

Application	2
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Application Number:	20/03191/FULM
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Application Type:	FULL Planning Application
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Proposal Description:	Conversion of former Public House into 9 residential apartments and a community space within part of the ground floor, with external alterations and associated works.
At:	Eagle And Child 2 West Street Conisbrough Doncaster DN12 3JH

For:	Mr Paul Hastings
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Third Party Reps:	3 letters of objection and 1 letter of representation.	Parish:	N/A
		Ward:	Conisbrough

Author of Report:	Alicia Murray
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SUMMARY

The proposal seeks permission for the change of use of the former Eagle and Child, an existing pub, to 9 apartments with a community space on the ground floor. The site is in an edge of centre location with Conisbrough Town Centre. The proposal is considered to be acceptable in policy terms; as both national and local planning policies recognise that residential development can often play an important role in ensuring the vitality of centres is maintained. There would be no interruption to the shopping frontages and the area is a mixture of residential and commercial. Whilst, the loss of the public house has not been fully justified in line with Policy 51 of the Local Plan, it is considered that the benefits of proposal do outweigh the harm of the unjustified loss of this public house, furthermore there is a number of other public houses still operating within Conisbrough Town Centre and the proposal does include an alternative community space within the ground floor, albeit considerably smaller in scale than the former public house. It is considered that the proposed change of use would have a positive impact on the Conservation Area and would result in additional trees being planted within the local area. The proposal is not considered to harm the highway safety of the area and the development would provide a good level of housing environment for its future residents. This report demonstrates that there are no material planning considerations that would significantly or demonstrably outweigh the social, economic or environmental benefits of the proposal. The development would not cause undue harm to neighbouring properties, trees, local centres, the highway network or the wider character of the area.

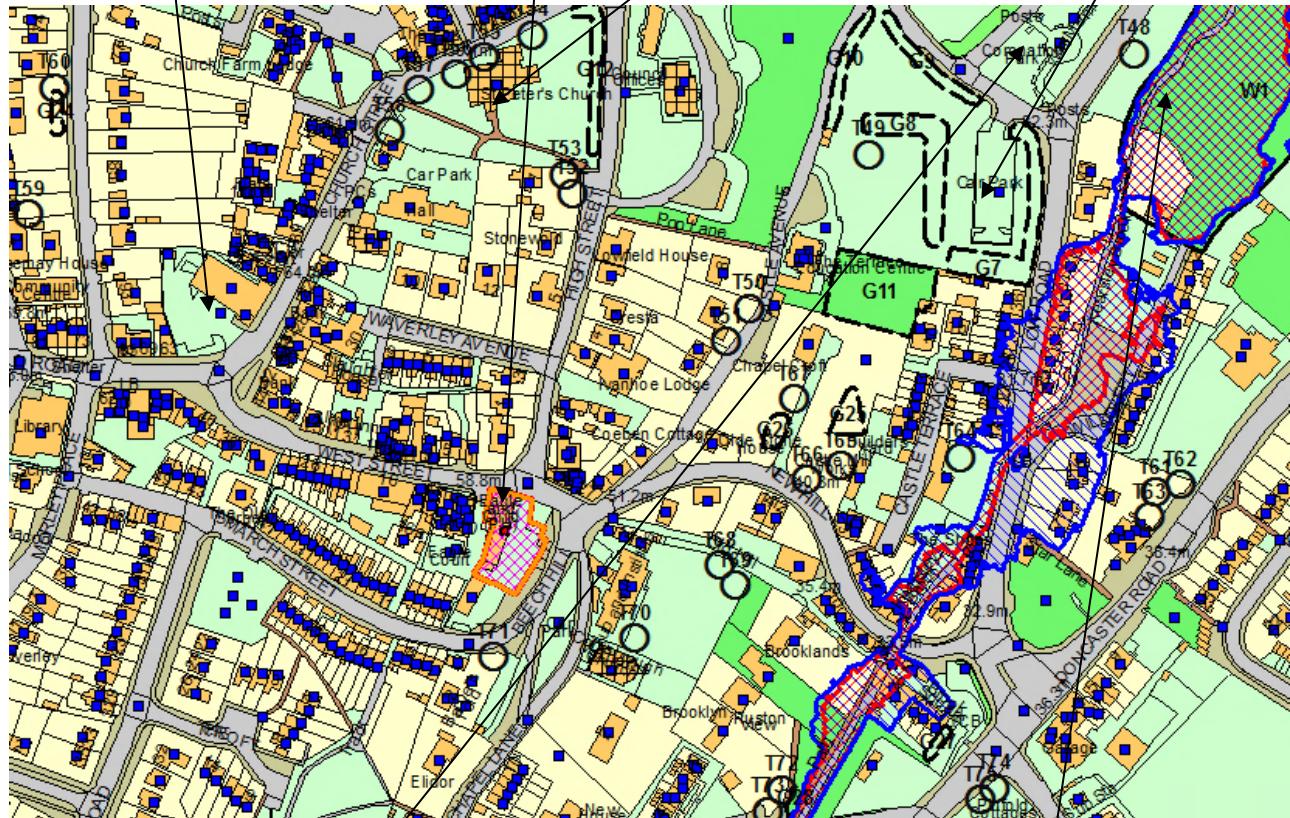
RECOMMENDATION: GRANT planning permission subject to the prior completion of a S106 Agreement and imposition of suitable conditions.

