

DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE – 12th December 2017

Application	2
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Application Number:	17/02293/3FULM	Application Expiry Date:	13 th December 2017
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Application Type:	Major
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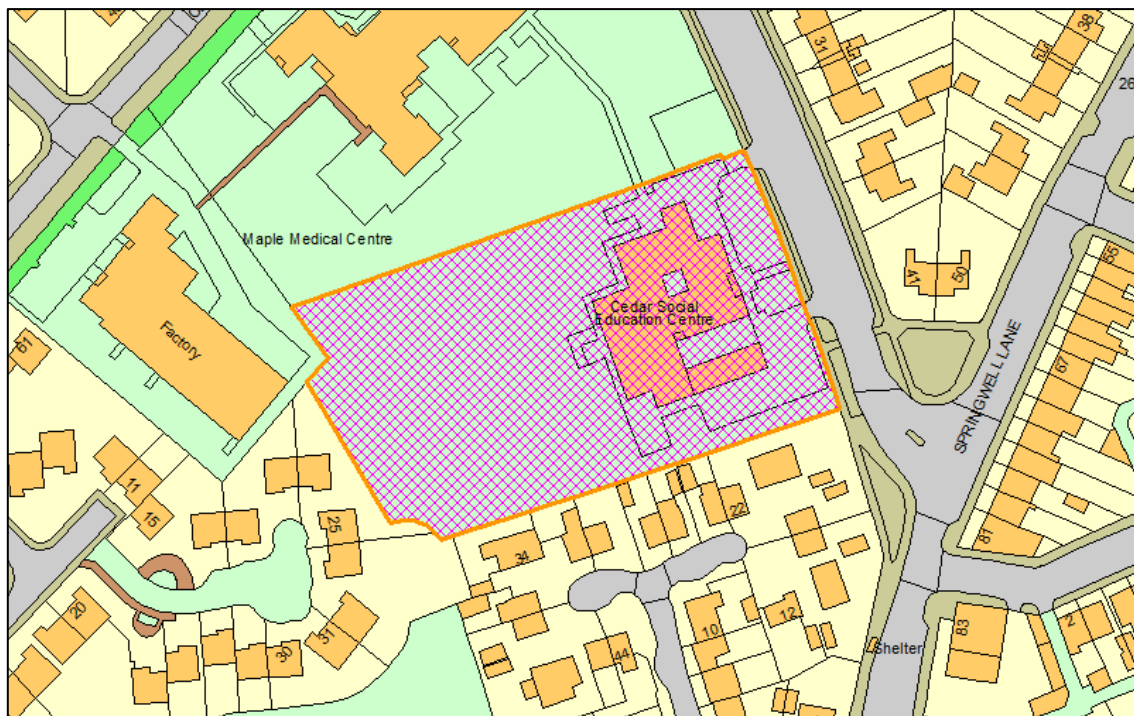
Proposal Description:	Erection of 25 affordable dwellings (Being application under Regulation 3 Town & Country Planning (General) Regulations 1992)
At:	Cedar Adult Centre, Warde Avenue, Balby

For:	DMBC
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Third Party Reps:	0	Parish:	
		Ward:	Balby South

Author of Report	Mel Roberts
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MAIN RECOMMENDATION:	GRANT
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1.0 Reason for Report

1.1 This application is being presented to planning committee because the application is submitted by the Council for its own development and is not considered to be a routine minor development such that it could be determined under delegated powers.

2.0 Proposal and Background

2.1 This application seeks planning permission for the erection of 25 affordable dwellings (100 per cent affordable housing) comprising 14 two bedroomed houses, 4 three bedroom houses, 1 four bedroomed detached house and 4 two bedroomed bungalows (all of the houses are two storeys). Access is to be taken from Warde Avenue in the same position as the existing access into the site. The proposal includes a green area of open space at the rear of the site that incorporates an existing mature oak tree that overhangs the site (see Fig 1 in the appendix).

