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Application Number:	20/00992/FUL
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Application Type:	FULL Planning Application
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Proposal Description:	Demolition of nissen hut and erection of 9 dwellings (being resubmission of 19/01422/FUL).
At:	Land South Of Ridgill Avenue, Skellow, Doncaster, DN6 8HS

For:	Mr Brian Sables
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Third Party Reps:	1 letter of support	Parish:	N/A
		Ward:	Adwick Le Street and Carcroft

Author of Report:	Alicia Murray
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SUMMARY

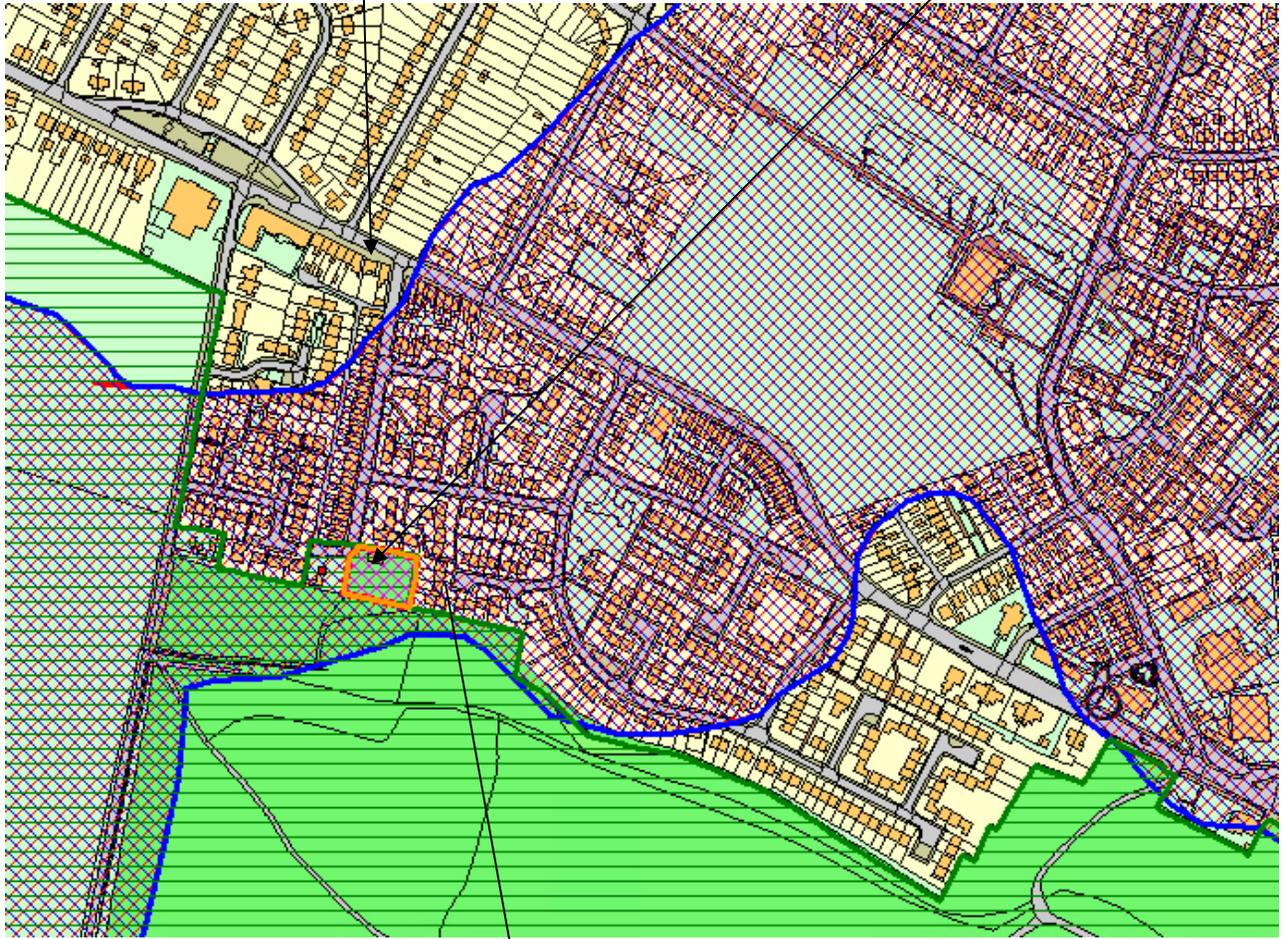
The proposal seeks permission for residential development consisting of 9 dwellings. The proposal is considered to be unacceptable in policy terms being sited within Green Belt as defined by Doncaster's Unitary Development Plan (UDP), Core Strategy and emerging Local Plan.

The report demonstrates the harm generated by the proposal through inappropriate development in the Green Belt with no very special circumstances provided, which is not outweighed by other material planning considerations. In addition, concerns remain in respect to the impact to the neighbouring residents, overdevelopment of the site, insufficient provision of landscaping and inability to compensate for the bio-diversity loss, as well as the application of the Sequential Test and Exceptions Test associated with flooding.

RECOMMENDATION: REFUSE planning permission

Skellow Road / Local Centre

Application Site



Repton Road bungalows

1.0 Reason for Report

- 1.1 This application is being presented to Planning Committee as Councillor David Hughes has called the application in for the following reasons: Although the land is in the Green Belt, the land itself is derelict, overgrown, prone to fly tipping and an eyesore. Also the Councillor believes in Skellow and Carcroft there is a need for good family housing and this would provide an acceptable level of residential accommodation by recycling of derelict land.

2.0 Proposal

- 2.1 The proposed dwellings would be a row of 8 attached dwellings and 1 detached dwelling immediately to the side of the properties on Ridgill Avenue. The properties are proposed at 2.5 storeys with dormers to the front and rear in the roof slope, parking spaces to the front and amenity areas to the rear. The access is proposed off Ridgill Avenue.

