Application	5.				
Application	20/0	00719/FUL			
Number:					
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Application	Full Planning Application				
Type:	. a isg . ippiios.iio				
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Proposal	Change of use of land for siting of mobile home for a temporary				
Description:	period.				
At:	Lumbreck House Farm , Prospect Road, Toll Bar, Doncaster, DN5				
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For:	Mr A Wood				
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Third Party Reps:		No representations	Parish:	n/a	
		received			
			Ward:	Bentley	
Author of Repo	rt:	Roisin McFeelv	•	,	

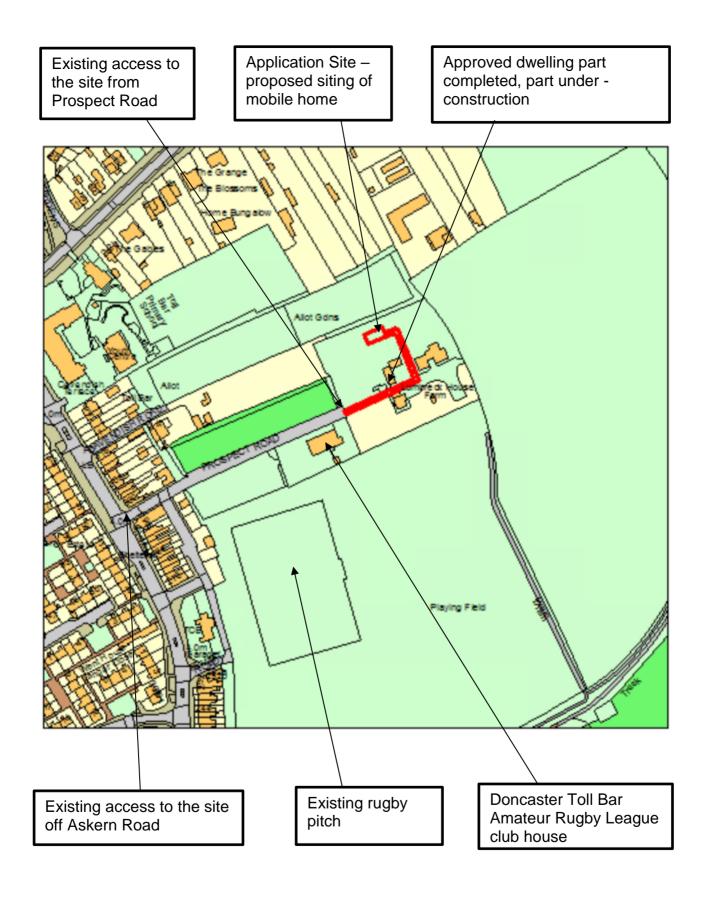
SUMMARY

The application seeks planning permission for the siting of a mobile home for a temporary period.

The proposal is a departure from the development plan, due to the site being located within the Green Belt. The proposal is for a temporary period of three years to provide accommodation during the completion of the conversion of the approved dwelling on site. Due to its temporary nature and its connection to the approved dwelling on site, the mobile home is considered to be acceptable within the Green Belt.

Furthermore, the development would not have a detrimental impact on the character and appearance of the countryside. Other technical matters have been addressed as part of the planning application. The report demonstrates that there are no material planning considerations that would significantly or demonstrably outweigh the social, economic or environmental benefits of the proposal in this location. Therefore, this application is recommended to planning committee for approval, subject to conditions.

RECCOMENDATION: To GRANT planning permission subject to conditions.



1.0 Reason for Report

1.1 This application is being presented to members due to the proposal being a departure from the development plan by virtue of part of the site being in the Green Belt.

2.0 Proposal

2.1 Planning permission is sought for the change of use of land for the siting of a mobile home for a temporary period.

3.0 Site Description

3.1 The proposal site is an enclosed piece of land at the end of Prospect Road, accessed off Askern Road. Askern Road features a mix of residential and commercial properties. The site is located next to Doncaster Toll Bar Amateur Rugby League, which features a club house car park and rugby field. The site is surrounded on all other sides by fields. The site is enclosed on all sides by a hedgerow and features several trees. There is an existing barn on the site which is currently still under construction, being converted to a dwelling. Part of the conversion is complete and is inhabited.

