type, with 3 already competing with each other. Anticipated needs can be readily accommodated within the existing town centre. Premises regularly change owners. The applicant persists with his erroneous claim that there is nowhere in the Core Business Area where he could locate, when a look at Northgate would reveal a vacant site similar to the area of the Millstone. The Council's Neighbourhood Plan seeks to preserve and enhance the existing town centre, not to extend its boundary. We reject entirely the claim that there are 'social and economic benefits' when the prosperity of the town centre is threatened by this application.

The re-submitted application does not address the road safety issue outside the car park, which is the location of real concern. The Millstone is situated on a right-angle bend of a major road which takes both the Sheffield-Bawtry traffic and the Worksop-Doncaster traffic, where visibility is poor for both vehicles and pedestrians. Most pedestrians visiting the proposed store would have to cross Westgate; there is no crossing in either direction other than in the town centre. The danger to pedestrians has not been considered. There is no answer given to safety outside the site (reason 02 for refusal). Additionally the removal of 2 car parking spaces within the site does not help.

As for a high-quality environment, again it is the absence of any written reference to reason 01 for refusal which is noticeable. Some small areas of planting appear in the plans for the car park but the hedge to the south still appears to be outside the site boundary. There appears to be no reason for any change to the decision to refuse.”

7.2 The impact of the proposal on the vitality and viability of the town centre has been carefully considered as part of the case officer assessment. Although the site lies outside of the area identified in the Tickhill NP appropriate weighting has been afforded to all relevant material planning considerations.

8.0 Relevant Consultations

- 8.1 **Conservation** – No objections to the resubmitted scheme subject to recommended conditions for: Storeroom materials and details; Infill brick; First floor (residential) windows; Ground Floor (Shop) windows and doors; Shop Front; Signage; Boundary treatment and Bin store.
- 8.2 **Local Plans Team (retail)** – Site allocated as Residential Policy Area. Policy CS7 identifies Tickhill as a District Centre. The NPPF suggests that LPA's should apply a sequential test for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Policies PH12 and SH16 require consideration.
- 8.3 **South Yorkshire Police** – Site Observations/Officer Recommendations:

“Retail Unit:

It is important that all pedestrian doors to the retail unit are protected. It is recommended that the doors installed will meet the following minimum standards when the building is unoccupied.

PAS 24:2016 – LPS1175: Issue 7, SR2 – STS202: Issue 3 BR2. Any one of these standards will offer protection against physical attacks on the doors.

Roller shutter doors providing access for deliveries and other apertures where no other door is present must be certificated to a minimum of: • LPS 1175 Issue 7, Security Rating 2 or • STS 202 Burglary Resistance 2 • Sold Secure Gold.

Dwellings:

In a building containing multiple dwellings there may be a requirement for a door set to be both fire and security rated. It is the responsibility of the developer or the developer's agent to ensure compliance with all applicable Building Regulations.

Communal doors must comply with LPS1175: issue 7 SR1, individual apartment doors must comply with PAS24; 2016.

Dusk to dawn lighting should be installed within the communal entrances to provide illumination for residents and visitors. Each outer wall containing an entrance door must also have a dusk to dawn light fitted above the door. This is to provide illumination of anyone using the external stairs during the hours of darkness and to allow residents to view the door set as they approach the building.

Lightweight framed walls installed either side of a secure door set (600mm for the full height of the door set to restrict access to door hardware) or walls providing a partition between two dwellings, or a dwelling and shared communal space, shall meet the requirements below:

- LPS 1175 Issue 7.2:2014 Security Rating 1; or*
- LPS 1175 Issue 8:2018 Security Rating 1/A1; or*
- STS 202 Issue 7:2016 Burglary Rating 1.*

This is to protect against attack from one apartment through to the adjacent or via a wall from the communal area.

All ground floor and easily accessible windows should comply with security standard PAS24:2016 and be capable of securing with a key operated window lock.

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

8.5 **Environmental Health** – No objections subject to recommended conditions for: delivery hours and noise emission limitations.

8.6 **DMBC Highways DC** – No objections are raised following amendment of the car parking layout to show the requirement of a 1.2m hatched area each side of the disabled parking space. Conditions as per the previous application are repeated limiting the size of service delivery vehicle to a 10m rigid bodied HGV, detailed engineering drawings for the site access and standard conditions for that part of the site to be used by vehicles to be surfaced and sealed, a footpath crossing to be installed and the parking to be retained as such. Informative notes are also included for works within the highway.

8.7 **Tickhill Town Council**

“The re-submission fails to respond adequately to the reasons for refusal of the original application, let alone the matters raised by members of the Planning Committee. We ask that the Committee holds to its original decision and rejects the creation of a store within the Millstone.

Tickhill Town Council remains totally opposed to the creation of a major retail outlet in the Millstone. Section 7 of the NPPF refers to the link between residential development and the vitality of the town centre. With less than 4% housing growth proposed by 2035 and current retail businesses operating on tight margins, there is no need to a further general store of this type, with 3 already competing with each other. Anticipated needs can be readily accommodated within the existing town centre. Premises regularly change owners. The applicant persists with his erroneous claim that there is nowhere in the Core Business Area where he could locate, when a look at Northgate would reveal a vacant site similar to the area of the Millstone. The Council's Neighbourhood Plan seeks to preserve and enhance the existing town centre, not to extend its boundary. We reject entirely the claim that there are 'social and economic benefits' when the prosperity of the town centre is threatened by this application.

The re-submitted application does not address the road safety issue outside the car park, which is the location of real concern. The Millstone is situated on a right-angle bend of a major road which takes both the Sheffield-Bawtry traffic and the Worksop-Doncaster traffic, where visibility is poor for both vehicles and pedestrians. Most pedestrians visiting the proposed store would have to cross Westgate; there is no crossing in either direction other than in the town centre. The danger to pedestrians has not been considered. There is no answer given to safety outside the site (reason 02 for refusal). Additionally the removal of 2 car parking spaces within the site does not help.

As for a high-quality environment, again it is the absence of any written reference to reason 01 for refusal which is noticeable. Some small areas of planting appear in the plans for the car park but the hedge to the south still appears to be outside the site boundary. There appears to be no reason for any change to the decision to refuse.”

9.0 Assessment

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

- Principle of development;
- Impact on Amenity;
- Impact on the character and appearance of the area;
- Impact on Heritage Assets;
- Trees and Landscaping;
- Highway safety and traffic;
- Overall planning balance.

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

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

Principle of Development

9.3 The proposal is for the change of use of a public house to a retail unit at ground floor and residential at first floor. From the information submitted it appears the public house ceased trading around 2 years ago.

9.4 The site lies within residential policy area as designated in the UDP (adopted July 1998). Tickhill's Neighbourhood Plan (Map 2: Town Centre Core Business Area) adopted November 2016, does not include this site and therefore it is retained as residential.

9.5 Tickhill is a District Centre in the retail/shopping/commercial hierarchy within the Core Strategy (Policy CS7) and as stated above, the boundary is contained within Tickhill's Neighbourhood Plan, the southern boundary of the centre ends at the Jet Petrol Station on Castlegate and does not contain the proposed site.

9.6 It is considered practical to appraise the principle of the proposal in two parts: the assessment of the first floor residential flats; and the impact of a town centre use in this out of town location.

Principle of First Floor Residential Flats

9.7 The application site lies within a residential policy area wherein appropriately designed residential development should be developed. The proposal would not cause any detriment to the locality in terms of design or amenity; the proposed first floor is already in a residential use (as accommodation in association with the pub use), therefore there would be no loss of a community facility and it is hence considered that the proposal would accord with Policy PH11 of the Unitary Development Plan (UDP). This principle is reiterated in the wording of Policy 11 of the emerging Local Plan.

Principle of Town Centre Use (Retail) in Edge of Centre Location

- 9.8 Retail is defined as a town centre use within the Glossary of the NPPF. The application site lies approximately 160m away from the Town Centre boundary (as defined in the UDP and TNP); as this would result in retail less than 300m away from the boundary, the site constitutes an 'edge of centre' location (NPPF Glossary).
- 9.9 The proposal would constitute a town centre use in an out of centre location, hence the impact on the town centre has been assessed in line with the wording of the NPPF and Core Strategy Policy CS7.
- 9.10 The site is allocated as a Residential Policy Area and, as the proposal comprises a non-residential use, the application will need to be assessed against Policy PH12 of the Unitary Development Plan in order to evaluate whether the impact of the proposal would be an appropriate development.
- 9.11 The principle of development, in terms of impact on a Town Centre and the creation of a non-residential use in a Residential Policy Area, is considered to be acceptable and will be appraised in further detail within the Economic and Social Sustainability sections of this report.

9.12 SOCIAL SUSTAINABILITY

Impact on Amenity in the locality

- 9.13 The establishment and extension of the proposed non-residential use in a residential area is considered to be of an appropriate scale and would not cause unacceptable loss of residential amenity through, for example, excessive traffic, noise, fumes, smells or unsightliness. The proposal therefore accords with Policy PH12 of the UDP. This is further supported by the wording of policy 23 of the emerging local plan.
- 9.14 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.
- 9.15 It is not considered that the proposed development would create any additional noise when compared to the existing permitted use of the site as a pub. Similarly no significant additional noise would arise as a result of the proposed change of use. It is considered that no noise or air pollution would arise as a result of the proposal and hence the proposal would not affect the enjoyment of the Mill Dam Pond area. The use of the site is currently vacant therefore any use of the site would inevitable create more disturbance than the existing circumstances however the proposed change of use would not materially detriment the residential amenity of any nearby residential dwellings hence the proposal accords with Policy CS1 and PH12.

- 9.16 Environmental Health were consulted and, subject to recommended conditions, raised no objections in relation to the application. A recommended condition limits the hours of delivery so that no deliveries shall be taken at the site or despatched outside the hours of 0700 to 1800 nor at any time on Sundays, Bank or Public Holidays. A further condition is recommended to limit the level of sound emitted from any fixed plant associated with the development.

Loss of a Pub

- 9.17 CF2 of the UDP states that the loss of community facilities not defined on the proposals maps will be resisted, especially where that facility lies within an area deficient in community facilities. There are other pubs in Tickhill, including the Carpenters Arms, on the opposite side of the road to the application site; the town is therefore not deficient in this form of community facility. Further, the applicant has provided marketing information to demonstrate that the application site has been marketed as a pub and no interest has been shown. The requirements of CF2 have therefore been satisfied.

9.18 Conclusion on Social Impacts

- 9.19 It is considered that, subject to the recommended conditions relating to delivery hours and sound emissions, the proposed development would not detract from the residential amenity of any of the existing or proposed residential properties and that the loss of the non-defined community facility would not significantly detract from the social sustainability of the locality. The social impacts are therefore considered to be acceptable.

9.20 ENVIRONMENTAL SUSTAINABILITY

Impact on the character and Heritage assets

- 9.21 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.
- 9.22 Policy CS2 identifies Tickhill as a Conservation Town within the settlement hierarchy. Accordingly, in Conservation Towns the priority will be conservation and enhancement, with only quality infill within existing settlement boundaries being supported. CS2 (D) states that the Distinctive and vibrant communities will be supported through: “physical regeneration including ... environmental improvement schemes”; “preservation and enhancement of the distinctive local character of the historic built and natural environment, a commitment to high quality design”. As part of the proposed site plan (Dwg No 1990 –ZY – 008 Rev C), the applicant has confirmed that a timber post and rail fence will be installed to the southern site boundary and will be abutted by planting of a privet hedge to soften the visual impact of the proposal. A landscape scheme for the site has also been submitted that shows the privet hedge and tree planting (Dwg No 1097 MST 01 Rev B). The hedgerow and tree planting are shown outside of the application site boundary therefore a condition is included for the applicant to enter into a Section 106 legal agreement to ensure the landscaping will be carried out prior to use of the development and maintenance for the lifetime of the development. The Applicant

has drafted and submitted the legal agreement during the course of the application consideration period. The proposed extension would respect and reflect the character of the existing building thus would not have a visually detrimental impact on the character of the area (CS14, Core Strategy).

- 9.23 The proposed shopfront alterations would be in the western side elevation which currently comprises a conservatory that is falling into disrepair and offers minimal architectural merit hence the loss of this structure would not detriment the character of the area. The proposed shop front would not form part of the principal elevation of the building thus the visual impact would be somewhat negated. The proposed shop entrance would comprise predominantly glazed features that respect the scale and design of the building therefore there would be negligible visual impact when compared to the existing glazed structure in this location and the proposal is therefore considered to accord with Policy SH16 parts c) and d) and Policy ENV56 of the UDP.
- 9.24 It is considered that the proposal would accord with NPPF Paragraph 117 as it comprises 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.
- 9.25 At Paragraph 127, the NPPF 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.
- 9.26 Paragraph 124 of the NPPF states that 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. The applicant has met with the Council's conservation officer to overcome aesthetic concerns related to the originally submitted plans; the extension now comprises gable roofs to reflect the original building and the external stair case has been removed to minimise visual impacts. Reflective stickers have been proposed for the ground floor principal elevation windows to create the impression of an active frontage.
- 9.27 It is not considered that the proposal would compromise the contribution of the building to Tickhill Conservation Area or to the general character of the locality. There would be no loss of significant features that contribute to the character of the building or surrounding area. The proposed design is sympathetic in scale, materials, layout and general design to the existing building hence fitting into the character of Tickhill (TNP, DE6). It is therefore considered that the proposal would accord with policy CS14 of the Core strategy and ENV54 of UDP.
- 9.28 The application site comprises a non-designated heritage asset. The site is adjacent to Tickhill Castle, a Scheduled Monument, however it is not considered that any element of the proposal would impact this Heritage Asset. The site does lie within Tickhill Conservation Area therefore the impact of the proposal upon this heritage asset requires appraisal (NPPF para 192). Historic England responded to a consultation to provide no comments and instead referred the case officer to the comments of DMBC's Conservation Officer. Following amendments to reduce the visual impact of the proposal, DMBC's conservation officer confirmed that there was no objection to the proposed development, subject to recommended conditions.
- 9.29 When considering the impact of a proposed development on the significance of Tickhill Conservation Area, great weight should be given to the asset's

conservation. (NPPF Para 193) It is not considered that the proposed development would cause any harm to the significance of the conservation area.

- 9.30 Paragraph 197 of the NPPF states the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 9.31 The proposal would preserve the character of the area by virtue of its nature, height, density, form, scale, materials and design. It is considered that the provision of planting on site would enhance the character of the Conservation Area and the proposal hence accord with Policies HE1 of the TNP, ENV25 of the UDP and CS15 of the Core Strategy.

Trees and Landscaping

- 9.32 Policy CS16 of the Core Strategy states that Doncaster's natural environment will be protected and enhanced. The existing site comprises a paved carpark with very little greenery. The proposal comprises the planting of a privet hedge adjacent to the proposed post and rail timber fence to form the southern boundary treatment. As stated previously in para 9.22 the applicant has agreed to enter into a S106 agreement to secure the planting of the hedge as this is shown outside of the application site boundary. Given that the full landscaping scheme will now be secured by legal agreement the proposed planting is considered to constitute an enhancement of the natural environment hence would accord with Policy CS16 of the Core Strategy.

Highway safety and traffic

- 9.33 Paragraph 109 of the NPPF 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.
- 9.34 Policy SH16 sets out requirements for new retail development including extension/alterations of existing properties. Adequate space for: car parking; pedestrian access; the parking/unloading of service vehicles has been provided within the curtilage of the site to accommodate the numbers and sizes of vehicles likely to be generated. The proposal therefore accords with Policy SH16 from the UDP.
- 9.35 The site is directly adjacent to an existing bus stop therefore public transport is easily accessible to and from the site. The use of Public transport is promoted by the NPPF and by Policy HT1 from the Neighbourhood plan. The proposal may also contribute to an increase in short-term parking opportunities to support town centre trade (HT1).
- 9.36 The existing use of the site comprises a commercial pub and a car park. It is therefore not considered that the proposed use would result in an intensification of use of the site as there is no significant change of use of the land formerly used as a car park. Highways have been consulted and confirmed that adequate parking spaces have been provided and that there is no objection on highway grounds subject to conditions requiring appropriate surfacing, parking provision; the submission of a scheme regarding the construction of a footpath crossing and the submission of

detailed Engineering drawings for the amended site access. A further condition is recommended to limit the length of any vehicle servicing the site to a maximum length of 10m.

- 9.37 An issue of debate with the previous application has been the question of whether or not there is a need to include a pedestrian refuge area within the central road hatching of the A60. This has again been considered by Doncaster's Safer Roads Team and Doncaster's Highways Development Control team who have reiterated that the applicant has been able to adequately demonstrate that a pedestrian refuge area is not necessary in order to make the proposal acceptable. There is no evidence to suggest that pedestrian safety is an issue in this location or that it would be significantly exacerbated by the proposal and consequently it is important to recognise that a condition requiring off site improvement works must meet the planning tests in order to be lawful. The planning tests ensure that conditions are; necessary; relevant to planning; relevant to the development to be permitted; enforceable; precise; and reasonable in all other respects. In the absence of this evidence whilst the latest amended plans show a pedestrian refuge area, no weight is afforded to the need for its implementation when balancing the material planning considerations associated with this application.

Security and Crime Prevention

- 9.38 Comments have been received relating to the potential for anti-social behaviour (ASB), however the nature of this development (retail) is not considered to be likely to create a significant increase in ASB.
- 9.39 Policy TC5 (Security of business premises) states that measures which will provide greater security for commercial property in the town centre will be supported, provided that they respect the character of the Conservation Area.
- 9.40 South Yorkshire Police responded with no objections however recommended advisory informative notes to offer protection against physical attacks on the doors including roller shutter doors to comply with secure by design principles. Additionally, informative notes have been recommended to advise the applicant that dusk to dawn lighting should be installed and that the proposal should accord with all relevant building regulations.

9.41 Conclusion on Environmental Issues

- 9.42 Subject to the conditions recommended by the Council's Conservation Officer, the proposed development would not create any harm to the significance of any heritage assets. The proposed planting would represent a betterment in the local natural environment. The parking, access and highways safety impacts of the proposal are considered to be acceptable subject to the aforementioned recommended conditions. There are no issues with the proposal in relation to crime and security. It is therefore considered that the environmental impact of the proposed development is acceptable.

9.43 ECONOMIC SUSTAINABILITY

- 9.44 The site is well connected to the town centre by the A60 road, which includes a bus stop directly outside the site and footpaths leading from the site to the Core Business area of Tickhill. This connection to the main town centre is emphasized by the site being within 'Walkable' distance of the main centre (SYRDG). Policy

CS2 supports the provision of local facilities and improved access to these by creating walkable neighbourhoods.

- 9.45 Where proposals for town centre uses are to be considered, they will be directed sequentially to the main shopping areas, this retains the vitality and viability of centres pursuant to section 7 of the NPPF. The Neighbourhood Plan (TC2) seeks to concentrate town centre uses within the designated boundary to protect and support the existing town centre, however as the proposal is outside the Neighbourhood Plan defined core business area TC2 is not applicable.
- 9.46 Pursuant to paragraph 86 of the NPPF, a sequential test has been carried out as part of the previous application by the applicant. Although this is has not been carried out again for this current application it is still considered to be relevant given the short period in time since the previous application. The applicant previously stated that;

“There are no premises either available or suitable for the proposed use within Core Business Centre. Furthermore because of the limited number and size of existing premises there is no reasonable prospect of any suitable premises becoming available. The Core Business Centre is located within the Tickhill Conservation Area which makes the alterations that would be required to amalgamate existing premises unlikely to be acceptable given the design constraints of the conservation area. In addition it would be impossible to accommodate the service requirements of a larger retail unit without significant and unacceptable demolition within the conservation area.”

The Tickhill Conservation Area constraint would limit the potential of any alternative site to accommodate the proposed development and the proposal would result in minimal alterations to the existing building. Although reference has been made to the potential for alternative premises elsewhere, it is unclear on the basis of the evidence submitted as to whether these are readily available. Notwithstanding this, the proposal comprises a very specific use with a need for associated parking, which would be very difficult to accommodate within the Tickhill Town Centre Boundary by virtue of the building density and character in this area. It is therefore considered that the proposed development would pass the sequential test.

- 9.47 The proposal would create approximately 280m² of retail floor space. As set out in paragraph 89, an impact assessment is not required for the proposal as it is well within the nationally set minimum floor space threshold (2,500m²) and Doncaster has no locally set threshold.
- 9.48 The information submitted by the applicant demonstrates that there are no available appropriate sites within the town centre location of Tickhill and hence the next sequentially appropriate would be an edge of centre location such as that of the application site (NPPF Para 86). The application site is accessible and is well connected to the town centre hence would accord with paragraph 87 of the NPPF; it is hence considered that the principle of retail development in this location is acceptable. The principle of development is further supported by Policy CS7 (E), which states that: *“outside town centres, small shops within residential areas to serve the local area will be supported.”*
- 9.49 Comments received related to Paragraph 85 (d) of the NPPF, which states that *“Planning policies should allocate a range of suitable sites in town centres to meet the scale and type of development likely to be needed, looking at least ten years*

ahead. Meeting anticipated needs for retail, leisure, office and other main town centre uses over this period should not be compromised by limited site availability, so town centre boundaries should be kept under review where necessary.” Whilst this site is not allocated as a town centre, the ground floor of the building is occupied by a commercial use (a pub) therefore there would be no significant loss of land for housing within the residential policy area. Comments submitted received alluded to there being no identified need for a supermarket in this location as the site has not been allocated for retail. Whilst the site has not been allocated for retail, part of the evidence base for the emerging Local Plan afforded a “shopping score” of “0”. This identifies that there is a lack of supermarket in this settlement therefore an argument could potentially be made that Tickhill may have a need for more shopping facilities. (Local Plan Evidence Base: Settlement Background Paper; Settlement Profiles). Notwithstanding this, the allocation of the land is a matter for consideration at local plan stage, not as part of the assessment of a planning application.

