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<b>Application Number:</b>	19/01725/FULM
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<b>Application Type:</b>	Planning FULL Minor
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<b>Proposal Description:</b>	Change of use of former public house to ground floor retail and first floor residential including erection of extension following demolition of outbuildings
<b>At:</b>	Millstone Hotel, Westgate, Tickhill, Doncaster, DN11 9NF

<b>For:</b>	Mr Lloyd Nicholson
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<b>Third Party Reps:</b>	45 in support 195 letters in opposition 4 representations	<b>Parish:</b>	Tickhill Parish Council
		<b>Ward:</b>	Tickhill and Wadworth

<b>Author of Report:</b>	Joseph Perkins
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## SUMMARY

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

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

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

Application Site

Extension on this part of the site

Existing access to Castle and Mill Dam (Castlegate)

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



Mill Dam Pond

Tickhill Castle

## 1.0 Reason for Report

- 1.1 This application is being presented to Planning Committee as a result of the high level of public interest in this application. This application was previously reported to the planning committee on 4th February 2020. The application was deferred at the meeting in order to assess road safety concerns. Re-consultation has taken place with Highways DC and the Safer Road Team and a meeting has been held with Highways and the applicant/agent - no objections are made on the proposed development.

## 2.0 Proposal

- 2.1 Planning permission is sought for the change of use of the existing building to accommodate a ground floor retail use with 5no. flats above. The proposal also comprises an extension to the southern elevation of the existing pub to provide a new storage area and installation of an ATM within western elevation. The application proposes the insertion of a glazed panel and door into the Western Elevation to provide the access to the supermarket. The majority of features on the building are proposed to be retained however; some openings are proposed to be bricked up in order to facilitate the retail use. All of the openings that are proposed to be bricked up are within the rear (southern) elevation.

## 3.0 Site Description

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

## 4.0 Relevant Planning History

- 4.1 Application site:

Application Reference	Proposal	Decision
18/01080/FUL	Erection of new porch entrance, demolition in a Conservation Area of existing toilet block to create external seating, internal alterations, installation of disabled ramp and extension to existing boundary wall	Granted 06.07.2018

## 5.0 Site Allocation

5.1 The site falls within Tickhill Conservation Area and is designated as Residential Policy Area, as defined by the Proposals Maps of the Doncaster Unitary Development Plan (adopted in 1998). This is not in a high risk flood zone being allocated as Flood Risk Zone 1 (FZ 1)

## 5.2 National Planning Policy Framework (NPPF 2019)

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

5.4 Paragraphs 7 – 11 establish that all decisions should be based on the principles of a presumption of sustainable development.

5.5 Paragraph 38 states that Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

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

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

5.7 Comments received related to Paragraph 85 (d) of the NPPF, which states that planning policies should allocate a range of suitable sites in town centres to meet the scale and type of development likely to be needed, looking at least ten years ahead. Meeting anticipated needs for retail, leisure, office and other main town centre uses over this period should not be compromised by limited site availability, so town centre boundaries should be kept under review where necessary.

5.8 Paragraph 86 states a sequential test for Town centre uses in out of centre uses should be used to locate town centre uses in Town Centre locations and then in out of centre locations.

5.9 Paragraph 87 of the NPPF is relevant and states that when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so

that opportunities to utilise suitable town centre or edge of centre sites are fully explored. An edge of centre location is defined as “a location that is well connected to, and up to 300 metres from, the primary shopping area.” (NPPF Annex 2: Glossary)

- 5.10 Paragraph 89 of the NPPF requires an Impact Assessment for development where the creation of gross retail floor space is over 2,500m<sup>2</sup>. The proposal does not meet this threshold therefore this policy is not applicable.
- 5.11 Regarding Highways: Paragraph 109 of the NPPF states, development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 5.12 Paragraph 117 states planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or ‘brownfield’ land.
- 5.13 Paragraph 124 of the NPPF states the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.
- 5.14 Paragraph 127 states planning decisions should ensure developments will function well and add to the overall quality of the area, are visually attractive and optimise the potential of the site.
- 5.15 Paragraph 184 Heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.
- 5.16 Paragraph 192. In determining applications, local planning authorities should take account of:
  - a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
  - c) the desirability of new development making a positive contribution to local character and distinctiveness.
- 5.17 Paragraph 193 of the NPPF states when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

- 5.18 Paragraph 194 of the NPPF states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
- 5.19 Paragraph 196 of the NPPF states where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 5.20 Paragraph 197 of the NPPF states the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

### **5.21 Core Strategy 2011 - 2028**

- 5.22 To the extent that development plan policies are material to an application for planning permission the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (see section 70(2) of the Town and Country Planning Act 1990 (as amended) and section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended)).
- 5.23 In May of 2012 the Local Development Framework Core Strategy was adopted and this replaced many of the policies of the Unitary Development Plan (UDP); some UDP policies remain in force (for example those relating to the non-residential use in a Residential Policy Area) and will continue to sit alongside Core Strategy Policies until such time as the Local Plan is adopted. Core Strategy policies relevant to this proposal are:
- 5.24 Policy CS1 of the Core Strategy states that as a means of securing and improving economic prosperity, enhancing the quality of place and the quality of life in Doncaster, proposals will be supported that contribute to the Core Strategy objectives and which in particular provide opportunities for people to get jobs, protect local amenity and are well designed.
- 5.25 Policy CS2 identifies the site as a Conservation Town under the settlement hierarchy. In Conservation Towns the priority will be conservation and enhancement, with only quality infill within existing settlement boundaries being supported. CS2 states the (D) Distinctive and vibrant communities will be supported through:
1. provision of local facilities and improved access to these by creating walkable neighbourhoods;
  2. physical regeneration including housing renewal and environmental improvement schemes;
  3. preservation and enhancement of the distinctive local character of the historic built and natural environment, a commitment to high quality design; and;
- 5.26 Policy CS7 (E) states that outside town centres, small shops within residential areas to serve the local area will be supported.

- 5.27 Policy CS14 of the Core Strategy require development to be of a high quality design that contributes to local distinctiveness and that integrates well with its immediate surroundings.
- 5.28 Policy CS15 of the Core Strategy seeks to preserve, protect or enhance Doncaster's historic Environment.
- 5.29 Policy CS16 of the Core Strategy states that Doncaster's natural environment will be protected and enhanced.

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

- 5.31 Policy PH11 states that within residential policy areas development for housing will normally be permitted except where:-

- A) the development would be at a density or of a form which would be detrimental to the character of the surrounding area or would result in an over-intensive development of the site;
- B) the effect of the development on the amenities of occupiers of nearby properties would be unacceptable;
- C) tandem or backland development would result in an unsatisfactory access, overlooking or over-intensive development;
- D) the development would result in the loss of social, community and recreational or other local facilities for which there is a demonstrated need.