2.2 The site is rectangular in shape and covers an area of approximately 0.73 hectares. The site was formerly occupied by the Cedar Road Education Centre, which closed in 2016 and was recently demolished. The western half of the site is covered in vegetation and the eastern area is covered in demolition rubble and a harstanding base where the former building used to stand. The site is generally flat. The adjacent land uses are residential to the east, south and west with Cedar Special School and its grounds to the north.

3.0 Relevant Planning History

3.1 Planning approval for the demolition of the Social Education Centre was given on the 22nd September 2016 under reference 16/02253/3DEM.

4.0 Representations

4.1 A public consultation invitation was sent out to residents in the immediate area during August 2017 and the Information day took place at Westbourne Gardens Communal Hall on Wednesday 6th September. The day was attended by over 20 residents and feedback in the main was positive.

4.2 The application has been advertised in the local press, with notices posted close to the site and with letters sent to all properties adjoining the site and no representations have been made.

5.0 Parish Council

5.1 There is no Town Council for Balby.

6.0 Consultations

6.1 The Urban Design Officer has responded and has raised no objections.

6.2 Highways have raised no objections subject to conditions; these conditions have been added where relevant.

6.3 The Tree Officer has raised no objections subject to conditions; these conditions have been added.

6.4 The Ecology Officer has raised no objections subject to conditions; these conditions have been added.

6.5 South Yorkshire Archaeological Service has raised no objections and has stated that there is little to be gained from any archaeological investigation given the disturbance to part of the site from the adult centre constructed in the 1970s.

6.6 Pollution Control has raised no objections subject to a condition requiring further investigation of possible contamination on site; this condition has been added.

6.7 Yorkshire Water has raised no objections subject to conditions; these conditions have been added.

7.0 Relevant Policy and Strategic Context

National Planning Policy Framework

7.1 The National Planning Policy Framework (NPPF) confirms that planning law requires that applications must be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise. At the heart of the NPPF is a presumption in favour of sustainable development.

Doncaster Core Strategy

7.2 Policy CS1 states that proposals will be supported which strengthen communities, are place specific in their design, are accessible by a range of transport modes, protect local amenity and are well-designed.

7.3 Policy CS2 states that the Main Urban Area (including Balby) will be the main focus for growth and regeneration.

7.4 Policy CS4 seeks to direct development to areas of lowest flood risk.

7.5 Policy CS9 states that new developments will provide, as appropriate, transport assessments and travel plans to ensure the delivery of travel choice and sustainable opportunities for travel.

7.6 Policy CS14 relates to design and sustainable construction and states that all proposals in Doncaster must be of high quality design that contributes to local distinctiveness, reinforces the character of local landscapes and building traditions,

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

7.7 Policy CS16 seeks to protect Doncaster's natural environment, particularly where protected species may be affected. Proposals will be supported which enhance the borough's landscape and trees by including measures to mitigate any negative impacts on the landscape, include appropriate hard and soft landscaping, retain and protect appropriate trees and hedgerows and incorporate new tree and hedgerow planting.

Unitary Development Plan

7.8 Policy PH11 states that within Residential Policy Areas, development for housing will normally be permitted except where the development would be over-intensive and out of character with the area or would impact on residential amenity

7.9 Policy RL4 requires on site open space or a commuted sum in lieu on sites of 10 or more family dwellings.

8.0 Planning Issues and Discussion

Principle

8.1 The site falls within the Residential Policy Area as allocated in the Doncaster Unitary Development Plan and is therefore an acceptable use in principle according to policy PH11 of the Doncaster UDP. The site also falls within the Main Urban Area, which should be the focus for growth and regeneration as set out in policy CS2 of the Core Strategy. The site falls within Flood Zone 1 which is the lowest risk of flooding and the use of the site for residential development is appropriate without the need to apply the Sequential and Exceptions Test and is therefore in accordance with policy CS4 of the Core Strategy. The proposal is a suitable re-use of previously developed land and is in a sustainable location.