9.50 Conclusion on Economy Issues

9.51 After appraising the proposal against relevant national and local planning policies, the impact of the proposal on the viability and vitality of Tickhill town centre is not considered to be sufficiently significant so as to substantiate a reason for refusal. In considering the proposal, consideration has been given to the relevant sections of the Neighbourhood Plan, Core Strategy, Unitary Development Plan, NPPF and emerging Local Plan. On this basis it is considered that the economic impact of the proposed development would be acceptable.

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 AND FOLLOWING THE COMPLETION OF AN AGREEMENT UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 IN RELATION TO THE FOLLOWING MATTERS:

- To secure the planting of a hedge located outside of the application site boundary.

Conditions / Reasons

01. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.
REASON
Condition required to be imposed by Section 91(as amended) of the Town and Country Planning Act 1990.
02. The development hereby permitted must be carried out and completed entirely in accordance with the terms of this permission and the details shown on the approved plans listed below:
Location/Site Plan Dwg 1990-ZY-008 Rev C
Proposed Elevation Dwg 1990-ZY-005 Rev C
Proposed Ground and First Floor Plan Dwg 1990-003 Rev D
Amended Site Plan Dwg 1990-MJ-008 Rev C
Landscaping Details Dwg 1097-MST 01 Rev C
REASON
To ensure that the development is carried out in accordance with the application as approved.
03. The hours of opening shall be limited to:
Mondays to Sundays inclusive 0700 hours to 2200 hours
REASON
To ensure that the development does not prejudice the local amenity.
04. 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.
REASON
To protect the amenities of nearby residents.
05. 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.
REASON
To protect the amenities of nearby residents

06. 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 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.

REASON

In the interest of visual amenity pursuant to Policy CS14 and CS15

07. Unless otherwise agreed in writing by the local planning authority any infilled openings shall be constructed with reused bricks from demolished sections of the existing building.

REASON

In the interest of visual amenity pursuant to Policy CS14 and CS15

08. Unless otherwise agreed in writing by the local planning authority the existing historic first floor windows hereby approved shall all be retained in situ for the lifetime of the development. 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. Unless otherwise agreed in writing, the details shall include an elevation at 1:20 scale of each door or window type and 1:5 scale cross-sections. Development shall be carried out in accordance with the approved details.

REASON

In the interest of visual amenity pursuant to Policy CS14 and CS15

09. Unless otherwise agreed in writing by the local planning authority all the existing historic windows and doors to the retail unit hereby approved shall be retained in situ for the lifetime of the development. Prior to the implementation of the relevant site works full details of the treatment of the back of the 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 in accordance with the approved details.

REASON

In the interest of visual amenity pursuant to Policy CS14 and CS15

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 in accordance with approved details.

REASON

In the interest of visual amenity pursuant to Policy CS14 and CS15

11. Any signage for the retail use of the building shall be located on the facia 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 in accordance with approved details.

REASON

In the interest of visual amenity pursuant to Policy CS14 and CS15

12. Unless otherwise agreed in writing by the local planning authority, the boundary between the main building and the former coach house shall be constructed in accordance with the details described on the site plan (ie timber post & rail fence in front of a privet type 900 - 1200mm high hedge), and the spears or rails of the new gate to Lindrick shall match that of the adjacent railings. The fencing and hedge shall be retained for the lifetime of the development.

REASON

In the interest of visual amenity pursuant to Policy CS14 and CS15

13. 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 in accordance with the approved details.

REASON

To preserve or enhance the character and appearance of the conservation area in accordance with saved Local Plan policy ENV25.

14. 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.

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

REASON

To ensure that adequate parking provision is retained on site.

16. 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.

17. No vehicle in excess of 10m in length shall service the site.

REASON

In the interests of highways safety and to protect residential amenity pursuant to Policy PH12 and CS1.

18. Detailed Engineering drawings for the amended site access shall be submitted for inspection and approval by the Highways Authority before works commence on site. The design of the access shall be such that water is not discharged onto the public highway. The site access shall be constructed in accordance with the approved details.

REASON

In the interests of highways safety and to protect residential amenity pursuant to Policy PH12 and CS1.

01. 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 S278 agreement must be in place before any works are commenced. There is a fee involved for the preparation of the agreement and for on-site inspection. The applicant should make contact with Malc Lucas - Tel 01302 735110 as soon as possible to arrange the setting up of the agreement.

02. INFORMATIVE

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

03. INFORMATIVE

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

04. INFORMATIVE

It is important that all pedestrian doors to the retail unit are protected. It is recommended that the doors installed will meet the following minimum standards when the building is unoccupied.

PAS 24:2016 - LPS1175: Issue 7, SR2 - STS202:Issue 3 BR2. Any one of these standards will offer protection against physical attacks on the doors.

Roller shutter doors providing access for deliveries and other apertures where no other door is present must be certificated to a minimum of: o LPS 1175 Issue 7, Security Rating 2 or o STS 202 Burglary Resistance 2 o Sold Secure Gold.

05.

INFORMATIVE

In a building containing multiple dwellings there may be a requirement for a doorset to be both fire and security rated. It is the responsibility of the developer or the developer's agent to ensure compliance with all applicable Building Regulations.

Communal doors must comply with LPS1175: issue 7 SR1, individual apartment doors must comply with PAS24; 2016.

Dusk to dawn lighting should be installed within the communal entrances to provide illumination for residents and visitors. Each outer wall containing an entrance door must also have a dusk to dawn light fitted above the door. This is to provide illumination of anyone using the external stairs during the hours of darkness and to allow residents to view the doorset as they approach the building.

Lightweight framed walls installed either side of a secure doorset (600mm for the full height of the doorset to restrict access to door hardware) or walls providing a partition between two dwellings, or a dwelling and shared communal space, shall meet the requirements below:

- o LPS 1175 Issue 7.2:2014 Security Rating 1; or
- o LPS 1175 Issue 8:2018 Security Rating 1/A1; or
- o STS 202 Issue 7:2016 Burglary Rating 1.

This is to protect against attack from one apartment through to the adjacent or via a wall from the communal area.

All ground floor and easily accessible windows should comply with security standard PAS24:2016 and be capable of securing with a key operated window lock.

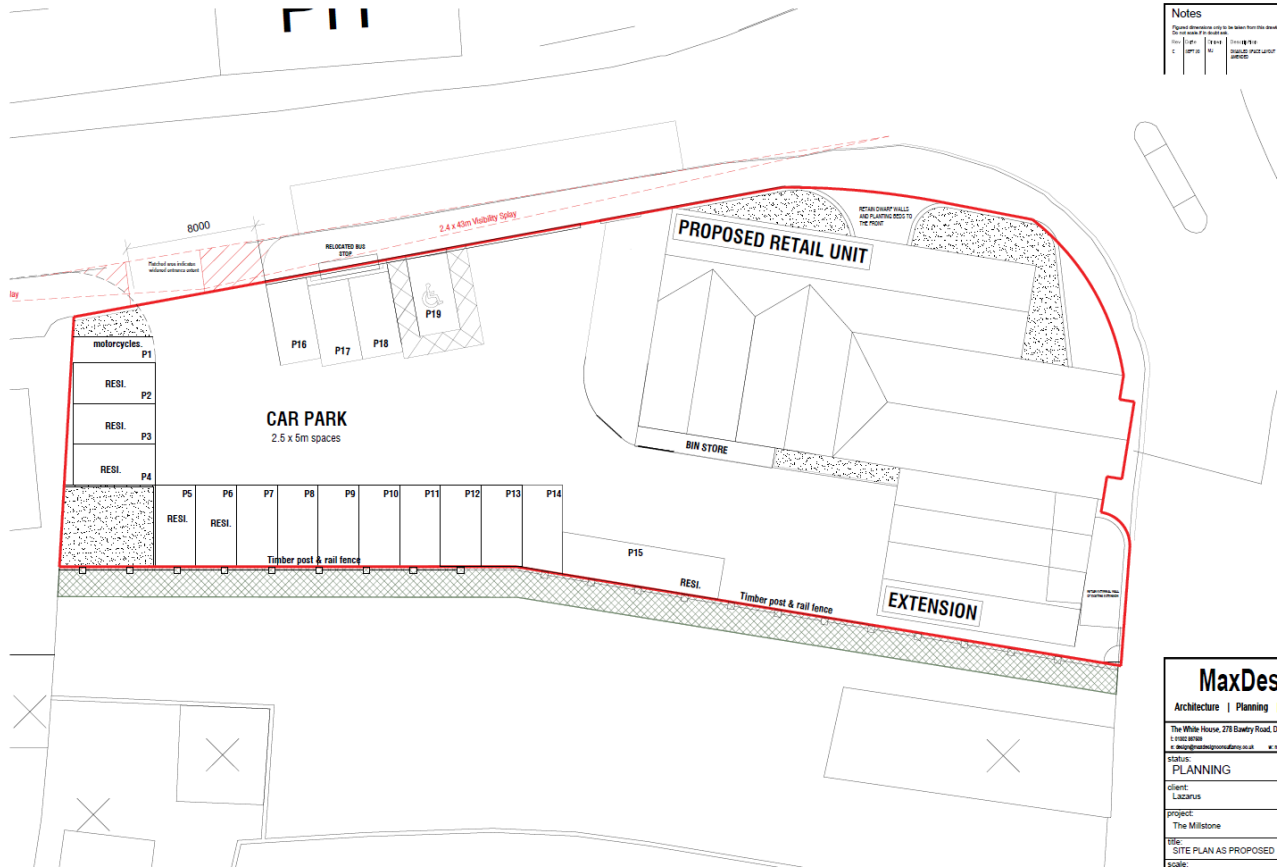
The glazing units consist of a minimum of one pane of glass that achieves compliance under the BS EN356 P1A attack resistance standard.

:

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

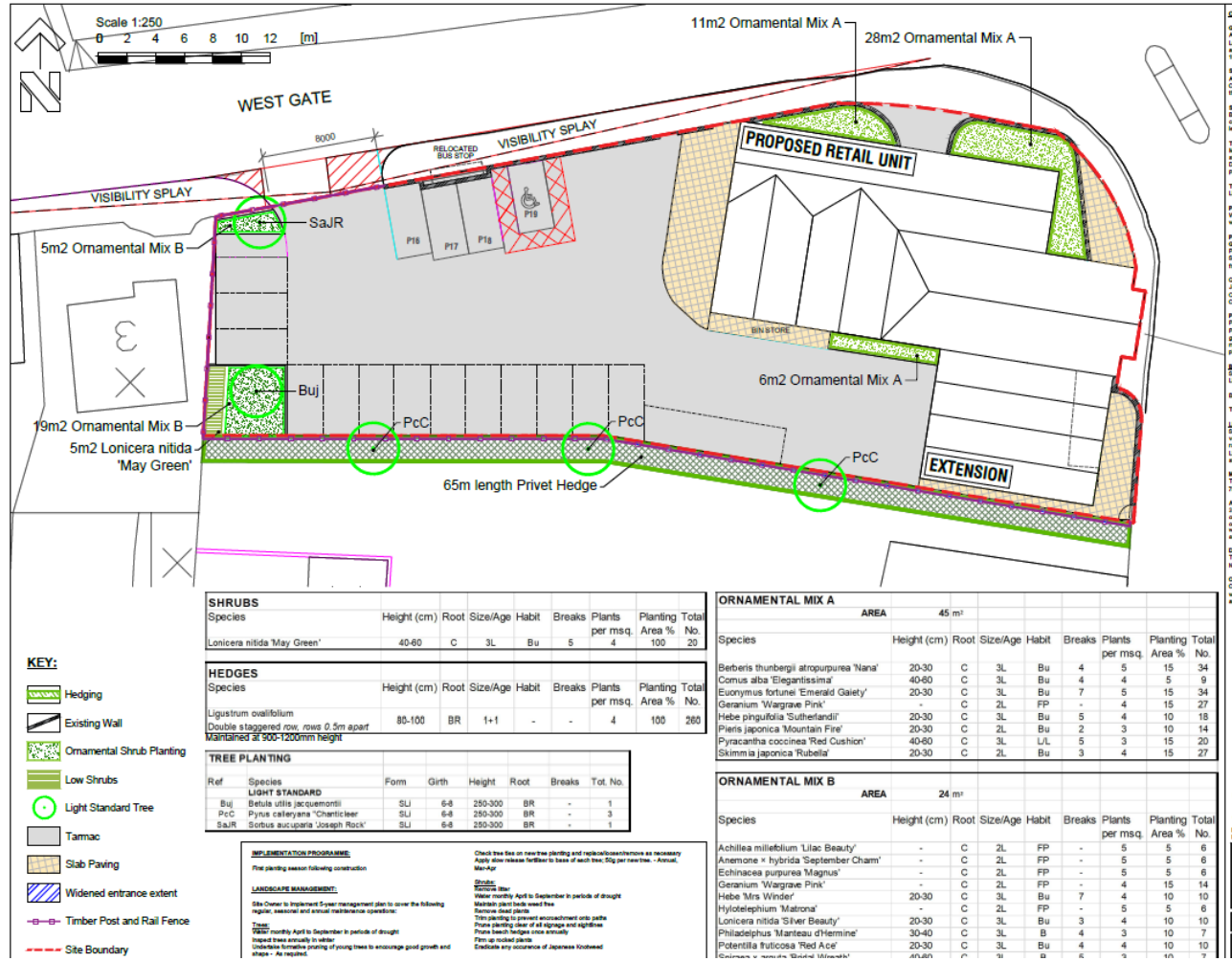
Appendix 1: Site Plan

Site Plan



APPENDIX 2: Landscape Details

Proposed Landscape Details



- KEY:**
- Hedging
 - Existing Wall
 - Ornamental Shrub Planting
 - Low Shrubs
 - Light Standard Tree
 - Tarmac
 - Slab Paving
 - Widened entrance extent
 - Timber Post and Rail Fence
 - Site Boundary

SHRUBS									
Species	Height (cm)	Root	Size/Age	Habit	Breaks	Plants per msq	Planting Area %	Total Area %	Total No.
Lonicera nitida 'May Green'	40-60	C	3L	Bu	5	4	100	20	20

HEDGES									
Species	Height (cm)	Root	Size/Age	Habit	Breaks	Plants per msq	Planting Area %	Total Area %	Total No.
Ligustrum ovalifolium	80-100	BR	1+1	-	-	4	100	260	260

TREE PLANTING									
Ref	Species	Form	Girth	Height	Root	Breaks	Tot. No.		
Buj	Betula utilis 'jacquemontii'	SL	6-8	250-300	BR	-	1		
PcC	Prunus coccinea 'Chanticleer'	SL	6-8	250-300	BR	-	3		
SaJR	Sorbus aucuparia 'Joseph Rock'	SL	6-8	250-300	BR	-	1		

IMPLEMENTATION PROGRAMME:
 First planting season following construction
 Check tree line on new tree planting and replace/boost where necessary
 Apply stem-release fabric to base of each tree, 50g per tree/line - Annual, Max-App

LANDSCAPE MANAGEMENT:
 Site Owner to implement 5-year management plan to cover the following regular, seasonal and annual maintenance operations:
 Water monthly April to September in periods of drought
 Mow lawns monthly in winter
 Undertake formative pruning of young trees to encourage good growth and shape - As required

Notes:
 Water monthly April to September in periods of drought
 Mow lawns monthly in winter
 Undertake formative pruning of young trees to encourage good growth and shape - As required
 Establish any occurrence of Japanese knotweed

ORNAMENTAL MIX A									
AREA 45 m ²									
Species	Height (cm)	Root	Size/Age	Habit	Breaks	Plants per msq	Planting Area %	Total Area %	Total No.
Berberis thunbergii atropurpurea 'Nana'	20-30	C	3L	Bu	4	5	15	34	34
Cornus alba 'Elegantissima'	40-60	C	3L	Bu	4	4	5	9	9
Euonymus fortunei 'Emerald Gaiety'	20-30	C	3L	Bu	7	5	15	34	34
Geranium 'Wargrave Pink'	-	C	2L	FP	-	4	15	27	27
Hebe pinguifolia 'Sutherlandii'	20-30	C	3L	Bu	5	4	10	18	18
Platanus 'Mountain Fire'	20-30	C	2L	Bu	2	3	10	14	14
Pyracantha coccinea 'Red Cushion'	40-60	C	3L	L/L	5	3	15	20	20
Skimmia japonica 'Rubella'	20-30	C	2L	Bu	3	4	15	27	27

ORNAMENTAL MIX B									
AREA 24 m ²									
Species	Height (cm)	Root	Size/Age	Habit	Breaks	Plants per msq	Planting Area %	Total Area %	Total No.
Achillea millefolium 'Lilac Beauty'	-	C	2L	FP	-	5	5	6	6
Anemone x hybrida 'September Charm'	-	C	2L	FP	-	5	5	6	6
Echinacea purpurea 'Magnus'	-	C	2L	FP	-	5	5	6	6
Geranium 'Wargrave Pink'	-	C	2L	FP	-	4	15	14	14
Hebe 'Mrs Winder'	20-30	C	3L	Bu	7	4	10	10	10
Hydrangea 'Mantona'	-	C	2L	FP	-	5	5	6	6
Lonicera nitida 'Silver Beauty'	20-30	C	3L	Bu	3	4	10	10	10
Philadelphus 'Manteau d'Hermine'	30-40	C	3L	B	4	3	10	7	7
Potentilla fruticosa 'Red Ace'	20-30	C	3L	Bu	4	4	10	10	10

Appendix 3: Elevations

Existing Elevations



North Elevation



South Elevation



East Elevation



West Elevation

Proposed Elevations



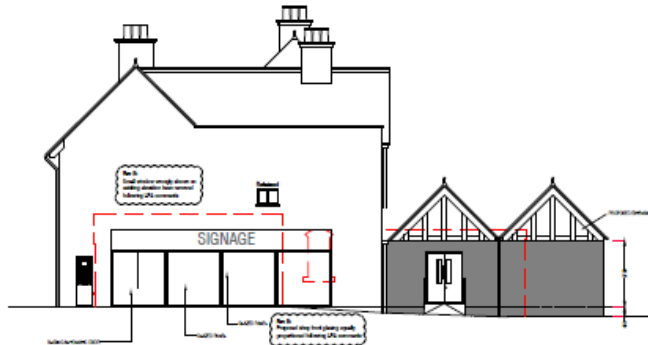
SOUTH ELEVATION
1:100



NORTH ELEVATION
1:100



EAST ELEVATION
1:100

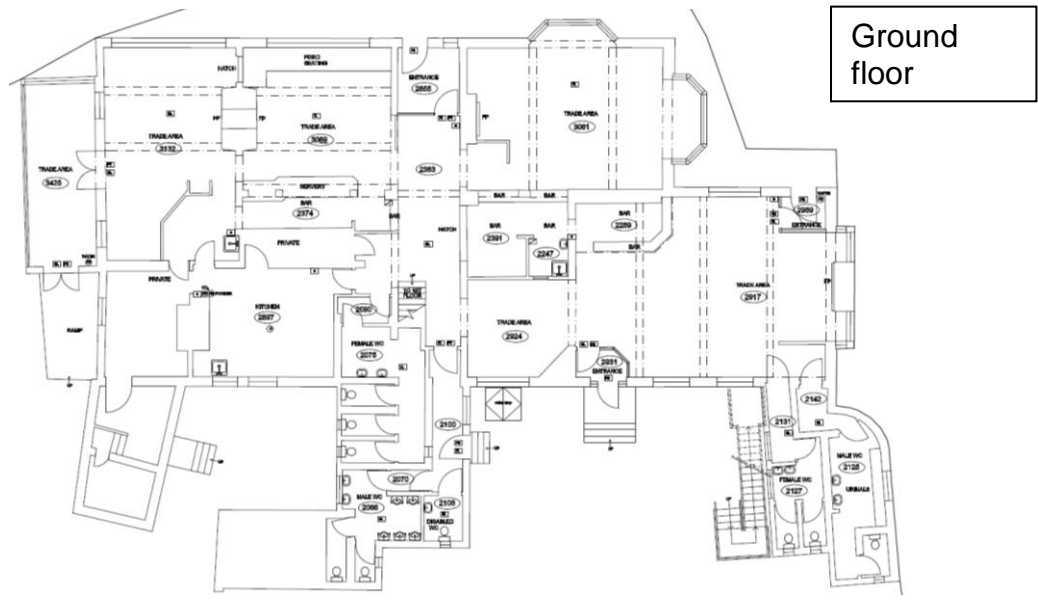
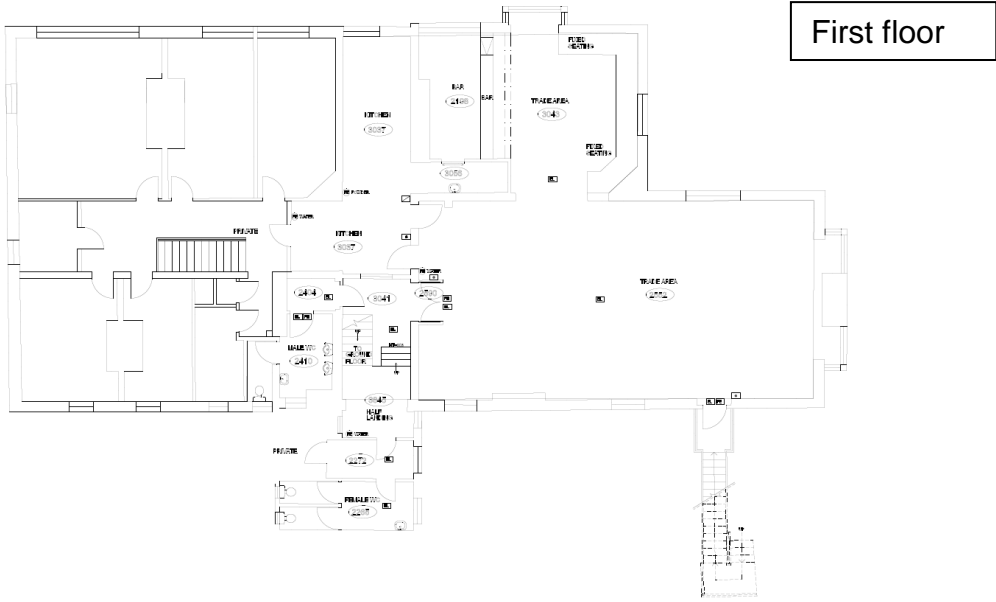