4.0 Relevant Planning History

4.1 The historical use of the site is farmland and more recently planning permission has been granted for a dwelling on the land the use is currently residential:

Application Reference	Proposal	Decision
01/0922/P	RETENTION OF SITING OF TEMPORARY MOBILE HOME	GRANTED
01/4586/P	RETENTION OF SITING OF TEMPORARY MOBILE HOME	REFUSED
93/3419/P	SITING OF TEMPORARY RESIDENTIAL CARAVAN	GRANTED
91/0254/P	CONVERSION OF BARN TO DWELLING INCLUDING ERECTION OF TWO STOREY HALL/STAIRCASE/LANDING EXTENSION (4.3M X 3.2M OVERALL)	GRANTED
88/3862/P	OUTLINE APPLICATION FOR ERECTION OF FARM MANAGER'S	REFUSED

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5.0 Site Allocation

- 5.1 The application site is designated as Green Belt as defined by the Proposals Maps of the Doncaster Unitary Development Plan (adopted in 1998).
- 5. 2 The site is also located within Flood Zone 3 as shown on the Environment Agency's Maps.
- 5.3 National Planning Policy Framework (NPPF 2019)
- 5.4 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:
- 5.5 Paragraphs 7 11 establish that all decisions should be based on the principles of a presumption of sustainable development.
- 5.6 Paragraph 48 sets out that weight may be given to relevant policies of emerging plans according to the stage of preparation of the emerging plan, the extent to which there are unresolved objections to such policies and the degree of consistency of the emerging policies to the existing framework.
- 5.7 Paragraphs 54 56 set out the requirements of imposing conditions, which should only be used subject to meeting specific tests and where it is not possible to address unacceptable impacts through a planning condition.
- 5.8 Paragraphs 77 79 establishes that in rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Housing should be located where it would enhance or maintain the vitality of rural communities and should not be isolated, expect for in special circumstances.
- 5.9 Paragraph 109 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.
- 5.10 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.
- 5.11 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.

- 5.12 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.
- 5.13 Paragraph 133 134 sets out the importance and purpose of Green Belt Land, which is to prevent urban sprawl.
- 5.14 Paragraph 143 145 set out what development is acceptable within the Green Belt and the very special circumstances in which development can be approved.
- 5.15 Core Strategy 2011 2028
- 5.16 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 and section 38(6) of the Planning and Compulsory Purchase Act 2004.
- 5.17 In May of 2012 the LDF Core Strategy was adopted and this replaced many of the policies of the Unitary Development Plan; some UDP policies remain in force (for example those relating to the Countryside Policy Area) and will continue to sit alongside Core Strategy Policies until such time as the Local Plan is adopted. Core Strategy policies relevant to this proposal are:
- 5.18 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 and protect local amenity and are well designed.
- 5.19 Policy CS3 of the Core Strategy sets out how Doncaster's countryside will be protected and enhanced, having regard for key principles:A) The general extent of the Green Belt will be retained (as indicated on the Key Diagram). The key considerations for land within this area are:
 - national policy will be applied, including a presumption against inappropriate development other than in very special circumstances; and;
 land will only be taken out of the Green Belt for development allocations in exceptional circumstances for example where necessary to sustainably deliver the Growth and Regeneration Strategy.
- 5.20 Policy CS4 of the Core Strategy requires a proactive approach towards the management of flood risk and drainage.
- 5.21 Policy CS14 of the Core Strategy requires development to be of a high quality design that contributes to local distinctiveness and that integrates well with its immediate surroundings.

5.22 Policy CS16 of the Core Strategy seeks to protect and enhance Doncaster's natural environment.

Doncaster's natural environment will be protected and enhanced, in accordance with the principles set out below.