3.0 Site Description

- 3.1 The site is a Greenfield site, which has been cleared of most vegetation and fenced/locked off but did once form part of the former Brodsworth Tip site (which is now an area of good ecological value). The site is located at the end of a residential street and forms part of the Green Belt; the site is also located within Flood Zone 3. The surrounding residential properties are a mixture of terraced two storey properties, social flats in low rise blocks, and bungalows. There are commercial uses at the bottom of Ridgill Avenue, facing onto Skellow Road, these commercial units form the local service centre for Skellow.

4.0 Relevant Planning History

- 4.1 Application site:

Application Reference	Proposal	Decision
19/01422/FUL	Erection of 9, 3 bedroom dwellings following demolition of Nissen Hut.	This application was withdrawn to attempt to overcome the EA objection. The case officer also raised concerns over the design, layout, and scale of the scheme. Additionally the case officer raised concerns of the sites Green Belt allocation and suggested the application would be recommended for refusal.

5.0 Site Allocation

- 5.1 The site is allocated within Green Belt Policy Area, as designated in the Doncaster Unitary Development Plan (adopted 1998). The site is proposed to remain as such under the draft Doncaster Local Plan (currently given limited weight). The site is

also designated as being within Flood Zone 3, as outlined on the Environment Agency Flood Risk mapping.

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 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.

5.8 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.

5.9 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.

- 5.10 Paragraph 133 of the NPPF, states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
- 5.11 Paragraph 143 of the NPPF, states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 5.12 Paragraph 144 of the NPPF, states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 5.13 Paragraph 145 of the NPPF, states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:
- a) Buildings for agriculture and forestry;
 - b) The provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
 - c) The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
 - d) The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
 - e) Limited infilling in villages;
 - f) Limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
 - g) Limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.
- 5.14 Paragraph 146 of the NPPF, states that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:
- a) Mineral extraction;
 - b) Engineering operations;
 - c) Local transport infrastructure which can demonstrate a requirement for a Green Belt location;
 - d) The re-use of buildings provided that the buildings are of permanent and substantial construction;
 - e) Material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
 - f) Development brought forward under a Community Right to Build Order or Neighbourhood Development Order.

- 5.15 Paragraph 157 of the NPPF, states that all plans should apply a sequential, risk-based approach to the location of development – taking into account the current and future impacts of climate change so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by:
- a) Applying the sequential test and then, if necessary, the exception test as set out below;
 - b) Safeguarding land from development that is required, or likely to be required, for current or future flood management;
 - c) Using opportunities provided by new development to reduce the causes and impacts of flooding (where appropriate through the use of natural flood management techniques); and
 - d) Where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seeking opportunities to relocate development, including housing, to more sustainable locations.
- 5.16 Paragraph 158 of the NPPF, states that the aim of the sequential test is to steer new development to areas with the lowest risk of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test. The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding.
- 5.17 Paragraph 159 of the NPPF states, that if it is not possible for development to be located in zones with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may have to be applied. The need for the exception test will depend on the potential vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification set out in national planning guidance.
- 5.18 Paragraph 160 of the NPPF states, the application of the exception test should be informed by a strategic or site specific flood risk assessment, depending on whether it is being applied during plan production or at the application stage. For the exception test to be passed it should be demonstrated that:
- a) The development would provide wider sustainability benefits to the community that outweigh the flood risk; and
 - b) The development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.
- 5.19 Paragraph 161 of the NPPF states that both elements of the exception test should be satisfied for development to be allocated or permitted.
- 5.20 Core Strategy 2011 - 2028
- 5.21 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)).
- 5.22 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:

- 5.23 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.
- 5.24 Policy CS3 of the Core Strategy applies national policy and seeks to protect the Green Belt from inappropriate development other than in very special circumstances.
- 5.26 Policy CS4 of the Core Strategy requires a proactive approach towards the management of flood risk and drainage.
- 5.27 Policy CS14 of the Core Strategy states that all development proposals must be of high-quality design that contributes to 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. New development should also have no unacceptable negative effects upon the amenity of neighbouring land uses or the environment.
- 5.28 Policy CS16 of the Core Strategy states that 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.
- 5.29 Saved Unitary Development Plan (UDP) Policies (Adopted 1998)
- 5.30 Policy ENV1 of the UDP reiterates a Green Belt in the western part of the Borough. The purposes of including land within the Green Belt are set out, in accordance with national policy.
- 5.31 Policy ENV3 of the UDP states that development will not be permitted, except in very special circumstances for purposes other than listed. Where development is a permitted use, development will only be acceptable in principle where they would not be visually detrimental by reason of their siting, materials or design, and would not give rise to unacceptable highway or amenity problems and would not conflict with other policies of the UDP.
- 5.32 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.

5.33 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.

5.34 Local Plan

5.35 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). 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

5.36 The Council sent out the notice of examination (regulation 24 stage) in August 2020 and the Local Plan is currently in examination, aiming to adopt as soon as practicable once the Inspectors report is published. 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:

5.37 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.

5.38 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.

5.39 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.

5.40 Policy 31 deals with the need to value biodiversity. This policy is considered to carry limited weight at this time.

5.41 Policy 33 states that the design process should consider woodlands, trees and hedgerows. This policy is considered to carry substantial weight at this time.

5.42 Policy 43 seeks to ensure high standards of residential design. This policy is considered to carry moderate weight at this time.

5.43 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

- 5.44 Policy 55 requires the need to take into account air and noise pollution. This policy is considered to carry limited weight at this time.
- 5.45 Policy 56 deals with the need to mitigate any contamination on site. This policy is considered to carry limited weight at this time.
- 5.46 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.
- 5.47 Policy 58 deals with the need to consider flooding. This policy is considered to carry limited weight at this time.

5.48 Other material planning considerations

- Development Requirements and Guidance Supplementary Planning Document (SPD) (2015)
- South Yorkshire Residential Design Guide (SYRDG) (2015)
- National Planning Policy Guidance
- Housing and Economic Land Availability Assessment (HELAA)

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 (Departure from Development Plan) and neighbour notification.
- 6.2 One representation of support has been received outlining that they have no objection to houses being built on the land, the Nissan hut is an eyesore.
- 6.3 It should be noted that the applicant's agent has submitted 19 signed letters from the local residents. These letters are of the same format outline that the residents have no objections to the proposed development.

