



# Doncaster Council

## Agenda

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To all Members of the

## **PLANNING COMMITTEE**

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

**Venue:** Council Chamber, Civic Office, Waterdale, Doncaster DN1 3BU

**Date:** Tuesday, 10th January, 2023

**Time:** 2.00 pm

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**Damian Allen**  
Chief Executive

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Issued on: Wednesday, 21st December, 2023

**Governance Services Officer for this meeting**

Amber Torrington  
01302 737462

**Doncaster Metropolitan Borough Council**  
[www.doncaster.gov.uk](http://www.doncaster.gov.uk)

1. Apologies for Absence
  2. To consider the extent, if any, to which the public and press are to be excluded from the meeting.
  3. Declarations of Interest, if any.
  4. Minutes of the Planning Committee Meeting held on 13th December, 2022 1 - 12
- A. Reports where the Public and Press may not be excluded.**
- For Decision**
5. Schedule of Applications 13 - 162
- For Information**
6. Appeals Decisions 163-172

### **Members of the Planning Committee**

Chair – Councillor Susan Durant  
Vice-Chair – Councillor Duncan Anderson

Councillors Bob Anderson, Iris Beech, Steve Cox, Aimee Dickson, Sue Farmer, Charlie Hogarth, Sophie Liu, Andy Pickering and Gary Stapleton

# Agenda Item 4.

## DONCASTER METROPOLITAN BOROUGH COUNCIL

### PLANNING COMMITTEE

TUESDAY, 13TH DECEMBER, 2022

A MEETING of the PLANNING COMMITTEE was held in the COUNCIL CHAMBER, CIVIC OFFICE, WATERDALE, DONCASTER DN1 3BU on TUESDAY, 13TH DECEMBER, 2022, at 2.00 pm.

#### PRESENT:

Chair - Councillor Susan Durant  
Vice-Chair - Councillor Duncan Anderson

Councillors Bob Anderson, Iris Beech, Sue Farmer, Charlie Hogarth, Andy Pickering and Gary Stapleton.

#### APOLOGIES:

Apologies for absence were received from Councillors Steve Cox, Aimee Dickson and Sophie Liu.

#### 41 Declarations of Interest, if any

There were no declarations of interest made at the meeting.

#### 42 Minutes of the Planning Committee Meeting held on 15th November, 2022

RESOLVED that the minutes of the meeting held on 15th November, 2022 be approved as a correct record and signed by the Vice-Chair.

#### 43 Schedule of Applications

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

#### 44 Town And Country Planning Act 1990, Section 106 Agreements

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

<b>Application No.</b>	<b>Description and Location</b>
21/03670/FULM	Residential development of up to 74 dwellings, public open space, landscaping and construction of a new access from Carolina Way on Plot 5A off Carolina Way, Lakeside, Doncaster, DN4 5PN

45 Appeal Decisions

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

<b>Application No.</b>	<b>Application Description &amp; Location</b>	<b>Appeal Decision</b>	<b>Ward</b>	<b>Decision Type</b>	<b>Committee Overturn</b>
22/01660/FUL	Erection of front and rear ground and first floor extensions and replacement garage at 17 Top Road, Barnby Dun, Doncaster, DN3 1DB	Appeal Dismissed 07/11/2022	Stainforth & Barnby Dun	Delegated	No

## DONCASTER METROPOLITAN BOROUGH COUNCIL

## PLANNING COMMITTEE – 13th December, 2022

<b>Application</b>	1		
<b>Application Number:</b>	21/03670/FULM		
<b>Application Type:</b>	Full Planning Permission		
<b>Proposal Description:</b>	Residential development of up to 74 dwellings, public open space, landscaping and construction of a new access from Carolina Way.		
<b>At:</b>	Plot 5A off Carolina Way, Lakeside, Doncaster, DN4 5PN		
<b>For:</b>	Rachael Martin - ID Planning C/O Vistry Yorkshire		
<b>Third Party Reps:</b>	16 objections	<b>Parish:</b>	N/A
		<b>Ward:</b>	Bessacarr

A proposal was made to grant the application subject to Conditions, the amendment of the following Conditions and the completion of a Section 106 Agreement.

**Proposed by:** Councillor Gary Stapleton

**Seconded by:** Councillor Sue Farmer

**For:** 8    **Against:** 0    **Abstain:** 0

**Decision:** Planning permission granted subject to Conditions, the amendment of the following Conditions, the completion of an Agreement under Section 106 of the Town and Country Planning Act, 1990 in relation to the following matters, and the Head of Planning be authorised to issue the planning permission upon completion of the Legal Agreement:-

- (a) 23% Affordable Housing units to be provided;
- (b) A total of 13.5% POS to be delivered on site;
- (c) Education contribution of £232,710 to be provided towards Hall Cross Secondary School; and

**(d) Biodiversity Net Gain off-setting contribution for remaining units to be agreed with the LPA.**

- 04. Prior to any above ground works on the site, a detailed hard and soft landscape scheme based on the approved detailed Landscape Plans 3779 REV K has been submitted to and approved in writing by the Local Planning Authority. The hard landscape scheme shall include details of all external hard surfacing materials. The soft landscape scheme shall include a soft landscape plan; a schedule providing plant and tree numbers and details of the species, which shall comply with section 8 Landscape, Trees and Hedgerows of the Council's Development Guidance and Requirements Supplementary Planning Document, nursery stock specification in accordance with British Standard 3936: 1992 Nursery Stock Part One and planting distances of trees and shrubs; a specification of planting and staking/guying; a timescale of implementation; and details of aftercare for a minimum of 5 years following practical completion of the landscape works with detailed scheduling of maintenance/aftercare operations and clear responsibilities.**

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

**REASON**

**In the interests of environmental quality, Policy 48: Landscaping of New Developments section C, D, E and F and Policy 26: Green Infrastructure (Strategic Policy) Section 4.**

**05. Before any above ground works commence, a scheme shall be submitted to and approved in writing by the Local Planning Authority, for ensuring that the following noise standards can be met by all residential properties at the site:-**

- **Living rooms - maximum 35 dB LAeq, 16hour (07:00 to 23:00)**
- **Dining rooms - maximum 40 dB LAeq, 16hour (07:00 to 23:00)**
- **Bedrooms - maximum 35 dB LAeq, 16hour (07:00 to 23:00) and maximum 30 dB LAeq, 8hour (23:00 to 07:00) and individual noise events not normally exceeding 45 dB max (F time-weighting)**

**In all cases, if achieving these noise levels requires windows to be closed, alternative ventilation shall be provided:-**

- **Outdoor garden areas: maximum 55 dB LAeq, 16hour (07.00 to 23.00)**

**All works which form part of the approved scheme shall be completed and brought into use before any of the dwellings are occupied and a report shall be submitted to demonstrate compliance.**

#### **REASON**

**In the interests of the amenity of occupiers of the development.**

**06. Within one month of commencement of development activities a plan shall be submitted to the Local Planning Authority for approval in writing. This plan shall include details of the following measures, all of which shall be implemented prior to the first occupation of the site or an alternative timescale to be approved in writing with the Local Planning Authority: Height, location and orientation of these integrated boxes shall be specified and detailed by suitably qualified ecologist. Evidence of the implemented measures must be submitted to the Local Planning Authority prior to the first occupation of any associated dwelling or prior to the occupation of the 60th dwelling for any public open space enhancements:**

#### **MEASURES**

- **Details of a bat sensitive lighting scheme.**

- Integrated bat boxes of the Ibstock Bat Brick type or similar shall be built into 5% of new dwellings with an emphasis on those adjoining greens spaces and green corridors.
- Integrated swift boxes of the Manthorpe Swift Brick type or similar shall be built into 5% of new dwellings with an emphasis on those adjoining greens spaces and green corridors.
- Garden fences should be provided with hedgehog entry and exit holes (13x13cm) so as to provide access throughout the residential area.

#### **REASON**

To ensure the ecological interests of the site are maintained in accordance with Policy 29 of the Local Plan.

07. Prior to the signing of any S38 agreement, details of any proposed tree pits and utilities, siting and alignments within the adoptable highway (if applicable) shall be submitted to and agreed in writing by the Local Planning Authority. This shall include a detailed specification for tree pit construction that utilises either grass verges or a professionally recognised crate system construction to provide the minimum rooting volume set out in the Council's Transitional Developer Guidance and a load-bearing capacity equivalent to BS EN 124 2015 Class C250 for any paved surface above; a specification for planting including details of tree support, tree pit surfacing, aeration and irrigation; a timescale of implementation, and where required a maintenance specification until trees are adopted by the Council.

To minimise future conflict with utilities in new developments, where trees are proposed within the footway or highway build outs, the creation of a common utility enclosure with the necessary provisions for safely including both mains services and ducting should be considered in the utility design. This is preferably located adjacent to the property front boundary, under the footway, to facilitate service connections. The developer is to consider the requirements of National Joint Utilities Group guidance volume 4 with regard to the installation of trees and the required installation and maintenance of statutory undertakers apparatus.  
<http://streetworks.org.uk/wp-content/uploads/V4-Trees-Issue-2-16-11-2007.pdf>



Thereafter, the landscape scheme and utility design shall be implemented in full accordance with the approved details, with the crating system laid prior to any utilities. The Local Planning Authority shall be notified prior to the backfilling of any engineered tree pits to inspect and confirm compliance and within seven days of the completion of landscape works to inspect and approve practical completion in writing.

**REASON**

To ensure appropriate design of tree's within the adoptable public highway and avoid any potential design conflicts with utilities to meet Local Plan Policy 48.

14. Prior to the occupation of the development details of secure cycle parking facilities for the occupants of, and/or visitors to the development have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times. The development shall be carried out in accordance with the agreed Travel Plan for the site and its recommendations in full.

**REASON**

To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles and to comply with policy 13 of the Doncaster Local Plan.

26. Prior to the use of above ground materials on site, product details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority. This may include submission of samples if requested by the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, the development shall be carried out in accordance with the approved materials.

**REASON**

To ensure the satisfactory appearance of the development.

In accordance with Planning Guidance 'Having Your Say at Planning Committee', Councillor Majid Khan, a Local Ward Member, spoke in opposition to the Application for the duration of up to 5 minutes.

In accordance with Planning Guidance 'Having Your Say at Planning Committee', Mr Alistair Curran, the Applicant and Rachael Martin, the Agent, spoke in support of the Application for the duration of up to 5 minutes.

(Receipt of the clarification of the description of the development was reported at the meeting).

<b>Application</b>	2
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<b>Application Number:</b>	22/00006/REM
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<b>Application Type:</b>	RESERVED MATTERS
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<b>Proposal Description:</b>	Details of Access, Appearance, Landscaping, Layout and Scale for erection of 1 dwelling (being matters reserved in outline application 18/02033/OUT, granted under appeal reference 20/00003/REF on 08/07/2020).
<b>At:</b>	Chateau Renee, Sutton Road, Doncaster, DN6 9AN

<b>For:</b>	Mr Matthew Dale
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<b>Third Party Reps:</b>	10 objections have been received from members of the public.	<b>Parish:</b>	Norton Parish Council
		<b>Ward:</b>	Norton & Askern

**A proposal was made to hold a Site Visit.**

**Proposed by: Councillor Charlie Hogarth**

**Seconded by: Councillor Andy Pickering**

**For: 3 Against: 5 Abstain: 0**

**On being put to the meeting, the proposal to hold a Site Visit was declared LOST.**

**A proposal was made to grant Reserved Matters subject to Conditions.**

**Proposed by: Councillor Gary Stapleton**

**Seconded by: Councillor Sue Farmer**

**For: 5 Against: 3 Abstain: 0**

**On being put to the meeting, the proposal to grant Reserved Matters was declared CARRIED.**

**Decision: Reserved Matters granted subject to Conditions.**

**In accordance with Planning Guidance 'Having Your Say at Planning Committee', Councillor Austen White, a Local Ward Member, and Ms Clare Hughes, a neighbour, spoke in opposition to the Application for the duration of up to 5 minutes each.**

**In accordance with Planning Guidance 'Having Your Say at Planning Committee', Mr Matthew Dale, the Applicant, spoke in support of the Application for the duration of up to 5 minutes.**

<b>Application</b>	3
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<b>Application Number:</b>	22/02210/FUL
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<b>Application Type:</b>	HOUSEHOLDER
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<b>Proposal Description:</b>	Erection of first floor side extension (being resubmission of 21/03183/FUL refused 16/12/2021).
<b>At:</b>	19 Barnburgh Hall Gardens, Barnburgh, Doncaster, DN5 7DS

<b>For:</b>	Mr A Huntley
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<b>Third Party Reps:</b>	6 objectors 8 supporters	<b>Parish:</b>	Barnburgh Parish Council
		<b>Ward:</b>	Sprotbrough

**A proposal was made to refuse the Application.**

**Proposed by: Councillor Gary Stapleton**

**Seconded by: Councillor Charlie Hogarth**

**For: 8 Against: 0 Abstain: 0**

**Decision: Planning permission refused for the following reason:-**

- 01. The proposal is not sympathetic to the character of the host dwelling or surrounding properties in terms of scale and overall design, and would not integrate well in its setting by virtue of the sense of enclosure the extension would introduce to the courtyard. The application is contrary to Policies 41 and 44 of the Doncaster Local Plan (adopted September 2021). It would also fail to accord with the provisions of the National Planning Policy Framework (July 2021), which states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design. Planning decisions should ensure that developments will function well and add to the overall quality of the area; are visually attractive; sympathetic to local character; and establish and maintain a strong sense of place. The proposal does not accord with the local and national policies and is therefore recommended for refusal.**

**In accordance with Planning Guidance 'Having Your Say at Planning Committee', Ms Claire Rooms, a member of the public, and Mr Andy Huntley, the Applicant, spoke in support of the Application for the duration of up to 5 minutes each.**

**(Receipt of an additional consultation from the Senior Urban Design Officer, additional information with regard to a Shadow Study, December 2022, Revision A and Sectional Elevations, Drawing No. P02, an amendment to the report relating to a typographical error regarding the Planning history from 10/08/2020 to 10/08/2010 and the letter of support from a Local Ward Member, Councillor Glenn Bluff, were reported at the meeting).**

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## DONCASTER METROPOLITAN BOROUGH COUNCIL

Date 10th January 2023

To the Chair and Members of the

### **PLANNING COMMITTEE**

#### **PLANNING APPLICATIONS PROCESSING SYSTEM**

##### Purpose of the Report

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

##### **Human Rights Implications**

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

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

##### **Copyright Implications**

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

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

Contact Officers: Mr R Sykes (Tel: 734555)

Background Papers: Planning Application reports refer to relevant background papers

## Summary List of Planning Committee Applications

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

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Application	Application No	Ward	Parish
1. M	21/03311/FULM	Conisbrough	
2. M	19/02977/FULM	Bentley	
3. M	21/02867/FULM	Finningley	Finningley Parish Council
4.	22/01960/FUL	Finningley	Cantley With Branton Parish Council
5.	22/01290/COU	Finningley	Blaxton Parish Council
6.	22/01877/FUL	Conisbrough	Conisbrough Parks Parish Council



<b>Application</b>	1
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<b>Application Number:</b>	21/03311/FULM
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<b>Application Type:</b>	Full Planning Permission
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<b>Proposal Description:</b>	Proposed residential development with public open space, access, landscaping and associated infrastructure (amended plans).
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<b>At:</b>	Land South East Of Old Road, Conisbrough, Doncaster, DN12 3LR
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<b>For:</b>	Robert Harding - Countryside Partnerships PLC
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<b>Third Party Reps:</b>	35 representations in opposition	<b>Parish:</b>	N/A
		<b>Ward:</b>	Conisbrough

<b>Author of Report:</b>	Dave Richards
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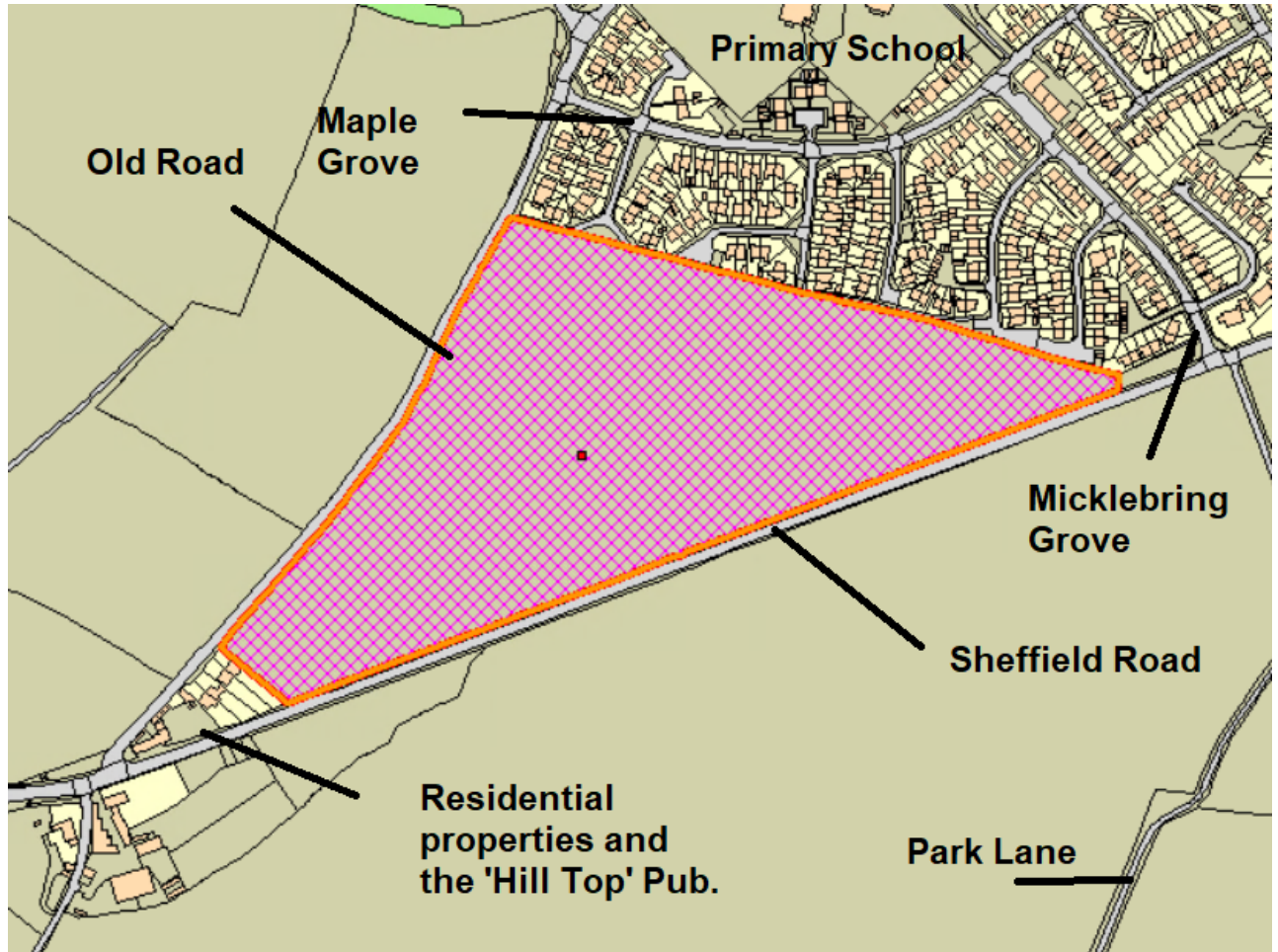
## SUMMARY

The proposal seeks full planning permission for the erection of 239 dwellings within a site allocated for housing in the adopted (Sept 2021) Doncaster Local Plan - Site Allocation Ref: (CD06). The application is deemed to be in accordance with Developer Requirements set out in the Local Plan. Furthermore, the proposal is considered to be an acceptable and sustainable form of development in line with paragraphs 7 and 8 of the National Planning Policy Framework (NPPF), (2021).

The development would not cause an unacceptable level of harm to the highway network, local infrastructure, ecology, flood risk, archaeology or the wider character of the area - subject to suitably worded conditions and the provision of a legal (S106) agreement securing 1) Affordable Housing; 2) Education contribution; 3) Travel Bond; 4) Off site highway works, 5) Biodiversity Net Gain and 6) Green Belt Compensatory Improvements.

The scheme will deliver housing supply for the Borough in line with its allocation within the Local Plan.

**RECOMMENDATION: GRANT subject to conditions and signing of a Section 106 agreement.**



## **1.0 Reason for Report**

- 1.1 This application is being presented to Planning Committee due to the level of public opposition and as a result of a 'call in' by Cllrs Lani-Mae Ball, Nigel Ball and Ian Pearson who have concerns about the amount of houses proposed and wider implications for the community.

## **2.0 Proposal and Background**

- 2.1 The proposal seeks full planning permission for the erection of 239 dwellings, including new access points on to Sheffield Road, and associated infrastructure such as landscaping, drainage attenuation, public open space and parking. The application site is known as Hill Top and is in private ownership. The site is under offer by Countryside Partnerships PLC (the applicant) subject to planning permission being agreed.

- 2.2 In summary, the proposal makes provision for a variety of house types with the mix of size, type and tenure summarised below:

### A) Market Housing Total = 201 dwellings

- 2 No. x 2 bedroom (Acomb)
- 110 No. x 3 bedroom (Honley, Midford, Rydal, Brayton and Hambleton)
- 89 No. x 4 bedroom (Leverton, Lymington, Winburgh and Thorne)

### B) Affordable Housing = 38 dwellings

- 22 no. x 2 bedroom (Arundel, Acomb)
- 16 no. x 2 bedroom (Bournemouth, Brayton)

- 2.3 The scale of the proposed dwellings are in keeping with the local character and scale all being two storeys in height. The proposed dwellings provide a mix of terraced, semi-detached and detached properties.

- 2.4 During the course of the application, the scheme has been amended several times to take account of comments received, primarily by the Council's Urban Design, Public Open Space, Highways and Tree Officers respectively.

- 2.5 The main amendments centre around a reduction of proposed dwellings to 239 in total from an initial 241, a configuration of the site layout to ensure technical compliance with design/highway standards, and a general increase of landscaping within the site.

- 2.6 The highways within the site will be offered for adoption under a Section 38 agreement with the Highway Authority and the foul and surface water sewerage networks will be adopted by YW via a section 104 agreement.

- 2.7 The application itself has been submitted with numerous technical documents, which include:

- Planning Statement
- Detailed Plans
- Design and Access Statement

- Landscape Masterplan
- Preliminary Ecological Appraisal
- Flood Risk Assessment and Drainage Strategy
- Including Drainage Strategy Plan
- Statement of Community Involvement
- Transport Assessment
- Travel Plan
- Arboricultural Assessment
- Geo-environmental Appraisal
- Archaeology Assessment
- Noise Impact Assessment
- Air Quality Assessment
- Economic Benefits Infographic
- Health Impact Assessment

2.8 The proposal complies with all Local Plan policy asks in terms of Affordable Housing, Public Open Space, Education contributions and Biodiversity Net Gain. The applicant proposes all homes to meet Nationally Described Space Standards and further comply with the policy requiring a proportion of the new homes to be Building Regulations M4(2) ('accessible and adaptable') and M4(3) ('wheelchair adaptable') compliant.

### **3.0 Site Description**

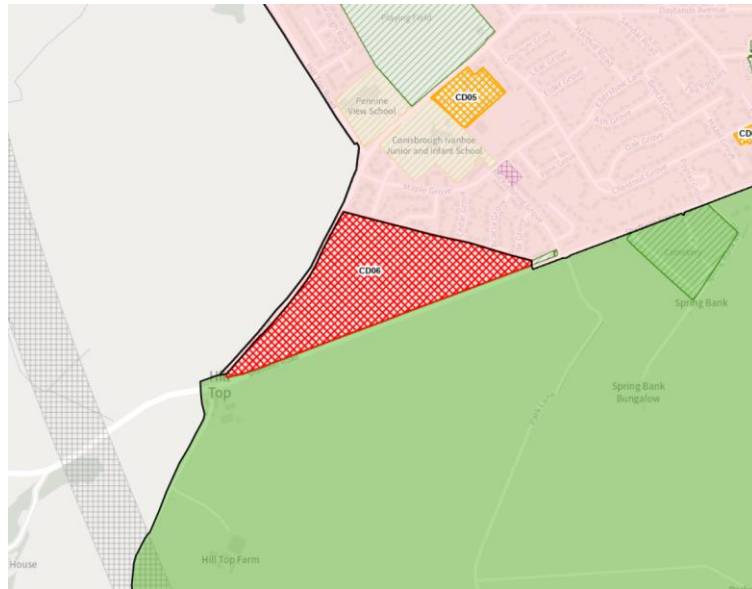
3.1 The application site comprises an agricultural field which has been allocated for housing in the recently adopted Doncaster Local Plan (DLP) in September 2021 - specifically site allocation Ref. CD06. The allocation itself is proposed through this single full application by a single volume householder. The whole site extends to a total area of approximately 8.9ha (22 acres)

3.2 The site is currently used for agricultural purposes. In terms of nearby land uses, there are existing residential development located along the north eastern boundary of the site. The western boundary runs adjacent to Old Road where reflective marker posts along the verge separate the site from the public highway. The southern boundary runs adjacent to Sheffield Road (A630) which includes a public footpath alongside the road and the site. A number of dwellings are located to the south-west of the site with a hedgerow and fencing acting as boundaries to the site.

3.3 The land surrounding the proposal site is broadly flat with some undulation. The land rises in the south towards a local high point at Clifton. To the north, the land drops away into a valley landscape and a more rolling landform. Public Rights of Way are generally found to the south of the site and Conisbrough with good access along a series of bridleways and public foot paths.

3.4 The site is located 7 miles west of Doncaster City Centre on the south-western edge of Conisbrough, connected to the city via the A630. The A630 provides a direct link to Rotherham, 6 miles west of the site. Conisbrough train station is 2.1 miles to the north-east of the site and provides services to Doncaster, Rotherham, Sheffield, Retford and Lincoln. There is a regular bus service linking Conisbrough to Mexborough and Barnsley. These links provide access to destinations which offer employment, leisure and retail opportunities. Conisbrough itself contains local amenities such as shops, a pharmacy and schools.

- 3.5 Two vehicular accesses are proposed to serve the development. Both of these accesses are on the southern side of the site and form new priority 'ghost island' junctions with A630 Sheffield Road. Visibility splays of 2.4m x 160m have been provided in accordance with the required standard for a speed limit of 50mph along Sheffield Road. Each access will serve approximately half of the 239 dwellings within the Site (less the 26 units accessed directly from Old Road).
- 3.6 The site is allocated for housing in the adopted Local Plan under Policy 5 (ref. CD06):



**Figure. 1 Doncaster Local Plan Proposals Map (extract)**

- 3.7 The proposed development site is within Flood Zone 1 of the Environment Agency's (EA) Flood Map for Planning, presenting the lowest risk of flooding. The EA have raised no objections to the proposal in terms of flood risk.

#### **4.0 Relevant Planning History**

- 4.1 There is no relevant planning history to the site. The proposals have been subject to pre-application advice and a screening request by the applicant as to whether the development would constitute 'EIA' development under the 2020 EIA Regulations.

#### **5.0 Site Allocation**

- 5.1 The application site is an allocated site (CD06) for housing in the Local Plan. The indicative capacity for housing within the site is shown to be 200 dwellings within the Developer Requirements briefing document for the site. These requirements are shown within Appendix 1 of this report.

#### **5.2 National Planning Policy Framework (NPPF 2021)**

- 5.3 The National Planning Policy Framework 2021 (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. Planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions and the relevant sections are outlined below: Page 19

- 5.4 Paragraph 2 states that planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 5.5 Paragraphs 7 – 11 establish that all decisions should be based on the principles of a presumption of sustainable development.
- 5.6 Paragraph 38 states that local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- 5.7 Paragraph 47 reiterates that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 5.8 Paragraphs 55 and 56 states that Local Planning Authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. Planning conditions should be kept to a minimum and only be imposed where necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.
- 5.9 Paragraph 60 states to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay
- 5.10 Paragraph 111 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 5.11 Paragraph 119 requires planning policies and decisions to promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.
- 5.12 Paragraph 124 states that planning policies should support the development that makes efficient use of land when taking into account the identified need for different types of housing and other forms of development.
- 5.13 Paragraph 130 states that planning decisions should ensure developments will function well and add to the overall quality of the area, are visually attractive and optimise the potential of the site.
- 5.14 Paragraph 131 emphasises that trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined.

- 5.15 Paragraph 174 states planning policies and decisions should contribute to and enhance the natural and local environment, including preventing new and existing development from being put at unacceptable risk from land instability.
- 5.16 Paragraph 183 states planning policies and decisions should ensure that a site is suitable taking account of ground conditions and any risks arising from land instability and contamination.
- 5.17 Paragraph 184 states where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.
- 5.18 Paragraph 194 and 195 relates to sites which includes, or has the potential to include, heritage assets with archaeological interest, and states that local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation. This should enable an assessment of the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

#### **5.19 Local Plan**

- 5.20 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 5.21 The development plan consists of the Doncaster Local Plan (DLP) (adopted 2021), and the Barnsley, Doncaster and Rotherham Joint Waste Plan (JWP) (adopted 2012). The following Local Plan policies are the most relevant in this case:
- 5.22 Policy 1 sets out the Settlement Hierarchy for the Borough. It seeks to concentrate growth at the larger settlements of the Borough with remaining growth delivered elsewhere to support the function of other sustainable settlements and to help meet more local needs taking account of existing settlement size, demography, accessibility, facilities, issues and opportunities
- 5.23 Policy 5 sets out housing allocations to deliver the housing requirement and distribution as set out in Policy 2. Allocations have been selected having regard to the Spatial Strategy and the findings of the site selection methodology. The site is allocated under Policy 5 for housing.
- 5.24 Policy 7 Delivering the Necessary Range of Housing (Strategic Policy) - sets out the requirements for the range of housing including the need for affordable housing.
- 5.25 Policy 13 relates to sustainable transport within new developments. Part A.6 states that proposals must ensure that the development does not result in an unacceptable impact on highway safety, or severe residual cumulative impacts on the road network. Developments must consider the impact of new development on the existing highway and transport infrastructure.
- 5.26 Policy 16 seeks to improve cycling provision in Doncaster (including new routes and improved links to existing networks and to existing and new development).

- 5.27 Policy 17 states walking will be promoted as a means of active travel as well as for recreation. Improvements will be sought to walking connectivity throughout the Borough on new development schemes through a number of key principles.
- 5.28 Policy 26 states the Council will protect, maintain, enhance and, where possible, extend or create Doncaster's green infrastructure (GI), including landscapes, ecological networks, natural environment, open spaces, public rights of way, geodiversity, biodiversity, navigable river and waterway assets.
- 5.29 Policy 28 deals with open space provision. Developments of 20 family dwellings or more will be supported which contribute 10% to 15% of the site as on-site open space to benefit the development itself – the nature and type of which will be determined by having regard to the Council's Green Space Audit and Playing Pitch Strategy.
- 5.30 Policy 29 states proposals will only be supported which deliver a net gain for biodiversity and protect, create, maintain and enhance the Borough's ecological networks.
- 5.31 Policy 30 deals with the need to value biodiversity and assets will be protected through the following principles:
- A) All proposals shall be considered in light of the mitigation hierarchy in accordance with National Policy.
- B) Proposals which may harm designated Local Wildlife Sites, Local Geological Sites, Priority Habitats, Priority Species, protected species or non-designated sites or features of biodiversity interest, will only be supported where:
1. they use the DEFRA biodiversity metric to demonstrate that a proposal will deliver a minimum 10% net gain for biodiversity;
  2. they protect, restore, enhance and provide appropriate buffers around wildlife and geological features and bridge gaps to link these to the wider ecological network;
  3. they produce and deliver appropriate long term management plans for local wildlife and geological sites as well as newly created or restored habitats;
  4. they can demonstrate that the need for a proposal outweighs the value of any features to be lost; and
  5. if the permanent loss of a geological site is unavoidable, then provision will be made for the site to first be recorded by a suitably qualified expert.
- C) Proposals which may impact Special Areas of Conservation, Special Protection Areas or RAMSAR Sites will only be supported where it can be demonstrated that there will be no likely significant effects and no adverse effects on the integrity of European sites.
- D) Proposals that may either directly or indirectly negatively impact Sites of Special Scientific Interest will not normally be supported.
- 5.32 Policy 32 states that proposals will be supported where it can be demonstrated that woodlands, trees and hedgerows have been adequately considered during the



design process, so that a significant adverse impact upon public amenity or ecological interest has been avoided.

- 5.33 Policy 33 states proposals will be supported that take account of the quality, local distinctiveness and the sensitivity to change of distinctive landscape character areas and individual landscape features. Development will not be permitted where there is significant harm to the distinctive setting of, and relationship between, settlements and buildings and the landscape including important views.
- 5.34 Policy 39 refers to development affecting archaeology.
- 5.35 Policy 41 relates to character and local distinctiveness and states that development proposals will be supported where they recognise and reinforce the character of local landscapes and building traditions; respond positively to their context, setting and existing site features as well as respecting and enhancing the character of the locality. Developments should integrate visually and functionally with the immediate and surrounding area at a street and plot scale.
- 5.36 Policy 42 requires proposals to reflect and respect character and local distinctiveness. In all cases, the components of a development must be designed and assessed to ensure that, amongst other things, it provides safe and secure private property, public areas and the adoptable highway ensuring access points.
- 5.37 Policy 44 relates to residential design and sets out the key design objectives which residential development must achieve, as well as stating that all developments must protect existing amenity and not significantly impact on the living conditions or privacy of neighbours.
- 5.38 Policy 45 new housing proposals will be supported where they are designed to include sufficient space for the intended number of occupants, and are designed and constructed in a way that enables them to be easily adapted to meet existing and changing needs of residents in Doncaster over their lifetime.

A) In order to ensure homes are large enough for the intended number of inhabitants, all new housing should meet the Nationally Described Space Standard as a minimum.

B) In order to provide suitable and genuine housing choices for an ageing population and those with Limiting Long Term Illnesses or Disabilities, at least 65% of all new homes on housing developments of over 0.5 hectare or 10 or more units should meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'.

C) In order to provide suitable and genuine housing choices for occupants with more specific needs, at least 5% of all new homes on housing developments of over 0.5 Hectare or 10 or more units should meet Building Regulations requirement M4(3) 'wheelchair adaptable dwellings'.

The required number and mix of accessible and Nationally Described Space Standard compliant homes should be clearly illustrated on submitted plans, and in the case of accessible homes will be controlled via planning condition. Exemptions to these requirements will only be considered where the applicant can robustly demonstrate, with appropriate evidence, that adhering to the standards is not feasible due to physical constraints.

- 5.39 Policy 47 aims to create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion. Developments will be supported which are designed in a way that reduces the risk of crime and the fear of crime through safe street design.
- 5.40 Policy 48 states that development will be supported which protects landscape character, protects and enhances existing landscape features, and provides a high quality, comprehensive hard and soft landscape scheme.
- 5.41 Policy 50 states the Council will improve and promote strong, vibrant and healthy communities by ensuring a high quality environment is provided with local services to support health, social and cultural wellbeing.
- 5.42 Policy 54 states development proposals that are likely to cause pollution, or be exposed to pollution, will only be permitted where it can be demonstrated that pollution can be avoided, or where mitigation measures will minimise significantly harmful impacts to acceptable levels that protect health, environmental quality and amenity.
- 5.43 Policy 55 deals with the need to mitigate any contamination on site.
- 5.44 Policy 56 requires the need for satisfactory drainage including the use of SuDS.
- 5.45 Policy 58 deals with low carbon and renewable energy within new developments.
- 5.46 Policy 65 deals with developer contributions.

**5.47 Other material planning considerations and guidance**

- 5.48 Doncaster Council's previous suite of adopted Supplementary Planning Documents (SPDs) have been formally revoked in line with Regulation 15 of the Town and Country Planning (Local Planning) (England) Regulations 2012, following the adoption of the Local Plan.
- 5.49 The Transitional Developer Guidance (April 2022) provides guidance on certain elements, including design, during the interim period, whilst new SPDs to support the adopted Local Plan are progressed and adopted. This guidance is attached limited weight.
- 5.50 Other material considerations include:
- National Planning Practice Guidance (ongoing)
  - National Design Guide (2019)
  - Section 66 of the Planning (Listed Buildings and Conservation Areas) Act (1990)
- 5.51 Other Council initiatives include:
- Doncaster Green Infrastructure Strategy 2014 – 2028
  - Doncaster Masterplan
  - Doncaster Delivering Together

5.52 Launched in September 2021, Doncaster Delivering Together (DDT) is the Council's new 10 year Borough Strategy. DDT is about everyone being able to thrive and contribute to thriving communities and a thriving planet. This strategy does not form part of the adopted development plan but it is important that the policies of the Doncaster Local Plan achieve the aims and objectives of DDT strategy. The DDT has identified 8 priorities to deliver for Doncaster over the next ten years.

1. Tackling Climate Change
2. Developing the skills to thrive in life and work
3. Making Doncaster the best place to do business and create good jobs
4. Building opportunities for healthier, happier and longer lives for all
5. Creating safer, stronger, greener and cleaner communities where everyone belongs
6. Nurturing a child and family - friendly borough
7. Building transport and digital connections fit for the future
8. Promoting the borough and its cultural, sporting and heritage opportunities

5.53 The body of the report below reflects the planning considerations for the site. However, it is considered that the application would directly contribute towards the aims of DDT. The development would deliver a minimum of 10% net gain towards bio-diversity and a scheme of green belt improvements would be secured by legal agreement (1). The scheme would deliver open space areas, affordable housing with access to good quality housing which is safe and efficient. There would be opportunities to employ a local workforce during the construction phase (2, 3). The layout of the scheme would be safe and inclusive, with improved links connecting the new development within the existing urban edge of Conisbrough (4). The properties and layouts would meet nationally prescribed space standards with good access to external amenity space (4) and play areas suitable for children. There would be decent access to local services and primary school provision (5, 6). The development would have access to local public transport provision and the properties would benefit from gigabyte ready broadband connections (7). Finally, the urban extension would represent a suitable expansion of housing on the edge of the Borough and would be suitably landscaped to ensure it blends into the urban environment in this key location (8).

## **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 35 representations have been received raising the following issues:

- Concerns about the long term impact on the existing infrastructure including doctors, schools and traffic
- The proposed access points are dangerous to road safety
- Concerns over traffic at the construction phase
- Increase in traffic on the surrounding network
- Impact of surface water runoff from the site and affecting surrounding development
- Concerns over potential for anti-social behaviour
- The development may impact HS2

- The properties will impact privacy of occupiers of No. 134 Old Road
- Dormers and single storey properties should be considered
- The surrounding streets have a history of accidents
- The development is on green belt land

6.3 The following non material objections were raised for which no weight can be afforded:

- Devaluation of property
- Loss of a view

## 7.0 **Relevant Consultations**

7.1 **Highways DC** - No objections in principle following numerous amendments to the layout/design – subject to conditions and informatives.