- A) Proposals will be supported which enhance the borough's Ecological Networks:
- D) Proposals will be supported which enhance the borough's landscape and trees by:
- 1. being appropriate to the landscape's character, sensitivity and capacity;
- 2. including measures to mitigate any negative impacts on the landscape;
- 3. ensuring designs are of high quality, include appropriate hard and soft landscaping, a long term maintenance plan and enhance landscape character while protecting its local distinctiveness; and;
- 4. retaining and protecting appropriate trees and hedgerows, and incorporating new tree, woodland and hedgerow planting.
- 5.23 Saved Unitary Development Plan (UDP) Policies (Adopted 1998)
- 5.24 Policy ENV3 states that within the green belt development will not be permitted expect in very special circumstances including limited extension and alteration or replacement of existing dwellings subject to limitations included in policies ENV 13 and ENV 14.
- 5.25 Policy ENV 14 ensures that buildings should not have a visual impact which would harm the character of the countryside or significantly increase the size of the existing dwelling.
- 5.26 Local Plan
- 5.27 The Local Plan has been formally submitted for examination on 4th March and an Inspector has been appointed therefore the Local Plan is now under examination. Paragraph 48 of the NPPF states that the LPA 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). When the local plan was published under Regulation 19 in August 2019, all of the policies were identified as carrying 'limited weight' for the purposes of determining planning applications. Taking into account the remaining stages of the local plan process, it is considered the following levels of weight are appropriate between now and adoption dependant on the level of unresolved objections:
 - Substantial
 - Moderate
 - Limited
- 5.28 The Council has now sent out the notice of examination (regulation 24 stage) and is aiming to adopt the Local Plan by winter 2020. The following policies are considered appropriate in assessing this proposal and consideration has been given to the level of outstanding objections resulting in appropriate weight attributed

- 5.28 Policy 1 reinforces the guidance within the NPPF in that there should be a presumption in favour of sustainable development. This policy is considered to carry limited weight at this time.
- 5.29 Policy 2 and 3 set out the Borough's focus for new housing in sustainable locations. These policies are considered to carry limited weight at this time.
- 5.30 Policy 26 sets out acceptable uses in the Countryside, for sites within the Green Belt national planning policy will be applied. This policy is considered to carry limited weight at this time.
- 5.31 Policy 31 deals with the need to value biodiversity. This policy is considered to carry limited weight at this time.
- 5.32 Policy 33 states that the design process should consider woodlands, trees and hedgerows. This policy is considered to carry substantial weight at this time.
- 5.33 Policy 43 seeks to ensure high standards of residential design. This policy is considered to carry moderate weight at this time.
- 5.34 Policy 55 requires the need to take into account air and noise pollution. This policy is considered to carry limited weight at this time.
- 5.35 Policy 56 deals with the need to mitigate any contamination on site. This policy is considered to carry limited weight at this time.
- 5.36 Policy 57 requires development sites to incorporate satisfactory measures for dealing with drainage impacts and to reduce flood risk to existing communities. This policy is considered to carry moderate weight at this time.
- 5.37 Policy 58 deals with the need to consider flooding. This policy is considered to carry limited weight at this time.
- 5.38 Neighbourhood Plan
- 5.39 There is no neighbourhood plan allocated for this site.
- 5.40 Other material planning considerations
 - Development Requirements and Guidance Supplementary Planning Document (SPD) (2015)
 - South Yorkshire Residential Design Guide (SPD) (2011)
 - National Planning Policy Guidance (ongoing)
 - Development and Flood Risk Supplementary Planning Document (SPD) (2010)

6.0 Representations

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

6.2 No public objections or letters of support have been received by neighbouring properties.

7.0 Parish Council

7.1 There is no Parish Council for this site.

8.0 Relevant Consultations

- 8.1 **Highways Development Control** no objections to the proposal, given that an existing track would be utilised and there are parking provisions within the site.
- 8.2 **Environment Agency** removed objection upon receipt of a satisfactory Flood Risk Assessment (FRA) and requested a condition relating to the development being carried out in accordance with the FRA and implementing flood mitigation measures.
- 8.3 **Environmental Health** no objections.
- 8.4 **Internal Drainage Officer** requested standard condition DA01.
- 8.5 **Pollution Control (Contaminated Land) –** following receipt of the YALPAG Agricultural screening assessment form, requested standard conditions CON2, CON3
- 8.6 **Tree Officer –** no objections, no conditions as the siting of the mobile home will not have a harmful impact on existing trees on the site.
- 8.7 **Ecology Officer** following receipt of the Preliminary Ecological Appraisal (PEA), requested breeding birds informative.
- 8.8 **Yorkshire Water** no comment to make.
- 8.9 **Doncaster East Internal Drainage Board** watercourses are in the vicinity of Lumbreck House Farm all appear to be Danvm Drainage Commissioners maintained watercourses, therefore consent would be required from the Board.

