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Application Number:	20/01323/FUL
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Application Type:	Planning FULL
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Proposal Description:	Retrospective change of use of land to Sui Generis for the recycling of concrete, bricks, rubble and soils into a sellable by-product to provide recycled aggregates; construction materials storage; civils engineering operation use and proposed erection of modular building.
At:	Unit 1, Pastures Road, Mexborough, S64 0JJ

For:	Mr Adrian Catlow
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Third Party Reps:	71 Representations in Objection	Parish:	N/A
		Ward:	Mexborough

Author of Report:	Jessica Duffield
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SUMMARY

The application relates to the expansion of the existing Catlow Civil Engineering Business on Pastures Road. The applicant has been operating from the site for circa 14 years. Albeit, it has been recognised that the applicant does not have the correct planning permission and therefore has been operating unauthorised.

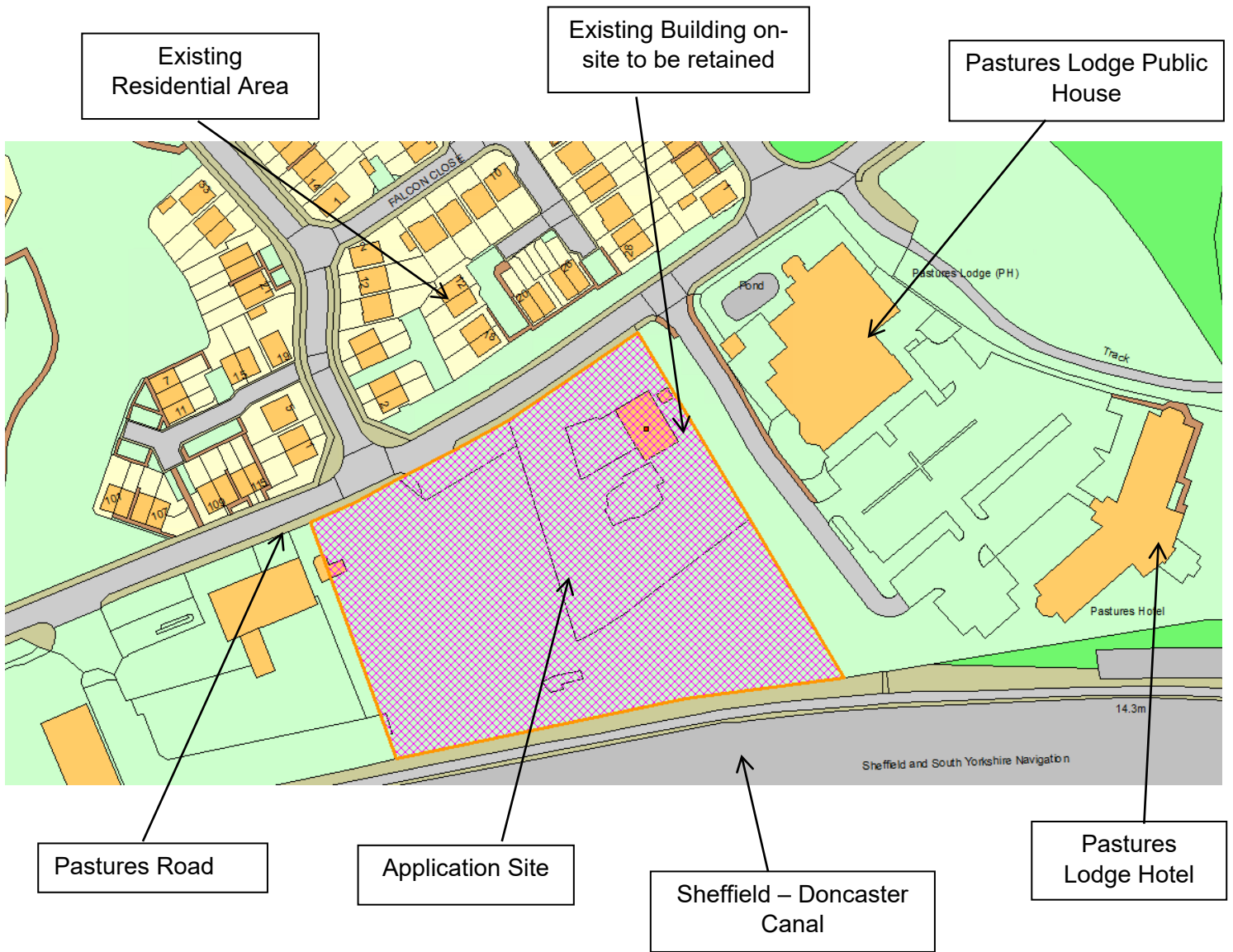
In early 2020, the applicant acquired additional land to expand his business, and began operations including the crushing and recycling of products obtained as part of the engineering business.

The applicant submitted a Permitted Development (PD) enquiry, following an enforcement complaint relating to an unauthorised wall of soil. The PD enquiry determined that a full planning permission to retrospectively change the use of the site would be required.

The site is allocated for Mixed Use Regeneration Projects in the adopted UDP 1998.

The application has received a high level of public interest with 71 neighbour objections.

RECOMMENDATION: GRANT planning permission subject to conditions



1.0 Reason for Report

- 1.1 This application is being presented to planning committee due to level of public interest.