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

- 5.33 ENV25 states that within conservation areas, as defined on the proposals map, new development including alterations and extensions to, and changes of use of, existing buildings will be expected to preserve or enhance the character or appearance of the area. Development will not be permitted if it would detract from the character or appearance of the area by virtue of its nature, height, density, form, scale, materials or design or by the removal of trees or other important landscape features. The desirability of preserving or enhancing the character or appearance of a conservation area will be a material consideration when dealing with proposals for new development outside a conservation area which would affect its setting or views into or out of the area.

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

- A) views from major transportation routes; or
- B) views across open countryside; or
- C) views of important landmarks.

- 5.35 ENV54 states that alterations and extensions to existing buildings should be sympathetic in scale, materials, layout and general design to the existing building. All features which contribute to the character of the building or surrounding area should be retained.

- 5.36 ENV56 States that new shop fronts or alterations to existing ground floor frontages should respect the scale and character of the building and the street scene. The shop front, surrounds, and fascias and their materials should be integrated into the elevation of the building and should not detract from the detailing of the building.
- 5.37 CF2 states that the loss of community facilities not defined on the proposals maps will be resisted, especially where that facility lies within an area deficient in community facilities.
- 5.38 Policy SH16 sets out requirements for new retail development including extension/alterations of existing properties.

### **5.39 Local Plan**

- 5.40 The emerging Doncaster Local Plan will replace the UDP and Core Strategy once adopted. The Local Plan has been approved at Full Council on the 25th July 2019 and Regulation 19 Publication is now complete.
- 5.41 Paragraph 48 of the NPPF allows LPA's to give weight to relevant policies in emerging plans depending on the stage of preparation, the extent to which there are any unresolved issues and the degree of consistency with the NPPF. The Local Plan has been formally submitted for examination on 4th March 2020 and an Inspector has been appointed therefore the Local Plan is now under examination. Paragraph 48 of the NPPF states that the LA may give weight depending on the stage of the Local Plan and the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given). The Council is aiming to adopt the Local Plan by winter 2020 and it has previously been afforded limited weight and the following policies would be appropriate::
- 5.42 Policy 1 reinforces the guidance within the NPPF in that there should be a presumption in favour of sustainable development. This policy is afforded limited weight as there are outstanding unresolved objections.
- 5.43 Policy 11 (Residential Policy Areas) reinforces some of the wording of PH11 stating that within Residential Policy Areas, as defined on the Proposals Map and is afforded substantial weight:
- A) New residential development will be supported provided:
1. the development would provide for an acceptable level of residential amenity for both new and existing residents; and
  2. the development would help protect and enhance the qualities of the existing area and contribute to a safe, healthy and prosperous neighbourhood; and
  3. the development would meet other development plan policies including those relating to flood risk, open space, design and sustainable construction.
- B) The establishment or increase of non-residential uses of appropriate scale will be permitted provided they would not cause unacceptable loss of residential amenity through, for example, excessive traffic, noise, fumes, smells or unsightliness.
- 5.44 Policy 23 looks at a hierarchy of town centres uses in a sequential approach. Out of centre uses such as small scale shops and other ancillary uses which would complement the function and role of existing or proposed employment, housing or

mixed-use sites where they serve a local need would be supported. This policy is afforded substantial weight.

- 5.45 Policy 38 (Conservation Areas) states that proposal should take into account the identified significance contained in the Conservation Area Appraisal for the relevant designated area where published. Moderate weight is afforded to Policy 38 as there are outstanding unresolved objections however they are not considered to be significant.
- 5.46 Policy 47 states that Non-Residential, Commercial and Employment Developments should be designed to be high quality, attractive, and make a positive contribution to the area in which they are located. This policy is afforded substantial weight.
- 5.47 Policy 48 (Safe and Secure Places) states that developments will be supported which are designed in a way that reduces the risk of crime and the fear of crime. This policy is afforded substantial weight.
- 5.48 Policy 49 (Landscaping of New Developments) states that development will be supported which protects landscape character, protects and enhances existing landscape features, and provides a high quality, comprehensive hard and soft landscape scheme. This policy is afforded limited weight as there are outstanding unresolved objections
- 5.49 Tickhill Neighbourhood Plan
- 5.50 Following a successful Referendum the Tickhill Neighbourhood Plan was 'made' by Full Council on the 24 November 2016 when it was adopted as part of Doncaster's Development Plan. The relevant policies from the Tickhill Neighbourhood Plan (TNP) are as follows:
- 5.51 Policy TC1 (Quality of the environment) states: Planning applications for development in the Core Business Area of the town centre will be required to demonstrate through the design and access statement that they will both enhance the character and appearance of the area and improve the public realm. Such improvements should seek to better the safety and convenience of pedestrians over car borne traffic.
- 5.52 Policy TC2 (Town centre uses) states: The Core Business Area (shown on Map 2) is the main shopping area of the town centre. In order to maintain the shopping function of the retail frontages within this area, it is important that the concentration of A1 (Retail) uses is protected and enhanced. Proposals that seek to dilute that concentration will not generally be supported and the introduction of non-retail uses (Classes A2, A3, A4, A5 and Sui Generis) will be restricted to a maximum of 40% of the sum total of the retail frontages unless it can be demonstrated that:
- a) there is no demand for retail use,
  - b) the proposal will protect and/or enhance the vitality and viability of the street, and
  - c) the proposal will have an attractive shop front which contributes positively to the appearance of the street.
- 5.53 Policy TC5 (Security of business premises) states that measures which will provide greater security for commercial property in the town centre will be supported, provided that they respect the character of the Conservation Area.

(1) Where roller shutters are being installed to a traditional shop front, features of architectural or historic interest should always be preserved, particularly in the case of listed buildings. Wherever possible, roller shutters should be incorporated within the façade, rather than simply being fastened to its surface, and shutters should always be perforated and coloured to match or complement the shop front.

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

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

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

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

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

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

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

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

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

#### **5.58 Other material planning considerations**

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

### **6.0 Representations**

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

6.2 244 public representations have been received. 45 are in support and 195 have objected.