Design and residential amenity

8.2 The density of the scheme at 34 dwellings per hectare is acceptable and in keeping with the character of the surrounding area. The scheme is not considered to be over-intensive and has been designed to ensure that all healthy trees on site are retained. One of the most impressive trees is a large oak at the rear of the site in the south west corner. The proposal includes an attractive area of open space around this tree and the houses have been designed to overlook this green. The trees along the site frontage on Warde Avenue have also mostly been retained and will form a nice landscaped frontage to the development. The dwellings proposed along the frontage to Warde Avenue are all two storeys and set well back from the road mimicking those on the opposite side of the street (see Fig 2 in the appendix).

8.3 The southern boundary of the site has a number of existing dwellings along it which vary between one and two storeys. This side of the site layout has been designed to respect the privacy of all of these existing houses by maintaining the minimum standoff distances required. All appropriate separation distances are

maintained to ensure that there will be no unacceptable overlooking or overshadowing of existing properties surrounding the site or within the scheme itself.

8.4 The applicant has submitted a materials plan, which shows the different types of materials to be used on site. The philosophy used for the materials is to make a feature of the small square at the rear of the site with rendered houses. The remainder of the properties are to be red brick and slate grey roofs with the bungalows having a rendered front gable and red brick with slate grey roofs. The application is therefore in accordance with policies CS1 and CS14 of the Doncaster Core Strategy and policy PH11 of the Doncaster UDP.

Highways

8.5 The scheme has been designed to adhere to highway standards, with suitable turning areas to accommodate refuse vehicles. All two bedroomed houses have one plot parking space and three bedroomed and above have two spaces per plot. A total of 4 on site visitor parking bays are provided, which are supplemented by a further two immediately outside the site along Warde Avenue. The site is well located for access to public transport with bus stops nearby on Springwell Lane, providing alternative sustainable means of travel to the site and is therefore in accordance with policy CS9 of the Core Strategy.

Ecology and Trees

8.6 An Ecological Survey has been submitted with the application. The survey concludes that the site has low ecological value for flora. The site is considered hostile for use by amphibians and common reptile species. Scattered trees on the periphery of the site recorded negligible potential to support features which bats could utilise for roosting, or as a place of shelter. The nature of the fencing that encircles the site largely impedes access for larger, terrestrial mammal species. A planning condition will secure ecological enhancement of the site in the form of bird boxes on some of the houses.

8.7 A Tree Survey has been submitted with the application. The trees along the front of the site on Warde Avenue contribute towards an avenue effect. These trees are set between the public footpath and the road within a green planting margin. The houses planned to front Warde Avenue are set back behind the root protection areas (as identified in the tree report). One of the street trees on Warde Avenue is required to be felled to accommodate a widened access into the site and an adjacent tree is required to be felled on the advice of the tree report.

8.8 Further details of landscaping are to be secured by condition. The plans give an indication of where landscaping could be introduced to enhance the scheme including additional planting in the green where the large oak tree is situated. Hedges will also be planted within the site to obscure the views of parked cars at the front of houses. The application is therefore in accordance with policy CS16 of the Doncaster Core Strategy.

Planning Obligations

8.9 Policy RL4 of the UDP requires on site open space or a commuted sum in lieu on sites of 10 or more family dwellings. The site is in the Balby Community Profile Area, which is deficient in 3 out of 5 open Space typologies and there would therefore normally be a requirement for 15 per cent of the site to be laid out as useable onsite public open space, or a commuted sum in lieu of this. The site does include informal areas of open space within the scheme and these equate to just over 8 per cent of the total site area. The applicant has confirmed that the cost of the construction is met through the Housing Capital Programme and Homes and Communities Agency Grant and any further contribution towards open space would affect the viability of the scheme and could jeopardise the provision of 100 per cent affordable housing. It should also be noted that there is a large area of open space within 200m of the site to the south east (off Springwell Lane).

9.0 Summary and conclusions

9.1 The site lies within an area that is promoted for housing both in the Core Strategy and the UDP. The site is in a sustainable location and represents a suitable re-use of previously developed land. The scheme will deliver much needed affordable housing and has received no objections from consultees or members of the public.

9.2 The proposal has been designed to ensure that it is in keeping with the character of the area and retains the best trees on site. The proposal is not over-intensive and ensures that there is no loss of amenity to surrounding residential properties through overlooking or overshadowing. The scheme includes areas of informal open space, including an attractive green area that retains a mature oak tree.