WEST ELEVATION
1:100

Rev C:
View titles amended to read correctly

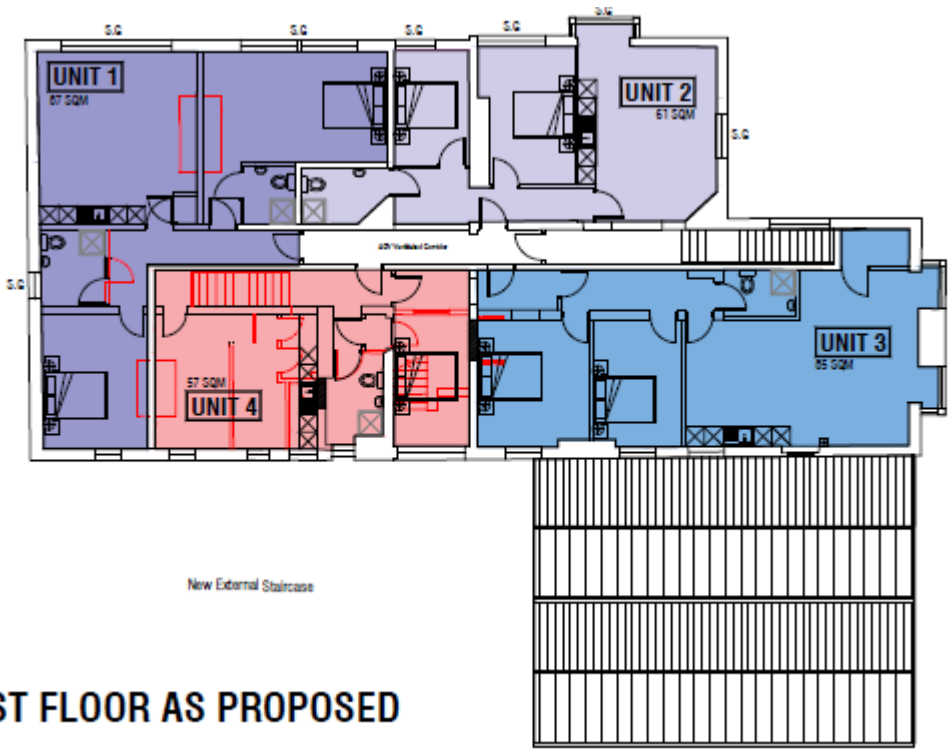
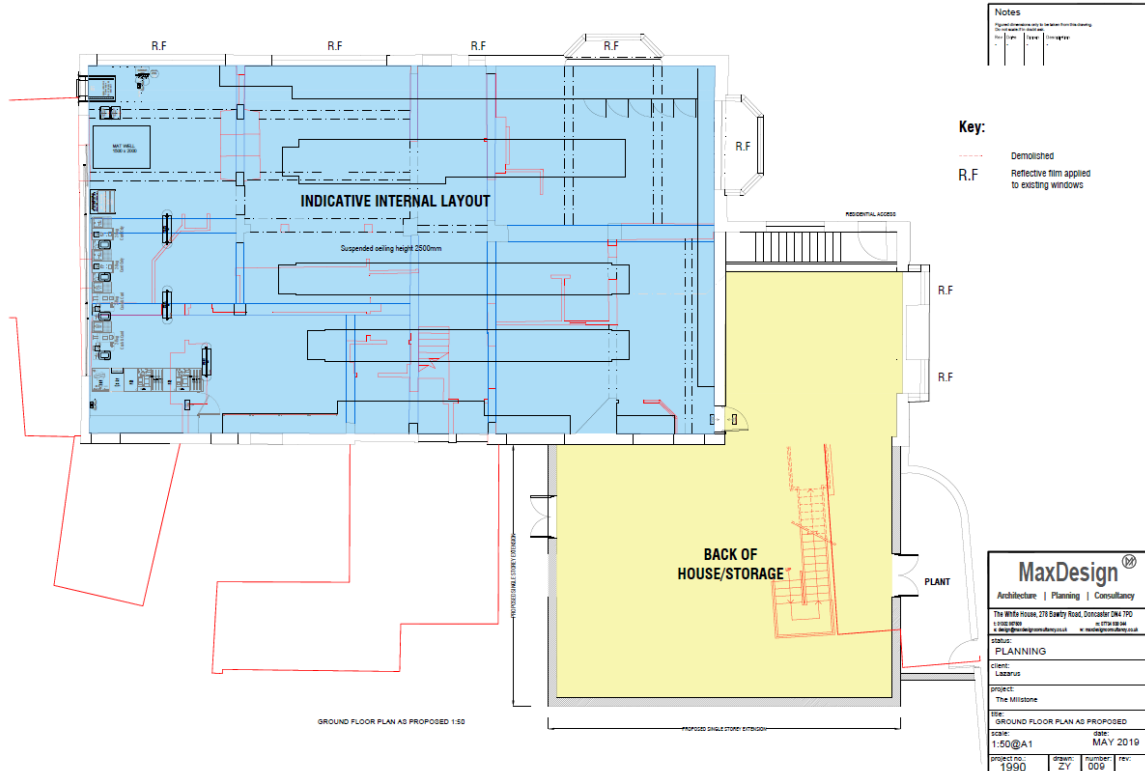
Appendix 4: Floor Plans

Existing Floor Plans



Proposed Floor Plans

Ground floor



FIRST FLOOR AS PROPOSED

1:100

Application	2
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Application Number:	20/01324/COU
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Application Type:	Planning FULL
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Proposal Description:	Change of use from dwelling house (Class C3) to a 5 bedroom HMO (Class C4) in Article 4 Direction area.
At:	33 Exchange Street, Hyde Park, DN1 3QW

For:	Mr P Ghumra
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Third Party Reps:	7 Letters of Objection	Parish:	N/A
		Ward:	Town

Author of Report:	Jessica Duffield
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SUMMARY

The application relates to a proposed House of Multiple Occupation (HMO) within the Article 4 Direction area. The Article 4 Direction was brought into force on the 14th October 2019. The order removes permitted development rights comprising change of use from a use falling within Class C3 (dwelling houses) to a use falling within Class C4 (houses in multiple occupation).

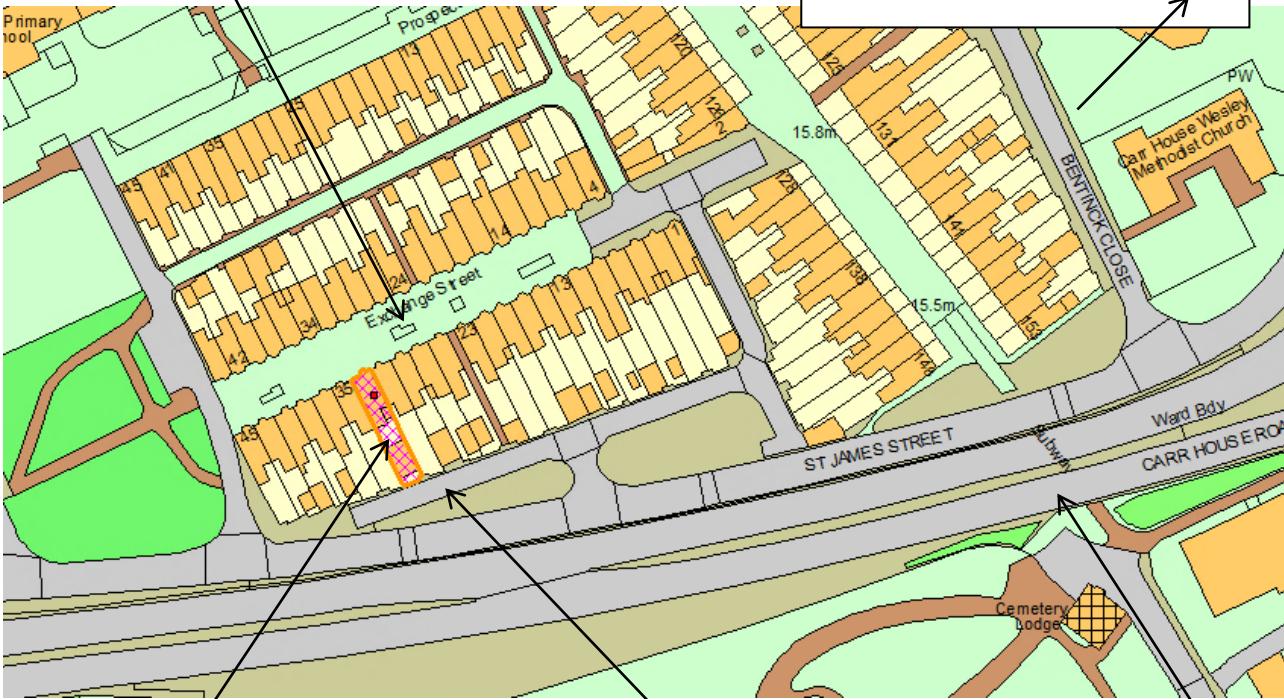
The proposed internal changes and renovations to facilitate the HMO have already been completed. The applicant applied for a Certificate of Existing Lawful Use (20/00811/CPE) which was refused in May 2020 due to insufficient evidence.

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, trees, the highway network or the character of the area

RECCOMENDATION: GRANT planning permission subject to conditions

Exchange Street

Direction to Doncaster Town Centre



Application Site

Parking provision to the rear

Car House Road

1.0 Reason for Report

- 1.1 This application is being presented to planning committee due to the number of neighbour representations and to ensure consistency in terms of the nature of the application proposal.

2.0 Proposal

- 2.1 Planning permission is sought for the change of use of a 4 bedroom dwelling house (Use Class C3) to a 5 bedroom HMO (Use Class C4).
- 2.2 The existing property is a 4 bedroom mid terrace, arranged over 2.5 storeys. Exchange Street is pedestrianised and vehicular access is located to the rear of the properties.
- 2.3 No external alterations or extension are proposed to the property. All the proposed bedrooms are en-suite, and will be arranged as follows:
- Ground Floor- 1x bedroom, shared lounge, kitchen and utility
First Floor- 3x bedrooms
Second Floor/Existing Loft Conversion- 1x bedroom
- 2.4 The internal works to facilitate the HMO are at an advanced stage. The works undertaken are all internal and do not require Planning Permission. The works undertaken do offer flexibility in terms of allowing the property to be rented out as a family dwelling if cannot be used as a HMO. Generally the interior works have been provided to a good quality, and provides a high standard of accommodation as shown in the photos at Appendix 3.
- 2.5 A Certificate of Existing Lawful Use was refused in May 2020. It was not considered that the evidence provided to support the application was sufficient and did not demonstrate occupation/operation of the property as a HMO prior to the Article 4 Direction coming into force. The applicant has confirmed that the property was used as a HMO for a 2 week period commencing 7th October 2019. This use then ceased following the tenants relocating. The property has been vacant since October 2019 until recently. It is understood that in recent weeks a single household family has moved into the property.
- 2.6 Following the refusal of the Certificate of Existing Lawful Use the applicant was encouraged to submit a Full Planning Application for the change of use.
- 2.7 The agent initially applied for a 'Flexible Permission' to allow the applicant/landlord to fluctuate between Use Class C3 and Use Class C4. However, due to the site's position within the Article 4 Direction Area, this form of flexible permission cannot be obtained. As such the development proposal description has been amended to Use Class C4 HMO only.
- 2.8 The proposal does not include dedicated parking spaces for occupiers. The agent has confirmed that the property will clearly be marketed as having no parking spaces and that no parking is provided as part of the accommodation.

3.0 Site Description

- 3.1 Exchange Street has a uniform character, consisting of 2/2.5 storey, terrace housing. The majority of the properties are red brick, although a small number have rendered the front of the property, adding variety to the appearance of the street. All of the properties have bay-windows to the front, at the ground floor level. All the properties front on the pedestrianised area, which is tree-lined down the centre.
- 3.2 Exchange Street is positioned off St James Street which runs parallel with Carr House Road (A18). The site is within close proximity to Doncaster Town Centre.
- 3.3 The site is in Flood Zone 1 as defined by the Environment Agency's Flood Maps, and is therefore at and is of low risk of flooding.

4.0 Relevant Planning History

Application Reference	Proposal	Decision
20/00811/CPE	Certificate of existing lawful use for the change of use from a dwelling to Use Class C4- HMO	Refused, 19.05.2020 – Evidence of residential HMO use insufficient and on balance of probabilities the LPA cannot accept such operation.
20/00785/PD	Conversion of a 3 bedroom property to a 5 bedroom all en-suite HMO	Not Registered, Insufficient fee, 10.03.2020
19/02260/HMO	Notification of HMO	Application Received, 16/09/2019

5.0 Site Allocation

- 5.1 The site is allocated as Residential Policy Area as defined by the Doncaster Unitary Development Plan (Proposals Map) 1998. The following policies are applicable:

5.2 National Planning Policy Framework (NPPF 2019)

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

- 5.4 Paragraph 48 of the NPPF states that local planning authorities may give weight to relevant policies in emerging plans according to:
- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
 - b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
 - c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).
- 5.5 Paragraph 59 states that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
- 5.6 Paragraph 124 states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 5.7 Core Strategy 2011 – 2028**
- 5.8 To the extent that development plan policies are material to an application for planning permission the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (see section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004).
- 5.9 In May of 2012 the LDF Core Strategy was adopted and this replaced many of the policies of the Unitary Development Plan; some UDP policies remain in force (for example those relating to the Countryside Policy Area) and will continue to sit alongside Core Strategy Policies until such time as the Local Plan is adopted. Core Strategy policies relevant to this proposal are:
- 5.10 Policy CS1 relates to the quality of accommodation and development within Doncaster. It makes it clear that development must protect local amenity, as well as being well-designed; fit for purpose and capable of achieving the nationally recognised design standards.
- 5.11 Policy CS14 relates to design and sustainable construction and states that all proposals in Doncaster must be of high quality design that contributes to local distinctiveness, reinforces the character of local landscapes and building

traditions, responds positively to existing site features and integrates well with its immediate and surrounding local area.

5.12 Saved Unitary Development Plan Policies (Adopted 1998)

5.13 Policy PH11 states that within residential policy areas development for housing will normally be permitted subject to the density and form being appropriate to the character of the area, the effects of the development on the amenities of occupiers of neighbouring properties.

5.14 Local Plan

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

- Substantial
- Moderate
- Limited

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

5.17 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.

5.18 Policy 10 deals specifically with HMOs and how they will be supported under strict circumstances. However this policy can only be afforded limited weight at this stage, due to the number of objections to the wording of the policy. The criteria of this policy is set out later in the report.

5.19 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.

5.20 Policy 46 deals specifically with residential design standards ensuring that new housing meets the Nationally Described Space Standard minimum. This policy can be applied limited weight due to outstanding objections.

5.21 Policy 43 deals with the need for good urban design. This policy can now be applied with moderate weight.

5.22 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.

5.23 Neighbourhood Plan

5.24 There is no Neighbourhood Plan for this area

5.25 Other Material Planning Considerations

- Development Requirements and Guidance Supplementary Planning Document (SPD) (2015)
- National Planning Policy Guidance
- South Yorkshire Residential Design Guide (SYRDG)

6.0 Representations

6.1 This application has been advertised in accordance with The Town and Country Planning (Development Management Procedure (England)) Order 2015 by way of the following :

- Site notice – consultation expired 10/7/2020
- Direct neighbour notification letters – consultation expired 1/7/2020

6.2 7 neighbour representations (all of which are objections) have been received in response to the application publicity. Some of the representations have been received from the same household. A summary of these are provided as follows:

- *‘negative impact upon the neighbourhood and the street; another HMO would severely impact on the social objective to a strong vibrant healthy community.’*
- *‘No more HMOs on street needed. Noise issues and lack of parking.’*
- *‘HMOs cause increased litter; more vehicles parking without consideration; noise disturbance day and night; cause other properties to be devalued.’*
- *‘Queries with application form; issues relating to vehicle parking and price of parking permits; issues relating to waste storage; noise pollution, particularly in the roof conversion.’*
- *‘Anti-social behaviour associated with HMOs; lack of parking.’*

7.0 Parish Council

7.1 There is no parish council for this area.

8.0 Relevant Consultations

8.1 **Environmental Health** – No objection, subject to condition proposed relating to sound insulation. Environmental Health have confirmed that based on the proposed floorplans (subject to a site visit) the property would be able to obtain a HMO License.

8.2 **Waste and Recycling** – No objection subject to condition proposed relating to waste management.

8.3 **Area Manager** –Communities Area Manager has raised concern regarding how potential additional car parking may impact the surrounding streets. Since the local area has been pedestrianised, there have been two public consultations relating to the parking permit scheme. Local residents were not in favour of implementing the scheme. South Yorkshire Police have also received complaints regarding parking obstruction. These comments are addressed in the Highways Section of this report.

8.4 **Police Architectural Liaison Officer** – Advice provided relating to ensuring the property is secure and mitigation against crime.

8.5 **Local Plan Housing-** No response

8.6 **Highways** – No objection raised.

9.0 Assessment

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

- Principle of Development
- Space Standards
- Impact upon Neighbouring Properties
- Location
- Concentration of HMO's in the area
- Landscape
- Heritage
- Highways

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

- *Substantial*
- *Considerable*
- *Significant*
- *Moderate*
- *Modest*

- *Limited*
- *Little or no*

Principle of Development

- 9.3 The application site is washed over by Residential Policy Area and as such Doncaster UDP Policy PH 11 supports residential development in principle, providing that it does not adversely affect the character of the area or detrimentally affect neighbouring properties through for example excessive overshadowing, over dominance or loss or privacy.
- 9.4 In light of the policy designation set out above, the principal of the change of use to form a 5 bedroom HMO is considered acceptable subject to other policy considerations.
- 9.5 The site is located within the Article 4 Direction area which removes the permitted development right to change the use of C3 dwelling houses to C4 HMO's without the need for planning permission.
- 9.6 The Article 4 Direction does not ultimately result in all C4 HMO's being refused. However, it does mean the design and position of the proposed HMO can be considered by the LPA in further detail.
- 9.7 It is noted that the application was called into committee due to the number of the public/neighbour objections, as well as to ensure consistency given the nature of the application proposal.
- 9.8 Emerging Local Plan Policy 10 provides a detailed criteria relating to the position of proposed HMOs. However, at this stage, Policy 10 can only be afforded limited weight due to the number of objections. Therefore, this policy is not the main policy consideration. The application must be assessed under the adopted development plan which then relates to Policy PH11 of the UDP.

Sustainability

- 9.9 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.
- 9.10 There are three strands to sustainability, social, environmental and economic. Paragraph 10 of the NPPF states that in order that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.

9.11 SOCIAL SUSTAINABILITY

9.12 Space Standards

- 9.13 As referred to above, the applicant has already undertaken the majority of the works to facilitate the change the use of the property. However all these works are internal and do not require planning permission. The works include installing en-suite bathrooms and renovating the property. The internal works undertaken mean the property could alternatively be rented out as a family dwelling. No external alterations have been undertaken.
- 9.14 Page 27 of the adopted Doncaster Council Development Guidance and Requirements SPD (2015) states: *'In order to protect the living conditions and well-being of future occupants, applications for residential development must demonstrate how the proposed accommodation is functionally fit for purpose and has been designed to meet the specific needs of the occupants. It should demonstrate how the accommodation is large enough to provide sufficient space for privacy, socialising, studying, cooking, dining, sleeping, washing and storage of household goods and belongings.'*
- 9.15 It follows on to state that the overall internal floor-space must be sufficient and that the size of individual rooms are large enough for the intended purpose. The size of amenity space must also be sufficient for the number of occupiers.
- 9.16 The National Space Standards only outlines the minimum standards for self-contained properties. As this application relates to a HMO with shared facilities, this guidance cannot be used as a marker for room sizes.
- 9.17 The Housing Act 2004 outlines the legal minimum individual room size for one person as 6.51 square metres. However, in order to obtain a HMO License, the Council encourages bedroom sizes of at least 10 square metres.
- 9.18 The Council Licensing Team will be lenient on the 10sqm threshold, where there is considered to be suitable additional shared living space proposed within the property, and an overall greater quality of accommodation. The bedroom sizes (excluding en-suite) are as follows:
- Bedroom 1- 10.97sqm
 - Bedroom 2- 13.7sqm
 - Bedroom 3- 8.91sqm
 - Bedroom 4- 7.43sqm
 - Bedroom 5- 13.96sqm
- 9.19 The Environmental Health Officer and DMBC Licensing Team have confirmed that, subject to a property inspection, based on the proposed floorplans submitted, the applicant would be able to obtain the HMO License and the space standards are satisfactory for the proposed use. Although bedrooms 3 and 4 are slightly smaller than the other bedrooms, the property provides a generous shared kitchen/utility as well as a large communal lounge. The shared kitchen, dining and living space encourages tenants, to mix and

interact, which contributes to social and healthy wellbeing. As such the overall size and layout of the property is considered to be suitable for the proposed use.