Sainsbury's Local in Conisbrough Town Centre

Application Site

St Peters Church

Castle Hill Car Park



Coronation Park/Conisbrough Castle

1.0 Reason for Report

- 1.1 This application is being presented to Planning Committee due to the objection and request to call in from Councillor Nigel Ball, who outlined the following reasons for objecting to the application:
 1. *Parking issues*
 2. *HMO over proliferation*
- 1.2 This current application has been amended in order to overcome concerns raised by the Case Officer and Consultees' in relation to the parking arrangement, size of apartments, bin storage, slight amendments to the external to address Conservation issues, and further justification for the loss of a community facility. The application was originally submitted for 11 apartments but has been reduced to 9, with the addition of a community space within the ground floor, to overcome the concerns raised.
- 1.3 The Applicant has also undertaken Section 106 negotiations for the provision of off-site trees, which cannot be accommodated within the site.

2.0 Proposal

- 2.1 Planning permission is sought for the change of use of the existing building to accommodate 9no. Apartments on all three floors and the provision of a community space on the ground floor for local community groups to utilise for meet ups, coffee mornings etc. The proposal does include some minor external alterations to the building, including re-rendering, replacement of some ridge tiles, roof lights to the northern elevation, blocking up of some openings and replacement windows and doors. The proposal includes the reconfiguration of the existing car park, provision of a bin store, and the utilisation of the former beer garden as an amenity area for the residents.

3.0 Site Description

- 3.1 The application site comprises an existing pub, to the west of the central core of Conisbrough Town Centre, with associated car parking space. Coronation Park, Mill Piece and Conisbrough Castle lie to the west and north (respectively) of the application site. The pub is currently vacant. The car park lies to the west of the existing pub.
- 3.2 The surrounding area is a mixture of residential and commercial uses, retail units to the immediate east of the site and residential properties to the north and east. Behind the site is an existing Scout facility.

4.0 Relevant Planning History

- 4.1 No relevant planning history.

5.0 Site Allocation and Relevant Policies

- 5.1 The site falls within Conisbrough Conservation Area and is designated as Commercial Policy Area, as defined by the Proposals Maps of the Doncaster Unitary Development Plan (adopted in 1998). The site is proposed to fall within the Town Centre Boundaries allocation within the Emerging Doncaster Local Plan. This is not in a high risk flood zone being allocated as Flood Risk Zone 1 (FZ 1).
- 5.2 National Planning Policy Framework (NPPF 2021)
- 5.3 The National Planning Policy Framework 2021 (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 55 states that Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.
- 5.8 Paragraph 56 states that planning conditions should be kept to a minimum and only be imposed where necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.
- 5.9 Paragraph 57 states that planning obligations must only be sought where they meet all of the following tests:
- a) necessary to make the development acceptable in planning terms;

- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

- 5.10 Paragraph 86 of the NPPF, which states that planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. Part a) states that policies should allow town centres to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries, to allow a suitable mix of uses, including housing. Part f) goes on further to say that policies should recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.
- 5.11 Regarding Highways: Paragraph 111 of the NPPF states, development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 5.12 Paragraph 119 states planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or ‘brownfield’ land.
- 5.13 Paragraph 126 of the NPPF states the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.
- 5.14 Paragraph 130 states planning decisions should ensure developments will function well and add to the overall quality of the area, are visually attractive and optimise the potential of the site.
- 5.15 Paragraph 189 Heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life for existing and future generations.
- 5.16 Paragraph 197. In determining applications, local planning authorities should take account of:
- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c) the desirability of new development making a positive contribution to local character and distinctiveness.

- 5.17 Paragraph 199 of the NPPF states when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 5.18 Paragraph 200 of the NPPF states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
- 5.19 Paragraph 202 of the NPPF states where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 5.20 Paragraph 203 of the NPPF states the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