6.3 The 45 letters of support are in regard to the following summarised points:

- 'Lindrick' is not a district
- There is a 30mph speed limit in the A60
- Other supermarkets exist in the area;
- Sufficient parking is provided within the site;
- The proposal is just a different type of premises to buy from;
- Alternative uses for the site such as tea rooms or restaurant could detract from Tickhill Town Centre;
- A shop in this location could be beneficial as it could have better wheelchair access;
- Tickhill needs a Sainsbury's;
- The Millstone is an eyesore at present;
- Objections are based on competition for customers;
- The building will fall into disrepair and it is important to secure the future of the building by finding a new use;
- The proposal will replace an existing commercial use therefore no new commercial use will be introduced;
- The proposed flats will provide a type of accommodation that is not presently available;
- Significant customers are likely to walk due to the site location adjacent to the town centre and residential area;
- There are no opportunities within the Core Business Area for future Growth;
- The proposed development will provide a unique opportunity to expand local shopping facilities without generating increased pressure on the limited off-street parking and traffic congestion in the core business area.

6.4 The following comments raised are not relevant to the application for the subsequently noted reasons:

6.5 'Lindrick' is not a district; The proposal is just a different type of premises to buy from; Alternative uses for the site such as tea rooms or restaurant could detract from Tickhill Town Centre; Tickhill needs a Sainsbury's; Objections are based on competition for customers; The proposal will replace an existing commercial use therefore no new commercial use will be introduced. These comments of support are not material considerations or are not relevant to the development proposed.

6.6 The 195 letters of objections and 4 letters of representation comprised the following summarised points:

- The proposal would create a Town Core commercial use in a residential area;
- Impact on town centre – closure of existing businesses ;
- No need has been identified for a supermarket in Tickhill;
- Pressure on viability of small independent local retailers;
- The proposal will extend the town core into the residential area;
- Development is discordant with NPPF, UDP and TNP – non-residential use in Residential policy Area;
- Flats would not meet requirement of TC2;
- Harm to Castle/ scheduled monument / Conservation Area;
- Modern Super market would be out of character;
- The proposed extension is harmful to the character of the Millstone;
- Impact on local character;

- Harm to recreational amenity of 'Lindrick';
- Noise and disturbance created by a supermarket will ruin the quiet enjoyed at tickle mill dam and will disturb / endanger Wildlife;
- Additional traffic would disturb residential amenity;
- CO2 emissions would affect the Mill Dam;
- Inappropriate opening hours suggested;
- More use of the area will create more litter and antisocial behaviour;
- Create congestion on A60 causing access and highways safety issues;
- Development would take up parking space of nearby properties;
- Insufficient parking for retail use and residential use within the development site;
- Proposal would result in more on street parking;
- Vehicle movements would increase as people would not walk to a shop in out of centre location;
- Vehicular restrictions should be imposed on Westgate;
- Deliveries will detriment local residents amenity;
- Any final planning decision should be reached by an 'outside' independent authority (council);
- The proposal would create a precedent for future supermarket developments;
- The whole building should be converted to apartments;
- The proposal will result in a loss of jobs for staff at the Tickhill garage store;
- Detriment to local property values;
- Loss of parking for the Mill Dam Pond;
- Residents of the flats should have dedicated parking spaces and will find it difficult to access their own spaces;
- The stable block to the back would suffer a detriment to its access following the proposed development and the proposal is too close to this building;
- Development is contrary to SH1;

Any additional representations will be reported verbally prior to a decision being taken.

- 6.7 The following concerns raised are not relevant to the application for the subsequently noted reasons:
- 6.8 Detriment to local property values; any final planning decision should be reached by an 'outside' independent authority (council); Residents of the flats should have dedicated parking spaces and will find it difficult to access their own spaces. These are not material considerations for the purpose of determining planning applications.
- 6.9 The whole building should be converted to apartments; The stable block to the back would suffer a detriment to its access following the proposed development and the proposal is too close to this building; The proposal will result in a loss of jobs for staff at the Tickhill garage store; the proposal will create a precedent for future supermarket developments; Loss of parking for the Mill Dam Pond.
- 6.10 The matters in 6.9 above do not relate to the application site nor do they relate to the nature of the proposed development, therefore the aforementioned concerns are not material planning considerations.

## 7.0 Town Council

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

*“Tickhill Town Council is pleased that there is a planning application which will ensure the preservation of the external appearance of this attractive large property in such a prominent location. The proposal to develop flats within the building will make a significant contribution to meeting local housing needs; flats are a rare commodity in Tickhill.*

*However, the Town Council is strongly opposed to the conversion of the ground floor into a major store. This we consider to be totally contrary to the intentions of the Tickhill Neighbourhood Plan (TNP) which has designated a Core Business Area whose vitality and viability we seek to preserve and promote. The vision of the Neighbourhood Plan includes the objectives of conserving and enhancing the character of the town and sustaining and promoting local shops, neither of which are met by this proposal. Our public consultation exercises have indicated a strong wish to maintain the variety of uses which characterise the town centre. A major retail outlet outside the Core Business Area cannot preserve the vibrancy of the town centre.*

*Current retailers report that their businesses operate on the margins of profitability. The presence of a supermarket outside the town centre could well undermine, if not destroy, the viability of the Core Business Area. This is not a case of resistance to competition - if it was, it would not be the business of the Town Council - but of concern for the whole character of Tickhill as a market town with flourishing local shops. The note to our existing policy TC2 (Town Centre Uses) states the vibrancy of the town centre owes much to the variety of current uses and this is clearly appreciated by the public, who state this whenever asked for comment on the future of the town. The response to the present application for The Millstone demonstrates this concern. We remain convinced that the proposed supermarket could lead to irreversible damage to the small town character which attracts people to Tickhill, including a loss of local employment.*

*There is also a significant highways issue. The Millstone is on a right-angle bend on a busy major road connecting Tickhill with both Sheffield and Worksop. The change of use would greatly increase the flow of vehicles in and out of the site, creating its own problems. Crossing the road outside the Millstone is already hazardous at the best of times. Behind the Millstone is the Mill Dam, a popular tourist attraction with families, adding to traffic movements.*

*The Town Council asks Doncaster Planning Department to reject the part of the proposal which seeks to convert the interior of the ground floor of The Millstone into a major store. We will support the redevelopment of the whole building for residential purposes.*

*We also note that the alterations to the original application are minor and do not materially affect the original comments made by local residents. We therefore ask that the Committee should be made aware of these observations”*

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

## **8.0 Relevant Consultations**

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

*“Retail Unit:*

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

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

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

*Dwellings:*

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

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

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

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

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

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

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

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

8.4 **Historic England** - No comments, refer to DMBC conservation officer comments.

