

DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE - 26th June 2018

Application	08
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Application Number:	17/03067/FUL	Application Expiry Date:	8th February 2018
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Application Type:	Full Application
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Proposal Description:	Erection of nine detached dwellings, including the construction of detached single garages to plots 4 - 9.
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At:	Land Adjacent 12 Lings Lane Hatfield Doncaster DN7 6AB
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For:	Mr G A Mell
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Third Party Reps:	2 Letters of objection 1 Letter of support	Parish:	Hatfield Parish Council
		Ward:	Hatfield

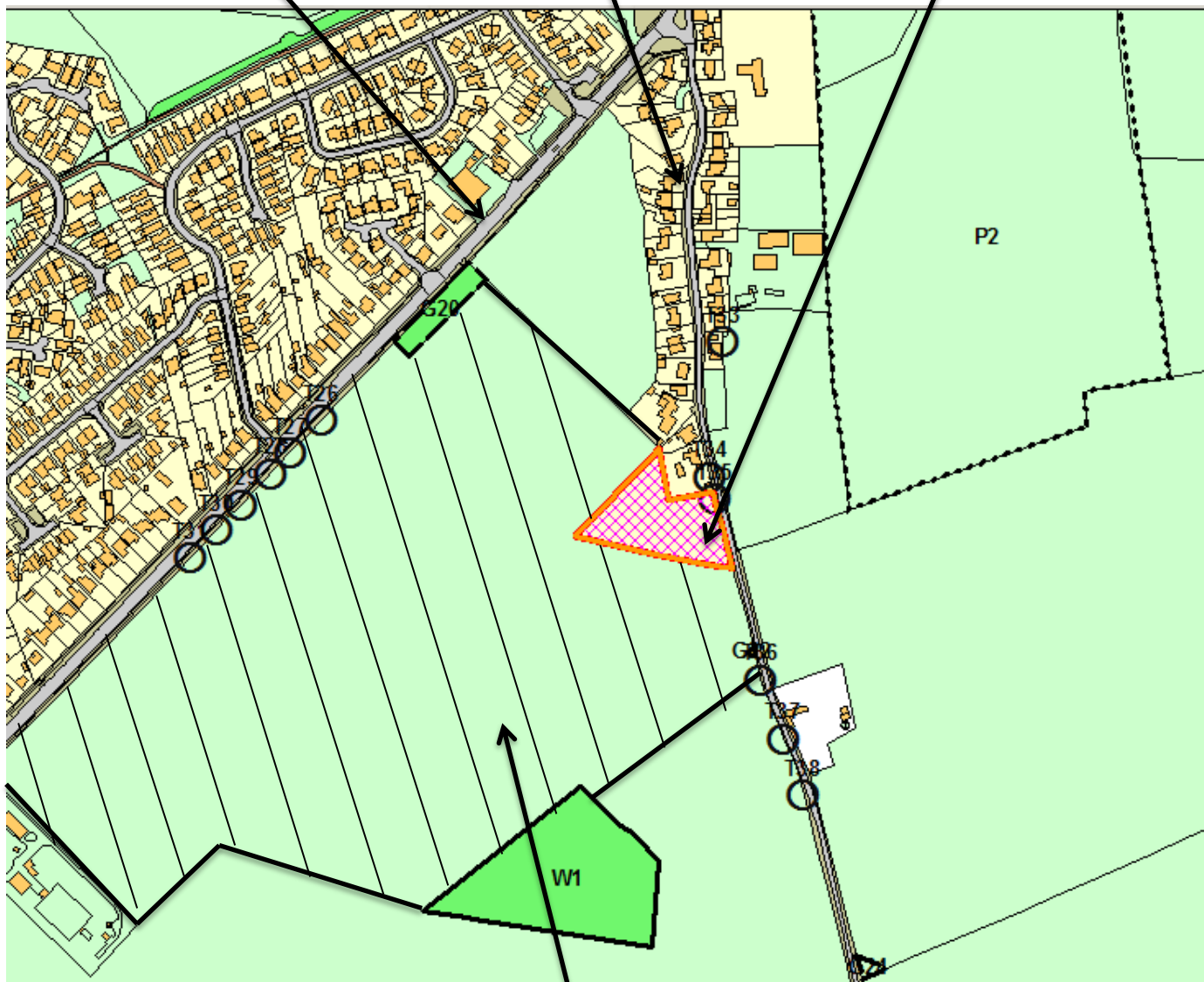
Author of Report	Garry Hildersley
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MAIN RECOMMENDATION:	Approve
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Doncaster Road

Lings Lane

Application site



Neighbouring approval
16/00998/OUTM

1.0 Reason for Report

1.1 The application is being presented to planning committee as it represents a departure from the development plan.

2.0 Proposal and Background

2.1 The application seeks planning permission for the erection of 9 detached dwellings with associated garages.

2.2 The proposal seeks to develop land attached to 12 Lings Lane which is predominantly laid to lawn. The northern 300m or so of Lings Lane has a built up character with a ribbon development of residential housing as far as the existing residential building on the application site. The remainder of Lings Lane including the listed mill site has a rural character of an unverged road bounded by hedge.

2.3 A material consideration in the determination of this application is an application for the erection of 400 dwellings (application reference 16/00998/OUTM) immediately adjacent to the current proposal site. This too is located within Doncaster's Countryside Policy Area and was approved on the basis that although the application represented inappropriate development within the Countryside Policy Area, there was justification for accepting the development which included the absence of an up to date housing allocation, the site representing a sustainable urban extension and the creation of jobs and infrastructure. See section 3 within the history section of this report.

2.4 The Core Strategy recognises Hatfield as a Potential Growth Town, where significant housing growth could be sustainably accommodated as part of economic developments of regional/national significance, which provide opportunities for major new infrastructure provision and job creation. Although this has been envisaged to be delivered at the DN7 / Unity project, at that time in the absence of up to date housing allocations, the Council assessed the proposal in line with national and the applicable local planning policy, which in this case this is Policy CS2.

2.5 The settlement boundary of Hatfield lies immediately adjacent to the application site, with Dunsville located 0.71km away and Doncaster's Town Centre Located approximately 8.7km to the south west.

2.6 To the south of the south approximately 130m away lies a Grade II listed building being Lings Lane Windmill.

2.7 The principle considerations in relation to this application are

- The appropriateness of the development given it seeks planning permission for the erection of residential development in the Countryside,
- Ecology,
- Trees and hedegrows,
- highways and;
- The effect on the setting of a listed building.