5.21 Core Strategy 2011 - 2028

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

- 5.26 Policy CS7 (D) states that retail and other uses that would support the vitality and viability of the centres in the hierarchy below Doncaster town centre will be directed sequentially to these centres provided they: 1. Are of a scale and nature that is appropriate to the size and function of the centre; and 2. Would not lead to unsustainable trip generation from outside their catchment.
- 5.27 Policy CS14 of the Core Strategy require development to be of a high quality design that contributes to local distinctiveness and that integrates well with its immediate surroundings.
- 5.28 Policy CS15 of the Core Strategy seeks to preserve, protect or enhance Doncaster's historic Environment.
- 5.29 Policy CS16 of the Core Strategy states that Doncaster's natural environment will be protected and enhanced.
- 5.30 Saved Unitary Development Plan (UDP) Policies (Adopted 1998)
- 5.31 Policy SH1 states within commercial policy areas of small town and district centres, as defined on the proposals map will normally be granted for shops (A1) uses, subject to the provisions of Policy SH3 and Policy SH4 as appropriate other suitable uses may be appropriate including residential but this only specifies about ground floor level. No other development will be permitted if it would aggravate environmental, amenity, traffic, or parking problems or would conflict with other plan policies, or would be inappropriate in scale or type to the particular centres. Policy SH1 states that the development proposals for uses not listed will be considered on their individual merits.
- 5.32 Policy SH4 states that within commercial policy areas, other uses will normally granted provided that the development is not located within a primary shopping frontage area, would not detract from the character and vitality of the shopping centre or create an unacceptable length of non-retail frontages.
- 5.33 ENV25 states that within conservation areas, as defined on the proposals map, new development including alterations and extensions to, and changes of use of, existing buildings will be expected to preserve or enhance the character or appearance of the area. Development will not be permitted if it would detract from the character or appearance of the area by virtue of its nature, height, density, form, scale, materials or design or by the removal of trees or other important landscape features. The desirability of preserving or enhancing the character or appearance of a conservation area will be a material consideration when dealing with proposals for new development outside a conservation area which would affect its setting or views into or out of the area.
- 5.34 ENV53 states that the scale and appearance of new development must have regard to its wider visual impact. Development will not normally be permitted if it would have a significant adverse visual impact on:
- A) views from major transportation routes; or
 - B) views across open countryside; or
 - C) views of important landmarks.

- 5.35 ENV54 states that alterations and extensions to existing buildings should be sympathetic in scale, materials, layout and general design to the existing building. All features which contribute to the character of the building or surrounding area should be retained.
- 5.36 CF2 states that the loss of community facilities not defined on the proposals maps will be resisted, especially where that facility lies within an area deficient in community facilities.
- 5.37 Local Plan
- 5.38 The Council received the Inspector's Report into the Examination of the Doncaster Local Plan 2015-2035 on 30 June 2021. The Report concludes that, with the recommended main modifications set out in the Appendix to the Report, the Doncaster Local Plan 2015-2035 satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework. This means the Examination has concluded.
- 5.39 Paragraph 48 of the NPPF states that the LPA may give weight to relevant policies in emerging plans, such as the Local Plan, depending on the stage of the 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 Inspector's Report it is considered that all policies in the Local Plan can now be afforded substantial weight.
- 5.40 The Council is looking to adopt the Local Plan by Autumn 2021 (at which point all policies will be afforded full weight). The following emerging policies are considered appropriate in assessing this proposal:
- 5.41 Policy 23 looks at development within town centres, district and local centres. The policy states that outside any defined primary shopping area, proposals will be acceptable in principle for a wider range of town centre uses, non-town centre uses will be resisted unless it can be demonstrated that they will not negatively impact upon the vitality and viability of the town centre, with particular regard to the amenity of existing businesses and residents.
- 5.42 Policy 37 (Conservation Areas) states that proposal should take into account the identified significance contained in the Conservation Area Appraisal for the relevant designated area where published.
- 5.43 Policy 44 states that residential design should respond positively to the context and character of existing areas and create high quality residential environments through good design.
- 5.44 Policy 45 states that new housing should be designed to include sufficient space for the intended number of occupants.
- 5.45 Policy 47 (Safe and Secure Places) states that developments will be supported which are designed in a way that reduces the risk of crime and the fear of crime.
- 5.46 Policy 48 (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.

5.47 Other material planning considerations

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

6.0 Representations

- 6.1 This application has been advertised in accordance with Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) by means of site notice, council website, press advertisement and neighbour notification.
- 6.2 3 letters of objection have been received and are in regard to the following summarised points:

Received during original consultation:

- Insufficient parking spaces for the amount of apartments
- One way traffic area with a lot of on street parking
- No outdoor space, people will sit in groups in the car park area
- Windows of the rooms are very high and overlook other homes and impact privacy
- Overdevelopment of building/site
- Raising concerns about the tenure of the flats, for sale or rent
- Child safety and anti-social behaviour concerns
- Requesting improved security/fencing to the boundary shared with the Scout site
- Intensification of access and impact to highway and pedestrian safety.

Received after amended plans submitted:

- Objecting to amended proposal which includes community space, is there a need for this space within the community, resident has spoken with owners of property and is convinced that their intentions are to improve the area and provide decent accommodation. The resident is pleased that someone is going to improve the Eagle and Child and it will no longer be a public house which has had several noise complaints over the years.