8.0 Relevant Consultations

- 8.1 **Local Plans Team (housing)** – As an application for residential development in the Green Belt the proposal is inappropriate development. An argument may be made that the presence of the Nissan Hut confers previously developed status on at least part of the site. However, this in my opinion is not a valid argument given its small size in relation to the wider site – the proposed development would both have a greater impact on, and cause substantial harm to, the openness of the Green Belt in this location. (NPPF para 145g).
- 8.2 **DMBC Tree Officer** – Objects to the application based on the lack of the opportunity to provide sufficient landscaping or even 1 tree per dwelling; thus being contrary to Policy CS16 of the Core Strategy.
- 8.3 **DMBC Ecology Officer** - The Ecology officer considered the development as proposed would be detrimental to the local ecological networks and is contrary to all points of CS16 of the CS. The site has been cleared but this does not negate the requirement for a Preliminary Ecological Appraisal (PEA) which identifies the ecological receptors on site and indicates what further ecological surveys are

required. The PEA stage must then be followed by further surveys to inform an Ecological Impact Assessment (EclA) if necessary and Bio-diversity Net Gain calculation process using DEFRA 2.0 metric; as set out in para 175 of the NPPF. This information was subsequently submitted and re-consultation with the Ecology Officer was carried out; the Officer is in agreement with the surveying ecologist and the consultation that there would be no endangerment to any protected species and that the DEFRA 2.0 metric would not be a useful exercise in that quantities and values generated would be too small to be usefully applied. However the Ecology Officer has requested that the loss of biodiversity is replaced. However given the limited options that would be available in respect of a landscaping scheme to facilitate the replacement of the bio-diversity loss, the Ecology maintains their objection.

- 8.4 **DMBC Drainage** – No objections subject to conditions relating to foul and surface water drainage details to be submitted prior to commencement of the development.
- 8.5 **DMBC Highways DC** – The originally submitted site plan did not meet the technical requirements outlined within the South Yorkshire Residential Design Guide, amended plans were subsequently submitted and re-consultation carried out with the Highways Team. It has been confirmed by the agent that the site will be adopted by the Council and the tracking has been assessed by the Highway Officer, no objections are now raised subject to conditions.
- 8.6 **Environment Agency** – Originally objected to the application as the FRA did not proposed any mitigation measures or enquiry for modelling data and some errors in the FRA. A flood mitigation strategy was submitted 14th September 2020 and the EA have been re-consulted. The Environment Agency offer no objections subject to conditions relating to the finished floor levels being set no lower than 9m AOD and flood resilient measures being in place, as well as the occupiers registering to the EA flood warning service. The EA do however stress the importance of passing the Sequential and Exceptions Tests.

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;
- Natural Environment
- Highway safety
- Flood Risk
- 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 As outlined above the site is allocated as Green Belt and is outside the settlement boundary of Skellow.
- 9.4 The NPPF (para 133) states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, the essential characteristic of Green Belt is its openness and permanence. Housing developments are considered to be inappropriate development in the Green Belt. Para 143 of the NPPF states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances.
- 9.5 Substantial weight will be given to any harm to the Green Belt. 'Very Special Circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm resulting from the proposal is clearly outweighed by other considerations; this is outlined in para 144 of the NPPF.
- 9.6 Paragraph 145 of the NPPF goes on further to say that a local planning authority should regard the construction of new buildings as inappropriate development in the Green Belt. Paragraph 145 outlines a list of exceptions to this statement, the proposed development would not conform to any of these exceptions. As such the proposal is considered to be inappropriate development in the Green Belt, and very special circumstances would need to be demonstrated.
- 9.7 The submitted Design and Access Statement suggests the presence of a Nissen Hut results in previously developed land. Further adding that the newly emerging Local Plan does not allow for small development sites in the heart of the village that are well served by local amenities. Additionally the D&A suggests there would be wider environmental and compensatory green measures on site (this will be discussed further in the report) to which no actual details or assessment of this has been provided. The Local Planning Authority are of the opinion that the presence of a Nissen Hut does not constitute 'previously developed land'; as it is well established that Nissen Huts provided storage of agricultural land maintenance equipment. Furthermore, the Nissen Hut forms a small portion of the site and the proposed development would both have notably greater impact on and cause substantial harm to the openness of the Green Belt (discussed in greater detail later in the report); contrary to the NPPF Paragraph 145g. The Local Plan is currently under examination so carries limited weight but this site was put forward for removal from the Green Belt to be allocated for housing. However, following an appraisal this proposal has not been brought forward into the Local Plan; due to housing numbers being able to be met at more appropriate sites to provide the 250 homes calculated to be required in Skellow/Carcroft, a site of up to 300 houses is proposed to be allocated. Therefore the LPA considers that there are no very special circumstances to justify this development. The development is considered to be contrary to Section 13 of the NPPF.
- 9.8 Policy CS3 sets out criteria with which development located outside development allocations must adhere, if an application does not adhere to any of the criteria the application will be refused. Whilst this policy pre-dates the NPPF, it is still considered to conform with the key principles of Section 13 of the NPPF, specifically paragraph 145 in terms of Green Belt and the proposed developments

does not fall within one of those criteria's as defined in paragraph 145 of the NPPF or any of the criteria outlined in Core Strategy Policy CS3 and is considered contrary to Policy CS3 and the NPPF.

- 9.9 The above assessment is given substantial weight in the determination of the development and will be recommended for refusal on this basis.

