

DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE – 25th June 2019

Application	3
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Application Number:	17/01021/FULM	Application Expiry Date:	17th October 2017
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Application Type:	Planning FULL Major
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Proposal Description:	Proposed erection of 57 apartments with associated ancillary and parking following the demolition of the former NHS clinic
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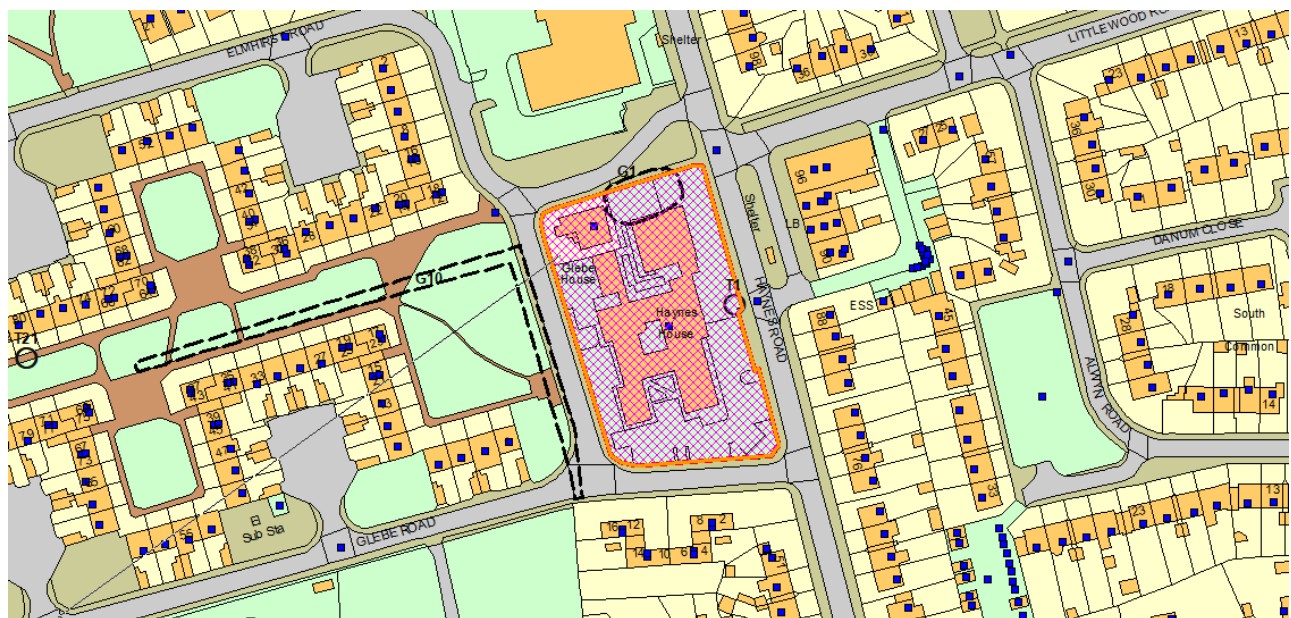
At:	Glebe House Haynes Road Thorne Doncaster
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For:	Mr Haydar Ulus
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Third Party Reps:	42	Parish:	Thorne Town Council
		Ward:	Thorne And Moorends

Author of Report	Garry Hildersley
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MAIN RECOMMENDATION:	GRANT
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1.0 Reason for Report

- 1.1 The application is being presented to Members having generated significant public interest and having been requested by Councillor Houlbrook and Councillor Durant.

2.0 Proposal and Background

- 2.1 This application seeks full permission for the erection of 57 apartments and associated infrastructure, access and parking following the demolition of an existing NHS building.
- 2.2 The existing NHS building is presently redundant and unoccupied being boarded up. The current building occupies a large footprint within the site boundary with the building largely a two storey flat roofed, detached building constructed from a buff coloured brick measuring approximately 1,246sqm. A dwarf wall bounds the site constructed from a similar brick to that used in the existing building. Along the northern boundary of the site lie a group of trees protected by a Tree Perseveration Order (TPO). Access to the site was previously taken from Haynes Road and Glebe Road. To the north west corner of the site lies Glebe house which is a 2 storey detached building which at the time of visiting was not in use and was boarded up.
- 2.3 To the north of the application site lies Thorne Sports Centre, a detached buff brick building approximately 10.2m in height.
- 2.4 The surrounding area is largely residential in nature made up of 2 storey terraced properties to the east and north east. To the south of the site lie a block of 2 storey flats in a roughly 'U' shaped formation. Directly opposite the site (east) lie a row of flats with a ground floor shop occupying 96 Haynes Road.
- 2.5 To the west of the application site lie a row of protected trees situated on the edge of a grassed area surrounded by residential properties to the north, south and west.