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

8.6 **DMBC Highways DC** – response:

*“The planning agent has confirmed that the prospective tenant has stated that the size of vehicle they use for servicing the site is a 10m rigid bodied HGV. As such swept path analysis has been carried out using this vehicle on the amended layout plan and I can confirm that it is not wished to raise objections to the development proposal from a highways perspective. However I would be grateful if the following could be considered when determining the application.*

*Standard conditions High 1, High 11 (amended) and High 3 are applicable to this application.*

*A suitably worded condition restricting the maximum size of vehicle to service the site to a 10m rigid bodied HGV.*

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

*Informatives:*

*Works carried out on the public highway by a developer or anyone else other than the Highway Authority shall be under the provisions of Section 278 of the Highways Act 1980. The S278 agreement must be in place before any works are commenced. There is a fee involved for the preparation of the agreement and for on-site inspection. **The applicant should make contact with Malc Lucas – Tel 01302 735110 as soon as possible to arrange the setting up of the agreement.***

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

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

## 8.7 Ward Members and Mayor of Tickhill Town Council

Object to the proposal for the following reasons which have been summarised:

- Tickhill is designated to have a negligible expansion in terms of housing in the forthcoming Local Plan and as such there is no need for a supermarket.
- The proposal would have a detrimental impact on the Core Business Area (CBA) of Tickhill.
- Concerns that the substantial retail outlet at the garage was referred to as a "kiosk"
- The site visit by the Committee lacked the usual presence of Ward or Tickhill Town Councillors and was not only in breach of established practice but as importantly in breach of the DMBC protocol which is quite clear.
- the Applicants and the Officer have suggested to you that the NP can be sidestepped because whilst it clearly protects the CBA it is silent on an express prohibition on this retail development outside it. It is considered that the NP does say in relation to the CBA " the concentration of A1 uses in the CBA is to be protected and enhanced".
- the NP has statutory authority, endorsed by the referendum and DMBC are obliged to take it into account.
- Covid 19 has made local businesses even more fragile and yet, in Tickhill, these are the very businesses threatened by this application, that have stepped up in response to the current health crisis and, supported by a veritable army of community delivery volunteers, are playing such a vital role in supporting the vulnerable, the isolated and the needy.
- if the committee decide not to consider any expressed comments provided as prohibitive considerations, I must then strongly request a condition be placed that an adequate pedestrian crossing arrangement be provided. The road (A60) is very busy , so whilst current statistics may not highlight a problem, given the nature of this ' attraction' for pedestrians , the opportunity to incorporate this provision must not be missed.

## 9.0 Assessment

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

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

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

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

### Principle of Development

- 9.3 The proposal is for the change of use of a public house to a retail unit at ground floor and residential at first floor. From the information submitted it appears the public house ceased trading around 18 months ago.
- 9.4 The site lies within residential policy area as designated in the UDP (adopted July 1998). Tickhill's Neighbourhood Plan (Map 2: Town Centre Core Business Area) adopted November 2016, does not include this site and therefore it is retained as residential.
- 9.5 Tickhill is a District Centre in the retail/shopping/commercial hierarchy within the Core Strategy (Policy CS7) and as stated above, the boundary is contained within Tickhill's Neighbourhood Plan, the southern boundary of the centre ends at the Jet Petrol Station on Castlegate and does not contain the proposed site.
- 9.6 It is considered practical to appraise the principle of the proposal in two parts: the assessment of the first floor residential flats; and the impact of a town centre use in this out of town location.

### Principle of First Floor Residential Flats

- 9.7 Comments of support were received stating that the proposed flats will provide a type of accommodation that is not presently available. Many of the objections received stated that there was no objection to the development of the first floor flats. The application site lies within a residential policy area wherein appropriately designed residential development should be developed. The proposal would not cause any detriment to the locality in terms of design or amenity; the proposed first floor is already in a residential use therefore there would be no loss of a community facility and it is hence considered that the proposal would accord with Policy PH11 of the Unitary Development Plan (UDP). This principle is reiterated in the wording of Policy 11 of the emerging Local Plan.

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

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

## **9.12 SOCIAL SUSTAINABILITY**

### Impact on Amenity in the locality

- 9.13 The establishment and extension of the proposed non-residential use in a residential area is considered to be of an appropriate scale and would not cause unacceptable loss of residential amenity through, for example, excessive traffic, noise, fumes, smells or unsightliness. The proposal therefore accords with Policy PH12 of the UDP. This is further supported by the wording of policy 23 of the emerging local plan.
- 9.14 Policy CS1 of the Core Strategy states that as a means of securing and improving economic prosperity, enhancing the quality of place and the quality of life in Doncaster, proposals will be supported that contribute to the Core Strategy objectives and which in particular provide opportunities for people to get jobs, protect local amenity and are well designed.
- 9.15 It is not considered that the proposed development would create any additional noise when compared to the existing permitted use of the site as a pub. Similarly no significant additional noise would arise as a result of the proposed change of use. It is considered that no noise or air pollution would arise as a result of the proposal and hence the proposal would not affect the enjoyment of the Mill Dam Pond area. The use of the site is currently vacant therefore any use of the site would inevitable create more disturbance than the existing circumstances however the proposed change of use would not materially detriment the residential amenity of any nearby residential dwellings hence the proposal accords with Policy CS1 and PH12.
- 9.16 Environmental Health were consulted and, subject to recommended conditions, raised no objections in relation to the application. A recommended condition limits the hours of delivery so that no deliveries shall be taken at the site or despatched outside the hours of 0700 to 1800 nor at any time on Sundays, Bank or Public Holidays. A further condition is recommended to limit the level of sound emitted from any fixed plant associated with the development.

### Loss of a Pub

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

## **9.18 Conclusion on Social Impacts**

- 9.19 It is considered that, subject to the recommended conditions relating to delivery hours and sound emissions, the proposed development would not detract from the residential amenity of any of the existing or proposed residential properties and that the loss of the non-defined community facility would not significantly detract from

the social sustainability of the locality. The social impacts are therefore considered to be acceptable.

## **9.20 ENVIRONMENTAL SUSTAINABILITY**

### Impact on the character and Heritage assets

- 9.21 Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Regulations Act 1990 require that in the exercise of planning functions special regard is had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses and special attention is paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 9.22 Policy CS2 identifies Tickhill as a Conservation Town within the settlement hierarchy. Accordingly, in Conservation Towns the priority will be conservation and enhancement, with only quality infill within existing settlement boundaries being supported. CS2 (D) states that the Distinctive and vibrant communities will be supported through: “physical regeneration including ... environmental improvement schemes”; “preservation and enhancement of the distinctive local character of the historic built and natural environment, a commitment to high quality design”. As part of the proposed site plan (1990 –ZY – 008), the applicant has confirmed that a timber post and rail fence will be installed to the southern site boundary and will be abutted by planting of a privet hedge to soften the visual impact of the proposal. This will be controlled by a condition requiring planting of the hedge shown on site plan reference 1990-ZY-005-C (rec'd 22.01.2020) prior to use of the development and maintenance for the lifetime of the development. The proposed extension would respect and reflect the character of the existing building thus would not have a visually detrimental impact on the character of the area (CS14, Core Strategy).