9.10 SOCIAL SUSTAINABILITY

Impact on Amenity in the locality

- 9.11 Policy CS14 of the Core Strategy and Policy ENV53 of the UDP recognise that a component of good design is to ensure that new development does not have a negative effect on residential amenity.
- 9.12 The development consists of 8 properties in a row, they themselves would not result in harm to the future occupiers of those dwellings in terms of overlooking any greater than that which can be expected in terraced properties. As they are in a row, they would also not result in harm in terms of dominance or overshadowing. The 'Block A' property would have a blank side elevation and amenity space 11m away from the front elevations of these properties and therefore would not impact upon each other in terms of future occupier amenity.
- 9.13 The proposal would see 9m – 9.5m high properties abutting the boundary with the bungalows on Repton Road, these bungalows have private amenity spaces sharing a boundary with the site; these amenity spaces are located to the east of the site and the height of the building would result in the loss of daylight to these amenity spaces especially no.42-no.44 in the afternoon, further exacerbated with the 9m long garden at no.44 Repton Road. Whilst it is acknowledged that the proposed dwellings in Block C have blank side elevations meaning there would not be any overlooking here, the physical presence of a 9-9.5m high dwelling within 1.1m of the boundary of these bungalows will result in a feeling of dominance and oppression for these residents. Block A is over 30m away from the other bungalows on Repton Road and thus wouldn't cause any impact to those existing residents. Furthermore, the side elevation of Block A would be blank and 11m away from the rear elevation of the flats neighbouring the site and 4m off the boundary with the communal outside space of the flats; it is considered that Block A would not result in harm to the existing residents. Block C would cause significant harm to the existing residents of the bungalows on Repton Road, further justifying the site as being overdeveloped due to the overshadowing of private amenity spaces and even greater harm in terms of dominance on the boundary with the bungalows.
- 9.14 The development would not be in accordance with CS1, CS14 of the Core Strategy and ENV53 of the UDP. The above is given substantial weight against the application and will be recommended for refusal on this basis.

9.15 Conclusion on Social Impacts

- 9.16 It is considered that, despite the positive impact of bringing a vacant site which has been subject to some fly tipping, this would not be outweighed by the detrimental impact on the residents of the bungalows on Repton Road. This weighs significantly against the proposal and forms one of the reasons for refusal on the basis of the negative social impact of the development on the existing residents.

9.17 ENVIRONMENTAL SUSTAINABILITY

Impact on the character and appearance of the area

- 9.18 Policies CS1 and CS14 of the Core Strategy and Policy ENV53 of the UDP require development to be of a high quality design that contributes to local distinctiveness and that integrates well with its immediate surroundings. These policies also look at design components including the mix, layout, density and form of development to ensure they look attractive and will make a positive contribution to the character of the area.
- 9.19 Paragraph 124 of the NPPF states that 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.
- 9.20 The layout of the scheme is split into four blocks of houses, 'block A' consists of 1 detached dwelling positioned to the side of the site immediately backing the properties on Ridgill Avenue. This property would be four bed roomed, with parking to the front and a detached garage to the side boundary. 'Block B' consists of 2 dwellings both offering, 3 bedrooms one which in the roof space, a study, lounge and open plan kitchen diner; 'block C' which there are 2 of, offers the same layout but is a row of 3 dwellings.
- 9.21 Each block has rear amenity spaces equating approximately to 60sqm for Block A, 53sqm for Block B, and 46sqm for Block C. The Development Guidance and Requirements SPD states that private gardens; for three or more bedroom houses should be 60sqm, the development would fall short of this but it is not considered to be detrimental to the housing environment.
- 9.22 Each block has parking spaces across the entire frontage of the houses, with the remaining space from the access around the frontages of the site being hard standing to accommodate visitor spaces and turning areas. The Development Guidance and Requirements SPD states, where parking is positioned to the front of the property, designers should ensure that at least an equal amount of the frontage is allocated to an enclosed, landscaped front garden as it is for parking to reduce vehicle domination. Only Block A has opportunity to provide landscaping to the frontage but this is not considered to be enough to be sufficient for the whole site, it is therefore considered that the parking dominated frontage and lack of available space for soft landscaping constitutes poor design and results in vehicle domination which in turn results in overdevelopment of the site.
- 9.23 The design of the dwellings is simplistic with minimal detailing around the windows, pitched dormers centrally situated in the front roof slope, a pitched canopy over the front doors; whilst it is simple subject to a good choice of materials the design would not be detrimental to the area, as the housing surrounding the site is a mixture of traditional red brick terrace and more modern social housing. However, to accommodate for the flood risk mitigation the dwellings will need to be raised with a stepped access, resulting in dwellings over 9m in height; the surrounding 2 storey dwellings are approximately 6-7m in height and the bungalows backing onto the site are 4.5m approximately in height; the proposed dwellings would be significantly larger in scale than those surrounding especially when considering the

neighbouring properties to the east are bungalows, which these dwellings would be over double the height of. It is considered that the dwellings would appear dominant when viewed from the surrounding neighbouring properties and would not sit well within the wider area given the height difference, this results in greater harm to the openness of this Green Belt location. Additionally Blocks B and C include large bulky dormers with Juliet balconies to the rear which further exacerbates the impact to the openness.

- 9.24 Given the above, the layout and scale of the development is considered to be overdevelopment of the site and would appear dominate from the surrounding area and would constitute poor design with no opportunity to provide landscaping to soften the development or reduce the harm to the Green Belt location. The proposal is therefore considered to be contrary to Policy ENV53 of the UDP, Policies CS1 and CS14 of the Core Strategy, and Section 12 of the NPPF.
- 9.25 The above assessment is given substantial weight in the determination of the application and will be recommended for refusal on this basis.