3.0 Relevant Planning History

97/1024/P - Erection of ground floor lounge extension (5.70m x 3.65m) to residential home (being application under regulation 3 of the Town & Country Planning General Regulations 1992). Application approved 11.06.1997

4.0 Site Allocation

- 4.1 The site is allocated as Residential Policy Area as defined by the Doncaster Unitary Development Plan (Proposals Map) 1998. The relevant policies make clear that residential development is acceptable in principle providing it would not adversely affect neighbouring properties or detrimentally affect the character of the surrounding area.
- 4.2 A neighbourhood plan is in preparation for Thorne and Moorends and is currently in what is known as Regulation 14 status meaning that consultation and publicity has taken place. Regulation 14 consultation ended on 12th December 2016. The Neighbourhood Plan Working Group are making some amendments to the Neighbourhood Plan and will then re-consult for 6 weeks. It is considered, in line with the National Planning Policy Guidance that the Neighbourhood Plan is a

material consideration and carries more than limited weight. Moderate weight is attached to the policies contained within the Thorne and Moorends Neighbourhood Plan. The relevant policies are outlined as follows:

H2 - Development of non-neighbourhood plan allocated housing sites

H3 – Housing Mix

H4 – Affordable Housing

Relevant, Local and National Policies

4.3 National Planning Policy Framework 2019 (NPPF)

- Chapter 2 - Achieving sustainable development
- Chapter 5 - Delivering a sufficient supply of homes
- Chapter 6 - Building a strong competitive economy
- Chapter 8 - Promoting healthy and safe communities
- Chapter 9 - Promoting sustainable transport
- Chapter 12 - Achieving well-designed places
- Chapter 14 - Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 - Conserving and enhancing the natural environment
- Chapter 16 - Conserving and enhancing the historic environment

4.4 Core Strategy 2011 - 2028

In May of 2012 the LDF Core Strategy was adopted and this replaced many of the policies of the Unitary Development Plan (UDP); some UDP policies remain in force (for example those relating to the 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 4: Flooding

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

CS 17: Providing Green Infrastructure

4.5 Saved Unitary Development Plan Policies

ENV 59 - Protection of trees

PH11 - Existing residential policy areas

4.6 Local Plan

The emerging Doncaster Local Plan will replace the UDP and Core Strategy once adopted. The Council is aiming to adopt the Local Plan by summer 2020. Consultation on the draft policies and proposed sites took place during September and October of last year and the Local Plan is due to be published in early summer 2019. Given the relatively early stage of preparation of the emerging Local Plan,

the document carries limited weight at this stage, however the policies most appropriate to this proposal are as follows:

Policy 1 reinforces the guidance within the NPPF in that there should be a presumption in favour of sustainable development.

Policy 2 sets out the settlement hierarchy for the borough and states that at least 40% of new homes will go to main towns.

Policy 8 sets out the requirements for the range of housing including the need for affordable housing.

Policy 14 seeks to promote sustainable transport within new developments.

Policy 29 deals with open space provision in new developments.

Policy 43 deals with the need for good urban design.

Policy 57 requires the need for satisfactory drainage including the use of SuDS.

Policy 66 deals with developer contributions.

Other material planning considerations

- The Doncaster Green Infrastructure Strategy 2014 - 2028
- Doncaster Development and Flood Risk SPD (dated Oct 2010)
- Doncaster Development and Design Requirements SPD (dated July 2015)
- Doncaster's Economic Growth Plan 2013-18
- Doncaster's Borough Strategy 2014
- Doncaster Health and Wellbeing Strategy 2016- 2021
- Doncaster Growing Together

5.0 Representations

5.1 The application was submitted on 18th July 2017 and advertised via site notice and press notice on 03rd August 2017. Following this publicity, 25 letters of objection were received.

5.2 The application has been re-advertised three further times following amendments to the scheme and objections have been consistently been received.

5.3 In total since the original submission 42 Letters of objection have been received although some of these have been from the same objectors writing in respect of amended schemes. A summary of the material planning issues raised is set out below. Each of these concerns will be addressed within this report:

- Concerns about the height of the proposed building
- Concerns about the size of the dwellings
- Concerns in relation to excessive traffic
- Concerns in relation to overlooking
- The development is out of character
- The development will result in noise pollution
- The ground floor parking could give rise to anti-social behaviour
- The proposal represents an over development of the site
- Concerns the proposal will result in overshadowing
- Concerns about the impact of the development on trees
- Concerns about the design of the building
- Concerns about drainage and surface water runoff
- Concerns about lack of open space
- Concerns about the removal of waste from the development

5.4 Non material planning considerations raised include:

- Concerns about who the future occupants of the dwellings will be
- Concerns about loss of a view
- Concerns about de-valuation of property
- The proposal would block out the light of neighbouring properties

6.0 Town Council

The Town Council objected on the 5th January 2018 raising the following concerns:

1. The proposal to erect a four storey building is totally out of character with the surrounding area
2. The height of the building is not in keeping with the surrounding development
3. The proposed development will create road traffic problems
4. Lack of adequate car parking is a concern.
5. Access and egress problems will arise.
6. Pressure will be placed on the provision of available school places and local medical services.

7.0 Relevant Consultations

SY Architectural Liaison Officer - No objections subject to designing out crime requirements

National Grid - No comments received

Environment Agency - No objections subject to condition

South Yorkshire Fire and Rescue - No comments received

Yorkshire Water - No objections subject to conditions

DMBC Affordable Housing - Requirement for 26% on site affordable housing

Area Manager - No comments received

DMBC Ecology - No objections subject to condition

DMBC Tree Officer - No objections subject to condition

DMBC Internal Drainage - No objections subject to conditions

DMBC Education - Education contributions required

DMBC Environmental Health - No objections subject to condition

DMBC Public Rights of Way - No objections

DMBC Housing Policy - No objections

DMBC Highways Development Control - No objections

DMBC Transportation - No objections

DMBC Design Officer - Reservations with regard to lack of active frontage at ground floor