The proposed shopfront alterations would be in the western side elevation which currently comprises a conservatory that is falling into disrepair and offers minimal architectural merit hence the loss of this structure would not detriment the character of the area. The proposed shop front would not form part of the principal elevation of the building thus the visual impact would be somewhat negated. The proposed shop entrance would comprise predominantly glazed features that respect the scale and design of the building therefore there would be negligible visual impact when compared to the existing glazed structure in this location and the proposal is therefore considered to accord with Policy SH16 parts c) and d) and Policy ENV56 of the UDP.

- 9.23 It is considered that the proposal would accord with NPPF Paragraph 117 as it comprises an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.
- 9.24 At Paragraph 127, the NPPF states planning decisions should ensure developments will function well and add to the overall quality of the area, are visually attractive and optimise the potential of the site.
- 9.25 Paragraph 124 of the NPPF states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. The applicant has met with the Council's conservation officer to overcome aesthetic concerns related to the originally

submitted plans; the extension now comprises gable roofs to reflect the original building and the external stair case has been removed to minimise visual impacts. Reflective stickers have been proposed for the ground floor principal elevation windows to create the impression of an active frontage.

- 9.26 It is not considered that the proposal would compromise the contribution of the building to Tickhill Conservation Area or to the general character of the locality. There would be no loss of significant features that contribute to the character of the building or surrounding area. The proposed design is sympathetic in scale, materials, layout and general design to the existing building hence fitting into the character of Tickhill (TNP, DE6). It is therefore considered that the proposal would accord with policy CS14 of the Core strategy and ENV54 of UDP.
- 9.27 The application site comprises a non-designated heritage asset. The site is adjacent to Tickhill Castle, a Scheduled Monument, however it is not considered that any element of the proposal would impact this Heritage Asset. The site does lie within Tickhill Conservation Area therefore the impact of the proposal upon this heritage asset requires appraisal (NPPF para 192). Historic England responded to a consultation to provide no comments and instead referred the case officer to the comments of DMBC's Conservation Officer. Following amendments to reduce the visual impact of the proposal, DMBC's conservation officer confirmed that there was no objection to the proposed development, subject to recommended conditions.
- 9.28 When considering the impact of a proposed development on the significance of Tickhill Conservation Area, great weight should be given to the asset's conservation. (NPPF Para 193) It is not considered that the proposed development would cause any harm to the significance of the conservation area.
- 9.29 Paragraph 197 of the NPPF states the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 9.30 The proposal would preserve the character of the area by virtue of its nature, height, density, form, scale, materials and design. It is considered that the provision of planting on site would enhance the character of the Conservation Area and the proposal hence accord with Policies HE1 of the TNP, ENV25 of the UDP and CS15 of the Core Strategy.

#### Trees and Landscaping

- 9.31 Policy CS16 of the Core Strategy states that Doncaster's natural environment will be protected and enhanced. The existing site comprises a paved carpark with very little greenery. The proposal comprises the planting of a privet hedge adjacent to the proposed post and rail timber fence to form the southern boundary treatment. This proposed planting is considered to constitute an enhancement of the natural environment hence would accord with Policy CS16 of the Core Strategy.

#### Highway safety and traffic

- 9.32 Regarding Highways: Paragraph 109 of the NPPF states Development should only be prevented or refused on highways grounds if there would be an unacceptable

impact on highway safety, or the residual cumulative impacts on the road network would be severe.

- 9.33 Policy SH16 sets out requirements for new retail development including extension/alterations of existing properties. Adequate space for: car parking; pedestrian access; the parking/unloading of service vehicles has been provided within the curtilage of the site to accommodate the numbers and sizes of vehicles likely to be generated. The proposal therefore accords with Policy SH16 from the UDP.
- 9.34 The site is directly adjacent to an existing bus stop therefore public transport is easily accessible to and from the site. The use of Public transport is promoted by the NPPF and by Policy HT1 from the Neighbourhood plan. The proposal may also contribute to an increase in short-term parking opportunities to support town centre trade (HT1).
- 9.35 The existing use of the site comprises a commercial pub and a car park. It is therefore not considered that the proposed use would result in an intensification of use of the site as there is no significant change of use of the land formerly used as a car park. Highways were consulted and confirmed that adequate parking spaces have been provided and that there was no objection of highways grounds subject to conditions requiring appropriate surfacing, parking provision; the submission of a scheme regarding the construction of a footpath crossing and the submission of detailed Engineering drawings for the amended site access. A further condition was recommended to limit the length of any vehicle servicing the site to a maximum length of 10m.
- 9.36 Ward members have raised concerns that a site visit was undertaken in which they were not invited. Whilst an impromptu site visit was undertaken with planning committee members whilst undertaking a scheduled site visit to another address, the site visit at Tickhill was not attended by the applicants, objectors or supporters and as such no prejudice has been created to members of the planning committee.
- 9.37 The proposed plans have indicated the inclusion of a pedestrian refuge area within the central road hatching of the A60. In the intervening period since the application has been deferred by planning committee, the applicant has provided road safety information, together with a car and pedestrian daily matrix identifying the number of movements to the premises. This information has been considered by Doncaster's Safer Roads Team and Doncaster's Highways Development Control team who have commented that the applicant has been able to adequately demonstrate that a pedestrian refuge area is not necessary in order to make the proposal acceptable. There is no evidence to suggest that pedestrian safety is an issue in this location or that it would be significantly exacerbated by the proposal and consequently it is important to recognise that a condition requiring off site improvement works must meet the planning tests in order to be lawful. The planning tests ensure that conditions are; necessary; relevant to planning; relevant to the development to be permitted; enforceable; precise; and reasonable in all other respects. In the absence of this evidence whilst the latest amended plans show a pedestrian refuge area, no weight is afforded to the need for its implementation when balancing the material planning considerations associated with this application.