7.2 **Urban Design** - No objections following a number of amendments to the site plans and subject to conditions relating to landscaping, materials, provision of Public Open Space and securing the M42 and M43 houses.

7.3 **Ecology** - No objections subject to conditions. The scheme provides a good appraisal of the site in terms of ensuring protected species are not impacted by the development. In terms of Biodiversity Net Gain, the application is fairly straightforward in that the losses will 'just' be arable cropland land (8.84 ha). It was agreed that offsite mitigation can be delivered through a suitable provision within the legal agreement.

7.4 **Tree Officer** - Initial objection due to limited planting within the adoptable highway. The site is not constrained by existing features. As such a series of amendments were made to fully account for providing street trees. No objections subject to a condition securing a landscaping scheme.

7.5 **Affordable Housing** - The application complies with the Council's policy for delivering the necessary range of housing (Strategic Policy) in that it includes 38 affordable units, which equates to 15.8% of the total proposed. It is also part of a residential allocated site in the adopted Local Plan.

Demand and Need for Affordable Housing in Conisbrough, Doncaster is quite high; with the requirement being specifically high for 2 bed properties, followed by 3 bed properties. The current proposal put forward by the applicant mirrors this local requirement and the proposed affordable plots are now better pepper potted across the development.

7.6 **Open Space** - No objections. The requirement for this location, as per Policy 28 of the Local Plan is that 15% of the site is delivered as open space. Observations on amending the open space design to include more grassland suitable for wider recreational uses, and amending the play area proposed to deliver a better range of equipment, were taken into consideration. The applicants heeded to incorporate naturalistic play with traditional elements, and alongside the now grassed recreation space, providing a reasonably good play scheme for residents alongside the central meeting space. Some further suggestions on play equipment were made and can be reserved by planning condition.

- 7.7 **Transportation** - No objections subject to conditions requiring cycle parking and EV charging points. Other requirements include a commitment to off site highway works, including new 2m wide footways along the site frontage on Sheffield Road and Old Road, together with development being delivered in accordance with the submitted Travel Plan and a Travel Bond being agreed via Section 106.

The application was capacity assessed for its impact on the local transport network. The following junctions are relevant.

#### **A630 Sheffield Road/Firsby Lane/Old Road Priority Junction**

One arm of this junction is forecast to operate slightly over capacity (90%) in the future year (2031) with the development added in the PM Peak. The impact, however, is not considered severe.

#### **A630 Doncaster Road/B6094 Clifton Hill/A6023 Low Road Signals**

Analysis showed that the effects of the development increases the queue lengths significantly across all arms of the junction. The signalised junction has very limited opportunities for physical improvements and therefore the developer has worked with highways to updating/validating the control of traffic light signalling to balance the vehicular flows. The developer has provided a 'white lining' improvement scheme which includes increasing the available stacking length from along the Low Road approach. This improvement can be undertaken within the existing carriageway width available. These Highway Officer agreed with this approach to mitigate the impact of the proposed development.

#### **A630 Doncaster Road/Mill Lane/Edlington Lane Signals**

Analysis showed that the effects of the development shows the development impact would be considerably less than at the A630 Doncaster Road/B6094 Clifton Hill/Low Road junction, a contribution of £10,000 is proposed towards updating/validating MOVA at the A630 Sheffield Road/Edlington Lane/Mill Lane junction.

- 7.8 **Highways Signalling Officer** - No objections subject to the mitigation measures set out above.
- 7.9 **Internal Drainage** – Initial objection due to lack of information. No objections following further details subject to conditions and informatives.
- 7.10 **Education** - Have advised that two schools are impacted – Conisbrough Ivanhoe Primary Academy and De Warenne Academy (secondary). To ensure capacity is accommodated, Education have advised a s106 is required for monies to be invested into these schools to allow future capacity to the amount of:

- Conisbrough Ivanhoe Primary Academy - £540,640 (for 32 places)
- De Warenne Academy – £861,027 (for 37 places)

Total: £1,401,891.00

- 7.11 **Pollution Control** - Have reviewed the following reports and raise no objections – subject to conditions.

- 7.12 **Air Quality** - No objections subject to conditions following the submission of an air quality assessment. Suitable controls on implementing the agreed travel plan and ensuring properties have access to electric vehicle charging points are reserved by planning condition.
- 7.13 **Waste and Recycling** – No objections, design guidance given. Highlighted concerns with the use of block paving driveways and potential damage from refuse collection lorries.
- 7.14 **Public Rights of Way** - No objections. There are no recorded public rights of way across the land nor has any application been made to add any to the definitive map. There are desire lines across the site which should be taken into consideration with the design layout.
- 7.15 **Area Manager** - No comments.
- 7.16 **Public Right of Way** - No objections.
- 7.17 **Road Safety** - No objections following further discussion on reducing speed limits in the vicinity of the site and suitability of access points.
- 7.18 **Environmental Health Officer** - No objections subject to conditions.
- 7.19 **Street Scene Officer** - Comments made on various aspects of design which are covered within the report.
- 7.20 **Public Health** - Comments made on various aspects of design which are covered within the report.
- 7.21 **Ward Councillors** - Cllr Nigel Ball, Cllr Lani-Mae Ball and Cllr Ian Pearson - serious concerns about the amount of houses proposed and wider implications for the community.
- 7.22 **Bramley Parish Council** – No comments.
- 7.23 **Environment Agency** – No objections or concerns with the proposal.
- 7.24 **HS2 Ltd** – No objections, informative suggested. Avoids encroachment with published HS2 design and the land is not currently subject to formal safeguarding directions.
- 7.25 **National Grid** – No comments.
- 7.26 **Natural England** – No objections.
- 7.27 **Rotherham Metropolitan Borough Council** – No objections.
- 7.28 **Ravensfield Parish Council** – No comments.
- 7.29 **SY Archaeological Service (SYAS)** – No objections in principle and no further comments following an on-site trial trenching investigation. A condition has been proposed. Any update will be reported at planning committee. Page 28

- 7.30 **South Yorkshire Transport Executive** – No comments.
- 7.31 **Superfast Broadband** – No objections, a condition is proposed.
- 7.32 **SY Architectural Liaison Officer** – No objections, design guidance given.
- 7.33 **Yorkshire Wildlife Trust** – Support the comments made by the Council’s Ecologist.
- 7.34 **Yorkshire Water** - No objections subject to conditions and informative.

## **8.0 Assessment**

- 8.1 Section 38(6) of the Planning & Compulsory Purchase Act 2004 requires that:

*‘Where in making any determination under the planning acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise’.*

- 8.2 The NPPF at paragraph 2 states that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF must be taken into account in preparing the development plan, and is a material consideration in planning decisions.

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

- Principle of development
- Design and the character of the area
- Landscaping/trees
- Ecology
- Residential amenity
- Highway safety and traffic
- Local infrastructure
- Flooding and drainage
- Archaeology
- Viability and S106 obligations
- Overall planning balance

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

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

### **Principle of Development**

- 8.5 The EIA Regulations contain two development schedules (Schedule 1 development and Schedule 2 development). Schedule 1 contains a list of development where EIA is mandatory. The proposed development does not fall within Schedule 1 development but falls within Schedule 2 development.

An EIA Screening Request was submitted to the Council on 27th July 2021. The Council responded on 17th August 2021 and confirmed that the development proposals do not require an Environmental Impact Assessment.

*Principle*

- 8.6 The NPPF seeks to significantly increase the overall quantity and quality of housing and to ensure that it is built in sustainable locations. In terms of principle, the proposal is in conformity with the Local Plan and National Planning Policy objectives and as such is considered acceptable. This weighs considerably in favour of the application.
- 8.7 Policy 5 sets out housing Allocations to deliver the housing requirement and distribution set out in Policy 2 of the Local Plan. The site is described as housing allocation CD06 in the Local Plan, and has been sequentially assessed as suitable for significant housing development subject to the specific site constraints. The 'Developer Requirements' detailed in Appendix 2 (pages 280-281) of the Local Plan details the following matters need to be taken into detailed consideration:
- Archaeology – the potential for the survival of unrecorded buried archaeological remains on the site is considered to be moderate. Further work has been commissioned, in addition to trial trenching, leading to conclusions that the site does have capacity for archeological remains but this can be dealt with via a suitable Written Scheme of Investigation during construction works.
  - Bio-diversity – An ecological appraisal and BNG calculation has been provided and is accepted.
  - Compensatory Green Belt Improvements - As the site allocation results in the loss of Green Belt land, this must be compensated for by contributing to improving the environmental quality and accessibility of remaining Green Belt land within the vicinity of the site. Any compensatory improvements agreed can be delivered through the Section 106 Agreement.
  - Design – provides general guidance on the development layout principles, which have been accepted by the Urban Design officer.
  - Education – a contribution is likely to be required – which has been evidenced and is to be secured via a s106 agreement.
  - Public Open Space – to be provided on site and include play provision.
  - Transport – the development includes the provision of new footways along the site frontage. The need for a Travel Assessment and Travel Plan is required and has been submitted and is acceptable subject to conditions and the s106 agreement.



The application accords on the whole with policies 2 and 5 of the Local Plan in principle and is given significant weight in favour of the application.

### Sustainability

- 8.8 The National Planning Policy Framework (NPPF 2021) sets out at paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs
- 8.9 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**

### Impact on neighbouring residential amenity

- 8.10 In terms of the development proposal, the site is an allocated housing site on a currently agricultural field, bounded by Old Road and Doncaster Road and residential development to the west and north east.
- 8.11 The Council has published Transitional Developer Guidance (TDG, April 2022) but this is not an SPD, nor will it be adopted as one. The TDG states that habitable room windows that overlook neighbouring garden space should normally be at least 10 metres from the boundary, which the latest proposal looks to achieve. The TDG also goes on to state that 2-3 storey properties should have back to back distances (between facing habitable rooms) of no less than 21m, and front to front distance of no less than 12m, dependent upon the street hierarchy.
- 8.12 Residential amenity has however been considered for the potential future occupiers of this development – in terms of separation distances and layout. All proposed properties, in conjunction with the existing cluster of properties on Old Road and the planned development to the east are considered acceptable in terms of separation distances. As such, there is not considered to be an impact in terms of overlooking and loss of privacy or other residential amenity impacts for existing residents. This includes the relationship between Nos. 134-140 Old Road, mentioned in a representation.
- 8.13 The TDG states that habitable room windows that overlook neighbouring garden space should normally be at least 10 metres from the boundary, which the latest proposal looks to achieve.
- 8.14 Having assessed the latest layout, it is considered that the proposal would not adversely affect neighbouring properties in terms of excessive levels of overlooking, over dominance, loss of privacy or overshadowing. Likewise, the layout of the proposal is also considered acceptable. The Urban Design Officer advises, following the amendments, that there are no objections. This weighs positively in favour of the application carrying moderate weight.

### Impact on local infrastructure

- 8.15 Although the development has access to a good range of community infrastructure, there are concerns about the increasing pressure on facilities within Conisbrough which the proposed development would add to.
- 8.16 In terms of recreation, a play area for use by the general public would be included in the on-site open space provision. The Green Space Audit highlights the need to increase the provision of children’s play space within Conisbrough and the development would contribute directly towards delivering this requirement. The development would also benefit from a smaller, village green space to allow opportunity for sitting out and resting. The space would be necessary to mitigate the impact of the development on recreational provision in Sprotbrough and would be fairly and reasonably related in scale and kind. The open space provision would be secured within by planning condition and would meet the necessary tests.
- 8.17 With regard to education infrastructure, the S106 undertaking proposes a financial contribution towards the provision of 32 primary school places at Conisbrough Ivanhoe Primary Academy and 37 secondary school places at De Warenne Academy. This would provide the necessary capacity to accommodate the additional pupils projected to arise from the proposed development in line with the funding formula and requirements of the Local Education Authority (LEA).
- Conisbrough Ivanhoe Primary Academy - £540,640 (for 32 places)
  - De Warenne Academy – £861,027 (for 37 places)
- 8.18 The S106 undertaking proposes a financial contribution towards existing primary and secondary school places, which the Council’s Education team confirm would be sufficient in both amount and timing to mitigate the pupil need arising from the scheme as and when it comes forward. The contribution would go towards the improvement, remodelling or enhancement of facilities at each school to ensure that growth can be met with anticipated demand.
- 8.19 The provision of local medical services is administered through the Conisbrough Group Practice based at the Stone Castle Centre, which consists of two GP practices, a pharmacy and other healthcare services. A summary of each practice has been provided below:

Practice	Number of GPs	Evidence	Patient Numbers	Evidence
Conisbrough Group Practice	8	<a href="https://conisbroughgrouppractice.co.uk/team/">https://conisbroughgrouppractice.co.uk/team/</a>	12,000	Link (also see attached) <a href="https://digital.nhs.uk/data-and-information/publications/statistical/patients-registered-at-a-gp-practice">https://digital.nhs.uk/data-and-information/publications/statistical/patients-registered-at-a-gp-practice</a>
Conisbrough Medical Practice	2	<a href="https://www.conisbroughmedicalpractice.nhs.uk/practice-information/meet-the-team/">https://www.conisbroughmedicalpractice.nhs.uk/practice-information/meet-the-team/</a>	1,700	Link (also see attached) <a href="https://digital.nhs.uk/data-and-information/publications/statistical/patients-registered-at-a-gp-practice">https://digital.nhs.uk/data-and-information/publications/statistical/patients-registered-at-a-gp-practice</a>

- 8.20 NHS guidance recommends a Gross Internal Area of 150 m<sup>2</sup> per 1 GP per 1,750 patients. The Stone Castle Centre is shown to be 2,845m<sup>2</sup> (Doncaster Estates

Partnership - <https://www.doncaster-lift.co.uk/projects/stone-castle/>). Looking at the Centre as a whole (combine both practice numbers) the current situation on the provision of services at the Stone Castle Centre is:

No of patients	Floorspace of Practice	Number of GPs	Patients per GP	Floorspace required for patient numbers (150m2 per 1,750 patients)	Remaining floorspace within practice
13,700	2,845m2	10	1,370	1,174m2	1,671m2

8.21 The proposals is predicted to generate an additional 782 new patients (based on NHS approach). As such, the application scheme would have the following impact:

No of patients (including potential new patients from planning application)	Floorspace of Practice	Number of GPs	Patients per GP	Floorspace required for patient numbers (150m2 per 1,750 patients)	Remaining floorspace within practice
14,482	2,845m2	10	1,448	1,241m2	1,604m2

8.22 Based on the above, the two GP practices located at The Stone Castle Centre has sufficient capacity even with the additional patient numbers generated by the development. It is also noted that there is still significant capacity remaining in the primary care facilities even with the development taken into account (i.e. no danger of cumulative effects).

8.23 In terms of accessibility, the site is located roughly a 25 minute walk from the centre and would be situated within the middle of the catchment area. The NHS Doncaster Commissioning Group (now NHS South Yorkshire Integrated Care Board (ICB) has been consulted on the application and no comments have been received. The practice available to the development is currently accepting new patients who live within the practice boundary and are eligible to register for NHS services. Furthermore, the provision of medical services is also open to provision both through the NHS and also private services and any uplift in demand can be countered by market forces. In summary, the applicant has provided analysis which demonstrates that there is capacity at the local doctor's surgery to serve the development. Therefore, the development would have an acceptable effect on surgery provision in accordance with Policy 50.D.

### **Conclusion on Social Impacts.**

8.24 In conclusion of the social impacts of the development, it is not considered that residential amenity will be adversely affected by the proposal in accordance with Policy 44 of the Local Plan.

8.25 The development would have an acceptable effect on local infrastructure provision having regard to the level of existing services and facilities and the contribution towards education provision set out in the S106. Importantly, the site has been

'sustainability appraised' as part of the Local Plan allocation process and the site provides much needed housing in a sustainable location whilst providing a new defensible boundary to the Green Belt edge.

- 8.26 The proposal has been able to adequately demonstrate that residential development can be achieved on the site without adversely affecting the residential amenity of neighbouring properties through overlooking, over dominance or loss of privacy.
- 8.27 It is noted that neighbouring residents view of the site would change should planning permission be granted and the development built. However it has long been held that a right to a view is not a material planning consideration and that planning control is not concerned with the creation or preservation of private rights (see *Wood-Robinson v Secretary of State for the Environment and Wandsworth London Borough Council* [1998]). As such, no weight should be afforded to this matter.
- 8.28 It is anticipated that the proposal would lead to some noise and disturbance being generated whilst construction is taking place and this is a concern that has been raised in representations. However, this is considered to be short term when considered against the lifetime of the development.
- 8.29 Notwithstanding this, planning conditions are proposed to mitigate this harm through the submission of a Construction Impact Management Plan. This carries very limited weight against the proposal.

## **ENVIRONMENTAL SUSTAINABILITY**

### Design and character

- 8.30 The NPPF sets out that achieving high quality places and buildings is fundamental to the planning and development process. It also leads to improvements in the quality of existing environments. In this case, the Local Plan expands upon the fundamental principles of good design to define what is expected for well-designed places in Doncaster.
- 8.31 Policy 41 requires applicants to undertake a detailed assessment of the character and architectural qualities of the surrounding area and demonstrate how the development has responded to it, how it has created a new distinctive identity. At a very high level, the Council will seek to resist 'anywhere housing' within the Local Plan framework, which provides no sense of place or any distinction that the housing is located in South Yorkshire, never mind Doncaster.
- 8.32 The proposal is a mixture of two/three storey terraced, semi-detached and detached brick built dwellings to be built of modern appearance and design. The use of render is proposed to add interest to the streetscene providing focal buildings, and buff brick to create differing character areas within the site. The house types have been amended to introduce a slightly differing architectural detailing to the area to create an individual character, whilst forming a natural extension to Conisbrough.
- 8.33 Part of the requirements for the site is to establish a series of connection points from the street along the northern edge to integrate the development into the existing movement network and promote a walkable neighbourhood to local facilities and bus stops. During the course of the application this was incorporated into the plans with the addition of pedestrian routes provided through the site, and linking with the existing footpaths on Cypress Grove, Cherry Grove, Larch Grove and Pine Grove.

From here, pedestrians can more readily access the existing bus stops and services within Conisbrough. Pedestrian links from the larger POS area in the north eastern corner on to Sheffield Road is unfortunately not buildable due to the proposed and existing levels. An illustration of these connections is shown below:



### Extract from amended Design and Access Statement

- 8.34 Officers worked with the applicant to include a number of revisions to the scheme to provide a stronger visual identity to the scheme. The house types were improved to appear more bespoke, interesting and visually rich. Properties on corner plot locations or prominent positions were amended to include more active frontages. Some properties were lost and house types changed to ensure the required separation distances and garden sizes are met.
- 8.35 The provision of public open space on the site was reworked to provide a principle open space area and a smaller pocket park 'village green' central within the site. The type and offer of play equipment was amended to proposed more informal natural play equipment. Further details of this equipment are reserved by planning condition for the avoidance of doubt. It was clarified that the provision of this equipment would not conflict with the dual use of part of the site for on-site drainage attenuation through storage tanks buried underground. Additional landscaping has been added to incorporate street trees and buffer areas.
- 8.36 A number of design amendments have been incorporated into the highway layout. This includes the provision of speed restraints have been incorporated along with pedestrian crossings to ensure all users can pass through the site safely. Footpaths connecting to existing streets and footpath width increased to enable visitor parking throughout the site. Cars have been indicated on the layout in suitable locations for visitor parking. Efforts have also been made to redesign frontages to reduce frontage parking in certain area and highway verges have been extended in to the site to introduce more tree lined streets and planting to the plot frontages.
- 8.37 Concerns have also been raised that the proposal may impact the local environment being situated on the edge of Conisbrough and are concerned that the infrastructure

local cannot cope with new development. The site has been 'sustainability appraised' as part of the Local Plan allocation process and the site has a defensible boundary comprising the revised Green Belt edge to the south and west and the existing residential development to the north east.

- 8.38 Doncaster's Urban Design Officer has requested amendments to the scheme which have been incorporated into the design in the latest layout and is now content that the proposal meets the necessary standards subject to suitably worded conditions. These amendments have included ensuring that the development provides M4(2) and M4(3) housing, which are 'accessible and adaptable dwellings' and 'wheelchair adaptable dwellings'. These will be secured through condition.

### Landscape Impact

- 8.39 The NPPF states planning policies and decisions should contribute to and enhance the natural and local environment protecting and enhancing valued landscapes in a manner commensurate with their statutory status or identified quality in the development plan. This is replicated in Local Plan policies which seek to ensure that new developments have an appropriate impact on their location.
- 8.40 In terms of wider visual impact, the proposal site was formerly included within the Green Belt that surrounds the edge of Conisbrough but has been removed following the adoption of the Local Plan. Sequentially the site has been chosen to deliver housing for the Borough and has been determined as making the difficult decision to remove land from the Green Belt.
- 8.41 A landscape and visual impact assessment (LVIA) produced by TPM Landscape Ltd has been submitted as evidence with the application. No objections have been received against the methodology used within the LVIA which uses industry standards and techniques to a professional level standard.
- 8.42 The LVIA considers the baseline for both landscape and visual amenity and concludes on the sensitivity and magnitude of change as a result of the development. At a national level, this is a small but noticeable change with it leading to a loss of open agricultural land and field group and its replacement through the extension of settlement. The change at this scale of landscape study is assessed as Low. At the more local level of the Conisbrough to Denaby Coalfield Farmlands, the proposals will exert a direct physical change to a part of the open countryside which currently include the characteristics of open, medium scale arable fields. Some local views will be affected as described above and the settlement will extend to the west, increasing the area of urban form within the character area. The change is assessed as Low-Medium. In terms of visual sensitivity, here are a relatively limited number of affected residential properties which are generally those immediately adjacent to the proposal site at the edge of Conisbrough and the small number of properties at Hill Top to the west. Public footpaths are present throughout the landscape and are notable in the south. Views extend as far as Clifton on elevated ground. Impacts on the highway network are largely restricted to sections of the road immediately adjacent to the site boundary on Sheffield Road and Old Road.
- 8.43 In summary, the proposed development will create an extension to the existing settlement of Conisbrough which will create some local landscape impacts and some visual effects most notably for residential properties immediately adjacent to the site and from locations on rising ground to the south. The development of the site would mark an immediate change in the landscape, however the mitigation measures

proposed within the LVIA and set out in the submitted landscaping scheme would help in both screening and integrating the proposals. Once mature, the conclusions of the LVIA are that these will both reduce the level of effect on landscape and visual receptors and also shift the nature of the effect from adverse to neutral when the development begins to be viewed as the 'new' outer edge of Conisbrough.

### Compensatory Greenbelt Improvements

- 8.44 The NPPF requires the LPA to set out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land. It states that local planning authorities should plan positively to enhance their beneficial use, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity. The NPG (para 002 – GB section) sets out several examples of potential compensatory improvements measures, including;
- new or enhanced green infrastructure;
  - woodland planting;
  - landscape and visual enhancements (beyond those needed to mitigate the immediate impacts of the proposal);
  - improvements to biodiversity, habitat connectivity and natural capital;
  - new or enhanced walking and cycle routes; and
  - improved access to new, enhanced or existing recreational and playing field provision
- 8.45 Whilst the Local Plan does not make specific reference to the provision of compensatory measures to offset the impact of removing land from the Green Belt, there are a number of policies which support the principles of improving the Green Infrastructure network, biodiversity and habitat connectivity, and more generally supporting environmental quality improvements.
- 8.46 The Developer Requirements brief in the Local Plan states that details of specific sites and projects will be established in discussion with the Council. In this case, the site is land locked by busy roads and the urban edge where improved walking/cycling routes or improved access in general (over and above what is already being provided) may be difficult. There may be opportunities to deliver on Council aspirations to improve active travel, specifically the improvement of connections to local public rights of way and other bridleways. The Council are also looking to deliver improvements to social infrastructure through the Future Parks programme to deliver the provision of parks and open spaces within the Borough.
- 8.47 There is potential to deliver environmental improvements to biodiversity, woodland planting, habitat connectivity and natural capital as compensatory improvements. This would directly contribute towards the Council's aspirations to implement an Environmental and Sustainability Strategy as part of Doncaster Delivery Together to tackle the climate emergency and deliver a range of environmental improvements to reduce carbon emissions and increase biodiversity over and above the policy requirement set out in the Local Plan. Such improvements could include the protection and enhancement of woodland, green spaces, the planting of trees, maintaining and enhancing drainage and protection from flooding in the area. As well as Council-owned land, there would be an opportunity for landowners/developers of land currently in the Green Belt to contribute to this.

- 8.48 The potential enhancements and opportunities shall be agreed as part of the Section 106 Agreement. This approach is also in line with Paragraph 003 of the NPG which states that consideration will need to be given to the appropriate use of conditions, Section 106 obligations and the Community Infrastructure Levy to secure the improvements where possible. A legal agreement can also ensure a suitable mechanism for the long term maintenance of sites.
- 8.49 On balance having considered the latest proposals and having consideration to the context of the surrounding area, it is not considered that the proposal would be out of character with its immediate surroundings and would have an acceptable impact in the form of an appropriately managed urban extension to Conisbrough. The compensatory improvements required for taking land out of the green belt can be suitably agreed and controlled via legal agreement. Compliance with the relevant policies attracts neutral weight in the overall planning balance.

### Highways

#### *Access/Road Layout/Parking*

- 8.50 Access to the site will be provided via two new junctions along A630 Sheffield Road, both with new ghost island priority junctions and up to 26 properties are to be served via direct frontage access onto Old Road. Initial concerns from the Highway Safety Team in relation to a safe access and internal road layouts/parking have been addressed following amendments to the submitted plans - specifically site plan Revision S, which is to be conditioned as an approved plan.
- 8.51 Policy 42 lists safe and secure private property, public areas and the adoptable highway ensuring access points, street design, and parking and operational highway requirements safely cater for pedestrians, cyclists and vehicles as qualities of a successful place. Policy 13 of the Local Plan states that proposals will be supported which make an overall contribution to the improvement of travel choice and the transport network.
- 8.52 During the course of the application, a number of revisions have been made to the internal layout to take account of concerns raised by the Highway, Waste and Design Officers respectively. The amendments include adequate speed restraints have been incorporated along with pedestrian crossings to ensure all users can pass through the site safely. The level of frontage parking has been reduced where possible to provide opportunities for street planting and grass verges. A footpath has been provided along Old Road and connections to the new access points on Sheffield Road. Visitor parking has been revised to align with suitable locations around the public open space areas and to meet the required standards. The pedestrian linkages within the site have also been altered to ensure that all users can gain access to open space and the amenities of the edges of Conisbrough quicker. The Waste and Recycling Officer has commented on the suitability of block paving areas for refused vehicles, and the final surface treatment for the development is conditioned. Overall, the relevant Officers are satisfied that the internal layout is now safe, legible and meets the relevant requirements in Policies 13 and 42 of the Local Plan.

#### *Road safety*



- 8.53 In terms of the existing network, Sheffield Road is a lit, single carriageway road some 7.4m wide and subject to a 50mph speed limit. The A630 Sheffield Road runs on a southwest/northeast alignment to the south of the site connecting Doncaster to Rotherham through Conisbrough. Footways of circa 1.3m wide are provided along the northern side of the carriageway adjacent the site frontage with a footpath on the southern flank of the carriageway being provided from the Sheffield Road/Ellershaw Road junction onwards.
- 8.54 Old Road is an unlit single carriageway that runs along the northwest boundary of the Site. It is subject to a speed limit of 40mph, adjacent to the Site, reducing to 30mph at the northern corner of the Site. Some 150m northeast of the site the speed limit reduces to 20mph during school drop off/pick up times. No footways are provided along the initial length of Old Road along the site frontage. Footway provision begins on Old Road just north of the site frontage, where pedestrian accessibility is provided to Cypress Grove.
- 8.55 The figure below illustrates the speed limits in the locality of the site:

Image 2.2 Existing Speed Limits



Source: Transport Assessment submitted by Optima Highways

- 8.56 The submitted transport assessment has tested the impact of the development proposals on the proposed site access junctions and it is concluded that they will operate safely and satisfactorily in the future following full development build-out.
- 8.57 Personal injury accident data has been obtained for the highway network in the vicinity of the site for the most recently available five-year period. The study area I incorporates the necessary local highway network and whilst any accident is regrettable, the causal factors and variety of locations suggest that there is not a specific accident concern or that the proposed development will exacerbate the existing situation.
- 8.58 Highways Development Control Officers have assessed the proposal against the required standards and relevant software and it has been concluded that there would be no adverse impact from a highway safety perspective. Importantly, the NPPF makes clear at paragraph 111 that "development should only be prevented or refused

on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

- 8.59 In this case, no such harm has been identified and this weighs positively in favour of the application carrying moderate weight.

*Impact on the local highway network*

- 8.60 Policies 13 and 42 of the Local Plan also includes the requirement to make appropriate provision for access by sustainable modes of transport to protect the highway network from residual vehicular impact. The same policies consider the impact of new development on the existing highway and transport infrastructure. Where necessary, developers will be required to mitigate (or contribute towards) any predicted adverse effects on the highway and the wider transport network. In terms of representations, there has been local concern with the growth of residential development within the Conisbrough area in recent years and the impact on the local transport network.
- 8.61 A Transport Assessment has been submitted and reviewed by the Transportation Team. The application was capacity assessed for its impact on the local transport network.
- 8.62 The following junctions are relevant.

*A630 Sheffield Road/Firsby Lane/Old Road Priority Junction*

Analysis shows that one part of the junction is forecast to operate slightly over capacity (90%) in the future year (2031) with the development added in the PM Peak. The impact, however, is considered by the Transportation Team to be acceptable and not considered severe.

*A630 Doncaster Road/B6094 Clifton Hill/A6023 Low Road Signals*

- light Analysis showed that the effects of the development increases the queue lengths significantly across all arms of the junction. The signalised junction has very limited opportunities for physical improvements and therefore the developer has worked with the Council's highways team to updating/validating the control of traffic signalling to balance the vehicular flows. The developer has provided a 'white lining' improvement scheme which includes increasing the available stacking length from along the Low Road approach. This improvement can be undertaken within the existing carriageway width available. These Highway Officer agreed with this approach to mitigate the impact of the proposed development.

*A630 Doncaster Road/Mill Lane/Edlington Lane Signals*

Analysis showed that the effects of the development shows the development impact would be considerably less than at the A630 Doncaster Road/B6094 Clifton Hill/Low Road junction, a contribution of £10,000 is proposed towards updating/validating MOVA at the A630 Sheffield Road/Edlington Lane/Mill Lane junction.

- 8.63 In summary, the Transport Assessment has modelled capacity for six junctions across the highway network, including the site access. The assessments are robust as they test for a slightly higher number of dwellings (245) than the 239 applied for. Furthermore, the junction assessments have considered a 2031 design year (10

years post submission of the application) which is considered robust given that the development will be fully built out by 2027. The conclusions of the junction analysis within the TA is that the proposed 241 dwellings can safely and satisfactorily be accommodated and will not materially impact the existing local highway network. The development impact is certainly not considered to be 'severe' which is the test applied at paragraph 111 of the NPPF. The Transportation Team raises no objection subject to suitable mitigation measures agreed through the submitted travel plan and delivered by conditions and the legal agreement.

#### *Location to services*

- 8.64 National policy seeks to build prosperous and sustainable communities by improving the economic performance of towns and cities, promoting regeneration and tackling deprivation. It seeks to focus development in existing centres accessible to public transport, jobs, key services and infrastructure so as to promote their vitality and viability, support town centre regeneration and minimise the need to travel.
- 8.65 Section 9 (Promoting Sustainable Transport) of the NPPF goes into further detail on this core principle and at paragraph 110 states that decisions should take account of whether:
- a) Appropriate opportunities to promote sustainable transport modes can be - or have been - taken up, given the type of development and its location;
  - b) Safe and suitable access to the site can be achieved for all users; and the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code;
  - c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 8.66 The application includes a range of accessibility measures to include and support pedestrian movements to and from the site, including:
- Boundary connections with the existing local highway network to facilitate movement to bus stops on Maple Grove and Micklebring Grove;
  - A new 2.5m wide footway along the full length of the Old Road Site frontage;
  - An improved 2.0m wide footway along the entire Sheffield Road frontage;
  - The provision of 2.0m wide footways along both sides of the site access roads; and
  - Numerous internal links and pedestrian routes linking the new site with the existing edge of Conisbrough
- 8.67 With respect to accessibility to local facilities, the site lies within a 15 minute walk to the nearest local primary school, 10 to 20 minute walk to the nearest convenience store/foodstore and 5-10 minute cycle to the facilities within Conisbrough. It is concluded that the location of the development, combined with the proposed improvements, ensure that the site benefits from very good accessibility by foot and cycle to arrange of local services, facilities and employment opportunities.
- 8.68 Regular bus services to Sheffield and Doncaster already route in close proximity to the site along the following corridors:
- Maple Grove to the north of the site (Services X78); and

- A630 Sheffield Road to the south of the site (Service x78).

8.69 The public transport strategy is therefore to provide several pedestrian links along the site boundaries which will ensure that residents can readily access these established bus services and thereby strengthen and enhance their use and commercial viability. The vast majority (over 90%) of all residents will be within 400m (5 minute walk) of one of these bus stops. The remaining 10% of dwellings will still have a short walk with a maximum distance of 450m to the nearest bus stop.

#### *Travel Plan (TP)*

8.70 The TP contains a package of measures aimed at promoting greener, cleaner travel choices and reducing the reliance on the car. It involves the development of a set of mechanisms, initiatives and targets that together can enable a development to reduce the impact of travel and transport on the environment, whilst also achieving a number of other benefits for residents. There are a number of health, retail and leisure facilities, education institutions and employment sites within relatively close proximity – as detailed in the Travel Plan.

8.71 Furthermore, a number of measures are detailed within the Travel Plan to utilise and build on the site's sustainable location. In considering this, Highways Transportation have advised that a Travel Plan Bond is required, which will mitigate any traffic in the event that targets are not met.

8.72 The purpose of the Bond is to ensure that the targets within the Travel Plan towards sustainable travel (bus, walk, cycle etc.) can be met, and if not met the Council would step in with sustainable measures using the Bond. The Council needs to be assured that the Travel Plan is effective and has reasonable targets that can be met. The formula for calculating the bond is as follows:-

No. of dwellings x the current cost of a 28 day SY Connect+ ticket (currently £114.60) x 1.1= £24,104.08 to be secured by S106 Agreement.

8.73 Taken in the round, the proposal is considered to be located within a sustainable location within a reasonable proximity to bus services and local amenities carrying significant weight in favour.

#### Flooding and Drainage

8.74 The application site lies within an area designated as Flood Risk Zone 1 by the Environment Agency's flooding maps and by Doncaster's Strategic Flood Risk Assessment (SFRA). This is the lowest area of flood risk and the development does not require a Sequential Test, being located within a site which is sequentially assessed to be acceptable. The Environment Agency, Council Drainage Team, Yorkshire Water, Severn Trent Water and the Drainage Board have all been consulted and none raise any objections.

8.75 A drainage investigation report and drainage strategy has been prepared by Civils Design Ltd. In accordance with the hierarchy for surface water disposal, infiltration via sustainable urban drainage (SUDs) was considered in the first instance, however, the strategy confirms that parts of the site (approximately 50% of the plots) would not be suitable for soakaways from working. A positive connection to the local surface water system is therefore required. The rate of surface water runoff discharged from the development will be restricted to 3.5 l/s as required by

Yorkshire Water due to the capacity of their current system. This rate is approximately 10% of the rate of existing flow (greenfield rate). Surface water flows in excess of this rate will be attenuated on the site via two storage tanks below the open space areas. Storage will be provided for the 100-year event plus 40% climate change and 10% urban creep factors.

- 8.76 Foul water is proposed to discharge to the existing public foul sewer recorded in Pine Grove. The sewer is to be designed in accordance with the hydraulic design requirements of Code for Adoption and handed over to Yorkshire Water under an adoption agreement. A gravity connection can be achieved to this location.
- 8.77 Doncaster's Drainage team have been consulted as part of the proposal and have commented on the full drainage information that has been submitted. They have concluded that the information submitted is acceptable and provides a clear method for dealing with foul and surface water drainage. There has been clarification that maintenance of the storage attenuation tanks within the site would not conflict with play space equipment. The submitted information demonstrates that SUDs cannot be achieved on site and, due to a lack of any suitable watercourse, that local discharge to the public sewer can be accepted in line with the drainage hierarchy. Foul water will discharge to a public sewer within the site. No objections have been received from the Council's Drainage team subject to suitable conditions. The proposal has therefore been undertaken with the approach detailed in Policy 56.

#### Trees and Landscaping

- 8.78 An Arboricultural Impact Assessment (AIA) has been prepared for the site by BWB Consulting. This involved a tree survey of the site in accordance with BS5837:2012.
- 8.79 The trees included within this survey comprise of four individual trees and six hedgerow groups which are categorised as follows:
- Four individual trees were classified as Category C; and
  - Six hedgerow groups were classified as Category C.
- 8.80 In general, trees within the site are very limited. All trees and hedgerows within the proposed development area are located around the sites boundaries and considered to be of low quality and are therefore Category C. All trees on the site are small and young self sown trees of generally poor form. There are no objections to their removal.
- 8.81 Hedgerow sections are located along Sheffield Road along the southern boundary of the site. These are all small hedgerows of low species mix. All have been managed to maintain a small height and spread through flailing. One short hedgerow section is located along the northern boundary.
- 8.82 The Tree Officer notes that the existing landscaping is of poor structural form and condition and the survey results indicate it is of very low importance/interest and its replacement with a new, low maintenance hedgerow will be a marked improvement. The levels of replacement planting and the overall masterplan for street planting and structural landscaping was amended during the course of the application. In terms of the quantum of tree planting, the following is proposed.

- 74 x trees (30-35cm girth) along the spine road to the site

- 79 x trees (20-25cm girth) within the public open space
- 47 x medium sized ornamental house garden trees (14-16cm girth)
- 143 x small size ornamental house garden trees (10-12cm girth)
- 8 x orchard trees (10-12cm girth)

- 8.83 In total, the planting of 351 trees is proposed in addition to 1767 metres of evergreen hedgerow, over 3000 square metres of shrub planting and 3,566 square metres of wildflower planting. A condition is proposed to secure a scheme of landscaping as shown by the indicative landscaping scheme.
- 8.84 On balance, the site is an allocated site for housing within the Doncaster Local Plan and the submission of an AIA complies with the Development Requirements. The proposals present the best opportunity to offer a good quality landscaping scheme to mitigate against the urbanisation of the site and develop new defensible site boundaries to the settlement. The proposals is considered to be acceptable and in accordance with Local Plan Policies 32 and 33.