Natural Environment

- 9.26 The site is a piece of Greenfield Land which appears to have once been part of the Brodsworth Tip site. The site has been cleared of trees and shrubbery and now appears to be a piece of unmaintained land.
- 9.27 An Ecological Appraisal has been submitted and the details of this have been agreed with by the Council's Ecology Officer. However, the Ecology Officer states whilst the Biodiversity Net Gain units are negligible on this site when reviewed by the DEFRA metric 2.0; there is still a requirement to negate the loss of biodiversity following the site clearance and the demolition of the Nissen Hut, as the Ecological Appraisal para 1.8 states there is some value for nesting and foraging birds. The proposed layout in drawing 19/018/08 gives very little indication of opportunities for much in the way of native planting to negate the loss of biodiversity value.
- 9.28 This is also noted within the Tree Offices response, who objects to this application on arboricultural grounds. As outlined earlier in the report, the proposal is dominated by parking leaving no meaningful provision for landscaping to soften the development and the scheme will not achieve the minimum of 1 tree per dwelling which the Council expects housing schemes to meet.
- 9.29 The submitted Design Access Statement outlines that the applicant is will carry out a comprehensive landscaping scheme, "which will detail additional planting on the boundaries of the site. This scheme will be informed by a detailed assessment of the existing landscape, topography and context, to ensure that the new built form will assimilate into its natural surroundings, whilst providing a defensible boundary to the development. Residential amenity experienced by all are complimented by the development." Whilst this is commendable, it is considered that there is insufficient space on site for any meaningful landscaping. For example, the frontages of the Blocks B and C appear to be all hard surfaces for parking with the rest of the public realm being either the road itself or footpath.
- 9.30 The proposed layout gives little consideration for any naturalistic planting, a comprehensive landscape scheme or use of species that would provide biodiversity enhancements. Furthermore it would be contrary to Section D3 of Policy CS16 of the Core Strategy and Section 15 of the National Planning Policy Framework, due to it

being overdeveloped and not being able to provide a high quality scheme which does not maximise the benefits of tree planting or compensate for the biodiversity losses this proposal would cause. Given the above, this is weighed substantially against this proposal.

Highway safety and traffic

- 9.31 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.
- 9.32 The proposal has been amended during the application process to overcome concerns raised by the Council's Highways Department. The Highways Officer noted that the proposal is for 9 dwellings and would advised the applicant that only 5 properties maximum can be served from a shared private drive. Any number over 5 will require a design to meet adoptable standards, which the original proposal did not meet.
- 9.33 An amended site plan was submitted on the 2nd September which was reviewed by the Highways Officer, the amended layout meets the requirements of the South Yorkshire Residential Design Guide and the applicant has confirmed that the road will be adopted. The Highways Officer has assessed the tracking of the layout and parking spaces and considers it to be acceptable. The Officer has requested conditions in relation to site surfacing and crossing onto a footpath.
- 9.34 The proposal is considered to be in accordance with Policy CS14 (part A, 3 & 4) of the Core Strategy and is weighed moderately in favour of this application.

Flood Risk

- 9.35 The application is for a 9 residential dwelling in an area of high flood risk (FRZ3) based on the latest EA Flood Map for Planning (July 2017).
- 9.36 This application has been accompanied by a Flood Risk Assessment (FRA) which was reviewed by the Environment Agency. However this FRA was considered to be insufficient with no modelling data or mitigation measures included. Following this consultation response to applicant has provided a Flood Mitigation Strategy and has agreed with the Environment Agency to have finished floor levels of 9m AOD. To compensate for this the agent submitted amended elevation plans to reduce the overall height down from 10m to 9m-9.5m, to reduce the impact the 9m AOD FFL would have on the surrounding area. The additional information has been agreed to by the Environment Agency, subject to conditions for the development to be in accordance with the mitigation strategy submitted. The development is not considered to result in an increased risk of flooding, subject to those details.
- 9.37 In line with both NPPF/CS4 (adopted 2012) and the Development & Flood Risk SPD (October 2010) 'more vulnerable' housing proposals need to successfully pass the flood risk Sequential Test and, if this can be demonstrated, both parts of the Exception Test.
- 9.38 The submitted FRA stipulates that a Sequential and Exceptions Test will need to be applied but provides no physical evidence to justify that these tests can be passed. The agent has supplied a document relating to the sequential and exceptions test

and outlines details and information for the LPA to make a judgement on whether the proposal passes both tests.

- 9.39 The sequential information stipulates a case to be made for the search area to be solely Skellow; making reference to previous decisions nearby and the Housing and Economic Land Availability Assessment (HELAA) which recognises the site is developable. However, the Flooding and Development SPD states (Table 3) that proposals on land designated as Green Belt (with the exception of agricultural workers dwellings etc) are normally contrary to other policies and a bespoke area of search should be agreed with the LPA.
- 9.40 Skellow/Carcroft is designated as a Renewal Town in the Core Strategy but the site itself is outside this settlement boundary and the proposal would be a very small urban extension to the settlement and the allocation is steered more towards housing renewal rather than market-led growth. The wider policy considerations of this proposal have been considered above, but in respect to flood risk it is suggested that there is a case for the proposal to look at all potential development plots reasonably available elsewhere in the borough rather than restricting the search to just Skellow/Carcroft. Furthermore, the position of the site in terms of HELAA feeding into the emerging Local Plan has been discussed above and this site is not proposed as a housing allocation or as a fall back site in the emerging Local Plan. The planning permission referenced by the agent, was granted on land designated within the settlement boundary of Skellow, meaning the search area for sequential test is correct in being Skellow alone; in accordance with the Flooding and Development SPD, as outlined above this site is located within the Green Belt and therefore has different requirements within the SPD.
- 9.41 The search required for the sequential test need only look for plots capable of accommodating nine dwellings and can discount anything that has planning permission, and/or sequentially no better in flood risk terms, and/or, any other justified reasons for discounting as not being reasonably available. The agent has provided evidence of a search based on the HELAA and a search on Rightmove, looking at sites in Skellow and a 3 mile radius. The search concluded that there was no suitable sites in Skellow, and this may well be the case, but the area of search could be seen as being far too small based on the Development and Flood Risk SPD; where it states that the proposals outside the settlement boundary should have a search area of the whole borough. The Local Planning Authority do consider that given the large search area it will be difficult to pass the sequential test, however it is considered that insufficient evidence has been provided that accords with the SPD to fully come to this conclusion.
- 9.42 If the Sequential Test can be passed, then both elements of the Exception Test must also be met. Paragraph 159 of the NPPF states that: If, following application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding, the Exception Test can be applied if appropriate. For the Exception Test to be passed:
- it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared;
 - a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall

Both elements of the test will have to be passed for development to be allocated or permitted.