## Security and Crime Prevention

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

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

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

### **9.43 ECONOMIC SUSTAINABILITY**

- 9.44 The site is well connected to the town centre by the A60 road, which includes a bus stop directly outside the site and footpaths leading from the site to the Core Business area of Tickhill. This connection to the main town centre is emphasized by the site being within 'Walkable' distance of the main centre (SYRDG). Policy CS2 supports the provision of local facilities and improved access to these by creating walkable neighbourhoods.
- 9.45 Where proposals for town centre uses are to be considered, they will be directed sequentially to the main shopping areas, this retains the vitality and viability of centres pursuant to section 7 of the NPPF. The Neighbourhood Plan (TC2) seeks to concentrate town centre uses within the designated boundary to protect and support the existing town centre, however as the proposal is outside the Neighbourhood Plan defined core business area TC2 is not applicable.
- 9.46 Pursuant to paragraph 86 of the NPPF, a sequential test has been submitted by the applicant for the main town centre uses in this location which states that:

*"There are no premises either available or suitable for the proposed use within Core Business Centre. Furthermore because of the limited number and size of existing premises there is no reasonable prospect of any suitable premises becoming available. The Core Business Centre is located within the Tickhill Conservation Area which makes the alterations that would be required to amalgamate existing premises unlikely to be acceptable given the design constraints of the conservation area. In addition it would be impossible to*

*accommodate the service requirements of a larger retail unit without significant and unacceptable demolition within the conservation area.”*

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

- 9.47 The proposal would create approximately 280m<sup>2</sup> of retail floor space. As set out in paragraph 89, an impact assessment is not required for the proposal as it is well within the nationally set minimum floor space threshold (2,500m<sup>2</sup>) and Doncaster has no locally set threshold.
- 9.48 The information submitted by the applicant demonstrates that there are no available appropriate sites within the town centre location of Tickhill and hence the next sequentially appropriate would be an edge of centre location such as that of the application site (NPPF Para 86). The application site is accessible and is well connected to the town centre hence would accord with paragraph 87 of the NPPF; it is hence considered that the principle of retail development in this location is acceptable. The principle of development is further supported by Policy CS7 (E), which states that: *“outside town centres, small shops within residential areas to serve the local area will be supported.”*
- 9.49 Comments received related to Paragraph 85 (d) of the NPPF, which states that *“Planning policies should allocate a range of suitable sites in town centres to meet the scale and type of development likely to be needed, looking at least ten years ahead. Meeting anticipated needs for retail, leisure, office and other main town centre uses over this period should not be compromised by limited site availability, so town centre boundaries should be kept under review where necessary.”* Whilst this site is not allocated as a town centre, the ground floor of the building is occupied by a commercial use (a pub) therefore there would be no significant loss of land for housing within the residential policy area. Comments submitted received alluded to there being no identified need for a supermarket in this location as the site has not been allocated for retail. Whilst the site has not been allocated for retail, part of the evidence base for the emerging Local Plan afforded a “shopping score” of “0”. This identifies that there is a lack of supermarket in this settlement therefore an argument could potentially be made that Tickhill may have a need for more shopping facilities. (Local Plan Evidence Base: Settlement Background Paper; Settlement Profiles). Notwithstanding this, the allocation of the land is a matter for consideration at local plan stage, not as part of the assessment of a planning application.

## **9.50 Conclusion on Economy Issues**

- 9.51 After appraising the proposal against relevant national and local planning policies, the impact of the proposal on the viability and vitality of Tickhill town centre is not considered to be sufficiently significant so as to substantiate a reason for refusal. In considering the proposal, consideration has been given to the relevant sections of the Neighbourhood Plan, Core Strategy, Unitary Development Plan, NPPF and

emerging Local Plan. On this basis it is considered that the economic impact of the proposed development would be acceptable.

## **10.0 PLANNING BALANCE & CONCLUSION**

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

## **11.0 RECOMMENDATION**

### **11.1 GRANT planning permission subject to conditions**

#### **Conditions / Reasons**

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 (as amended).
02. U0076694        The development hereby permitted must be carried out in accordance with the details shown on the approved plans listed below:  
  
Existing First Floor 1990-002;  
Existing Ground Floor Plan 1990-003A ;  
Existing Elevations 1990-004B;  
Proposed Elevation 1990-ZY-005-C (rec'd 22.01.2020);  
Site Plan 1990-008;  
Proposed Ground Floor Plan 1990-009;  
Proposed First Floor Plan 1990-010A.  
REASON  
To ensure that the development is carried out in accordance with the application as approved.
03. U0076695        The retail use permitted shall not be open to customers outside the following times:  
Monday to Sunday 0700 hours to 2200 hours  
REASON  
To ensure that the development does not prejudice the local amenity.
04. U0076696        No deliveries shall be taken at or despatched from the site, and no delivery vehicles shall enter the site (whether laden or unladen), outside the hours of 0700 to 1800 Monday to Saturday, nor at all on Sundays, Bank or Public Holidays.  
REASON:  
To protect the amenities of nearby residents.

05. U0076705 The roof of the new storeroom hereby approved shall be clad in red clay plain tiles and any render panels and timber cladding shall match the colour and finish of the external surfaces of the main building. No above ground construction of the storeroom hereby approved shall take place until samples or details of the brick to be used in the construction of the walls, and details of the design and configuration of the mock timber beams have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.  
REASON  
In the interest of visual amenity pursuant to Policy CS14 and CS15
06. U0076706 Unless otherwise agreed in writing by the local planning authority any infilled openings shall be constructed with reused bricks from demolished sections of the existing building.  
REASON  
In the interest of visual amenity pursuant to Policy CS14 and CS15
07. U0076707 Unless otherwise agreed in writing by the local planning authority the existing historic first floor windows hereby approved shall all be retained in situ for the lifetime of the development. Full details of the design, construction and finish of any new windows shall be submitted to and approved in writing by the local planning authority before the commencement of the relevant site works. Unless otherwise agreed in writing, the details shall include an elevation at 1:20 scale of each door or window type and 1:5 scale cross-sections. Development shall be carried out in accordance with the approved details.  
REASON  
In the interest of visual amenity pursuant to Policy CS14 and CS15
08. U0076708 Unless otherwise agreed in writing by the local planning authority all the existing historic windows and doors to the retail unit hereby approved shall be retained in situ for the lifetime of the development. Prior to the implementation of the relevant site works full details of the treatment of the back of the windows or window bays (including any measures for security if needed) shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.  
REASON  
In the interest of visual amenity pursuant to Policy CS14 and CS15
09. U0076710 Prior to the installation of the shop front, and notwithstanding its appearance on the elevation drawing, full details of the design, colour and appearance of the shop front to be installed on the west gable (including any lighting elements and any measures for security if needed) shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with approved details.  
REASON  
In the interest of visual amenity pursuant to Policy CS14 and CS15