2.0 Proposal

- 2.1 Full planning permission is being sought for the change of use of both the original site and the land surrounding, as part of the expansion, to Sui Generis Uses for the recycling of concrete, bricks, rubble and soils into a sellable by-product to provide recycled aggregates; construction materials storage; and civil engineering operations use. The works also include the erection of a new modular office building which will be located to the front of the site.
- 2.2 The site has been operating as a Civil Engineering business since 2006. This will remain as the primary operation. The applicant expanded the site to accommodate a crushing/screening/recycling service, of the bi-products obtained as waste materials from the Civil Engineering works. This bi-product is then to be sold and will operate as a secondary operation.
- 2.3 As part of the works, various equipment, plant and machinery have been located on the site, relating to the crushing and recycling operations.
- 2.4 The proposal will utilise the existing site access off Pastures Road. A transport statement and tracking information has been provided, relating to the proposed transport movements.
- 2.5 The applicant has already installed planting to screen the site along the northern boundary on Pastures Road, although this still needs to mature. Further screening techniques and mitigation relating to the noise created by the crushing equipment is to be installed as per the proposed plans.

3.0 Site Description

- 3.1 The application site lies to the south of Pastures Road, and to the north the pedestrian footpath which runs along the Sheffield- Doncaster canal. The site is surrounded by a mixture of uses.
- 3.2 The north- eastern part of the application site has been used by the applicant as part of the Civil Engineering business for since 2006 where he was at tenant at the site. The applicant became the owner of the site in 2009. The land to the west of the site has long-running historic uses relating to employment/mixed-uses.
- 3.3 The southern and western part of the application site (the 2020 expansion land) was previously used for the storage of caravans and vehicles. This use ceased following the applicant purchasing the land.
- 3.4 Pastures Lodge and Hotel lies to the immediate east of the site. Further to the west is a heavily wooded area which is washed over by Green Belt.

3.5 Existing residential development is located to the north of the site. Outline permission for 16.11ha of land for residential uses, public open space and office development, was granted in September 2010. The residential development has come forward in various phases, with parts still under construction.

3.6 The site is located in Flood Zone 2 and 3. A flood risk assessment has been provided.

4.0 Relevant Planning History

4.1 Planning History for the application site as follows:

Application Reference	Proposal	Decision
87/0652	Retention of weighbridge single storey weighbridge station (5.5m x 3.8m) and toilet block (5.0m x 2.0m) at coal processing and distribution depot.	Assumed abandoned 01.01.2000
88/4039	Use of 0.5 ha of land as transport haulage depot including erection of workshop offices and solid fuel heating appliances showroom (30.0m x 16.0m) and associated car parking facilities.	Granted 29.09.89
89/1836/P	Outline application for use of land for concrete batching and sale of concrete products and aggregate on approx. 0.4 ha of land.	Assumed abandoned 01.01.2000
89/2880	Erection of retail/wholesale/store/offices development including vehicle workshop and associated parking on approx 1.61 ha of land.	Granted 13.10.89
89/3503	Warehouse/retail store/wholesale distribution	No records
89/2063/P	Outline application for warehouse/industrial/office development (class b1 b2 and b8) (243 000 sq ft) including parking facilities for 507 vehicles.	Withdrawn 29.09.89
91/1811	Showroom/garage/offices	No records
93/3446/P	Erection of coal storage shed (31.0m x 15.1m) installation of two weighbridges, erection of weighbridge station (9.35m x 3.25m) and formation of and alterations to vehicular accesses to	Granted 21.02.94

	classified road (c309).	
94/0218	Weighbridge station and coal storage shed	No records
94/1856/P	Change of use from light industrial to coal preparation depot and transport storage.	Granted 05.12.94
95/1585	Industrial building	No records
95/1609/P	Erection of coal preparation shed (18.80m x 12.45m x 5.55m in height).	Granted 24.07.95
96/0071	Erection of coal preparation building (18.75m x 12.35m).	Granted 04.03.96
96/2165/P	Change of use from coal storage to garden centre	Granted 30.09.96
99/1424	Change of use from light industrial to garden centre	Assumed abandoned 01.01.2000
99/4267	Change of use of industrial land to garden centre. outline application for a2, a3, b1, b2, b8 and d2 hotel, chandlery, moorings and clubhouse.	Part refuse, part grant, 25.01.00
01/2856	Change of use of land to Sunday market	Refused 28.09.01
01/4495	Change of use of part first floor to be used as restaurant; creation of part first floor to be used as sales including retention of fire escape staircase and external alterations.	Granted 14.01.02
02/5162/P	Retention of use of land for storage of caravans. Retention of use of land for display of cars for sale. Change of use of land for storage and change of use of building for manufacture/sale of garden centre related products.	Part refuse, part grant 10.06.05
03/0220	Outline application for A3, B1, B2, B8, chandlery, moorings and clubhouse.	Refused 27.05.05
09/03095/RET	Retention of land and buildings for restaurant (A3), open storage (B8), caravan and boat storage (B8), external alterations to existing building in connection with changing the use to boat and caravan repair and maintenance (B2), showroom and hire shop (A1)	Granted 18.12.09
10/03386/FUL	Erection of 2no wind turbines (total height 34.2m)	Granted 19.10.11
20/00712/PD	Recycling of concrete, bricks, rubble and soils into a sellable by product.	Permission Required 11.03.20

5.0 Site Allocation

5.1 The site is allocated as Mixed Use Regeneration Projects as defined by the Proposals Maps of the Doncaster Unitary Development Plan (adopted in 1998).

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 Paragraph 2 states that planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise.

5.5 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).

5.6 Paragraph 80 states that planning decisions should help create the conditions in which businesses can invest, expand and adapt. It states that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. Paragraph 82 builds on this further stating that planning decisions should recognise the specific locational requirements of different sectors.