9.0 <u>Assessment</u>

- 9.1 The principal issues for consideration under this application are as follows:
 - Principle of development;
 - Whether the scheme is appropriate development in the Green Belt;
 - The effect of the proposed scheme on the character and appearance of the area and openness of the Green Belt;
 - Need for the development
 - Landscape impact and visual effects
 - Impact on residential amenity & quality of life
 - Highway safety and traffic
 - Flood risk and drainage
 - Air quality
 - Ecology
 - Noise

- Energy efficiency
- If the scheme is inappropriate development in the Green Belt, whether there are very special circumstances which would justify granting planning permission
- 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 Policy ENV3 states that within the Green Belt development will not be permitted expect in very special circumstances including limited extension and alteration or replacement of existing dwellings subject to limitations included in policies ENV 13 and ENV 14.
- 9.4 The proposal does not meet the very special circumstances as set out in Policy ENV3 and in the NPPF, however residential use on the site was established under a 1991 application on the site, which approved the conversion of a barn to a dwellinghouse. The proposal will provide temporary accommodation to support the completion of the barn conversion.
- 9.5 The use of the proposal is for a temporary period of 3 years connected to an approved residential use on the site. The proposal is in close proximity to existing buildings and the impact on openness of the Green Belt is considered to be minor.
- 9.6 Whilst the proposal is a departure from policy, the proposal is considered to be acceptable in principle as it is temporary and will be removed within three years. Furthermore, the proposal supports the completion of an approved residential conversion on the site.

9.7 **Sustainability**

The National Planning Policy Framework (NPPF 2019) sets out at paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs

There are three strands to sustainability, social, environmental and economic. Para.10 of the NPPF states that in order sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.

SOCIAL SUSTAINABILITY

9.8 Impact on Residential Amenity

- 9.9 The site bordered on three sides by fields and there is in excess of 40m from the proposed siting of the mobile home to the nearest neighbouring amenity space. The site also features hedgerows on all sides, which provide screening and mutual privacy. Thus there are no concerns that there would be any significantly harmful overlooking or overshadowing arising as a result of the proposal.
- 9.10 The proposal would leave sufficient amenity space for the occupiers of the site. The mobile home would be temporary accommodation and there are therefore no concerns with regards to the amenity of current or future occupiers of the site.

9.11 Conclusion on Social Impacts.

9.12 In conclusion of the social impacts of the development, it is not considered that residential amenity will be adversely affect by the proposal in accordance with policy CS14 for the occupiers of the nearest neighbouring properties, due to significant separation distances. It is therefore felt that the proposal will not harmfully affect amenity which carries significant weight. The short term noise and disturbance associated with implementing the planning permission is considered to carry limited weight against the proposal.

9.13 ENVIRONMENTAL SUSTAINABILITY

9.14 Green Belt

9.15 Whilst the proposal is temporary and would be removed within 3 years of the decision date the impact on the Green Belt should still be considered for its temporary period. The mobile home is located in close proximity to existing buildings on the site and it is considered that the impact on the openness of the Green Belt would be limited to the period of the permission i.e. 3 years. A temporary consent would not lessen the harm to the Green Belt but would limited harm to a fixed period whilst the development of the barn is completed. Once complete or upon expiry of this permission the mobile home will be removed from the site and will revert to it previous condition. On this basis, the proposal is considered to be acceptable.

9.16 Impact upon the character of the area

9.17 The proposal is for a temporary period of three years and therefore the impact on the character of the area would be limited for that period. The proposal would mainly be shielded from public view as the site has hedgerows and trees on site providing screening. The proposal is small in scale being single storey, and does not dominate the site. The impact on the character of the area is considered to therefore be acceptable.