10. U0076711 Any signage for the retail use of the building shall be located on the fascia of the shop front hereby approved and elsewhere only on the existing signage locations in accordance with the approved elevation drawing. Prior to the implementation of the relevant site works full details of the new signage (including any lighting elements, if required) shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with approved details.  
REASON  
In the interest of visual amenity pursuant to Policy CS14 and CS15
11. U0076712 Unless otherwise agreed in writing by the local planning authority, the boundary between the main building and the former coach house shall be constructed in accordance with the details described on the site plan (ie timber post & rail fence in front of a privet type 900 - 1200mm high hedge), and the spears or rails of the new gate to Lindrick shall match that of the adjacent railings. The fencing and hedge shall be retained for the lifetime of the development.  
REASON  
In the interest of visual amenity pursuant to Policy CS14 and CS15
12. U0076713 The planting shown on site plan reference 1990-ZY-005-C (rec'd 22.01.2020) shall be implemented prior to the use of any part of the proposed development. The planting shall thereafter be retained and maintained for the lifetime of the development.  
REASON  
In the interest of visual amenity pursuant to Policy CS14 and CS16.
13. HIGH1 Before the development is brought into use, that part of the site to be used by vehicles and bicycles 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.
14. HIGH3 Before the development hereby permitted is brought into use, the parking as shown on the approved plans shall be provided. The parking area shall not be used otherwise than for the parking of private motor vehicles belonging to the occupants of and visitors to the development hereby approved.  
REASON  
To ensure that adequate parking provision is retained on site.
15. 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.
16. U0076724 No vehicle in excess of 10m in length shall service the site.

REASON

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

17. U0076725 Detailed Engineering drawings for the amended site access shall be submitted for inspection and approval by the Highways Authority before works commence on site. The design of the access shall be such that water is not discharged onto the public highway. The site access shall be constructed in accordance with the approved details.

REASON

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

18. U0076738 The rating level of sound emitted from any fixed plant associated with the development shall not exceed background sound levels by more than 5dB(A) between the hours of 0700-2300 (taken as a 15 minute LA90 at the boundary of nearest sound sensitive premises) and shall not exceed the background sound level between 2300-0700 (taken as a 15 minute LA90 at the boundary of nearest sound sensitive premises). All measurements shall be made in accordance with the methodology of BS4142 (2014) (Methods for rating and assessing industrial and commercial sound) and/or its subsequent amendments).

Where access to the boundary of the nearest sound sensitive property is not possible, measurements shall be undertaken at an appropriate location and corrected to establish the noise levels at the nearest sound sensitive property.

Any deviations from the LA90 time interval stipulated above shall be agreed in writing with the local planning authority.

REASON

To protect the amenities of nearby residents

## Informatives

01. U0014137 INFORMATIVE  
It is important that all pedestrian doors to the retail unit are protected. It is recommended that the doors installed will meet the following minimum standards when the building is unoccupied.  
PAS 24:2016 - LPS1175: Issue 7, SR2 - STS202:Issue 3 BR2. Any one of these standards will offer protection against physical attacks on the doors.

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

02. U0014138 INFORMATIVE

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

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

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

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

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

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

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

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

03. U0014139

INFORMATIVE

Works carried out on the public highway by a developer or anyone else other than the Highway Authority shall be under the provisions of Section 278 of the Highways Act 1980. The S278 agreement must be in place before any works are commenced. There is a fee involved for the preparation of the agreement and for on-site inspection. The applicant should make contact with Malc Lucas - Tel 01302 735110 as soon as possible to arrange the setting up of the agreement.

04. U0014140

INFORMATIVE

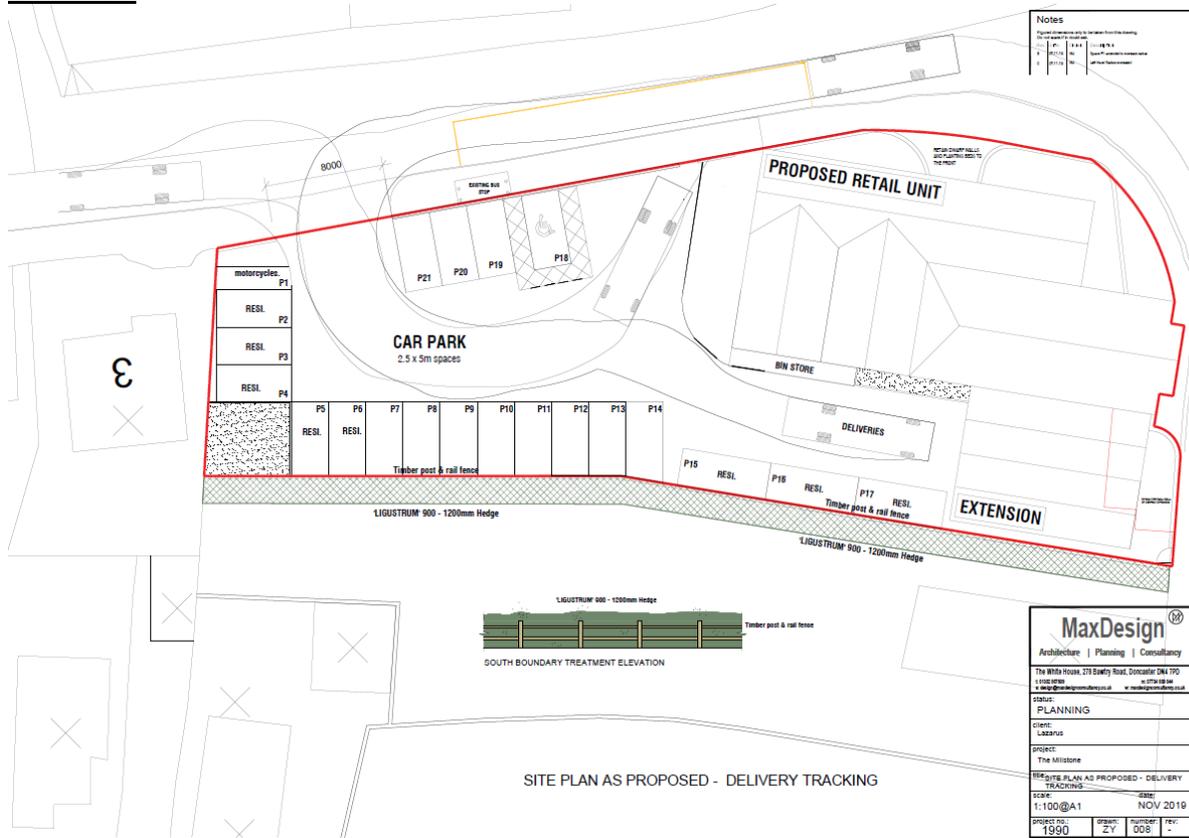
Doncaster Borough Council Permit Scheme (12th June 2012) - (Under section 34(2) of the Traffic Management Act 2004, the Secretary of State has approved the creation of the Doncaster Borough Council Permit Scheme for all works that take place or impact on streets specified as Traffic Sensitive or have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