9.43 The submitted Sequential/Exceptions Test document states an assessment has been made against 21 sustainability objectives and that the development would result in wider sustainability benefits to the local community. The proposed development would provide wider sustainability benefits to the local community and given the limited land availability in Skellow in FZ1, preventing such types development in Skellow, will result in the village stagnating and some development is required to ensure the future sustainability and viability of the village. Whilst this may be the case, the case officer has made their own assessment against the 21 principles and does not come to the same conclusion. Whilst the development would see a parcel of land developed reducing the amount of fly-tipping on this vacant piece of land is important, it is not considered a sufficient enough reason to pass the exceptions test as it does not outweigh the flood risk. Furthermore, the applicant has not applied for 9 affordable homes and therefore it is assumed they will be sold at market value and as outlined above in the report there are several other issues relating to impact on residents, impact to the Green Belt, and ecological issues that all way against this site in terms of its sustainable value. However it is noted that the Environment Agency no longer object to the application and consider the development to be safe providing it is built in accordance with the mitigation strategy, so it is considered the second part of the test is passed. However, given the other matters outlined above, the LPA is not satisfied that the exceptions test can be passed.

9.44 Given the above, it is considered that insufficient information has been submitted to demonstrate that the application site is sequentially preferable and consequently the proposal is considered to be contrary to the National Planning Policy Framework, specifically section 'Meeting the challenge of climate change, flooding and coastal change.' This weighs substantially against the proposal.

9.45 Conclusion on Environmental Issues

9.46 The proposal is considered to result in overdevelopment of the site, which cannot accommodate a sufficient amount of landscaping to meet the requirements of Core Strategy Policy CS16. The development cannot compensate for the bio-diversity loss on the site. Furthermore, the proposal cannot prove that there are no other more suitable sites within FZ1 around the borough and the sustainability benefits are not achieved due to the impact on the natural environment and the character of the area; thus, resulting in the development not passing the sequential or exceptions test, contrary to the NPPF. Given this the application is considered to have a detrimental environmental impact and is recommended for refusal on that basis.

9.47 ECONOMIC SUSTAINABILITY

9.48 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

9.49 Conclusion on Economy Issues

- 9.50 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 the proposal is considered in the context of the presumption in favour of sustainable development. Officers have identified adverse environmental or social harm that is considered to significantly outweigh the benefits identified when considered against the policies in the NPPF taken as a whole. The development would result in inappropriate development in the Green Belt which results in significant harm to the openness of Green Belt and no very special circumstances have been provided which outweigh that harm. Furthermore, the development is considered to be overdevelopment of the site, with no opportunity for landscaping which in turn cannot compensate for the bio-diversity loss. The development would also impact the residents of Repton Court with the addition of 9m plus dwellings immediately abutting the bungalows' boundaries. These harms are also not outweighed by other considerations. The application is therefore recommended for refusal.

11.0 RECOMMENDATION

- 11.1 **MEMBERS RESOLVE TO REFUSE PLANNING PERMISSION FOR THE PROPOSED DEVELOPMENT FOR THE REASONS OUTLINED BELOW:**

Conditions / Reasons

01. The proposal would result in inappropriate development in the Green Belt with no very special circumstances being provided which outweigh the harm to the openness of the Green Belt. The proposed design, scale, and layout of the development results in significantly greater harm to the openness of this Green Belt location; by virtue of not only the presence of housing in the Green Belt but by the amount of hard surfacing, parking dominated frontages, 10m high buildings with bulky rear dormers, and no available space to offer an soft landscaping, thus causing overdevelopment of the site harming the openness further. The development is considered to be contrary to saved policies ENV1, ENV3 of the UDP (adopted in 1998), CS3 of Doncaster's Core Strategy (2011 – 2028), and Section 13 of the NPPF (2019).
02. The layout and scale of the development with parking dominated frontages is considered to result in overdevelopment of the site and would appear dominate from the surrounding area especially the neighbouring bungalows on Repton Road. The development would constitute poor design with no opportunity to provide landscaping to soften the development or reduce the harm to the Green Belt location. Furthermore the proposal would not achieve the minimum of 1 tree per dwelling which the Council expects

housing schemes to meet in order to maximise the benefits of tree planting. The proposal is therefore considered to be contrary to saved policy ENV53 of the UDP (adopted in 1998), Policies CS1, CS3, CS14, and CS16 of Doncaster's Core Strategy (2011 – 2028), and Section 12 of the NPPF (2019).