DMBC Open Space Officer - Open space contributions 15%

DMBC Pollution Control - No objections subject to conditions

DMBC Conservation - No objections

8.0 Planning Issues and Discussion

Introduction

8.1 The proposal seeks permission for the demolition of the former NHS building and redevelopment of the site with a block of 57 apartments and associated infrastructure including car parking provision. In considering the proposal the main material planning considerations are outlined below:

- The acceptability of residential development
- The impact on the character of the area
- The impact on neighbouring residential properties
- The impact on the highway network and whether there are enough parking spaces
- The impact on the existing trees
- Flooding and Drainage issues
- Financial contributions and viability

8.2 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

Appropriateness of the proposal

8.3 The NPPF seeks to significantly increase the overall quantity and quality of housing and to ensure that it is built in sustainable locations. Policy PH11 (a) of the UDP accepts the principle of residential development in a residential policy area providing the character of the area or local facilities are maintained and neighbour amenity is protected.

8.4 The application site is located within the settlement boundary of Thorne where the principle of new residential development is acceptable. That said, consideration should be given to the potential impact of the development on neighbouring residential properties, its impact on the highway network and the suitability of the design.

Impact upon the character and appearance of the surrounding area

- 8.5 Policies CS1 and CS14 of the Core Strategy and Policy PH11 of the UDP requires that all proposals in Doncaster must be of high quality design that respects the character of the area in regard to a number of principles of good design. These include being of a form, density, and layout sympathetic to the area. Objectors are concerned that the proposed building will adversely affect the character of the area and are particularly concerned about the buildings height.
- 8.6 The surrounding area is characterised by two storey terraced properties and 2 storey blocks of flats (south). To the north of the site lies Thorne Sports Centre which measures 10.2m in height. The existing building on the site is predominantly two stories with single storey wings to the north and a two storey detached building in the north western corner of the site.
- 8.7 The proposed building measures 12m in height and is set back from Haynes Road by approximately 11.6m. The applicant has provided 3D visuals of the proposed building and these have been made available via Doncaster's Public Access page. In short, it shows a buff coloured building with ground floor cladding, dwarf walls and landscaping. The visuals show a landscaped bund to the front of building adjacent to Haynes Road. A copy of the 3D visuals will be presented to the planning committee during the presentation.
- 8.8 During the course of the application Doncaster's urban design officer had raised concerns that the removal of the ground floor accommodation has removed the active street frontage from the ground floor. The applicant has sought to soften the appearance by introducing a small bund which would be landscaped. Appendix 1 shows the revised scheme and the proposed landscaping.
- 8.9 The applicants have sought to balance the need for parking spaces together with addressing the Environment Agency's concerns against the need for an active street frontage. It is considered that the amended scheme goes some way in achieving this balance. Doncaster's Urban Design officer has commented that the landscaping will play an important role to ensure a high quality scheme and facilitate natural surveillance. Whilst the landscaping that has been shown on the plans is indicative, it can be secured via a planning condition. Moreover details in respect to the finishing material of the building have also been reserved by condition.
- 8.10 The site is currently occupied by the former NHS building which is currently vacant. It is therefore reasonable to determine that the site fits with the definition of a brownfield site often referred to as a site that has been previously developed. Paragraph 118 of the NPPF states that Planning policies and decisions should:
- c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land.
- 8.11 The proposal to develop a brownfield site would promote and make effective use of land in accordance with paragraph 118 of the NPPF and would look to provide additional homes, something that the government attaches great importance to.
- 8.12 The principle of residential development on site is considered acceptable in principle and this weighs significantly in favour of the application. In addition and in

line with paragraph 118 substantial weight should be given in favour of the application to utilising suitable brownfield land within settlements.

Sustainability

- 8.13 It is recognised that the application site lies within the residential envelope of Thorne and as set out above, would seek to utilise the develop a brownfield site. Consideration should be given as to whether the proposal is sustainable economically, socially and environmentally.
- 8.14 Thorne is designated within Policy CS2 as a Growth Town and the market towns of Thorne and Mexborough have the largest town centres outside Doncaster and are important service centres for local catchments.
- 8.15 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. Land should be used efficiently and priority given to re-using well located brownfield land.
- 8.16 The nearest bus stops to the site is located directly opposite the site and to the east (11m) and to the north (37m) and is served by the 86, 85a 87 and 87a these operate on a on a hail and ride basis. These buses operate on a daily basis starting at 0629 hours and ending at 2346 hours Monday to Friday and travel to Doncaster's Town Centre and Moorends with services also running on Saturdays and Sundays.
- 8.17 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.
- 8.18 Section 9 (Promoting Sustainable Transport) of the NPPF goes into further detail on this core principle. Paragraph 108 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
 - 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.
- 8.19 Chapter 5 (Delivering a sufficient supply of homes) of the NPPF sets out that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
- 8.20 With regard to school places, paragraph 94 states that the government attaches great importance to ensuring that sufficient choice of school places is available to meet the needs of existing and new communities. Local planning

authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and
- b) work with schools promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.