- 9.20 In terms of adopted Planning Policy, the South Yorkshire Residential Design states that the minimum size for a single bedroom is 7sqm. All the bedrooms in the application property meet this standard and is therefore in accordance with adopted policy and the SPD. Thus the proposal weighs positively in terms of the internal space and carries significant weight.
- 9.21 Impact Upon Residential Amenity
- 9.22 Adopted Policy PH11 states that residential development will be permitted in residential policy areas whereby it does not detrimentally affect the amenities of occupiers of nearby properties.
- 9.23 The application site is bordered by existing residential development to the north, east and west. St James Street borders the site to the south. There are no external alterations proposed as part of the change of use.
- 9.24 Given that there are no alterations proposed to the existing property, there is not considered to be any issues relating to overlooking or overshadowing.
- 9.25 The property provides a small, but easy to maintain courtyard to the rear, for the future tenants, which measures to approximately 23.6sqm. Whilst the courtyard garden is small, it does provide tenants with an outdoor space to socialise and interact. The access to outdoor space encourages social and healthy wellbeing and as such the inclusion of the paved courtyard is welcomed.
- 9.26 The garden has a gated access, onto the vehicle access to the rear. The rear garden also provides a detached garage which is to be used for storage only.
- 9.27 The refuse bins can therefore be stored out of view, in the rear garden. Waste Management is discussed further in Paragraph 9.57.
- 9.28 Whilst HMO uses generally intensify the use of properties, the application site is considered suitable for the proposed use. The existing property is currently a 4 bedroom family dwelling house. The proposal looks to alter the internal layout to provide 5 single, en-suite bedrooms, as well as shared living and kitchen areas.
- 9.29 Given that the property is currently a 4 bedroom dwelling, three of which are generous double bedrooms, the property could in fact be occupied by at least 7 residents, without the existing planning permission requiring amending. The change of use to a HMO property will regulate and limit the number of residents permitted at the property to only 5.

9.30 In addition a condition has been proposed by the Environmental Health Officer stating that prior to first occupation a scheme to improve the party wall's airborne sound insulation shall be submitted to the LPA for approval.

9.31 Therefore in terms of noise disturbance and impact upon residential amenity, the application proposal provides security and regulation to ensure that the number of occupants and the disturbance caused is not harmful.

9.32 Location

9.33 The application site is positioned in a suitable location. The site is approximately 0.6 miles from Doncaster Town Centre and the Doncaster Transport Interchange, thus within suitable walking distance.

9.34 On the roundabout of Carr House Road there are a variety of shops and local amenities, which are within close walking distance of the application site.

9.35 Whilst the application proposal does not provide dedicated off-street parking spaces, considering the above, the application site lies within a sustainable location close to the town centre and sustainable methods of transport. This weighs in favours of the application carrying significant weight.

9.36 Conclusion on Social Impacts.

9.37 Paragraph 8 of the NPPF (2019) indicates, amongst other things, that the planning system needs to support strong, vibrant and healthy communities, by ensuring well-designed and safe built environments, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being.

9.38 In conclusion the property provides adequate internal space standards, and meets the criteria in terms of obtaining the relevant HMO License from Doncaster Council. The shared living space, as well as the access to outdoor area, encourages social interaction and is considered to provide a high quality of accommodation in accordance with Policy CS1.

9.39 It is considered that the proposal would not adversely affect neighbouring residential properties through additional overlooking or loss of privacy. There has been representations made by local neighbours raising issues relating to noise and disturbance. However given the proposed condition and the regulation of occupiers this is not considered to be harmful. This weighs in favour of the application carrying moderate weight.

9.40 ENVIRONMENTAL SUSTAINABILITY

9.41 Concentration of HMOs

9.42 The Article 4 Direction was brought into force to cover the Hyde Park area, along with much of Hexthorpe, Wheatley, Intake and Belle Vue and parts of other surrounding suburbs, on the 14th October 2019. The Direction was

brought in as a measure to control the quantity and quality of HMO properties operating within the area.

9.43 Policy 10 of the Emerging Local Plan makes it clear that proposed HMO's must not result in an over-concentration of HMOs within a community/locality/street/row, or result in a significant adverse impact to local amenities. The policy states that '*proposals must not create:*

- 1. more than two HMOs side by side;*
- 2. the sandwiching of a single self-contained house or flat between two HMOs;*
- 3. more than two HMOs within a run of twenty properties on one side of the road; or*
- 4. more than one HMO in a road of fewer than twenty properties on one side of the road.'*

9.44 Although this policy can only be afforded limited weight, it is important to highlight the housing mix along Exchange Street, in line with adopted Policy CS12. Policy CS12 states '*New housing developments will be required to include a mix of house size, type, price and tenure to address identified needs and market demand and to support mixed communities.*'

9.45 Using the HMO License data, provided by the Council's licensing department, we can conclude that currently there are only 2 registered HMO properties on Exchange Street. These at the addresses: 10 Exchange Street and 20 Exchange Street. No. 4 Exchange also submitted a HMO Notification in September 2019.

9.46 All of these registered HMOs are located on the opposite side of Exchange Street and are positioned spread along the road. There are no HMO properties on the same side as the application site.

9.47 In terms of the overall concentration of HMO's on Exchange Street, excluding the application site, the street has 3 known HMOs (although only 2 on the license records), out of a total of 44 addresses/ properties. This equates to 7% of the registered addresses on the street currently operating as HMOs. One additional HMO on the opposite side of Exchange Street, is not deemed to change the overall character of the area. The change of use of the application is in accordance with the criteria set out in Emerging Policy 10 and as such it considered suitable.

9.48 It is recognised that a small number of properties along the street have been altered to provide self-contained flats. However, Emerging Policy 10 refers to the operational HMOs only and therefore properties which have been converted to flats do not constitute towards the criteria set out above.

9.49 At this current time Emerging Policy 10 can only be afforded limited weight given the possibility of wording changes and as such cannot constitute as a single policy reason for refusal.

9.50 Considering the above, the proposed development is in accordance with adopted Policy CS12 as the development will add to the mix of housing types along the street. Therefore the position of the proposed HMO is suitable.

9.51 Landscape

9.52 As mentioned in Paragraph 9.25 the applicant has provided a rear courtyard for future tenants. In terms of landscaping, this consists of hard landscaping only, such as paving. There is no vegetation, as the emphasis on ensuring this is maintained is difficult to enforce on tenants.

9.53 Heritage

9.54 The proposal has no impact upon any heritage assets or Conservation Areas.

9.55 Highways

9.56 The existing parking provision is provided to the rear of the property, accessed via St James Street. The neighbour representations received highlight concerns relating parking, due to on-going issues with inconsiderate parking. To overcome these concerns the applicant has confirmed that the proposed HMO property will be advertised as having no parking facilities available. The Highways DC Officer has reviewed the proposed development and raises no objection. As explained in Paragraph 9.40 the application site is in a sustainable location with good links to public transport, as well as being within walking distance to local amenities and facilities and therefore car parking is not relied upon.

9.57 Waste Management

9.58 The Waste and Recycling Officer has reviewed the proposal and raised concerns relating to waste management. Waste storage has also be raised as a potential issue in the neighbour representations. In order to ensure that the amount of waste created by the HMO operation is appropriately managed, a condition is proposed to ensure that a Waste Management Plan is to be agreed and implemented prior to occupation of the property.

9.59 Conclusion on Environmental Issues

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

9.61 Given that the application is utilising an existing property, the impact upon Environmental issues is very limited. Only 7% of the properties on Exchange Street currently operate as HMOs, and the additional proposed HMO is not

considered to harmfully impact the character of the area or surrounding environment.

- 9.62 The application is not in a Conservation Area, thus there being no impact upon any Heritage assets. The application site is located in a sustainable location, which is well connected and has good links to public transport and local amenities, meaning that private car parking is not to be relied upon. A condition has been attached to satisfy the concerns raised by the Waste & Recycling Officer as well as the neighbour representations. The proposal does not detrimentally affect the surrounding environment. This weights moderately in favour of the application.

9.63 ECONOMIC SUSTAINABILITY

- 9.64 As the majority of the works, to facilitate the change of use, have already been undertaken/are at an advanced stage, the economic impact, in terms of employing tradesmen and construction workers has already concluded.

- 9.65 When fully occupied, the property will be occupied by 5 individual tenants. The residents will most likely work and pay into the local economy. However, given the scale of the development, the benefits in terms of economic activity is limited.

9.66 Conclusion on Economy Issues

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

- 9.68 The proposal would result in limited economic benefit, by increasing the occupancy of the property from a 4 bedroom property to a 5 bed HMO. As such the proposal carried limited weight in favour of the application.

10.0 PLANNING BALANCE & CONCLUSION

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

11.0 RECOMMENDATION

11.1 GRANT planning permission subject to conditions:

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

Existing and Proposed Floorplans, Drawing No: CRB 1,
Received: 2nd September 2020

REASON

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

2. Prior to first occupation, a scheme to improve the party walls airborne sound insulation shall be submitted to the LPA for approval and all such approved works detailed in the scheme shall be implemented prior to first occupation.

REASON

In the interests of the amenity of the residents.

3. Prior to the first occupation of the property, a waste management plan must be submitted to and approved in writing by the Local Planning Authority. The approved plan must then be implemented and maintained for the life of the development.

REASON

To ensure that waste storage and presentation (for collection) is adequately managed, does not become detrimental to local environmental quality and does not adversely affect the amenity of neighbouring residents, in accordance with Policy CS1.

INFORMATIVES

1. **INFORMATIVE**
A HMO License must be obtained prior to occupation of the 4th tenant. As the application is in an 'Additional Licensing Area' the property will require an Additional HMO Licence. Please contact the licensing department for more information regarding submitted an application. More information can be found at the following website:
<https://www.doncaster.gov.uk/services/business-investment/additional-licensing>

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 - Internal Layout



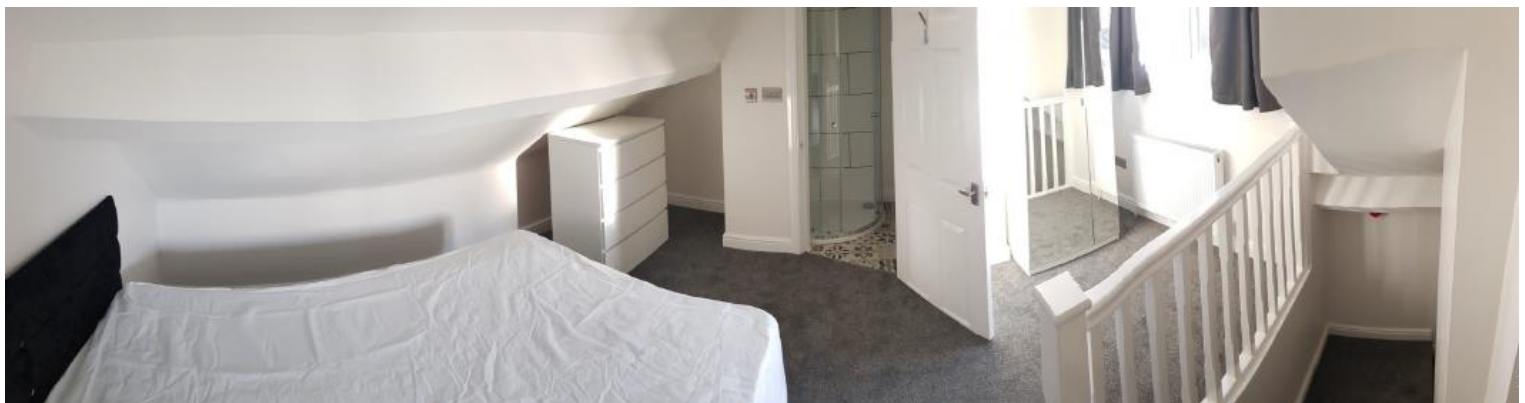
PROPOSED BASEMENT LAYOUT

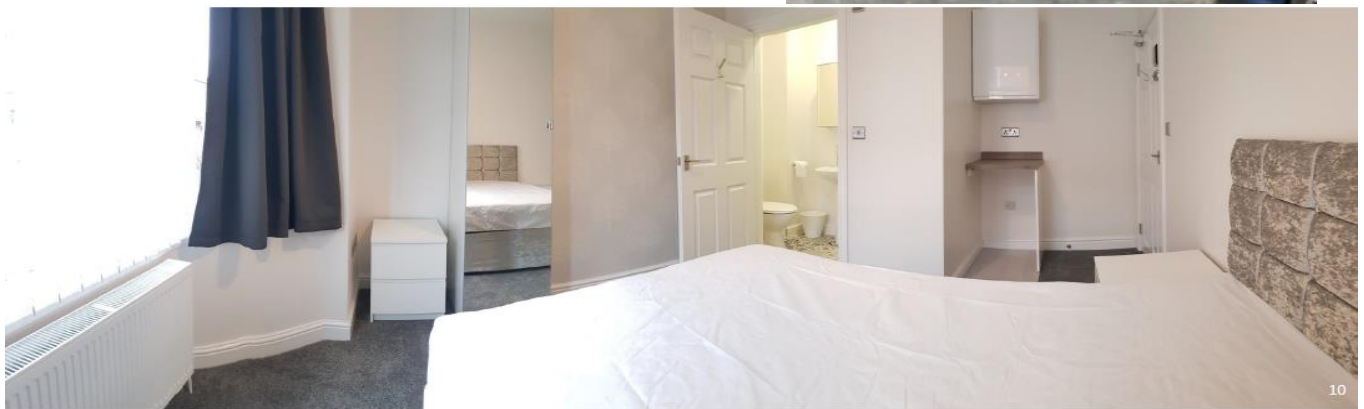
PROPOSED GROUND FLOOR LAYOUT

PROPOSED FIRST FLOOR LAYOUT

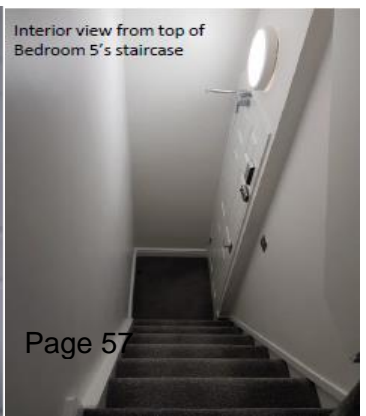
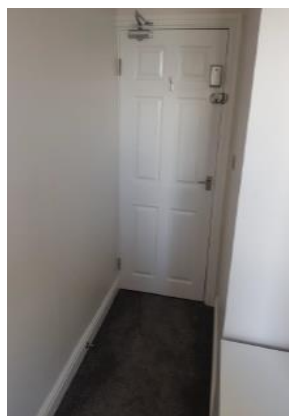
PROPOSED SECOND FLOOR LAYOUT

APPENDIX 3- Property Photos





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Interior view from top of Bedroom 5's staircase





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Application	3
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Application Number:	19/02171/OUT
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Application Type:	Planning OUTLINE
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Proposal Description:	Outline development for erection of two detached dwellings and associated works (all matters reserved).
At:	Land Rear of Hillcrest, Lings Lane

For:	Miss Jennifer Sands
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Third Party Reps:	Two Representations in Objection	Parish:	N/A
		Ward:	Town

Author of Report:	Jessica Duffield
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SUMMARY

The application relates to the outline permission for two dwellings with all matters reserved. The site is currently used as agriculture land and extends to circa 0.13ha. The site is allocated as a Countryside Policy Area in the adopted Unitary Development Plan 1998 but is bordered by existing residential development to the north, east and west.

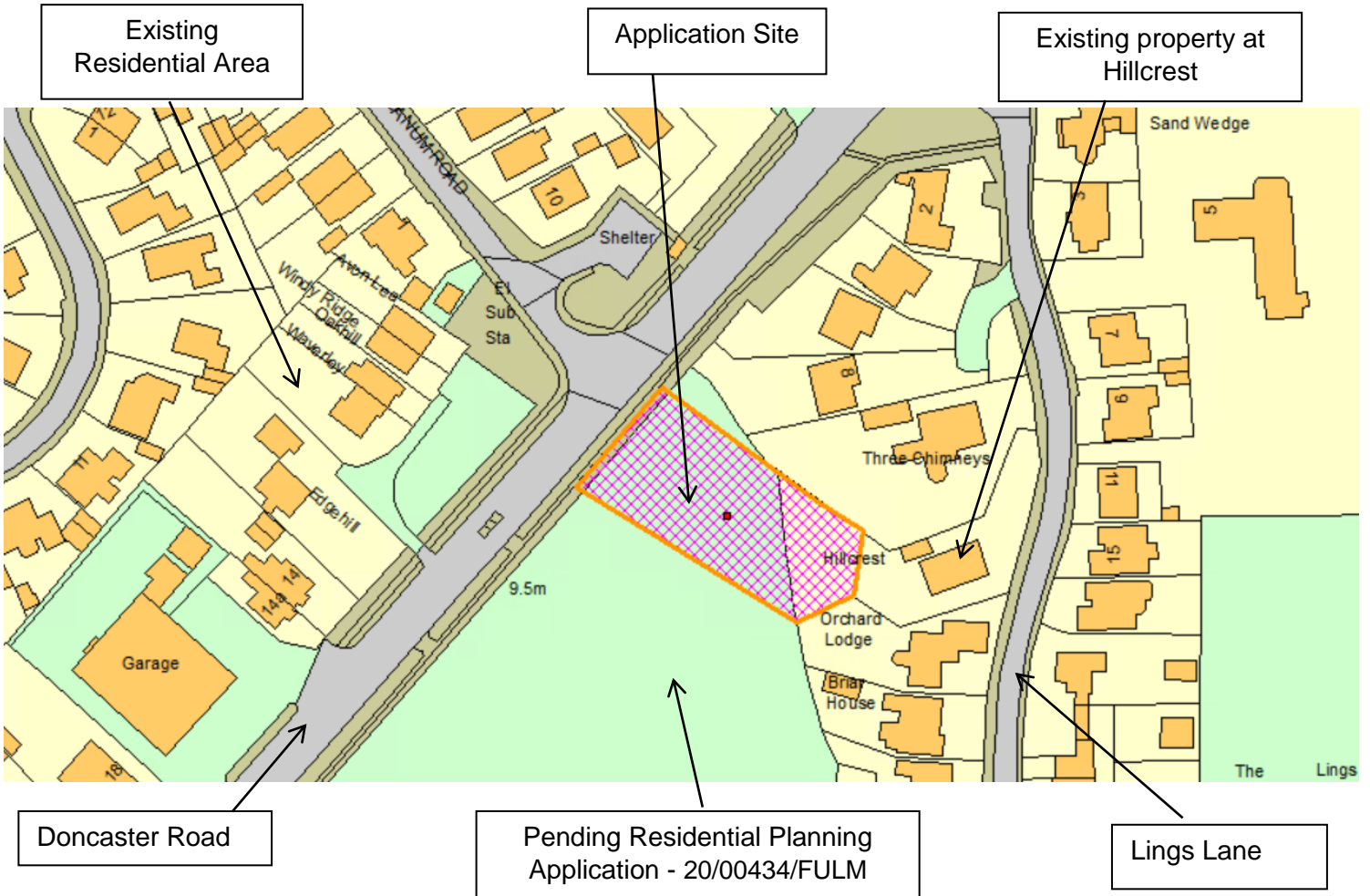
In the Emerging Local Plan, the site, as well as the entire wider field, is allocated for residential use as Site Ref- 170, Land at Doncaster Road, with capacity for approximately 72 houses within the next 5 years.

The surrounding area is subject a number of planning applications relating to residential development. The land to the immediate south, included within Allocation Ref- 170, is currently subject to a pending planning permission for up 72 number of houses (ref: 20/00434/FULM)

The land to the further south (allocated as Site Ref- 970 in the Emerging Local Plan) has Reserved Matters Approval for 211 dwellings.

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

RECOMMENDATION: GRANT planning permission subject to conditions



1.0 Reason for Report

- 1.1 This application is being presented to planning committee because it is a Departure from the adopted Development Plan.

2.0 Proposal

- 2.1 Outline Planning permission is sought for the erection of two dwellings, with all matters reserved.
- 2.2 As all matters are reserved the main consideration of the planning application relates to the principle of residential development of the site. Details such as design, siting, access, landscaping and scale will be determined at Reserved Matters stage.
- 2.3 An indicative site plan has been provided which shows the proposed position of the two detached dwellings.
- 2.4 Each of the two properties are expected to provide 3-4 bedrooms, with at least 2 off-street parking spaces.