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

3.0 Relevant Planning History

09/02974/OUT - Outline application for erection of 4 detached dormer bungalows on approx. 0.04ha of land. Application refused 29.01.2010 For the following reasons

1. In the opinion of the Local Planning Authority it is concluded that the erection of 4 detached dwellings within this Countryside Policy Area fails to comply with the infill requirements set out in the Doncaster Unitary Development Plan adopted 1998 Policy ENV9 in that the existing dwellings do not form part of a substantial built frontage of three dwellings either side of the application site.
2. In the opinion of the Local Planning Authority it is considered that the applicant has not demonstrated an agricultural need within the submitted details and the Local Planning Authority do not consider that the design and access statement outweighs the need for a dwelling at this location. Therefore the proposal is considered to be contrary to Planning Policy Statement 7.

10/00015/REF - Outline application for erection of 4 detached dormer bungalows on approx. 0.04ha of land. Appeal dismissed. 11.08.2010

07/03897/CPE - Certificate of lawful use of land as domestic curtilage. Certificate refused 18.03.2008

08/00047/REF - Appeal against refusal for certificate of lawful use of land as domestic curtilage. Appeal allowed 02.02.2009.

Adjoining appeal history

16/00998/OUTM - Outline application for residential development (Class C3) with open space, landscaping and associated access on approx 17.72 ha of land (Approval being sought for access) (being resubmission of application ref 14/01789/OUTM, refused on 02/10/2015). Application granted subject to a S106 agreement 03.11.2016. The application was approved on the basis that although it represented inappropriate development within the Countryside Policy Area, there was justification for accepting the development. The Core Strategy recognises Hatfield as a Potential Growth Town, where significant housing growth could be sustainably accommodated as part of economic developments of regional/national significance, which provide opportunities for major new infrastructure provision and job creation. Although this has been envisaged to be delivered at the DN7 / Unity project, in the absence of up to date housing allocations, the Council assessed the proposal in line with national and the applicable local planning policy, which in this case was Policy CS2. The applicants were proposing to contribute towards the delivery of jobs and infrastructure in line with the policy requirements. Since the previous refusal on this site, the Council has more up to date and detailed information around housing delivery in this area, and it is considered that the proposal formed a sustainable urban extension which will help the Authority to meet the indicative housing target set out

in Policy CS2 for the Potential Growth Town. On this basis, there was no sound reason to object to the principle of development.

14/01789/OUTM - Outline application for residential development (Class C3) with open space, landscaping and associated access on approx 17.72 ha of land. Application refused on the following grounds:

1. In the opinion of the Local Planning Authority, the proposal represents inappropriate development within the countryside, contrary to the provisions of Policy CS3 of the Doncaster Council Core Strategy 2011 - 2028, and saved Policy ENV4 of the Doncaster Unitary Development Plan 1998.

13/02059/OUTM - Outline application for residential development on approx 2ha of land (Approval being sought for access). Application refused on the following grounds:

1. In the opinion of the Local Planning Authority, the proposal represents inappropriate development within the countryside, contrary to the provisions of Policy CS3 of the Doncaster Council Core Strategy 2011 - 2028, and saved Policy ENV4 of the Doncaster Unitary Development Plan 1998.

2. In the opinion of the Local Planning Authority, the applicants have failed to demonstrate that the proposed development for housing would deliver opportunities for major new infrastructure and job creation within the Potential Growth Town settlement of Hatfield and Stainforth as required by the provisions of Policy CS2 of the Doncaster Council Core Strategy 2011-2028.

4.0 Site Allocation

4.1 The site is allocated as Countryside Policy Area as defined by the Doncaster Unitary Development Plan (Proposals Map) 1998 and as Countryside Protection Policy Area as defined in the Local Development Framework Core Strategy (Key Diagram) 2012. The policies relating to the countryside in the east of the Borough are similar in the two plans and full consideration should be given to all relevant local and national policies.

Relevant, Local and National Policies

4.2 National Planning Policy Framework

- Chapter 1 - Building a strong and competitive economy
- Chapter 3 - Supporting a prosperous rural economy
- Chapter 4 - Promoting sustainable transport
- Chapter 6 - Delivering a wide choice of high quality homes
- Chapter 7 - Requiring good design
- Chapter 8 - Promoting healthy communities
- Chapter 11 - Conserving and enhancing the natural environment
- Chapter 12 - Conserving and enhancing the historic environment

4.3 In March 2018 a set of revisions to the existing NPPF were published for consultation. The draft is subject to lengthy consultation and may still change and as such, no weight is given at this stage.

4.4 Core Strategy 2011 - 2028

4.5 In May of 2012 the LDF Core Strategy was adopted and this replaced many of the policies of the Unitary Development Plan; some UDP policies remain in force (for example those relating to the Countryside Policy Area) and will continue to sit alongside Core

Strategy Policies until such time as the Local Plan is adopted. Core Strategy policies to be considered are:

- CS 1: Quality of Life
- CS 2: Growth and Regeneration Strategy
- CS 3: Countryside
- CS 9: Providing Travel Choice
- CS10: Housing requirement, land supply and phasing
- CS 14: Design and Sustainable Construction
- CS 15: Valuing our historic environment
- CS 16: Valuing our Natural Environment

4.6 Saved Unitary Development Plan Policies

- ENV 2 - Countryside Policy Area Designation
- ENV 4 - Countryside Policy Area
- ENV 53 - Design of new buildings
- ENV 59 - Protection of trees

5.0 Representations

Two representations has been received in opposition to the application which have outlined the following concerns in relation to the application:

- The increased volume of traffic using Lings Lane
- The proposed development would be harmful to the countryside.
- Concerns on the impact of neighbouring services such as GP surgery.
- The development will affect wildlife

A representation has also been received by a Hatfield town Councillor who is in support of the application owing to the approval of 400 dwellings adjacent to the application site.