8.21 As part of the application submission the proposal has included a Transport Assessment (TA) and travel plan which deal specifically with the matter of transport sustainability. The TA sets out that the development is well situated to facilitate access to a range of amenities on foot. The Institution for Highways and Transportation (IHT) offers guidance on walking distance by journey purpose, as shown in the table below:

Criteria	Commuting / School	Elsewhere (other than town centres)
Desirable	500m	400m
Acceptable	1,000m	800m
Preferred Maximum	2,000m	1,200m

(Source: IHT)

8.22 There are continuous walkways on both sides of Glebe Road in the vicinity of the site frontage and on the north side of the carriageway to Southfield Road. The surrounding routes benefit from being street lit and dropped kerbs are provided across minor access roads.

8.23 It is noted that cycling can be a substitute for car trips, particularly those of up to 5km, as well as forming part of longer journeys via public transport. Cycling, therefore, plays an important role in reducing the need to travel by car. The proposal shows a cycle store area to the north west corner of the site capable of accommodating 20 bikes.

8.24 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 Thorne. 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/facilities	Secondary services/facilities
Primary School	Secondary School
Town Centre	Shopping
Train Station	Dentist
Bus network	Library
GP	Leisure Centre
Pharmacy	Formal Public Open Space
	Informal Public Open Space
	Secondary bus network

"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."

8.25 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

8.26 The above table provides five different categories that development would fall into with respect to sustainability. Given the proximity of the site to shops and other services it would be reasonable to suggest that the site lies within a main centre location given its proximity to local services, health and education as well as access to sustainable transport.

8.27 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.

8.28 The IHT document refers to 400 metres as a desirable walking distance and 800 metres as an acceptable distance for trips on foot outside town centres (save for commuting/schools/sightseeing where the figures are instead 500m and 1000m respectively). The site lies 241m south of the Trinity Academy, 336m (as the crow flies) from Green Top Primary school and 369m from Thorne Brooke Primary School. The site lies 434m (as the crow flies) from Thorne Town Centre.

8.29 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 well in terms of access to public transport and local services. Consequently the proposal adheres to Policies CS1, CS14 of the Core Strategy.

- 8.30 Consideration should also be given to whether the proposal would be economically and environmentally sustainable.
- 8.31 The 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. As previously set out the proposal seeks to re-develop an existing brownfield site which offers little in the way of biodiversity.
- 8.32 The proposal would make a modest contribution to the local economy during the construction phase in terms of employment and provision of building materials, and thereafter through the use of services and facilities in Thorne and further afield by the occupiers of the new properties.
- 8.33 Taken in the round, considering the distance from shops and other services, its proximity to bus stops and educational/medical facilities the site is clearly sustainable socially, environmentally and economically. Overall it is considered that the sustainability of the proposal is considered to carry significant weight in favour of the application.

Impact on neighbouring properties

- 8.34 The properties most likely to be affected by the development are those situated on Haynes Road (east) and Glebe Road (south). Doncaster's Supplementary Planning Document (SPD) for residential guidance makes clear that new housing should not give rise to adverse amenity issues, particularly with respect to overshadowing, privacy and overlooking of occupiers of existing properties. Plot size, site layout, open space, landscape, garden space, building size and form, architectural style, materials, access and car parking provision and arrangement are all key design aspects of a development which will be considered in the assessment of proposals.
- 8.35 The SPD 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 (new properties should not create blank elevations or gables facing the public realm). 4 storey properties should have back to back distances of no less than 27m, with front to front distances of no less than 24m.
- 8.36 The properties on Haynes Road are located 27m at the closest point with the majority of the building being set back 29m.
- 8.37 The properties to the south on Glebe Road are separated by 18m at the nearest point, however the building has been amended to remove windows located on the south west corner to alleviate the possibility for overlooking or loss of privacy.
- 8.38 Concerns have been raised by neighbouring residents in relation to noise and disturbance generated during the construction of the development. It is acknowledged that there may be some disruption during the demolition of the existing building and erection of the 57 apartments, however this is likely to be confined short-term disruption and therefore carries limited weight.

Highways and Parking

- 8.39 As set out above, concerns have been raised by neighbouring residents about existing parking problems and the possibility that this development would result in additional pressure on the network.
- 8.40 Policy CS 14 lists quality, stability, safety and security of private property, public areas and the highway; and permeability as qualities of a successful place. Policy CS 9 of the Doncaster Council Core Strategy states that proposals will be supported which make an overall contribution to the improvement of travel choice and the transport network.
- 8.41 Paragraph 111 of the NPPF states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.
- 8.42 Consultation has taken place with Doncaster's Highways Transportation team who have commented that this development will generate a net increase in vehicle trips of 11 in the PM peak hour (1 every 5 minutes). This impact is not considered severe. Importantly, the NPPF makes clear at paragraph 109 that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."
- 8.43 Doncaster's Transportation team welcomes the inclusion of cycle parking spaces and the provision for the charging of electric vehicles within the development. On the basis of the information submitted, Doncaster's Highway Transportation Team are not concerned with the proposed development.
- 8.44 Objections have been received specifically in relation to concerns about the impact the development may have on existing parking. The proposal provides 84 Parking spaces associated with the development. Doncaster's SPD for residential design guidance sets out parking standards and states for dwelling houses and apartments the council will aim to achieve the following minimum parking standards. For apartments the development is required to provide 1.5 spaces, where 1 space is allocated and another defined shared visitor space is provided for every 2 dwellings in communal parking areas. In these circumstances, the proposal affords the required 1.5 parking spaces required and as a consequence adheres to the requirements of Doncaster's SPD.
- 8.45 During the course of the application Doncaster's Highways Development Control team have been consulted and have raised no objections to the proposal subject to suitably worded conditions. It can therefore be taken that the development is unlikely to create or aggravate highways issues and this weighs in favour of the application.