### Ecology and Wildlife

- 8.85 A Preliminary Ecological Appraisal of the site and a subsequent full Ecological Impact Assessment (EclA) has been undertaken by BWB Consulting, which assessed the site for Bats, statutory designated sites, non-statutory designated sites (Local Wildlife Sites), a summary of 'relevant species records' and a more in-depth assessment of the significant of any important ecological features.
- 8.86 The report findings have been assessed by the Planning Ecologist, who advises the ecological surveys, the appraisal and the biodiversity net gain assessment have all been carried out by competent and experienced ecologist, with no doubts about the thoroughness of their methods and subsequent appraisal. Overall, the Ecologist is satisfied with the ecological appraisal and the outcome of the subsequent surveys and the level of mitigation recommended. The site is of limited biodiversity value in respect of habitats and faunal species, being a worked agricultural field with limited trees and hedgerows. The potential impact on the use of the sites by foraging bats can be mitigated by retention and enhancement of boundary vegetation. With the absence of reptiles and other terrestrial fauna, it was concluded that no further protective measures would be needed during the construction phase.
- 8.87 The latest biodiversity net gain assessment sent through by the applicant's agent provides the most up-to-date assessment based upon the amended layout which was made to reduce the deficit. The outcome of this is that the biodiversity net gain deficit will need to be provided. The on-site biodiversity net gain can be conditioned to ensure delivery. The off-site deficit is to be secured through a s106 agreement. On the basis of suitable controls on ensuring off site mitigation is provided, the proposal is considered to be compliant with the requirements of Policies 29 and 30 of the Local Plan.

### Pollution issues

- 8.88 A Phase 1 Geo-environmental Appraisal has been submitted by ID Geoenvironmental Limited and concludes no remediation is not required. The Pollution Control Officer agrees with its conclusions and preventative conditions are proposed. The proposal however accords with Local Plan Policy 54 having assessed the potential for ground pollution.

### Air Quality

- 8.89 An Air Quality Assessment has been submitted by SLR Ltd. The Air Quality Officer has commented that it follows standard methodology, uses information from recognised sources and assesses suitable receptors. Consequently, the conclusions of the assessment can be accepted with a high degree of confidence and therefore no objections have been raised. In accordance with Policy 13, properties will receive provision for electric vehicle charging and this is secured by condition.

### Noise

- 8.90 The application is accompanied by a Noise Impact Assessment prepared by Environmental Noise Solutions. The assessment established that the noise environment at the site is dominated by road traffic on Sheffield Road and Old Road. It is considered that any impacts from the road traffic noise can be adequately mitigated via conditions which seek suitable mitigation for the occupiers of properties closest to the roads, and details of construction management to protecting existing residential properties nearby. It is considered that the application is in accordance with Policy 54 of the Local Plan.

### Archaeology

- 8.91 In line with the development brief, BWB Consulting commissioned to do a desktop archeological evaluation as supporting information with the application. This identified that the site forms part of a multi-phase historical landscape with archaeological evidence indicating human activity in the surrounding area since the prehistoric period. It was during the Iron Age and Romano-British period, however, that more significant activity began, evidenced by several enclosures, ditches and the finds of coin and pottery findspots found within 1km of the site as well as a possible Roman road to its immediate south. The report concludes the site was highly likely to contain heritage assets with archaeological interest.
- 8.92 A programme of field evaluation was agreed with South Yorkshire Archaeology, which involved trial trenching, which consisted of 34 trial trenches and survey work within the site. Phase Site Investigations Ltd was also commissioned to carry out a magnetometer survey to further determine the potential for archaeological features and/ or deposits to occur within the site
- 8.93 These investigations revealed the presence of significant archaeological activity, in the form of two enclosures which appear to overlap one another. Anomalies relating to relatively modern features/ activity have been identified including two probable pylon bases. A Second World War heavy anti-aircraft battery may also be present in the site.
- 8.94 The archaeological evaluation trenches at Sheffield Road, Conisbrough have confirmed the presence of a double ditched enclosure that is dated to the Roman period. The enclosure is integrated within a wider field system that is consistent with enclosures and other field systems recorded along the Magnesium Limestone.
- 8.95 The site appears to date from the 1st century AD but the bulk of the pottery would suggest 2nd to 3rd century AD date. The evaluation has confirmed the results of the geophysical survey and provided an indication of a rural settlement that may have

specialised in agricultural production. Samples produced concentrated deposits of carbonised remains suggesting waste deposition from nearby cereal processing and drying activity of spelt wheat and barley, together with a small amount of oat, and some spelt wheat chaff. In addition to the arable production the animal bones recovered suggest a wide range of cattle, horse, pig, sheep and dog bones were identified.

- 8.96 Accordingly, the site has indicated a good level of significance and further work has continued with South Yorkshire Archaeology Service (SYAS). SYAS believe that the finds have local significance but are not considered to be nationally significant which would prevent development from going ahead. A scheme of additional work is proposed via condition and the proposal has therefore been undertaken with the approach detailed in Policy 39 of the Local Plan.

#### Loss of Agricultural Land

- 8.97 Soils are classified from Grade 1 to 5 with Grade 1 and 2 being deemed to be the best and most versatile soils. Grade 3 soils have limitations that affect the choice of crops, timings, type of cultivation, harvesting and yield. The yield of more demanding crops grown on this land is generally lower or more variable than on Grade 1 and 2 soils.

- 8.98 Policy 60 of the Local Plan requires developments affecting land to comply with the following criteria

A) Proposals on non-allocated sites that involve the significant loss of the best and most versatile agricultural land (grades 1, 2 and 3a) will only be supported where:

1. there are no other suitable alternative locations on lower quality agricultural land (or non-agricultural land) available; or
2. the land can be reinstated back to its previous state (where possible).

- 8.99 The site is an allocated site and the grade of the soil, based on limited information, is Grade 3 – so at the lower end of the best and most versatile soils classification and as such, the proposal accords with Policy 60.

#### **Conclusion on Environmental Issues**

- 8.100 Para. 8 of the NPPF (2021) indicates, amongst other things, that the planning system needs to contribute to protecting and enhancing the natural built and historic environment, including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

- 8.101 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 and a S106 contribution. As such, moderate weight can be attached to this in favour of the development through the achievement of BNG offsetting predominantly onsite, EV charging point integration and cycle parking provision. There is archaeological potential within the site but this has regional importance and development can proceed via condition.



- 8.102 The proposal has demonstrated that the development is located within a suitable location on an allocated site for housing in the Doncaster Local Plan and this weighs positively in favour of the application carrying significant weight. In addition, the proposal lies within the lowest possible area of flood risk which also weighs positively in favour of the application.
- 8.103 Impact on the character of the area would be seen as an extension to the existing built environment and spatially is confined within defensible boundaries – as per the overall allocated site. The conditions set out below will help to ensure that the proposal is designed and integrated into the surrounding area, with improved pedestrian and cycle links to the wider area and the site making use of open space to ensure suitable drainage attenuation can be achieved and a site wide landscaping scheme will significantly uplift the number of trees planted on the site. There will inevitably be a change in landscape and the environmental quality of the site will become developed in line with its allocation. Consequently, the impact of the development on the appearance of the surrounding area is considered to weigh neutrally.
- 8.104 Noise issues associated with the development construction are considered to be short term negative impacts which can be mitigated through appropriate conditions in terms of Construction Management Plans. Given the relative short term nature of the potential construction noise and disturbance when viewed over the lifetime of the development, it is considered that this carries limited weight against the proposal.

### **ECONOMIC SUSTAINABILITY**

- 8.105 It is anticipated that there would be some short term economic benefit to the development of the site through employment of construction workers and tradespeople connected with the build of the project. However this is restricted to a limited period of time whilst the site is under construction and therefore carries limited weight in favour of the application. Whilst there may be some additional uplift for business within the area as a result of additional customers, this uplift is unknown and cannot be quantified at this time and so is afforded limited weight.

### **Conclusion on Economy Issues**

- 8.106 Para 8 a) of the NPPF (2021) sets out that in order to be economically sustainable developments should help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.
- 8.107 Whilst the economic benefit of the proposal is slight and afforded only limited weight, it does not harm the wider economy of the borough and for that reason weighs in favour of the development.

### **Planning Obligations**

- 8.108 Paragraph 55 of the NPPF states that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

8.109 Paragraph 57 states that planning obligations must only be sought where they meet all of the following tests:

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

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

8.111 Policy 65 of the Local Plan deals specifically with developer contributions. Where necessary, directly related to the development, and fair and reasonable in scale and kind, developer contributions will be sought to mitigate the impacts of development through:

*‘..provision off site, to ensure the development can be delivered in line with other policy objectives, and to a safe and satisfactory standard (such as off-site affordable housing, education facilities, biodiversity net gain, flood mitigation, or highways improvements).’*

8.112 In terms of the s106 requirements for this site, in line with policy considerations and consultee responses, the following is required:

#### Affordable Housing

8.113 To accord with Policy 7 of the Local Plan, the scheme should provide 15% on site affordable housing, as more than 15 dwellings are proposed there is a policy requirement to provide affordable housing. The application complies with this policy in that it includes 38 affordable units, which equates to 15% of the total proposed. This will be safeguarded through the s106 agreement.

#### Public Open Space

8.114 Policy 28 requires the delivery of onsite public open space (POS) in the first instance. Where this cannot be achieved an offsite contribution may be considered acceptable. The policy requirement is to provide a contribution the equivalent of 10-15% of the land value. This is to be provided on site via the legal agreement and the management and maintenance of this space is to be via an appointed Management Company.

#### Education

8.115 To ensure capacity is accommodated, Education have advised an additional 32 places would be required at Conisbrough Ivanhoe Primary Academy and 37 places at De Warenne Academy. In order to ensure the school has capacity beyond 2027/28 (the Projection period), financial contributions of £540,640 and £861,027 respectively are required to deliver a total contribution of **£1,401,891.00**.

#### Travel Plan and Bond

8.116 A Travel Bond amounting to **£24,104.08** is required to ensure Travel Plan targets are achieved.

The Council's requirement for monitoring is annual counts at each vehicular entrance point of the site, undertaken in a neutral month, by an independent consultant for a period of 5 years. The parameters of any monitoring need to be agreed with the Highway Authority prior to being undertaken.

Five years of monitoring can be undertaken by the Council at a cost of £5,000 per entrance/ exit point, this will be included if necessary by the Section 106 agreement.

#### Off Site Highway Works

- 8.117 The improvement works include a white lining scheme at a junction impacted by the proposal, together with a contribution of **£10,000** towards reviewing traffic light signalling. Other physical works include access and footpath provision on Doncaster Road and Old Road respectively.

#### Biodiversity Net Gain

- 8.118 The Council's Ecologist was consulted and a deficit of 9.51 units to be secured offsite in order for a minimum 10% net gain. The mitigation hierarchy should be followed to either delivery equivalent provision off site or via the Council's compensation scheme. If a financial contribution is required, the payment would equate to **£237,250**.

- 8.119 Compensatory Improvements to Green Belt Land.

The site is allocated in the local plan for housing subject to Compensatory improvements to Green Belt land being agreed. The Heads of Terms are to include details of offsite mitigation including its management and maintenance. Potential schemes include the protection and enhancement of woodland areas, green spaces, the planting of woodland trees, maintaining and enhancing drainage and protection from flooding in the area. If a financial contribution is required towards the provision of environmental biodiversity improvements, a Biodiversity Offsetting Contribution of £25,000 per unit (or part thereof – i.e. if 0.5 units are required the fee would be £12,500) will be required.

## **9.0 PLANNING BALANCE & CONCLUSION**

- 9.1 In accordance with Paragraph 11 of the NPPF (2021) the proposal is considered in the context of the presumption in favour of sustainable development.
- 9.2 The proposal is located within a sustainable location on a site allocated for residential development in the Local Plan and this attracts full policy weight in favour of the application. In addition, the amendments that have been undertaken have shown that a suitable layout can be achieved that would be reflective of the character of the area and overall provide an uplift to the site in terms of on site landscaping and the improvement of linkages to existing development through revisions made on the application.
- 9.3 All other material planning considerations have been fully explored by the appropriate consultees who have raised no objections to the proposal subject to conditions or S106 contributions and holistically this weighs moderately in favour of the application.
- 9.4 Limited weight in favour of the application has been afforded to the potential economic benefits generated by the proposal.

- 9.5 The impacts associated with equipment used during the construction of the site can be mitigated and controlled by condition and the short term noise and disturbance associated with implementing the planning permission is considered to carry limited weight against the proposal.
- 9.6 Having balanced all material planning considerations, whilst a number of objections have been received in respect to the proposal they have been suitably addressed through the information supplied and further amendments to the scheme. In terms of the planning balance, the positive aspects of the proposal outlined above demonstrably outweigh the material planning considerations weighing against the development proposal.
- 9.7 The proposal is therefore, on balance, recommended for approval subject to a Section 106 Agreement and the proposed heads of terms are outlined below.

## **10.0 RECOMMENDATION**

**10.1 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 AND THE HEAD OF PLANNING BE AUTHORISED TO ISSUE THE PLANNING PERMISSION UPON COMPLETION OF THE LEGAL AGREEMENT:**

- a) 15% Affordable Housing units to be provided**
- b) Education contribution of £1,401,891.00.to be provided towards local schools**
- c) Travel Bond**
- d) Off Site Highway Works**
- e) Biodiversity Net Gain off-setting contribution**
- f) A scheme of Green Belt Compensatory Improvements**

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.

### **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. Notwithstanding the requirements of compliance with condition 18, 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:

Design and Access Statement updated 13 June 2022  
 Preliminary Ecological Appraisal received 05 November 2021  
 Landscape and Visual Impact Assessment received 11 November 2021  
 Bio Diversity Net Gain Assessment received 22 June 2022  
 Bio Diversity Net Gain Metric received 28 November 2022  
 Flood Risk Assessment and Drainage Strategy Revision C received 11 October 2022  
 Report no. 3828 Trial Trench Evaluation received 20 October 2022  
 Dwg. No. 5177-FRA06 Drainage Strategy Plan  
 Transport Assessment received 05 November 2021  
 Travel Plan received 05 November 2021  
 Arboricultural Assessment received 05 November 2021  
 Geo-environmental Appraisal (ref. 5177-G-R001) Part 1, (ref. 5177-G-R001) Part 2 and (ref. 5177-G-R001) Part 3 Revision A received 02 September 2022  
 Archaeology Assessment received 04 April 2022  
 Noise Impact Assessment received 05 November 2021  
 Air Quality Assessment received 04 April 2022  
 Economic Benefits Infographic received 05 November 2021  
 Health Impact Assessment received 05 November 2021  
 Dwg. No. 5177-C-D9-02 Rev A Excedence Flow Routes received 28 October 2022  
 Dwg. No. 5177-C-D3-02 Road Construction Details Sheet 2 of 2 received 18 November 2022  
 Dwg. No. SKPY-017-A-PL-01 Rev S Site Layout Plan received 08 December 2022  
 Dwg. No. SKPY-017-A-BP-01 Rev D Boundary Plan received 12 September 2022  
 Dwg. No. SKPY-017-A-TP-01 Tracking Plan received 12 September 2022  
 Dwg. No. SKPY-017-A-TP-02 Tracking Plan received 12 September 2022  
 Dwg. No. SKPY-017-A-TP-03 Tracking Plan received 12 September 2022  
 Dwg. No. SKPY-017-A-TP-04 Tracking Plan received 12 September 2022  
 Dwg. No. SKPY-017-A-TP-05 Tracking Plan received 12 September 2022  
 Dwg. No. SKPY-017-A-TP-06 Tracking Plan received 12 September 2022  
 Dwg. No. 3914-101 Rev D Landscape Masterplan received 28 November 2022  
 Dwg. No. 3914-105 Rev B LEAP Plan received 26 September 2022  
 Dwg. No. Revision 5 Housetype Drawing Pack received 09 December 2022  
 Dwg. No. SKPY-017-A-MS-01 Rev A Streetscenes 05/11/2021

#### REASON

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

approved landscape master plan drawing number 101 Rev C has been submitted to and approved in writing by the Local Planning Authority. The hard landscape scheme shall include details of all external hard surfacing materials. The soft landscape scheme shall include a soft landscape plan; a schedule providing plant and tree numbers and details of the species, which shall comply with section 8 Landscape, Trees and Hedgerows of the Council's Development Guidance and Requirements Supplementary Planning Document, nursery stock specification in accordance with British Standard 3936: 1992 Nursery Stock Part One and planting distances of trees and shrubs; a specification of planting and staking/guying; a timescale of implementation; and details of aftercare for a minimum of 5 years following practical completion of the landscape works with detailed scheduling of maintenance/aftercare operations and clear responsibilities. Thereafter the landscape scheme shall be implemented in full accordance with the approved details and the Local Planning Authority notified in writing within 7 working days to approve practical completion of any planting within public areas or adoptable highway within the site. Soft landscaping for any individual housing plot must be implemented in full accordance with the approved scheme, prior to occupation of the home, which will be monitored by the Local Planning Authority. Any part of the scheme which fails to achieve independence in the landscape, or is damaged or removed within five years of planting shall be replaced during the next available planting season in full accordance with the approved scheme, unless the local planning authority gives its written approval to any variation.

#### REASON

In the interests of environmental quality, Policy 48: Landscaping of New Developments section C, D, E and F and Policy 26: Green Infrastructure (Strategic Policy) section 4.

04. Prior to commencement of development in any part of the site the Planning Authority shall have received and approved a Construction Management Plan (CMP) including:

- (a) the timetable of the works;
- (b) daily hours of construction;
- (c) any road closure;
- (d) hours during which delivery and construction traffic will travel to and from the site, with such vehicular movements being restricted to between 8:00am and 6pm Mondays to Fridays inc.; 8.00am to 1.00pm Saturdays, and no such vehicular movements taking place on Sundays and Bank/Public Holidays unless agreed by the planning Authority in advance;
- (e) the number and sizes of vehicles visiting the site in connection with the development and the frequency of their visits;
- (f) the compound/location where all building materials, finished or unfinished products, parts, crates, packing materials and waste will be stored during the demolition and construction phases;
- (g) areas on-site where delivery vehicles and construction traffic will load or unload building materials, finished or unfinished products, parts, crates, packing materials and waste with confirmation that no

construction traffic or delivery vehicles will park on the County highway for loading or unloading purposes, unless prior written agreement has been given by the Local Planning Authority;

- (h) hours during which no construction traffic will be present at the site;
- (i) the means of enclosure of the site during construction works;
- (j) details of proposals to promote car sharing amongst construction staff in order to limit construction staff vehicles parking off-site;
- (k) details of wheel washing facilities and obligations;
- (l) The proposed route of all construction traffic exceeding 7.5 tonnes;
- (m) Details of the amount and location of construction worker parking;
- (n) Photographic evidence of the condition of adjacent public highway prior to commencement of any work;
- (o) no mud, stones, water or debris shall be deposited on the public highway at any time.

The development should be constructed in accordance with the approved CMP.

#### REASON

In the interests of protecting residential amenity from noise and disturbance and to ensure the safe operation of the highway for the duration of the construction phase of the development as required by Policy 42 A.2 of the Doncaster Local Plan. This condition is required to be discharged prior to commencement as the approved detail may have an impact on construction arrangements.

05. Detailed engineering drawings for the section of highway to be adopted including footways shall be submitted for inspection by the Local Highway Authority before works commence on site. These drawings shall be approved by the Local Highway Authority prior to the occupation of any approved dwelling. A Stage 1 Road Safety Audit and subsequent risk assessment is to be undertaken at every identified hazard to ensure suitable protection is provided for each user. This protection is to be shown on the detailed engineering drawings. The road shall be designed and constructed to an adoptable standard and offered for adoption on completion under Section 38 of The Highways Act (1980).

#### REASON

In the interests of road safety and residential amenity as required by Policy 13 of the Local Plan.

06. Prior to the commencement of the relevant works on site, details of the proposed tree pits and utilities siting and alignments within the adoptable highway shall be submitted to and agreed in writing by the Local Planning Authority. This shall include a detailed specification for tree pit construction that utilises either grass verges or a professionally recognised crate system construction to provide the minimum rooting volume set out in the Council's Transitional Developer Guidance and a load-bearing capacity equivalent to BS EN 124 2015 Class C250 for any paved surface above; a specification for planting including details of tree support, tree pit surfacing, aeration

and irrigation; a timescale of implementation, and where required a maintenance specification until trees are adopted by the Council.

To minimise future conflict with utilities in new developments, where trees are proposed within the footway or highway build outs, the creation of a common utility enclosure with the necessary provisions for safely including both mains services and ducting should be considered in the utility design. This is preferably located adjacent to the property front boundary, under the footway, to facilitate service connections. The developer is to consider the requirements of National Joint Utilities Group guidance volume 4 with regard to the installation of trees and the required installation and maintenance of statutory undertakers apparatus. <http://streetworks.org.uk/wp-content/uploads/V4-Trees-Issue-2-16-11-2007.pdf>

Thereafter, the landscape scheme and utility design shall be implemented in full accordance with the approved details, with the crating system laid prior to any utilities. The Local Planning Authority shall be notified prior to the backfilling of any engineered tree pits to inspect and confirm compliance and within seven days of the completion of landscape works to inspect and approve practical completion in writing.

#### REASON

To ensure appropriate design of trees within the adoptable public highway and avoid any potential design conflicts with utilities to meet Local Plan Policy 48.

07. No development beyond site clearance shall take place 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.

08. 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:

- The programme and method of site investigation and recording.
- The requirement to seek preservation *in situ* of identified features of importance.
- The programme for post-investigation assessment.
- The provision to be made for analysis and reporting.
- The provision to be made for publication and dissemination of the results.



- The provision to be made for deposition of the archive created.
- Nomination of a competent person/persons or organisation to undertake the works.
- The timetable for completion of all site investigation and post-investigation works.

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

#### REASON

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

09. No development beyond site clearance and groundworks shall take place until details of secure cycle parking facilities for the occupants of, and/or visitors to the development have been submitted to and approved in writing by the local planning authority. These facilities shall be fully implemented and made available for use prior to the occupation of each dwelling hereby permitted and shall thereafter be retained for use at all times.

#### REASON

To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles and to comply with policy 13 of the Doncaster Local Plan.

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

#### REASON

To contribute towards a reduction in emissions in accordance with air quality objectives and providing sustainable travel choice in accordance with policy 13 of the Doncaster Local Plan.

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

first occupation and shall remain available for access for the lifetime of the development.

REASON

To ensure adequate parking, delivery and turning provision in the interests of public safety as required by Policy 42 B.4 of the Doncaster Local Plan.

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

REASON

To avoid damage to the verge and to ensure the access is constructed to an appropriate standard in accordance with Policy 42 B.4 of the Doncaster Local Plan.

13. Prior to the first occupation of the development hereby approved, details of the drainage management and maintenance plan shall be submitted to and approved in writing by the Local Planning Authority. The drainage system for foul and surface water drainage shall be retained, managed and maintained for the lifetime of the development in accordance with the approved drainage management and maintenance plan.

REASON

To ensure the drainage apparatus of the site is adequately maintained for the lifetime of the development and to accord with Para. 169 c) of the NPPF (2021).

14. 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 which addresses the unexpected contamination 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, in accordance with the National Planning Policy Framework and Doncaster's Local Plan Policy 54 & 55.

15. 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, in accordance with the National Planning Policy Framework and Doncaster's Local Plan Policy 54 & 55.

16. The site shall be developed with separate systems of drainage for foul and surface water on and off site. The separate systems should extend to the points of discharge to be agreed. The surface water discharge from the entire site shall be restricted to a maximum rate of 3.5 (three point five) litres per second, to the public surface water sewer network.

REASONS

In the interest of satisfactory and sustainable drainage

17. No development beyond site clearance and groundworks shall take place until a scheme for protecting residents in the proposed dwellings from noise from road traffic has been submitted to and approved in writing by the local planning authority. The scheme shall be in accordance with the 'Scheme of Sound Insulation Works' included in table 5.1 of the noise impact assessment reference: NIA/9238/20/9215/v1 Sheffield Road, submitted with the application. All works which form part of the approved scheme shall be completed before occupation of the permitted dwellings, unless otherwise agreed in writing by the Local Planning Authority. The protection measures in the agreed scheme shall be maintained throughout the life of the development.

REASON

To safeguard the amenity of the proposed dwellings from the noise levels which exist on the site.

18. Prior to first occupation of the each of the dwellings listed below, Building Control Completion Certificates must have been provided to the Local Planning Authority demonstrating that the specified optional requirements as set out in the Building Regulations 2010 (as amended) have been achieved for the following plots:

A minimum of 156 plots must meet Part M4(2) 'accessible and adaptable dwellings' with evidence provided upon completion. Plots 10-11, Plots 16-17, Plots 62-69 must meet Part M4(3) 'wheelchair adaptable dwellings'.

This condition may be partially discharged by the submission and approval of Completion Certificates for individual plots during a site build out. This condition will be fully discharged upon receipt of satisfactory Completion Certificates for all the above plots.

REASON

To ensure compliance with the requirements of Local Plan Policy 45 to deliver the agreed accessible and adaptable homes

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

REASON

To ensure that all new housing and commercial developments provide connectivity to the fastest technically available Broadband network in line with the NPPF (para. 114) and Policy 21 of the Doncaster Local Plan.

20. Notwithstanding the approved plans, the development shall not be occupied until details of the public open space areas have been submitted to and approved in writing by the local planning authority. These details shall include:

- i) Play equipment;
- ii) Surfacing;
- iii) Landscaping;
- iv) Means of enclosure;
- v) Street furniture.

The play area shall be completed and available for use in accordance with the approved details prior to 50% of the dwellings being first occupied.

REASON

To ensure that good quality play equipment is provided in accordance with Policy 28.

21. Construction, demolition or associated deliveries shall only take place between 0800 - 1800 hours Mondays to Fridays, and 0800 - 1300 hours on Saturdays, and not at any time on Sundays and Bank or Statutory Holidays. No construction activities will take place via Cypress Grove, Cherry Grove, Larch Grove, Cedar Grove, Acacia Grove or Pine Grove.

REASON

In the interests of protecting residential amenity.

22. No development beyond site clearance and groundworks shall take place until details or samples of the materials to be used on the external surfaces of the dwellings hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

REASON

To ensure the appearance of the development is good quality in accordance with Policies 42 and 44 of the Local Plan.

## Informatives

01. Arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the system/scheme throughout the developments lifetime shall be supplied as part of the drainage management and maintenance plan. In addition, the arrangements shall have clarified the access that is required to each surface water management component for maintenance purposes. The applicant's attention is drawn towards the Drainage Officer's comments on file regarding the level of information required to discharge the conditions relating to drainage on the planning permission.
02. The applicant is advised that the application site is located in close proximity to land that may be required to construct and/or operate Phase 2b of a high-speed rail line from the West Midlands to Leeds, known as High Speed Two. Powers to construct and operate High Speed Two are to be sought by promoting a hybrid Bill in Parliament.
03. If the developer is looking to have new sewers included in a sewer adoption agreement with Yorkshire Water (under Section 104 of the Water Industry Act 1991), they should contact the Developer Services Team (telephone 03451 208 482, [technical.sewerage@yorkshirewater.co.uk](mailto:technical.sewerage@yorkshirewater.co.uk)) at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with the WRc publication 'Codes for Adoption - a design and construction guide for developers' as supplemented by Yorkshire Water's requirements.
04. Works carried out on the public highway by a developer or anyone else other than the Highway Authority shall be under the provisions of Section 278 of the Highways Act 1980 and adoption roads within the development shall be carried out under Section 38 of the Highways Act. The S38 and S278 agreements must be in place before any works are commenced. There is a fee involved for the preparation of the agreement and for on-site inspection. The applicant should make contact with Malc Lucas - Tel 01302 735110 as soon as possible to arrange the setting up of the agreement.

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](mailto:Fiona.Horgan@doncaster.gov.uk) as soon as possible. Further information on the selected DNO / IDNO together with the energy supplier will also be required as soon as possible as they directly affect the adoption process for the street lighting assets.

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

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

05. 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](http://www.gov.uk/government/organisations/the-coal-authority)

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

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

07. In order to discharge the above condition relating to gigabit-capable full fibre broadband in new developments, the developer is advised that they will be expected to submit information including but not limited to the following:

1) A contract or invoice for the installation of the physical infrastructure and the connection to gigabit-capable full fibre broadband (must match the stipulation in the original requirement by the Local Authority)

2) Confirmation of the speed that will be achieved by the gigabit-capable full fibre broadband infrastructure, from the network operator

Developers should:

- Contact broadband infrastructure suppliers as soon as possible about their planning application and requirements;
- Provide gigabit-capable full fibre broadband for dwellings/developments; and
- Consider installing gigabit-capable full fibre infrastructure from at least 2 suppliers.

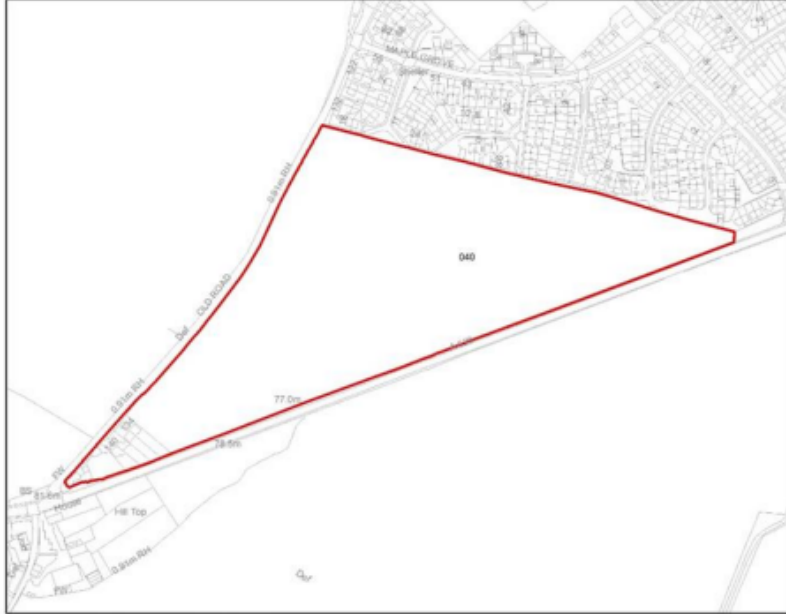

Gigabit-capable full fibre network operators include Openreach, Virgin Media, CityFibre, Hyperoptic and Gigaclear (but this list is not exhaustive).

The Superfast South Yorkshire Team is available to offer advice and discuss connectivity solutions to new sites with developers and can be emailed at [hello@superfastsouthyorkshire.co.uk](mailto:hello@superfastsouthyorkshire.co.uk)

For more information please visit:  
<http://www.superfastsouthyorkshire.co.uk/sfsy/developments>

## Appendix 1 – Developer Requirements (Local Plan)

Site ARM09; West of Hatfield Lane, Armthorpe; Armthorpe	
Trees & Hedgerows	There should be a strong landscape buffer zone to the A630 and the retention of the central trees.

Site CD06; Between Sheffield Road and Old Road, Conisbrough; Conisbrough & Denaby	
Indicative Site Capacity: 200 dwellings	
	<div style="text-align: right;">  <p><b>Doncaster Council</b></p> </div> <p>Key :</p> <hr/> <p>Notes :</p> <hr/> <p>Title : Site 040</p> <hr/> <p>Completed By : Planning</p> <hr/> <p>Reference : Local Plan Sites</p> <hr/> <p>Date : 05/02/2020</p> <hr/> <p>Scale : 1:3,500</p>
(c) Crown copyright, License Number 100019782, 2007. (c) Copyright GeoInformation Group 1997, 2002, 2005 and 2007.	

<b>Archaeology</b>	Due to the relative lack of deep ground disturbance, the potential for the survival of unrecorded buried archaeological remains on the site is considered to be moderate. Further archaeological investigations may be required to inform development proposals.
<b>Biodiversity</b>	Refer to design section in terms of landscaping. Species-rich hedgerows and/or a woodland belt should be incorporated into the landscaping to support nearby hedgerow networks some of which are Local Wildlife Sites, and the wooded corridor that stretches from Ravenfield Lakes through to Conisbrough North Cliff and Denaby Wood Local Wildlife Sites.
<b>Compensatory Green Belt Improvements</b>	As the site allocation results in the loss of Green Belt land, this must be compensated for by contributing to improving the environmental quality and accessibility of remaining Green Belt land within the vicinity of the site. Details of specific sites and projects will be established in discussion with the Council.
<b>Design</b>	Considering the site's prominent location in the landscape, new development should front toward both Sheffield Road and Old Road but be set back behind landscaped frontages. Buildings should have appropriate separation distances between existing properties on the edges of the site. The layout should seek to develop footpath connections to existing streets to the north where possible. Pedestrian and cycle connections through the site should be developed between Sheffield Road and Old Road. Building heights should be limited to 2-2.5 storey.
<b>Education</b>	A contribution towards education will be required.
<b>Public Open Space</b>	On site Green Infrastructure and children's play space will be required, including play equipment.
<b>Transport</b>	Access from C762 Old Road designed in accordance with DMRB resulting in loss of hedgerow. A footway will be required along the site frontage together

Site CD06; Between Sheffield Road and Old Road, Conisbrough; Conisbrough & Denaby	
	with new street lighting. A Transport Assessment & Travel Plan will be required. The site may require a routing agreement during construction.
<b>Trees &amp; Hedgerows</b>	No tree issues.





Sheffield Road, Conisbrough



# Housetype Drawing Pack

Version 1 - 20.10.2021  
 Version 2 - 24.10.2022 - House type NDSS storage updated.  
 Version 3 - 28.11.2022 - House type NDSS storage highlighted.  
 Version 4 - 09.12.2022 - Lymington LG Garage Size amended & Winburgh Storage amended.  
 Version 5 - 19.12.2022 - Bedroom and people amount shown on Housetypes Plans.

**Housetypes**

- The Arundel
- The Acomb
- The Bournemouth
- The Brayton
- The Honley
- The Midford
- The Rydal
- The Hambleton
- The Leverton
- The Leverton SA
- The Lymington LG
- The Winburgh
- The Thorne
- The Thorley

**Garages**

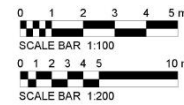
- Single Garage
- Twin Garage



Ground Floor Plan  
Scale 1:100



First Floor Plan  
Scale 1:100



The Arundel (NDSS)	
Old Ref :	-
NDSS Gross Area :	753 sqft
NDSS Ground Floor :	376 sqft
NDSS First Floor :	376 sqft
Circulation :	- sqft
Net to Gross :	- %
Storage :	2.00m <sup>3</sup>

ALL Areas and dimensions are taken to PLASTERBOARD FINISH.



Rear Elevation  
Scale 1:200



Side Elevation  
Scale 1:200



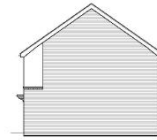
Side Elevation  
Scale 1:200



Front Elevation (Brick)  
Scale 1:100



Front Elevation (Render)  
Scale 1:100



Side Elevation  
Scale 1:200



Side Elevation  
Scale 1:200

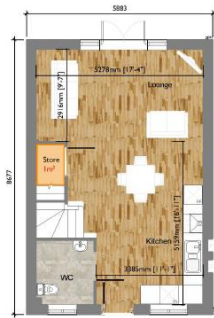
**The Arundel (NDSS/M42)**  
 (753sqft / 70.00m<sup>2</sup> (NDSS))  
 (759sqft / 70.54m<sup>2</sup> (Structural))

ALL Areas and dimensions are taken to PLASTERBOARD FINISH.

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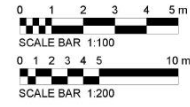
Partnerships North



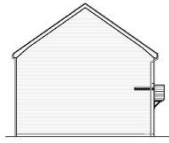
Ground Floor Plan  
Scale 1:100



First Floor Plan  
Scale 1:100



Acomb (NDSS M43)	
Old Ref:	-
Gross Area:	910 sqft
Ground Floor:	455 sqft
First Floor:	455 sqft
Circulation:	- sqft
Net to Gross:	- %
Storage:	2.60m <sup>3</sup>
ALL Areas and dimensions are taken to PLASTERBOARD FINISH.	



Side Elevation  
Scale 1:200



Rear Elevation  
Scale 1:200



Side Elevation  
Scale 1:200



Front Elevation (Brick)  
Scale 1:100

# The Acomb (NDSS/M43)

(910sqft NDSS) (918sqft Structural)

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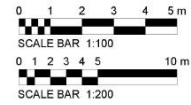
Partnerships North



Ground Floor Plan  
Scale 1:100



First Floor Plan  
Scale 1:100



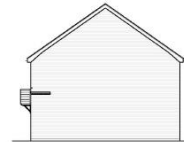
3 Bed (NDSS M42)	
Old Ref:	-
Gross Area:	910 sqft
Ground Floor:	455 sqft
First Floor:	455 sqft
Circulation:	- sqft
Net to Gross:	- %
Storage:	2.72m <sup>3</sup>
ALL Areas and dimensions are taken to PLASTERBOARD FINISH.	



Side Elevation  
Scale 1:200



Rear Elevation  
Scale 1:200



Side Elevation  
Scale 1:200



Front Elevation (Brick)  
Scale 1:100



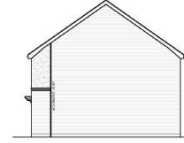
Front Elevation (Render)  
Scale 1:100



Side Elevation  
Scale 1:200



Rear Elevation  
Scale 1:200



Side Elevation  
Scale 1:200

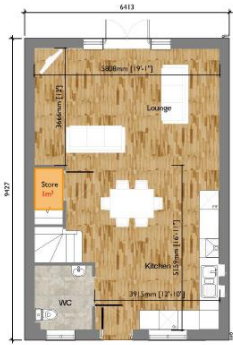
# Bournemouth (NDSS/M42)

(910sqft NDSS) (918sqft Structural)

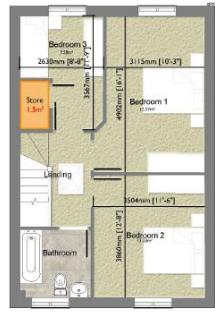
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Partnerships North

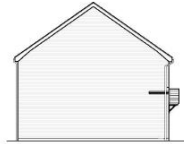


Ground Floor Plan  
Scale 1:100



First Floor Plan  
Scale 1:100

Brayton	
Old Ref:	-
Gross Area:	1104 sqft
Ground Floor:	552 sqft
First Floor:	552 sqft
Circulation:	64 sqft
Net to Gross:	6%
Storage:	2.50m <sup>3</sup>
ALL Areas and dimensions are taken to STRUCTURAL FINISH.	