3.0 Site Description

- 3.1 The application site is located to the south of Hatfield, and is triangular in shape. The north-western boundary of the site borders Doncaster Road (A18) (which will provide the main vehicular access for the site) and the eastern boundary is bordered by the existing housing along Lings Lane.
- 3.2 The majority of the application site is currently used for agriculture. A small section of the site is currently associated with the existing dwelling at Hillcrest, Lings Lane and is used as private amenity garden space.
- 3.3 The land situated immediately south of the application site is currently subject to a planning application which is pending consideration for up to 72 dwellings. Further to the south, a reserved matters application has been granted for up to 211 dwellings.
- 3.4 The site is surrounded by existing residential development to the north, east and west. The site is adjacent to the Residential Policy Area as defined in the adopted UDP 1998.
- 3.5 The site is in Flood Zone 1 as defined by the Environment Agency's Flood Maps, and is therefore at low risk of flooding.

4.0 Relevant Planning History

- 4.1 All the applications referenced below include history of this site and the adjacent field to the south as one planning unit and which is now subject to a separate planning application - 20/00434/FULM

Application Reference	Proposal	Decision
13/02059/OUTM	Outline application for residential development on approx 2ha of land (Approval being sought for access).	Refused, 06.01.2015 Application refused because it was considered inappropriate development within the countryside, and lacked opportunities in terms of delivering new infrastructure of job creation within the Growth Town settlement of Hatfield and Stainforth
15/00023/REF	Outline application for residential development on approx 2ha of land (Approval being sought for access)	Appeal Withdrawn, 22.5.2015
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 28.07.2015 Application refused as it was considered inappropriate development in the countryside.

5.0 Site Allocation

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

5.2 National Planning Policy Framework (NPPF 2019)

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

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

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

a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).
- 5.6 Paragraphs 59-64 of the NPPF seeks to deliver a sufficient supply of homes and that meets the needs of groups with specific housing requirements and that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing.....).
- 5.7 Paragraph 124 states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 5.8 Core Strategy 2011 – 2028**
- 5.9 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).
- 5.10 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:
- 5.11 Policy CS1 relates to the quality of accommodation and development within Doncaster. It makes it clear that development must protect local amenity, as well as being well-designed; fit for purpose and capable of achieving the nationally recognised design standards
- 5.12 Policy CS14 relates to design and sustainable construction and states that all proposals in Doncaster must be of high quality design that contributes to local distinctiveness, reinforces the character of local landscapes and building traditions, responds positively to existing site features and integrates well with its immediate and surrounding local area.
- 5.13 Policy CS10 states that new allocations will be distributed according to the Growth and Regeneration Strategy as set out in Policy CS2.
- 5.14 Policy CS2 defines Stainforth and Hatfield (including Duncroft and Dunsville) as a Potential Growth Town. The policy states that significant housing growth could be sustainably accommodated, where it is supported subject to the co-ordinated delivery of jobs and infrastructure tied to housing renewal and improvements to services.

5.15 Saved Unitary Development Plan Policies (Adopted 1998)

5.16 Policy ENV4 states that within the Countryside normally be permitted for purposes such as:

b) infilling development within settlement washed over the Countryside Policy Area, subject to the limitations included in Policy ENV 9 (*since been deleted*).

It follows on to state that proposed development will be acceptable in principle only where:

- i) It would not prejudice by reasons of its nature, scale, siting or design, the purposes of the countryside policy area and in particular would not lead towards the physical or visual coalescence of settlements
 - ii) It would not create or aggravate highway or amenity problems
 - iii) It is sited, designed and where necessary screened so as to minimise its impact on and wherever possible to enhance the character, landscape and nature conservation value of the local environment.
- 5.17 Policy ENV53 relates to the design of new buildings and states that the scale and appearance of new development must have regard to its wider visual impact. It states development will not normally be permitted if it would have a significant adverse visual impact on: views across open countryside.

5.18 Local Plan

5.19 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

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

5.21 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.

- 5.22 Policy 3 states that Dunscroft, Dunsville, Hatfield and Stainforth is to deliver 575-1085 homes within the Plan Period.
- 5.23 Policy 43 deals with the need for good urban design. This policy can now be applied with moderate weight.
- 5.24 Policy 45 relates to residential design and states housing will be supported where they respond positively to the context and character of existing areas. This policy can now be afforded with moderate weight.

5.25 **Neighbourhood Plan**

5.26 There is no Neighbourhood Plan for this area.

5.27 **Other Material Planning Considerations**

- Development Requirements and Guidance Supplementary Planning Document (SPD) (2015)
- Residential Backland and Infill Development (2010)
- National Planning Policy Guidance
- South Yorkshire Residential Design Guide (SYRDG)

6.0 **Representations**

- 6.1 This application has been advertised in accordance with The Town and Country Planning (Development Management Procedure (England)) Order 2015 by way of site notice, advertisement in the Doncaster Star and direct neighbour notification letters.
- 6.2 Two representations have been received in response to the application publicity. These are summarised below:
- 6.3 No.8 Lings Lane – Property at this address would incur loss of privacy and loss of light. Proposed properties should be single storey.
- 6.4 Three Chimneys- Proposed development may disrupt the land and cause subsidence. Proposed plot 2 will overlook existing property and garden, loss of privacy. Will cause loss of light.

7.0 **Parish Council**

7.1 The site is in the Hatfield Parish Council area.

8.0 **Relevant Consultations**

- 8.1 **South Yorkshire Archaeology** – No objection, subject to condition for Watching Brief required at Reserved Matters stage.
- 8.2 **Tree Officer** - No objection raised. No conditions until consideration of the Reserved Matters application.

- 8.3 **Highways**– No objection, subject to an informative note regarding provision of a refuse area.
- 8.4 **Ecology**- No objection, informative attached relating to the Reserved Matters application for ecological species to be included.
- 8.5 **Internal Drainage**- No objection, subject to condition for full drainage details to be submitted and agreed.
- 8.6 **Local Plan Housing**- Given the context of the surrounding residential development which is coming forward, the principle of the proposal is acceptable.
- 8.7 **Conservation** - Sufficient distance from Conservation Area and would have no impact on heritage significance.
- 8.8 **Yorkshire Water**- Standing objection from Yorkshire Water, however the issues raised as to be dealt with at Reserved Matters stage. Details of this are discussed in the report.
- 8.9 **National Grid**- No response
- 8.10 **South Yorkshire Police Liaison Officer**- No objection, informative attached
- 8.11 **Doncaster East Internal Drainage Board**- No response
- 8.12 **Parish Council**- No response

9.0 **Assessment**

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

- Principle of Development
- Sustainability
- Impact upon Residential Amenity
- Design and Impact upon Character of Area
- Location
- Yorkshire Water
- Archaeology
- Heritage
- Highways

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

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

Principle of Development

- 9.3 The application site is washed over by Countryside Policy Area (CPA) and as such Doncaster UDP Policy ENV4 states that development will normally be permitted for proposes such as infilling development within settlements washed over by CPA.
- 9.4 When this policy was first adopted, development was subject to the limitations set out in Policy ENV9 but this has since been deleted.
- 9.5 Policy ENV4 states that proposals will only acceptable in principle where: It would not prejudice by reasons of its nature, scale, siting or design, the purposes of the countryside policy area and in particular would not lead towards the physical or visual coalescence of settlements; It would not create or aggravate highway or amenity problems; It is sited, designed and where necessary screened so as to minimise its impact on and wherever possible to enhance the character, landscape and nature conservation value of the local environment.
- 9.6 Policy CS2 identifies Hatfield as a potential growth town in which ‘significant housing growth could be sustainably accommodated.... Therefore housing growth will be supported’.
- 9.7 The application site is within the Countryside Policy Area in the current adopted Development Plan, therefore Policy ENV4 is the most relevant and the application is to be considered as a Departure from the development plan. The site is surrounded by residential development, in a ‘horseshoe’ shape, with open countryside only bordering the site to the south.
- 9.8 The application relates to outline permission with all matters reserved. The detail of any development would be subject to a further application for reserved matters approval, and the design, appearance, layout, access, scale and landscaping would all be considered at that point. Only the principle of the development is for consideration at this stage.
- 9.9 The emerging Local Plan has completed its consultation for the Regulation 24 Publication stage. The Council is aiming to adopt the Local Plan by the end of 2020. Whilst this carries limited weight at this stage, it gives a clear indication of the direction of travel towards future planning policy of the site. The Local Plan proposes that the site continues to be designated as being suitable for housing and is designated as Housing Allocation ref- 170.
- 9.10 Emerging Policy 6 relates to Housing Allocations however this policy can only be afford limited weight due to the number of objections. Despite the representations received there are no proposed changes to the plan allocation. As set out in the consultation response above, the Local Plan Housing Team have also provided support for the principle of residential development on this site given the level of housing development surrounding the site.
- 9.11 There is a current planning application on the land to the immediate south that has not yet been determined, and it would be presumptuous to assume the outcome of that application. However the fact that the site has been designated as a ‘potential’ housing site within the Emerging Local Plan, the application proposal is considered to be a suitable infill site.

- 9.12 The application site is well connected to existing residential development and is surrounded by Residential Policy Area to the north, east and west.
- 9.13 Taking the above considerations into account; on balance it is considered that the site is capable of forming a sustainable residential development when assessed against UDP and Core Strategy policy. The proposal is therefore acceptable in principle, subject to other policy considerations.

Sustainability

- 9.14 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.
- 9.15 There are three strands to sustainability, social, environmental and economic. Paragraph 10 of the NPPF states that in order that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.

9.16 **SOCIAL SUSTAINABILITY**

9.17 Impact Upon Residential Amenity

- 9.18 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’.
- 9.19 Page 27 of the adopted Doncaster Council Development Guidance and Requirements SPD (2015) states: *‘In order to protect the living conditions and well-being of future occupants, applications for residential development must demonstrate how the proposed accommodation is functionally fit for purpose and has been designed to meet the specific needs of the occupants. It should demonstrate how the accommodation is large enough to provide sufficient space for privacy, socialising, studying, cooking, dining, sleeping, washing and storage of household goods and belongings.’*
- 9.20 As this application is an outline permission with all matters reserved, the details of the proposed layout and siting of dwellings will be considered at reserved matters stage. The indicative plan provided demonstrates that the site can comfortably accommodate 2 units. The application must determine if the proposed number of units on the site are acceptable without harmfully impacting residential amenity or the surrounding area.
- 9.21 Two neighbour representations have been received from occupiers of properties to the east of the site. Both of the representations relate to residential amenity and in particular the loss of privacy, due to the change in height of ground levels.

- 9.22 The application proposal has been amended to satisfy these issues. As shown on the amended site plan, the indicative position of Plot 1 is approximately 22m from the nearest elevation of the closest property (No. 8 Lings Lane). Similarly, Plot 2 is over 24m from the nearest existing property at Hillcrest and over 26m from Three Chimneys. Distances over 21m are not considered to cause harmful overlooking or overshadowing.
- 9.23 The application site utilises a section of the existing rear garden of the property at Hillcrest. However this property will retain a generous wrap-around garden, extending over 500sqm. The application proposal is not considered to result in the property at Hillcrest being harmfully impacted.
- 9.24 The indicative layout also shows a detached garage and off-street parking for 5 cars. Car parking provision will be fully considered at Reserved Matters stage. The site is to be accessed off Doncaster Road. Plot 1 will face the highway, while Plot 2 will face the field to the south.
- 9.25 Although planning permission to the south is still pending consideration, it is important that the proposal at the application site takes this into consideration. The indicative site plan related to the planning ref: 20/00434/FULM shows that the proposed plots most likely to be affected by this application are Plots 1, 4 and 5.
- 9.26 Proposed Plot 1 site elevation will border to the application site to the south. The house type drawings for this plot shows only one small window which serves the landing will overlook the application site. This is not considered harmful.
- 9.27 The house types at Plot 4 and 5 on the land to the south are 2.5 storey townhouses. The rear gardens of these plots border the application site, within close proximity of proposed Plot 2. Both the proposed dwellings on the land to the south are to be positioned at least 10m from the shared boundary. There are no windows proposed on the rear elevation on the second floor level. However, the finalised siting of Plot 2 (as to be determined at RM stage) would need to ensure that is a sufficient separation distance between any main habitable rooms at proposed Plots 4 and 5 on the land to the south. The indicative site plan provided indicates that this can be achieved.
- 9.28 Whilst the exact position/siting of the proposed dwellings may differ at the Reserved Matters stage, the indicative layout would indicate that the site can suitably accommodate 2 dwellings of this scale, without harmfully impacting the residential amenity of the neighbouring properties. Therefore the application is in accordance with Policy CS1 and CS14 and therefore carries significant weight.
- 9.29 Location
- 9.30 The application site is located in a sustainable location. Hatfield, including Duncroft and Dunsville has been designated as a Growth Town in the adopted Core Strategy.
- 9.31 The application site is located off Doncaster Road (A18) which is a major route, linking Doncaster Town Centre to the M18. This route is served by a number of bus services.

- 9.32 The site is within walking distance of the residential area of Hatfield, which provides a variety of local services and amenities, including schools, shops and health centre.
- 9.33 The application site is therefore well connected and is considered to be a sustainable location.

9.34 Conclusion on Social Impacts.

- 9.35 Paragraph 8 of the NPPF (2019) indicates, amongst other things, that the planning system needs to support strong, vibrant and healthy communities, by ensuring well-designed and safe built environments, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being.
- 9.36 In conclusion the application site is large enough to accommodate two detached dwellings without harmfully impacting the amenity of future occupiers or any neighbouring residents. The site is considered to be able to provide a high quality of accommodation in accordance with Policy CS1.
- 9.37 It is considered that the proposal would not adversely affect neighbouring residential properties through excessive overlooking or loss of privacy. Although two representations have been received, the layout has been amended to address this issues and therefore the amenity of neighbouring land uses is protected by the proposal. The application site is in a sustainable location which is well connected. Thus the proposal weighs positively in terms of the internal space and carries significant weight.

9.38 ENVIRONMENTAL SUSTAINABILITY

9.39 Design and Impact Upon Character of Area

- 9.40 The site lies outside of the defined settlement boundary and is therefore in the Countryside Policy Area in the adopted UDP. However, the application site is surrounded by existing residential development to the north, east and west. The surrounding housing styles vary and there is no uniformed character features. The dwellings opposite the application site on Doncaster Road, are set back and screened from the highway, and therefore do not necessarily feel related or impacted from the proposed development.
- 9.41 The closest development to the application site, and likely to be the most comparable, is the residential development along Lings Lane. This street primarily consists of detached dwellings from a mixture of eras. A number of infill residential developments have been completed along the street in recent years.
- 9.42 The design, scale and materials of the proposed dwellings will be dealt with at Reserved Matters stage. However, the principle of residential dwellings on the site has been established as part of the Emerging Local Plan allocation. The application relates to two detached dwellings which is in-keeping with the existing development along Lings Lane and is therefore considered suitable.

9.43 Drainage

9.44 Part of the application site has been sterilised from development due to the position of an existing water main which runs across the site.

9.45 The existing water main runs almost parallel with Doncaster Road, running in a north- south direction. It crosses the application site to the west of the proposed dwellings, towards the site entrance.

9.46 The application proposal currently has a standing objection from Yorkshire Water. The proposed site plan shows the indicative position of the water main, as detailed on Yorkshire Water's Statutory Records. The site has not been surveyed in order to determine the exact position of the water main as part of the outline application surveys.

9.47 Yorkshire Water have raised an objection in their consultation response stating '*the recorded position of Yorkshire's Water apparatus on our plans is indicative only and the exact position and depth of the water main can only be determined by excavation... No development shall take place within 5 metres of the centre-line of the water main*'.

9.48 The Yorkshire Water objection requests that the site is to be excavated and the pipe is to be surveyed in order to distinguish the water main's exact locality before any application is to be determined.

9.49 However the siting and exact position of the proposed dwellings are not to be determined as part of this application. The agent has provided an indicative site plan which accounts for a 5m easement/stand-off area from on both sides of the water main, as requested by Yorkshire Water.

9.50 The position of the water main, as shown the proposed site plan, is also reinforced by the proposed site layout for the land to the south, which has also included a stand-off area and follows the same direction as shown on the statutory record. It is understood that when writing this report Yorkshire Water have not provided comments for the application to the south, however the developer has accounted for the water main as per the statutory records.

9.51 Prior to a Reserved Matters application the developer must undertake the relevant site surveys so that the precise position of the water main can be plotted on the site plan, and any site specific stand-off distances can be included to ensure that the pipe is protected both during and following construction.

9.52 However, given that this application relates to an outline permission with all matters reserved, including siting, the Case Officer does not consider it to be appropriate for such excavation works to be compulsory at this stage. The indicative site plan has included a 5m easement strip on either side of the water main, which is considered acceptable. Even when including the 5m stand-off area, the site can still comfortably provide 2 dwellings with generous private garden space.

9.53 As the application is based on the principle of the development only, the Yorkshire Water comments are not considered to constitute as a reason for refusal.

9.54 Archaeology

- 9.55 Policy ENV 38 seeks to protect sites with archaeological importance. An archaeology report has been provided following the request made by the Conservation Officer. This report was then reviewed by the South Yorkshire Archaeology Service (SYAS). The report concluded that the magnetometer survey had not recorded any magnetic responses that could be interpreted as being of archaeological interest. Three uncertain anomalies were detected in the data but these are more likely to be due to modern or agricultural processes. The location of the service pipe has also been marked.
- 9.56 A condition has been proposed by the SYAS. This is not considered to be detrimental to the principle of the proposed development. The proposal is therefore considered to meet with Policy ENV 38 of the Doncaster Unitary Development Plan.

9.57 Heritage

- 9.58 The Conservation Officer has reviewed the application proposals but concluded that the application site is too far from the nearest Conservation Area (Hatfield – Manor Road) to have any impact. There are therefore no impact upon heritage assets.

9.59 Highways

- 9.60 The submitted site plan shows dedicated off-street car parking for 5 vehicles. As referred to above, highways and access details are to be assessed at Reserved Matters stage and car parking provision will be assessed at a later stage.

9.61 Contaminated Land

- 9.62 Core Strategy Policy CS 18 (B) states that where there are any risks to ground conditions arising from contamination or previous land uses are identified, proposals will need to incorporate measures to prevent, control and mitigate any ground instability.
- 9.63 The Contaminated Land team have been consulted on the application and have identified that historic maps show the application site is located on previous works, so there is a strong possibility that contaminants may remain on the site. As the development is for a sensitive end use, an appropriate contaminated land risk assessment should be carried out, therefore a number of conditions are included requiring a Phase 1 desktop study and site walkover and a Phase 2 site investigation to be carried out.
- 9.64 The proposal is therefore considered to meet with policy CS 18 of the Doncaster Council Core Strategy.

9.65 Ecology

- 9.66 The LPA's ecologist has reviewed the planning application. Whilst it was acknowledged that there would be a small loss of agricultural land there is no objection to the proposed development. Ecological features such as native species hedging should be implemented at Reserved Matters stage. An informative has been included to address this.

9.67 Conclusion on Environmental Issues

- 9.68 Paragraph 8 (c) of the NPPF (2019) indicates, amongst other things, that the planning system needs to contribute to protecting and enhancing the natural built and historic environment, including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 9.69 The application proposal is not considered to harmfully impact the environment or the countryside. The site is a small extension to the existing built-up area which wraps around the boundary of the site, and therefore would not intrude or encroach upon the open countryside beyond the edge of Hatfield.
- 9.70 The application is not in a Conservation Area, thus there is no impact upon any Heritage assets. The application site is located in a sustainable location, which is well connected and has good links to public transport and local amenities. The proposal does not detrimentally affect the surrounding environment. This weights moderately in favour of the application.

9.71 ECONOMIC SUSTAINABILITY

- 9.72 It is anticipated that there would be some short term economic benefit to the development of the site through employment of construction workers and tradesman connected with the build of the project.
- 9.73 On the wider level, the provision of two dwellings will make a limited contribution to housing supply and local spending.

9.74 Conclusion on Economy Issues

- 9.75 Paragraph 8 (a) of the NPPF (2019) sets out that in order to be economically sustainable developments should help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.
- 9.76 Whilst the economic benefit of the proposal is of limited benefit, it does not harm the wider economy of the Borough and for the reason weighs in favour of the development.

10.0 PLANNING BALANCE & CONCLUSION

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

11.0 RECOMMENDATION

11.1 GRANT planning permission subject to conditions:

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

REASON

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

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

REASON

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

03. Approval of the details of the access, layout, scale, appearance and landscaping of the site (hereinafter referred to as reserved matters) shall be obtained from the local planning authority before the commencement of any works.

REASON

To enable the local planning authority to control the development in detail and to comply with Section 92 (as amended) of the Town and Country Planning Act 1990.

04. 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.

05. 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.

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

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

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

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

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

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

remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the verification report together with the necessary documentation detailing what waste materials have been removed from the site. The site shall not be brought into use until such time as all verification data has been approved by the LPA.

REASON

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

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

07. 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.

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

REASON

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

01. Surface water drainage plans should include the following:

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

INFORMATIVE

02. The total surface water discharge from greenfield sites should be limited to green field run-off rates - up to 1 in 100 years storm + climate change. On site surface water attenuation will be required.

If the greenfield run-off for a site is calculated at less than 2 l/s then a minimum of 2 l/s can be used (subject to approval from the LPA)

INFORMATIVE

03. 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.

INFORMATIVE

04. The proposed development is within a groundwater source protection zone (SPZ)

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.