Flooding and Drainage

- 8.46 The application site lies within an area designated as Flood Risk Zone 3 benefiting from flood defences. The initial scheme sought permission for residential development at all levels including the ground floor. Initially the Environment Agency objected to the proposal on the basis that the development failed to comply with the requirements set out in the NPPF and failed to establish consistent finished floor levels in line with the Doncaster's SFRA.

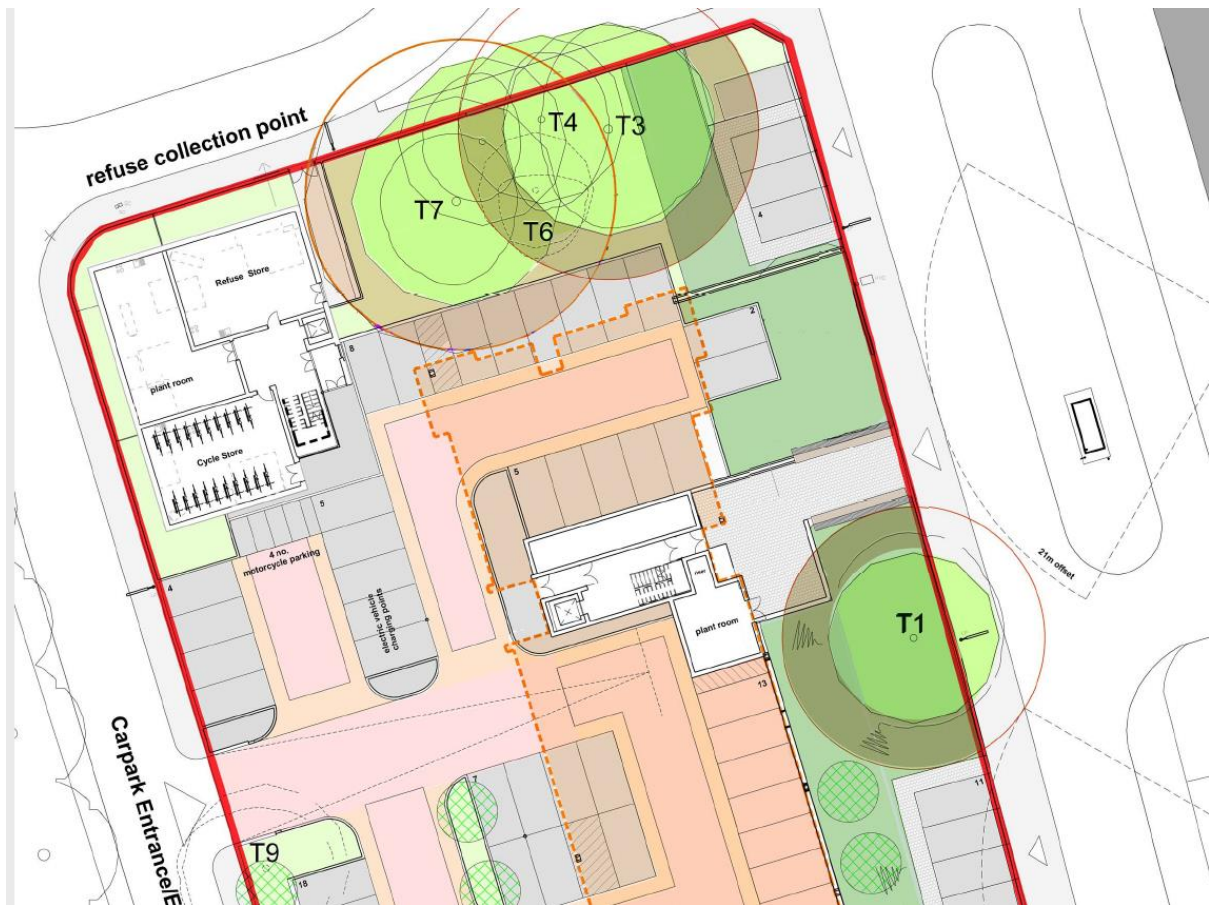
- 8.47 Following this, the scheme was amended to remove the ground floor accommodation, replacing it with undercover parking. The Environment Agency were re-consulted and subsequently removed their objection subject to suitably worded conditions.
- 8.48 The Environment Agency in their consultation response have stated that the application of the Sequential Test requires an assessment by the LPA to determine whether or not the development is 'appropriate' for the Flood Zone(s) it is in and whether other sites at lower flood risk are reasonably available
- 8.49 The NPPF makes clear that residential developments within high flood risk zones should look to apply the Sequential Test (ST). Paragraph 158 sets out that the aim of the sequential test is to steer new development to areas with the lowest risk of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding.
- 8.50 A separate Sequential Test (ST) document has been provided during the course of the application and looked to define the area of search to the settlement limits of Thorne and Moorends. The ST has given consideration to the Housing and Economic Land Availability Assessment (HELAA) updated report (July 2017). The ST identified a large number of site within Thorne and Moorends, however the majority of these sites fall outside the residential policy area boundaries and as such were discounted. Other sites within Thorne have been discounted due to their size and already having planning permission. Even in combination the two smaller sites identified are not large enough to accommodate the proposal. On this basis, the proposal is considered to pass the Sequential Test.
- 8.51 The NPPF makes clear that should the ST be passed then consideration should be given as to whether there is a need to consider the Exceptions Test. Table 3: Flood risk vulnerability and flood zone 'compatibility' sets out the circumstances where the Exceptions Test should be applied. Residential development is classed as more vulnerable and this in combination of the site being classified as Flood Risk Zone 3 triggers the need for an Exceptions Test.
- 8.52 At paragraph 160 of the NPPF it states that the application of the exception test should be informed by a strategic or site-specific flood risk assessment, depending on whether it is being applied during plan production or at the application stage. For the exception test to be passed it should be demonstrated that:
- a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
 - b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.
- 8.53 The applicant sets out that the scheme is surrounded by residential development and is located in a sustainable location with good access to local amenities and services and is well served by public transport links. Thorne Town Centre is within a 10 minute walk from the site to the west.
- 8.54 The application proposes the redevelopment of a brownfield site within the defined settlement limits of Thorne, which is one of the Borough's largest and most sustainable settlements. There is an identified need to bring forward more housing