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

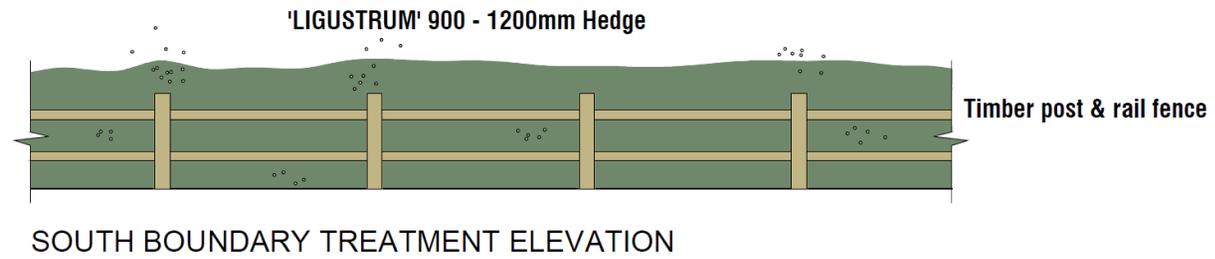
05. U0014141 The developer shall ensure that no vehicle leaving the development hereby permitted enter the public highway unless its wheels and chassis are clean. It should be noted that to deposit mud on the highway is an offence under provisions of The Highways Act 1980.

# Appendix 1: Site Plan

## Site Plan



## Proposed Boundary Treatment



# Appendix 2: Elevations

## Existing Elevations



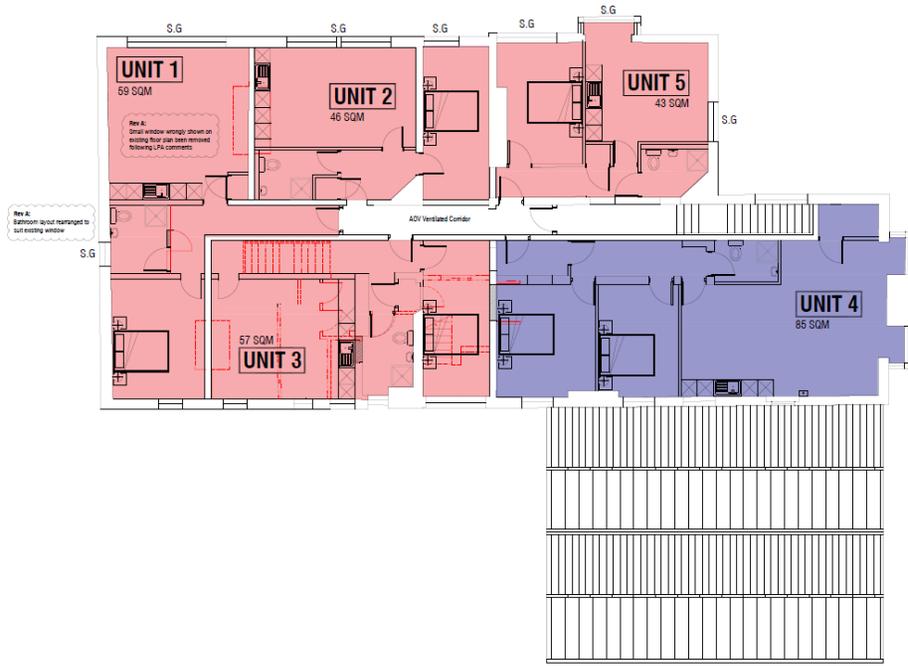
# Proposed Elevations





# Proposed Floor Plans

## First floor



- Key:**
- 1 Bed Apartment
  - 2 Bed Apartment
  - Demolished
  - S.G. Secondary glazing

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STAGE: PLANNING

Client: Labaris

Project: The Millstone

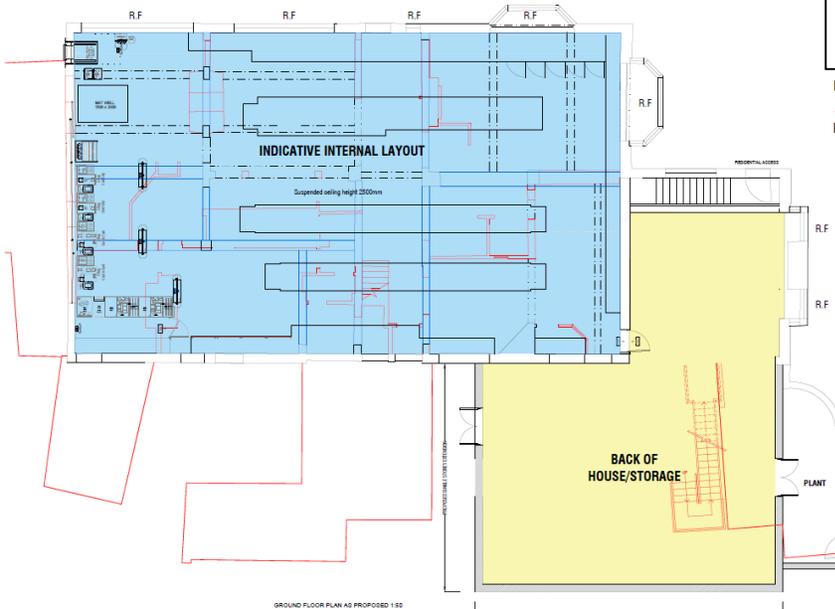
ISS: FIRST FLOOR PLAN AS PROPOSED

Scale: 1:50@A1 Date: MAY 2019

Project No:	1990	Drawn:	ZY	Checked:	01D	Rev:	A
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FIRST FLOOR PLAN AS PROPOSED 1:50

## Ground floor



- Key:**
- Demolished
  - R.F. Reflective film applied to existing windows

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Client: Labaris

Project: The Millstone

ISS: GROUND FLOOR PLAN AS PROPOSED

Scale: 1:50@A1 Date: MAY 2019

Project No:	1990	Drawn:	ZY	Checked:	00D	Rev:	
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GROUND FLOOR PLAN AS PROPOSED 1:50