- 6.3 1 letter of representation has been received and is summarised below:

- Neutral on the application as it has a potential to improve the area
- Do have concerns regarding the render colour agreed to by the Conservation Officer. Do not agree that the colour is in keeping with area and is not as fitting as the original dry stone appearance.
- Bin store is within the car park which is steep and a refuse vehicle cannot access the site, location of bin store could impact new residents given window positions.

- Does not wish the flats to be occupied by residents who will cause anti-social behaviour, crime and disorder in the community.
- Curious as to why there is a communal laundry room in the development, I can't see a lift being installed so how will people safely transport their laundry up and down the stairs?
- A pedestrian guard rail should be placed on West Street at the front entrance so those who emerge on to the narrow pavement are offered a degree of protection from traffic. I include young children in this who have no road sense or awareness of danger.

6.4 Case Officer's comments on representations:

- With regards to the parking spaces, the application has been amended to reduce the number of apartments and to accommodate 1 space per apartment. This is considered acceptable by the Council's Highways Team.
- The access is existing and the change of use would see a decrease in intensification from a public house to apartments. The access is considered acceptable for use by residents and refuse vehicles.
- The windows are predominately existing and the upper floors of the public house were used as manager accommodation so there would be no change in the usage of these windows on the upper floors. Furthermore, they are considered to be a sufficient distance away from neighbouring properties.
- The scheme has been reduced and is no longer considered to be overdevelopment of the site.
- Tenure of the flats and the types of residents within them are not material planning considerations.
- The applicant is willing to improve the fencing, this will be secured via condition.
- The community space being offered is small in size and is more focused around smaller community groups and would be suited for coffee mornings etc. the other community facilities in the area are more larger in size and would appeal to larger community groups. The addition of a community facility here is to help justify the loss of the public house as a community facility.
- The render has been installed pre-consent but has all been agreed to with the Conservation Officer and it is considered to be a positive contribution to the Conservation Area compared to the crumbling white render previously seen on site.
- The bin storage, manoeuvrability within the car park and access is considered acceptable by the Highways Officer and the Waste and Recycling Team.
- The use of the community laundry room is something the applicant has seen a requirement for in their other properties to which they own and manage, their wish to install one in this building is due to this and any risk should be outlined within their tenancy agreements. It is not a material planning consideration.
- The highways department have not seen it necessary or appropriate to insist in any off site highway works for this development, given the scale of the development and the intensification of the existing access.

7.0 Relevant Consultations

- 7.1 Councillor Ian Pearson: Objects to the conversion of the pub to 11 apartments. Their size and space would be small and the pandemic should have taught us at least one thing that human beings require adequate space to live in. There will be no outdoor space whatsoever. This also is a big problem. The proposed parking space is wholly inappropriate for every flat there should be parking space for two vehicles. Yet there isn't even one space per flat for this proposal. The new windows will overlook numerous properties that have never been overlooked before. The surrounding area is a significant traffic blight spot. There are already problems with funeral and wedding vehicles being able to get to the church. The existing road layout at the side of and behind the property is a constant location of complaints due to double and triple parking blocking the roads and vehicles driving the wrong way up the one way system in order that people can park. Significant comment has been made by residents already that converting the site into flats or an HMO they would strongly object to due to the problems it would cause the local residents. No further comments have been received from Councillor Pearson following the submission of amended plans.
- 7.2 Environmental Health: No objection in principle to the proposed change of use from a public house to apartments. The building is surrounded by residential dwellings so the development is in keeping with the area and future occupiers are unlikely to be exposed to noise that would be detrimental to amenity.
- 7.3 South Yorkshire Police: No objections, the development should include Designing Out Crime measures.
- 7.4 Pollution Control: No objections, requested conditions relating to unknown contaminants being discovered on site during construction.
- 7.5 Air Quality: No objections, requested condition relating to electric vehicle charging points.
- 7.6 Conservation: The change of use is welcomed by the Conservation Officer as it brings the building back into use, however there are a number of concerns needing further consideration regarding: window replacement with UPVC; window size and position; blocking off of windows and the way this is completed; porch roof replacement; and finally requesting details of bin storage locations. The Conservation Officer outlined that there would be no objections following these amendments. Amended plans have been submitted and further window detail information provided, this has been reviewed by the Conservation Officer who no longer object to the application subject to conditions regarding the windows and roof lights.
- 7.7 Education: No contribution is required, due to the apartments being 1 bedoomed.
- 7.8 Local Plans (retail): No objections from a retail policy point of view however, the Planning Officer is aware other colleagues have raised concerns regarding the detailing of the proposal. They do also share the same concerns regarding the parking and impact on the street parking this proposal could lead to, as this is used daily by residents and visitors to the centre. These concerns have been resolved by the submission of amended plans and there are no longer objections from the highways officer and urban design officer.