9.3 Although the amount of open space provided on site is just over half of what would normally be required under policy RL4, in this case, the overriding need for affordable housing and the provision of open space nearby outweighs any under provision of open space.

9.4 The proposal has been designed to meet all highway requirements and all other issues including ecology have been satisfactorily resolved. The application is therefore recommended for approval subject to the conditions outlined below.

10.0 Recommendation

GRANT planning permission subject to the conditions below;

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:

Drawing number PQ1761 /AD/10 Rev C dated Aug 2017 (Site plan)

Drawing number PQ1761 /AD/PD01 Rev A dated May 2015 (House type N790)

Drawing number PQ1761 /AD/PD02 Rev A dated June 2015 (House type N930)

Drawing number PQ1761 /AD/PD03 dated June 2015 (House type N797)

Drawing number PQ1761 /AD/PD05 Rev A dated June 2015 (House type N812)

Drawing number PQ1761 /AD/PD09 Rev A dated July 2015 (House type N1210)

Drawing number PQ1761 /AD/PD14 Rev B dated March 2016 (House type N630A)

Drawing number PQ1761 /AD/PD15 dated March 2016 (House type N630B)

Drawing number PQ1761 /AD/99 dated Aug 2017 (Materials plan)

REASON

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

3. The development hereby permitted shall not be commenced until details of measures to be taken within the curtilage of the site to prevent the deposition of mud or debris on the public highway, has been submitted to and approved in writing by the Local Planning Authority.

REASON

No such details have been provided and this is required before the development commences in the interests of road safety.

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

REASON

In the interest of satisfactory and sustainable drainage.

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

REASON

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

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

a) As a result of the findings of the Phase 1 Desk Study Report (Rev A) for Warde Avenue, Balby, Ref P17 -00535, dated 23 August 2017, by MET Consultancy Group, a Phase 2 site investigation and risk assessment shall be

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

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

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

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

REASON

The details are required prior to the commencement of development to secure the satisfactory development of the site in terms of human health and the wider environment pursuant to the National Planning Policy Framework.

7. No development shall take place on the site until a detailed landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a soft landscape plan; a schedule providing details of the species, nursery stock specification in accordance with British Standard 3936: 1992 Nursery Stock Part One and planting distances of trees and shrubs; a specification of planting and staking/guying; a timescale of implementation; and details of aftercare for a minimum of 5 years following practical completion of the landscape works. Thereafter the landscape

scheme shall be implemented in full accordance with the approved details and the Local Planning Authority notified in writing within 7 working days to approve practical completion. 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

No landscaping details have been provided and these are required prior to the commencement of development in the interests of environmental quality and core strategy policy CS16: Valuing our natural environment.

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

REASON

No such details have been provided and these are required prior to the commencement of development to ensure that all trees are protected from damage during construction in accordance with core strategy policy CS16: Valuing our natural environment.

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

5 No. swift boxes of wooden or 'woodcrete' construction are attached to suitable locations on 5 separate dwellings.

REASON

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

INFORMATIVE

Any works carried out on the public highway by a developer or anyone else other than the Highway Authority shall be under the provisions of Section 278 of the Highways Act 1980. The agreement must be in place before any works are commenced. There is a fee involved for the preparation of the agreement, and for on site inspection. The applicant should make contact with Malcolm Lucas, Tel. 01302 745110. Email. Malcolm.lucas@doncaster.gov.uk as soon as possible to arrange the setting up of the agreement.

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

Street lighting design and installation is generally undertaken by the Local Highway Authority. There is a fee payable for this service and the applicant should make contact with Malcolm Lucas, Tel. 01302 745110. Email. Malcolm.lucas@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.

Roads other than shared private drives shall be constructed to an adoptable standard and offered for adoption on completion under (the provisions) Section 38 of The Highways Act (1980). Engineering and surface water drainage details shall be submitted for inspection and approval in writing by the (Local Planning Authority) Highways Authority before works commence on site.