Side Elevation  
Scale 1:200



Rear Elevation  
Scale 1:200



Side Elevation  
Scale 1:200



Front Elevation (Brick)  
Scale 1:100

# Brayton (NDSS/M42)

(1094sqft NDSS) (1104sqft Structural)

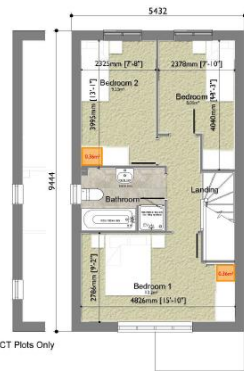
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Partnerships North



Ground Floor Plan  
Scale 1:100



First Floor Plan  
Scale 1:100

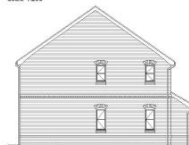
The Honley (M42)	
Old Ref:	-
Gross Area:	938 sqft
Ground Floor:	484 sqft
First Floor:	454 sqft
Circulation:	- sqft
Net to Gross:	-%
Storage:	2.72 m <sup>3</sup>
ALL Areas and dimensions are taken to PLASTERBOARD FINISH.	



Side Elevation  
Scale 1:200



Rear Elevation  
Scale 1:200



Side Elevation FCT Only  
Scale 1:200



Side Elevation  
Scale 1:200



Front Elevation (Brick)  
Scale 1:100



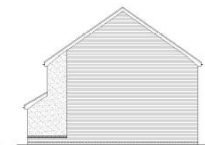
Front Elevation (Render)  
Scale 1:100



Rear Elevation  
Scale 1:200



Side Elevation  
Scale 1:200



Side Elevation  
Scale 1:200

# The Honley NDSS/M42

(938sqft (NDSS)) (948sqft (Structural))

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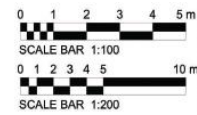
Partnerships North



Ground Floor Plan  
Scale 1:100

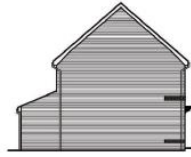


First Floor Plan  
Scale 1:100



SCALE BAR 1:200

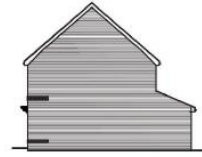
The Midford (NDSS)	
Old Ref :	-
Gross Area :	977 sqft
Ground Floor :	552 sqft
First Floor :	425 sqft
Circulation :	- sqft
Net to Gross :	- %
Storage :	2.8 m³
ALL Areas and dimensions are taken to PLASTERBOARD FINISH.	



Side Elevation  
Scale 1:200



Rear Elevation  
Scale 1:200



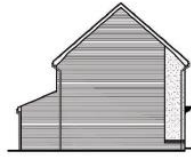
Side Elevation  
Scale 1:200



Front Elevation (Brick)  
Scale 1:100



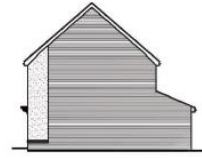
Front Elevation (Render)  
Scale 1:100



Side Elevation  
Scale 1:200



Rear Elevation  
Scale 1:200



Side Elevation  
Scale 1:200

# The Midford

(977sqft / 90.73m<sup>2</sup> (NDSS)  
986sqft / 91.56m<sup>2</sup> (Structural))

ALL Areas and dimensions are taken to PLASTERBOARD FINISH.



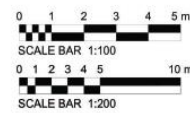
Partnerships North



Ground Floor Plan  
Scale 1:100



First Floor Plan  
Scale 1:100



SCALE BAR 1:200

The Rydal (NDSS)	
Old Ref :	-
Gross Area :	1088 sqft
Ground Floor :	616 sqft
First Floor :	471 sqft
Circulation :	- sqft
Net to Gross :	- %
Storage :	2.82 m³
ALL Areas and dimensions are taken to PLASTERBOARD FINISH.	



Rear Elevation  
Scale 1:200



Side Elevation  
Scale 1:200



Side Elevation  
Scale 1:200



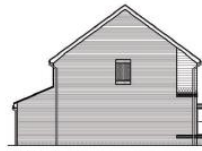
Front Elevation (Brick)  
Scale 1:100



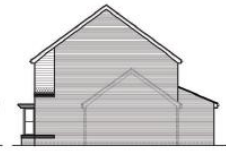
Front Elevation (Tile Hanging)  
Scale 1:100



Rear Elevation  
Scale 1:200



Side Elevation  
Scale 1:200



Side Elevation  
Scale 1:200

# The Rydal

(1088sqft / 101.04m<sup>2</sup> (NDSS)  
1097sqft / 101.95m<sup>2</sup> (Structural))

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**Ground Floor Plan**  
Scale 1:150

**First Floor Plan**  
Scale 1:150

The Hambleton LG	
Gross Area:	1108 sqft
Ground Floor:	452 sqft
First Floor:	656 sqft
Second Floor:	N/A
Circulation:	95 sqft
Net to Gross:	8.90 %
Storage:	2.50m <sup>3</sup>

All Areas and dimensions are taken to STRUCTURAL FINISH.

**Front Elevation**  
Scale 1:100 (4.0/8.0)

**Side Elevation**  
Scale 1:100

**Rear Elevation**  
Scale 1:100

**Side Elevation**  
Scale 1:100

## The Hambleton - NDSS/ M4(2)

( 1097sqft (NDSS/M42) ) ( 1108sqft (Structural) ) ALL Areas and dimensions are taken to PLASTERBOARD FINISH.

Partnerships North

**Ground Floor Plan**  
Scale 1:100

**First Floor Plan**  
Scale 1:100

The Leverton	
Old Ref:	The Southwick
Gross Area:	1153 sqft
Ground Floor:	598 sqft
First Floor:	557 sqft
Circulation:	126 sqft
Net to Gross:	11.1 %
Storage:	3.22m <sup>3</sup>

ALL Areas and dimensions are taken to PLASTERBOARD FINISH.

**Front Elevation (Brick)**  
Scale 1:100

**Front Elevation (Render)**  
Scale 1:100

**Side Elevation**  
Scale 1:200

**Rear Elevation**  
Scale 1:200

**Side Elevation**  
Scale 1:200

**Side Elevation**  
Scale 1:200

**Rear Elevation**  
Scale 1:200

**Side Elevation**  
Scale 1:200

## The Leverton (NDSS/M42)

( 1153sqft / 107.12m<sup>2</sup> - (NDSS/M42) )

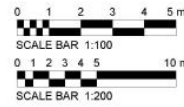
Partnerships North



Ground Floor Plan  
Scale 1:100



First Floor Plan  
Scale 1:100



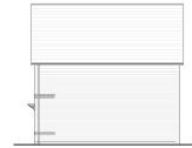
The Leverton SA (M42)	
Old Ref :	The Southwick SA
Gross Area :	1153 sqft
Ground Floor :	595 sqft
First Floor :	557 sqft
Circulation :	126 sqft
Net to Gross :	11.1 %
Storage :	3.10m <sup>3</sup>
ALL Areas and dimensions are taken to PLASTERBOARD FINISH.	



Side Elevation  
Scale 1:200



Rear Elevation  
Scale 1:200



Side Elevation  
Scale 1:200



Front Elevation (Brick)  
Scale 1:100



Front Elevation (Render)  
Scale 1:100



Side Elevation  
Scale 1:200



Rear Elevation  
Scale 1:200



Side Elevation  
Scale 1:200

# The Leverton SA (NDSS/M42)

(1153sqft / 107.12m<sup>2</sup> - (M42)) ALL Areas and dimensions are taken to PLASTERBOARD FINISH.

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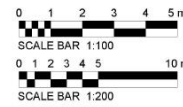
Partnerships North



Ground Floor Plan  
Scale 1:100



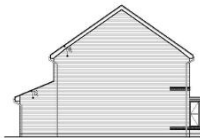
First Floor Plan  
Scale 1:100



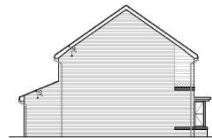
The Lymington LG	
Old Ref :	The Lymington
Gross Area :	1252 sqft
Circulation :	- sqft
Net to Gross :	- %
Storage :	3.08 m <sup>3</sup>
ALL Areas and dimensions are taken to STRUCTURAL FINISH.	



Rear Elevation  
Scale 1:200



Side Elevation  
Scale 1:200



Side Elevation (Tile Hanging)  
Scale 1:200



Front Elevation (Brick)  
Scale 1:100



Front Elevation (Tile Hanging)  
Scale 1:100



Side Elevation  
Scale 1:200



Side Elevation (Tile Hanging)  
Scale 1:200

# The Lymington LG

(1252sqft) LYMI-01 4 Bed - 5 People

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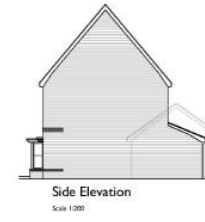
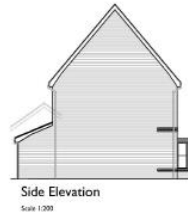


Partnerships North



The Winburgh (M42)	
Old Ref :	-
Gross Area :	1323 sqft
Ground Floor :	568 sqft
First Floor :	424 sqft
Second Floor :	331 sqft
Circulation :	- sqft
Net to Gross :	- %
Storage :	3.26m <sup>2</sup>

ALL Areas and dimensions are taken to PLASTERBOARD FINISH.



# The Winburgh (1323sqft / 122.95m<sup>2</sup> (NDSS/M42) 1334sqft / 123.96m<sup>2</sup> (Structural)

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The Thorne (M42)	
Old Ref :	-
Gross Area :	1432 sqft
Ground Floor :	-
First Floor :	-
Circulation :	128 sqft
Net to Gross :	9.0 %
Storage :	3.09m <sup>2</sup>

ALL Areas and dimensions are taken to PLASTERBOARD FINISH.



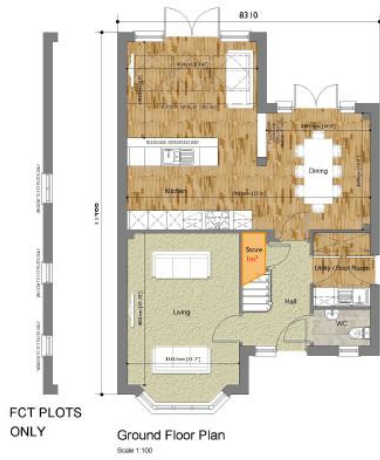
# The Thorne (NDSS/M42) (1432 sqft (NDSS/M42) 1444 sqft (Structural))

ALL Areas and dimensions are taken to PLASTERBOARD FINISH.



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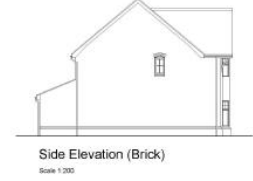




0 1 2 3 4 5 m  
SCALE BAR 1:100

0 1 2 3 4 5 10 m  
SCALE BAR 1:200

The Thorley (NDSS)	
Old Ref:	-
Gross Area:	1432 sqft
Ground Floor:	795 sqft
First Floor:	667 sqft
Circulation:	-
Net to Gross:	-
Storage:	3.01 m³
ALL Areas and dimensions are taken to PLASTERBOARD FINISH.	

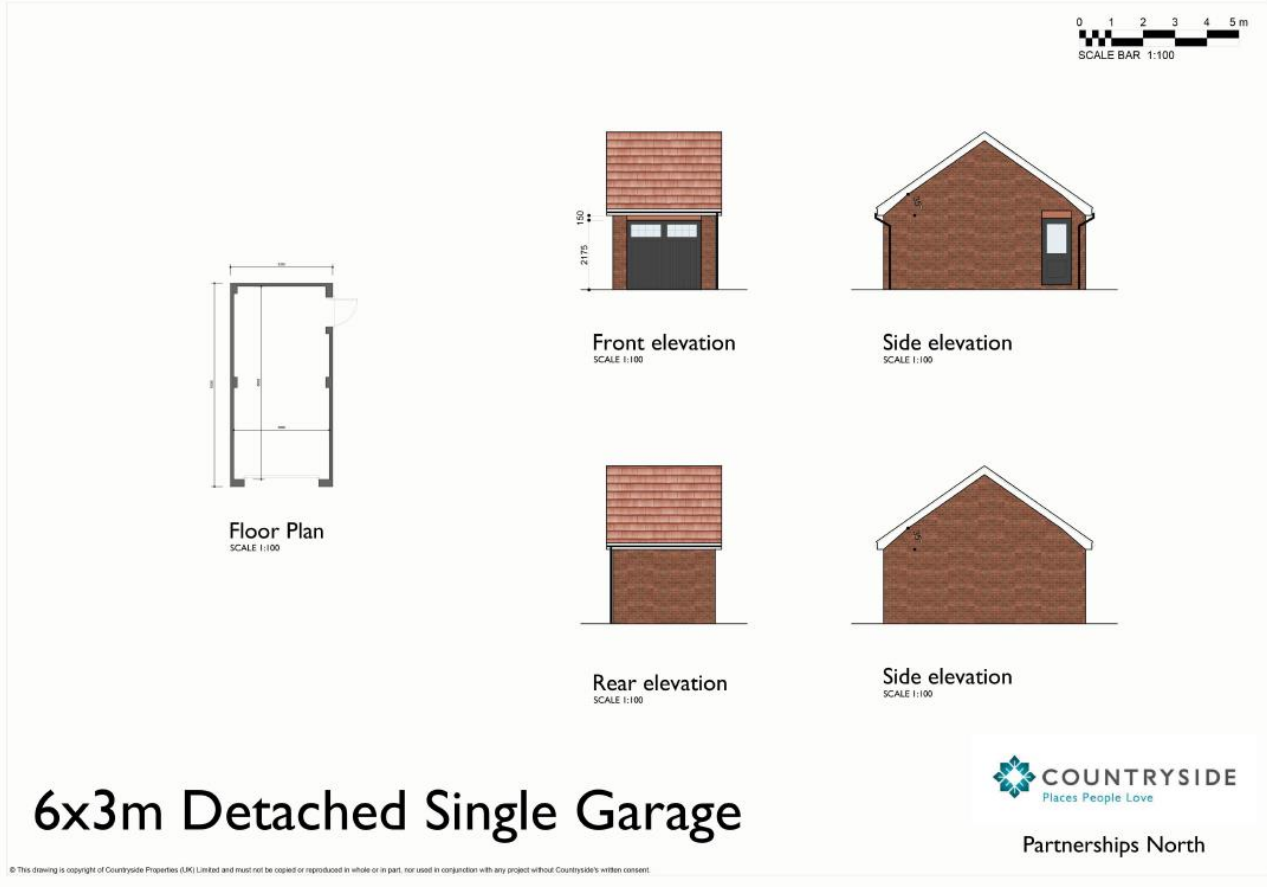


# The Thorley (NDSS)

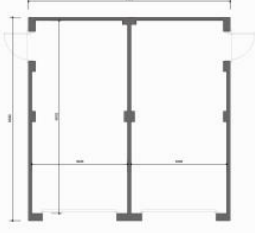
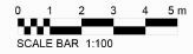
(1432sqft / 133.04m² (NDSS))(1444sqft / 134.15m² (Structural))



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Floor Plan  
SCALE 1:100



Front elevation  
SCALE 1:100



Side elevation  
SCALE 1:100



Rear elevation  
SCALE 1:100



Side elevation  
SCALE 1:100

# 6x3m Detached Twin Garage



Partnerships North

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## Appendix 5 – Play Area Details (Revision B)

**NOTES**

All play equipment and items such as gates, fences, trees etc. are subject to availability and must be approved by the equipment manufacturer. Equipment must be installed in accordance with the manufacturer's instructions. Equipment must be installed in accordance with the relevant standards (BS EN 1176 and BS EN 12187).

Where equipment is subject to third party approval or certification, the manufacturer's instructions must be followed. A copy of the relevant certificate of approval must be obtained by the client. The contractor must ensure that the equipment is installed in accordance with the manufacturer's instructions and that the relevant standards are met.

Where considered necessary, a geotechnical engineer, including a soil test, should be carried out by the client or their representative.

**Play area to comply with:**

**LEGISLATION**

- Health and Safety at Work Act 1974
- Electricity at Work Act 1987
- Construction (Design and Management) Regulations 2015
- Management of Health and Safety at Work Regulations 1999

**PLAY EQUIPMENT STANDARDS**

- BS EN 1176: Play equipment (2010)
- BS EN 12187: Play equipment (2010)
- BS EN 12478: Play equipment (2010)

**LOCATION PLAN**

**LEGEND**

**PLAY AREA**

- P1** Small Carousel  
Code: S-2001  
Supplier: Timberplay or similar approved
- P2** Springer  
Code: S-0001  
Supplier: Playframe or similar approved
- P3** Forest Climber  
Code: S-0104  
Supplier: Playframe or similar approved
- P4** Senior Swing (2 Bay)  
Code: S-0102  
Supplier: Playframe or similar approved
- P5** Single Square Tower  
Code: S-0103  
Supplier: Playframe or similar approved
- P6** See Saw with rubber shock absorber  
Code: S-1000  
Supplier: Timberplay or similar approved
- Natural Boulders and Timber Logs**  
Supplier: Timberplay or similar approved
- Timber Stepping Stones**  
Various heights
- Earth Mounds**  
Circular bays indicate 0.25m increments
- Signs**  
To provide information about play area, 90 x 40 cm sign on timber legs with green CCA background. As supplied by Playframe or similar approved.
- LB** Worktop 180 timber round bin with front box. As supplied by Worktop Ltd or similar approved.
- S** Worktop 180 steel seat with a timber back rest and 2 x arm rests. As supplied by Worktop Ltd or similar approved.
- Rubber Grass Mat**  
As per manufacturer's requirement.
- Soil**
- Proposed Amenity Grass**

P1 - Small Carousel

P2 - Springer

P3 - Forest Climber

P4 - Senior Swing

P5 - Single Square Tower

P6 - See Saw with rubber shock absorber

Natural Timber Logs

Natural Boulders and Grass Mounding

Timber Stepping Stones

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- The drawing is to be read in conjunction with the relevant drawings, details and specifications.
- The drawing is to be read in conjunction with all relevant Architectural, Engineering, Specialist, Utility of Services and other drawings.
- The location of any tree or property based on this drawing is an indication of the site or quality indicated and does not exclude the use of alternative systems that are equal in performance, safety and appearance, provided they have been approved in writing by the contractor.
- The Contractor is responsible for accurately ascertaining the position of underground services and recording it at relevant service location requirements.
- All dimensions are in millimetres unless stated otherwise. For the purposes of construction this drawing must not be scaled and all written dimensions must be taken as stated dimensions to be checked on site, any discrepancies reported prior to work commencing. If IN DOUBT PLEASE ASK.
- All work and materials are to be in accordance with the relevant British Standards and Code of Practice.
- All proprietary products are to be used strictly in accordance with the manufacturer's instructions and details.

REVISIONS		Date
1	Issue for approval	11/01/2024
2	Final approved	11/01/2024

Countryside Properties  
Sheffield Road, Conitrough  
(SAP)

For Approval

Issue	By	Date
1	JL DC	23.09.22
2	1954	105

lpm landscape  
Landscape Architects

## Appendix 6 – NDSS Compliance Table

### NDSS Compliance Table

Planning application ref.:  
21/03311/FULM

Site Address:  
Land off Old Road, Conisbrough, DN12 3LR



**COUNTRYSIDE**  
Places People Love

House Type	Storeys	Bedrooms/ People	Total Dwelling Area (m <sup>2</sup> )	Total Storage Area (m <sup>2</sup> )	Bedroom 1 Single or Double	Bedroom 1 Floor Area (m <sup>2</sup> )	Bedroom 1 Width (m)	Bedroom 2 Single or Double	Bedroom 2 Floor Area (m <sup>2</sup> )	Bedroom 2 Width (m)	Bedroom 3 Single or Double	Bedroom 3 Floor Area (m <sup>2</sup> )	Bedroom 3 Width (m)	Bedroom 4 Single or Double	Bedroom 4 Floor Area (m <sup>2</sup> )	Bedroom 4 Width (m)	NDSS Compliant?
Arundel	2	2B/3P	70	2.02	D	13.7	3.1	S	11.1	2.5	N/A	N/A	N/A	N/A	N/A	N/A	Y
Acomb	2	2B/4P	84	3.42	D	15.6	3.95	D	12.5	2.94	N/A	N/A	N/A	N/A	N/A	N/A	Y
Bournemouth (inc. FCT)	2	3B/4P	84.5	2.5	D	12.3	3.7	S	7.7	2.17	S	7.5	2.5	N/A	N/A	N/A	Y
Honley (inc. FCT)	2	3B/4P	87.2	2.7	D	12.2	2.76	S	9.25	2.3	S	7.9	2.4	N/A	N/A	N/A	Y
Midford	2	3B/4P	90.7	2.6	D	11.6	3.09	S	7.5	2.45	S	7.6	2.5	N/A	N/A	N/A	Y
Rydal	2	3B/4P	101	2.9	D	11.5	2.9	S	8.97	2.75	S	8.76	2.53	N/A	N/A	N/A	Y
Brayton	2	3B/5P	101	3.6	D	15.6	3.09	D	13.5	3.47	S	8.5	2.6	N/A	N/A	N/A	Y
Hambleton	2	3B/6P	102	4	D	18.9	3.1	D	12.1	2.9	D	10.2	2.9	N/A	N/A	N/A	Y
Leverton (inc. SA)	2	4B/5P	107	3.28	D	11.7	2.9	S	7.6	2.7	S	8.6	2.77	S	7.66	2.2	Y
Lymington LG	2	4B/5P	113	3.16	D	13.2	3.07	S	10.9	3.07	S	8.73	2.86	S	7.5	2.67	Y
Winburgh	2.5	4B/6P	123	3.2	D	16	3.73	D	11.5	3.1	S	7.5	2.5	S	7.7	2.46	Y
Thorne (inc. FCT)	2	4B/5P	133	4	D	12.5	3.5	S	10.2	3.04	S	8.4	2.4	S	7.5	2.4	Y
Thorley (inc. FCT)	2	4B/5P	133	4	D	12.5	3.5	S	10.2	3.04	S	8.4	2.4	S	7.5	2.4	Y

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

<b>For:</b>	C/O Quod
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<b>Third Party Reps:</b>	37 (of which only 7 are against the current affordable housing scheme)	<b>Parish:</b>	
		<b>Ward:</b>	Bentley

<b>Author of Report:</b>	Mel Roberts
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## SUMMARY

This is a similar application to that which Planning Committee resolved to approve subject to a Section 106 Agreement in October 2020. That was for a Build to Rent scheme and it has now changed to 100 per cent affordable housing.

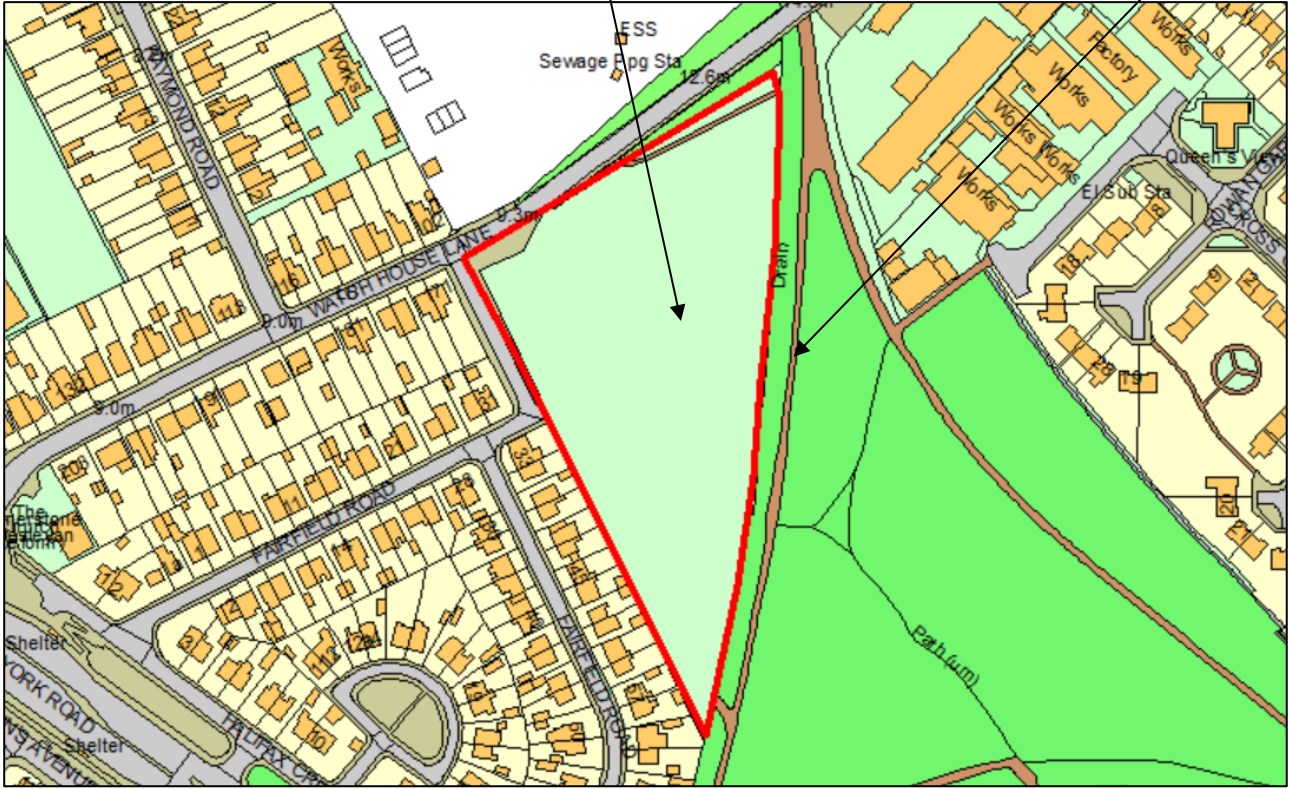
The site falls within the Residential Policy Area as allocated in the Doncaster Local Plan and accords with policy 10 of the Local Plan. The proposal provides an acceptable level of amenity for existing and new residents, helps to protect and enhance the existing area and meets other development plan policies relating to flood risk, open space, design and sustainable construction.

The proposal will deliver much needed affordable housing on previously developed land in a sustainable location. Although not viable for the full policy asks, it will still contribute towards education, off-site biodiversity, open space and a transport bond.

**RECOMMENDATION: Grant subject to a Section 106 Agreement**

Application site

Trans Pennine Trail



## **1.0 Reason for Report**

- 1.1 This application is being presented to Planning Committee at the request of Councillor Jane Nightingale, due to the number of representations made and because a similar scheme was considered by Planning Committee back in October 2020.

## **2.0 Proposal and background**

- 2.1 This application seeks full planning permission for the erection of 60 new affordable houses, along with vehicular/pedestrian access and new areas of public open space at a vacant site off Watch House Lane, Bentley. The affordable housing comprises 40% affordable rent (24 dwellings) and 60% shared ownership (36 dwellings).
- 2.2 The scheme provides for new family homes, split between 19 x 3-bed and 41 x 2-bed houses. The homes are a mixture of terraced and semi-detached properties and are all two storeys. The proposals include new areas of public open space, focusing around a central area, providing informal amenity and a play area. Access to the site is to be taken from Fairfield Road. The scheme includes two pedestrian accesses onto the Trans Pennine Trail (TPT) that runs along the eastern boundary of the site (see site plan in the appendix).
- 2.3 In December 2019, the applicant submitted a full planning application (ref 19/02977/FULM) for the development of 60 Build to Rent (“BtR”) homes, which are purpose-built housing that is 100% rented. The application was approved at Planning Committee on 13th October 2020 subject to the completion of a Section 106 Agreement. Since Members resolved to grant planning permission and prior to the signing the S106 Agreement, which had been negotiated in readiness for completion, Doncaster Council adopted a new Local Plan in September 2021. This Local Plan represents a new material consideration and the application needs to be reconsidered by Planning Committee in light of this. Given the passage of time, the applicant reviewed the scheme and is now proposing a change of tenure to 100 per cent affordable, rather than Build to Rent.
- 2.4 The proposed layout is very similar to before when Planning Committee considered it. The main changes include an increase in the size of the houses, which has resulted in the modest re-positioning of each plot to accommodate this and as a result, two visitor car parking spaces have been removed. The highway arrangement has been simplified to make it more efficient, which has resulted in the central area of green space increasing by 50sqm. A new substation is also proposed adjacent to Plot 43, in the least intrusive location on the site.

## **3.0 Site Description**

- 3.1 The site is triangular in shape and currently comprises approximately 1.4 hectares of vacant land. Industrial uses previously occupied the site, but it has been vacant for over 13 years and cleared of any buildings. There is an existing vehicular access to the site off Watch House Lane to the north and along Fairfield Road bordering the north west of the site. The site topography is largely flat with a level change of approximately 500mm from the north to the south. Currently there is a large man made mound in the centre of the northern half of the site, as well as 1.5m perimeter banks along Watch House Lane and Fairfield Road.

3.2 Shrubbery and trees surround the majority of the site boundary, with the TPT running along the eastern boundary. To the north east of the site, beyond a landscape buffer, are industrial uses. To the south east is dense tree cover, interspersed by the TPT footpaths. To the west and north west is existing two storey semi-detached housing. Finally, to the north, beyond Watch House Lane, is a new housing development.

#### **4.0 Relevant Planning History**

4.1 In December 2019, the applicant submitted a full planning application under this same reference number for the erection of 60 new homes along with vehicular and pedestrian access and new areas of public open space. The intention was that these homes would comprise BtR units. Planning Committee resolved to approve the application on 13th October 2020 subject to a S106 Agreement, but this was never signed and the permission never issued. The proposal has since changed to 100 per cent affordable housing and is now to be re-considered.

#### **5.0 Planning Policy Context**

##### National Planning Policy Framework (NPPF 2021)

5.1 The National Planning Policy Framework 2021 (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. Planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions and the relevant sections are outlined below:

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

5.3 The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force (para 58).

5.4 Paragraph 60 outlines the Government's objective of significantly boosting the supply of housing, noting the importance of a sufficient amount and variety of land coming forward where it is needed and that the needs of groups with specific housing requirements are addressed.

5.5 Paragraph 62 requires a mix of housing size, type and tenure to come forward on developments to meet housing need, including those who require affordable housing.

5.6 Paragraph 110 sets out that in assessing specific applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users,



- c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code and
  - d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 5.7 Paragraph 111 states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
  - 5.8 Paragraph 119 notes the importance of making efficient use of land, whilst decisions should promote an effective use of land in meeting the needs for homes, in a way that makes best use of previously developed land.
  - 5.9 Paragraph 120 (c) notes '*decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes*', and '*support appropriate opportunities to remediate contaminated land*'. Part (d) of the same paragraph also supports the development of under-utilised land.
  - 5.10 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 (paragraph 126).
  - 5.11 Planning decisions should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new developments and avoid noise giving rise to significant adverse impacts on health and the quality of life (para 185).

#### Doncaster Local Plan

- 5.12 The site lies within the Residential Policy Area as allocated in the Doncaster Local Plan.
- 5.13 Policy 1 states that Bentley falls within the Main Urban Area. At least 45 per cent of new homes will go to the Main Urban Area. Doncaster Main Urban Area will be the main focus for development in the Borough, including housing, retail, leisure, cultural, office and other employment development. Additional growth on non-allocated sites within the development limits of the Main Urban Area will be considered favourably.
- 5.14 Policy 2 states that the Local Plan's strategic aim is to facilitate the delivery of a minimum of 15,640 net new homes in the remainder of the plan period 2018-2035 (920 per annum). The total allocation for the Main Urban Area is 7,182 new homes.
- 5.15 Policy 7 states that the delivery of a wider range and mix of housing types, sizes and tenures will be supported through the following:
  - a) New housing developments will be required to deliver a mix of house sizes, types, prices, and tenures to address as appropriate the needs and market demand identified in the latest Housing Need Assessment;
  - b) Housing sites of 15 or more homes (or 0.5ha or above) will normally be expected to include 23% affordable homes in the borough's high value housing market areas or a lower requirement of 15% elsewhere in the borough (including starter homes which meet the definition) on site.

- 5.16 Policy 10 states that new residential development will be supported in Residential Policy Areas provided: 1) an acceptable level of amenity for existing and new residents is provided; 2) the development helps to protect and enhance the existing area; and 3) the development meets other development plan policies relating to flood risk, open space, design and sustainable construction.
- 5.17 Policy 13 sets out that new development shall make appropriate provision for access by sustainable modes of transport to protect the highway network from residual vehicular impact to ensure that:
- a) access to the development can be made by a wide choice of transport modes, including walking, cycling, private vehicles and public transport;
  - b) site layouts and the street environment are designed to control traffic speed through an appropriate network and street hierarchy that promotes road safety for all;
  - c) walking and cycling are encouraged with the development and beyond, through the design of facilities and infrastructure within the site and provision of linkages to the wider network;
  - d) appropriate levels of parking provisions are made; and
  - e) existing highway and transport infrastructure is not adversely affected by new development. Where necessary, developers will be required to mitigate (or contribute towards) and predicted adverse effects on the highway network.
- 5.18 Policy 16 states that the needs of cyclists must be considered in relation to new development and in the design of highways and traffic management schemes to ensure safety and convenience. Provision for secure cycle parking facilities will be sought in new developments.
- 5.19 Policy 17 states that an increase in walking provision in Doncaster will be sought. Walking will be promoted as a means of active travel. Proposals will be supported which provide new or improved connections and routes, which enhance the existing network and address identified gaps within that network. The needs of pedestrians will be considered and prioritised in relation to new developments, in public realm improvements and in the design of highways and traffic management schemes.
- 5.20 Policy 18 supports proposals which improve the number and quality of opportunities for walking, cycling and riding, and those that enhance the TPT.
- 5.21 Policy 21 sets out that all new housing and commercial development must provide connectivity to the Superfast Broadband network unless it can be clearly demonstrated that this is not possible.
- 5.22 Policy 28 deals with open space provision in new developments and states that proposals of 20 family dwellings or more will be supported which contribute 10 or 15 per cent of the site as on-site open space to benefit the development itself, or a commuted sum in lieu of this (especially where the site is close to a large area of open space).
- 5.23 Policy 30 seeks to protect sites and species of local, national and international importance and requires proposals to meet 10 percent net gain for biodiversity.
- 5.24 Policy 32 states sets out that proposals will be supported where it can be demonstrated that woodlands, trees and hedgerows have been adequately

considered during the design process, so that a significant adverse impact upon public amenity or ecological interest has been avoided.

- 5.25 Policy 41 sets out that imaginative design and development solutions will be encouraged to ensure that proposals respect and enhance identity, character and local distinctiveness. In all cases, proposals will need to demonstrate an understanding of the context, history, character and appearance of the site, neighbourhood and wider area, to inform the appropriate design approach.
- 5.26 Policy 42 states that high-quality development that reflects the principles of good urban design will be supported. Proposals for new development will be expected to follow a best practice design process and where appropriate, use established design tools to support good urban design.
- 5.27 Policy 44 sets out that new housing will be supported where it responds positively to the context and character of existing areas and creates high quality residential environments through good design.
- 5.28 Policy 45 states that new housing proposals will be supported where they are designed to include sufficient space for the intended number of occupants and shall meet the Nationally Described Space Standard as a minimum. At least 65 per cent of all new homes should meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings' and at least 5 per cent meet Building Regulations requirement M4(3) 'wheelchair adaptable dwellings.' Exemptions to these requirements will only be considered where the applicant can robustly demonstrate, with appropriate evidence, that it is not viable to do so.
- 5.29 Policy 47 supports developments which are designed in a way that reduces the risk of crime and the fear of crime.
- 5.30 Policy 48 states that development will be supported which protects landscape character, protects and enhances existing landscape features and provides a high quality, comprehensive hard and soft landscape scheme.
- 5.31 Policy 50 states that development will be required to contribute positively to creating high quality places that support and promote healthy communities and lifestyles, such as maximising access by walking and cycling.
- 5.32 Policy 52 states that where housing proposals of 20 or more family dwellings will create or exacerbate a shortfall in the number of local school places, mitigation will be required, either through an appropriate contribution to off-site provision or, in the case of larger sites, on-site provision.
- 5.33 Policy 54 sets out that where developments are likely to be exposed to pollution, they will only be permitted where it can be demonstrated that pollution can be avoided or where mitigation measures will minimise significantly harmful impacts to acceptable levels. This includes giving particular consideration to the presence of noise generating uses close to the site.
- 5.34 Policy 55 states that proposals will be required to mitigate contamination by: a) demonstrating there is no significant harm to human health, or land, natural environment,, pollution of soil or any watercourse or ground water; b) ensuring necessary remedial action is undertaken to safeguard occupiers of the site; c)

demonstrating that adverse ground conditions have been properly identified; and d) clearly demonstrating that the land is suitable for its proposed use.

- 5.35 Policy 56 states that development sites must incorporate satisfactory measures for dealing with their drainage impacts to ensure waste water and surface water run-off are managed appropriately and to reduce flood risk to existing communities.
- 5.36 Policy 65 states that developer contributions will be sought to mitigate the impacts of development through direct provision on site, provision off site, and contributions towards softer interventions to ensure the benefits of the development are maximised by local communities.
- 5.37 Policy 66 states that where the applicant can demonstrate that particular circumstances justify the need for a Viability Appraisal, the Council will take a pragmatic and flexible approach to planning obligations and consider their genuine impact on viability of development proposals on an independent and case-by-case basis.

#### Other material planning considerations

- 5.38 Doncaster Council's previous suite of adopted Supplementary Planning Documents (SPDs) have been formally revoked in line with Regulation 15 of the Town and Country Planning (Local Planning) (England) Regulations 2012, following the adoption of the Local Plan. The SPDs refer to superseded development plan policies and some provide guidance which is not in accordance with the new Local Plan. The Transitional Developer Guidance (April 2022) provides guidance on certain elements, including design, during the interim period, whilst new SPDs to support the adopted Local Plan are progressed and adopted. The Transitional Developer Guidance, Carr Lodge Design Code and the South Yorkshire Residential Design Guide (SYRDG), should be treated as informal guidance only as they are not formally adopted SPDs. These documents can be treated as material considerations in decision-making, but with only very limited weight. The Council have adopted a Biodiversity Net Gain Supplementary Planning Document in line with the Local Plan which attracts full weight.

## **6.0 Representations**

- 6.1 Prior to submitting the BtR application, a public consultation event took place on 16<sup>th</sup> September 2019 at Cornerstone Church, Watch House Lane. Notification of the event was via post, with leaflets delivered to 685 local residents and businesses informing them of the proposals and inviting them to the public consultation event. 65 people attended the event with 26 of those completing the feedback forms provided. Although broadly supportive of the principle of the development for residential use, local residents raised some local issues focusing around highways, access and drainage.
- 6.2 On the BtR proposal, 30 letters of objection were received and these can be summarised as follows:
  - i) Fairfield Road and Halifax Crescent act as a thoroughfare during peak traffic time and are regularly used as a short cut between Watch House Lane and York Road.
  - ii) There will be disruption during construction.
  - iii) There have been numerous accidents along this stretch of road.
  - iv) Insufficient parking is provided within the scheme.