9.18 Impact upon Highway Safety

9.19 Policies CS1 and CS14 of the Core Strategy seek, amongst other things, to achieve ease of pedestrian movement, the protection of public safety and securing a functional highway network. Furthermore, the Council's SPD guidance set out good design principles concerning the protection of highway safety.

- 9.20 The proposal would utilise an existing access to the site off Prospect Road and does not impact the existing parking arrangements on site. There is sufficient parking on site for the part finished dwelling and the mobile home, due to the large nature of the site.
- 9.21 There is sufficient space on the site to turn within the site and leave within a forward facing gear. Highways raised no objections to the scheme.

9.22 Ecology and Trees

- 9.23 Trees on the site are situated a significant distance away from the siting of the mobile home will not have a harmful impact on existing trees on the site. The Tree Officer raised no objections to the scheme and did not request any conditions.
- 9.24 The Ecology Officer removed their objection to the application upon receipt of a Preliminary Ecological Assessment (PEA). The Ecology Officer confirmed that they were in agreement with the findings of the PEA; there are no significant ecological constraints on the proposed temporary siting of a caravan on the site. The Ecology Officer recommended that the mobile home is 3m or more than the hedge, to avoid any damage and requested a nesting birds informative.

9.25 Flood Risk, Foul and Surface water drainage

- 9.26 Policy CS4 of the Core Strategy requires a proactive approach towards the management of flood risk and drainage.
- 9.27 The application site lies within an area designated as Flood Risk Zone 3.
- 9.28 The application is for a temporary period of 3 years which is necessary to support the completion of the conversion of a previously approved dwelling, and a sequential and exceptions test is therefore not necessary for this application.
- 9.29 The Environment agency initially objected to the proposal due to the absence of an acceptable FRA.
- 9.30 The updated FRA increased the floor levels of the scheme to 4.93m AOD, a reduction in the length of time the mobile home would be located on the site from 10 years to 3 years and other flood mitigation measured.
- 9.31 Following the submission of an updated FRA, the Environment agency removed their objection to the scheme, subject to conditions relating to the proposal being carried out in accordance with the updated FRA and flood mitigation measures.

9.32 Conclusion on Environmental Issues

9.33 Para.8 of the NPPF (2019) indicates, amongst other things, that the planning system needs to contribute to protecting and enhancing the natural built and historic environment, including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

9.34 The proposal would be temporary and there is considered not to be inappropriate development in the open countryside. The impact in terms of layout, scale, highway safety, flood risk and drainage are all considered to be acceptable, subject to conditions. Whilst the proposal would bring land allocated for the countryside into temporary residential use, the proposal would support the completion of a previously approved residential scheme. As such, significant weight can be attached to this in favour of the development.

9.35 ECONOMIC SUSTAINABILITY

9.36 It is anticipated that there would be some short term economic benefit to the development of the site through employment of construction workers and tradesmen connected with the build of the project however this is restricted to a short period of time and therefore carries limited weight in favour of the application

9.37 Conclusion on Economy Issues

9.38 Whilst the economic benefit of the proposal is of limited benefit, it does not harm the wider economy of the Borough and for that reason weighs in favour of the development.

10.0 PLANNING BALANCE & CONCLUSION

10.1 In accordance with Paragraph 11 of the NPPF (2019) the proposal is considered in the context of the presumption in favour of sustainable development. Whilst the proposal would be a departure from the development plan, the proposal would be temporary and its impact on the Green Belt would be limited to a fixed period. The proposal would be removed within three years and its use is connected to an approved residential conversion on the site. The proposal has three main considerations: layout, scale and highway safety. It is considered that the proposed temporary mobile home has have an appropriate layout and scale for the locality and would not cause harm to highway safety or the highway network. Furthermore, it is considered that 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 Framework taken as a whole. 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. The building hereby permitted shall be for a limited period being the period of 3 years from the date of this decision. At the end of this period, the mobile home hereby permitted shall be removed and the land restored in accordance with a scheme previously submitted to and approved in writing by the local planning authority.