5.7 Paragraph 117 states that planning decision should promote an effective use of land.

5.8 Core Strategy 2011 – 2028

- 5.9 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).
- 5.10 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:
- 5.11 Policy CS1 relates to the quality of development within Doncaster. It makes it clear that development must protect local amenity, as well as being well-designed; are accessible and provide opportunity for people to access jobs.
- 5.12 Policy CS14 relates to design and sustainable construction and states that all proposals in Doncaster must be of high quality design that contribute to the local distinctiveness; reinforces the character of local landscapes and building traditions; responds positively to existing site features; and integrates well with its immediate and surrounding local area.
- 5.13 Policy CS5 states that local employment sites will generally be retained for employment purposes with alternative uses being supported where the use is appropriate in terms of scale, design and location.
- 5.14 Policy CS2 defines Mexborough as a Principal Town in which will be the main focus for growth and regeneration.

5.15 Saved Unitary Development Plan Policies (Adopted 1998)

- 5.16 Policy RP4 relates to the Don/Deerne Valley Regeneration area allocation in which the application site falls. The policy outlines a mixture of uses in which the site will be developed including light industrial uses.
- 5.17 The indicative masterplan which accompanies the policy states that the application site has the opportunity to be development for industrial uses including B1, B2 and B8.

5.18 Local Plan

- 5.19 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

5.20 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 to each policy:

5.21 In the Emerging Local Plan Proposal maps the application site is allocated as an Employment Policy Area. Policy 5 refers to Employment allocations stating that uses other than employment will be supported provided that it is clearly demonstrated that the use supports the existing use on the site is a specialist use. The policy also states that proposed uses must be appropriate in terms of scales; design and location. This policy can be afforded substantial weight.

5.22 Policy 47 relates to the design of non-residential, commercial and employment developments. It states the proposals must be designed to a high-quality and make a positive contribution to the area in which they are located. Proposals will be supported where they are designed to: have no unacceptable negative affects upon the amenity of neighbouring land uses or the environment; meet functional requirements whilst being architecturally attractive; be well landscaped and ensure good quality external works. This policy can be afforded substantial weight.

5.23 Policy 43 deals with the need for good urban design. This policy can now be applied with moderate weight.

5.24 The land to the north of the site is allocated as Residential Policy Area. Emerging Policy 11 state that where non-residential uses are proposed these should not cause unacceptable loss of residential amenity through excessive noise, fumes, smell or unsightliness. This policy can be afforded substantial weight. Whilst the application site is outside of the residential policy area, given its proximity to existing housing, residential amenity must be considered.

5.25 Neighbourhood Plan

5.26 There is no Neighbourhood Plan for this area.

5.27 Other Material Planning Considerations

- Development Requirements and Guidance Supplementary Planning Document (SPD) (2015)
- National Planning Policy Guidance

6.0 Representations

6.1 This application has been advertised in accordance with The Town and Country Planning (Development Management Procedure (England)) Order 2015 by way of site notice and direct neighbour notification letters.

6.2 Two rounds of public consultation have been undertaken to reflect the amendments to the proposed description. 71 neighbour representations have been received in response to the application publicity, the majority of whom occupy residential properties on the development to the north. A summary of the main issues raised are as follows:

- Operational hours of the existing business/ site
- Additional Traffic/HGV movements and routes around the surrounding area
- Dust created from crushing equipment on cars/ windows etc
- Noise from operations on site
- Floodlighting
- Use of water from the canal
- Health impacts – particularly from dust pollution
- Impact upon house values
- Proximity to adjacent public house and hotel use
- Impact on landscape/ eye sore
- Complaints relating to retrospective permission/ machinery being used while planning permission is outstanding
- Residential development already potentially being impacted by High Speed 2 (HS2)
- Impact upon wildlife/canal particularly from dust created

6.3 Cllr Chapman and Cllr Gibbons who are both Ward Councillors for Mexborough have raised concerns relating to the proposal and have been consulted and kept updated throughout the planning process.

7.0 Parish Council

7.1 The site is not in a Parish Council area.

8.0 Relevant Consultations

8.1 Environmental Health – The Environmental Health Practitioner has addressed both the Dust and Noise information separately:

Dust- Dust Management Plan and Dust Monitoring Survey have been submitted. Should the management plan be implemented as per the submitted report then no concerns raised. The report sets out various mitigation methods to control air-borne dust including, regular review of the prevailing weather; use of water sprinkler systems; keeping hard surfaces damp; careful moving of materials; postponing operations if significant wind-blown dust is likely to result. A condition is proposed relating to the implementation of the management plan.

Noise- Original noise survey submitted was not considered to be sufficient. An additional survey was undertaken and provided, which was considered to be of further detail. The noise survey indicated that noise generated from road traffic was the dominant source of noise at the receptor on Falcon Court (within the residential area). The report summarises by stating that the '*when considering the context in which the south occurs, the noise will cause low impact at existing sensitive receptors.*' A plan has been provided to condition that the crusher must be located within the south-eastern part of the site and cannot be relocated closer to Pastures Road in order to consider the impact caused by noise.

Conditions have also been proposed relating to the operational hours of the use of the equipment and plant on site to reduce impact upon existing residential amenity through noise and disturbance. The 24hour use of the site is to be limited to emergencies call-out activities only.

8.2 Ecology - No objection raised. Condition proposed relating to an ecological enhancement plan.

8.3 Local Plan Flood Team – No response

8.4 Environment Agency (Flooding)- Condition proposed relating to Finished Floor Levels and position of new building being within Flood Zone 2.

8.5 Environment Agency (Waste)- The site operator was granted a permit relating to the treatment of waste on 3/3/2020. The permit outlines strict guidance which the operator/ applicant must adhere to at all times due to the site's proximity to sensitive receptors, namely nearby housing and businesses. The EA will continue to regulate the site against the conditions to ensure continuing compliance. A site visit was undertaken by the EA on 25th September 2020 and the following was observed:

- Suppression systems were in good working order and set to a timer to ensure that the site was evenly dampened. This is considered to alleviate

any concerns relating to dust, particularly over the summer months.