- v) The access into the site will compromise access to and from a driveway of an adjoining residential property.
- vi) Fairfield Road and Halifax Crescent share a sewerage and drain system that at times is overloaded and causes flooding and blockage.
- vii) Nothing is being done with this development against methane that was reported in the remedial statement from the previous planning application and has not been mentioned in this application.
- viii) There will be overlooking.
- ix) This will result in the loss of an employment site.
- x) It would affect house prices.

6.3 This application for 100 per cent affordable housing was re-advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015 by means of site notice, Council website, press advertisement and neighbour notification to all houses bordering the site. A further 7 letters of objection have been submitted, raising similar concerns as follows, which given the passage of time, is markedly fewer than the number of representations received in relation to the original BtR scheme:

- i) The access to the development will cause a bottleneck for traffic and also being positioned on a corner.
- ii) This development will lead to an increase in throughput traffic to/from the development onto a small quiet estate which is already being increasingly used as a short cut by drivers.
- iii) The condition of the road at Fairfield Road is not strong enough to cope with the increase in traffic throughput
- iv) Access into the site will compromise access to and from a driveway of an adjoining residential property.
- v) The development will put a strain on the existing drainage pipes
- vi) The development will increase air, traffic and noise pollution.
- vii) The wall along the rear of the properties on Fairfield Road should be maintained at an average height of 3.5m.

6.4 Although not specifically about the affordable housing scheme, Rt Hon Ed Miliband MP wrote in about the BtR scheme, asking that the concerns of his constituents are taken into account.

6.5 The Trans Pennine Trail Partnership has objected to the proposal, stating that there is a need to provide direct access to the Trans Pennine Trail as part of this application, with safe cycling provision through the development.

## 7.0 Relevant Consultations

7.1 **Transportation** has raised no objections subject to the provision of a Transport Bond (of £7,352) to ensure that mitigation measures are in place in the event that traffic numbers exceed those set out in the Transport Assessment.

7.2 **Highways** has responded and has raised no objections.

7.3 The **Urban Design Officer** has raised concerns that the proposal does not meet Nationally Described Space Standards, over half of the gardens do not meet minimum standards, that plot 59 is too close to existing properties on Fairfield Road, insufficient visitor parking for plots 1 to 12 and no details being provided on the connections from the site to the TPT. It should be noted that details of the

connection to the TPT is to be secured by a planning condition and all other concerns are addressed in the report.

- 7.4 **Ecology** has raised no objections subject to a net gain in biodiversity to be provided on a suitable project off-site or if a project cannot be found, a contribution of £103,625.
- 7.5 The **Tree Officer** has raised no objections subject to a condition.
- 7.6 The **Open Space Officer** has raised no objections subject to further details of the open space to be provided and a commuted sum to offset the lack of 15% open space provision on site.
- 7.7 **Environmental Health** has raised no objections subject to hours of restriction on construction and provision of a 2.3m acoustic barrier along the rear gardens of plots 18 to 26 along Watch House Lane as required by the Noise Assessment. The acoustic barrier is shown on the Boundary Treatment Plan and hours of construction are to be controlled through the submission of a Construction Method Statement as set out in condition 8.
- 7.8 The **Contamination Officer** has raised no objection subject to a condition requiring further remedial works to those already carried out. The further works include additional gas monitoring across the site, a clean cover system and no dig layer, the appropriate assessment of the asbestos containing materials and appropriate certification of all imported materials.
- 7.9 The **Air Quality Officer** has raised no objection, as each dwelling shall benefit from an Electric Vehicle (EV) charging point and cycle parking within the curtilage of each dwelling.
- 7.10 The **Environment Agency** has raised no objections, as the site is within Flood Zone 1 and satisfactory remediation has been carried out to ensure that risks posed to controlled waters are at an acceptable level.
- 7.11 **Yorkshire Water** has raised no objections subject to conditions.
- 7.12 The **Internal Drainage Officer** has responded and has raised no objections.
- 7.13 **South Yorkshire Archaeology Service** consider that the archaeological potential is likely to be negligible, as the site has been developed previously in the 20th Century and contained standing buildings until recently. No archaeological investigation is necessary.
- 7.14 **Public Rights of Way** has raised no objections and welcome the connections linking the proposed development and the TPT, although has requested that further details of these connections be provided ideally to accommodate both pedestrians and cyclists (this is covered by condition 11).
- 7.15 **Education** advise that the development will create the need for an additional 9 school places for Don Valley Academy to ensure that the school has capacity beyond 2026/27 (the projection period), resulting in a contribution of £240,876.

- 7.16 **Public Health** are pleased to see that the development plans includes two access points to the TPT and cycle storage for each dwelling and welcomes the increase in size of the open space from the previous scheme.
- 7.17 **Strategic Housing** advise that demand for affordable housing in Bentley is very high with the majority of demand (95%) being for 3 bed family properties.

## 8.0 Ward members

8.1 Councillor Jane Nightingale has raised a number of concerns including:

- i) The amount of traffic using Watch House Lane, especially during peak periods.
- ii) Serious accidents have occurred on Watch House Lane.
- iii) Fairfield Road is not wide enough to accommodate extra traffic.
- iv) Surface water is becoming a problem over recent years.

8.2 Councillor James Church has raised a number of concerns including that the original application was submitted several years ago and since then, the construction of Dominion Road has been completed. This large new estate has added greatly to the traffic congestion on Watch House Lane. That in turn causes issues on Raymond Road and its junction with Watch House Lane. The residents on Watch house lane and Raymond Road have difficulty parking for various reasons and this creates problems especially at peak times, or if any large vehicles need to access this area. Because of the build-up of traffic either exiting or entering Watch House Lane via York Road, there has been an increase in vehicles using Fairfield Road to bypass the congestion. The standing traffic increases pollution levels and impacts on the lives of the residents. The railway crossings at Bentley can cause difficulties, when a build-up of traffic heads towards Watch House Lane and adds to the congestion.

## 9.0 Assessment

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

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

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

- Substantial

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

### Principle of Development

- 9.3 The site lies within the Residential Policy Area as allocated in the Doncaster Local Plan, where residential development is acceptable in principle. Policy 10 of the Local Plan states that new residential development will be supported in Residential Policy Areas provided: 1) an acceptable level of amenity for existing and new residents is provided; 2) the development helps to protect and enhance the existing area; and 3) the development meets other development plan policies relating to flood risk, open space, design and sustainable construction.
- 9.4 Policy 1 of the Local Plan identifies Bentley as falling within the Main Urban Area, which is the focus for housing growth and regeneration. The housing requirement for the Main Urban Area is 7,182 and equates to 45% of the total borough allocation. The proposal would therefore make a significant contribution towards the Main Urban Area's housing requirement on an urban site and thus contributing towards the objectives of policy of the Local Plan.
- 9.5 The site is sustainable, being well located to access the services and facilities in the area, including schools, shops, employment and access to public transport. Doncaster town centre can be accessed within 5km cycling distance and the closest bus stops are located on Watch House Lane and York Road, which provide a number of services towards the town centre and other local destinations. The proposal makes efficient use of previously developed land and is therefore in accordance with the guidance set out in paragraph 119 of the NPPF.
- 9.6 The proposal delivers much needed affordable housing, being 100 per cent affordable. During the period 2015-2020, 925 new affordable homes were delivered (185 per year). DMBC's Housing Need Study (2019), which was used to inform the new Local Plan, identifies a need for 209 affordable new homes per year over and above the Council's own build programmes. There is therefore a need for affordable housing, which is not currently being met. The findings of the 2019 Housing Need Study suggest there is a net affordable housing need for the Bentley area and it is one of the Wards with the highest affordable housing need. The need is mainly for 3 bed houses and 1 or 2 bed bungalows. Furthermore, the number of people on DMBC's housing waiting list and the number of bids for each available property illustrates the continuing need for more affordable homes. As at January 2020, there were 7,300 households on the Housing Register looking for an affordable rented home with 1,662 properties advertised in the year to January 2020 and 82,891 bids made - an average of 50 bids per property.

### Sustainability

- 9.7 The NPPF (2021) 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.



- 9.8 There are three strands to sustainability and these are social, environmental and economic (paragraph 8). Paragraph 10 of the NPPF states in order that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.

## SOCIAL SUSTAINABILITY

### Impact on Residential Amenity

- 9.9 The scheme has been designed to minimise the impact on the amenity of those residential properties on Fairfield Road that border the site. In all cases, the scheme either meets or exceeds the minimum separation distances to avoid any unacceptable overlooking or overshadowing. There is a slight pinch point with plot 59, which is only 17m from the rear elevation of the closest property on Fairfield Road, but this is mitigated by being set at an angle to avoid any unacceptable direct overlooking.
- 9.10 Site levels are to be raised slightly mainly to accommodate a gravity fed drainage system. Cross sections have been submitted and these show that the maximum height difference between the proposed dwellings and existing dwellings would be just over 1m (see cross sections in the Appendix). The existing high wall at the rear of the houses on Fairfield Road is to be retained at a height of 3.2m, which will afford some privacy and together with the separation distances is considered acceptable.
- 9.11 During the public consultation back in September 2019, local residents shared issues of anti-social behaviour experienced at the site, including littering and throwing of rubbish and rubble from the site into surrounding residents gardens. It is not clear if these issues still exist, but the development of the site will help to remove these issues.
- 9.12 Any disruption during construction of the development would be minimised by ensuring that the applicant submits and adheres to a Construction Management Plan that is to be secured by a planning condition.

## ENVIRONMENTAL SUSTAINABILITY

### Design and impact upon the character of the area

- 9.13 The development proposes 60 new homes across a 1.4ha site, resulting in a density of 43 dwellings per hectare. Although quite a high density, this is largely a result of the fact that many of the properties on site are terraced. All of the dwellings are two storey, which reflects the general character of the surrounding area. Materials will be agreed to ensure that they respect the surrounding area, which is mainly red brick, with some buff/brown brick (see typical street scene in the appendix).
- 9.14 The scheme has been designed to ensure that those properties that can be seen from Watch House Lane will front onto the road, providing a strong frontage to the development and avoid any back gardens fronting the road, which would be undesirable. Plots 18 to 26 in the north-eastern corner of the site have the back gardens facing Watch House Lane, but this is acceptable given that this part of the site is obscured by trees and the rising road, where it goes over the TPT.

Properties (plots 1 to 6) also front onto Fairfield Road to provide a strong frontage to the road.

- 9.15 A boundary and surface treatment plan has been submitted with the application. A water main runs along the boundary of the site and Yorkshire Water has advised that no built structures are provided along this boundary. As such, provision is to be made for low hedges in the front gardens of houses fronting Watch House Lane and Fairfield Road. Other boundary treatments include walling and fencing, with retention of the 3.2m high wall along the back gardens of houses along Fairfield Road.
- 9.16 The development provides new areas of open space situated centrally to the site, populated with trees. Furthermore, two links are proposed through to the TPT and this will improve connectivity and use into this local amenity for the community. It is understood that the land beyond the site boundary to the TPT routes are within Council ownership. A play area is to be provided on site with details to be secured by a condition.
- 9.17 Each home includes a private rear garden. Although some properties do not meet the minimum standards set out in the Transitional Developer Guidance, the gardens are still of sufficient size for a range of activities such as clothes drying, gardening, dining and sitting out. Not all prospective occupiers desire a large garden due to upkeep, therefore a mix of garden sizes will suit a range of people, including smaller households or couples, including older persons, contributing to a mixed community. All properties will have access to the open space within the site.
- 9.18 Policy 45 of the Local Plan requires new homes to comply with Nationally Described Space Standards (“NDSS”), with the target of 65% of new homes meeting Building Regulations requirement Part M4(2), and 5% of new homes to meet Building Regulations requirement Part M4(3). It is, however, recognised that such policy targets may not be achievable due to viability. The proposed house types do not fully meet NDSS, however they are larger compared to those previously approved by Planning Committee in October 2020. House Type A falls below NDSS by 15% and House Type B by 16%.
- 9.19 Advice has been sought on this from an Independent consultant who is of the opinion that the scheme would not be viable if the scheme were NDSS compliant. Applying NDSS, Part M4(2) and Part M4(3) standards in accordance with Policy 45 would have significant viability issues and this is demonstrated in the Assessment of Financial Viability. In order to achieve M4(2)/(3) standards, the internal arrangements of dwellings would need to be reconfigured to allow for clear access routes, step free routes, door openings etc. which would lead to an increase in footprint. External arrangements also need to be considered such as wider parking bays and external ramps. Collectively, these requirements would impact unit numbers and increase construction costs with no additional premium being achieved on the properties. There would be a reduction in the number of homes by 8 and a subsequent increase in the cost per plot. The material reduction in the number of homes would render the development wholly unviable. Policy 45 is permissive of exemptions to housing design standards where it can be robustly demonstrated that it is not viable to adhere to these standards and it is considered that this has been demonstrated.

- 9.20 An Ecological Assessment has been submitted in support of the application. The site is not situated within influencing distance of any nature conservation site of either statutory or non-statutory designation. The report concludes that the site has limited ecological value, with some scattered trees along the boundary.
- 9.21 No records of amphibians were obtained within 2km of the site boundary. The site does not contain the required aquatic habitats suitable for breeding amphibians such as toads, frogs or newts, as the two temporary ponds on site will dry up in periods of dry weather. The site does not contain the required aquatic habitats and riparian corridors of vegetation to support water vole. The dense scrub on site has moderate ecological value for birds and offers nesting opportunities for ground nesting bird species. There were no records of bats species within 2km of the site, however the proposed development site has connecting dense tree corridors linking it to the surrounding area and agricultural fields to the north-east.
- 9.22 The report recommends that owing to the presence of grass snake in the vicinity of the site and suitable reptile habitat within the site, a reptile survey is required. The survey must take place between April and June (inclusive). It is therefore recommended that the reptile survey be repeated prior to the commencement of the development, and this can be secured by a suitably worded condition (condition 19). It also states that obtrusive lighting on the woodland edge at the eastern boundary of the site must be avoided (details secured by condition 4).
- 9.23 The newly created gardens and trees are likely to provide nesting and foraging opportunities for bird species and form a commuting habitat connecting to the wider landscape for bats, birds and hedgehogs. The newly created habitat of floral species will increase the diversity of invertebrates on site for birds and bats to feed on.
- 9.24 A Biodiversity Metric Report (version 3.1) has been submitted with the application. The report concludes that the development will result in the loss of areas of mixed scrub, other neutral grassland and ruderal/ephemeral vegetation. These are all low/medium distinctiveness habitats. The baseline biodiversity unit value of the site is 8.45 units. To deliver a 10% net gain in biodiversity, 9.295 units would be required post development. The proposed onsite landscaping delivers 5.15 units. There is therefore a deficit of 4.145 units. In order to satisfy the requirement of policy 30 in the Local Plan, this deficit in biodiversity units would have to be secured via a project offsite. This could be done via a Section 106 agreement that asks for the details of appropriate offsite compensation to be provided. If there are no local projects available that could deliver the required units, then the final option within the S106 agreement would be for a biodiversity offsetting contribution fee to be paid to the Council. This would be calculated as £25,000 per Biodiversity unit required, so in this case £103,625. The application therefore accords with policy 30 of the Local Plan.

#### Trees and Landscaping

- 9.25 A Tree Survey has been carried out and this shows that the trees that border the site are generally in a good condition. The trees are not protected by a Tree Preservation Order. No tree removals or remedial pruning works are required to facilitate the proposed development.
- 9.26 A landscaping scheme has been submitted and this has been agreed by the Tree Officer. The site will be managed by one management company and this should

ensure that all areas are maintained and kept to a high standard. The application therefore accords with policy 48 of the Local Plan.

#### Impact upon Highway Safety

- 9.27 A Transport Assessment and Travel Plan have been submitted in support of this application. The site is considered to be located in a sustainable location with good access to local amenities, public transport and cycling and walking opportunities.
- 9.28 In terms of walking, Scawsby Saltersgate Junior/Infant School is approximately a 700m/9 minute walk to the west of the site. Scawthorpe Sunnyfields Primary School and Kirkby Primary School are also located within walking distance of the site. Aldi, Morrison's, Tesco Express, and Danum Retail Park are all considered to be within walking distance. There are other healthcare and employment facilities within walking distance of the site. Direct pedestrian access between the development site and the TPT will be provided on the eastern boundary of the site.
- 9.29 In terms of cycling, the report shows that the whole of Doncaster town centre can be accessed within 5km cycling distance of the site. The Travel Plan indicates a commitment to cycle parking within the curtilage of each dwelling with access provided to gardens so that bicycles do not have to be carried through homes.
- 9.30 In terms of access to public transport, the closest bus stop is located on Watch House Lane approximately 325m to the west of the development site. In addition, bus stops located on York Road, approximately 350m from the site access offer a number of services towards Doncaster town centre and other local destinations. Additional bus stops are located on York Road, Cusworth Lane and Newlands Drive, which are within 800m walking distance. Bentley train station is located approximately 1km/12 minute walk from the site, which provides services to Leeds and Doncaster.
- 9.31 The Travel Plan sets out a number of measures that will encourage residents on site to use sustainable modes of transport. These includes a Travel Plan Coordinator to provide transport advice to residents and travel information provided to prospective and new residents on all available modes of transport including maps, health benefits, local amenities and public transport timetables.
- 9.32 The development is forecast to generate 35 2-way trips in the AM peak and 37 2-way trips in the PM peak. A junction capacity assessment has been undertaken at the Fairfield Road/Watch House Lane junction and the results show that the junction operates within capacity in the future (year 2024) with the proposed development traffic included. As part of the proposed access arrangements, road markings will be provided at the Watch House Lane / Fairfield Road junction to provide a 'build out' and improve visibility from Fairfield Road.
- 9.33 Vehicular access to the site will be taken approximately 65m to the south of the Fairfield Road /Watch House Lane existing junction. The existing width of Fairfield Road between the access point and Watch House Lane will be retained. With reference to the South Yorkshire Residential Design Guide for conventional streets with a design speed of 20mph or less, a "*minimum carriageway width of 4.8 metres [is] needed for two cars to pass with some care*". Drawings submitted with the application demonstrate that the existing width of the carriageway is sufficient for two large cars to pass each other and for occasional use by fire appliances and refuse vehicles. Widening the carriageway is not considered necessary to

accommodate the development. Widening the carriageway on Fairfield Road could potentially encourage drivers to increase their speed and potentially induce additional through traffic from the A638 York Road, to the detriment of existing residents living on Fairfield Road and Halifax Crescent. Overall, taking into account the nature of Fairfield Road within an established residential area, the existing carriageway width (of approximately 5.2m) is adequate for the current and future use of the road.

- 9.34 During pre-application discussions, it was requested that the issue of rat-running using Halifax Crescent, to avoid any queuing on Watch House Lane, be investigated and this has been carried out. Queue length surveys were undertaken during the peak hours on Watch House Lane and Halifax Crescent. There is evidence of queuing on Watch House Lane during the peak hours and evidence of some vehicles using Halifax Crescent to avoid the queues on Watch House Lane. However, the numbers are relatively low and the queue on Halifax Crescent was observed to clear within two green phases of the traffic signals. The addition of the development traffic will, inevitably, add to the queue but the impact is not expected to be significant with the development generating approximately 1 trip every 2 minutes in the peak hours.
- 9.35 Parking standards are set out in Appendix 6 of the Local Plan. These require 2 unallocated spaces per dwelling, plus 1 visitor space per 4 dwellings. Based on these standards, there would be a requirement for 135 parking spaces on site. The original scheme included provision for 100 car parking spaces. The revised scheme seeks to marginally reduce this figure to 98 spaces by removing 2 unallocated visitor spaces. The provision on site is as follows: 41 spaces for the 41 no. 2-bed homes, 38 spaces for the 3-bed homes and 19 visitor spaces. The overall proposed parking provision is therefore slightly lower than would be expected in line with the Council's requirements. This modest reduction is acceptable however given the sustainable location of the site and its design. The site is readily accessible by a range of suitable transport modes and falls within walking distance of a range of amenities and facilities, including schools and shops, thus reducing reliance on owning a car. Dedicated cycle storage is still provided for each property within the curtilage of each dwelling, with access provided to gardens so that bicycles do not have to be carried through homes. There is plenty of room within the site for informal visitor parking spaces particularly around the central area, where there is no conflict with driveway entrances. As such, it is considered the proposed quantity of car parking spaces is sufficient and appropriate to accommodate the proposed development.
- 9.36 Swept path analysis has been undertaken to demonstrate that a fire appliance (as the largest emergency vehicle that would need to use the access) will be able to access the site. In an emergency, a fire appliance would be able to get to a point within 45m of accesses to each dwelling, meeting the requirements of Building Regulations. Sufficient turning space is provided within the site to allow the fire appliance to exit the site in forward gear.
- 9.37 The development will be in single ownership and so the maintenance responsibility of private drives will fall to the Register Provider.

#### Flood Risk, Foul and Surface water drainage

- 9.38 The site sits within Flood Zone 1 (lowest risk of flooding) as indicated on the Environment Agency flood maps. A Flood Risk Assessment and Drainage Strategy

have been submitted in support of this application because the site is more than 1 hectare in size. The site levels vary from around 9.35mAOD at the site entrance to 8.63mAOD to the east, but generally, the site is flat with an overall slight fall from east to west. There is no history of flooding occurring at the site. This report has identified that the main flood risk to the development is from over topping of the local watercourse or blockage of drains. The minimum finished floor levels (FFL) are recommended to be 9.35mAOD for the site and this will be achieved. The FRA confirms that the site has a no or low risk of flooding and the proposed development is appropriate for this location. The application therefore accords with policy 56 of the Local Plan.

### Noise

- 9.39 A Noise Assessment has been submitted to assess the potential impact of surrounding noise on the proposed development. Noise measurements were taken within the vicinity of the proposed development site for night-time and daytime periods. The results of the noise monitoring were used to create a noise model of the site. The noise model was used to identify the proposed residential façade that would be subject to the highest levels of noise. Noise ingress calculations were undertaken, which demonstrated that noise levels could be achieved for both daytime and night-time periods with the incorporation of a glazing and ventilation strategy, therefore demonstrating that internal noise levels would not pose a barrier to the development of the site.
- 9.40 The noise model identified plots where World Health Organisation criteria of external amenity areas would not be met. Mitigation is recommended in the form of a 2.3m acoustic fence to provide protection to the affected plots 18 to 26 (this is shown on the submitted boundary detail plan). The noise model demonstrates that this would be sufficient to meet the criteria, therefore demonstrating that with mitigation, external noise levels would not pose a barrier to the development of the site. The predictions were also inclusive of commercial noise from Queens Drive Industrial Estate. The assessment indicates likelihood of a low impact at the receptor location, therefore demonstrating that commercial noise from the industrial estate should not pose a barrier to the development of the site.
- 9.41 With the inclusion of the mitigation measures recommended within the report, it has been concluded that noise will not have any amenity impacts on the new residential development. The application therefore accords with policy 54 of the Local Plan.

### Air quality

- 9.42 An Air Quality Assessment has been submitted with the application. This report provides a review of existing air quality in the vicinity of the proposed development. It also provides an assessment of the impact of the proposed development on local air quality during both its construction and operational phases. With the implementation of appropriate mitigation measures (such as dust monitoring and dealing with any complaints etc.), the impact of dust associated with construction and demolition activities is considered to be not significant when considered in accordance with Institute of Air Quality Management (IAQM) guidance.
- 9.43 Existing air quality around the development has been reviewed. Concentrations of Nitrogen Dioxide (NO<sub>2</sub>) and Particulate Matter 10 (PM<sub>10</sub>) are likely to be below their respective long and short-term objectives at the proposed development site, which is therefore considered suitable for residential use with regards to air quality.

Vehicle emissions associated with the proposed development are not likely to have a significant impact on local air quality. A number of mitigation measures are proposed including the provision of an Electric Vehicle (EV) charging point within each dwelling and cycle parking within the curtilage of each dwelling. The application therefore accords with policy 54 of the Local Plan.

### Contamination

- 9.44 Previous environmental investigations and risk assessments have been undertaken on the site in consultation with the Environmental Agency and Doncaster's Pollution Officer. Remediation works have already been carried out on site during 2016, which were attended by the Environment Agency and the Council. A Geo-environmental Overview and Remedial Strategy has been prepared in support of this application, which outlines a future remedial strategy and this is secured by a condition. The further works include additional gas monitoring across the site, a clean cover system and no dig layer, the appropriate assessment of the asbestos containing materials and appropriate certification of all imported materials. The application therefore accords with policy 55 of the Local Plan.

### Energy Efficiency

- 9.45 An Energy and Sustainability Statement has been submitted in support of the application. Through assessing low or zero carbon technologies at the development, it concludes that it is not technically feasible or viable to install these technologies. However, through the incorporation of good passive suitable design measures, an improvement in energy efficiency can be achieved when compared to baseline Building Regulations.

## ECONOMIC SUSTAINABILITY

- 9.46 The development will create approximately 60 construction jobs, with local supply chains targeted during construction. Post-occupation, the development will bring about increased spending on goods and services in the local area.

### **10.0 Other issues raised by objectors, but not covered in the report**

- 10.1 The concern raised that the proposal will result in the loss of an employment site is no longer relevant as the site has changed from being allocated as an Employment Site in the UDP to a Residential Policy Area in the Local Plan. Highways have carefully considered the proposal and do not consider that access will compromise access to and from a driveway of an adjoining residential property (this is consistent with the view that they took when it was last considered in 2020). Any potential impact on house prices is not a material planning consideration.

### **11.0 Planning Obligations**

- 11.1 There are a number of Planning Obligation requirements that have been identified in accordance with Local Plan policies. The scheme proposes 100 per cent affordable housing and this is to be secured through a Section 106 Agreement. There is a requirement for a commuted sum of £240,876 towards Don Valley Academy. The scheme provides on-site open space, but this only equates to 10 per cent of the overall site area and so an additional sum of £16,250 is required to meet the 15 per cent requirement given that the Bentley community profile area is deficient in 3 out of 5 open space typologies. There is a Biodiversity offsetting project or contribution

requirement of £103,625 and a returnable Travel Plan Bond of £7,352 to mitigate any traffic in the event that targets in the Travel Plan are exceeded.

- 11.2 A viability appraisal has been submitted with the application. It was assessed by David Coate of Adams Integra who has provided an independent review of the viability of the scheme. David Coate concludes that the scheme would not be viable with all of the policy asks. It is the independent consultant's conclusion that a planning policy compliant scheme is unviable. Having considered all of the build costs and income etc., the consultant considers that the scheme can contribute a total of £249,480 towards planning obligations and remain viable. It should be noted that this is the same level of contribution that was agreed on the BtR scheme, minus the affordable housing contribution of £111,556 given that this is now 100 per cent affordable housing provision. In essence, this is a greater contribution than before because the scheme is now 100 per cent affordable rather than around 4 affordable units as would have been secured through the Section 106 Agreement on the BtR scheme.
- 11.3 In line with the Council's Section 106 Protocol, the Section 106 Board met on November 18<sup>th</sup> 2022 to discuss where the available Section 106 monies should be spent. The Section 106 Board have recommended that all of the required contributions be given to off-site open space, BNG and the Travel Plan Bond. They have asked that the open space contribution be used to improve the open space off Queens Drive, Bentley (situated to the east of the application site). The remaining money of £122,253 is to be given to Don Valley Academy.

## **12.0 PLANNING BALANCE & CONCLUSION**

- 12.1 The site lies within the Residential Policy Area as allocated in the Doncaster Local Plan. The proposal provides an acceptable level of amenity for existing and new residents, helps to protect and enhance the existing area and meets other development plan policies relating to flood risk, open space, design and sustainable construction. The proposal therefore accords with policy 10 of the Local Plan.
- 12.2 The site lies within the Main Urban Area of Doncaster and has been vacant for over 13 years, following the clearance of the previous industrial and office buildings. Development of this sustainably located site will remove vacant and underutilised land from the urban area and make a meaningful contribution to meeting DMBC's housing need.
- 12.3 The information submitted in support of the application shows that there are no issues with highway safety and as such, no objections have been raised by highways. The site is within walking and cycling distance of schools, shops and public transport provision and the Travel Plan will help to deliver sustainable travel modes. The scheme provides connections to the TRP and EV charging points are to be provided to every dwelling on site.
- 12.4 The scheme has been designed to reflect the character of the surrounding area and avoid any impact on the amenity of surrounding residential properties. All other issues such as ecology, air quality, noise and contamination have been thoroughly assessed with the submission of technical documents and are all satisfactory subject to the necessary mitigation measures that are either shown on the plans or secured by condition.



- 12.5 The application comprises a highly sustainable development and accords with national and local planning policy. The proposal would deliver 60 affordable homes, which is a significant benefit when considered in the context of the high level of affordable housing need, particularly in the Bentley ward.

### **13.0 RECOMMENDATION**

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

- 1) 100 per cent affordable housing to be secured in perpetuity.
- 2) £122,253 for Don Valley Academy
- 2) £103,625 for Biodiversity offsetting
- 3) £16,250 for improvements to the Recreation Ground off Queens Drive
- 4) £7,352 for the Travel Bond.

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

#### **Conditions / Reasons**

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

##### **REASON**

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

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

100-448/(P)002C dated 16.12.21 (Location plan)  
100-448/(P)001ZD dated 02.12.22 (Site plan)  
100-448/(P)015E dated 10.12.21 (Typical cluster 2B)  
100-448/(P)018E dated 10.12.21 (Typical cluster 2A)  
100-448/(P)011E dated 10.12.21 (Typical cluster 3)  
100-448/(P)008D dated 10.12.21 (Typical cluster 4)  
100-448/(P)019E dated 10.12.21 (Cluster 4 street corner)  
100-448/(P)007E dated 10.12.21 (House type plans)  
100-448/(P)021A dated 10.12.21 (Street elevation)  
100-448/(P)016L dated 02.12.22 (Boundary and surface treatment)  
46102/035 Rev A dated 28.03.2022 (Boundary wall typical sections)  
L-200 rev E dated 30.11.2022 (soft landscaping)  
46102/001 Rev C dated 30.11.2022 (Drainage Plan)  
46102/011 Rev C dated 30.11.2022 (External works sheet 1 of 2)  
46102/012 Rev C dated 30.11.2022 (External works sheet 1 of 2)

##### **REASON**

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

3. The approved phase 3 remediation works (as set out in JPG's Geo-Environmental Overview & Remedial Strategy Ref 5269-jpg-zz-xx-rp-g-1301-s2-p01. Nov 2019.

Revision P01) shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. If during the works, contamination is encountered which has not previously been identified, then all associated works shall cease until the additional contamination is fully assessed and an appropriate remediation scheme approved by the LPA. Upon completion of the Phase 3 works, a Phase 4 verification report shall be submitted to and approved by the LPA. The site or parts of the site shall not be brought into use until such time as all verification data has been approved by the LPA.

**REASON**

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

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

**REASON**

To ensure the ongoing ecological interests of the site with respect to bats in accordance with policy 30 of the Local Plan.

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

**REASON**

To reduce air pollution on site in accordance with policy 54 of the Local Plan.

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

**REASON**

To promote sustainable modes of travel in accordance with policy 13 of the Local Plan.

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

**REASON**

To ensure adequate play provision in accordance with policy 28 of the Local Plan.

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

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

**REASON**

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

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

REASON

To ensure that the materials are appropriate to the area in accordance with policy 42 of the Local Plan.

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

REASON

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

11. No dwellings shall be occupied until connections to the Trans Pennine Trail as indicated on 100-448/(P)001ZD dated 02.12.22 have been provided in accordance with a scheme previously submitted to and approved in writing by the local planning authority.

REASON

To encourage sustainable modes of travel in accordance with policy 13 of the Local Plan.

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

REASON

To ensure that all new housing and commercial developments provide connectivity to the fastest technically available Broadband network in line with the NPPF (para. 114) and Policy 21 of the Doncaster Local Plan.

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

REASON

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

14. Prior to the occupation of any dwellings on site, a Management and Monitoring Plan for proposed onsite habitats detailed in Section 4 of the Biodiversity Metric 3.1 Report by JCA Revision 3 shall be submitted to the Local Planning Authority for approval in writing. The Management and Monitoring Plan shall detail the following:

- i) A detailed adaptive management plan setting out how habitats will be created or enhanced and describing the proposed ongoing management for a minimum of 30 years.
- ii) The details of when target condition will be achieved and how it shall be maintained.
- iii) A detailed monitoring plan that will be used to inform any potential changes to the ongoing management and assess the progress towards achieving target condition. This should outline the surveys that will be used to inform condition monitoring reports. Monitoring reports will be provided to the Local Planning Authority by the end of years 1,2,5,10,20, and 30 of the monitoring period.
- iv) The roles, responsibilities and professional competencies of the people involved in implementing and monitoring the onsite habitat delivery.
- v) Evidence that the necessary resources are available to deliver the proposed onsite habitat and its ongoing management.

Once approved, the Management and Monitoring Plan shall be implemented in full and any subsequent changes to management as a result of findings from the monitoring agreed in writing with the Local Planning Authority.

**REASON**

To fulfil specifically the requirements of Local Plan policy 30B.

15. The site shall be developed with separate systems of drainage for foul and surface water on and off the site. Surface water from the entire site shall be restricted to a maximum rate of 3.5 litres per second, to the public surface water sewer network.

**REASON**

In the interests of satisfactory and sustainable drainage.

16. No building or other obstruction including landscape features shall be located over or within 3.5 metres either side of the centre line of the public sewer i.e. a protected strip width of 7 metres that crosses the site. If the required stand-off distance is to be achieved via diversion or closure of the sewer, the developer shall submit evidence to the local planning authority that the diversion or closure has been agreed with the relevant statutory undertaker and that prior to the construction in the affected area, the approved works have been undertaken.

**REASON**

In order to allow sufficient access for maintenance and repair works at all times.

17. No building hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the approved details. The sustainable drainage scheme shall be designed, managed and maintained in accordance with the Non-statutory technical standards and local standards.

**REASON**

To comply with the National Planning Policy Framework.

18. No development shall take place on the site until a detailed aftercare/maintenance plan based on the detailed Soft Landscape plan (L-200 Rev E) with clear scheduling and responsibilities for a minimum of 5 years following practical completion of the landscape works has been submitted and approved in writing with the local planning authority. Thereafter the approved landscape scheme (Detailed Soft Landscape plan L-200 Rev E) shall be implemented in full accordance with the approved details and the Local Planning Authority notified in writing within 7 working days to approve practical completion of any planting within public areas or adoptable highway within the site. Soft landscaping for any individual housing plot must be completed in full accordance with the approved scheme, prior to occupation of the home, which will be monitored by the Local Planning Authority. Any part of the scheme which fails to

achieve independence in the landscape, or is damaged or removed within five years of planting shall be replaced during the next available planting season in full accordance with the approved scheme, unless the local planning authority gives its written approval to any variation.

**REASON**

In the interests of environmental quality and Policy 48: Landscaping of New Developments section C and F.

19. Prior to any development or vegetation clearance commencing on the site, a reptile survey of the site shall be carried out between April and June (inclusive) by a suitably qualified person and submitted to the Local Planning Authority for approval in writing. The survey shall include details of all mitigation measures including precautionary working methods considered necessary to ensure the interests of reptiles are maintained. The development shall be carried out in accordance with all mitigation recommendations made within the approved survey.

**REASON**

In line with policy 30 of the Local Plan to ensure the ecological interest of any reptiles on the site.

## **INFORMATIVES**

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

Records indicate that this area may be susceptible to surface water flooding. Please see Environment Agency indicative SW Flood Maps. 2. Flood resilience should be duly considered in the design of the new building/s or renovation. Guidance may be found in BRE Digest 532 Parts 1 and 2, 2012 and BRE Good Building Guide 84. 3.

The applicant should produce a Flood Evacuation Plan.

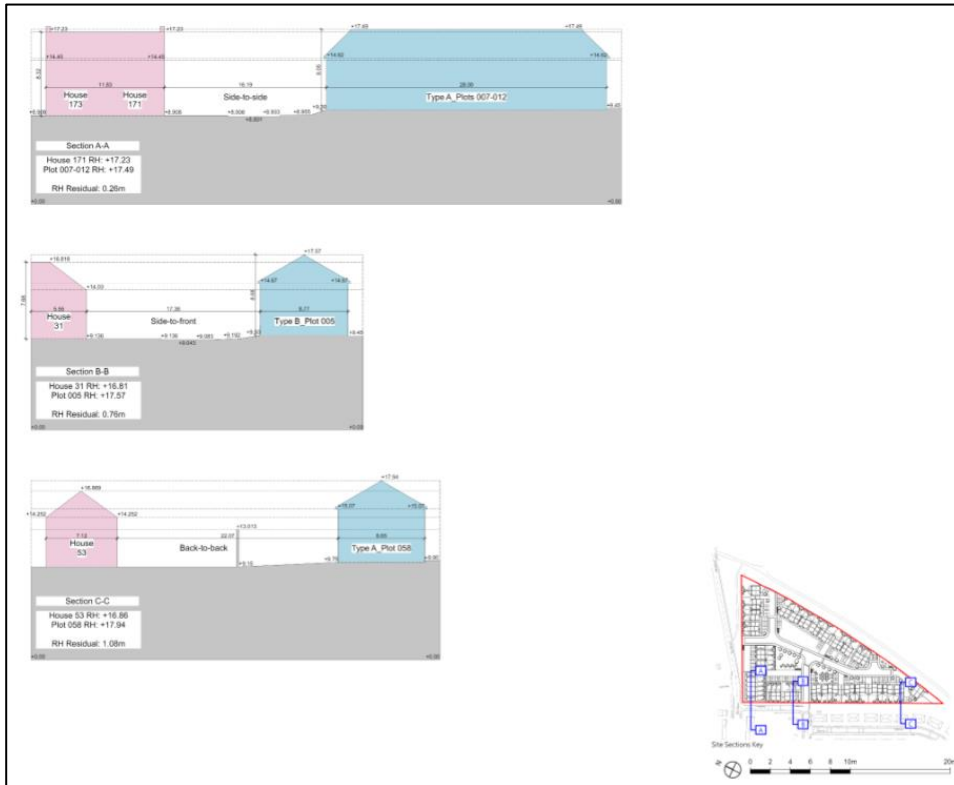
**The above objections, consideration and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family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

# Appendix

## Site plan



## Cross Sections



Typical street scene



Proposed Street Elevation

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<b>Application</b>	<b>3</b>
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<b>Application Number:</b>	21/02867/FULM
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<b>Application Type:</b>	Full Planning Permission
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<b>Proposal Description:</b>	Erection of stables and change of use of field to equestrian use (Amended plans - change of access and design of stable block as well as the addition of a perimeter fence.)
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<b>At:</b>	Land On The North Side Of Bawtry Road Finningley Doncaster DN9 3BX
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<b>For:</b>	Natalie O'Connor G.A Mell (Builders)Ltd
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<b>Third Party Reps:</b>	20 objections received in respect of the amended scheme, 18 in respect of the original proposal	<b>Parish:</b>	Finningley
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<b>Ward:</b>	Finningley
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<b>Author of report</b>	Mary Fleet
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**SUMMARY**

This proposal seeks full planning permission for the erection of stables and change of use of field to equestrian use. The plans have been amended since the application was originally submitted: the position of the access and the design of the stables has been altered and a perimeter fence has been included in the proposal.