- 7.9 Ecology: Given the size and age of the structure subject to proposals for conversion, the Ecology Officer considers that a preliminary bat roost assessment is required. The Assessment has been submitted and the Officer has provided the following comments; the bat surveyor has clearly stated that there are no internal roosts but some transitory roosting bats may make use of the gaps in the verge mortar and the gaps in the ridge tile mortar. It states that there is a proposal from the developer to not repair the mortar gaps in which case this would not impact upon the roosting bats that may be there. If we can ensure that the repair of the mortar does not happen the Ecology Officer would be able to accept this approach. Given the making good of the roof and the re-rendering of the property, it was considered that a nocturnal bat survey is required. This was submitted and reviewed by the Ecology Officer, who has no objections to the application subject to conditions.
- 7.10 Transportation: The number of apartments proposed does not trigger a need for any further assessment from a Transportation perspective. It is noted that cycle storage is proposed, this is welcomed.
- 7.11 Trees: The proposal will not impact on existing trees adjacent to the site. From a trees and hedgerows perspective the development needs to provide mitigation for any negative impacts it may have and help enhance the local area. Most major planning applications and some minor applications will be required to provide a landscape scheme. However on this site, including a soft landscaping scheme within the site isn't likely pragmatic due to the site constraints. As a result instead of including an onsite landscaping scheme, and in order to maximise the benefits of tree planting, the council will expect a minimum of 1 tree per dwelling based on the council's SPD.

With the proposal being for 8 new dwellings with there being no provision for onsite planting within the red line at the moment. A contribution for 8 trees off site would be acceptable from a trees and hedgerows perspective.

For the section 106 agreement. As the money will not be forthcoming until the next financial year at the earliest the contribution needs to be in line with the annual rate increase. Due to an increase in tree supply costs, the cost would be c. £278.25 per tree. Overall, providing the section 106 contribution is provided there is no objection to the proposal from a trees and hedgerows perspective.

- 7.12 Public Health: No objections but request the landscaping be useable spaces for the future residents. Details of some landscaping have been provided with this application and given the size of the amenity space it would be of a more modern design including living walls around the amenity areas. This is considered to be sufficient to create a good quality amenity space for the residents and the details of this are secured via condition.
- 7.13 Policy (open space): As this site does not meet the threshold of 10 or more family dwellings (i.e. 2+ bedrooms), there is no specific open space requirement based on the UDP. However, the officer would encourage the most to be made of the 'amenity areas' to provide good quality outdoor space for residents and note the former use as a pub included terraces which could be repurposed and reimagined for communal space. Details of some landscaping have been provided with this application and given the size of the amenity space it would be of a more modern design including living walls around the amenity areas. This is

considered to be sufficient to create a good quality amenity space for the residents and the details of this are secured via condition.

- 7.14 Waste and Recycling: Initially raised concerns over the intensification of the use. The plans do incorporate areas to store and aid the collection of waste (which is welcomed) but there appears to be contradictory proposals for bin storage areas, firstly adjacent the cycle store [plan 878519] and secondly in Eagle Court Car Park [plan 878517]. I am unable to determine if suitable arrangements have been made for the separate storage and collection of recyclable waste from 11 residential units, the accessibility of any containers stored in Eagle Court is also questionable. Following receipt of amended plans, the Waste Team have reviewed the amendments and consider them to a better proposal in terms of waste, the officer's appreciate the clarification on the final placement of the bin store (adjacent the amenity area in the existing car park). Whilst it's hard to determine the exact area as there are no measurements there is scope to adjust the plan (as required) as indicated in red on the image below, clearly a separate commercial waste container in the store is an additional pressure to accommodate unless a separate area can be assigned. Advice is for the developer to build a lightly fenced compound for the bin storage area with double doors. Details of bin storage can be secured via condition.
- 7.15 South Yorkshire Superfast Broadband: Requested a condition for gigabit capable broadband to be installed on site. However, given this is a conversion of an existing building it is not considered plausible to have this gigabit capable equipment installed on site given the ground works required to do this, when no other ground works are required.
- 7.16 Highways: Highways Officer initially objected to the development due to the intensification of the site and the lack of parking to support the level of development. To meet the requirements of the Doncaster Council Development Guidance and Requirements SPD (July 2015) there would be a need to provide 17 spaces for the amount of apartments proposed. The surrounding roads do not offer the opportunity for on street parking as there would appear to be parking issues with the use of Traffic Regulation Orders to control parking, therefore adding another development without suitable parking provision would exacerbate the issue further in the surrounding streets. It is, however, acknowledged that this is a sustainable location and as such the Highways Officer would accept 1 space per unit as a minimum but this relies on the visitor spaces on street. Following the submission of amended plans, it is now considered that there is satisfactory parking spaces for 9 flats which addresses the outstanding issues from a Highways Development Control perspective for this application, subject to conditions.
- 7.17 Urban Design: Initially advised there was insufficient car parking according to the Council's standards and that there is no dedicated storage space / cupboards for any of the flats which is important for small units such as this for the storage of household appliances, tools, ironing boards, etc. The Urban Design Officer advised the case officer to review the apartment sizes and assess if they meet the Nationally Described Space Standards (NDSS). The sitting out / amenity area for residents could this include some landscaping / tree planting and / or the small common land area otherwise not in accordance with our policies or SPD in relation to landscaping. The amended plans received on 24th August 2021 includes sufficient storage, the apartments do generally meet the NDSS and

some detail of landscaping has been proposed. The reduction in the number of apartments is considered acceptable in terms of parking numbers.