Applicant referred to further tree planting to also increase site suppression.

- Applicant has confirmed to EA inspectors that no crushing is to take place on days when wind is blowing towards the housing development, with the applicant having purchased a wind station to be located on site.
- The crushing equipment is located behind a concrete structure which reduces wind flow. Crushing machinery was in good working order with external dust suppressions and an internal water system. No dust emissions were witnessed, despite increased winds. Considered to be unlikely that emissions from crushing would leave the site boundary as long as the procedures are strictly adhered to.
- Screening equipment has not been assessed during the site visit. As long as same measures as crushing equipment are in place then considered to probably pose minimal risk.
- No breaches of permit were noted from the visit.

- 8.6 **Highways Development Control**- All tracking works. No objections. A condition has been proposed relating to the highways route in which HGV/traffic relating to the site can use to minimise impact upon residential amenity and ensure that the appropriate route is used. Proposed condition relating to installation of cycle storage, although the agent has indicated that the site does already provide a small provision of cycle parking.
- 8.7 **Transportation** – Transport Statement has been reviewed. Condition proposed relating to the maximum number of HGV movements in and out of the site per day, to minimise impact upon residential amenity.
- 8.8 **Yorkshire Water**- No response
- 8.9 **National Grid**- No response
- 8.10 **South Yorkshire Police Liaison Officer**- No comments to make.
- 8.11 **Urban Design Officer**- Advice provided relating to the landscaping/planting along the perimeter of the site.
- 8.12 **Canal and River Trust**- Highlighted that there is a risk that dust from the proposed activities could reach the waterway unless appropriate precautions are undertaken. The LPA should ensure that appropriate mitigation measures are put into place as necessary to reduce the risk of exposure of the water environment to pollutants. Enhancement of the southern boundary hedge and the incorporation of dust suppressions measures could be appropriate measures to reduce the risk of contamination to the wider environment.
- 8.13 **Internal Drainage**- Conditions proposed. Informatives attached.
- 8.14 **Tree Officer**- advice provided regarding landscaping.
- 8.15 **Pollution Control**- Informative attached

9.0 Assessment

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

- Principle of Development
- Sustainability
- Impact upon Residential Amenity
- Design and Impact upon Character of Area
- Dust
- Noise
- Flood Risk
- Highways
- Landscaping
- Ecology

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 application site is washed over by Mixed Use Regeneration Projects as defined in the adopted Unitary Development Plan 1998. The application site, within the wider area, was allocated for a mixture of uses including offices, light industry, housing and leisure.

9.4 The proposed use falls within the Sui Generis Use Class but relates to a commercial and industrial use.

9.5 The core Civil Engineering business has been operating on the site since 2006. Although the applicant purchased the site and took over the business entirely in 2009. The land to the west of the site has been used for storage and industrial uses for a long period, although this most recently related to the outdoor storage of caravans.

9.6 Whilst the proposed use is more intensive in terms of the nature of the operations, the principle of the expansion to the existing business and the proposed use is not contrary to the character of the area and is therefore in-keeping with the overriding allocation.

- 9.7 The emerging Local Plan has completed its consultation for the Regulation 24 Publication stage. The Council is aiming to adopt the Local Plan by the end of 2020. Whilst the overall Local Plan carries limited weight at this stage, the relevant policy – Policy 5, can be afforded significant weight as there is little in the way of outstanding objection and therefore provides a clear indication of the direction of travel towards future planning policy of the site. The Local Plan proposes that the site is allocated as Employment Policy Area. Whilst the proposed use does not directly fall within the business uses classes, the Sui Generis use will in turn encourage employment and investment and is therefore suitable.
- 9.8 . Emerging Policy 5 states that proposed uses must be of an appropriate scale, design and location. It also states that proposals should clearly demonstrate that uses support the existing employment use and are appropriate to the site.
- 9.9 The proposed expansion to the existing Civil Engineering business is therefore supporting an existing business use. The proposed additional operations, which includes the crushing and recycling of waste products, such as concrete and rubble, which are obtained as part of the civil engineering works, will add to the number of services offered by the business and in turn create increased employment opportunities, in accordance with the allocation.
- 9.10 Taking the above considerations into account; on balance it is considered that the site is capable of forming a sustainable proposal when assessed against UDP and emerging Local Plan policies. The proposal is therefore acceptable in principle, subject to other policy considerations as addressed below.

Sustainability

- 9.11 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.
- 9.12 There are three strands to sustainability, social, environmental and economic. Paragraph 10 of the NPPF states that in order that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.
- 9.13 **SOCIAL SUSTAINABILITY**
- 9.14 Impact Upon Residential Amenity
- 9.15 Policy CS 14 (A) of the Core Strategy states that ‘new development should have no unacceptable negative effects upon the amenity of neighbouring land uses or the environment’ and paragraph 127 (f) of the National Planning Policy Framework states that planning decision should create places that have a high standards of amenity for existing and future users .