6.0 Relevant Consultations

- DMBC - Pollution Control - No objections subject to conditions
- DMBC Highways Development Control -
- DMBC Design Officer - No objections subject to conditions
- DMBC Ecology - No objections
- DMBC Tree Officer -
- DMBC Internal Drainage - No objections subject to conditions
- DMBC PROW -
- DMBC Local Plans (Housing) - Concerns with regard to certainty of implementation of 2016 application.
- DMBC Conservation - No objections
- Architectural Liaison Officer - No response received.
- National Grid - No response received.
- Yorkshire Water - No objections subject to conditions
- Area Manager - No response received.
- Ward Councillors - No response received.
- Parish Council - No response received.
- Doncaster East Internal Drainage - No objections subject to condition

7.0 Planning Issues and Discussion

Development in the Countryside

7.1 The application site is defined as Countryside Policy Area, as defined by the Doncaster Unitary Development Plan (UDP adopted in 1998) and Countryside Protection Policy Area (CPPA) as defined in the Core Strategy. Policy ENV 2, a saved policy contained within Doncaster Unitary Development Plan states that the Borough Council will maintain a Countryside Policy Area in the Eastern Part of the Borough covering all countryside outside the Green Belt.

7.2 Policy CS3 sets out that the countryside should be protected and enhanced through a CPPA and sets out the principles against which development is to be assessed to achieve this. The most relevant ones being;

- development not being visually detrimental in terms of siting, design and materials and not creating highway issues..

7.3 Furthermore, the policy states that development should preserve the openness of the CPPA and not conflict with the purposes of including land within it which are to prevent urban sprawl or the coalesce of settlements. These matters are dealt with in paragraphs 7.7 and 7.8

7.4 Saved policies ENV2 and ENV4 of the Doncaster Unitary Development Plan set out the countryside policy area designations and are the general development control policies relating to the countryside. Policy ENV4 sets out the key criteria for development in the countryside to be considered acceptable in principle. The application site lies outside of the defined settlement boundary and the proposal is therefore development in the countryside.

7.5 As set out above in the history section above, outline planning permission has been recently granted for residential development on approximately 17.72 ha of land (planning ref 16/00998/OUTM) and this comprised of 400 dwellings. With reference to Annex 1, the current application site would be located to the east edge of this site being bound on the southern and western boundaries by the approval. To the north of the site lies the existing village envelope of Hatfield located on Lings Lane. In effect this results in the application site being surrounded on all boundaries by existing or implementable development. Consequently should the 2016 application for 400 dwellings be implemented, the application site would be landlocked and would be seen in context with the surrounding development if approved. Some concerns were received by Doncaster's Policy team on the basis that there was no guarantee that the 2016 outline permission would be implemented. At the time of writing this report, a reserved matters application has been received by the Council on the 31st of May but had not yet been validated. The submission of the reserved matters application gives some comfort of the intentions of the developer implementing permission 16/00998/OUTM.

7.6 Given the situation set out in paragraph 7.4 it is considered that the proposal would be in keeping with the character and appearance of the area in terms of the pattern of development and with regard to nearby properties in terms of the scale and position of the dwellings on the site and its plot ratio. It is considered that the proposal would appear to be more a part of the settlement rather than an area of open countryside, when considered alongside the development approved under application 16/00998/OUTM

7.7 The approval of the 2016 outline permission reduces the impact of the proposal on the openness of the countryside and limits the harm in that regard. As a result, it is considered that the proposal would have no material adverse effect on the openness of the CPPA and would therefore preserve it. Consequently, leading from this it is considered that the proposal would have no significant impact on the openness of the CPPA. It is considered to be development that would be in keeping with the character and appearance of its surroundings. It would not therefore erode the countryside or its openness to a degree that would be considered detrimental to the character of countryside.

7.8 The current proposal offers a unique set of circumstances that is unlikely to be replicated. Notwithstanding this, each application must be considered on its own merits.

7.9 The proposed development would be contrary to the approach to the location and supply of housing and the protection of the countryside set out in Policy CS2 of the CS and Policy ENV2 of the UDP and therefore, it would not be in accordance with the development plan carrying considerable weight. In such circumstances, the National Planning Policy Framework (the Framework) indicates that planning permission should not be granted unless material considerations indicate otherwise. The Framework does not change the statutory status of the development plan as the starting point for decision making. In this case, the proposal would be contrary to the development plan policies to which have been referred to. However, in determining the application consideration should be given to the individual merits of the application which include whether there are any special circumstances that outweigh any planning harm. In addition a balancing of the other material planning considerations must take place to determine whether other material planning considerations weigh positively or negatively against the proposal these are set out below in paras.

Sustainability

7.10 It is recognised that the application site lies on the outskirts of the development boundary of Hatfield located within the Countryside Policy Area and consideration should be given as to whether the proposed redevelopment represents sustainable development.

7.11 The Government through its publication of the NPPF sets out that development should look to be sustainable socially, economically and environmentally.

7.12 The site is accessed via Lings Lane which leads from Doncaster Road. The nearest bus stop is located 475m from the site entrance and is served by the number 8, 8A, 87 and 87A that operate on a hail and ride basis. These buses operate on a daily basis starting at 0508 hours and ending at 2332 hours Monday to Friday.

7.13 It is widely acknowledged that that planning should actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.

7.14 Section 4 (Promoting Sustainable Transport) of the NPPF goes into further detail on this core principle. Paragraph 32 states that all developments that generate significant amounts of movements should be supported by a Transport Statement or Assessment. "Decisions should take account of whether:

- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- safe and suitable access to the site can be achieved for all people; and
- improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe."

7.15 The NPPF states that decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised (Paragraph 34). Planning policies should aim for a balance of land uses within their area so that people can be encouraged to minimise journey lengths for employment, shopping, leisure, education and other activities (Paragraph 37).

7.16 Paragraph 38 considers larger scale residential developments. Planning policies "should promote a mix of uses in order to provide opportunities to undertake day-to-day activities including work on site. Where practical, particularly within large-scale developments, key facilities such as primary schools and local shops should be located within walking distance of most properties."

7.17 Section 6 (Delivering a wide choice of high quality homes) of the NPPF states that to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should: plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes) (Paragraph 50).

7.18 The NPPF goes on in Paragraph 70 to say that with respect to delivering social, recreational and cultural facilities and services the community needs, planning policies and decisions should ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

7.19 Turning to consideration of the sustainability of the proposed dwellings, the Doncaster Settlement Audit (updated February 2017) considers the sustainability of the settlements throughout the borough, including Dunscroft, Dunsville, Hatfield and Stainforth. The audit categorises local services as either primary or secondary services. On page 5 of the audit, the categorisation is explained as follows:

"Primary services are those which are considered to be very important for an area to have in order for it to be sustainable and even to be a desirable place to live. Secondary services are those which are important but not as important."