- 7.18 Drainage: No objections subject to conditions.
- 7.19 Policy (Housing): Requested the applicant undertake a robust assessment of the continued viability of the use of the premises as a public house and use that to make an informed assessment of the requirements of local policy. The agents letter dated 22nd March 2021 states that they consider the assessment above and beyond what should be expected for an application of this scale and would put the viability of the scheme into doubt when there are a number of vacant commercial premises in the area and the area has more residential than commercial units and the site is edge of town centre. The Policy Officer has reviewed this document and considers the agent has misinterpreted the policy and makes reference to Para 92a of the NPPF which recognises the importance of community facilities, which also states a public house as a community facility. The Policy Officer states that it is reasonable for the applicant to undertake a robust assessment of the continued viability of the use of the premise of the public house. However, this could also be informed by an analysis of other alternative provision of existing viable public houses in the immediate area. The Policy Officer has reviewed the amended details, and does appreciate somewhat the creativity of the new proposal to convert part of the pub to a commercial unit, which itself could in part be made available for community use but this is a far different proposal from the retention of the whole of the existing community facility for such. The fundamental issue of the continued viability of the public house remains an open question which should be determined before proposals such as the 'commercial unit' are explored. In terms of the commercial unit proposal there are also the issues of whether this would be compatible with the proposed residential conversion of the remainder of the building; and, more importantly, whether we could be satisfied that the proposal could be actually secured and retained in the long term – planning obligation being preferred to a planning condition. Reliance on a lease would not appear to be satisfactory. The creation of potential employment from the cafe is noted but employment from the potential retention of the existing public house remains a possibility unless robustly demonstrated otherwise. The guidance of CAMRA, or other similar methodology, can help consider viability issues which they believe remains the key issue (https://camra.org.uk/campaign_resources/public-house-viability-test/). Following receipt of further marketing information, the Policy Officer still considers the proposal contrary to Policy 51 of the Emerging Local Plan, due to insufficient marketing being carried out in line with para 13.19 of the Local Plan.
- 7.20 Councillor Nigel Ball: Has raised concerns with the amount of parking and that there is an over proliferation of HMOs in the area.

The case officer has sought amendments to reduce the scheme to ensure a sufficient level of parking can be provided on site for the apartments. Highways have not objected to the application. Additionally this application is for 1 bedrooomed self-contained apartments, the proposal does not include any HMOs. The inclusion of HMOs within this building would require planning permission in its own right and would be assessed on its own merits, for which policy 9 of the Local Plan would be used to make the assessment and over proliferation is a factor within this policy.

8.0 Assessment

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

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

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

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

Principle of Development

8.3 The application site lies within the Commercial Policy Area as designated in the Unitary Development Plan adopted 1998. The site will be within the Town Centre Boundary within the Doncaster Local Plan.

8.4 The site lies within the UDP defined 'Commercial Policy Area' where policies SH1 and SH4 seek to encourage new residential uses in upper floors only by retaining ground floors in the equivalent of NPPF defined Main Town Centre Uses. UDP Policy CF2 states a loss of community facilities will be resisted, especially in areas with deficient community facilities. Policy CS7 of the Core Strategy also seeks to maintain the retail function of town centres. The emerging Local Plan designates the site within the boundary of Conisbrough Town Centre with Policy 23 proposing to retain a similar approach.

8.5 The site lies within the boundary of the district centre (retailing hierarchy) of Conisbrough which offers a suitable mix of uses. National and local planning policies recognise that residential development can often play an important role in ensuring the vitality of centres is maintained. The PPG states that given their proximity to transport networks and local shops and services, local authorities may wish to consider locating specialist housing for different groups including older people within town centres or edge of centre locations. This application is not specified to be for a certain type of occupier or tenure. However, given this particular site is on the edge of the commercial area surrounded by other residential properties, there would be no interruption to the shopping frontages and the area is a mixture of residential and commercial properties. The location of the building will give the residents easier access to a range of services.

8.6 The emerging Local Plan also includes Policy 51 on the 'Protection of Education, Community & Leisure Facilities'. This particular policy can be afforded substantial weight due to the stage the Local Plan is at. Supporting text at para

13.10 does list the types of facilities that could be covered by the Policy and whilst pubs are not specifically listed – there is a “catch-all” statement that “other types of facilities which offer benefits to the community may be assessed on a case by case basis”. Furthermore, paragraph 92a of the NPPF lists public houses as a community facility; further justifying that a public house is a community facility and would fall within the “catch-all” statement within the Local Plan Policy.