REASON

The building hereby approved is not considered suitable as a permanent form of development to safeguard the Green Belt and to comply with policy ENV 3 of the Doncaster Unitary Development Plan.

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

Site Plan - Ref Wood (19/200) - Received on 07.04.2020 Proposed Plans, elevation and floor plans Ref Wood (19/200) - Received on 07.04.2020

REASON

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

- 03. The development shall be carried out in accordance with the submitted flood risk assessment (ref 23.07.2020 / 447.02 Scheme Plan Elevations / DDM Agriculture Limited) and the following mitigation measures it details:
 - Finished floor levels shall be set no lower than 4.93m above Ordnance Datum (AOD).
 - The earth mound shall be constructed as per the submitted drawing "447.02 Scheme Plan Elevations"

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

REASON

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

04. The development hereby granted shall not be begun until details of the foul, surface water and land drainage systems and all related works necessary to drain the site have been submitted to and approved by the Local Planning Authority. These works shall be carried out concurrently with the development and the drainage system shall be operating to the satisfaction of the Local Planning Authority prior to the occupation of the development.

REASON

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

05. Should any unexpected significant contamination be encountered during development, all associated works shall cease and the Local Planning Authority (LPA) be notified in writing immediately. A Phase 3 remediation and Phase 4 verification report shall be submitted to the LPA for approval. The associated works shall not re-commence until the reports have been approved by the LPA. REASON

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

06. Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filing and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules,

sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and be approved in writing by the LPA prior to any soil or soil forming materials being brought onto site. The approved contamination testing shall then be carried out and verification evidence submitted to and approved in writing by the LPA prior to any soil and soil forming material being brought on to site.

REASON

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

Informatives

01. INFORMATIVE

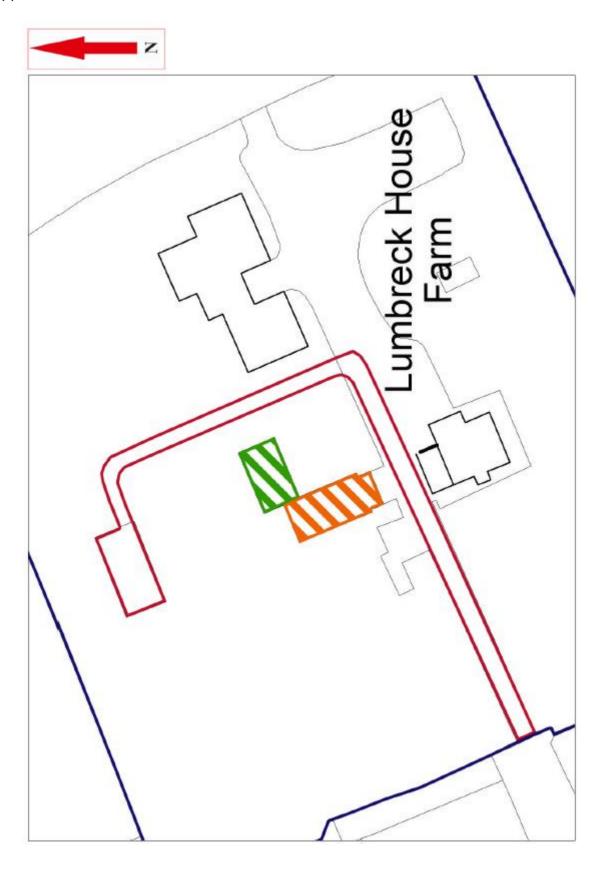
Birds may be nesting in trees and shrubs on the site. It is an offence under the Wildlife and Countryside Act 1981 (as amended) to disturb nesting birds, and vegetation removal or disturbance should be timed therefore to avoid the nesting season (March to August inclusive).

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:

Reducing the length of time the proposal would be sited on the site and flood mitigation measures to satisfy the Environment Agency.

The above objections, consideration and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1999. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence



Appendix 2 – Proposed Plans Elevations and Floor Plan



Appendix 3 – Annotated Site Plan