7.20 Primary services and facilities are: primary schools, town centres, train stations, bus network, GP and pharmacy. Secondary services/facilities are: secondary school, shopping, dentist, library, leisure centre, formal public open space, informal public open space and the secondary bus network. Table 1 contained within the Settlement Audit Update shows the combined Community Profile Areas in the order in which they score when based solely on the Primary services/facilities. Dunscroft, Dunsville, Hatfield and Stainforth is scored as 6 indicating that it is located within a sustainable location being joint top with the likes of Mexborough, Conisbrough and Denaby and Adwick and Woodlands. An objection has been received in respect of the impact the proposal would have on the local GP surgery. Whilst this is a valid representation, the erection of 9

dwellings is unlikely to materially affect the function of the GP surgery to a degree to warrant refusal of the application.

7.21 The South Yorkshire Residential Design Guide SPD considers accessibility criteria for new residential development. Table N1.2 of the SPD, below, sets out the broad accessibility targets.

Distance from residential areas in:	to:	local services	bus/tram stop	primary health/education
main centre		10 min walk	5 min walk	20 min journey
central area		15 min walk	5 min walk	30 min journey
central area (smaller town)		20 min walk	5-10 min walk depending on destination	20 min walk 30 min journey
corridor		15 min walk	5-10 min walk depending on destination	20 min walk 30 min journey
rural settlement	(via bus)		10 min walk	40 min journey

7.22 The nearest shops and services lie within Hatfield 1350m to the north consisting of a post office, news agents, public houses, wedding shop and hairdressers. To the north Hatfield Health Centre is located 782m from the site with Ash Hill Academy located 823m from the site and Dunsville Primary School located 1.3km to the west

7.23 In terms of average walking speeds, the SPD states that as a general rule of thumb a 5 minute walk equates to a distance of 400 metres for non-disabled people and for different groups of disabled people, these distances are significantly less. This calculation concurs with the Institute for Highways and Transportation (IHT) 'Guidelines for Providing Journeys on Foot' published in 2000, which calculated a reasonable walking pace as 3 miles or 5 kilometres per hour.

7.24 The above table provides five different categories that development would fall into with respect to sustainability. Given the proximity of the site shops and other services it would be reasonable to suggest that the site lies within a central area (smaller town). This would anticipate that trips to local services would take place via a bus and that bus stops should be located within a 5-10 minute walk which the site clearly is. In addition both primary and secondary schools are located well within the 20 minute walk or 30 minute journey time.

7.25 With regards to cycling, PPG 13: Transport stated that "Cycling also has the potential to substitute for short car trips, particularly those under 5km, and to form part of a longer journey by public transport". There are significant local centres, commercial, and residential areas within this catchment including the whole of Hatfield, Dunville, Duncroft and Stainforth.

7.26 When considered against the distance criteria set out in the South Yorkshire Residential Design Guide and also the guidelines set out by the Institute for Highways and Transportation the development measures reasonably well in terms of access to public transport and local services. This therefore weighs in favour of the application, complying

with the requirements of Policies CS1, CS14 of the Core Strategy and paragraphs 34 and 38 of the NPPF.

7.27 During the course of the application, the scheme has been amended to include a footpath linking the current application site with the 2016 outline approval. This actively connects the two sites and also provides the opportunity for alternative access to any bus stops within the adjacent site. This carries modest weight in favour of the application.

7.28 Consideration should also be given to whether the proposal would be economically and environmentally sustainable.

7.29 NPPF is explicit in stating that in order to be environmentally sustainable, proposals should contribute to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity. Whilst clearly the expansion of built development and the construction of 9 dwellings would encroach into the countryside, the proposal is not within an ecologically sensitive area. As set out in the history section of the report, a certificate of lawful use has been allowed on appeal for the land to be used as domestic curtilage (planning reference 08/00047/REF). As the site has been used as domestic curtilage, been manicured and mown, the land offers little in the way of ecological value. The report considers matters of ecology at a paragraphs 7.54 - 7.56.

7.30 The proposal if approved would result in limited economic gain through job creation via the building and construction of the dwellings. This would be short term and is therefore afforded limited weight.

7.31 Taken in the round, considering the distance from shops and other services, its proximity to bus stops and educational/medical facilities the site is considered to be sustainable socially, however balanced against this, the proposal would result in the permanent loss of Countryside. That being said, the proposal is currently laid to lawn offering little in the way of ecological value and would be seen against the backdrop of other dwellings capable of being developed under planning permission 16/00998/OUTM.

7.32 The government attaches great weight to the need for developments to be sustainable and taken in the round, it is considered that the merits of this particular case indicate that the site is on balance sustainably located and this weighs positively in favour of the application carrying considerable weight.

Housing Need

7.33 Policy CS2 of the Core Strategy deals specifically with the Growth and Regeneration Strategy for the borough over the plan period, and sets out a settlement hierarchy breaking down where different forms of development will be acceptable in terms of different sizes of settlement, from sub-regional centre down to undefined villages. Hatfield is identified as a Potential Growth Town, whereby "significant housing growth could be sustainably accommodated at the Potential Growth Towns as part of economic developments of regional/national significance, which provide opportunities for major new infrastructure provision and job creation. Therefore housing growth will be supported subject to the coordinated delivery of jobs and infrastructure and tied to housing renewal and improvements to services." Policy CS2 of the Core Strategy sets an indicative housing target of 1200 homes for the Potential Growth Town of Stainforth/Hatfield/Dunscroft/Dunsville. Whilst it is recognised that the proposal does not represent significant housing growth, the proposal would see a rounding off of the settlement given the approval on the adjacent site the proposal would infill an area between the existing settlement and the surrounding development.

7.34 It is worth noting that the housing target for Stainforth/Hatfield/Dunscroft/Dunsville is not unconditional; it requires to be tied to economic development of regional / national significance. The written justification to Policy CS2 (paragraph 3.25) makes clear that the economic development referred to here is the DN7 initiative and paragraph 3.27 states: "...it is envisaged that at Stainforth/Hatfield housing growth will be coordinated/phased with the delivery of:

- Jobs and infrastructure including Hatfield Power Park and power station and M18 link road
- Improvements to existing housing areas and local retail centres
- Refurbishment of the railway station and the creation of a rail/bus/park and ride interchange; and
- Sustainable flood risk mitigation"

7.35 Paragraph 3.28 of the Core Strategy states: "The principle and timing of the housing will be dependent upon delivery of the proposed infrastructure and jobs and should these not happen then housing growth on the scale proposed may not be supported. However it is envisaged that these will be able to proceed together in a coordinated way within a clearly deliverable framework such as a Neighbourhood Plan and/or a planning application(s) subject to phasing conditions, legal agreement and funding contributions plan."