INFORMATIVE

05. A refuse collection area at the end of the private drive to enable efficient road side collection is required.

INFORMATIVE

06. Reserved Matters application should include ecological features, such as additional native species hedging to form the hedge.

INFORMATIVE

07. The Police Designing out crime officer suggests that the windows and doors fitted to the properties all comply with Police Approved Specifications. Details of which can be found on the Secured by Design website at <https://www.securedbydesign.com/>

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

APPENDIX 1- Site Layout



Application	4
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Application Number:	20/01413/FUL
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Application Type:	Full Application
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Proposal Description:	Relocation of boundary wall to the side and installation of gate.
At:	42, Bancroft Drive, Auckley, Doncaster DN9 3GQ.

For:	Miss Zoeann Ward.
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Third Party Reps:	7 letters of objection.	Parish:	Auckley Parish Council
	7 letters of support.		
		Ward:	Finningley

Author of Report	Mrs Sara Dodds
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SUMMARY

The proposal seeks permission for the relocation of the boundary wall to the side and the installation of a gate.

The proposal is presented to Planning Committee because of the level of interest in the application.

The proposal is considered to be appropriate development. The proposal does not harm the character of the area, neighbouring amenity nor does it raise any highway safety concerns and is considered to be an acceptable and sustainable form of development in line with paragraph 7 and 8 of the National Planning Policy Framework (NPPF, 2019).

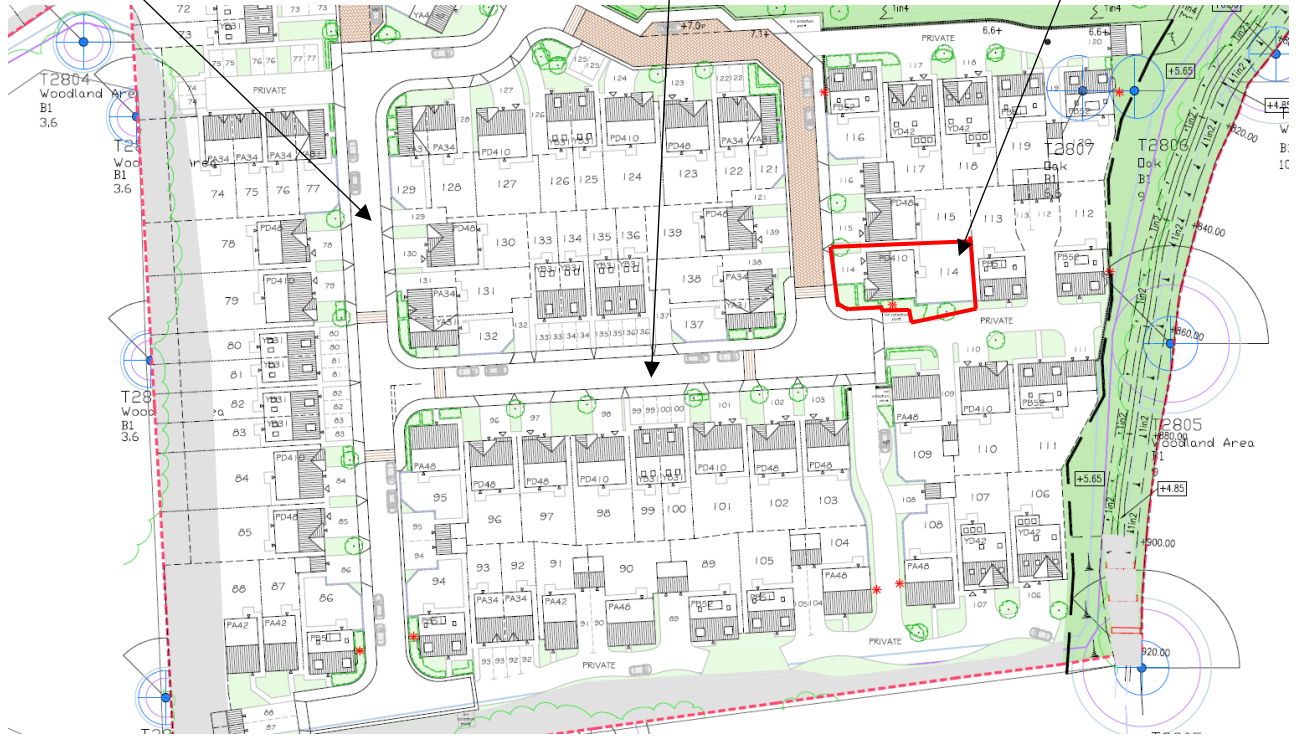
The report demonstrates that there are no material planning considerations that would significantly or demonstrably outweigh the social, economic or environmental benefits of the proposal in this location.

RECOMMENDATION: GRANT planning permission subject to conditions

Insall Way

Bancroft Drive

Application site



1.0 Reason for Report

1.1 The application is being present to the Planning Committee because of the significant level of public interest it has attracted.

2.0 Proposal

2.1 The application is for the relocation of a boundary wall to the side and installation of a gate.

2.2 The boundary wall will be 1.8m in height and will match the existing in height and materials.

3.0 Site Description

3.1 The proposal is associated with a detached dwelling house, which is constructed from a dark red and black coloured brickwork with grey flat roof tiles on a pitched roof. To the front elevation in part comprises of a two storey gable end forwards projection. The residential property has white window frames and a black in colour front door. The side of the rear garden area is enclosed by a matching brickwork boundary wall with wooden panel inserts.

4.0 Relevant Planning History

4.1 Application site:

Application Reference	Proposal	Decision
06/00460/FULM	Formation of new airport access route from Hurst Lane.	Secretary of State Decision 08.06.2006
08/03481/OUTM	Outline application for the erection of 750 homes, roads, footpaths, cycle routes, landscape, open areas and play facilities on approx. 18.6ha of land.	Application Withdrawn 10.02.2009.
09/02048/OUTM	Outline planning application for erection of 750 homes, roads, footpaths and cycle routes, car parking, landscape, open areas and play facilities on approx. 18.6ha of land. Permission Granted (Sec 106) 21.11.2011.	Permission Granted (Sec 106) 21.11.2011.
12/02925/REMM	Details of access, appearance, landscaping, layout and scale for the erection of 352 dwellings on approx 18.6ha of land (Being matters reserved in outline application previously granted under ref: 09/02048/OUTM on 21.11.2011).	Reserved Matters Granted 08.04.2013.
16/01156/MAT	Outline planning application for erection of 750 homes, roads, footpaths and cycle routes, car	Application Invalid on Re-app Received 22.04.2016.

	parking, landscape, open areas and play facilities on approx. 18.6ha of land (being amendment to previous permission 09/02048/OUTM, granted on 21/11/2011 - amendment to areas around plots 44 - 46 and addition of 2 further plots).	
16/01375/REMM	Details of access, appearance, landscaping, layout and scale for the erection of 354 dwellings on approx 18.6ha of land (Being matters reserved in outline application previously granted under ref: 09/02048/OUTM on 21.11.2011) (without compliance with condition 1 of reserved matters application granted under ref: 12/02925/REMM on 08.04.2013 - addition of the planning layout drawing 14.6237.01 rev S and removal of previous and additional plots 91 and 92 added).	Reserved Matters Granted 17.08.2016.
20/01052/PD	Relocation and extension of existing wall (at 2m in height) to the side boundary, this also includes an installation of an access gate to a detached dwelling house.	Permission/Consent Required 27.04.2020.

5.0 Site Allocation

5.1 The site is designated as technically Countryside Policy Area, however, the site is located on a newly built, large scale housing estate.

5.2 National Planning Policy Framework (NPPF 2019)

5.3 The NPPF sets out the Government's planning policies for England and how these are expected to be applied. The National Planning Policy Framework is a material consideration in planning decisions and the relevant sections are outlined below:

5.4 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.

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

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

5.6 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. Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. The tests are:

- 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.

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

5.8 Paragraph 117 states that planning decisions should promote an effective use of land while safeguarding and improving the environment and ensuring safe and healthy living conditions.

5.9 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 users.

5.10 Core Strategy 2011 - 2028

5.11 In May of 2012 the 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:

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

5.13 Local Plan

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

- Substantial
- Moderate
- Limited

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

5.15 Policy 42: Character and Local Distinctiveness (Strategic Policy)

Some objections have been received, however not relevant to the aspects of this policy relevant to this application so this policy can be afforded at least 'moderate weight', and arguably 'substantial weight'.

5.16 Policy 45: Residential Design (Strategic Policy)

2 objections have been received, however these are not in relation to householder extensions therefore this policy can also be afforded at least 'moderate weight', and arguably 'substantial weight'

5.17 Neighbourhood Plan

5.18 The Auckley Neighbourhood Development Plan is also a material consideration; however, at this stage, it carries only limited weight given that the plan has been through an initial call for sites and is therefore at an early stage of production.

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 neighbour notification, and being published on the Council's website.

6.2 14 public representations have been received. 7 letters of representation are in support and 7 are in opposition to the application.

6.3 The letters of objection (material planning considerations) are in regard to the following summarised points:

- Sunlight/loss of daylight into homes.
- Loss of views from inside homes.
- The character of the neighbourhood - oppressive impact on the surrounding area/houses. Adverse visual impact - design, landscaping and visual appearance.
- Impact on amenity of neighbours.
- Environmental impact and aesthetics.
- Children will not be able to play in the private road/street safely.
- Sightlines for vehicles.
- Pedestrian safety.
- Vehicle safety.
- Parking options/manoeuvring of vehicles.
- Access to the private road.
- Access to property.
- Location of drains. Drainage issues. Risk of flooding.
- Garden space.

- Loss of open space.
- Potential tree issues by moving wall. This may involve uprooting a tree planted by Taylor Wimpey to maintain the design of the estate.

6.4 The letters of objection (non-material planning considerations) are in regard to the following summarised points:

- Risk of precedent.
- Comments on rationale for the proposal - disability access.
- Bin storage issues in general. Fencing to bin storage areas (application involves loss of fencing to bin store area) and issues of ownership of bin storage area.
- Future impact on the valuation of properties.
- No discussions or notification by Taylor Wimpey.
- Breach of contract.
- Proposed area of gain.
- Maintenance issues.
- Dispute with Taylor Wimpey as they (Taylor Wimpey) have not challenged this request for planning permission.
- The applicant's current side access has sufficient space to erect a large gate without moving the access point or wall to the other side of their property.

As a point of clarity the application does not seek approval of the summer house hence objections in relation to this have not been included in this report.

6.4 The letters of support relate to the following summarised points:

- Wall will still be in keeping with the estate and will look the same as other properties on the estate.
- Letter of support from Doncaster Council's Occupational Therapist on medical and physical grounds for the whole family.
- Makes sense for the applicant to take advantage of the amount of land she owns to extend her garden for her children's enjoyment.
- A letter of support has been received from medical professionals who support the application

7.0 Parish Council

7.1 Comments have been received from Auckley Parish Council stating they have concerns that the proposed wall will create a serious sight-line issue when entering and exiting the cul-de-sac, thus posing a danger to both vehicles and pedestrians. Children who currently play in front of the houses will also be at risk, due to the diminished sight-line.

7.2 The Parish Council has also raised issue regarding the loss of grassed area and possible drainage problems if the wall is built.

8.0 Relevant Consultations

8.1 National Grid - No response received.

8.2 Severn Trent Water - No response received.

8.3 Councillor Alan Jones - No response received.

9.0 Assessment

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

- The impact upon the character and appearance of the area.
- The impact upon the amenity of neighbouring residential properties/residents.
- Highway safety concerns.
- Overall planning balance.

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

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

9.3 Sustainability

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

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

9.6 SOCIAL SUSTAINABILITY

9.7 Impact on Residential Amenity

9.8 It is not considered that the proposed re-location of the side boundary wall and the installation of the gate would result in harm being caused to residential amenity of the neighbouring residential properties/residents.

9.9 The proposal is to relocate an existing wall that currently runs along the side boundary of a private drive along with the installation of a new access gate. There are no adjacent neighbours affected by the boundary fence realignment. The height of the wall with timber panels will be 1.8m, and will match the existing. The existing wall is located on the corner plot and does not adversely affect the amenity of any nearby neighbours (as can be seen at Appendix 3). The proposed relocation of the wall will include an area of grass verge and will locate the wall closer to the private road. Nevertheless, this relocation will not result in any detrimental impact on the living conditions of occupiers of neighbouring properties.

9.10 Objections have been received which raise concern with regard to the loss of open space. For clarity, the area to be enclosed is not public open space, it is within the applicant's ownership and serves as soft landscaping. There is no overall loss of open space as a result of this proposal, there are 4 areas of public open space within the wider development, two of which are equipped with play equipment. Whilst it would be desirable to retain the wider landscaping, it is not considered that, given the amount to be lost, there is a wider detrimental impact on the character and appearance of the development as a whole. A small parcel of land, owned by the applicant, is to be enclosed for the benefit of the applicant's family life.

9.11 Conclusion on Social Impacts

9.12 In conclusion, it is not considered that residential amenity will be adversely affected by the proposal in accordance with policy CS14.

9.13 The proposed development is minor in nature, with no unacceptable negative effects upon the amenity of the neighbouring residential properties/residents or the surrounding residential estate/area as a whole; therefore no significant weight is attached to harmful or detrimental effect/impact upon residential amenity.

Any very short term noise and disturbance associated with implementing the planning permission is considered to carry little weight against the proposal.

9.14 **ENVIRONMENTAL SUSTAINABILITY**

9.15 Impact upon the character and appearance of the residential estate/area

9.16 It is not considered that the proposed re-location of the side boundary wall and the installation of the gate would result in harm being caused to the character and appearance of the residential area/estate. The proposal is to relocate an existing wall. The new wall will match the existing wall in materials and design and it is considered the relocation of the wall will not detrimentally impact on the character and appearance of the residential area/estate as a whole.

9.17 The Council's Urban Design Officer (who negotiated and agreed the original design, layout and appearance of the housing estate), has provided comment and guidance throughout the applications consideration and has raised no objections to the proposal.

9.18 Objections have been received raising concerns regarding drainage issues and the risk of flooding as a result of the development. However the land is within the applicant's ownership and the relocation of the wall will not create any further risk of flood risk or drainage issues than the current situation. Should there be any issue of flooding or drainage issues then it will be the responsibility of the owner to resolve as it would be currently.

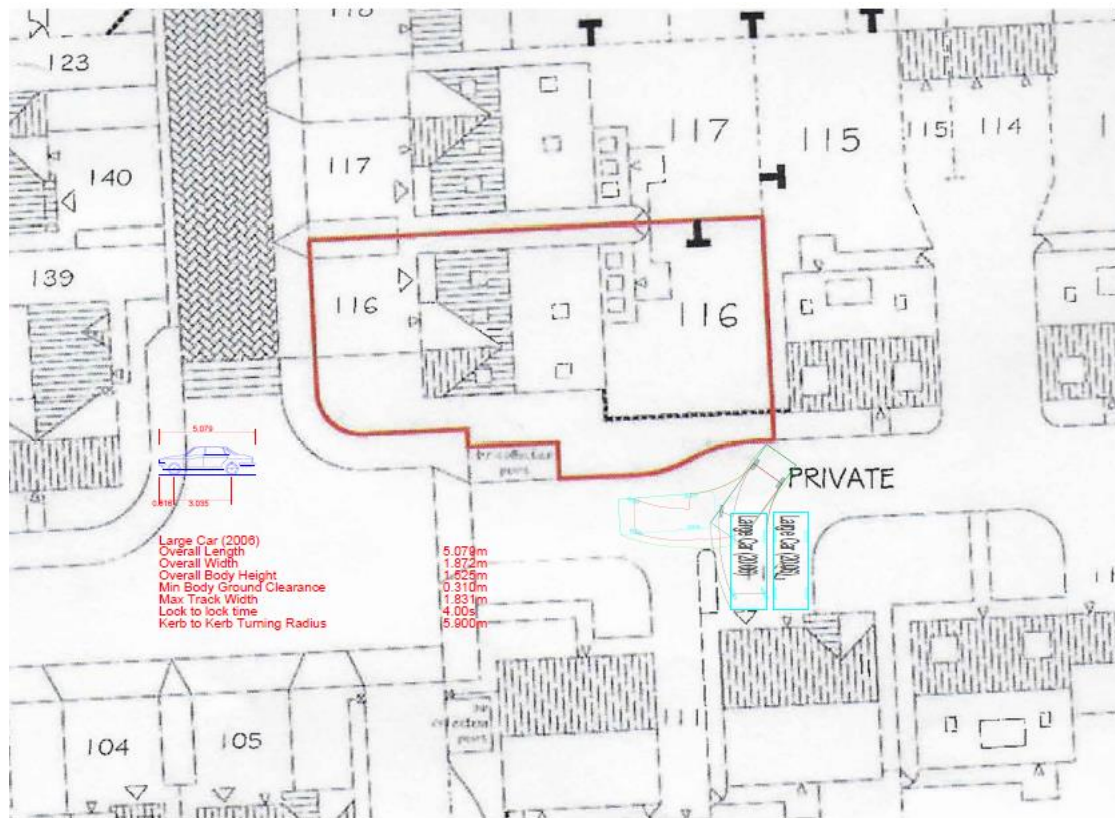
9.19 Impact upon Highway Safety

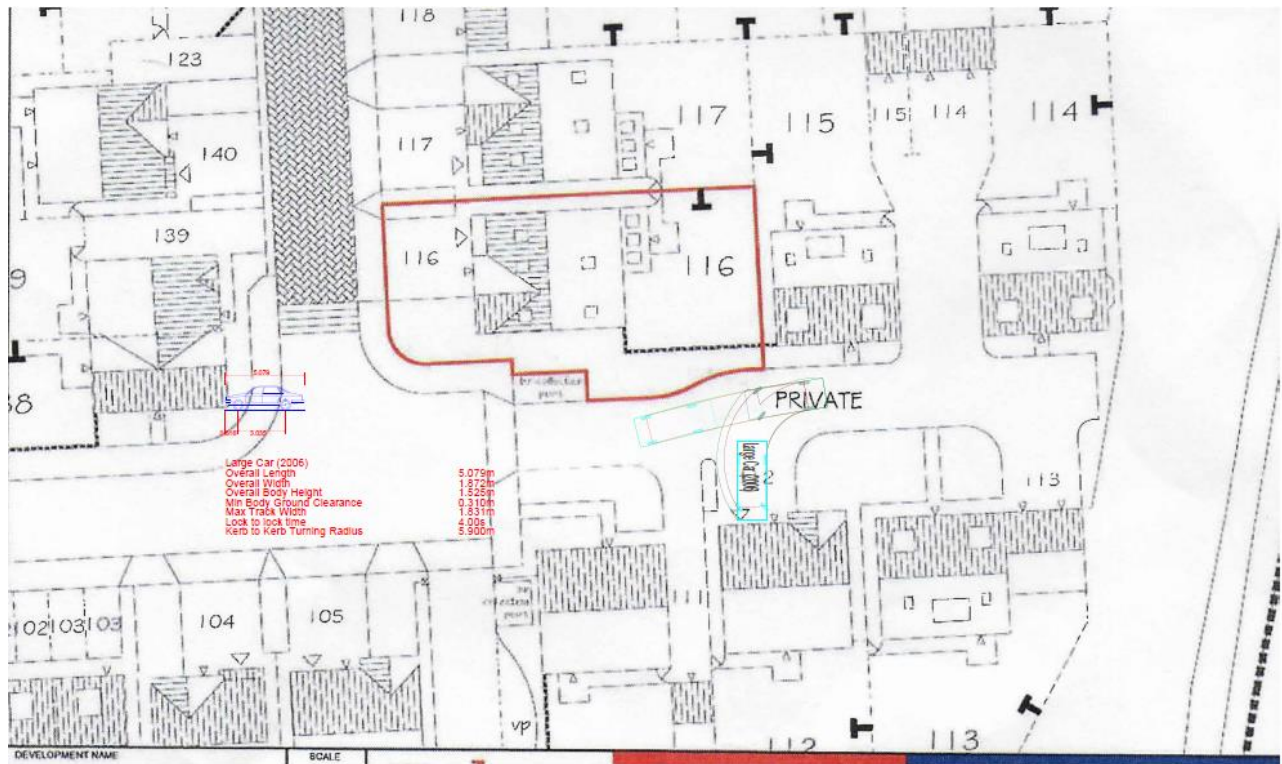
9.20 'Quality, stability, safety and security of private property, public areas and the highway' and 'permeability - ease of pedestrian movement with good access to local facilities and public transport services' are listed as qualities of a successful place within policy CS 14 (A). The NPPF in para 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'.

9.21 Objecting neighbours have raised concerns on account of lack of visibility should the wall be relocated. The Council's Highways Development Control have been consulted on this application and have raised no highway safety concerns with the relocation of the wall. Highway Officers have tracked vehicle manoeuvres to navigate the junction and which demonstrates how this can be safely achieved in the plan below. They have also commented that as this is a private drive with low speeds there will be no impact on visibility.

9.22 The vehicle used was a Large Car 2006, 5.079M Length 1.872M Width. Highways Development Control have undertaken tracking (indicated below) which demonstrates that a large car can manoeuvre suitably without being impacted by the proposal.





9.23 Whilst the objections of residents on the grounds of highway and pedestrian safety are noted, in the absence of any objection from the highway officer, it is not considered that there is an unacceptable or severe impact on highway safety for the purposes of paragraph 109 of the NPPF.