- 8.7 Given the requirements of local policy, the Policy Officer has requested an assessment of the continued viability of the use of the premises as a public house; which should be informed by the requirements of the policy guided by the accompanying explanatory text (para 13.8). Further to this the applicant has introduced a smaller community facility for the residents of Conisbrough within the Ground Floor of the building. The facility will have a coffee area and space for local community groups to hire for activities such as coffee mornings. However, the Policy Officer still required marketing information and justification for the loss of the Public House. The applicant has submitted as much marketing information as they can obtain and has attempted to justify the proposal against Policy 51 of the Local Plan within the additional information they have supplied. However, the Policy Officer considers the proposal to be contrary to Policy 51 of the Emerging Local Plan, which is given substantial weight. The reason the proposal falls short of the policy requirements is due to insufficient marketing in line with para 13.19 of the Local Plan being evidentially proven, within the applicants submission. The applicant and agent have made several attempts to contact Heineken who originally marketed the site from March 2019 and they only outlined that there was no interest due to the cost of refurbishment, market competition from other pubs in the locality and they subsequently disposed of the pub in December 2019. Following this CBRE were appointed to the sell the pub, again no evidence of any specific interest or lack of has been provided from CBRE or Heineken but no response was given. The site subsequently went up for sale via auction and again did not sell and CBRE took the site back on and this was then sold to the applicant. Some of the marketing did take place during the initial phase of the Covid-19 restrictions but whilst detailed evidence has not been provided, it is clear that the site has been marketed on and off since March 2019.
- 8.8 Whilst this information may not comply with Policy 51, the case officer has made a balanced assessment of the proposal overall and taken a pragmatic view. The case officer considers that the applicant has provided as much evidence as they are physically able and it is clear from historic image searches that the pub has been boarded up and vacant since 2019 and an advertisement board was visible on the image. This application has been pending consideration for 10 months and the applicant has worked with the LPA to overcome several other matters, which will be discussed in further details within this report. Furthermore, the site is located within Conisbrough Conservation Area and within the Town Centre boundary; bringing this building back into a use will have a positive contribution to the vitality of the Town Centre and the Conservation Area as a whole, if the application is refused or the applicant has to stall the development for 12 months to carry out their own marketing to comply with Policy 51 the building will remain vacant and would not have any positive benefits to the local community, Town Centre or the Conservation Area. Other aspects of this proposals are given substantial weight in favour of this application and these will be discussed in greater detail below. Given the other positive benefits of the scheme it is considered on balance that those benefits outweigh the harm the loss of a public house will have to the local community, further justified by the other available

public houses/drinking establishments located within Conisbrough Town Centre and the building will provide a community space for the local residents to meet up and to be used by small community groups, albeit smaller in scale. This is given substantial weight in the determination of this application.

8.9 SOCIAL SUSTAINABILITY

Impact on Amenity in the locality

- 8.10 The proposal is a conversion of an existing building with the addition of some new openings in the roof slope and replacement windows. The proposal would see a change in nature of the use of existing windows from a public house which has been vacant for 5 plus years to individual apartments, this will impact the surrounding residential properties. However, the front elevation window facing West Street face onto the road and a blank side elevation of the nearest residential property, with no other direct line of sight into other properties. The building opposite on Beech Hill is commercial in nature and thus there would be no impact to residential amenity, again the building abutting the site to the south is occupied by a Scout Group which is a commercial unit thus no impacted by harm to neighbour amenity. An objection has raised loss of privacy issues, whilst it is acknowledged that the site is on higher ground, just by the nature of the land levels in this historic area of Conisbrough; however the nearest residential property within a direct line of site of the windows would be over 37m away which is more than the recommended 21m as outlined in the SPD. It is therefore considered that the development would not detrimentally impact the immediate neighbouring residents in terms of loss of privacy.
- 8.11 It is acknowledged the Scout Group and a neighbouring resident have objected to the application, but the main aspects of their objections relates to parking and impact to the highway/pedestrian safety which will be discussed later in the report. The Scout Group have requested improved security fencing to the shared boundary, if the application is recommended for approval a boundary treatment condition would be requested and the agent is willing to improve the existing boundary treatment to increase security for the Scout Group. The position of the bin storage is considered to be in an appropriate location in terms of ease of access for residents and whilst it is within the curtilage of the site it would be a sufficient distance away from the habitable accommodation not to cause a nuisance in terms of smells or noise. The representations also raise issues of housing environment for the future occupiers, overdevelopment, & amenity space, this will discussed in greater detail below.