- 9.16 As outlined above the proposed development is located within close proximity to 100+ residential dwellings, which are positioned to the north of Pastures Road. 71 neighbour representations have been received in objection to the development, the majority of which relate to the impact upon residential amenity, particularly by virtue of noise, traffic and dust.
- 9.17 These issues will be addressed in further detail in the following sections. However in terms of residential amenity, the proposal has been amended to ensure that any impact is minimised.
- 9.18 A blockwork barrier has been constructed around the south-eastern corner of the site, to screen the crushing activities, in terms of both noise, dust and visual impact. The proposed crushing activity has been positioned at the furthest point from the existing dwelling to minimise any impact. Based on the surveys submitted, and upon inspections undertaken by the Environment Agency Officers, it is not considered that the proposed crushing operations will harmfully impact residential amenity.
- 9.19 Restrictions on operating hours for both the core Civil Engineering business and particular operational activities, are to be controlled by planning conditions to ensure that no disturbance will be caused at anti-social hours. These hours are proposed as follows:
- 9.20 *Crushing, screening and recycling activities and operations can only occur between the following hours: 07:45 – 18:00 Monday – Friday; 08:00 – 13:00 Saturdays; No operations on Sundays. Any crushing/screening activity outside of the hours specified will be unauthorised.*
- 9.21 *The core Civil Engineering Business operations can operate between the following hours: 07:00- 18:00 Monday – Friday; 08:00 – 15:00 Saturdays; No operations on Sundays.*
- 9.22 The applicant has already installed hedging/planting along the northern boundary on the site to provide a form of screening in terms of both visual appearance of the site as well as creating a natural noise barrier. However, additional planting will be required to provide satisfactory quality of screening. An indicative plan has been provided showing the proposed location of the planting. A condition is proposed relating to a detailed landscape scheme, which is to be submitted within one month of the decision.
- 9.23 Many of the neighbour representations refer to the impact of dust created by the development. A number of complaints have also been investigated by our enforcement team, who have undertaken a series of visits to neighbouring properties. It is considered that should the mitigation measures, as set out in the Dust Management Plan be implemented accordingly and correctly, then the risk of impact caused by dust is minimal. The primary mitigation measure is the water suppression system, which has been inspected by the Environment Agency. This is therefore considered to be suitable and addresses neighbour concerns.

9.24 Other factors which have been raised within the neighbour representations will be addressed below. However, in terms of the main issues which could impact residential amenity, these are not considered harmful. The application has been amended to ensure that various mitigation methods and restrictions have been put in place to minimise any potential impact.

9.25 The proposed development includes the erection of a new building which will be located to the south of the site entrance. The proposed building will be of a single storey modular design which will be lifted off the ground. In terms of overlooking and overshadowing, the proposed building is positioned at a suitable distance, being over 25m from any residential dwellings.

9.26 Therefore the application is in accordance with Policy CS1 and CS14 and therefore carries significant weight.

9.27 Conclusion on Social Impacts.

9.28 Paragraph 8 of the NPPF (2019) indicates, amongst other things, that the planning system needs to support strong, vibrant and healthy communities, by ensuring well-designed and safe built environments, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being.

9.29 In conclusion the applicant has proposed adequate mitigation methods to ensure that nearby residential amenity will not be harmfully impacted by the proposed development.

9.30 It is considered that the proposal would not adversely affect neighbouring residential properties through excessive overlooking or loss of privacy. Although the application has received a high volume of neighbour representations, the issues raised are considered to be satisfied and addressed by the proposal, and therefore the amenity of neighbouring land uses is to be protected. The application site is in a sustainable location which is well connected. Thus the proposal weighs positively in terms of the social impact and carries significant weight.

9.31 ENVIRONMENTAL SUSTAINABILITY

9.32 Impact Upon Character and Appearance of the Area

9.33 The application site is surrounded by various uses. Residential development is to the north, in which red brick is the primary material. Pastures Lodge Public House and Hotel are located to the east of the site, both of which are built from light coloured stone. The 'Discount Food Centre' building is located to the west of the application site, which is built from brick and blue metal cladding. The adjacent site is surrounded by hardstanding.

9.34 Previous to the proposed use, the western and southern part of the site was used as outdoor storage of caravans. Therefore the site has historically been

covered in hardstanding and is not considered to be an 'attractive' appearing site.

- 9.35 As outlined above, there is no primary material or character features surrounding the application site.
- 9.36 Typically, industrial uses such as the proposed development, are not the most attractive and many of the neighbour representations refer to the development being an 'eye-sore'.
- 9.37 Section 2.3 of the adopted Development Guidance and Requirements SPD provides guidance for the design of commercial uses. It states that proposals will generally be supported where they are designed to respect the setting in terms of their siting, massing, form, scale and materials. Proposals should reduce the scale of bulky buildings; be well landscaped and retain trees and hedgerows.
- 9.38 The application site consists of an existing two storey building on the site, which is built from red brick and blue cladding, similar to the style of the building on the adjacent site. This building will be retained as part of the proposal.
- 9.39 The proposed modular building be built from a grey pre-fabricated material. The proposed building is considered to be of a suitable scale, being single storey with a flat roof and therefore out of view from the dwellings on the opposite side of Pastures Road. The position of the building is appropriate, being set back within the site but yet providing a sense of security by overlooking the site entrance. This is considered to be of an appropriate design for the site and scale, which will not harmfully impact the character of the area.
- 9.40 As referred to in Paragraph 9.22, the application proposes planting along Pastures Road and along the southern boundary of the site. A form of planting has already been installed along the northern boundary, although this is to be improved as part of a landscaping plan. An existing hedgerow is positioned along the eastern boundary of the site, although this is not within the application site's boundary. The use of planting/screening will soften the appearance of the development from Pastures Road and from the pedestrian footpath which runs to the south. Planting should not be used to allow for poor design. However, given the nature of the proposals, the installation of hedgerow/planting is considered to be appropriate and improves the appearance of the site, ensuring that the development will not harmfully impact the character of the area. This is to be dealt with further by the proposed condition.
- 9.41 The height of materials being stored at the site has been raised by neighbours previously. A condition has been proposed to both limit the location and height of material piles to ensure that this does not exceed the boundary treatments and therefore does not harmfully impact the appearance of the site.