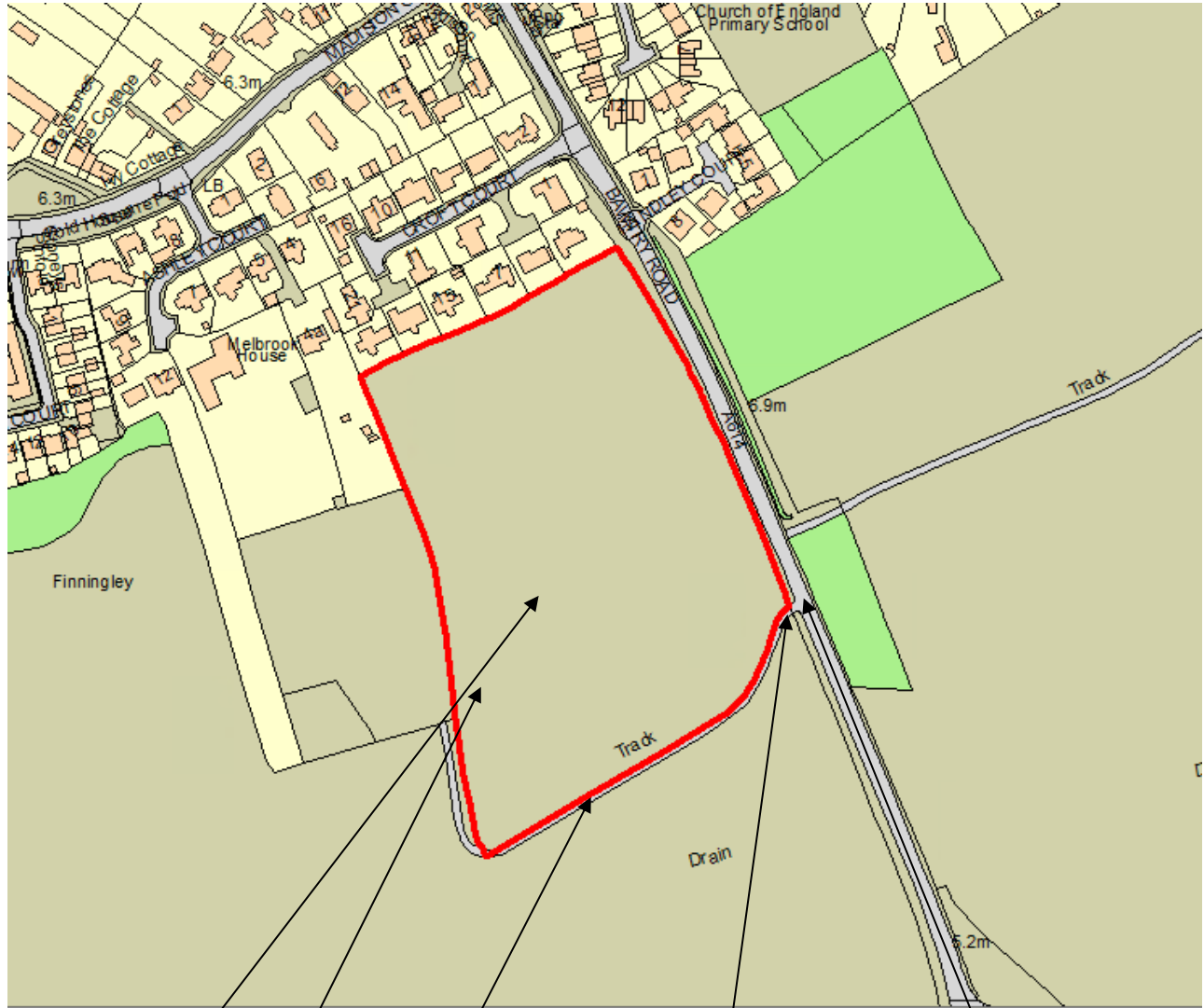
The proposal is compliant with policy however both the original and the amended plans have received a number of objections both from members of the public and from the Parish Council.

This report will demonstrate this policy compliance focusing on both the principle of the development as well as on matters relating to character, amenity and ecology. In addition to this technical considerations will be discussed relating both to drainage and highways. The report will note consultee responses and respond at relevant points to matters raised in representations.

Having considered these matters the report concludes that the proposed development will not cause undue harm to the character of the countryside, to the existing ecology of the area or to the amenity of local residents.

**Recommendation:** grant planning permission subject to conditions

**RECOMMENDATION: GRANT planning permission subject to conditions.**



Application site

Historic position of access track

Existing access

A614 to Bawtry

Approximate location of the proposed stables

## **1.0 Reason for Report**

- 1.1 The application is being presented to Members given the amount of public interest in the proposal.
- 1.2 Local residents and the Parish Council have objected to the principle of the development as well as in terms of the impact of the proposal on the character of the countryside, on amenity, and on ecology. Concerns have also been expressed in terms of the access however it is not clear as to which plans objectors have considered when making those comments but they appear to relate to the original scheme.

## **2.0 Proposal and Background**

- 2.1 Planning permission is sought for the erection of a stable block as well as for the change of use of land to equestrian. The designation of the site in the Doncaster Local Plan (adopted Sept 2021) is Countryside Policy Area. The original application has been amended to alter the design of the stables as well as the position of the access. A fence has also been added to the access in order to avoid the need for a condition regarding this and latterly an amendment has been received confirming that the gates will open inwards in order to meet with highways requirements.

## **3.0 Site Description**

- 3.1 The site is currently an arable field located to the south of the village of Finningley, accessed off Bawtry Road. Residential properties are located to the north of the site just inside the settlement boundary. The eastern extent of the site is bound by Bawtry Road and to the south and west the site adjoins residential garden and otherwise open countryside.
- 3.2 The site is relatively level land currently used for the growing of arable crops. The access to the site is currently informal though the kerb has been dropped to allow access on to the A614.
- 3.3 The site is edged on all sides by trees and hedges which serve to break up the views across the site from the road.

## **4.0 Relevant Planning History**

- 4.1 The site has no relevant planning history.

## **5.0 Site Allocation**

- 5.1 The site is identified within the Local Plan as Countryside Policy Area. The site adjoins the settlement boundary of Finningley village. In addition to this the site is in Flood Zone 1 and therefore at low risk of flooding.

## **5.2 National Planning Policy Framework (NPPF 2021)**

- 5.3 The National Planning Policy Framework 2021 (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. Planning

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

Paragraph 38 (Decision making)  
Paragraph 47 (Determining applications)  
Paragraph 56 (Planning Conditions)  
Paragraph 84 (Building a strong and competitive economy)  
Paragraph 111 (Promoting sustainable transport)  
Paragraph 130 (Achieving well designed places)  
Paragraph 167 (Meeting the challenge of climate change, flooding and coastal change)  
Paragraph 174 (Conserving the natural environment)  
Paragraph 183 (Ground conditions and pollution)

### **Local Plan**

5.4 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for Doncaster consists of the Doncaster Local Plan (adopted 23 September 2021). The following Local Plan policies are relevant in this case:

5.5 Policy 1 Settlement Hierarchy (Strategic Policy)

Policy 2 Level of Growth (Strategic Policy)

Policy 13 Promoting Sustainable Transport in New Developments (Strategic Policy)

Policy 25 Development in the Countryside Policy Area

Policy 29 Ecological Networks (Strategic Policy)

Policy 30 Valuing Biodiversity and Geodiversity (Strategic Policy)

Policy 41 Character and Local distinctiveness (Strategic Policy)

Policy 46 Design of non-residential, commercial and employment development (Strategic Policy)

Policy 55 Contamination and unstable land

Policy 56 Drainage

5.6 There is no neighbourhood plan at the current time for Finningley.

### **Other material planning considerations and guidance**

- Transitional Developer Guidance (2022)
- South Yorkshire Residential Design Guide 20(2015)
- National Planning Policy Guidance

- 6.1 This application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015 by means of site notice, council website, and neighbour notification.
- 6.2 The application was initially submitted on the 20<sup>th</sup> September, 2021 and advertised via site notice on both the 12<sup>th</sup> November 2021 and on the 22<sup>nd</sup> July, 2022 as well as via neighbour letter on the 2<sup>nd</sup> November 2021, on the 15<sup>th</sup> July, 2022 and the 6<sup>th</sup> October, 2022.
- 6.3 Comments have been made in respect of the shorter period of consultation afforded to the latest iteration of the plans. This was done so as to expedite the application to the committee stage for a decision given the age of the application – from the applicant’s perspective but also in respect of the local people who have objected. It is considered advantageous to determine the application at the earliest opportunity, with the expectation this would be a committee decision.
- 6.3 20 objections have been received in respect of the scheme currently being considered. The original scheme received 16 objections whilst the later amendments (which altered the design of the stables and the location of the access track received a total of 18 objections. A summary of the material planning issues raised is set out below. Where the details will not be covered in the remaining analysis of the report they are answered here.

Concerns raised in the representations are as follows:

- Contrary to policy 26a and therefore inappropriate development- no need has been identified. Having received representations relating to policy 26a the applicant has provided a statement setting out the merits of the application in relation to this policy. Arguably though policy 26 isn’t of relevance to this application the main consideration is policy 25 and the suitability of the proposal in a countryside policy area.
- Loss of amenity in respect of the change to equestrian use as well as in respect of increase vehicle movements.
- Detrimental to the character of the area.
- The scale/design of the stable block as well as the extent of the proposed change of use of land, plus the addition of the fence.
- Ecologically detrimental.
- No benefit either to the community or to the local economy. The proposed use is less sustainable.
- Concerns expressed over the suitability of the access (though made in respect of the later advertisement the comments appear to relate to the earlier iteration of the plans)
- Drainage issues lack clarity.

6.4 Other matters have been raised which are not material and therefore would not be considered as part of this report. These are as follows:

- It is considered that the stables would be better located on adjoining land owned by the applicant and notes the fact that this is no longer legally prohibited.
- Concerns have been expressed regarding the motives of the developer.
- It will result in loss of revenue for the tenant farmer who has offered to work to increase the biodiversity of the site

## **7.0 Town/Parish Council**

7.1 The Parish Council have objected to the proposal expressing concern that this application is a prelude to residential development; they question the type of application and state that the stables could have been built closer to the applicant's home using permitted development rights. They comment that the agricultural tenant should have security of tenure; that the application will be detrimental to wildlife, as well as expressing concerns regarding the expansion of the village.

## **8.0 Relevant Consultations**

**8.1 South Yorkshire Archaeology Service** – no objections to either the original or the amended proposal including to the reinstatement of the track.

**8.2 DMBC Ecology** – No objections subject to the inclusion of a condition relating to the development of an adaptive management plan.

**8.3 DMBC Tree Officer** – no objections and no requirements for conditions. There are no issues with the fact that the access track has been ploughed over.

**8.4 Environment Agency** – have confirmed that they have no objections given the location of the site in flood zone 1.

**8.5 DMBC Pollution Control** – have requested an informative note relating to development being undertaken in the proximity of infilled land.

**8.6 DMBC Internal Drainage** – have no objections and require a condition adding to ensure the surface water drainage impacts are dealt with adequately.

**8.7 DMBC Highways Development Control** – objected to the plans to make the access more informal. They are supportive of the amended plans now subject to conditions.

**8.8 DMBC Area Manager** – no response.

**8.9 Anglian Water** – no response.

**8.10 Severn Trent** – responded with standard informative note

**8.11 National Grid** – standard response from Cadent Gas.

**8.12 Stronger Communities** – no objections but note the need for the access to meet highways requirements.

**8.13 Yorkshire Wildlife Trust** – no response.

**8:14 Environmental Health** – no objections but have noted that the location of the manure heap should be conditioned.

**8:15 East Drainage Board** - no response

## **9.0 Assessment**

9.1 The proposal seeks permission for the erection of stables and the change of use of land to equestrian. It is being considered on the basis of the amended plans dated 5.10.22. In considering the proposal the main material planning considerations are outlined below:

- The acceptability of the change of use of land for equestrian use.
- The impact on the character of the area
- The impact on neighbouring residential properties
- The impact on the ecology of the highway network and highways standards
- The acceptability of the access.
- Flooding and Drainage issues

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

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

### Appropriateness of the proposal

9.3 The site is identified within the Local Plan as Countryside Policy Area. As such applications are assessed against policy 25 of the Local Plan. In respect of non-residential development part 4 of the policy states that proposals for non-residential developments will be supported provided that:

A) the rural location of the enterprise is justifiable to support a prosperous rural economy in accordance with national policy in the NPPF;

B) the location of the enterprise would not have a significant adverse effect on neighbouring uses or on highway safety;

C) the development is of a size (including floorspace) and scale commensurate with an existing use, or that reasonably required for a new use, and with the rural character of the location; and

D) the scale and design of the proposal would not have a significant adverse impact on the landscape.

- 9.4 The proposed change of use of land to equestrian from agricultural is acceptable in principle. The locating of stables and grazing of horses admittedly is a change from the current arable use however it is a use that by its nature tends to be located on the outskirts of settlements and is one of the uses characteristic of the countryside.
- 9.5 Compliance with policy 25 therefore depends on an assessment of the change of use on residential amenity, on highway safety as well as on the character of the area. As part of the consideration of the impact on the character of the area it is necessary to consider both the extent of the change of use, the scale of the proposed stables as well as the other changes which are required on site to facilitate the equestrian use. An assessment of this change will be made in the following paragraphs under the relevant headings. However, the proposal, subject to consideration and acceptability of these matters means that the proposal is in accordance with Policy 25 of the Doncaster Local Plan.

### Sustainability

- 9.6 The NPPF (2021) sets out at paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs
- 9.7 There are three strands to sustainability, social, environmental and economic. Para.10 of the NPPF states that in order sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.

## **SOCIAL SUSTAINABILITY**

### Impact on Residential Amenity

- 9.8 Policy 25, part 4(b) states that the enterprise would not have a significant adverse effect on neighbouring uses or on highway safety.
- 9.9 Policy 46 of the Local Plan states that proposals will be supported where they are designed to (A.2.) have no unacceptable negative effects upon the amenity of neighbouring land uses or the environment.
- 9.10 Paragraph 130f) of the NPPF states that planning policies and decisions should ensure that developments are approved that have a high standard of amenity for existing and future users.
- 9.11 Paragraph 6.2.4 of the Transitional Developer Guidance states that proposals must not cause a nuisance to adjoining or neighbouring occupiers through smell, noise or disturbance. Appropriate planning conditions will be attached to any grant of planning permission, where they can be used to protect a sensitive landscape and /or the amenities of neighbouring properties and may be used to regulate issues such as fencing, vehicle parking areas, lighting and the siting of the manure heap.



- 9.12 The application site is located adjoining residential properties to the north of the site. The stables are proposed in the south west corner of the site; the access track to the very south. Inside the boundary of the site a post and rail fence is proposed to contain the horses and also to protect the boundary of the site.
- 9.13 In terms of residential amenity the issues relevant in the case of this application relate particularly to noise from comings and goings to the stables, the keeping of horses on the land, as well as in terms of odour from the manure heap. The siting of the stables and the nature of the accommodation it is proposed to provide raises no issues relating to overshadowing or in terms of privacy.
- 9.14 In support of the proposal the applicant has provided details of the delivery /access requirements for the stables: farrier access is required 4 times a year; the manure heap to be located to the south of the stables would be removed once a year and haylage and straw bedding delivered 5 times a year. In addition to this vet visits would be approximately every 6- 8 weeks and possible off site visits for shows 4 times a year. Day to day access to the stables is proposed from the applicant's land and will not require the use of a vehicle. This latter point is compliant with paragraph 6.2.2 of the Transitional Developer Guidance which states that developments should ideally be close to the dwelling occupied by the person responsible for the care of the horses.
- 9.15 Given that the stables and the access are proposed to the south of the site this keeps the main focus of activity away from the residential gardens located to the north. Environmental Health have been consulted and have raised no objections provided the manure heap is located to the south of the stables and thus at the furthest distance from these gardens. The exact siting of the heap is to be agreed by condition. The proposed keeping of 4 horses on this site, plus the associated comings and goings related to this, would not be considered to impact significantly on residential amenity either specifically from noise caused by the animals; the siting of the manure heap or in terms of vehicle movements.

### **Conclusion on Social Impacts.**

- 9.16 On the basis of the above information it is not considered that the erection of the stables would have a detrimental impact on amenity. The application is therefore compliant with policy 46 of the Local Plan as well as with paragraph 130f of the NPPF and the Transitional Developer Guidance. This weighs significantly in favour of the application.

### **ENVIRONMENTAL SUSTAINABILITY**

#### Impact upon the character and appearance of the surrounding area

- 9.17 Policy 25, part 4 (d) states that in a countryside policy area the scale and design of the proposal (should) not have a significant adverse impact on the landscape.
- 9.18 Policy 41a) 3. and 4. of the Local Plan states that development proposals will be supported where they respond positively to their context, setting and existing site features, respecting and enhancing the character of the locality; and where they integrate visually and functionally with the immediate and surrounding area at a settlement, neighbourhood, street and plot scale.

- 9.19 Paragraph 130c) of the NPPF states that planning decisions should ensure that developments are sympathetic to local character and history, including the surrounding and built environment and landscape setting.
- 9.20 It is acknowledged that the proposed change of use of land will alter the character of this site. In assessing the application against policies 25 and 41 of the Local Plan consideration has been given to the extent of the proposed change of use of land as well as also considering the impact of the proposed physical development on site: that being the stable block, the access track and the proposed perimeter fencing, and for a decision to be made as to whether proposed scheme is reasonable and its impact acceptable in terms of the character of the area.
- 9.21 Contained within the Transitional Developer Guidance is a section on equestrian development. Paragraph 6.1.5 discusses grazing land in particular noting that the council is unlikely to grant planning permission if the amount of land proposed for grazing is insufficient. The guidance goes on to note that the British Horse Society suggest that as a rule the amount of available land should be 2 horses per hectare or 1-1.5 acres per horse or pony. The guidance notes also that there are a number of variables to take into consideration when assessing the amount of land required such as the type, size and fat score of horse/pony being grazed, the type of pasture, the quality of the pasture and the quality of the pasture management. When measured against the minimum requirements set out by the British Horse Society at first glance the 8 acres grazing land that will be created by this application seems quite generous however if you consider that there is little or no grass growth from November until March, then if the field is sectioned off to allowed the grass to regrow the amount of land available quickly reduces. As well as considering horse welfare requirements overgrazing would also be detrimental to the landscape. On balance, although there have been representations made about the extent of the land given over to this change of use, and the impact this will have on the character of the area the proposal is not considered to be unreasonable and it is not considered that a reduction to the site boundary needs to be made.
- 9.22 In addition to the change of use of land the erection of the stables, the re-establishing of the access track and the erection of the stable block will alter views across the site. Representations have been made objecting to both the scale and design of the proposed stables as well as to the addition of the boundary fence. Whilst not quoting any dimensions the Transitional Developer Guidance in section 6.2 does discuss the scale and siting of stables. Paragraph 6.2.1 notes that the siting, scale and design of stables must not have an adverse effect on the quality of the landscape...the number of stables should be proportional to the accommodation of reasonable equestrian needs balanced against the need to protect the countryside and the character of the landscape. Paragraph 6.2.2 goes on to note that stables, tack rooms and feed stores should be situated on one block or a tight grouping of buildings rather than the buildings being dispersed over a wider area – thus reducing the impact of the development. Paragraph 6.3.2 notes also the benefit to be had in locating buildings close to thick hedges to reduce their landscape impact. Looking at the details of this application the stables are confined to one block and are proposed to be located to the south west corner of the site, close to the field boundary, whilst still allowing for access from the adjoining land. Therefore it is considered that this application is compliant with this guidance.
- 9.23 The British Horse Society do publish minimum sizes for stables though these details aren't contained within the Transitional Developer Guidance. The measurements quoted are 3.65m x 4.25m for large horses (so an area of

15.5m<sup>2</sup>). It is however noted that, as with the amount of land, the size of the stables required can vary for several reasons. The footprint of the proposed stables is 165.0m<sup>2</sup> which includes an area for storage amounting to 18.3m<sup>3</sup> therefore the area available for stabling is 146.7m<sup>2</sup> which is more significant than the minimum standard however this gives scope to section off an area in each stable to use for the storage of rugs, tack and any supplementary feed. Considered on this basis the scale of the stables is not considered to be unreasonable. In the context of the field the structure will occupy a very small footprint and being built in the first instance to a good size will reduce the need to add additional buildings in a piecemeal fashion.

- 9.24 Paragraph 6.3.1 of the Transitional Developer Guidance states that the appearance and design of any new development should be in keeping with its use... The Local Planning Authority favours structures that are built from timber and of a less permanent nature.
- 9.25 Paragraph 6.3.2 goes on to note that roof pitches should be shallow, typically clad in green/ grey mineral felt or corrugated sheeting. Colours for this type of roof should be muted and, wherever possible in a matt finish to limit the degree of reflected glare in the landscape.
- 9.26 The proposed stable is a timber built construction, 18.5m in width, 10.5m in depth with an open area in the centre onto which the stable doors will open. It is proposed to clad the stables in timber with a shallow pitch roof (height 4m at the highest point) made from corrugated sheeting. The exact details of the materials are to be agreed by a condition however the use of these materials is entirely in accordance with the guidance in respect of the appearance of stables. The proposed timber will weather with time and the combination of the wood with the sheeting suggests a building of a more temporary nature which is appropriate to this situation.
- 9.27 Whilst needing to comply with highways standards the access track has been kept as informal as possible and has been moved to the south of the site where its landscape impact will be less. Permeable gravel is proposed after the first 15m which will suffice for vehicle movements but that will soften over time into the field edge. This relocation of the track also makes the addition of the perimeter fencing less convoluted. The Transitional Developer Guidance in paragraph 6.3.3 is supportive of the use of gravel. The proposed post and rail fence is typical of a boundary treatment used in a rural area and raises no concerns.
- 9.28 The application site is screened on all sides by trees and bushes which are to remain in situ: they have been noted for their ecological contribution and it is proposed that the site boundaries are enhanced by the planting of supplementary native species planting as well as wild flowers. The change of use of the land and the addition of the stable block will alter the character of the land but not in such a way that is out of keeping with the character of the countryside.
- 9.29 Given the points raised above the proposal is considered to be in accordance with policy 25, part 4d, with policy 41a) 3 and 4 as well as with paragraph 130 of the NPPF and the Transitional Developer Guidance as it relates to the character / design of equestrian development. This weighs significantly in favour of the application.

- 9.30 Policy 13 of the Local Plan states that development (must not) result in an unacceptable impact on highway safety.
- 9.31 This is reiterated by Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highways safety, or the residual cumulative impacts on the road network would be severe.
- 9.32 Given that the A614 is a classified road the access is required to meet the visibility requirements set out in the Design Manual for roads and bridges.
- 9.33 The proposal has been amended to address concerns raised by Highways DC in respect of the informal nature of the access. Much as the comings and goings to the site are by no means frequent given that the access is on to a classified road it is necessary to build the access track to an acceptable standard. The proposal has thus been amended to achieve this standard allowing Highways DC to remove their objection. A visibility splay has been indicated on plan, the access gates are set 15m into the site, a passing place and a turning area next to the proposed stables has been included to ensure a 4x4 pulling a trailer or horse box can turn adequately. Subject to the amended plan drg no 01, Rev F the proposal is acceptable subject to the inclusion of conditions relating to surfacing, turning, parking, sight lines, wheel washing and in respect of the dropped crossing.
- 9.34 Comment has been made that the access track will need to be reinstated as it has currently been cultivated as part of the field. This raised no issues from a Highways perspective – the requirement is to create/ improve what is existing with the resulting standard being the same. The turning area and the passing place have been included to ensure safety not on account of a large number of vehicles using the site at any given time.
- 9.35 The proposal is therefore considered compliant with the above mentioned polices, subject to the inclusion of the conditions noted in paragraph 9.22. This weighs considerably in favour of the application.

#### Flooding and Drainage

- 9.36 Policy 56 of the Local Plan states that development sites must incorporate satisfactory measures for dealing with their drainage impacts to ensure waste water and surface water run-off are managed appropriately and to reduce flood risk to existing communities. This point is reiterated by paragraph 167 of the NPPF.
- 9.37 The application site is located in Flood Zone 1 and is therefore at low risk of flooding and the Environment Agency have confirmed they have no comments to make.
- 9.38 The scheme initially proposed a small shower room and kitchen area however these have now been removed from the application. The drainage issues on this site therefore relate purely to surface water. A permeable access track and turning area is proposed thus limiting the drainage impacts of the application. The drainage team and have reviewed the plans and have advised that further details can be agreed post determination and have asked for a condition to this effect. When asked specifically regarding the proposed change of use and any implications this may have no concerns have been raised.

- 9.39 In support of the proposal the applicant has also provided a topographical drawing confirming the land levels of the site. This serves as confirmation that the finish floor level of 4.4m AOD can easily be achieved on this site. Therefore this need not be a concern in respect of a subsequent conditions discharge application
- 9.40 On the basis of the above the drainage impacts of the development have been dealt with and the proposal is considered to comply with policy 56. This weighs considerably in favour of the proposal.

#### Ecology and Wildlife

- 9.41 Policy 29 of the Local Plan states that proposals will only be supported which deliver a net gain for biodiversity and protect, create, maintain and enhance the Borough's ecological networks by a) being of an appropriate size, scale and type in relation to their location within and impact on the ecological network.
- 9.42 Policy 30 (b.1.) states that proposals will only be supported where they use the DEFRA biodiversity metric to demonstrate that a proposal will deliver a 10% net gain for biodiversity.
- 9.43 Concerns have been raised that the proposal will be ecologically detrimental and an initial objection has been received from our ecologist planner requesting both a preliminary ecological appraisal as well as the submission of the DEFRA metric. Both of these reports have been prepared by Natasha Estrada BSc (hons), MRes, MCIEEM and are available to view online.
- 9.44 The findings of the preliminary ecological appraisal demonstrate that the main ecological interest in the site lies along the boundaries of the site: the hedgerows to the western and eastern elevations are suitable for breeding birds though these hedgerows display no potential roost features for bats. The hedge boundaries are though considered suitable of the commuting and foraging of bats. The hedgerows are to be retained by this application and the applicant has confirmed that they require no external lighting. The site itself provides hostile conditions for riparian/aquatic mammals – no suitable habitat is present on site; the site is also suboptimal for reptiles and amphibians The report confirms also that there were no protected species or habitats of primary importance on the site that required more detailed survey work to be undertaken. Common species of vegetation was found to be present within the site boundary and the site is not deemed capable of supporting important assemblages of invertebrates based on the current species composition. No evidence was found of the use of the site by the European hedgehog though a suitable habitat exists predominantly along the site boundary.
- 9.45 The applicant has also submitted the DEFRA metric identifying that an additional 2.92 habitat units can be delivered by the proposed scheme which equates to an increase of 39.46%.
- 9.46 A condition is to be included in any grant of planning consent for an adaptive ecological management plan monitored at specified times over the course of 30 years. Should improvements not be being delivered the plan will require adaption to ensure the required targets are achieved.
- 9.47 The point has been raised that the current tenant farmer has offered to implement improvements to the boundary of the site that would be ecologically beneficial. This

however is not relevant as we are required to consider the application before us and its merits or otherwise. A query has been raised in relation to the addition of the post and rail fence to the application. Concerns were expressed that this would preclude the free movement of wildlife. On this point, the Planning Ecologist has been re-consulted and has provided reassurance that a 1.5m high post and rail fence would not prove to be a significant barrier to the movement of wildlife. Large deer could jump such a fence and smaller deer may well wriggle under it. Smaller animals such as badgers and foxes could easily get underneath. A point that has been raised is that the addition of mesh would exclude more wildlife as would the lowest horizontal element being set too low to the ground. A condition is therefore to be added stating that mesh must not be added to the fence and around the entirety of the perimeter the lowest horizontal plank must be elevated from the ground in accordance with the drawing supplied.

- 9.48 The Preliminary Ecological Appraisal therefore clarifies that the proposal will not be harmful to the ecology of the site. In addition to this the DEFRA metric demonstrates the extent of the ecological enhancements that can be achieved. With the addition of the condition for the adaptive management plan the ecological significance of the site is considered to have been suitably assessed and measures put in place to ensure net gain is delivered. The proposal is therefore considered to comply with policies 29 and 30 of the Local Plan.

#### Pollution issues

- 9.49 Policy 55 of the Local Plan states that development on land that is unstable, currently contaminated or suspected of being contaminated due to its previous history or geology, or that will potentially become contaminated as a result of the development, will require the submission of an appropriate Preliminary Risk Assessment. Proposals will be required to mitigate contamination or land stability by:
- A) demonstrating there is no significant harm, or risk of significant harm, to human health, or land, natural environment, pollution of soil or any watercourse or ground water;
  - B) ensuring necessary remedial action is undertaken to safeguard users or occupiers of the site or neighbouring land and protect the environment and any buildings or services from contamination during development and in the future;
  - C) demonstrating that adverse ground conditions have been properly identified and safely treated; and
  - D) clearly demonstrating to the satisfaction of the Local Planning Authority, that the land is suitable for its proposed use.
- 9.50 The proposed application is not for a sensitive end use, such as a dwelling or residential garden. The response from Pollution Control therefore acknowledges the proximity of 2 landfill sites but requires only the inclusion of an informative note regarding development within 250m of a landfill site noting that gas protection measures may be required now or at some point in the future. They require no conditions adding to any grant of planning permission.

- 9.51 On this basis the issue of potential contamination has been addressed and the proposal is considered to be compliant with Local Plan policy 55, which weighs significantly in favour of the application.

### **Conclusion on Environmental Issues**

- 9.52 Para. 8 of the NPPF (2021) 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.
- 9.53 In conclusion of the environmental issues, it is considered that this proposal, with the addition of the above mentioned conditions, adequately fulfils this requirement. This weighs considerably in favour of the application.

### **ECONOMIC SUSTAINABILITY**

- 9.54 This proposal is for personal use not a commercial venture. The economic benefit of the proposal will therefore be very slight – limited to the activity involved in building the stables, the access track and the boundary. That said the proposal will cause no economic harm.

### **Conclusion on Economy Issues**

- 9.55 Para 8 a) of the NPPF (2021) 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.
- 9.56 Whilst the economic benefit of the proposal is slight and afforded only limited weight, it does not harm the wider economy of the Borough and for that reason weighs in favour of the development.

## **10.0 PLANNING BALANCE & CONCLUSION**

- 10.1 In accordance with Paragraph 10 of the NPPF (2021) the proposal is considered in the context of the presumption in favour of sustainable development. Officers have identified that both socially and environmentally the application weighs in positive favour, while no adverse economic harm, that would significantly or demonstrably outweigh the benefits outlined, has been 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. Accordingly, the application is recommended for approval – subject to conditions.

## **11.0 RECOMMENDATION**

- 11.1 MEMBERS RESOLVE TO GRANT PLANNING PERMISSION FOR THE PROPOSED DEVELOPMENT SUBJECT TO THE FOLLOWING CONDITIONS:**

Page 117

### **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:

Proposed plans – project 2112, drg 01, rev F received on 7.12.22

REASON

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

03. Within one month of the commencement of development a Management Plan for proposed onsite habitats shall be submitted to the Local Planning Authority for approval in writing. The Management Plan shall detail the following:

- a) An adaptive management plan for the site detailing the management measures to be carried out over the phased restoration of the site in order to achieve the target conditions proposed for each habitat parcel.
- b) Objectives relating to the timescales in which it is expected progress towards meeting target habitat conditions will be achieved.
- c) A commitment to adaptive management that allows a review of the management plan to be undertaken and changes implemented if agreed in writing by the LPA and if monitoring shows that progress towards target conditions is not progressing as set out in the agreed objectives.
- d) That monitoring reports shall be provided to the LPA on the 1st November of each year of monitoring (Years 1, 2, 5, 10, 20, and 30) immediately following habitat creation.

Once approved in writing the management measures and monitoring plans shall be carried out as agreed.

REASON

To ensure the habitat creation on site and subsequent management measures are sufficient to deliver a net gain in biodiversity as required by Local Plan policy 30B and the NPPF paragraph 174.

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. Before the development is brought into use, the sight lines as shown on the approved plan (2112-01-Rev F) shall be rendered effective by removing or reducing the height of anything existing on the land highlighted within the red line on the said plan which obstructs visibility at any height greater than 900mm above the level of the near side channel line of the public highway. The visibility thus provided shall thereafter be maintained as such, unless otherwise approved in writing with the local planning authority

REASON

In the interests of road safety and to provide and maintain adequate visibility.

08. Before the development is brought into use, the existing hedge/wall abutting the highway shall be reduced to a height not exceeding 0.9m above the near side channel line of the adjoining highway and/or entrance and the visibility thus provided shall be maintained, unless otherwise approved in writing by the local planning authority.

REASON

To ensure that there is adequate visibility for highway safety.

09. Details of wheel washing facilities for construction traffic connected with the development hereby permitted shall be submitted to and approved in writing by the local planning authority and shall be installed before the development hereby approved is commenced and once installed shall be used to prevent mud and other debris being deposited on the highway during the construction of the development.

REASON

In the interests of road safety.

10. 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.

11. The development hereby granted shall not be begun until details of the surface water and all related works necessary to drain the site have been submitted to and

approved by the Local Planning Authority. These works shall be carried out concurrently with the development and the drainage system shall be operating to the satisfaction of the Local Planning Authority prior to the occupation of the development.

**REASON**

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

12. Prior to the development being brought into use details of the location of the manure heap shall be submitted and approved in writing by the Local Planning Authority

**REASON:**

In the interests of residential amenity

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

**REASON**

To ensure that the materials are appropriate to the area in accordance with policy 42 of the Doncaster Local Plan.

14. No mesh is to be attached to the perimeter fence nor the specification of the fence altered without prior consent of the Local Planning Authority.

**REASON**

To ensure the fence does not become a barrier to the free movement of wildlife and in order to maintain the satisfactory appearance of the site.

15. There shall be no burning of manure onsite.

**REASON**

In the interests of residential amenity.

16. The stables and associated land shall be for the personal use of the applicant and shall not, at any point be used in a commercial capacity without written approval from the Local Planning Authority.

**REASON:**

To ensure that the site continues to be used in the capacity for which it has been assessed.

**INFORMATIVES**

01.           INFORMATIVE

Severn Trent Water advise that although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under, The Transfer Of

Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the building.

02. 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](http://www.gov.uk/government/organisations/the-coal-authority)

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

03. INFORMATIVE

The applicant's attention is drawn to the response from Cadent Gas in respect of registering and obtaining consent for works on site. This can be viewed on Public Access via the following link: [View planning applications - Doncaster Council](#)

04. INFORMATIVE

DEVELOPMENTS NEAR LANDFILLS

The proposed development is within 250 meters of a landfill site about which insufficient information is known to permit an adequate response to be made on the extent to which landfill gas may be present on or off site.

Planning permission has been granted on the basis that there is no sound and clear-cut reason to refuse. The applicant is, however, reminded that the responsibility for safe development and secure occupancy of the site rests with the developer and accordingly is advised to consider the possibility of the presence or future presence of landfill gas and satisfy himself of any gas precaution which may be necessary.