sites in the town. The development of the site will make a contribution to housing supply in the Thorne and Moorends area.

- 8.55 The development can provide wider sustainability benefits to the site by offering landscaping enhancements to the immediate surrounding area. Improvements to the public realm at street level are also proposed. The scheme would also result in an overall betterment on the existing drainage situation not only within the site but also in the surrounding area. On this basis it is considered that the proposal has passed part a) of the exceptions test.
- 8.56 As previously set out the proposal has been amended to remove the ground floor element of the development and replaced it with parking meaning that the finished floor levels would exceed the 4.4m AOD outlined within Doncaster's Strategic Flood Risk Assessment. This has significantly reduced the flood risk associated with the development resulting in a development that would be safe for the lifetime of the development. In addition, the proposal would seek to replace an existing building covering the majority of the site and it is therefore considered that the replacement building would not create issues of flooding elsewhere within the locality.
- 8.57 Balancing all matters, it is considered that the proposal passes both sections of the Exceptions Test.

Trees and Landscaping

- 8.58 A grouping of trees have been subject to a Tree Preservation Order to the north of the site containing Norway Maples (T1, T3, T4) and Horse Chestnuts (T6, T7). Concerns were initially raised in relation to the position of the proposed apartment block in proximity to the existing trees as it would have significantly reduced the health and amenity value of the trees. As a consequence, the scheme has been amended to move the building away from the aforementioned trees as indicated below:



8.59 Following these amendments, Doncaster's Tree Officer was re-consulted and no objections were raised subject to suitably worded conditions.

Ecology and Wildlife

8.60 Doncaster's ecologists has been consulted during the course of the application and have raised no objection to the proposal. A bat survey has been carried out and it concluded that no bats were currently using the building proposed for demolition as a roost site. It is therefore recommended that the proposed demolition can be carried out without the requirement of further surveys. As the demolition of the building has not taken place within 18months of the survey a suitably worded condition has been suggested requiring additional surveys.

Planning Obligations

8.61 Paragraph 54 of the NPPF states that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

8.62 In paragraph 56 it is stated 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.

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

Affordable Housing

- 8.63 To accord with policy CS 12 of the Core Strategy, the scheme should provide 26% on site affordable housing, as more than 15 dwellings are proposed.

Public Open Space

- 8.64 Core Strategy Policy CS 17 states that proposals will be supported which have regard to local standards and opportunities, and help to address deficiencies, by making an appropriate contribution to sport, recreation and related community uses by providing suitable and appropriate, on-site (or an equivalent contribution towards off-site contribution). Policy RL 4 states that the Borough Council will seek to remedy local public open space deficiencies within existing residential areas and will require the provision of local public open space, principally of benefit to the development itself, however part (c) states that where the size of the development is such that 10-15% of the site area would result in an area of local public open space of less than 0.4ha the Borough Council may require the applicant to provide a commuted sum in lieu an area of open space to be used for the creation of a suitable area of open space elsewhere or for the enhancement of an area of existing public open space in the vicinity of the development site.
- 8.65 The 2013 Green Space Audit shows the Thorne community profile area is deficient in informal open space and public parks. As the Green Space Audit shows both accessibility issues and a variety of open spaces deficiencies, 15% commuted sum (in line with policy RL4) would be required for this development proposal. The external viability consultant considers that the existing use value is considered to be in the range of £300,000 and £400,000 and taking the middle of these figures results in a fair and reasonable land value to be £350,000. Therefore 15% of this would be £52,500.

Education

- 8.66 Policy CS 1 (A) of the Core Strategy states that as a means to securing and improving economic prosperity, enhancing the quality of place, and the quality of life in Doncaster, proposals will be supported which contribute to the Core Strategy objectives and in particular provide opportunity for people to get jobs, learn new skills, and have access to good quality housing, local services, sport, leisure, religious and cultural facilities. As such, the Education team have been consulted and 8 additional primary school places are required and 6 additional secondary school places with a combined total of £206,926.

Viability

- 8.67 Paragraph 57 of the NPPF states where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including

whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force.