7.36 The Council has long supported the DN7 / Unity initiative which has historically been supported by planning committee and has a permission that remains extant. The scheme also benefits from existing permissions for key elements including the M18 link road to J5 and the power station and a reserved matters application for the marina element of the development has been approved. The Core Strategy housing target was envisaged to be located within the boundary of the DN7 / Unity initiative and this was reflected in Allocations proposed in the Submission Draft Sites and Policies DPD.

7.37 That being said the DPD has been withdrawn, and the Authority is in the process of producing a new Local Plan. The Core Strategy does not make allocations, and housing development to deliver the adopted Core Strategy housing targets cannot await the adoption of a new Local Plan. The application must therefore be considered against the existing statutory development plan.

7.38 Bearing paragraphs 7.9 to 7.31 the site is capable of forming a sustainable urban extension in terms of Core Strategy policy. Whilst this site and the recently approved 400 houses adjacent were not supported as an Allocation in the Draft Sites and Policies DPD this was principally because the DN7 / Unity initiative was the preferred location for meeting the housing target.

7.39 The main development plan policy issues therefore are:

- Is the proposal in conformity with Core Strategy Policy CS2?
- Will the scale and location of the proposed housing development undermine delivery of the DN7 project which is a supported project in the Core Strategy?

7.40 The Core Strategy support for DN7 / Unity could be undermined by the scale of housing development permitted outside its boundaries. However, given the limited scale of the proposed development, it is not considered that the current proposal would result in significant potential to undermine the proposal.

7.41 Whilst it is clear that the proposal would result in the construction of an additional 9 dwellings, the proposal would not significantly impact on the Council's housing need

supply figure. The proposal does not meet the triggers for affordable housing, public open space or education contributions. Although the proposal would contribute to housing supply, the modest number of houses would not contribute significantly to the Councils house need and as such this carries limited weight in favour of the application.

Impact on neighbouring properties

7.42 The properties most like to be affected by the proposal are those located on Lings Lane, in-particular 12 Lings Lane (to the east), The Gables and Fairholme (which lie to the north of the development site.)

7.43 The orientation and siting of the proposed dwellings has been carefully considered and is deemed acceptable. The rear elevation of number 12 Lings Lane would face onto the side elevation of plot 8 some 27m away. This is far in excess of the required separation distance that being 12m.

7.44 The rear elevation of Plot 8 would face northwards and exceeds the required 10m distance to the northern boundary and as such is not considered to result in overlooking of neighbouring amenity areas in particular the Gables or Fairholme.

7.45 Turning to the internal layout of the development, the proposal meets the necessary separation distances and represents a well laid out, spacious development proposal that is easy to navigate.

7.46 Consideration has also been given to the potential impact on the recently approved development scheme (16/00998/OUTM) for 400 dwellings to ensure that the proposal would not give rise to the potential for overlooking, over dominance or loss of privacy. The properties most likely to affect the neighbouring approval would be plots 159 ,160 and 163 - 168 however these properties are set back 22m from the boundary of the application site and this is in excess of the 21m guidance for separation. With this in mind, the current proposal would not give rise to issues of overshadowing, over dominance, overlooking or loss of privacy. Overall the impact is considered to be low and consequently carries modest weight in favour of the application.

Setting of Listed Building

7.47 130m south of the site is the grade 2 listed Lings Mill and its associated buildings. The Lings Mill complex includes the 4 storey Lings Mill, a Grade 2 listed mill dating from the late C18th or early C19th, its ancillary buildings, the mill house (which is a modern replacement of the original building), and an L shape group of outbuildings. It is acknowledged by the Conservation Officer that there is a recent approval (16/00998/OUTM) for a substantial residential development of up to 400 dwellings on a large site bounding 2 sides of the proposal site with access from Doncaster Road.

7.48 From the mill tower there are views over the countryside particularly to the east but the main perception from here is of a developed landscape. The recent approval for land to the west will have some adverse impact on the setting by reducing its agricultural character and restricting views from the west although significantly the approved masterplan shows landscaping and hedge to Lings Lane will remain and there is a landscape buffer proposed for the area adjacent to the lane and bounding the application site and therefore the impact of the proposal has sought to integrate the development with its surroundings.

7.49 The proposed dwellings are 2 storeys (8m to the ridge) executive style detached buildings and the density is similar to elsewhere on Lings Lane. The frontage buildings have good separation distances with mainly modern 2m separation in the interior of the site.

7.50 Any development on the fields between Doncaster Road and Lings Lane reduces the agricultural character of the area. However, given the adjacent approval the Conservation Officers opinion is there cannot be a conservation objection on grounds of setting to the principle of infilling of the field which is separated from the listed mill by part of the approval site. The listed mill is not visible from the lane adjacent to the application site but there are views back to the site from the lane adjacent to the mill. In addition, from here the buildings proposed for the south of the application site will be viewed over the landscape buffer of the large residential site thereby reducing its visual impact and the adverse impact on the setting of the heritage asset.

7.51 The main conservation concern is the impact on the frontage to Lings Lane and the retention of its 'rural lane' character with unverged road and hedge to each side approaching the mill site. The retention of trees to the boundary which are prominent in the flat landscape as well as some hedge boundary is welcomed but a wide over engineered access would be detrimental to the character of the area. The Conservation Officers comments have taken into account the design of the proposed access which is set out and considered in the highways section of this report at paragraph 7.58 .As the proposed footpath to the frontage has been removed and the hedgerow is to be retained, the principle conservation interests are to be retained. Consequently this weighs in favour of the application carrying modest weight.

Drainage

7.52 During the course of the application Yorkshire Water and Doncaster's Internal Drainage Team have been consulted. No objections have been received in relation to the application in terms of the proposed drainage, however a suitably worded condition has been suggested seeking information in relation to the disposal of foul and surface water drainage.

7.53 The site lies within Flood Risk Zone 1, the lowest possible area of flood risk.

Ecology and Wildlife

7.54 The proposed development is within the Impact Risk Zone of the SSSI Thorne and Hatfield Moors however Doncaster's ecologist does not consider that it would have any significant impact upon the statutory site.

7.55 Furthermore Doncaster's Ecologist considers that the internal features of the site which comprise amenity grassland and scattered mature trees are of no significant ecological value.