- 9.42 The two existing site entrance gates are to be retained. Although these may be electrified, they will appear as existing.
- 9.43 Based on the considerations as set out above, it is not considered that the proposed development will detrimentally harm the character or appearance of the area, and is therefore acceptable in terms of design.
- 9.44 Dust
- 9.45 The application submission included a Dust Management Plan and Dust Monitoring Survey which has been reviewed by the Environmental Health Officer. This is considered to be comprehensive and adequate.
- 9.46 The Environmental Health Officer is satisfied that should the Dust Management Plan be implemented as per the submitted report and the recommendations are strictly adhered to, then no concerns are raised regarding dust being created by the site and impacting surrounding land/uses.
- 9.47 The report sets out various mitigation methods to control air-borne dust including, regular review or prevailing weather; use of water sprinkler systems; keeping hard surfaces damp; careful moving of materials; and postponing operations if significant wind-blown dust is likely to result.
- 9.48 The Environment Agency inspected the site and have witnessed the water suppression system in use, and were also satisfied, stating that so long as the water system and the proposed procedure is strictly adhered to, it is unlikely that any dust created by the crushing operations would leave the site onto neighbouring uses.
- 9.49 It is not considered that any dust created by the proposed activities would cause a harmful impact upon the environment. To ensure that there is no harm, a condition is proposed relating to the implementation of the management plan. This is therefore suitable.
- 9.50 Noise
- 9.51 The original noise survey provided by the applicant was not considered to be satisfactory. Therefore, a more detailed noise survey was requested and provided.
- 9.52 The applicant was permitted to undertake crushing activity on the days of the noise survey in order to appropriately consider the potential harm caused by the operations at the site. To establish the noise contribution caused by the crushing equipment, noise monitoring was undertaken at the receptor location both when the crusher was operational and when it was not.
- 9.53 At the sensitive receptor location, the existing noise was dominated by road traffic noise on Pastures Road.

- 9.54 It is recognised that noise caused by the crusher was occasionally distinct during periods of no passing traffic movements. Overall there was no increase in the overriding noise level when the crusher was in operation.
- 9.55 The noise survey refers to a 2.4m high concrete block wall which has been erected on the site and defines the boundary of the 'crushing area'. This provides an additional form of mitigation to reduce the impact of noise created by the crushing equipment.
- 9.56 The report summarises by stating '*when considering the context in which the sound occurs, the potential noise impact from the crusher is of low impact at the existing sensitive receptors. When assessed in accordance with the Noise Policy Statement for England, the impact from the site is likely to be below the Lowest Observed Effect Level, as the noise may be audible on occasions but it is unlikely to cause any change in behaviour or attitude.*'
- 9.57 The findings of the reports are based on the presumption that the crusher is located in the south-eastern corner of the site within the defined crushing area. A plan which identifies this area is to be conditioned to prevent the equipment being moved around the site, and particularly ensuring the equipment does not move closer to Pastures Road. The crushing equipment must be contained within the area specified both when in use.
- 9.58 It is not considered that the noise created by the operations will harmfully impact the environment or any surrounding uses, subject to the conditions proposed relating to the location of the equipment and the operational hours, as stated in Paragraph 9.20 – 9.21. This is therefore acceptable.
- 9.59 Flood Risk
- 9.60 The application site is covered by Flood Zone 2 and 3. The southern and western part of the site (the majority of the expansion area) falls within Flood Zone 3. Meanwhile, the northern part of the site is Flood Zone 2. This is therefore within a high risk flood zone.
- 9.61 A flood risk assessment was provided, which the Environment Agency have reviewed.
- 9.62 The Doncaster Development & Flood Risk SPD (adopted October 2010) sets out how flood risk policy should be applied in respect to the Doncaster borough. Table 2; page 23 of the SPD lists the forms of development that do not require a Sequential Test. Page 26 specifically refers to 'Extensions to existing industrial, leisure and commercial (including retail) sites.' This states that proposals to expand existing sites over 250sqm in extent will require the ST unless it can be demonstrated that they will be operationally linked and will incorporate adequate flood mitigation measures (including flood resilience). The document states that proposals may include additional building within the curtilage of the site.

- 9.63 The proposed development is an expansion/ extension to an existing commercial use, and therefore sequentially cannot be located at a different site.
- 9.64 As outlined in Paragraph 2.2 the proposed crushing/recycling activities, which are principal reason for the site expansion, is a secondary use in terms of the overall Civil Engineering business and therefore must be located at the application site. Consequently, a sequential test is not required.
- 9.65 The flood risk assessment has outlined various mitigation measures to reduce the risk of flooding impact the site.
- 9.66 A condition has been proposed by the Environment Agency relating to the finish floor levels of the proposed building and the location of the building, which is to be located within Flood Zone 2. The building must have a FFL of 15.3m above Ordnance Datum.
- 9.67 No permanent buildings or accommodation is to be erected with Flood Zone 3. This to ensure there is less of risk of being impacted by flooding.
- 9.68 It is not considered that the proposed development will increase the flood risk either on the site or impact surrounding uses in terms of flooding. The majority of the site is outdoor and the increase in development floorspace has been addressed by the proposed condition and is therefore not considered to impact the flood risk.
- 9.69 Highway
- 9.70 The proposed development looks to utilise the existing site access off Pastures Road. The existing site has two gated entrances off the access road. The primary access is inside the boundary, in which vehicles swing into the site towards the eastern boundary. The second gate is currently underutilised but is positioned immediately upon the entrance to the site.
- 9.71 The proposed development looks to utilise both the existing gates to form and 'in and out' route around the site. Vehicle tracking has been provided, which has been reviewed by the Highways Development Control Officer. In terms of vehicles manoeuvres the application site is considered to provide adequate turning and driving space.
- 9.72 The agent has provided further details regarding car parking at the site. The site has an existing circa 30 car parking spaces, of which 17 employees utilise regularly. This therefore allows for further expansion in terms of staff numbers at the site, which is addressed in more detail later in the report.
- 9.73 In terms of the number of movements and traffic created by the development and its impact upon the surrounding road network, this has been reviewed by the Transport Planner. A Transport Statement has been provided which

details the number of movements associated with the expansion and the route which vehicles will take.