- 8.68 The applicant has provided a viability assessment and this has been sent to an independent viability consultant (Andrew Golland). He has considered the information contained within the viability assessment and has concluded that the scheme is unable to provide any developer contributions. The viability consultant has determined that the development would produce very little in the way of profit margins. In order to make a scheme viable, there is an expectation that the developer would achieve a profit of between 15 -20%. In this case profit margins are considerably lower meaning that the scheme would be unviable if developer contributions were required.
- 8.69 Whilst clearly developer contributions are necessary in order to make the scheme acceptable, this has to be weighed against all other material considerations including development in a sustainable location, the development of a brownfield site and the creation of additional dwellings.

9.0 Summary and Conclusion

- 9.1 The application is finely balanced. It is acknowledged that the development of the site resulting in the erection of a four storey building would inevitably alter the character and appearance of the site. That said, this alteration does not necessarily equate to harm. The applicants have sought to address issues of parking, flood risk and tree issues by altering the design of the building and these issues no longer weigh against the proposal. In addition, the building has been designed to minimise the potential impact on neighbouring properties and meets the requirements set out in Doncaster's Supplementary Planning Document (SPD). However, viability information submitted as part of the application has shown that the site is unviable and unable to provide any financial contributions. Balanced against this is the construction of additional dwellings on brownfield site and the supply of further housing in an area designated for growth.
- 9.2 Having balanced all of the material planning considerations, the proposal is considered to be acceptable subject to suitably worded conditions.

RECOMMENDATION

Planning Permission 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. U0067716 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:

Site Plan Drawing number N187-GA-00-S-DR-A-05_10-003

Proposed level floor plan – Drawing number N187-GA-00-03-DR-A-0_00-100

Block A East and North Elevations - Drawing number N187-GA-00-ZZ-DR-A-00-10-200

Block A South and West Elevations – Drawing number N187-GA-00-ZZ-DR-A-00-10-201

Block A – East Elevation Landscaping Plan – Drawing number N187-GA-00-DR-A-40-35-000

Block A contextual east elevation – Drawing number N187-GA-00-ZZ-DR-A-00-10-210

REASON

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

03. U0067717

Before the development commences, samples of the proposed external materials, including the louvered openings to the basement car park, 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 the satisfactory appearance of the development.

04. U0067718

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 hard landscape scheme should contain details of all surfacing materials to external areas and the boundary walls to the site perimeter. 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. 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.

06. 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.

07. U0067719 The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Technical Note compiled by Herrington Consulting Ltd dated 28 November 2017 (inclusive of the revised scheme drawings/ elevations appended to the Flood Risk Technical Note as indicated on page 1) and the following mitigation measures detailed within drawing numbers N187-GA-00-ZZ-DR-A-00-10-200 and N187-GA-00-ZZ-DR-A-00-10-202 and the Flood Risk Technical Note:

o Finished habitable floor levels are set no lower than 4.9m above Ordnance Datum (AOD) for Block A as shown on drawing number N187-GA-00-ZZ-DR-A-00-10-200, and 5mAOD for Block B as shown on drawing number N187-GA-00-ZZ-DR-A-00-10-202 respectively. These drawings should be read in conjunction with page 1 of the Flood Risk Technical note which confirms that ground floor habitable areas have been removed from the design and replaced with parking with all habitable areas moved to the first floor and above. The technical drawings confirm that all habitable areas will now be situated in excess of the critical flood level (CFL) as stipulated within the Doncaster Metropolitan Borough Council Strategic Flood Risk Assessment (SFRA).

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

REASON

To reduce the risk of flooding to the proposed development and future occupants.

08. U0067720 Where development commences more than two years from the date of the original protected species surveys, additional/updating surveys should be carried out to ensure that approved mitigation is appropriate for the current situation.

REASON

To ensure the ecological interests of the site are maintained in accordance with Core Strategy Policy 16 and that no offence is committed in respect of protected species legislation

09. U0067721 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.

10. U0067723 Artificial lighting shall not be installed until full and precise details have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be constructed and installed in full accordance with the approved details and shall thereafter be maintained in full accordance with the approved details.

REASON

In order to safeguard the amenity of neighbouring properties.

11. U0067724 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

12. U0067726 No development shall take place until details of the proposed means of disposal of surface water drainage, including but not exclusive to:-

- a) evidence to demonstrate that surface water disposal via infiltration or watercourse are not reasonably practical ;
- b) evidence of existing positive drainage to public sewer and the current points of connection; and
- c) the means of restricting the discharge to public sewer to the existing rate less a minimum 30% reduction, based on the existing peak discharge rate during a 1 in 1 year storm event, to allow for climate change

have been submitted to and approved in writing by the Local Planning Authority.

Furthermore, unless otherwise approved in writing by the Local Planning Authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works.

REASON

To ensure that no surface water discharges take place until proper provision has been made for its disposal and in the interest of sustainable drainage

13. U0067727 Surface water run-off from hardstanding (equal to or greater than 800 square metres) and/or communal car parking area (s) of more than 49 spaces must pass through an oil, petrol and grit interceptor/separator of adequate design that has been submitted to and approved by the Local Planning Authority, prior to any discharge to an existing or prospectively adoptable sewer .
REASON
To prevent pollution of the aquatic environment and protect the public sewer network

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

02. U0013137 INFORMATIVE
Any works carried out on the public highway by a developer or any one 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.

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 and debris on the highway is an offence under provisions of The Highways Act 1980.