7.56 The hedgerows around the site are valuable in that they can provide a foraging and nesting site for birds as well as a shelter and food resource for invertebrates. A concern was raised by Doncaster's Ecologist, Conservation Officer and Tree Officer that an over engineered access could give rise to the loss of the hedgerow which would detrimentally effect the only ecologically aspect of the site. This is dealt within in paragraph 7.58, .however in short the footpath to the frontage has now been removed and the hedgerow is to be retained as part of the proposal. No objections have been raised in respect to the application from an ecology perspective.

Trees and Landscaping

7.57 Much like Doncaster's Ecologist and Conservation Officer, Doncaster's Tree Officer initially raised concerns with the initial plans for a engineered footpath leading from the site which would have a detrimental impact on the existing hedge. As previously set out this has now been removed and the concerns overcome. As a consequence, the tree officer has raised no objections to the proposal subject to the inclusion of a condition relating to the protection of trees.

Highways and Parking

7.58 Highways Development Control had initially set a requirement for a 2m wide footway along the site frontage. However in reviewing the swept path analysis results, and considering the issues raised by the tree officer, ecologist and conservation officer, it is considered perhaps more appropriate in this instance to reconsider the footway requirement and widen the carriageway to a min 4.8m on the eastern side of Lings Lane from the main site access tying in to a point approximately where the extent of proposed footpath is shown on the site layout. Consequently an amended plan has been submitted and considered by Doncaster's Highways Development Control team who have raised no objections to the proposal subject to suitably worded conditions.

EIA Development

7.59 The EIA Regulations relate to a European Union Directive (Directive 85/337/EEC as amended), and give planning authorities a means of ensuring that they can take account of the environmental implications of individual developments in their decisions on planning applications.

7.60 The EIA Regulations only apply to certain types of development, and before the Local Planning Authority can request an EIA it must determine whether the proposal is subject to the Regulations and can be classified as 'EIA development', and decide whether EIA is required in that particular case. This process is called 'screening' and there are two ways in which it can be applied:

1. A developer can ask the planning authority to give an EIA screening opinion before the application for planning permission is submitted.
2. Where a planning application has been submitted without an environmental statement and alternatively no request has been made in the past for a screening opinion, the planning authority has the right to adopt an EIA screening opinion for the proposal, which will determine whether or not the scheme requires EIA.

7.61 Whilst it is recognised that a screening opinion and/or scoping opinion have not been submitted prior to the submission of the application, the Council has undertaken a screening exercise as part of the assessment of the application. The proposal as submitted does not fall within Schedule 1 or Schedule 2 of the EIA regulations and therefore an Environmental Impact Assessment is not required.

8.0 Summary and Conclusion

8.1 In considering the application having taken account of the material planning considerations including the principle of development, the impact visually and on the character of the area, highways issues, ecology considerations, the impact on

neighbouring properties, potential impacts associated with the existing hedge and the approved planning permission 16/00998/OUTM

8.2 Whilst it is clear that the development constitutes a departure from the development plan, consideration has been given the extant permission for 400 dwellings directly adjacent to the site and on balance it is considered that the proposal would represent an infilling of a parcel of land surrounded by residential development. Furthermore careful consideration has been given to the sustainability of the site finding that the site is adequately served by sustainable transport methods and access to shops and services which weighs in its favour. Whilst objections have been received by members of the public the matters raised have been considered and dealt with throughout the report.

8.3 Having balanced all of the material planning considerations, it is considered that whilst the proposal represents a departure from the development, the material planning considerations and individual merits in this case outweigh the planning harm associated with the development. No objections have been received from consultees in relation to the proposal subject to conditions and the application is therefore recommended for approval.

9.0 RECOMMENDATION

9.1 Planning permission be Granted subject to the following conditions.

01. STAT1 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. U62197 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 received 14th December 2017

Amended Site Plan - Drawing Number 1028/1A stamped amended plan 07.06.2018

Amended Plot 1 - Drawing number 1028/2 stamped amended plans 24.04.2018

Amended Plot 2 - Drawing number 1028/3A stamped amended plans 24.04.2018

Amended Plot 3 - Drawing number 1028/4 stamped amended plans 24.04.2018

Amended Plot 4 - Drawing number 1028/5A stamped amended plans 24.04.2018

Amended Plot 5 and 9 - Drawing number 1028/6A stamped amended plan 24.04.2018

Amended Plot 6 - Drawing number 1028/7 stamped amended plan 24.04.2018

Amended Plot 8 - Drawing number 1028/7A stamped amended plan 24.04.2018

REASON

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

03. U61975 Before the development commences, full details of the proposed external works soft and hard landscape including surfacing material palette, and boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved materials and details.

REASON

To ensure the satisfactory appearance of the development.

04. U61976 No development shall take place on the site until a detailed soft 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 tree numbers and details of the species, which shall comply with section 8 Landscape, Trees and Hedgerows of the Council's Development Guidance and Requirements Supplementary Planning Document, nursery stock specification in accordance with British Standard 3936: 1992 Nursery Stock Part One and planting distances of trees and shrubs; a specification of planting and staking/guying; a timescale of implementation; and details of aftercare for a minimum of 5 years following practical completion of the landscape works. Thereafter the landscape scheme shall be implemented in full accordance with the approved details and the Local Planning Authority notified in writing within 7 working days to approve practical completion. Any part of the scheme which fails to achieve independence in the landscape or is damaged or removed within five years of planting shall be replaced during the next available planting season in full accordance with the approved scheme, unless the local planning authority gives its written approval to any variation.

REASON:

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

05. MAT4 No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials, height, and type of boundary treatment to be erected on site, including any gates. Unless otherwise approved in writing by the local planning authority, the details as approved shall be completed before the occupation of any buildings on site.

REASON

To ensure the satisfactory appearance of the development.

06. U61977 No development shall take place until details of the proposed means of disposal of foul water drainage for the whole site, including details of any balancing works and off-site works, have been submitted to and approved by the local planning authority. If sewage pumping is required from any part of the site, the peak pumped foul water discharge must not exceed 5 (five) litres per second. Furthermore,

unless otherwise approved in writing by the local planning authority ,
no buildings shall
be occupied or brought into use prior to completion of the approved
foul drainage works .

REASON

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

07. U61979

No development shall commence until the Local Planning Authority in
consultation with the Lead Local Flood Authority has approved a
scheme for the provision, implementation and future maintenance of a
surface water drainage system. The development shall be carried out
in complete accordance with the approved details.

REASON

In order determine a suitable method of surface water drainage.