9.24 The Bin store will remain and wall is to be tapered, as demonstrated below in the Proposed Site Plan.

Many different points of objection have been raised either directly or indirectly involved with the private road, road safety or highway safety. The Highways Development Control Section have fully considered all aspects of highway and pedestrian safety and have raised no issues of concern or objections to the application.

9.25 A point of objection has been raised about the loss of a safe zone i.e. the loss of a green area by enclosing it. For clarity, it should be noted that the small green areas are simply that and they have not been designed as or intended to be used as safe zones by pedestrians or for any other use, other than visual green areas within the housing estate.

9.26 Conclusion on Environmental Issues

9.27 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.

9.28 In conclusion of the environmental issues, it is considered that the proposal does not harm the character and appearance of the residential area/housing estate nor

does it result in any highway safety concerns or issues. As such, significant weight can be attached to this in favour of the development.

9.29 ECONOMIC SUSTAINABILITY

9.30 It is anticipated that there would be some very short term and very limited economic benefit to the development of the site through the employment of a builder to re-locate the wall and install the gate in connection with this project. This will be very restricted to a short period of time and very limited in terms of economic benefit, because of the very nature of what is entailed with this proposed minor development relocation, and therefore carries limited weight in favour of the application.

9.31 Conclusion on Economy Issues

9.32 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.

9.33 The economic benefit of the proposal is slight and afforded only limited weight.

10.0 PLANNING BALANCE & CONCLUSION

10.1 In accordance with Paragraph 11 of the NPPF (2019) the proposal is considered in the context of the presumption in favour of sustainable development. There would be no harmful impact upon residential amenity. The proposal does not harm the visual amenity of the area or cause amenity issues. Officers have identified no adverse economic, environmental or social harm that would significantly or demonstrably outweigh the benefits identified when considered against the policies in the Framework taken as a whole. The proposal is compliant with the development plan and there are no material considerations which indicate the application should be refused.

11.0 RECOMMENDATION

11.1 GRANT planning permission subject to 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:

Upgraded Elevation Plan 1:100.

Received on 3rd July 2020.

REASON

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

01.

INFORMATIVE

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

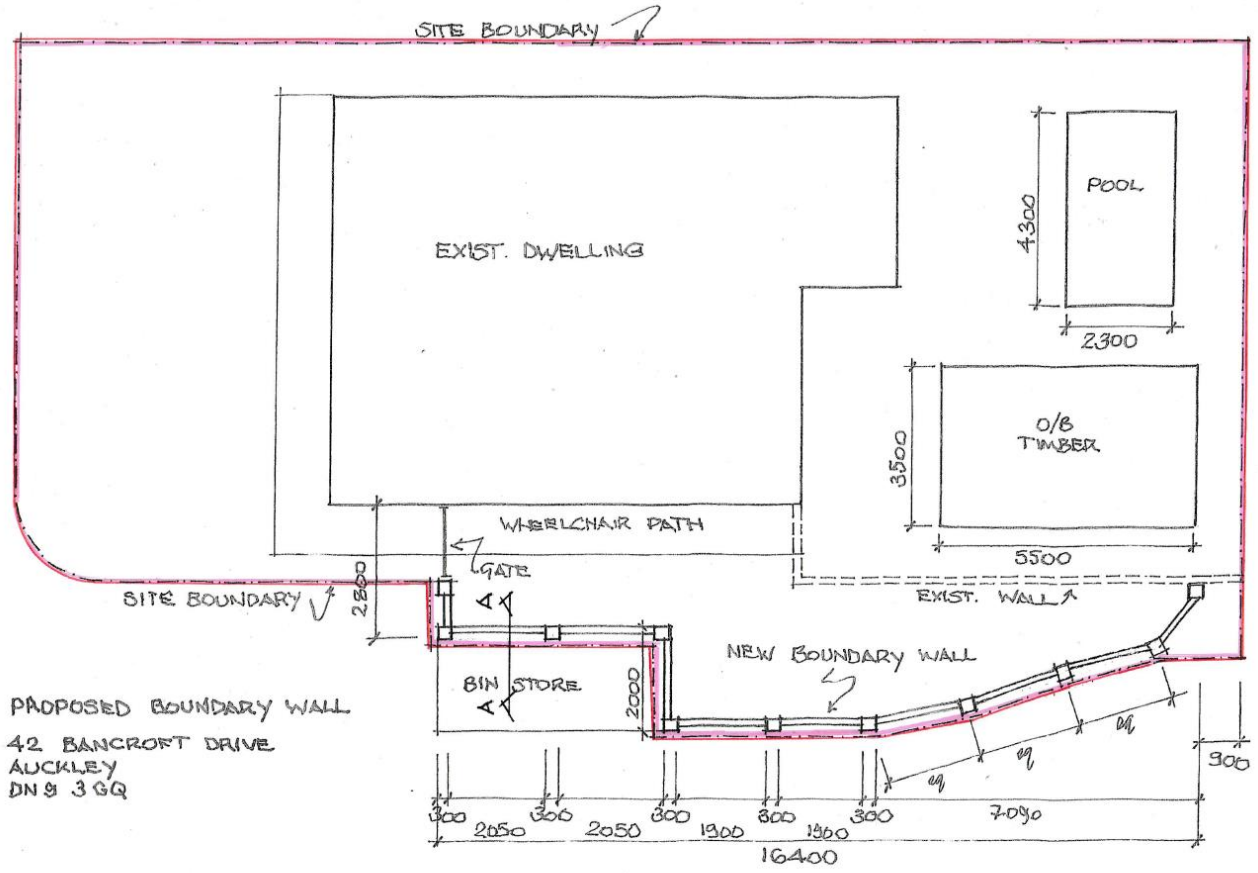
Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

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

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 Site Plan (Upgraded Version).

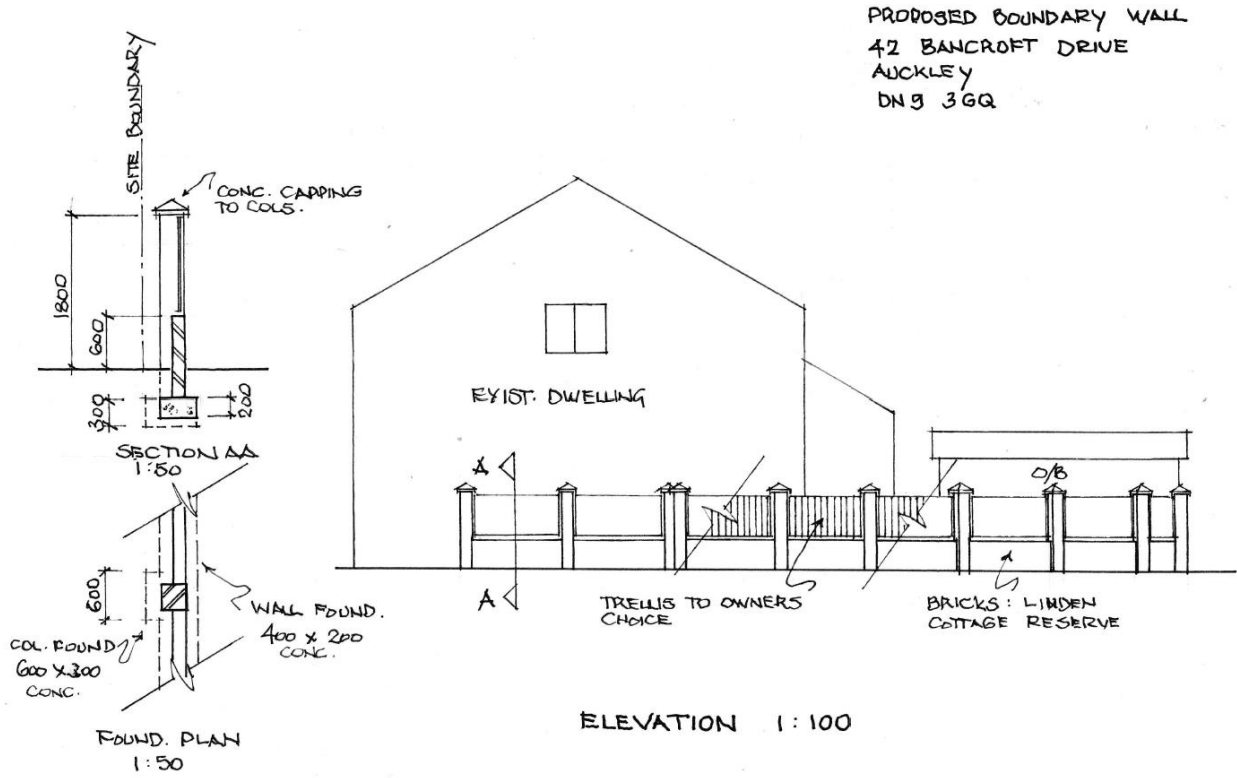
This plan clearly shows the existing Bin Store area still in situ, with a tapered re-located boundary wall.



PROPOSED BOUNDARY WALL
42 BANCROFT DRIVE
AUCKLEY
DN 9 3 GQ

PLAN 1:100

APPENDIX 2 - Proposed Side Elevation Plan (Upgraded Version).



APPENDIX 3 - Site Photo



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Application	5
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Application Number:	20/01177/3FUL
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Application Type:	Planning FULL (DMBC Reg3)
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Proposal Description:	Erection of 4 bungalows and 3 houses on vacant land including access.
At:	Land Adjacent Appleby Road Intake Doncaster

For:	Mr Paul Francis – DMBC
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Third Party Reps:	Letter of objection: 1 Letters of support: 0	Parish:	
		Ward:	Wheatley Hills And Intake

Author of Report	Mark Ramsay
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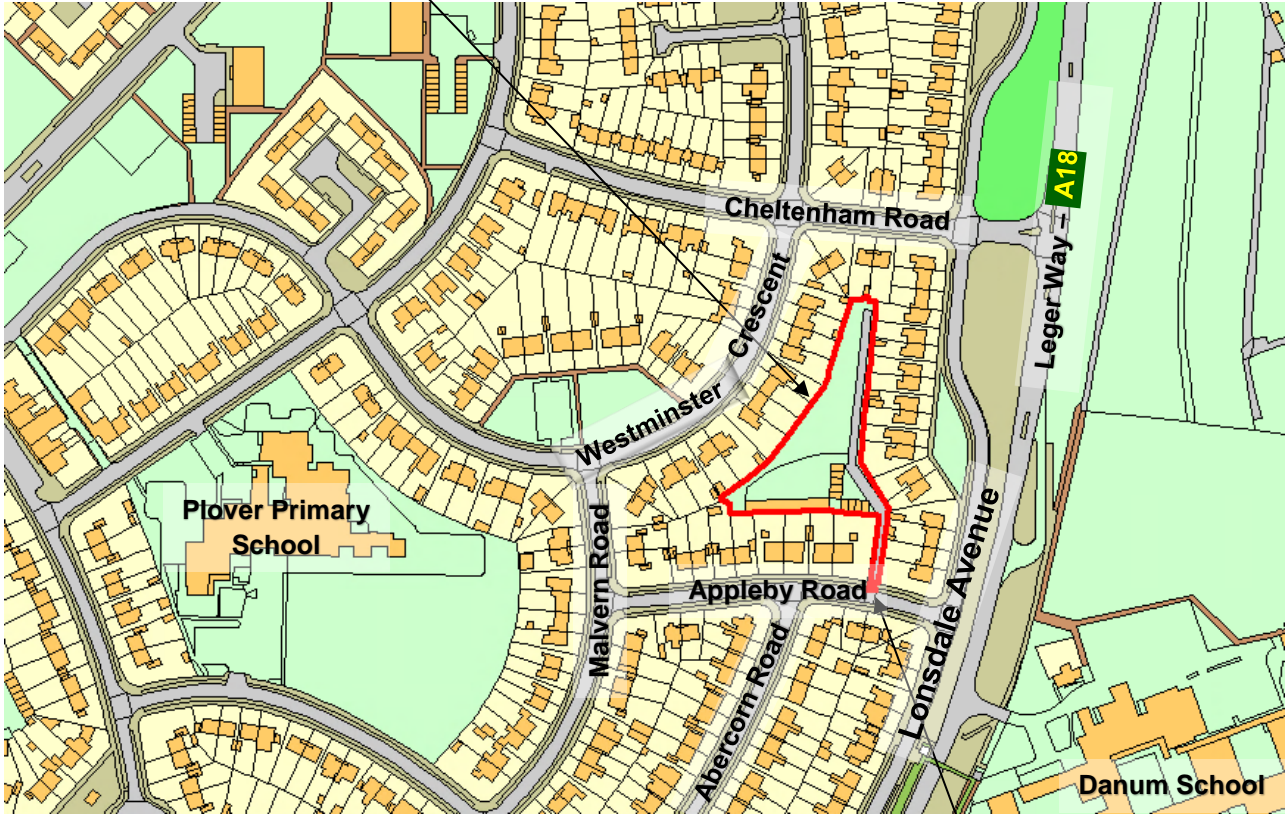
SUMMARY

The application seeks full planning permission for the erection of 4 bungalows and 3 houses on a former garage site between the backs of houses on surrounding roads. The site lies within an allocated Residential Policy Area that supports new housing. It is considered that the proposal would provide a good standard of living and causes no harm to the character of the locality.

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

RECOMMENDATION: GRANT planning permission subject to conditions.

Application Site



Existing access to be utilised for proposed development

1.0 Reason for Report

- 1.1 This application is being presented to Planning Committee due to the application being submitted by Doncaster Council.

2.0 Proposal

- 2.1 Planning permission is sought for the erection of 4 bungalows and 3 houses.

3.0 Site Description

- 3.1 The proposal site is a piece of land located to the rear of houses fronting Westminster Crescent, Abercorn Road, Cheltenham Road, Lonsdale Avenue and Appleby Road and is in a residential area. The proposal site is surrounded by properties on all sides, mainly semi-detached two storey dwellings. It currently houses unused storage lockups/garages and is used for parking and access to the rear of some of the surrounding properties. Properties surrounding the site are mainly erected in buff brick with dark tiled roofs, some feature cladding and render.

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.
- 5.4 Paragraphs 7 – 11 establish that all decisions should be based on the principles of a presumption of sustainable development.
- 5.5 Paragraph 48 sets out that weight may be given to relevant policies of emerging plans according to the stage of preparation of the emerging plan, the extent to which there are unresolved objections to such policies and the degree of consistency of the emerging policies to the existing framework.
- 5.6 Paragraphs 54 – 56 set out the requirements of imposing conditions, which should only be used subject to meeting specific tests and where it is not possible to address unacceptable impacts through a planning condition.

- 5.7 Paragraph 59 sets out the Government's objective to significantly boost the supply of homes, 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.
- 5.8 Paragraph 109 states development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 5.9 Paragraph 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 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.
- 5.11 Paragraph 170 states that 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.

5.12 Doncaster Core Strategy 2011 - 2028

- 5.13 To the extent that development plan policies are material to an application for planning permission the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (see section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004.
- 5.15 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:
- 5.16 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 and protect local amenity and are well designed.
- 5.17 Policy CS12 relates to housing mix and affordable housing, stating that new housing developments will be required to include a mix of house size, type, price and tenure to address the identified needs and market demand to support mixed communities. It further states that in terms of delivering affordable housing this can be delivered under various measures listed.

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 surroundings.

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

5.20 Policy PH11 allows for residential development in allocated residential areas except where there would be adverse effect on the amenity of neighbours or the development would be at a density or form that would be detrimental to the character of the area or result in an over-intensive development.

5.21 Local Plan

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

- Substantial
- Moderate
- Limited

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

5.23 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.

5.24 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.

5.25 Policy 11 (Residential Policy Areas) reinforces some of the wording of PH11 stating that within Residential Policy Areas, as defined on the Proposals Map:

A) New residential development will be supported provided:

1. the development would provide for an acceptable level of residential amenity for both new and existing residents; and
2. the development would help protect and enhance the qualities of the existing area and contribute to a safe, healthy and prosperous neighbourhood; and
3. the development would meet other development plan policies including those relating to flood risk, open space, design and sustainable construction.

B) The establishment or increase of non-residential uses of appropriate scale will be permitted provided they would not cause unacceptable loss of residential amenity through, for example, excessive traffic, noise, fumes, smells or unsightliness. This policy is considered to carry substantial weight at this time.

5.26 Policy 42 requires development proposals to reflect the character of the locality in which they are set and be of a high quality design which contributes to local distinctiveness. This policy is considered to carry limited weight at this time.

5.27 Policy 43 seeks to ensure high standards of residential design. This policy is considered to carry moderate weight at this time.

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 considered to carry moderate weight at this time.

5.29 Policy 46 deals specifically with residential design standards ensuring that new housing meets the Nationally Described Space Standard minimum. This policy is considered to carry limited weight at this time.

5.30 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 considered to carry limited weight at this time.

5.31 Policy 56 deals with the need to mitigate any contamination on site. This policy is considered to carry limited weight at this time.

5.32 Policy 57 requires the need for satisfactory drainage including the use of SuDS. This policy is considered to carry moderate weight at this time.

5.33 Other material planning considerations

- South Yorkshire Residential Design Guide (SPD) (2011)
- Development Requirements and Guidance Supplementary Planning Document (SPD) (2015)
- National Planning Policy Guidance (ongoing)
- 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 by means of the council website and neighbour notification. One public objection has been received by a neighbouring property. The comments can be summarised as:

- the access is a single lane and there is insufficient parking
- access to the rear of existing properties would be restricted during development
- there would be loss of trees within the site
- there would be noise and loss of privacy from the development and disruption during construction

7.0 Parish Council

7.1 The site is not within a parished area

8.0 Relevant Consultations

8.1 **Highways Development Control** – No objections subject to conditions requiring surface and sealing of hardstanding areas and provision of turning and parking spaces.

8.2 **Ecology Officer** –. No objections subject to condition to secure mitigation measures.

8.3 **Tree Officer** – no objections to the scheme following the submission of an arboricultural report, subject to conditions relating to landscaping and protection of trees on site.

8.4 **Yorkshire Water** – No objections.

9.0 Assessment

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

- Principle of development;
- Affordable Housing
- Landscape impact and visual effects
- Impact on residential amenity & quality of life
- Highway safety and traffic
- Ecology and Trees
- Overall planning balance

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

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

Principle of Development

9.3 With regard to the principle of residential development on this site, the site is designated as 'Residential Policy Area' in the Doncaster Unitary Development Plan where proposals should be assessed against Policy PH11. The proposed development is acceptable in principle under this policy.

9.4 The emerging Local Plan has completed its consultation for the Regulation 19 Publication stage. The Council is aiming to adopt the Local Plan by the end of 2020. It gives a clear indication of the direction of travel towards future planning

policy of the site. The Local Plan proposes that the site continues to be designated as 'Residential Policy Area' (Policy 11) and is given substantial weight.

- 9.5 The proposal adds to the mix of housing in the area and providing affordable housing for the need in this area.
- 9.6 Taking the above considerations into account, namely that the principle of residential use on the site is acceptable, and the proposal provides a wider benefit of the provision of 100% affordable housing, it is considered that the site is capable of forming a sustainable residential development which adds to the mix of housing when assessed against UDP and Core Strategy policy. The proposal is therefore acceptable in principle, subject to other policy considerations.

9.7 Sustainability

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

SOCIAL SUSTAINABILITY

9.10 Affordable Housing

- 9.11 Policy CS12 of the Council's Core Strategy relates to housing mix and affordable housing, stating that new housing developments will be required to include a mix of house size, type, price and tenure to address the identified needs and market demand to support mixed communities. The Policy states that affordable housing on suitable developments of less than 15 units will be supported, requiring that the council will work with partners to deliver affordable housing and a mix of houses to meet local needs through use of its own land and other initiatives.
- 9.12 With regard to need; the housing needs study published in 2019 identified the size of the council housing accommodation requirements in the ward. Wheatley Hills and Intake Ward was identified to require majority of three bedroom houses and some two bedroom bungalows properties. This scheme would contribute to the much needed type of housing required in the area, by providing 2 and 3 bed housing, adding to the mix of housing in line with NPPF requirements and would also be in accordance with Policy CS 12.

9.13 Impact on Residential Amenity

- 9.14 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’.

- 9.15 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.
- 9.16 The Council do not currently impose internal space standards through local plan policy but there is guidance on space standards through the South Yorkshire Residential Design Guide SPD which was adopted in 2015. Under the SPD, the standards set out the minimum internal spaces for different aspects of a dwelling, across various dwellings sizes. However a Written Ministerial Statement (WMS) states that ‘Decision takers should only require compliance with the new national technical standards where there is a relevant current Local Plan policy.’ The WMS states that the NDSS are optional for planning purposes and should only be required if they address a clearly evidenced need and incorporated into a Local Plan.
- 9.17 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 to 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 full 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.
- 9.18 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 including the two beds meet or exceed this standard.
- 9.19 The SYRDG states that 2 bed 3 person properties should have an overall floor area of 62m² with stipulations for individual rooms the overall floor area of the 2 bed properties (plots 1 and 2) is 63m². The SYRDG states that 3 bed four person dwellings should have an overall floor area of 77m², plots 3 and 5 have an overall floor space of 93m² and plot 3 has an overall floor space is 78m². Whilst some of the individual rooms do not meet the exact requirements, the overall living space either meets or exceeds that set out in the guidance.
- 9.20 The objection included concern regarding loss of privacy to existing properties due to the development but it is not considered that there are any significantly adverse impacts on the amenities of occupiers of neighbouring properties. The scheme meets with recommended guidance for separation distances being more than 21m between primary windows and 11m to a blank elevation. The frontages of plots 5 and 6 face that of plot 7, however the guidance on front to front elevations allows this to be reduced to 11m which is exceeded in this development.
- 9.21 The objection included concern regarding loss of privacy to existing properties due to the development but it is not considered that there are any significantly adverse

impacts as the scheme meets with recommended guidance for separation distances.