03. U0013138 INFORMATIVE
Protected species such as bats may currently be or may have previously occupied a structure subject to this permission. It is an offence under the Regulation 41 of the Conservation Regulations 2010/ Art 12 Habitats Directive and Section 9 of the Wildlife and Countryside Act (1981) as amended; to deliberately kill, injure, or disturb all species bats or damage or obstruct a known bat roost whether occupied or not. All operations carried out must take into account the potential to commit an offence under this legislation.

04. U0013139 INFORMATIVE
The trees at the northern end of the site and the maple tree adjacent to the eastern boundary are subject to Doncaster Borough Council Tree

Preservation Order (No.388) 2016 Haynes House, Haynes Road, Thorne. It is a criminal offence to prune without consent or wilfully damage any protected tree. Failure to implement the above Planning Condition which seeks to protect the trees may be deemed to constitute wilful damage and may result in criminal proceedings being instigated by the Council. The Council operates a free advisory service in assisting in tree protection.

05. U0013140 **INFORMATIVE**

The developer is proposing to discharge surface water to public sewer however, sustainable development requires appropriate surface water disposal and Yorkshire Water promotes the surface water disposal hierarchy. The developer must provide evidence to demonstrate that surface water disposal via infiltration or watercourse are not reasonably practical before considering disposal to public sewer. Only as a last resort, and upon receipt of satisfactory evidence to confirm the reasons for rejection of other methods of surface water disposal, curtilage surface water may discharge to public sewer. Surface water discharges to the public sewer must have a minimum of 30% reduction based on the existing peak discharge rate during a 1 in 1 year storm event.

Surface water run-off from communal parking (greater than 800 sq metres or more than 50 car parking spaces- I believe 84 spaces are proposed) and hard standing must pass through an oil, petrol and grit interceptor/separator of adequate design before any discharge to the public sewer network. Roof water should not pass through the traditional 'stage' or full retention type of interceptor/separator. It is good drainage practice for any interceptor/separator to be located upstream of any on-site balancing, storage or other means of flow attenuation that may be required.

Due regard has been given to Article 8 and Protocol 1 of Article 1 of the European Convention for Human Rights Act 1998 when considering objections, the determination of the application and the resulting recommendation. It is considered that the recommendation will not interfere with the applicant's and/or any objector's right to respect for his private and family life, his home and his correspondence.

Reasons(s) for Granting Planning Permission:

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

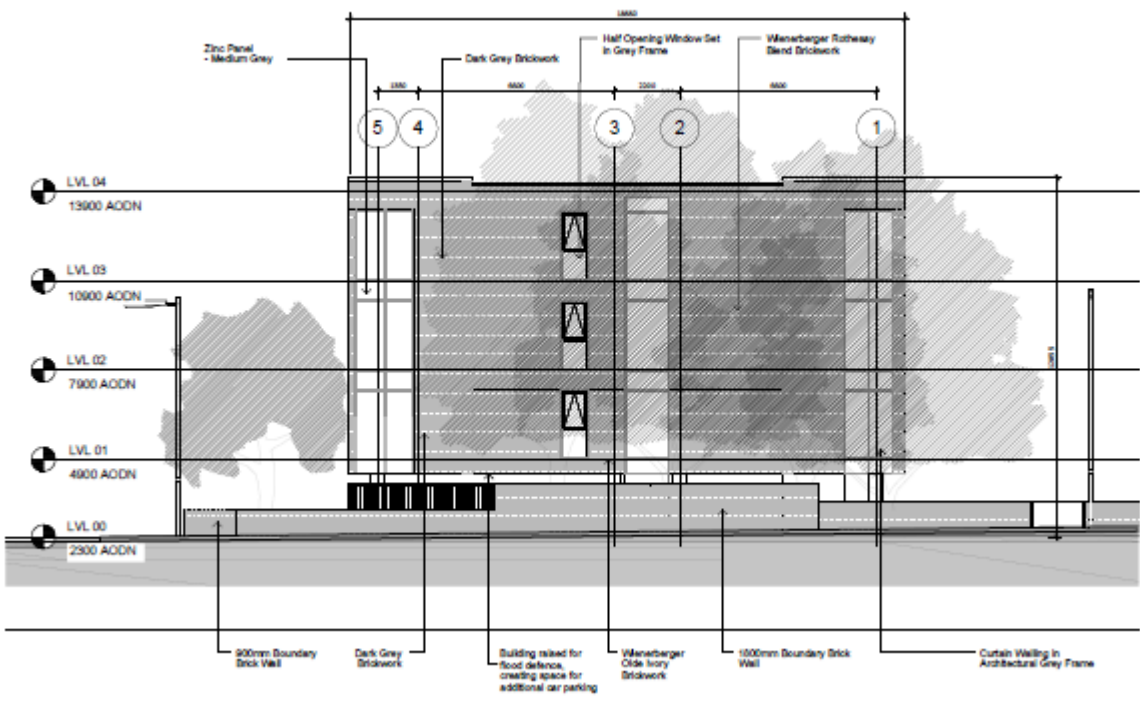
In dealing with the application, the Local Planning Authority has worked with the applicant to find solutions to the following issues that arose whilst dealing with the planning application:

- Amendments to the number of apartments
- Design of scheme
- Siting of the building
- Removal of ground floor accommodation

Appendix 1 – Site Layout



Appendix 2 - Proposed Elevations



Appendix 3 – Street Scene