08. U61978

Prior to the completion of the last dwelling development, an ecological
enhancement plan shall be implemented and the evidence of this
submitted to the LPA for approval in writing. This plan shall include
details of the following measures

- o 3 No. bat boxes of the integrated bat brick type or flush fitting
Schwegler IFQ or similar to be sited on separate dwellings to provide
a range of bat roosting opportunities.

- o 3 No. bird boxes suitable for house sparrows to be affixed to
the western or eastern side of dwellings

REASON

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

09. U61980

The development hereby permitted shall be carried out in complete
accordance with the schedule detailing external finishing materials
received on the 21st May 2018, unless otherwise agreed in writing by
the Local Planning Authority.

REASON

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

10. U62195

Prior to the commencement of the development hereby granted a
scheme for the protection of all retained trees that complies with
clause 6.2 of British Standard 5837: 2012 Trees in Relation to Design,
Demolition and Construction - Recommendations shall be submitted
to and approved in writing by the Local Planning Authority. Tree
protection shall be implemented on site in accordance with the
approved details and the local planning authority notified of
implementation to approve the setting out of the tree protection
scheme before any equipment, machinery or materials have been
brought on to site for the purposes of the development. Thereafter, all
tree protection shall be maintained in full accordance with the
approved details until all equipment, machinery and surplus materials
have been removed from the site, unless the local planning authority
gives its written approval to any variation. Nothing shall be stored or
placed in any area fenced in accordance with this condition and the
ground levels within those areas shall not be altered, nor shall any

excavation be made, without the written consent of the Local Planning Authority.

REASON:

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

11. HIGH1 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.
11. HIGH1 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.
12. HIGH11 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.
13. U62198 The development authorised by this permission shall not begin until the local planning authority has approved in writing a full scheme of off-site highway improvement to Lings Lane. The occupation of the development shall not begin until those works have been completed in accordance with the local planning authority's approval.
REASON
In order to ensure the satisfactory widening of Lings Lane
14. U62199 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.
REASON
To ensure that the highway drains adequately
15. U62200 Before the development is brought into use, the visibility splay as shown on the approved plan shall be rendered effective by removing or reducing the height of anything existing on the land within the splay which obstructs visibility at any height greater than 900mm above the level of the nearside channel of the public highway. Reason: In the interests of highway safety.
REASON
In the interest of highway safety.

Informatives

01. U12562 INFORMATIVE - Highways

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). 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 of the new access road 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.

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

Street lighting design and installation is generally undertaken by the Local Highway Authority. There is a fee payable for this service and the applicant should make contact with Malc Lucas - Tel 01302 735110 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.

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.

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

The existing bus stop in the vicinity of Westminster Crescent / Atholl Crescent requires re-positioning as part of the scheme. This shall include the re-siting of the bus stop, new pole and hardstanding. All costs associated with this shall be borne by the applicant. The new location of the bus stop has been agreed with the SYPTTE and Council Highways Regulation Engineer. These works are to be completed prior to first occupation of any property.

02. IQ171 INFORMATIVE
The developer shall consider incorporating all possible sustainability features into the design of the proposed development.

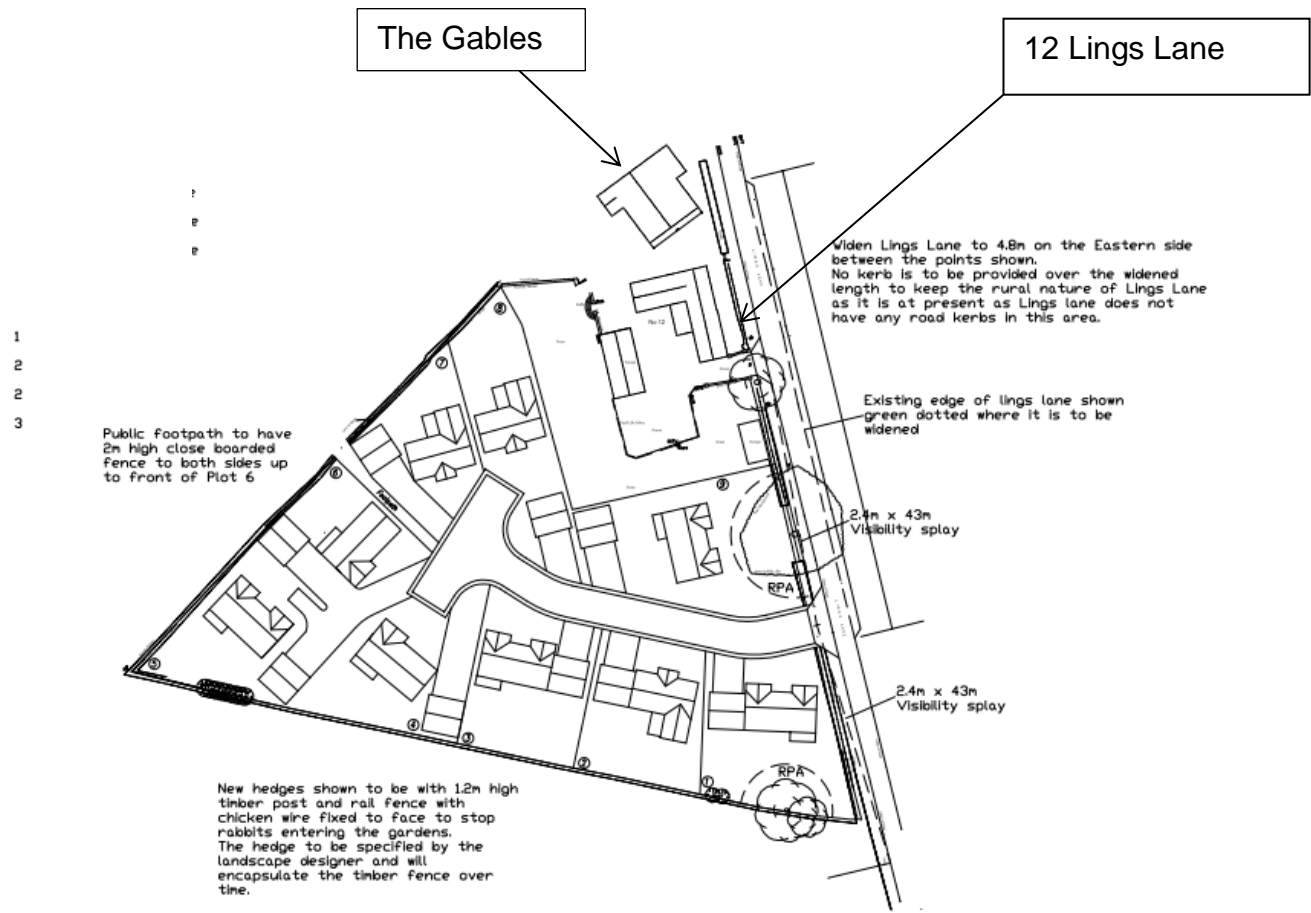
03. INF1B INFORMATIVE
The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