9.22 The objection also raised concerns about existing accesses being lost to the rear of the gardens of surrounding properties. As part of the consultation process that the Housing department carried out, access routes have been incorporated into the roadways that would run through the site where appropriate. They do not form part of a public right of way and would not justify amendments to the proposal or warrant a refusal of the application. Right of access can be on deeds of properties and would be a civil matter.

9.23 An objection has been received stating concerns with increased noise and pollution as a result of the proposal. The short term noise and disturbance associated with implementing the planning permission is considered to carry limited weight against the proposal and would not justify a refusal of the application. Once the properties are built, the houses would be occupied as any other in a residential area.

9.24 Conclusion on Social Impacts.

9.25 In conclusion of the social impacts of the development, it is not considered that the impact of residential amenity will be adversely affect by the proposal, and significant weight should be attached to the provision of community benefits including the full provision of affordable housing.

9.26 ENVIRONMENTAL SUSTAINABILITY

9.27 Impact upon the character of the area

9.28 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.

9.29 The proposal is a development of residential developments in a residential area and as such would not be out of character with its surroundings. The majority of the properties will not be visible within the street scene, however the dwellings reflect their surroundings in their design and scale.

9.30 The materials chosen to erect the properties is in keeping with the surroundings. The scale and size of the properties reflects that of the existing surrounding properties. The site reflects the density levels of its surroundings with the dwellings being set on similar sized plots to neighbouring dwellings. The properties do not appear out of character in size or design and blend well with the urban grain. The development therefore complies with the above policies.

9.31 Impact upon Highway Safety

9.32 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'.

The Core Strategy sets out in Policy CS14 that development should provide 'Quality, stability, safety and security of private property, public areas as well as the highway' and 'permeability - ease of pedestrian movement with good access to local facilities and public transport services'.

9.33 The site is accessed via an existing entrance off Appleby Road, and would be widened by taking ownership of part of the adjacent garden in order to create an access to an adoptable standard. This is in accordance with requirements as set out in the South Yorkshire Residential Design Guide.

9.34 The proposal was amended to provide adequate parking for the proposed properties in accordance with parking standards as set out in the Development Guidance and Requirements SPD and at the request of the Highways Officer. Highways have raised no objections to the amended plans.

9.35 Ecology and Trees

9.36 The NPPF at paragraph 170 d) where it states that planning policies and decisions should contribute to and enhance the natural local environment by “minimising impacts on and providing net gains for biodiversity.” This is reflected in Policy CS 16 states that Doncaster's natural environment will be protected and enhanced in accordance with a number of principles. Part (A) states that "proposals will be supported which enhance the borough's Ecological Networks by (1) including measures that are of an appropriate size, scale and type and have regard to both the nature of the development and its impact on existing or potential networks; (2) maintaining, strengthening and bridging gaps in existing habitat networks".

9.37 The development will involve the loss of some trees and a hedgerow when the entrance is widened. A tree survey was submitted and the Tree Officer raised no objections to the scheme subject to conditions relating to tree protection and landscaping. The planting scheme was amended to provide tree and shrub planting at the entrance to mitigate for the loss of the hawthorn tree.

9.38 A bat survey was carried out and there was no evidence of roosting bats in any of the built structures on the site and, therefore, there are no outstanding ecological issues on site.

9.39 A Bio Diversity Net Gain Assessment was carried out and 0.62 of a unit was identified and a condition is included requiring either a scheme to be agreed to mitigate for that loss onsite or offsite or for a financial contribution to be made in lieu of a scheme for on or offsite mitigation

9.40 Flood Risk and drainage

9.41 The site is not located within a high risk Flood Zone and thus is considered to be at a low risk of flooding. The applicant has demonstrated that soakaways are not practical and the water company has agreed to allow connection to the sewer subject to attenuation. No objections were received from Yorkshire Water.

9.42 Conclusion on Environmental Issues

9.43 Para.8 of the NPPF (2019) indicates, amongst other thing, that the planning system needs to contribute to protecting and enhancing the natural built and historic environment, including making effective use of land, helping to improve biodiversity,

using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change.

- 9.44 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. The proposal does not harmfully impact on trees, ecology, highways safety, and drainage or the character and appearance of the area. Significant weight can be attached to its sustainable location in favour of the development.

9.45 ECONOMIC SUSTAINABILITY

- 9.46 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.

- 9.47 On a wider level, additional housing will increase spending within the borough which is of further economic benefit in the long term. Also the housing will add to the affordable housing stock in the area.

9.48 Conclusion on Economy Issues

- 9.49 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.

- 9.50 Whilst the economic benefit of the proposal is slight and afforded only limited weight, it will benefit the community by providing affordable housing stock to the area and does not harm the wider economy of the borough and for that reason weighs in favour of the development.

10.0 PLANNING BALANCE & CONCLUSION

- 10.1 In accordance with Paragraph 11 of the NPPF (2019) the proposal is considered in the context of the presumption in favour of sustainable development. The proposal would redevelop a tired site featuring dilapidated garages and provide seven affordable houses in Intake. No adverse economic, environmental or social harm has been identified that would significantly or demonstrably outweigh the benefits identified when considered against the policies in the Framework taken as a whole. The proposal is compliant with the development plan and there are no material considerations which indicate the application should be refused.

11.0 RECOMMENDATION

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

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:

PQ2141/ AD/ 10 Site Layout revised plan received 27 July 2020

PQ2141 Site Location Plan

PQ2141 PD00 N645 House Type Planning Drawing

PQ2141 PD00 N790 House Type Planning Drawing

PQ2141 PD00 N797 House Type Planning Drawing

PQ2141 PD00 N930 House Type Planning Drawing

REASON

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

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

REASON

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

05. 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.

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

REASON

To ensure that adequate parking provision is retained on site.

07. Prior to the first occupation of the development, the boundary treatments as shown on the approved site plan shall be erected and retained for the lifetime of the development.

REASON

To ensure the privacy of neighbouring dwellings and in accordance with Policy CS14 of the Core Strategy.

08. Not to commence the development until a scheme ("the scheme") to ensure that there is no net biodiversity loss as a result of the development has been submitted to and agreed in writing by the Local Planning Authority.

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

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

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

If the scheme is not agreed by the Local Planning Authority, not to commence the development until a fixed sum contribution based on Biodiversity Units lost and a requirement to deliver 110% of Biodiversity Net Gain has been paid to the Local Planning Authority. The Local Planning Authority shall use the biodiversity contribution to enhance and secure long term management of biodiversity within the vicinity of the site.

REASON

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

09. Unless as shall be specifically approved in writing by the Local Planning Authority, the scheme of landscaping shown on the Planting Plan ref: PQ2562 L-01 dated 15.07.2020 and the accompanying 30 year Management Plan (2020-2050) shall be implemented in full accordance with the approved details during the first available planting season following the completion of the development hereby granted and the local planning authority notified in writing within 7 working days of the completion of the landscape works to inspect and approve practical completion in writing. Any part of the scheme which fails to achieve independence in the landscape or is damaged or removed within five years of planting shall be replaced during the next available planting season in full accordance with the approved scheme, unless the local planning authority gives its written approval to any variation.

Reason:

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

10. No development or other operations shall commence on site in connection with the development hereby approved (including tree removal, ground works, soil moving, or any operations involving the use of construction machinery) until an Arboricultural Method Statement to ensure for the protection of the retained trees (mixed tree group G5, T8, T11, T13-T16) that accords with BS5837:2012 has been submitted to and approved in writing by the Local Planning Authority. The approved Arboricultural Method Statement shall ensure the following:
- a construction methodology for the new driveway and formation of the landscaped area within the root protection areas of the off-site mixed tree group (G5) which minimises damage to the root systems of these trees;
 - a scheme of any necessary tree pruning that accords with BS 3998:2010 Tree work.
 - a timetable for the above two tree protection measures;
 - a scheme of impact resistant barriers protecting the root protection areas of all retained trees.

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

REASON

To protect the roots and rooting environments of the off-site trees within group G5 in the interests of amenity and in the interests of environmental quality and compliance with core strategy policy CS16: Valuing our Natural Environment.

Informatives

01. INFORMATIVE

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

02. INFORMATIVE

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

03. INFORMATIVE

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

04. INFORMATIVE

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

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

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

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

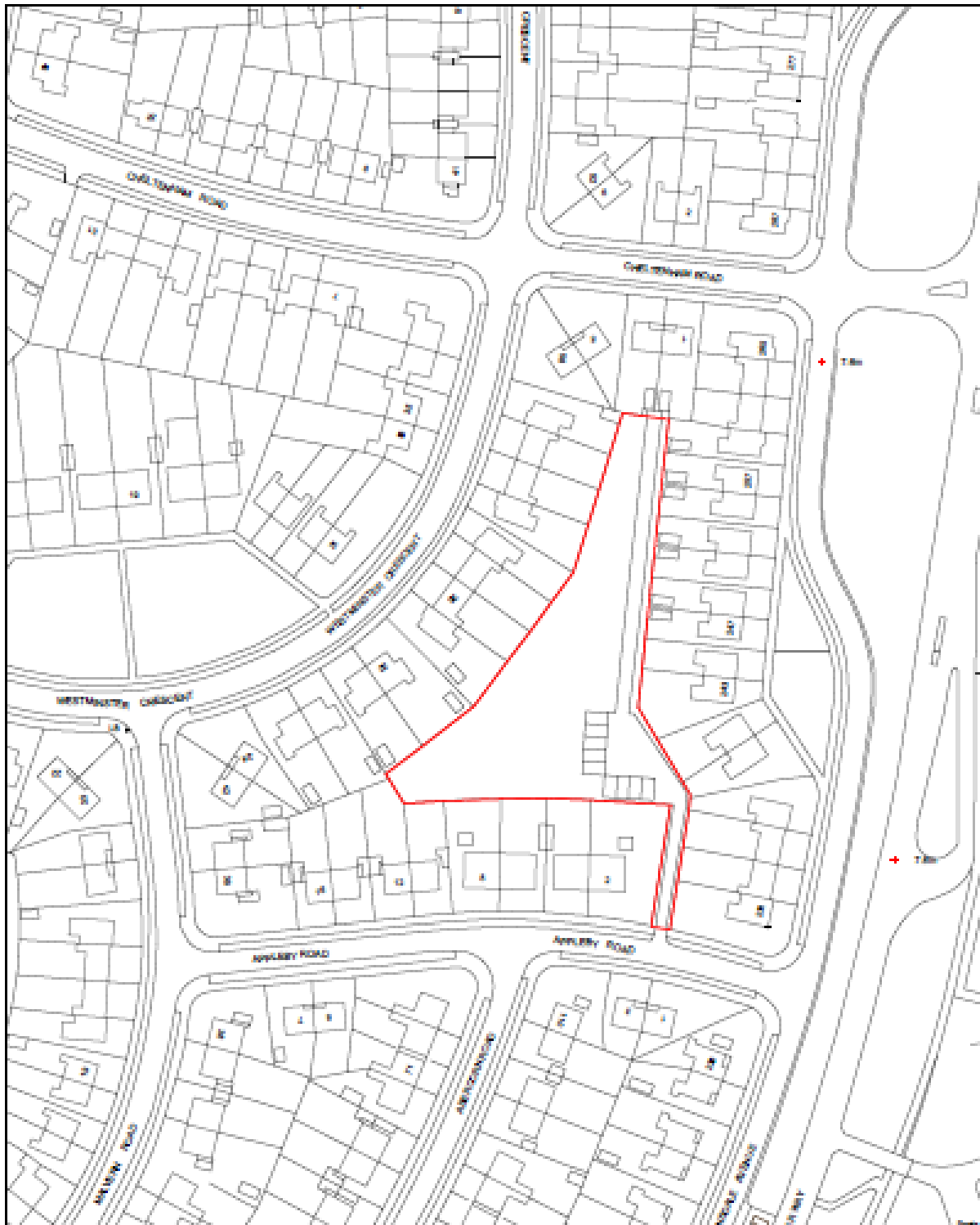
In dealing with the application, the Local Planning Authority has worked with the applicant to find solutions to the following issues that arose whilst dealing with the planning application:

Amendments to the parking arrangements to accord with the local authority's requirement, provide additional planting at the access and provide additional ecological information.

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



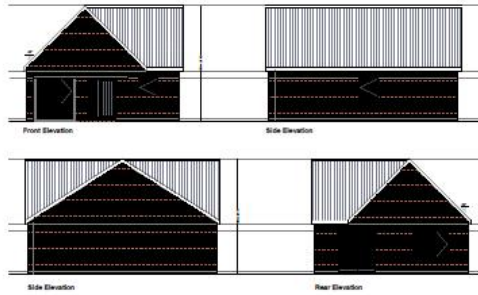
Appendix 3: House types

HOUSE TYPE N645 - Appleby Road, Intake

2 bedroom 3 person single level house GIA = 64.5m²



Ground Floor - N645 Bungalow GIA to blockwork: 64.50m²



SPATIAL STANDARDS

Bungalow designed to meet the Gross Internal Floor Area prescribed by the Nationally Described Space Standards - March 2015.

Double Bedroom meets the minimum floor area of 11.5m² and the minimum width dimension, and single bedroom exceeds minimum floor area of 7.5m² and width restrictions

Storage exceeds the requirements of a property of this size

- Facing Material - Through Coloured Render White
- Joinery Details - Anthracite Grey
- Roof Tiles - Rural Lushan in Slate Grey or terracotta
- Facing Material - Suburb Hardwick Red Mature 2023
- Facing Material - Blockade Growth Charcoal



Title: N645 HOUSE TYPE	
Dwg No: PQ2141 /AD / PD16	
Scale: 1:100/1:50 at A2	Date: March 2020
Revision: -	Drawn By: MBC

HOUSE TYPE N790 - Appleby Road, Intake

2 bedroom 4 person semi or terrace GIA = 79.0m² (850ft²)



SPATIAL STANDARDS

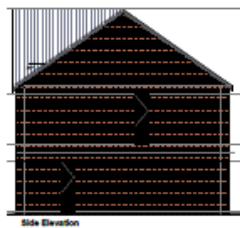
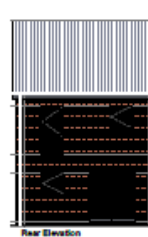
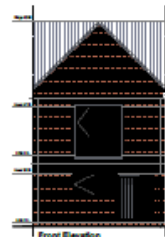
Housetype designed to meet the Gross Internal Floor Area prescribed by the Nationally Described Space Standards - March 2015.

Both bedrooms exceed the minimum floor area of 11.5m² and the minimum width dimensions

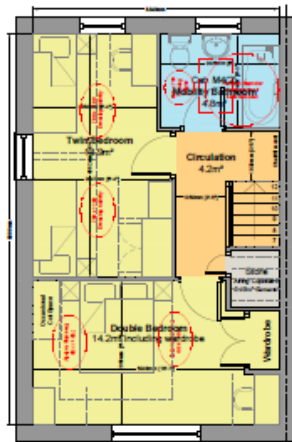
House provides 2.2m² of built in storage in accordance with the spatial standards

ADDITIONAL ENHANCEMENTS FOR BUILDING REGULATIONS 2015

- Ground Floor WC meets Approved Document PART M4(2) Category 2 for accessible and adaptable dwellings
- External Wall makeup allows for 350mm thick solution.
- First Floor Bathroom meets Approved Document PART M4(2) Category 2 for accessible and adaptable dwellings.
- All corridors at least 1050mm wide and internal doors permit accessible access



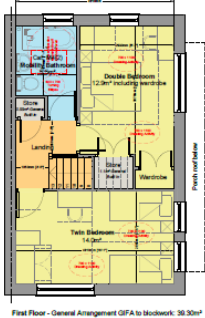
Ground Floor - Rear Lounge General Arrangement GIA to blockwork: 38.67m²



First Floor - Rear Lounge General Arrangement GIA to blockwork: 40.39m²

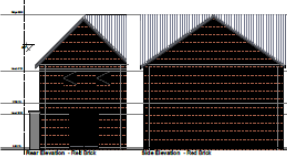
HOUSE TYPE N797 - Appleby Road, Intake

2 bedroom 4 person semi or terrace GIA = 79.7m² (858ft²)



SPATIAL STANDARDS
 Housetype designed to meet the Gross Internal Floor Area prescribed by the Nationally Described Space Standards - March 2015.
 Both bedrooms exceed the minimum floor area of 11.5m² and the minimum width dimensions
 House provides 2.4m² of built in storage in accordance with the spatial standards
ADDITIONAL ENHANCEMENTS FOR BUILDING REGULATIONS 2015

- Ground Floor WC meets Approved Document PART M4(2) Category 2 for accessible and adaptable dwellings
- First Floor Bathroom meets Approved Document PART M4(2) Category 2 for accessible and adaptable dwellings
- External Wall makeup allows for 350mm thick solution.
- All corridors at least 1050mm wide and internal doors permit accessible access



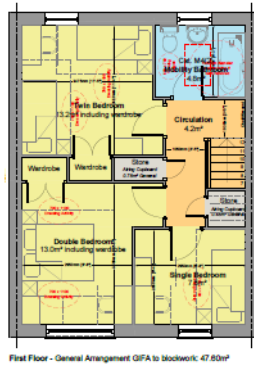
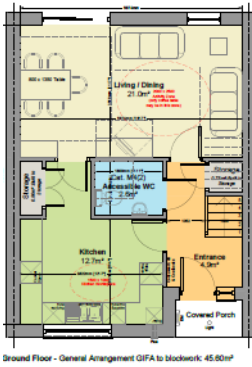
- Joinery Details - Accessible Grey
- Roof Tiles - Rusted Larch in Slate Grey or terracotta
- Paving Material - Washburn / Terra Cotta Red Mosaic

Doncaster Council
 Property Services

Title: N797 HOUSE TYPE
 Day No: PQ2141 / AD / PD03
 Scale: 1:100 / 1:50 at A2 Date: March 2020
 Revision: Drawn By: RV

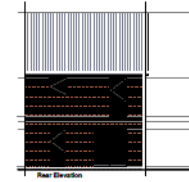
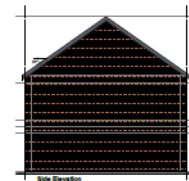
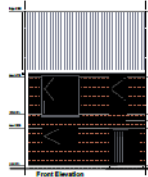
HOUSE TYPE N930 - Appleby Road, Intake

3 bedroom 5 person semi or terrace GIA = 93.0m² (1000ft²)



SPATIAL STANDARDS
 Housetype designed to meet the Gross Internal Floor Area prescribed by the Nationally Described Space Standards - March 2015.
 Both double bedrooms exceed the minimum floor area of 11.5m² and the minimum width dimensions, and the third single bedroom meets the 7.5m² area.
 House provides 2.9m² of built in storage in accordance with the spatial standards
ADDITIONAL ENHANCEMENTS FOR BUILDING REGULATIONS 2015

- Ground Floor WC meets Approved Document PART M4(2) Category 2 for accessible and adaptable dwellings
- External Wall makeup allows for 350mm thick solution.
- First Floor Bathroom meets Approved Document PART M4(2) Category 2 for accessible and adaptable dwellings.
- All corridors at least 1050mm wide and internal doors permit accessible access



Appendix 3 – Space Standards comparison of floor space with SYRDG

	SYRDG space standards (2 bed 3 person)	N790 Plots x (double + twin room)	Difference	N797 (double + twin room)	Difference	N645 Plots x (2 bed Single Storey)	Difference
Double Bedroom	12	14.2	+2.2	12.9	+9	11.6	-0.4
Twin Bedroom		13.9		14.0		n/a	
Single Bedroom	7	n/a	n/a	n/a	n/a	7.8	+0.8
Living Room	13	n/a	n/a	15.4	+2.4	n/a	n/a
Living/Dining	17	16.6	-0.4	n/a	n/a	17.5	+0.05
Kitchen	11	n/a	n/a	n/a	n/a	9.2	-1.8
Kitchen/Dining	13	n/a	n/a	13.9	+0.9	n/a	n/a
Open Plan/ combined	27	n/a	n/a	n/a	n/a	n/a	n/a
Bathroom /WC combined	3.5	GF 2.6 FF 4	-0.9 +0.5	GF 2.6 FF 5.5	-1.9 +2.0	5.03	+1.5
Storage*	3.75	2.2	-1.5	1.9	-1.85	2.1	-1.6
GIFA Overall	62	77	+15	79.7	+17.7	64.5	+5

	SYRDG space standards (3 bed 4 person)	N930 Plot x (3 bed)	Difference
Double Bedroom	12	13.2 & 13.0	+1.2 & +1.0
Single Bedroom	7	7.5	+0.05
Living Room	15	n/a	n/a
Living/Dining	18	21	+3.0
Kitchen	13	12.7	-0.3
Kitchen/Dining	11	n/a	n/a
Open Plan/ combined	30	n/a	n/a
Bathroom /WC combined	3.5	GF 2.6 FF 4.8	GF - 0.9 FF +1.3
Storage *	4.5	2.95*	-1.6
Overall	77	93.2	16.2

* dedicated storage only - bedroom wardrobes included in calculation of room size

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