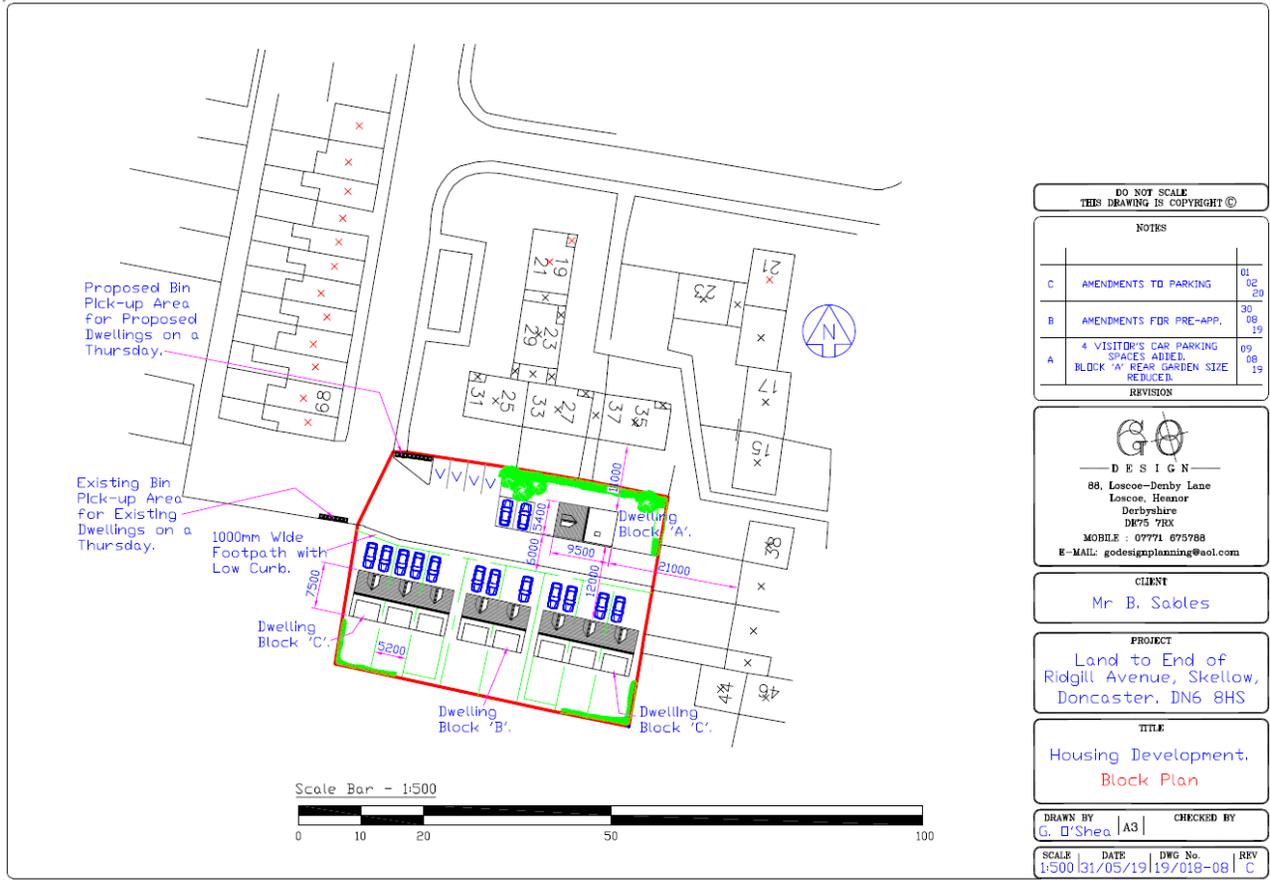
03. The submission has provided insufficient information to apply the sequential test as set out in National Planning Policy Framework (NPPF) - Meeting the challenge of climate change, flooding and coastal change and therefore fails the sequential test. Additionally the LPA do not agree with the information that has been provided to allow the development to pass the exceptions test and that the scheme does not provide sustainability benefits which outweigh the risk of flooding. The proposal is therefore contrary to the National Planning Policy Framework, Core Strategy Policy CS 4 Flooding (2011 – 2028) and Drainage and Doncaster's Flood Risk and Drainage SPD (adopted 2010).
04. The submitted Ecological Appraisal outlines there would be a loss of biodiversity as the site has value for nesting and foraging birds, the proposed layout does not provide any opportunities for native planting, a comprehensive landscaping scheme or use of species which would have the required bio-diversity enhancements to compensate for the loss. The development is therefore considered to be contrary to Policy CS16 of the Core Strategy (2011 – 2028) and paragraph 170 of the NPPF (2019).

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: Location Plan



Appendix 2: Site Plan



DO NOT SCALE
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NOTES		
C	AMENDMENTS TO PARKING	01/02/20
B	AMENDMENTS FOR PRE-APP.	30/08/19
A	4 VISITOR'S CAR PARKING SPACES ADDED. BLOCK 'A' REAR GARDEN SIZE REDUCED.	09/08/19
REVISION		


 DESIGN
 88, Loscoe-Denby Lane
 Loscoe, Heanor
 Derbyshire
 DE75 7RX
 MOBILE : 07771 675788
 E-MAIL: godesignplanning@aol.com

CLIENT
Mr. B. Sables

PROJECT
Land to End of
Ridgill Avenue, Skellow,
Doncaster. DN6 8HS

TITLE
Housing Development.
Block Plan

DRAWN BY G. O'Shea | A3 | CHECKED BY

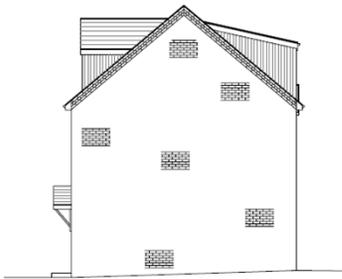
SCALE 1:500 | DATE 13/05/19 | DWG No. 19/018-08 | REV C

Appendix 3: Elevations and Floor Plans

Block A



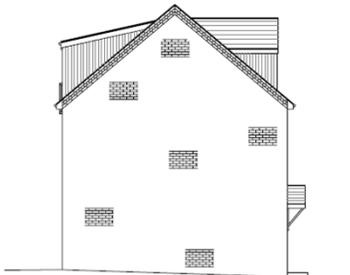
Block B



PROPOSED SIDE ELEVATION,
WEST FACING



PROPOSED REAR ELEVATION,
SOUTH FACING



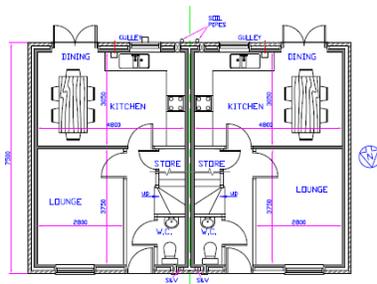
PROPOSED SIDE ELEVATION,
EAST FACING



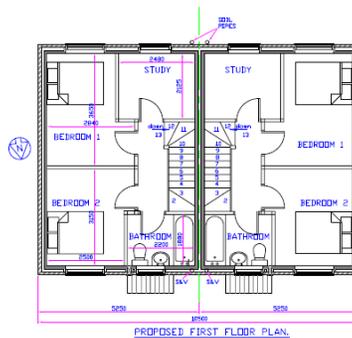
PROPOSED FRONT ELEVATION,
NORTH FACING



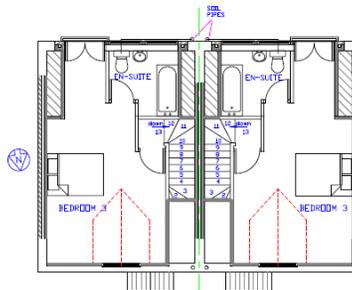
DRAWN BY G. DRIBBS	
CHECKED BY M. B. SABLES	
DATE 14/11/2023	
PROJECT Land to End of Ragbi Avenue, Skelton, Doncaster, DN6 8HS	
JOB Housing Development, Dwelling Block 'B' Elevations	
SCALE 1:50	DATE 14/11/2023