- 9.74 Many of the neighbour representations highlighted HGV traffic as an existing issue, particularly in terms with large vehicles accessing the site via residential streets.
- 9.75 In the submitted Transport Statement it stated that the development would create an extra 30 2-way movements each day in and out of the site. This would equate to a movement every 4minutes. The Transport Planner did not consider this to be acceptable in terms of the local network or the impact upon residential amenity.
- 9.76 In order to ensure that the proposed development does not cause detrimental harm upon the existing network, conditions have attached limiting the number of HGV movements in and out of the site each day to a total of 40 (20 into the site and 20 out of the site).
- 9.77 The reduced movement number is considered to be more appropriate for the site given its location and will not cause strain upon the highway infrastructure.
- 9.78 A condition has also been proposed restricting any HGV movement associated with the site, to use the route as specified in the submitted Transport Statement and must not access the site via either High Melton or using residential streets. All vehicles are to access the site from a westerly direction along Pastures Road/ Doncaster Road. Again, this is to ensure that vehicles access the site via the appropriate highway network and do not impact residential amenity in terms of the traffic generated.
- 9.79 A separate condition is also proposed relating to cycle storage in order to ensure staff members in particular utilise sustainable transport methods.
- 9.80 Subject to the conditions attached it is not considered the development will cause detrimental harm in terms of its impact upon the surrounding highway network.
- 9.81 Landscaping
- 9.82 As referred to in the sections above, a form of landscaping has already been installed along the northern boundary. Further planting to be installed along both the northern and southern boundaries. Any existing hedging is to be retained and maintained. This is in accordance with advice provided by the Urban Design Officer and the proposed conditions.
- 9.83 The implementation of such landscaping will not only provide additional screening but will make a positive contribution in terms of appearance and impact upon the environment. This is therefore suitable.

9.84 Ecology

9.85 The LPA Ecologist has reviewed the proposed development. There is no objection raised on ecological grounds, given the long term commercial use of the site.

9.86 A condition is proposed relating to an ecological enhancement plan, which relates to the southern boundary of the site. Subject to the condition, this is considered to be suitable and no harm upon ecological value.

9.87 Conservation

9.88 The application is not in a Conservation Area, thus there is no impact upon any Heritage assets.

9.89 **Conclusion on Environmental Issues**

9.90 Paragraph 8 (c) 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.

9.91 The application proposal is not considered to harmfully impact the environment or the surrounding uses. As addressed above, various mitigation methods and procedures have been put in place to protect the local environment from the any potential risk caused by the proposed operations. The proposal causes no harms in terms of ecological value and makes effective use of the land.

9.92 The application is not in a Conservation Area, thus there is no impact upon any Heritage assets. The proposal does not detrimentally affect the surrounding environment. This weights moderately in favour of the application.

9.93 **ECONOMIC SUSTAINABILITY**

9.94 In terms of the expansion of the existing site, the proposed development will in turn create employment for the wider area. The breakdown of jobs associated with the application site is as follows:

- 65 people currently employed at the site, of which 10 relate to the retrospective expansion of the operations.
- An additional 25 employees to be hired in relation to the application proposal.
- Should planning permission be granted, the overall business looks to employ a total of circa 90 staff members, including those on long-term sickness.

The creation of additional jobs weighs positively in favour of the application carrying significant weight.

9.95 Conclusion on Economy Issues

9.96 Paragraph 8 (a) of the NPPF (2019) sets out that in order to be economically sustainable developments should help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.

9.97 The economic benefit of the proposal is of positive benefit, creating additional jobs and investment into the wider economy of the Borough and for the reason weighs in significant 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. 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. The proposal is compliant with the adopted development plan and adopted policies and there are no material considerations which indicate the application should be refused.

11.0 RECOMMENDATION

11.1 GRANT planning permission subject to conditions:

1. 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:
Proposed Site Plan, Block Plan for Unit 1 Pastures Road, Scale 1:500, Received 9th June 2020
Proposed Plans, Proposed Elevations & Floorplans, Drawing No: 96/20/Y16-01b, Received, 9th June 2020
REASON
To ensure that the development is carried out in accordance with the application as approved.

2. Throughout the lifetime of the development, the mitigations measures as set out in the submitted dust management plan (C2 Safety, Dust Management Plan, June 2020) received 25th June 2020, must be implemented and carried out in accordance with the document. Should any of the mitigation measures/ suppression system be out of order or not working to the quality

as per the standards set out in the submitted report, then the crushing/screening equipment shall not operate.

REASON

To ensure that any dust created by the operations on site does not impact the amenity of neighbouring uses.

3. When the crushing equipment/machinery is in use it must be positioned within the south- eastern part of the application site, labelled as the 'screening and crushing area' on the plan (Crushing Area Plan- Received 28/9/2020) at all times. The blockwork barrier must also be implemented prior to use of the crushing equipment as per the submitted plan. The height of the blockwork barrier must not exceed 2.4m in height as stated in the submitted noise survey.