06. 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.**

07. INFORMATIVE

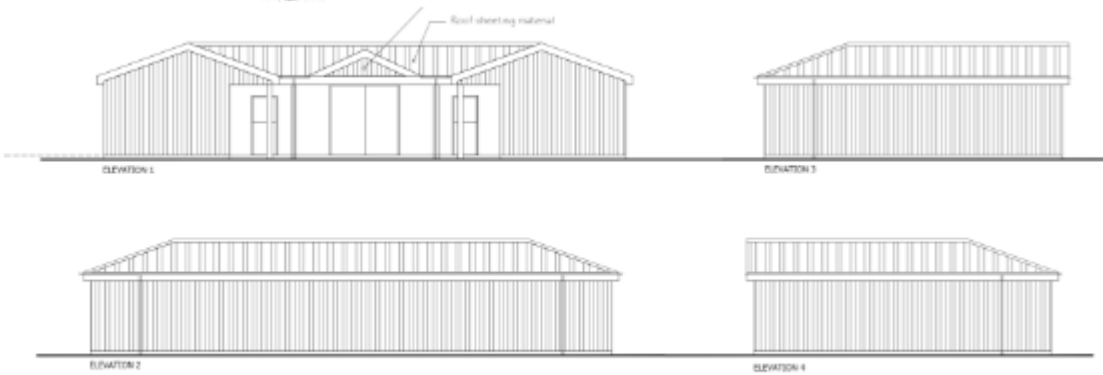
Doncaster Borough Council Permit Scheme (12th June 2012) - (Under section 34(2) of the Traffic Management Act 2004, the Secretary of State has approved the creation of the Doncaster Borough Council Permit Scheme for all works that take place or impact on streets specified as Traffic Sensitive or have a reinstatement category of 0, 1 or 2. Agreement under the Doncaster Borough Council Permit

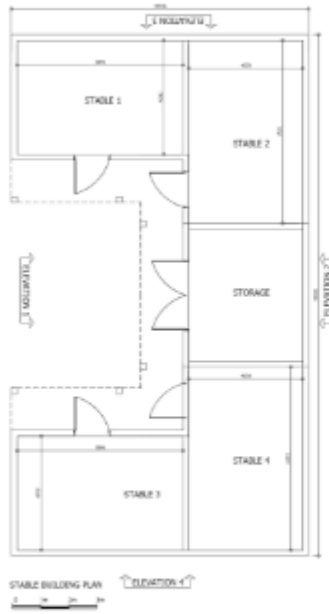
Scheme's provisions must be granted before works can take place. There is a fee involved for the coordination, noticing and agreement of the works. **The applicant should make contact with Paul Evans – Email: [p.evans@doncaster.gov.uk](mailto:p.evans@doncaster.gov.uk) or Tel 01302 735162 as soon as possible to arrange the setting up of the permit agreement.**

# Appendix 1:



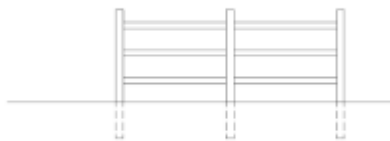
**p** SITE LOCATION PLAN  
002 1.1258@41





**P** SITE PLAN  
001 1:200(A1)

See plan for fence location  
 Dashed by red chain link line



1.5M High Post and rail fence

<b>Application</b>	4
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<b>Application Number:</b>	22/01960/FUL
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<b>Application Type:</b>	Full Application
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<b>Proposal Description:</b>	Erection and operation of an observation wheel at the Yorkshire Hive (retrospective)
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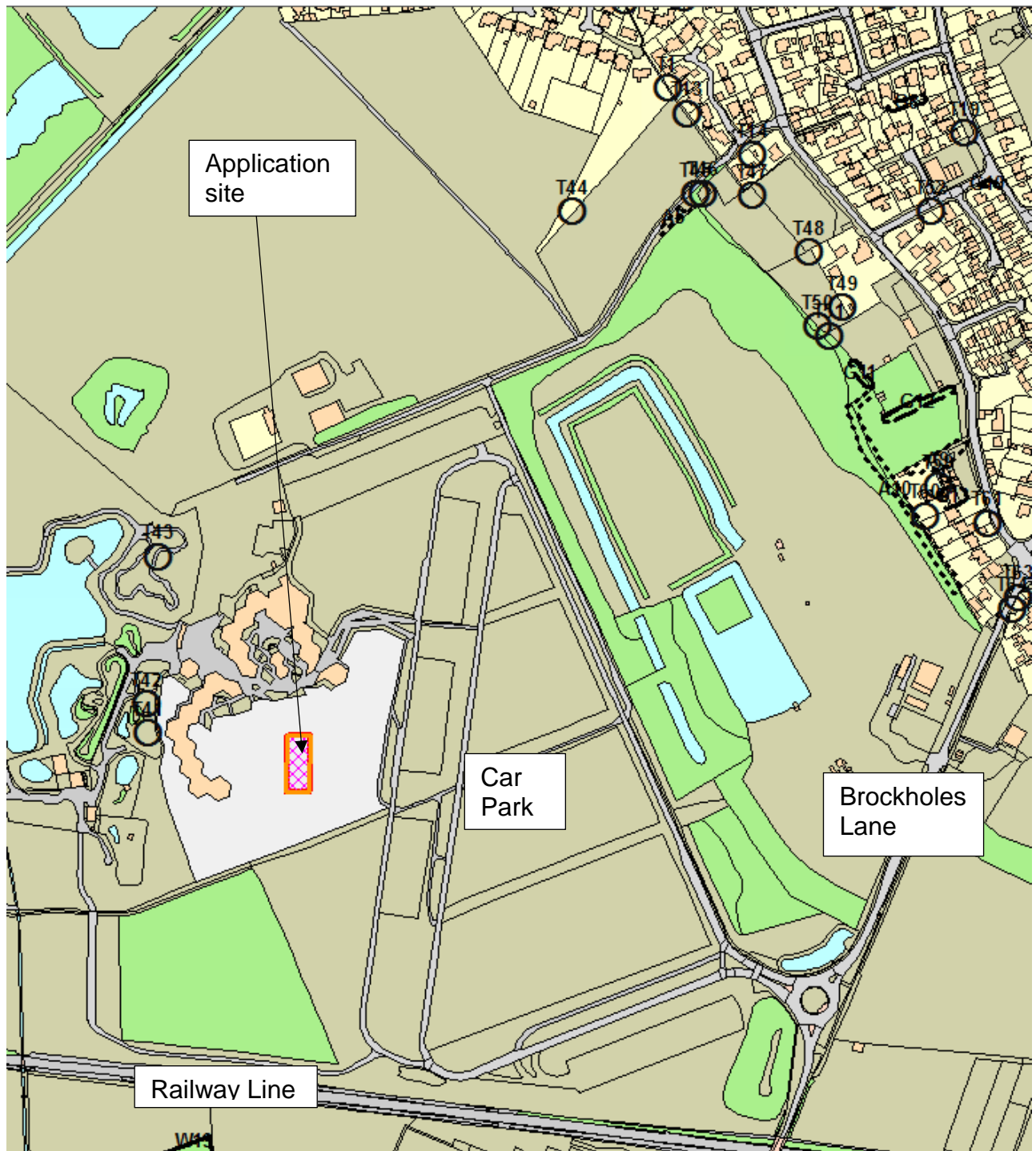
<b>At:</b>	Yorkshire Wildlife Park Brockholes Lane Branton Doncaster
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<b>For:</b>	Mrs Louise Millington - Yorkshire Wildlife Park
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<b>Third Party Reps:</b>	8 in objection	<b>Parish:</b>	Cantley With Branton Parish Council
		<b>Ward:</b>	Finningley

<b>Author of Report</b>	Mark Ramsay
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<p><b>SUMMARY</b></p> <p>This proposal seeks temporary retrospective planning permission for the erection of the observation wheel located at the Yorkshire Hive, Hurst Lane, Auckley, Doncaster. The purpose of the observation wheel is to raise the profile of the Yorkshire Hive, act as an attraction within the City of Doncaster; and encourage tourism to the area and boost the local economy.</p> <p>The proposed observation wheel was initially intended to operate as a temporary attraction during the summer holidays however, Yorkshire Wildlife Park is looking to make it a more permanent structure within the Yorkshire Hive. The current siting is within part of the site approved for further development of the wider Hive site.</p> <p>The application is being presented to Planning Committee given the level of public interest.</p> <p><b>RECCOMENDATION: To GRANT planning permission subject to conditions.</b></p>
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## **1.0 Reason for Report**

- 1.1 The application is being presented to Members given the amount of public interest in the proposal.
- 1.2 Local residents and Cllr R A Jones, ward member for Finningley, have objected to the principle of the development as well as in terms of the impact of the proposal on the character of the countryside, on amenity of nearby residents.

## **2.0 Proposal and Background**

- 2.1 This proposal seeks full planning permission for the erection of the observation wheel located at the Yorkshire Hive, Hurst Lane, Auckley, Doncaster. The purpose of the observation wheel is to raise the profile of the Yorkshire Hive, act as an attraction within the City of Doncaster; and encourage tourism to the area and boost the local economy.
- 2.2 The observation wheel is located within the Yorkshire Hive just to the south of the entrance to the Hotel. This is an area that is earmarked for further construction and development as part of the expansion of Yorkshire Wildlife Park which has previous consent. Due to the impact of the down turn in visitors due to Covid related restrictions and the current economic downturn, the Park is unable to continue with development until further funding can be obtained. In the meantime, the proposal is to use the observation wheel to attract visitors to the Yorkshire Hive and the Yorkshire Wildlife Park.
- 2.3 The proposed observation wheel was initially intended to operate as a temporary attraction during the summer holidays however, Yorkshire Wildlife Park is looking to make it a more permanent structure within the Yorkshire Hive.

## **3.0 Site Description**

- 3.1 The site is to the south of the entrance of the Hotel within the Hive Site that also forms the main entrance to the Wildlife Park. The Wheel is situated on land that would form future development around the entrance of the site. The land is relatively flat and is to the west of the main car park.
- 3.2 The Wheel has a height above ground of 34.15m, a diameter of 32.59 and its base is 12.8m wide and 20.35m long. It supports 24 gondolas carrying a maximum of 6 people in each with ramped accessible access.
- 3.3 To the north and east of the site is the village of Auckley with the nearest dwellings being over 600m away. To the south a railway line runs in an east-west direction and directly to the south is Hayfield School and New College.

## **4.0 Relevant Planning History**

The following applications have been granted providing the permissions for the expansion of the park, new entrance and parking area.

17/02189/OUTA

Hybrid Planning Application - Change of use of land to facilitate expansion of Yorkshire Wildlife Park, creation of new access, parking and associated works with outline approval for animal enclosures, visitor hub, service compound, energy centre and connecting bridges.

granted 02/07/18

18/01913/REMM

Approval of details reserved from hybrid application under reference 17/02189/OUTA relating to animal attractions area including some animal enclosures and supporting facilities including details of the anchor and main ribbon buildings.

Granted 16.01.2019

21/00446/REMM

Details of appearance, landscaping, layout and scale in relation to a hotel at 1st and 2nd floors (Use Class C1) (being matters reserved in outline application 17/02189/OUTA, granted 02/07/18).

Granted 22.03.2021

## **5.0 Site Allocation**

- 5.1 The site is identified within the Local Plan as Countryside Policy Area. The site is close to the edge of the Auckley settlement. In addition to this the site is in flood zone 1 and therefore at low risk of flooding.

## **5.2 National Planning Policy Framework (NPPF 2021)**

- 5.3 The National Planning Policy Framework 2021 (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. Planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions and the relevant sections are outlined below:

Paragraph 38 (Decision making)

Paragraph 47 (Determining applications)

Paragraph 56 (Planning Conditions)

Paragraph 84 (Building a strong and competitive economy)

Paragraph 111 (Promoting sustainable transport)

Paragraph 130 (Achieving well designed places)

Paragraph 174 (Conserving the natural environment)

Paragraph 183 (Ground conditions and pollution)

## **Local Plan**

- 5.4 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for Doncaster consists of the Doncaster Local Plan (adopted 23 September 2021). The following Local Plan policies are relevant in this case:

- 5.5 Policy 1 Settlement Hierarchy (Strategic Policy)

Policy 2 Level of Growth (Strategic Policy)

Policy 25 Development in the Countryside Policy Area

Policy 41 Character and Local distinctiveness (Strategic Policy)

### **Other material planning considerations and guidance**

- Transitional Developer Guidance (2022)
- National Planning Policy Guidance

#### **6.0 Representations and consultations**

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

6.2 There have been 8 representations objection to the proposal. The matters raised include:

- Visual appearance being an eyesore
- Appearance of a fairground
- Loss of privacy
- Unrelated to the wildlife park

#### **6.3 Design Officer**

The officer has raised concerns from a landscape perspective in that it introduces an alien feature to the landscape due to its height it has a wider visual influence than the approved buildings, particularly in evenings / night. Whilst some landscape views have been submitted these do not properly assess the visual impact of the proposal, its impact on the landscape character or consider it in relation to the approved scheme and cumulative impacts. The case officer notes however that this application only seeks a temporary permission and the structure will be removed in line with the condition below.

#### **7.0 Ward Members**

7.1 Cllr Jones (Finningley Ward) has objected in principal in that the development has appearance of a fairground, is not suited to the presentation of animals and is inappropriate within the site

#### **8.0 Town/Parish Council**

No observations

#### **9.0 Assessment**

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

- Substantial
- Considerable
- Significant
- Moderate

- Modest
- Limited
- Little
- No

### Appropriateness of the proposal

### Sustainability

- 9.2 The NPPF (2021) sets out at paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs
- 9.3 There are three strands to sustainability, social, environmental and economic. Para.10 of the NPPF states that in order sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.

### **SOCIAL SUSTAINABILITY**

#### Impact on Residential Amenity

- 9.4 Policy 25, part 4(b) states that the enterprise would not have a significant adverse effect on neighbouring uses or on highway safety.
- 9.5 Policy 46 of the Local Plan states that proposals will be supported where they are designed to (A.2.) have no unacceptable negative effects upon the amenity of neighbouring land uses or the environment.
- 9.6 Paragraph 130f) of the NPPF states that planning policies and decisions should ensure that developments are approved that have a high standard of amenity for existing and future users.
- 9.7 Paragraph 6.2.4 of the Transitional Developer Guidance states that proposals must not cause a nuisance to adjoining or neighbouring occupiers through smell, noise or disturbance.
- 9.8 The proposal is substantial in height although its framework appearance limits its impact on the landscape. While objections have noted that this creates overlooking, the nearest residential receptors are over 600m (approx. a third of a mile) away and the impact on amenity will be limited. The wheel itself is run by electric motor from the mains supply and therefore there is no generator that would add to noise coming from the site. The structure would only be lit at night in connection with special events where the site was open at night and the applicants have stated that would not be later than 9pm.
- 9.9 The proposal would have a prominent appearance in the landscape, however the objections have come from residents to the north and north east and the New College building would be in the same setting along with the buildings forming the Hive so the impact on amenity would be limited.

### **Conclusion on Social Impacts.**

- 9.10 While the development is within the landscape looked over by residents on the edge of the neighbouring settlement. The development is not sufficiently close to significantly harm the amenities of residents due to the distance and limited weight should be afforded the impacts of the development. Conditions controlling the time of operation can be applied to ensure the development is not operational at anti-social times of the day

## **ENVIRONMENTAL SUSTAINABILITY**

### Impact upon the character and appearance of the surrounding area

- 9.11 Policy 25, part 4 (d) states that in a Countryside Policy Area the scale and design of the proposal (should) not have a significant adverse impact on the landscape.
- 9.12 Policy 41a) 3. and 4. of the Local Plan states that development proposals will be supported where they respond positively to their context, setting and existing site features, respecting and enhancing the character of the locality; and where they integrate visually and functionally with the immediate and surrounding area at a settlement, neighbourhood, street and plot scale.
- 9.13 Paragraph 130c) of the NPPF states that planning decisions should ensure that developments are sympathetic to local character and history, including the surrounding and built environment and landscape setting.
- 9.14 It is acknowledged by the applicant that the development does have a visual impact on the landscape due to the height of the structure, however they have stated that the wheel is potentially a temporary installation, especially as it is located on part of the wider site earmarked for future expansion of the Hive.
- 9.15 Objections have been raised about the change to the character of the site and the basis of the permission for the extension. This is one structure that was available to the developer locally at the time and has not required any ground works in order to facilitate the development. The feet have outrigger levelling points and are placed on load spreading mats. The pedestrian access has been created using aluminium decking. Any other development would need separate consent and this one off placement of the wheel, in this location, needs to be considered on its own merits.
- 9.16 Given that the applicant is prepared to accept that the development is likely to be temporary, it is considered that its harm could be limited by placing a time limit on its occupation of the site.

### Highways/Access

- 9.17 The proposal does not impact the existing arrangements for accessing the wider site either by foot or vehicle and there is extensive off road parking already available.

### Flooding and Drainage

- 9.18 The site had already been cleared for future development so the erection of the observation when would not impact on drainage of the wider site. The land is designated as Flood Zone 1

## **Conclusion on Environmental Issues**

- 9.19 Para. 8 of the NPPF (2021) 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.
- 9.20 In conclusion of the environmental issues, it is considered that this proposal, with the addition of the above mentioned conditions, would have an impact on the surrounding landscape and significant weight should be given although this may be ameliorated by setting a limit on how long it may be there.

## **ECONOMIC SUSTAINABILITY**

- 9.21 This proposal is to benefit the wider Wildlife Park as an additional attraction and prominent feature that would draw attention to the park itself. The park has been impacted by lack of visitors through the COVID pandemic and the subsequent downturn in the wider economy.

## **Conclusion on Economy Issues**

- 9.22 Para 8 a) of the NPPF (2021) 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.
- 9.23 The economic benefit of continuing to allow the presence of the structure either, until such time as the rest of the Hive site begins to be developed or an arbitrary time limit that is placed on the retention of the structure weighs in favour of the application.
- 9.24 It is recommended to members that the structure be allowed to remain for this coming summer season and through the following winter events which normally continue into the following January. This would allow the presence of the wheel to support the wider park as a feature and additional attraction for the coming year.
- 9.25 Supporting a prominent local enterprise through allowing the structure to remain for this year should be given significant weight in support of the application.

## **10.0 PLANNING BALANCE & CONCLUSION**

- 10.1 In accordance with Paragraph 10 of the NPPF (2021) the proposal is considered in the context of the presumption in favour of sustainable development. Officers have identified that economic factors that weighs in positive favour, and should be balanced against the significant impact on the landscape and limited impact on amenities of local residents. The harm can be limited by restricting the presence of the structure to a period not lasting beyond the end of January 2024.
- 10.2 On balance of planning considerations the harm from its appearance can first be mitigated by permitting it for a temporary period. The harm is also outweighed by

the economic benefit that allowing the retention of the structure would provide to the park. There are no other 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 FOLLOWING CONDITIONS:**

01. The development hereby permitted shall be for a limited period being the period from the date of this decision until the 31 January 2024. At the end of this period, the development hereby permitted shall cease, the observation wheel dismantled, all materials and equipment brought on to the land in connection with the development shall be removed, and the land restored in accordance with a scheme previously submitted to and approved in writing by the local planning authority.

#### **REASON**

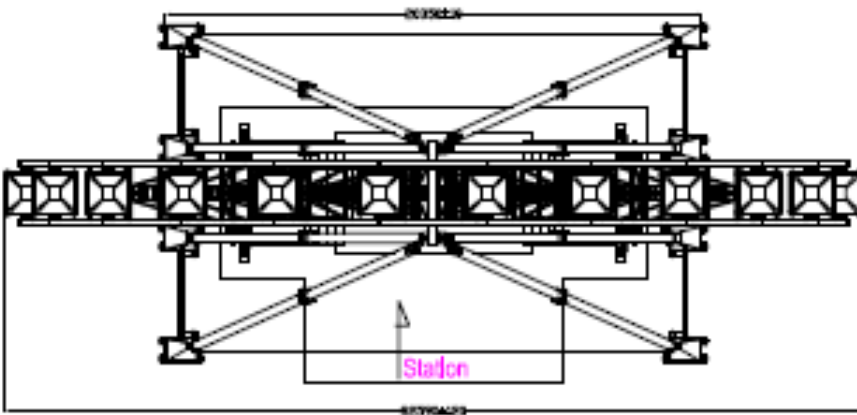
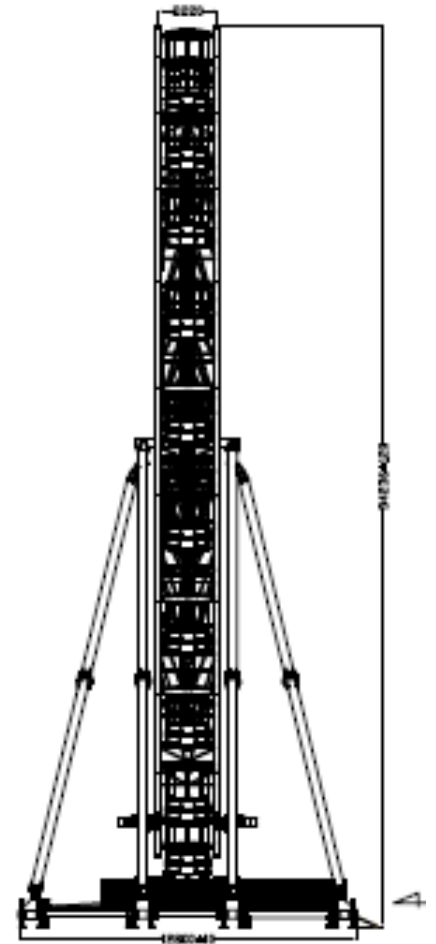
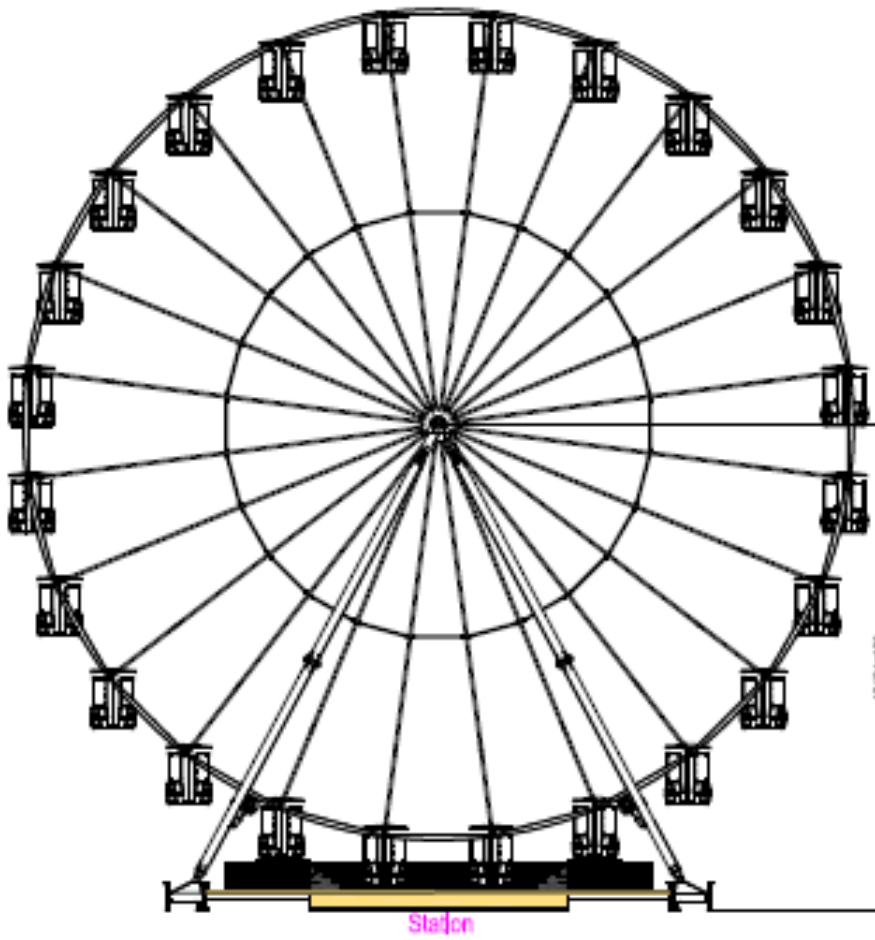
The use hereby approved is not considered suitable as a permanent form of development to safeguard the setting of the Countryside and to comply with policy 25 of the Doncaster Local Plan.

02. The observation wheel shall not be operational before 9am or after 9pm, Monday to Sunday.

#### **REASON**

To safeguard the appearance and character of the area in accordance with policy 25 of the Doncaster Local Plan.

Appendix 1: Wheel structure



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APPR.
DATE





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<b>Application</b>	<b>5</b>
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<b>Application Number:</b>	22/01290/COU
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<b>Application Type:</b>	FULL PLANNING PERMISSION
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<b>Proposal Description:</b>	Change of use from residential dwelling (C3) to children's home for a maximum of 4 children (C2)
<b>At:</b>	Bankswood, Thorne Road, Blaxton, Doncaster

<b>For:</b>	Dove Adolescent Services Ltd
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<b>Third Party Reps:</b>	12 Objections have been received from 6 neighbouring households.	<b>Parish:</b>	Blaxton Parish Council
		<b>Ward:</b>	Finningley

<b>Author of Report:</b>	Rebecca Larder
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## SUMMARY

This application is seeking full planning permission for the change of use of an existing residential dwelling (Use Class C3) to a children's home (Use Class C2).

No external alterations to the property are proposed as part of the change of use. Additional hardstanding is proposed to facilitate additional parking spaces for staff and visitors at the rear of the property as well as the demolition of the existing garage.

This application has received a high volume of public interest and as such is being presented to Planning Committee.

**RECOMMENDATION: GRANT full planning permission subject to conditions.**

Application site, existing residential property, Bankswood.



Existing access off Thorne Road.

Existing garage to be demolished.

## **1.0 Reason for Report**

- 1.1 The application is being presented to Members due to the volume of public interest.

## **2.0 Proposal and Background**

- 2.1 Planning permission is sought for full planning permission in relation to the change of use of an existing residential dwelling to a small children's home to accommodate up to four children.
- 2.2 The property itself has already been in use as a residential property for a number of years and there are no internal or external alterations proposed to the dwelling itself.
- 2.3 The proposed development looks to use the property in order to facilitate a small children's home. The property will accommodate a maximum of 4 resident children which are typically aged between 8-18 years of age. The proposed operation includes providing care for children who are unable to reside with their family. The children who live at the property would have a typical family routine, with the staff providing meals/cooking and cleaning.
- 2.4 The children's home will provide personal care only. No additional facilities are proposed as part of the proposed use, other than those which are found in a typical family home. The aim is that the proposed children's home will provide accommodation which replicates a family environment and 'normal' day to day living.
- 2.5 There would always be at least 2 members of staff at the property, though no members of staff will reside at the property on a permanent basis. The care staff will work on a shift/rota pattern, with shifts being 12 hours in length. A Manager will also be present 9am-5pm Monday-Friday. This means that over a 24-hour period there would typically be 2 handovers between shifts, which accumulates up to 4 carers working at the property each day. Additional ad-hoc visits from other specialist carers, such as social workers may also occur.
- 2.6 If at full occupancy (4 children) 2 carers will stay at the property overnight, who typically work 12 hour shifts and one member of staff may be required to work through the day alongside a manager 9am-5pm, meaning when at full occupancy a maximum of 4 staff would be present at any one time. This will be conditioned as such.
- 2.7 The staff will primarily travel by car and will park on the four dedicated off-street parking spaces associated with the property. However, use of public transport such as bus or taxis will be encouraged.
- 2.8 The property has five bedrooms. Four of which will be for the children to allow them to have individual rooms. The fifth bedroom will be used as a staff bedroom. On the first floor of the property has three bedrooms one of which has an ensuite, in addition there is a family sized bathroom and storage cupboard. There are an additional two bedrooms at the ground floor as well as another family sized bathroom and W/C. On the ground floor the property also provides two living rooms, kitchen/dining area, as well as two additional rooms currently providing a

gym and office. The applicant has confirmed no internal alterations will be made and the floor plan will remain the same.

### 3.0 Site Description

- 3.1 The application property is a detached dormer bungalow located directly off Thorne Road. The property is finished in light coloured brick with a tiled hipped roof and white uPVC windows. To the front is a paved area which is extended down the side of the property forming a driveway for off-street parking. There is a low boundary wall to the front in matching brick to the main property with an open access area.
- 3.2 There are a small number of residential properties to the north and south of the site, with no properties at the rear. There is a larger residential housing estate further to the south.
- 3.3 The immediate surrounding dwellings are typical modern style properties, though they vary in size and appearance. All the properties have off street parking spaces, with a vehicular access directly off Thorne Road. There is a pedestrian footpath running along the north east side of the road directly in front of the property.

### 4.0 Relevant Planning History

- 4.1 Planning history for the application site as follows:

Application Reference	Proposal	Decision
02/0256/P	Erection of ground floor pitched roof extension to replace existing stores at rear of detached bungalow.	Granted 11/03/2002
03/1184/P	Erection of detached bungalow on approx. 0.07ha of land.	Granted 17/09/2003
09/00492/FULFT	Erection of single storey pitched roof extension to rear, Increase in roof height in connection with formation of rooms in roof space and installation of 4no dormer windows to side elevations of detached dwelling following demolition of existing conservatory	Granted 16/04/2009
09/01173/FULFT	To replace existing outer leaf of bungalow with new brick skin, replace existing roof tiles with flat black clay tiles and erection of 1.8m high boundary wall to front elevation	Granted 26/06/2009

### 5.0 Site Allocation

- 5.1 The site is located within a Residential Policy Area as defined by the Local Plan (2021).

## **5.2 National Planning Policy Framework (NPPF 2021)**

- 5.3 The National Planning Policy Framework 2021 (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 55 states that Local Planning Authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions. Planning conditions should be kept to a minimum and only be imposed where necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.
- 5.5 The NPPF does not directly make reference to care facilities. However, Paragraph 93 states that planning policies and decisions should take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community.
- 5.6 Paragraph 119 states that planning decisions should promote an effective use of land in meeting the need for homes and other uses while safeguarding and ensuring safe and healthy living conditions.

## **5.7 Local Plan**

- 5.8 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for Doncaster consists of the Doncaster Local Plan (adopted 23 September 2021). The following Local Plan policies are relevant in this case:
- 5.9 Policy 13 relates to sustainable transport within new developments. Part A.4 relates the appropriate levels of parking provision, while Part A.6 states that proposals must ensure that the development does not result in an unacceptable impact on highway safety, or severe residual cumulative impacts on the road network. Developments must consider the impact of new development on the existing highway and transport infrastructure.
- 5.10 Policy 41 refers to proposals responding positively to their context, setting and existing site features as well enhancing the character of the locality. Proposals should integrate visually and functionally with the immediate area at a settlement, neighbourhood, street and plot scale.
- 5.11 Policy 44 relates to residential design and sets out the key design objectives which residential development must achieve, as well as stating that all developments must protect existing amenity and not significantly impact on the living conditions or privacy of neighbours.
- 5.12 There are no specific Local Plan policies which reference care facilities or specialist need accommodation.

### **5.13 Neighbourhood Plan (NP).**

5.14 No neighbourhood plan is relevant to this application.

### **5.15 Other material planning considerations and guidance**

5.16 Doncaster Council's previous suite of adopted Supplementary Planning Documents (SPDs) have been formally revoked in line with Regulation 15 of the Town and Country Planning (Local Planning) (England) Regulations 2012, following the adoption of the Local Plan. The SPDs refer to superseded development plan policies, and some provide guidance which is not in accordance with the new Local Plan. The Transitional Developer Guidance (April 2022) provides guidance on certain elements, including design, during the interim period, whilst new SPDs to support the adopted Local Plan are progressed and adopted. The Transitional Developer Guidance, Carr Lodge Design Code and the South Yorkshire Residential Design Guide (SYRDG), should be treated as informal guidance only as they are not formally adopted SPDs. These documents can be treated as material considerations in decision-making, but with only limited weight.

## **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 council website and site notice. Neighbour notification letters were also sent to adjacent neighbouring properties.

6.2 The application has been advertised on two occasions. The first round of publicity was undertaken upon validation. The second round of publicity was via neighbour notification letters only in relation to the amended plans received. A number of neighbour representations have been received throughout the application from 6 different neighbouring properties, with a summary of the issues raised set out below:

- Concerns regarding the children being housed;
- Anti-social behaviour issues;
- Impact upon parking availability;
- Traffic speed outside the property
- Lack of information included in the planning application;
- Character of the area
- Unsuitable location for children in terms of high speed road and lack of services
- Insufficient lighting
- Demolition of the garage

## **7.0 Town/Parish Council**

7.1 Blaxton Parish Council have objected to the application, with a summary of the issues raised set out below:

- inappropriate location
- parking / traffic
- lighting



- police issues

## **8.0 Relevant Consultations**

- 8.1 **DMBC Highways Development Control** – Based on the assumption that for the majority of the time 4 or less members of staff would be present at the property, the four car parking spaces as amended are sufficient.
- 8.2 **South Yorkshire Police Liaison Officer** – No objection subject to informative. Information has been provided to ensure the safety of the children residing at the home and the staff looking after their welfare.
- 8.3 **Environmental Health** – No objections as the property will remain in residential use.
- 8.4 **Children’s Trust** – No concerns and would support placing children in homes in the Blaxton area.
- 8.5 **Children’s Homes Planning Consultation**- No response received.
- 8.6 **Area Manager** – No response received.

## **9.0 Assessment**

- 9.1 The proposal seeks full planning permission for the change of use of a residential dwelling (C3) to a small children’s home (C2). As there are no external alterations proposed to the dwelling itself. The main assessment in this report will directly be related to the use. In considering the proposal the main material planning considerations are outlined below:

- The acceptability/appropriateness of proposed use;
- Impact on residential amenity
- Impact upon the character and appearance of the surrounding Area
- Impact on the highway network and highways standards

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

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

### The Acceptability/Appropriateness of Proposed Use

- 9.3 The application site falls within a Residential Policy Area as defined by the Local Plan, as such residential uses are acceptable in principle providing that they provide an acceptable level of residential amenity, protect and enhance the qualities of the existing area, and meet other development plan policies.
- 9.4 The proposed use is small in scale, facilitating a maximum of 4 resident children. Whilst the use does not directly serve local residents, the children's home does deliver a service to the wider borough as it will provide a permanent home for vulnerable children. The applicant has confirmed the property will house children from within the Doncaster Borough and neighbouring boroughs. In most cases, they aim to house children locally as this is beneficial to both the children and family. Whilst the proposed use falls within a different use class to a family dwellinghouse, its day-to-day running will be similar and as such the proposal is considered to be acceptable in principle.

### Sustainability

- 9.5 The National Planning Policy Framework (NPPF 2021) sets out at paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs
- 9.6 There are three strands to sustainability, social, environmental and economic. Paragraph 10 of the NPPF states 'so that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.'

## **SOCIAL SUSTAINABILITY**

### Impact on Residential Amenity- Change of Use

- 9.7 Policy 44 refers to protecting neighbouring amenity. The application site has residential properties to both sides of it therefore the main impact upon residential amenity will be by virtue of the proposed use in terms of noise; comings and goings and traffic movements.
- 9.8 The proposed development looks to change the use of an established residential dwelling to facilitate a small children's home. The property will accommodate a maximum of 4 children on a permanent basis, typically aged between 8- 18 years old. The home will be Ofsted regulated; following an initial audit the property will then be inspected annually and given a rating. In addition to this, there are also monthly regulation 44 inspections from an independent party. A Regulation 44 Inspector, is required to visit and inspect Residential Children's Homes a minimum of once per month to assess the safeguarding arrangements and quality of care provided. Whilst this is not a material planning consideration, this gives assurance that the property will be properly regulated.
- 9.9 No members of staff will reside at the property on a permanent basis. The carers primarily work on 12 hours shift/rota patterns, which run through a 24-hour period. Typically, when operating at maximum capacity 2 members of staff will stay over at the property each night.

- 9.10 There would always be at least 2 members of staff at the property, including a manager being present 9am-5pm Monday to Friday. There will be additional ad-hoc visits from social workers and other relevant professionals from time to time. The number of residents and maximum number of members of staff would be conditioned to ensure that this figure does not exceed the numbers suggested. This limits the quantity of people at the property at any one time, therefore reducing the likelihood of noise disturbance upon neighbours, and also ensures that unreasonable demands are not made on the parking provision. Highways issues are discussed in more detail below.
- 9.11 In summary, the maximum number of individuals working at the property at any one time would be 2 during the night and 3 during the day. In terms of the overall maximum number of people at the property, during the day this would be 5 (for example only on occasions when both the children are off school and the manager/visitor is at the property) and during this night this would be 4.
- 9.12 The existing property is a 5 bedroom detached dwelling, which may typically be occupied by a family of at least 4-5 residents. The planning system cannot control the number of occupiers within residential dwellings. However, as detailed above, the quantity of residents and members of staff at the children's home will be conditioned, in order to ensure that the proposed development does not cause harmful levels of nuisance or coming and goings.
- 9.13 Given that the number of residents and staff at the property would not significantly exceed that likely to occupy a 5 bedroom family setting there is considered to be minimal intensification in the use in comparison to if the property was used as a family dwelling. Therefore, the impact upon existing residential amenity, in this respect is not considered to be harmful.
- 9.14 The detached style of the existing property means that there would be limited impact upon the neighbouring properties. The proposed number of residents is similar to that of a family dwelling, and the intensification of the use is considered to be negligible.
- 9.15 It is recognised that the proposed shift patterns would create 2 'hand-over' periods, whereby 2 members of staff leave and 2 arrive. In total this creates 4 movements of staff over a 24 hour period.
- 9.16 The proposed number of movements associated with the proposed use is not considered to be significantly different in comparison to if the property was occupied by a family of 4-5 people. Again the number of comings and goings cannot be controlled by the local planning authority at a typical C3 dwellinghouse setting.
- 9.17 The application site is considered to be suitable for the proposed use without harmfully impacting the amenity of neighbouring properties. These types of uses are directed to residential locations so that the resident children can access local amenities and live in a setting surrounded by families. Whilst the proposal does include a turn-over of staff across the 24 hour period, the number of comings and goings is not dissimilar to a normal family setting for a property of this size. Based on the information provided, the proposed change of use is not considered to harmfully impact adjoining residential amenity.

## **9.18 Conclusion on Social Impacts.**

- 9.19 Para. 8 b) of the NPPF (2021) 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.
- 9.20 It is not considered that the proposed development would adversely affect future or existing residential amenity. The development would provide a much needed care facility within the borough without harmfully impacting the amenity of adjacent neighbours. The number of residents/staff and the frequency of comings and goings is not significantly different from a typical family setting. This weighs in favour of the application carrying substantial weight.

## **9.21 ENVIRONMENTAL SUSTAINABILITY**

### Impact upon the Character and Appearance of the Surrounding Area

- 9.22 No external alterations are proposed to the main dwelling as part of this development. Externally there are minor alterations proposed, primarily in relation to hardstanding to facilitate adequate parking. There are also minor alterations proposed to the boundary wall to improve visibility. The existing detached garage is proposed to be demolished.
- 9.23 There is only a small grassed area to the front of the dwelling in the north west corner of the site. This will be replaced with hard standing to create a parking space in front of the property. Planning permission would not typically be required for such alterations given the hard surface is made of porous materials, or provision is made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property. The existing grass area is small and serves minimal purpose to the site. Altering this to hardstanding is not considered to be unreasonable or harmful to the appearance of the area. Nevertheless, this could be achieved without planning permission but is in this case necessary to facilitate a parking space.
- 9.24 Similarly some elements of the rear will also be altered to hard standing. Again alterations to residential garden areas could be changed without the need for planning permission. This element of hard standing will be to the very rear of the property and have limited views from the public highway thus the impact on the character of the area would be negligible.
- 9.25 Given the above, it is considered there will be little to no impact upon the character or appearance of the street scene or local area as a result of the change of use.

### Impact on the Highway Network and Highways Standards

- 9.26 The property benefits from existing off-street parking spaces arranged in a tandem style, along the side of the property. Originally there were proposed to be 10 parking spaces making use of the front and rear garden areas to create a car park. Whilst multiple parking spaces is desirable, this set up did not function correctly in terms of highways movements. Subsequently the plan has been amended to include 4 suitably sized, functional parking spaces.

These parking spaces will primarily be used by the staff/carers. Many of the neighbour representations raised concerns regarding the impact upon parking as a result of the development.

- 9.27 It is recognised that during staff handover periods, additional vehicles may accumulate at the property, particularly as 2 staff prepare to end their shift and 2 others arrive. However, this short cross-over period will only occur twice a day and as such this is not considered to cause a noticeable difference on the highway network.
- 9.28 Staff will also be encouraged to travel to work car share and via public transport such as bus or taxi, therefore reducing the requirement for off-street parking.
- 9.29 Whilst it is recognised that over a 24 hour period, 5 members of staff will work at the property, for the majority of the time only 2 carers and 1 manager will be based at the property per shift. On this basis the provision of 4 off-street parking spaces is considered to be acceptable. The Highways DC Officer has reviewed the proposed plans and has no objection to the proposed development and is satisfied there is adequate parking provision, turning space and visibility.

### **9.30 Conclusion on Environmental Issues**

- 9.31 Para. 8 c) of the NPPF (2021) 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.
- 9.32 The proposed development is not considered to harm the environment with no alterations to external appearance to the property proposed. The proposal will not harmfully impact the local highway network or the availability of parking. The property provides 4 off-street parking spaces which will be used by the staff on shift. In conclusion of the environmental issues, it is considered the development carries substantial weight.

### **9.33 ECONOMIC SUSTAINABILITY**

- 9.34 It is anticipated that the development would create minimal economic impact, with the only benefit being through the employment of careers at the property. In terms of economic impact, this carries limited weight in favour of the application.