Whilst no information is given at this stage about the method of disposal of highway drainage, I am mindful of restrictions on surface water disposal and the emphasis on the use of sustainable solutions. I make this point as the use of a soakaway system has to be located outside the carriageway and at least 6m from any building may further affect the layout shown. It should be noted that a commuted sum of £5000 to be used towards the future maintenance costs of each highway drain soakaway, shall be paid to the Council, prior to the issue of the Part 2 Certificate.

Furthermore, any trees to be provided in the public highway require a commuted sum for maintenance purposes of £1500 per tree (£300 pounds per annum for a period of 5 years) to be paid to the Council, prior to the issue of the Part 2 Certificate.

INFORMATIVE

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

The document can be found at the following web address:

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

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

INFORMATIVE

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

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

Appendix 1

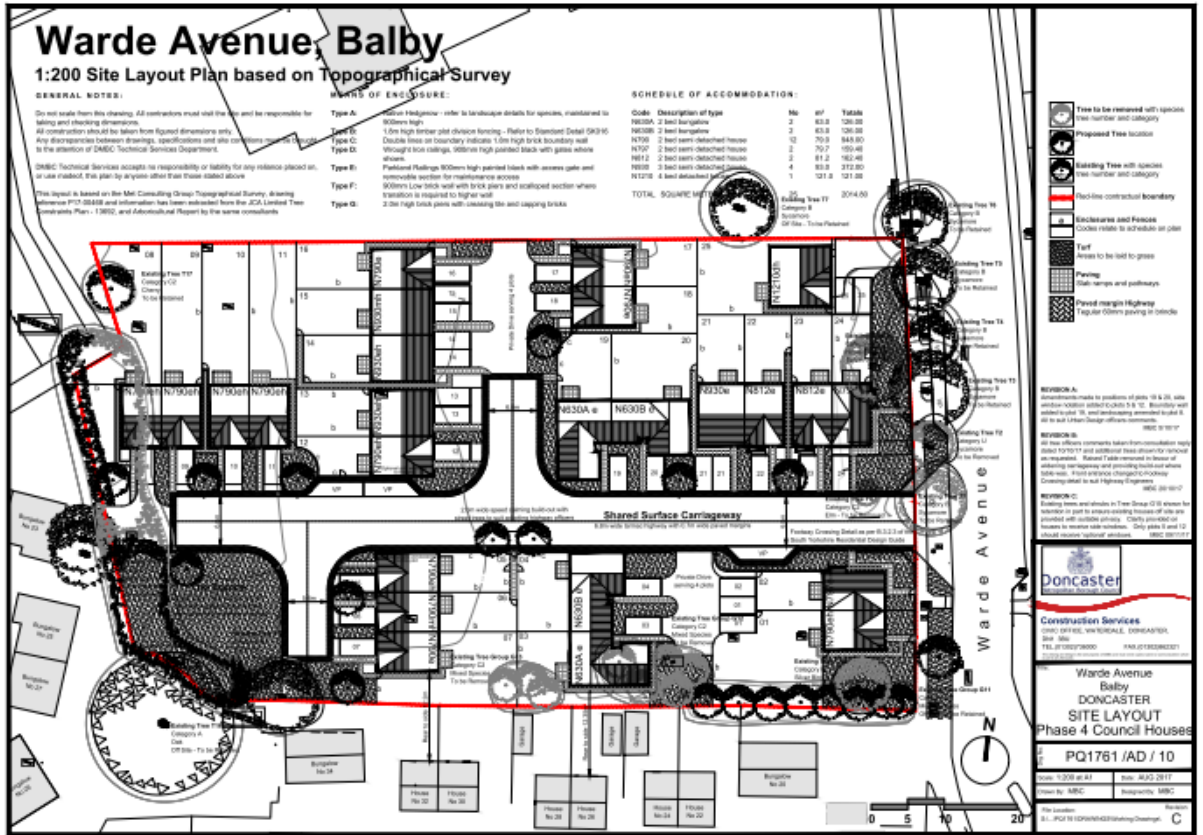


Fig 1: Site layout plan



Fig 2: Computer image of the site showing the front of the scheme with access off Warde Avenue and showing the typical house types within the scheme.