REASON

To ensure that the noise created by the operations on the site does not impact the amenity of neighbouring uses.

4. Crushing, screening and recycling activities and operations must only occur between the following hours:
07:45 – 18:00 Monday – Friday
08:00 – 13:00 Saturdays
No operations on Sundays.
The equipment cannot be used outside of the above hours specified.

REASON

To protect local residential amenity in terms of disturbance caused by the operations, in accordance with Policy CS1.

5. The core Civil Engineering Business operations must only operate between the following hours:
07:00- 18:00 Monday – Friday
08:00 – 15:00 Saturdays
No operations on Sundays
This does not include works relating to the crushing/recycling operations.

REASON

To protect local residential amenity in terms of disturbance caused by the operations, in accordance with Policy CS1.

6. HGV, delivery lorries and vehicles associated with the site and its operations shall use the highway route as specified in the submitted Transport Statement (Andrew Moseley Associates, Highways Supporting Statement, Received 1/10/2020) which states that all '*HGV deliveries to and from the site would be made via Pastures Road (W) via the neighbouring town of Mexborough and Denaby Main*'. HGV and vehicles relating to the application site and its operations must not access the site via the residential development to the north of the site, or via High Melton.

REASON

To ensure that vehicles access the site via the appropriate highway network and do not impact residential amenity in terms of the traffic generated.

7. The number of HGV movements which enter and exit the site is restricted to a maximum of 40 2-way HGV movements (20 in and 20 out) per day.

REASON

To ensure that the number of vehicles passing through local residential areas are within acceptable limits having regard to local amenity (noise, dust and vibration).

8. Within one month of the decision date details of secure cycle parking facilities for the occupants of, and/or visitors to the development is to be submitted to and approved in writing by the local planning authority. These facilities shall be fully implemented within 3 months of the condition being discharged and made available for use and shall thereafter be retained for use at all times.

REASON

To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles and to comply with policy CS9 of the Doncaster Core Strategy.

9. Within one month of the decision date an ecological enhancement plan shall be submitted to the local planning authority for approval in writing. This plan shall include details of the following measures, all of which shall be implemented as approved in the first hedge planting season following approval of the scheme:

A native species hedgerow shall be planted on the southern boundary of the site in accordance with current good practice and landscape industry specification.

REASON

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

10. 24 hour access and operations relating to the core Civil Engineering Business is restricted to servicing emergency power supply failure call outs only. Staff may access the site outside of core operating hours in response to these emergency works only.

REASON

To protect local residential amenity in terms of disturbance caused by the operations, in accordance with Policy CS1.

11. The development shall be carried out in accordance with the submitted flood risk assessment (ref 21/05/2020) and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 15.30m above Ordnance Datum (AOD).
- Resistance and resilience measures shall be included as per the submitted flood risk assessment.
- The new office shall be limited to flood zone 2, as per the submitted site plan.

These mitigation measures shall be fully implemented prior to first 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.

12. The new building hereby permitted shall not be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be designed, managed and maintained throughout the lifetime of the development in accordance with the Non-statutory technical standards and local standards

REASON

To comply with current planning legislation - National Planning Policy Framework.

13. All surface water run off from the site, excepting roof water, shall be discharged to the public surface water sewer/land drainage system or Highway Drain via a suitable oil/petrol/grit interceptor. Details of these arrangements shall be submitted to and approved by the Local Planning Authority prior to commencement of the construction of the new building hereby approved and they shall be complete and fully operational before the building is brought into use.

REASON

To avoid pollution of the public sewer and land drainage system.

14. Any materials that are stored within the site shall not be stacked or formed into piles greater than 2.5m above ground level.

REASON

In the interests of the external appearance of the site.

15. Within one month of the decision date a detailed landscape scheme is to be submitted to and approved in writing by the Local Planning Authority. The scheme shall include semi mature tree planting and hedgerow species to create a dense visual landscape buffer along Pastures Road. The scheme shall include a soft landscape plan; a schedule providing tree numbers and details of the species, which shall comply with section 8 Landscape, Trees and Hedgerows of the Council's Development Guidance and Requirements Supplementary Planning Document, nursery stock specification in accordance with British Standard 3936: 1992 Nursery Stock Part One and planting distances of trees and shrubs; a specification of planting and staking/guying; a timescale of implementation; and details of aftercare for a minimum of 5 years following practical completion of the landscape works. Thereafter the landscape scheme shall be implemented within the next available planting season in full accordance with the approved details and the Local Planning Authority notified in writing within 7 working days to approve practical completion. Any part of the scheme which fails to achieve independence in the landscape or is damaged or removed within five years of planting shall be replaced during the next available planting season in full accordance with the approved scheme, unless the local planning authority gives its written approval to any variation.

REASON

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

INFORMATIVE

1. The proposed development is within 250 meters of a landfill site about which insufficient information is known to permit an adequate response to be made on the extent to which landfill gas may be present on or off site.

Planning permission has been granted on the basis that there is no sound and clear-cut reason to refuse. The applicant is, however, reminded that the responsibility for safe development and secure occupancy of the site rests with the developer and accordingly is advised to consider the possibility of the presence or future presence of landfill gas and satisfy himself of any gas precaution which may be necessary.

INFORMATIVE

2. We support the intention for the occupants to sign up for the Environment Agency's Flood Warning service.

INFORMATIVE

3. The planning practice guidance to the National Planning Policy Framework states that, in determining whether a development is safe, the ability of residents and users to safely access and exit a building during a design flood and to evacuate before an extreme flood needs to be considered. One of the key considerations to ensure that any new development is safe is whether adequate flood warnings would be available to people using the development.

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 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence.

APPENDIX 1- Site Plan