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

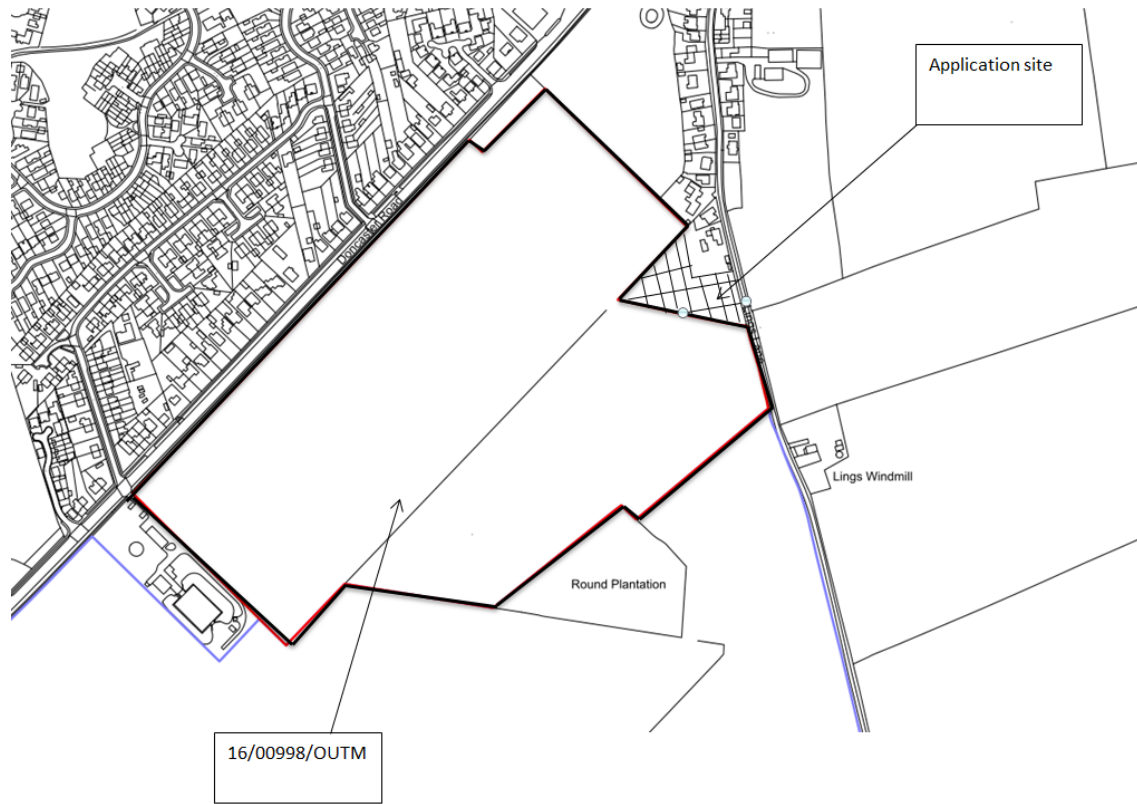
This Standing Advice is valid from 1st January 2017 until 31st December 2018

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.

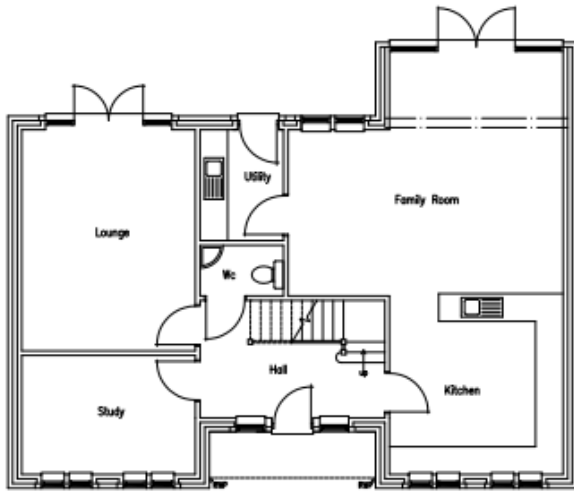
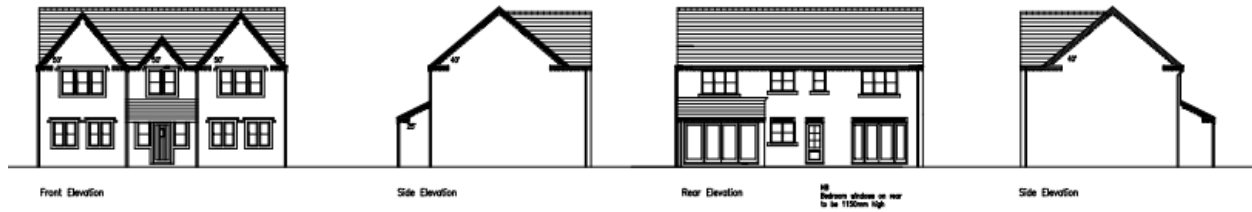
Appendix 1 – Proposed Site Plan



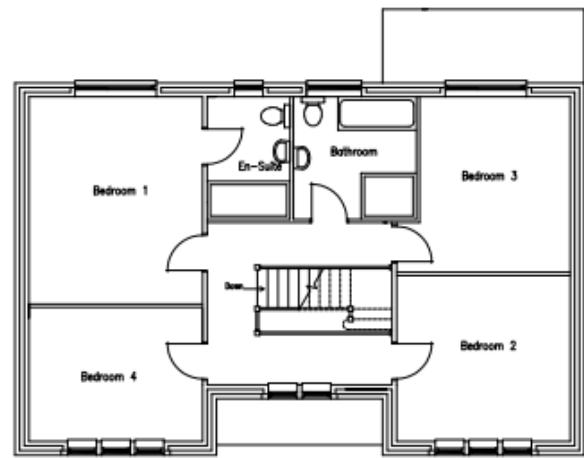
Appendix 2 – Location Plan and site context with application 16/00998/OUTM



Appendix 3 – Example of elevation and floor plans (plots 5 & 9)



Ground Floor Plan View



First Floor Plan View