### **9.35 Conclusion on Economy Issues**

- 9.36 Para 8 a) of the NPPF (2021) 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.
- 9.37 Whilst the economic benefit of the proposal is slight and afforded only limited weight, it does not harm the wider economy of the borough and for that reason weighs in favour of the development.

## **10.0 PLANNING BALANCE & CONCLUSION**

- 10.1 In accordance with Paragraph 11 of the NPPF (2021) the proposal is considered in the context of the presumption in favour of sustainable development. The proposal is considered to be located within a sustainable location on a site within an existing residential area as specified in the Local Plan and this weighs considerably in favour of the application.
- 10.2 The proposed development will provide much needed provision, which will ensure that vulnerable children can be permanently housed within the borough. The property itself will operate similar to a typical family dwelling, with the only material difference being the crossover of staff and minor alterations to hardstanding.
- 10.3 The number of comings and goings associated with a family dwelling cannot be controlled by the LPA. The creation of up to 6 movements in 24 hours is similar to the number of movements associated with a dwelling of this size and as such is not considered to harmfully impact adjacent residential amenity. The property will provide 4 off-street parking spaces for staff as well as generous facilities for the resident children.
- 10.4 Limited weight in favour of the application has been afforded to the potential economic benefits generated by the proposal.

## **11.0 RECOMMENDATION – GRANT PLANNING PERMISSION**

### **11.1 MEMBERS RESOLVE TO GRANT PLANNING PERMISSION FOR THE PROPOSED DEVELOPMENT SUBJECT TO THE FOLLOWING 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. Before the development is brought into use, the garage as indicated on the approved site plan shall be demolished and the 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 there is adequate provision for parking, 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.
03. The development hereby permitted must be carried out and completed entirely in accordance with the terms of this permission and the details shown on the approved plans listed below:

Amended Site Plan – Job No WAL-22-28-05A – received 23/11/2022

#### **REASON**

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

04. The maximum number of residents to be housed at the property to which this permission relates shall be no greater than 4 unless otherwise approved in writing by the Local Planning Authority.  
REASON  
To ensure that the facility is not detrimental to neighbouring amenity.
05. The maximum number of permanent staff/carers at the property at any one time shall be 4 unless otherwise approved in writing by the Local Planning Authority.  
REASON  
To ensure that the facility is not detrimental to neighbouring amenity.
06. A staff/carer logbook shall be maintained at all times which details staff/carer name, dates of site visit and entry and exit times. The staff/carer logbook shall be maintained for the lifetime of the development and each staff/carer logbook shall be retained for a minimum of 12 months. The staff/carer logbook shall be made available for inspection by the Local Planning Authority within two working days of a verbal or written request being received.  
REASON  
To protect local amenity.
07. A residents' logbook shall be maintained at all times which details names and dates of residency. The residents' logbook shall be maintained for the lifetime of the development and each residents' logbook shall be retained for a minimum of 12 months. The residents' logbook shall be made available for inspection by the Local Planning Authority within two working days of a verbal or written request being received.  
REASON  
To protect local amenity.
08. 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.
09. 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.
10. Before the development is brought into use, the existing hedge/wall abutting the highway shall be reduced to a height not exceeding 900mm above the near side channel line of the adjoining highway and/or entrance and the visibility thus provided shall be maintained, unless otherwise approved in writing by the local planning authority.  
REASON  
To ensure that there is adequate visibility for highway safety.

## INFORMATIVES

01. The following security conditions must be met to ensure the safety of the children residing at the home and the staff looking after their welfare.
- All doors and windows must therefore comply with PAS 24 (2016) or LPS 1175 SR2.
  - The glazing units consist of a minimum of one pane of glass that achieves compliance under the BS EN356 P1A attack resistance standard.
  - External lighting to all facades controlled by dawn to dusk sensors. The system should comply with security standard BS 5489 -1:2013
  - The installation of a CCTV system can work to deter attacks against the property and help safeguard the residents. An operational requirements report should be completed to ensure that the system is fit for purpose. Further information is available from the Government website  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/378443/28\\_09\\_CCTV\\_OR\\_Manual2835.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/378443/28_09_CCTV_OR_Manual2835.pdf)
  - The Police expect that a robust internal discipline process will be in place with an escalation process that only involved the police in acute cases and provision within the security of the building to deter missing episodes and the building being targeted.

The reason for this advice is to ensure the physical protection elements of the premise are to current minimum standards. This advice should be acted upon as the minimum requirement and should be enforced, irrespective of any additional correspondence (or not) received by other departments within South Yorkshire Police.

From a physical protection aspect, a requirement to install products accredited under a British (or similar) standard should be seen as a prerequisite to any approval.

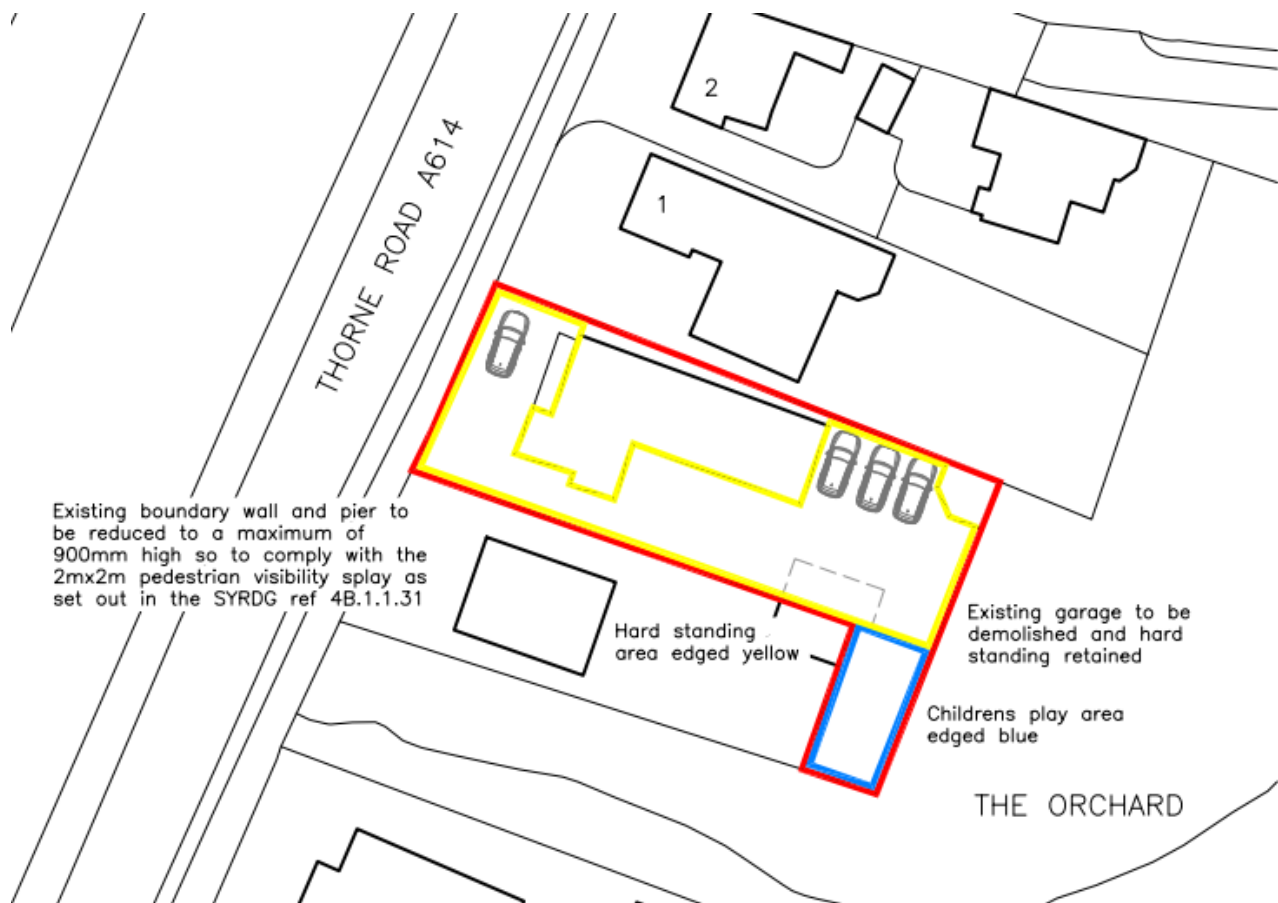
02. Doncaster Borough Council Permit Scheme (12th June 2012) - (Under section 34(2) of the Traffic Management Act 2004, the Secretary of State has approved the creation of the Doncaster Borough Council Permit Scheme for all works that take place or impact on streets specified as Traffic Sensitive or 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](mailto:p.evans@doncaster.gov.uk) or Tel 01302 735162 as soon as possible to arrange the setting up of the permit agreement.**
03. The applicant is reminded of the need to comply with the relevant sections of the Party Wall Act etc 1996 which is an obligation separate to planning.



It has not been necessary to make contact with the applicant to request amendments to the proposal during the consideration of the application, as it was deemed acceptable.

**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**

### **APPENIDIX 1 – Site Plan**



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<b>Application</b>	6
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<b>Application Number:</b>	21/01877/FUL
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<b>Application Type:</b>	Full application
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<b>Proposal Description:</b>	Installation of flue to outbuilding
<b>At:</b>	Aberdeen Bungalow, Drake Head Lane, Conisbrough

<b>For:</b>	Mr P Heath
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<b>Third Party Reps:</b>	5 letters from 3 residents	<b>Parish:</b>	Conisbrough Parks Parish Council
		<b>Ward:</b>	Conisbrough

<b>Author of Report</b>	Mel Roberts
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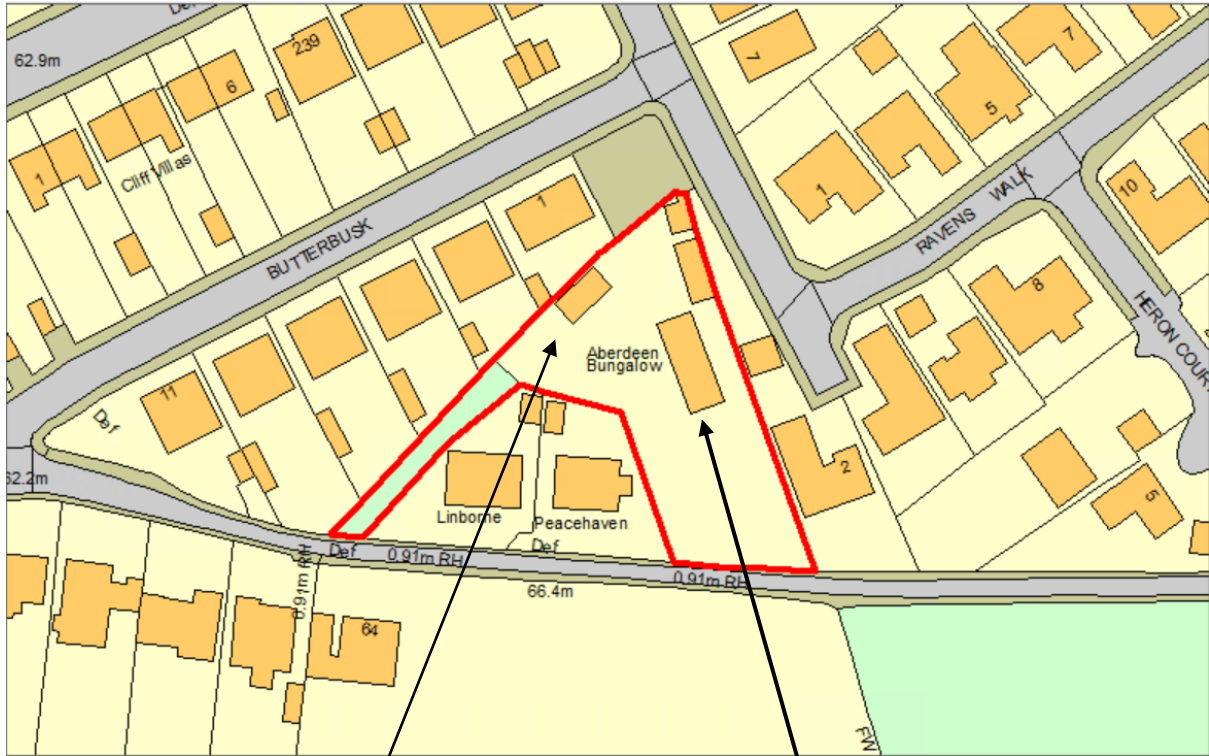
<b>MAIN RECOMMENDATION:</b>	GRANT
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## SUMMARY

The proposal seeks planning permission for the installation of a flue to an outbuilding. It seeks to address previous reasons for refusal on appeal. The flue is to be constructed in render rather than a shiny metallic material that was deemed industrial in appearance on the dismissed appeal. It is also sited further away from neighbouring residential properties and so addresses concerns of outlook that was an issue on the previous application.

Concerns raised by residents in terms of potential smoke and fumes from the flue are not a material planning consideration as this is covered by other legislation. The flue is to serve a wood burning stove on an ancillary domestic outbuilding in a residential area and does not unduly impact on residential amenity or the character of the area.

**RECOMMENDATION: GRANT planning permission subject to conditions.**



**Outbuilding upon  
which flue is to be  
installed**

**Application property**

## **1.0 Reason for Report**

- 1.1 This application is being presented to Planning Committee at the request of Councillor Nigel Ball, because a previous application for a flue on the same outbuilding was refused by Planning Committee and subsequently dismissed on appeal.

## **2.0 Proposal**

- 2.1 Planning permission is sought for the installation of a flue on an outbuilding within the curtilage of Aberdeen Bungalow. The outbuilding is used as a workshop and the flue is to accommodate a wood burner. The outbuilding is 3.7m in height to the ridge, with the proposed flue extending 1m above the ridge.
- 2.2 The proposal differs to that which was refused by Planning Committee and subsequently dismissed on appeal. The previous flue was metallic and industrial in appearance and was on the south west gable of the outbuilding closer to the residential properties on Butterbusk. This proposal is sited on the southern elevation, further away from the neighbouring dwellings and the chimney is to be rendered rather than a shiny metallic feature (see figures 1 and 2). It should be noted that the previous industrial like flue has been removed from the outbuilding and there are no outstanding enforcement matters.

## **3.0 Site Description**

- 3.1 The property itself is located on Drake Head Lane, Conisbrough. The outbuilding upon which the flue is to be installed is located within the garden of Aberdeen Bungalow along the north western boundary, close to residential properties to the north on Butterbusk.
- 3.2 The surrounding area is characterised by residential properties, which are predominately single storey, albeit there are some two-storey properties which front Doncaster Road. The roofscape in the area is generally characterised by dual pitched roofs with a wide range of chimneys, flues and aerials throughout the area.

## **4.0 Relevant Planning History**

- 4.1 Planning permission was sought for the retention of a flue on the same outbuilding under application reference 21/02309/FUL. This was a shiny metallic flue on the south western gable of the outbuilding closer to the residential properties. This was recommended for approval, but was refused by planning committee on 11<sup>th</sup> January 2022, as causing a detrimental visual impact on the character and amenity of the surrounding residential area contrary to policies 41 and 44 of the Local Plan and paragraph 130 of the NPPF.

- 4.2 The applicant appealed both the planning refusal and the subsequent Enforcement Notice. Although the Inspector found that the development would not result in harm to the character and appearance of the area, he dismissed the appeal due to the harm to living conditions of neighbouring residents. The Inspector concluded that although the flue could be painted in a matt finish to overcome glare, the flue would still appear as an intrusive element of industrial character and would be an incongruous and obtrusive feature in the outlook of neighbouring residential properties contrary to policy 44 of the Local Plan.

## **5.0 Planning Policy**

### Doncaster Local Plan

- 5.1 The site falls within the Residential Policy Area, as defined by the Local Plan. The following policies are applicable:
- 5.2 Policy 41 requires development to assimilate into the built environment.
- 5.3 Policy 44 states that developments must protect existing amenity and not significantly impact on the living conditions of neighbours.

## **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) on the Council website and by neighbour notification to properties that border the site.
- 6.2 5 letters of objection have been received from 3 people and these can be summarised as follows:
- i) the flue will cause pollution, smoke and fumes.
  - ii) the chimney will affect the outlook of residents from neighbouring properties.
  - iii) the proposal is very similar to the previous application and should therefore be refused again.
  - iv) Aberdeen Bungalow has 2 further wood burners with one in the main residence and a further one in an outer building.
  - v) There will be noise coming from the outbuilding.

## **7.0 Ward Members**

- 7.1 Councillor Nigel Ball has stated that the material concerns around this application are pollution, impact on amenity in a residential area and the potential height of proposed chimney.

## **8.0 Parish Council**

8.1 No comments have been received from the Parish Council.

## **9.0 Relevant Consultations**

9.1 Environmental Health has raised no objection in principle to the installation of a domestic solid fuel appliance in a domestic setting. The proposed height of the chimney flue is at the recommended 1 metre above the roof ridge height of the building to allow adequate dilution and dispersal of any smoke and/or odour.

9.2 Pollution Control has raised no objection, but has advised that any domestic combustion appliance operated within the borough of Doncaster must be in compliance with the requirements of the Clean Air Act 1993. An informative to this effect will be added.

9.3 National Grid has raised no objections, as there are no National Grid gas assets affected in the area.

## **10.0 Assessment**

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

- Principle of development
- Impact on residential amenity
- Impact upon the character and appearance of the surrounding area

10.2 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

10.3 The NPPF (2021) 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.

10.4 Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways:

a) an economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective - to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

10.5 Accordingly, the acceptability of this application rests upon an assessment of the impact of the flue upon the residential amenity of neighbouring properties, as well as determining the visual impact on the character of the surrounding area.

#### Principle of development

10.6 The outbuilding is used by the applicant to do up cars as part of his hobby and is therefore domestic in nature. Concerns by neighbours of potential noise from the outbuilding are not a material planning consideration, as the use is ancillary and does not require planning permission. The proposed flue is to accommodate a wood burning stove and given the residential nature of the outbuilding, there are no issues of principle, as the site lies within a Residential Policy Area.

### **SOCIAL SUSTAINABILITY**

#### Impact on residential amenity

10.7 This application seeks to address those reasons why the appeal for the previous flue was dismissed. The proposed flue is no longer an intrusive element of industrial character, but is slimmer and is made with render to match the outbuilding. It has been sited at the rear of the outbuilding (when viewed from dwellings on Butterbusk) rather than to the side closer to the residential properties and so the residents are only likely to see the top of the chimney (see rear elevation in figure 2). The proposed flue is no longer an incongruous and



obtrusive feature in the outlook of neighbouring residential properties, but rather a chimney that is tucked away and is of a scale more appropriate to this domestic outbuilding.

- 10.8 Concerns have been raised as regards the smoke and fumes that would be produced by the flue. This is not a material planning consideration, as pollution is controlled by other powers and was not considered by the Planning Inspector. It should be noted however that the Environmental Health Officer raises no objections as the flue is installed at a height of 1m above the outbuilding to allow adequate dilution and dispersal of any smoke and/or odour. Again, although not a planning matter, it should be noted that the wood burner that has been installed is a Dunsley Yorkshire Multifuel Stove and this can be found on the list of Clean Air Act approved appliances and so accords with other regulations.

## **ENVIRONMENTAL SUSTAINABILITY**

### Impact upon the character of the area

- 10.9 In the appeal decision, the Inspector noted that ‘views of the flue from within the public realm are limited due to the presence of the properties on Butterbusk. As such, the flue is only visible in slight views from Archers Way or in glimpses between the properties on Butterbusk. Moreover, given the prevalence of other roof paraphernalia within the immediate area, the flue does not appear out of context. Consequently, it does not appear unduly obtrusive or dominant within the street scene (para 9).’
- 10.10 This proposed flue is far less obtrusive than the one considered in the appeal given that it is slimmer, made of render rather than shiny metal and is sited at the back of the outbuilding rather than on the more exposed gable end. Given that this is less dominant than the previous proposal that was deemed to be acceptable by the Planning Inspector then there are no issues in terms of the impact on the character of the area.

## **ECONOMIC SUSTAINABILITY**

- 10.11 This application is a householder application for a minor development. Whilst potentially providing employment for those building the flue, this is the extent of its economic impact.

## **11.0 PLANNING BALANCE & CONCLUSION**

- 11.1 In accordance with paragraph 11 of the NPPF, the proposal is considered in the context of the presumption in favour of sustainable development. There is 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.

## **12.0 RECOMMENDATION**

### **Grant permission subject to the following conditions:**

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

REASON

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

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

Location plan

Site Plan

Drawing number R/1239/3A dated 24/5/22 (Elevations and floor plans)

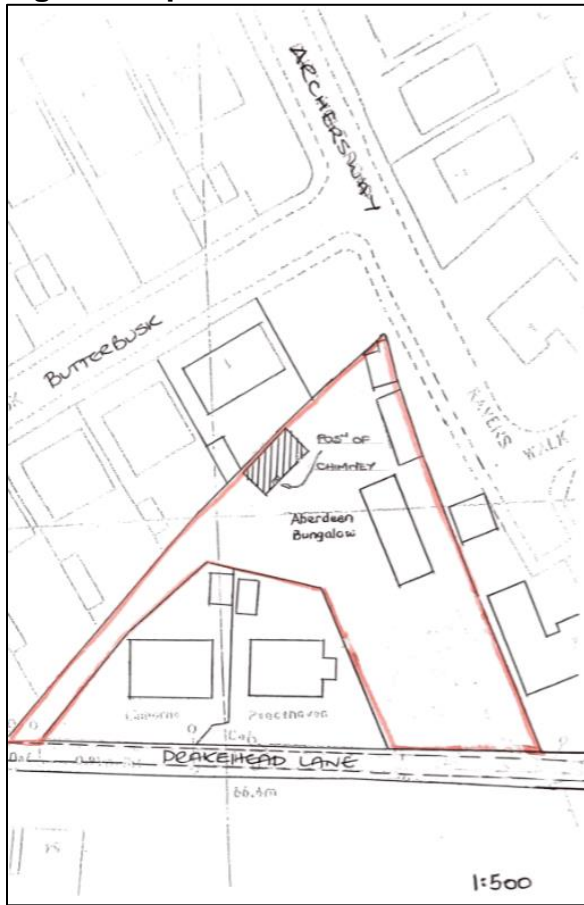
REASON

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

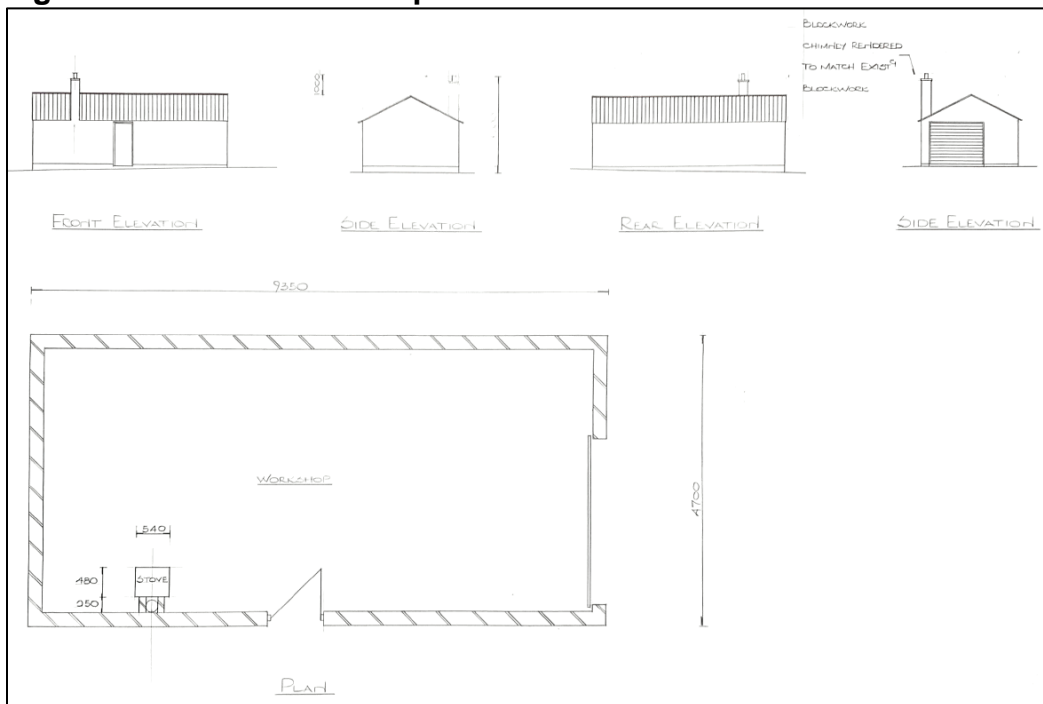
## **STATEMENT OF COMPLIANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY DEVELOPMENT MANAGEMENT PROCEDURE ORDER 2015**

**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**

**Fig 1: Site plan**



**Fig 2: Elevations and floor plans**



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**10 January 2023**

**To the Chair and Members of the Planning Committee**

**APPEAL DECISIONS**

**EXECUTIVE SUMMARY**

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

**RECOMMENDATIONS**

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

**WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?**

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

**BACKGROUND**

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

**OPTIONS CONSIDERED**

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

**REASONS FOR RECOMMENDED OPTION**

6. To make the public aware of these decisions.

**IMPACT ON THE COUNCIL'S KEY OUTCOMES**

7.

	<b>Outcomes</b>	<b>Implications</b>
	Working with our partners we will provide strong leadership and governance.	Demonstrating good governance.

## **RISKS AND ASSUMPTIONS**

8. N/A

## **LEGAL IMPLICATIONS [Officer Initials SC Date 15/12/2022]**

9. Sections 288 and 289 of the Town and Country Planning Act 1990, provides that a decision of the Secretary of State or his Inspector may be challenged in the High Court. Broadly, a decision can only be challenged on one or more of the following grounds:
- a) a material breach of the Inquiries Procedure Rules;
  - b) a breach of principles of natural justice;
  - c) the Secretary of State or his Inspector in coming to his decision took into account matters which were irrelevant to that decision;
  - d) the Secretary of State or his Inspector in coming to his decision failed to take into account matters relevant to that decision;
  - e) the Secretary of State or his Inspector acted perversely in that no reasonable person in their position properly directing themselves on the relevant material, could have reached the conclusion he did;  
a material error of law.

## **FINANCIAL IMPLICATIONS [Officer Initials BC Date 15/12/2022]**

10. There are no direct financial implications as a result of the recommendation of this report, however Financial Management should be consulted should financial implications arise as a result of an individual appeal.

## **HUMAN RESOURCES IMPLICATIONS [Officer Initials CR Date 15/12/2022]**

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

## **TECHNOLOGY IMPLICATIONS [Officer Initials PW Date 15/12/2022]**

12. There are no technology implications arising from the report

## **HEALTH IMPLICATIONS [Officer Initials RS Date 15/12/2022]**

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

## **EQUALITY IMPLICATIONS [Officer Initials IH Date 15/12/2022]**

14. There are no Equalities implications arising from the report.

## **CONSULTATION**

15. N/A

## BACKGROUND PAPERS

16. N/A

## CONCLUSIONS

17. Decisions on the under-mentioned applications have been notified as follows:-

Application No.	Application Description & Location	Appeal Decision	Ward	Decision Type	Committee Overturn
22/00069/OUT	Residential development of up to 5 dwellings as entry-level exception site (access and principle only to be considered) (being resubmission of application 20/03082/OUT) at Land To The West Of Station Road, Blaxton, Doncaster, DN9 3AF	Appeal Dismissed 02/12/2022	Finningley	Delegated	No
20/03548/FUL	Erection of a detached bungalow with integral garage (Amended plans) at Land On The South Side Of, Green Lane, Old Cantley, Doncaster	Appeal Dismissed 02/12/2022	Finningley	Committee	Yes

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**Dan Swaine**  
**Director of Economy and Environment**

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# Appeal Decision

Site visit made on 15 November 2022

**by Paul Martinson BA (Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 2 December 2022**

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**Appeal Ref: APP/F4410/W/22/3301829**

**Land to the West of Station Road, Blaxton, Doncaster DN9 3AF**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
  - The appeal is made by Modern Edge Development Group Limited against the decision of Doncaster Metropolitan Borough Council.
  - The application Ref 22/00069/OUT, dated 11 January 2022, was refused by notice dated 11 April 2022.
  - The development proposed is Residential development of up to 5 dwellings as entry-level exception site (access and principle only to be considered) (being resubmission of application 20/03082/OUT).
- 

## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. I have taken the postcode from the appeal form.
3. The planning application was submitted in outline form seeking approval for access with scale, layout, appearance and landscaping reserved for future consideration. I have determined the appeal on this basis, treating the submitted plans and details provided as illustrative, insofar as they relate to scale, layout, appearance and landscaping.
4. The appeal application follows an earlier refusal of outline planning permission<sup>1</sup> on the same site. This was dismissed at appeal<sup>2</sup> as the Inspector found conflict with the policies for housing and significant harm to the character and appearance of the area.

## Main Issue

5. The main issue is whether the location of the appeal site is acceptable having regard to the development plan policies and the effect of the proposed development on the character and appearance of the area.

## Reasons

6. The appeal site is an area of open land, partly enclosed by a hedge, that lies adjacent to Station Road, a road linking the settlements of Finningley and Blaxton. The site lies just to the north of Finningley, although is outside of its

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<sup>1</sup> Ref 20/03082/OUT.

<sup>2</sup> Ref APP/F4410/W/21/3278490.

- Development Limits as defined by the Doncaster Local Plan (2021) (the Local Plan).
7. Policy 1 of the Local Plan sets out the settlement hierarchy for the Borough. As the appeal site is located outside of the Development Limits of Finningley, it lies within the Countryside Area. Here, Policy 25 of the Local Plan sets out that, in addition to dwellings meeting the essential needs of an existing rural enterprise, proposals for new dwellings in the Countryside Policy Area will be supported in line with national policy for 'entry level' exception sites for housing and rural exception sites for housing.
  8. In this regard, The National Planning Policy Framework (the Framework) supports the development of entry-level exception sites, suitable for first time buyers (or those looking to rent their first home), unless the need for such homes is already being met within the authority's area. These sites should be on land which is not already allocated for housing and should: a) comprise of entry-level homes that offer one or more types of affordable housing as defined in Annex 2 of the Framework; and b) be adjacent to existing settlements, proportionate in size to them, not compromise the protection given to areas or assets of particular importance in this Framework, and comply with any local design policies and standards.
  9. The appeal proposal seeks to erect up to five dwellings as an entry-level exception site. It is common ground between the parties that the appeal proposal would be adjacent to the Development Limits of Finningley, is smaller than 1 hectare in size, does not exceed 5% of the existing settlement, and is not located within a National Park, Area of Outstanding Natural Beauty or Green Belt. I shall therefore turn to consider the proposal against the local design policies and standards.
  10. Policy 41 of the Local Plan sets out that, amongst other things, development proposals should be of a high-quality design that contributes to local distinctiveness; respond positively to their context and setting, respecting and enhancing the character of the locality; and integrate visually and functionally with the immediate and surrounding area. Similarly, Local Plan Policy 44 sets out that new housing proposals will be supported where they are sympathetic to the character of the area in terms of the layout, density, siting, spacing, scale, massing, form, detailing and materials.
  11. Whilst the site is adjacent to the Development Limits, the majority of the settlement of Finningley is located to the south of the rail line, including its services and facilities. Development to the north of the railway line is much more limited and is sporadic along Station Road. Whilst I accept that the appeal proposal is in outline form and that the plans are indicative, the proposal would likely result in ribbon development infilling the space between the edge of the settlement and the more isolated bungalow to the north. This would represent a significant extension of the settlement beyond the railway line. As such, the proposed development would not be well related to the existing built form of Finningley.
  12. Moreover, the appeal site forms part of an important gap between the settlements of Blaxton and Finningley. This gap forms a significant part of the open countryside providing a visual break between these two settlements. The gap also makes a positive contribution to their setting, particularly that of Finningley.

13. The proposal would intrude significantly into this rural space, extending built development much further into the countryside and diminishing the gap between Blaxton and Finningley. I am mindful of the outline nature of the proposal, and that the appellant considers that compliance with design policies can be addressed at the reserved matters stage. However, the inevitable provision of internal roads, driveways, gardens and the introduction of domestic paraphernalia would urbanise the setting of Finningley, at odds with the open rural character. My assessment here is reinforced by the comments of the previous Inspector.
14. For the above reasons the proposed development would result in significant harm to the character and appearance of the area. The proposal would therefore not be a suitable location for housing. It would conflict with Policies 1 and 25 of the Local Plan on this basis. There would also be conflict with Policies 41 and 44, described above. There would also be conflict with paragraph 72 of the Framework, also outlined above, as well as paragraph 174 which requires planning decisions to recognise the intrinsic character and beauty of the countryside.

### **Other Matters**

15. Both parties have referred to the 2019 Doncaster Housing Needs Survey. The appellant states this document concludes that there is an acute affordable housing need in the Borough and that there is a net shortfall of 209 affordable dwellings each year. The Council highlights an oversupply of affordable homes in Finningley. However, paragraph 72 of the Framework requires local planning authorities to support the development of entry-level exception sites, unless the need for such homes is already being met within the authority's area. The evidence before me does not clearly demonstrate that the need for such homes is already being met.
16. It is not disputed between the main parties that a legal agreement is required to secure the entry-level homes. I see no reason to depart from this standard mechanism. I have been provided with a Heads of Terms which indicates that it 'hopes' to deliver all dwellings as affordable, whilst some of the other text is not particularly clear. Most of the references to other contributions are marked as 'TBC' or 'to be agreed'. Notwithstanding the document's shortcomings, a draft Heads of Terms is not a legal mechanism in itself which could secure this provision.

### **Planning Balance**

17. In the absence of an executed and certified copy of a section 106 planning obligation or a completed Unilateral Undertaking which represents the legal mechanism to secure the delivery of the entry-level affordable housing, the proposal would not meet the requirements of paragraph 72 of the Framework.
18. Nonetheless there would still be some economic benefits to the proposal through the construction and occupation of the proposed dwellings. The proposal would also potentially support services in the nearby villages which are accessible without the private car. The appellant has sought to quantify the economic benefits of the proposal by providing estimates here. However, this section of the statement refers to another Authority area which leads me to doubt these figures. Nevertheless, given that the proposal relates to five dwellings, the benefits in this respect are inherently minor.

19. However, significant negative effects, would arise from the proposal, principally owing to the location of the appeal site and the effect on character and appearance, as identified in the main issue. I ascribe substantial weight to the harm which would arise from the proposed development. I do not consider there to be other material considerations which would be sufficient to justify allowing the appeal.

### **Conclusion**

20. The proposal would conflict with the development plan as a whole, and there are no other considerations, including the provisions of the Framework, which outweigh this finding. Therefore, for the reasons given above, I conclude that the appeal should not succeed.

*Paul Martinson*

INSPECTOR



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# Appeal Decision

Site visit made on 15 November 2022

**by Paul Martinson BA (Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 2 December 2022**

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**Appeal Ref: APP/F4410/W/22/3302327**

**Land on East side of Green Lane, Old Cantley, Doncaster DN3 3QW**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr David Riley against the decision of Doncaster Metropolitan Borough Council.
  - The application Ref 20/03548/FUL, dated 18 December 2020, was refused by notice dated 31 March 2022.
  - The development proposed is described as: 'erection of a detached bungalow with integral garage'.
- 

## Decision

1. The appeal is dismissed.

## Main Issue

2. The main issue is whether the location of the proposed development would be acceptable having regard to the development plan policies.

## Reasons

3. The appeal site is a parcel of land on the fringes of Old Cantley. The appeal site lies adjacent to the side elevation and garden of a detached dwelling, Moorwood. The relatively long side garden to a bungalow, Malawi, lies opposite the appeal site. The roadside boundary is delineated by a high hedge. The access into the site is fronted by tall gates. Green Lane narrows in the vicinity of the access taking on a more rural appearance with grassed verges to both sides of the road. Beyond the appeal site is a rough surfaced area providing parking for the nearby riding stables.
4. Policy 1 of the Doncaster Local Plan (adopted September 2021) (the Local Plan) sets out the settlement hierarchy for the Borough. Consistent with the approach in paragraph 105 of the National Planning Policy Framework (the Framework), Policy 1 seeks to focus development principally in accessible locations where sustainable modes of transport are readily available. On this basis, most new development is to be accommodated in the Main Doncaster Urban Area and the seven defined Main Towns. Outside of these areas development is focussed on accommodating an appropriate level of growth to meet local needs within the defined 'Service Towns and Villages'.
5. Old Cantley is one of 40 'Defined Villages' in the hierarchy. Policy 1 sets out that these villages have a limited number of services and house commuters to destinations elsewhere. Within their defined Development Limits, development proposals will be considered against other policies of the Plan as shown on the

- Policies Map. Owing to their position in the settlement hierarchy, these villages do not have allocations for new development.
6. Outside of the Development Limits the land is termed Countryside. The appeal site lies outside of the Development Limits of Old Cantley, albeit adjacent to the boundary which is consistent with the garden boundary of Moorwood.
  7. Support for new housing development in the Countryside Policy Area, through Policy 25 of the Local Plan, is limited to a number of exceptions. In this regard, the appeal proposal is not a replacement dwelling or a conversion of an existing building. There is no information before me that would indicate the proposal is intended to a house a rural worker to serve an established enterprise. There is also no evidence to suggest that it would be for affordable housing in the form of an entry level or rural exception site. Finally, there is nothing to indicate that the proposal would be of an exceptional design that would address the requirements of Policy 25 or paragraph 80 of the Framework.
  8. The proposal does therefore not meet any of the exceptions for new housing development in the Countryside Policy Area. It is therefore contrary to Policy 1 of the Local Plan and the housing strategy. In accordance with the requirements of s38(6) of the Planning and Compulsory Purchase Act (2004), I am required to determine the appeal in accordance with the development plan unless material considerations indicate otherwise.
  9. Neither party has referred to housing supply and there is no evidence before me that indicates that the Council cannot demonstrate a five year supply of deliverable housing sites. I accept that paragraph 79 of the Framework states that planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. However, this approach will have been taken into account when formulating the Council's housing strategy. Nonetheless I accept that there would be economic benefits arising from the construction and occupation of a dwelling. However, owing to the small scale of the proposal these benefits carry limited weight.
  10. The appellant has analysed the Development Limits boundaries around Old Cantley and has highlighted inconsistencies with how tightly these are drawn around existing built development. However, it is not my role to second guess why the boundaries have been drawn in the way they have. I also note that the Local Plan is up to date, being adopted after the most recent revision of the Framework.

## **Conclusion**

11. There are no material considerations that, in this instance, justify taking an approach contrary to the newly adopted development plan and housing strategy having regard to the requirements of s38(6). I have considered all other matters raised, including the approach in the Framework, but none outweigh the conclusions I have reached. For the reasons set out above, I dismiss the appeal.

*Paul Martinson*

INSPECTOR