PROPOSED GROUND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN



PROPOSED ATTIC FLOOR PLAN

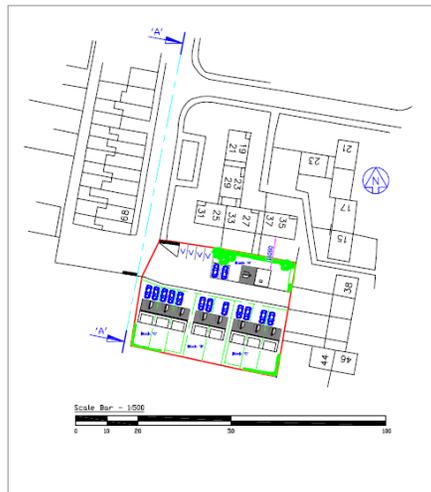
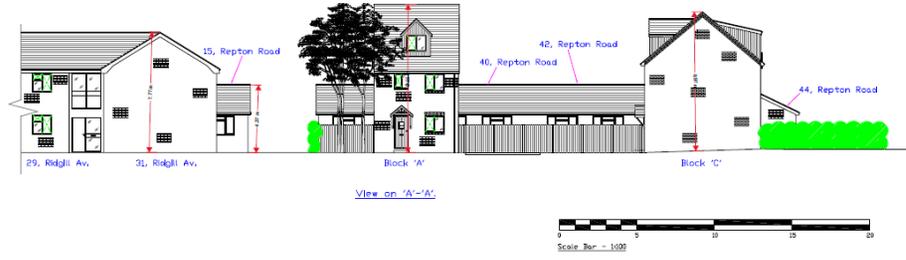


DRAWN BY G. DRIBBS	
CHECKED BY M. B. SABLES	
DATE 14/11/2023	
PROJECT Land to End of Ragbi Avenue, Skelton, Doncaster, DN6 8HS	
JOB Housing Development, Dwelling Block 'B' Floor Plans	
SCALE 1:50	DATE 14/11/2023

Block C



Appendix 4: Street Scene



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SHEET	
REFERENCE	
PROJECT Mr. R. Sables	
PREPARED BY Land to End of Ridgill Avenue, Skelton, Doncaster, DN6 6HS	
TITLE Housing Development, Street Scene	
DRAWN BY G. O'Shea	CHECKED BY M. J. J.
DATE 2008/11/21/2010/10/20/11	1/1

Appendix 5 – List of Conditions and legal agreement should committee be minded to approve the application:

Should members resolve to grant planning permission it is recommended that they delegate authority to the Head of Planning to finalise the requirement for a Section 106 agreement in relation to biodiversity net gain.

1. 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.

2. 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 and specifications:

19/018-01 REV A amended 18.11.20

19/018-05 REV A amended 18.11.20

19/018-03 REV A amended 18.11.20

19/018-10 received 16.11.20

19/018-08 REV C amended 02.09.20

19/018-07 received 03.04.20

19/018-02 received 03.04.20

19/018-04 received 03.04.20

REASON

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

3. Before the development commences, product details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority. This may include submission of samples if requested by the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, the development shall be carried out in accordance with the approved materials.

REASON

To ensure the satisfactory appearance of the development.

4. No development shall take place on the site until a detailed hard and soft landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The hard landscape scheme shall include details of all external hard surfacing materials including footpath treatments and carriageway finishes and boundary treatments. The soft landscape scheme shall include a soft landscape plan; a schedule providing plant and tree numbers and details of the species, which shall comply with section 8 Landscape, Trees and Hedgerows of the Council's Development Guidance and Requirements Supplementary Planning Document, nursery stock specification in accordance with British Standard 3936: 1992 Nursery Stock Part One and planting distances of trees and shrubs; a specification of planting and staking/guying; a timescale of implementation; and details of aftercare for a minimum of 5 years following practical completion of the landscape works. Thereafter the landscape scheme shall be implemented in full accordance with the approved details and the Local Planning Authority notified in writing within 7 working days to approve practical completion of any planting within public areas or adoptable highway within the site. Soft landscaping for any

individual housing plot must be implemented in full accordance with the approved scheme, prior to occupation of the home, which will be monitored by the Local Planning Authority. 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.

5. Upon commencement of development details of measures to facilitate the provision of gigabit-capable full fibre broadband for the dwellings/development hereby permitted, including a timescale for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON

To ensure that all new housing and commercial developments provide connectivity to the fastest technically available Broadband network in line with the NPPF (para. 112) and Policy 22 of the Doncaster Local Plan.

6. 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.

7. The development shall be carried out in accordance with the submitted flood risk mitigation (ref 10/09/2020 / 487016FMS / Abbeydale BEC Ltd) and the following mitigation measures it details:
 - Finished floor levels shall be set no lower than 9m above Ordnance Datum (AOD).
 - There shall be no sleeping accommodation situated on the ground floor, as shown in the submitted floor plans
 - Flood resistance and resilience measures shall be included as part of the development
 - The occupants shall register for the Environment Agency's Flood Warning Service
 - 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.

8. Before the development is brought into use, that part of the site to be used by vehicles shall be surfaced, drained and where necessary marked out in a manner to be approved in writing by the local planning authority.

REASON

To ensure adequate provision for the disposal of surface water and ensure that the use of the land will not give rise to mud hazards at entrance/exit points in the interests of public safety.

9. 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.

Informatives:

- This area lies within an area covered by a specific flood warning. We would advise residents and tenants to sign up to receive these free warnings via the Environment Agency website or by calling Floodline Warnings Direct on 0345 988 1188 or visit <https://flood-warning-information.service.gov.uk/warnings> It is a free service that provides an advanced warning it will allow protection measures to be implemented such as moving high value goods to an elevated level as well as evacuating people off site.
- The NPPF places responsibilities on local authorities to consult their Emergency Planners and the Emergency Services with regard to specific emergency planning issues relating to new development.
- 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 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.
- 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.