Housing Environment/Residential Standards

- 8.12 The South Yorkshire Residential Design Guide (SYRDG) sets out internal and outdoor space standards as a guideline for achieving high-quality residential environments. Whilst the recommended gross internal area for a studio flat is 33 square metres, a 1-bedroom flat should be 46/47 square metres. The proposed studio flats would range from 33sqm to 42sqm the 1 bed flats would range from 42sqm and 72sqm.
- 8.13 According to the SYRDG, shared private outdoor space for flats should be a minimum of 50 square metres, plus an additional 10 square metres per unit. For a development of nine units, 140 square metres of outdoor amenity space would

therefore be expected. In this case, an amenity area of 77 square metres is provided, which falls short of the guidelines.

- 8.14 However, the Nationally Described Space Standard (NDSS) is more up-to-date, having been published in 2015, whereas the SYRDG dates back to 2011. The Local Plan is in an advanced stage of preparation, and Policy 45 which is now given substantial weight, requires developments to meet the NDSS rather than the SYRDG standards. The NDSS does not distinguish between studio and 1-bedroom apartments, and states that a 1-bedroom, 1-person apartment can be a minimum of 37sqm where there is a shower but no bath. It is likely that the larger apartments will be rented or sold for a higher value than the smaller studios and it is therefore likely that these will be occupied by 2 persons, the NDSS states 2 person 1-bed apartments should be 50sqm. The proposal would fall short of the NDSS, specifically apartments 4 and 8. However, the NDSS is with regards to new buildings and this development is a conversion, the 2 apartments that do fall short are studio apartments which are also not defined within the NDSS. It is considered that given Policy 45 and the NDSS do not refer to change of use applications that there is some discretion, to encourage the re-use of existing buildings. The proposed studio apartments would meet the SYRDG and would have a good level of natural light and movement around the apartments with clearly defined spaces; in this instances the floor spaces within these apartments is considered to provide a good level of housing environment for those tenants. Additionally, the NDSS does not prescribe outdoor space standards & the provision whilst small does allow for a space for the residents to sit out in a communal area, furthermore the site is a short walk away from the ground of Conisbrough Castle and other areas of public open space in Conisbrough, which would provide a nice outdoor environment for the residents.
- 8.15 Overall, whilst 2 of the 9 apartments do fall short of the NDSS and the outdoor amenity space is small in size, the proposal does generally accord with up to date national space standards. On balance, it is not considered that the apartments provide a poor standard of residential amenity and would bring benefits to the surrounding area by the re-use of a vacant and run down building. Furthermore amended plans has seen a reduction in apartment numbers and the provision of storage spaces for the residents, improving the standards further. The proposal is considered to accord with Policies CS1 and CS14 of the Core Strategy and Policy 45 of the Emerging Doncaster Local Plan. This is given substantial weight in the determination of the application.
- 8.16 CF2 of the UDP states that the loss of community facilities not defined on the proposals maps will be resisted, especially where that facility lies within an area deficient in community facilities. There are other pubs in Conisbrough, many of which are a short walk away from the site within the main town centre area, the town is therefore not deficient in this form of community facility. Furthermore, the proposal does include the retention of a smaller area to be used as a community hub for the local residents to utilise with a coffee shop area for the use of those groups. The applicant has provided marketing information to demonstrate that the application site has been marketed as a pub and no interest has been shown. The requirements of CF2 have therefore been satisfied.

8.17 Conclusion on Social Impacts

- 8.18 It is considered that the proposed development would not detract from the residential amenity of any of the existing or proposed residential properties. The

social impacts are therefore considered to be acceptable. This is given significant weight in the determination of this application.

8.19 ENVIRONMENTAL SUSTAINABILITY

Impact on the character and Heritage assets

- 8.20 The proposal includes external alterations which consists of but not limited to, replacement windows; blocking up of openings; removal of signage; addition of roof lights; re-rendering property and the addition of dormer windows. The proposed external alterations are minor in scale and are required to bring the property back up to standard but nonetheless do impact the character of the Conservation Area and have therefore been assessed by the Council's Conservation Officer.
- 8.21 A series of amended plans have been submitted following a number of concerns being raised by the Conservation Officer, such as the type of replacement windows, how the windows are blocked up, and alterations to the porch roof and finally removal of the dormer windows. The Conservation Officer has reviewed the amended details and considers the proposal to be acceptable subject to the finer details of the window replacement and roof lights.
- 8.22 Furthermore, the roof lights and the main area of alteration would be on elevations which face onto the car park and a condition is proposed regarding the roof lights to ensure they are conservation standard, which would again have minimal impact to the character of the area. The amenity area, bin storage, cycle storage are all proposed to be located within the car park area and therefore not visible from the wider area.
- 8.23 There is a public benefit to this proposal which must be assessed. The application would result in a vacant derelict building back into use which would in turn improve the character and appearance of the Conservation Area. Whilst it is acknowledged that some aspects of the scheme could be designed better, it is constrained by the fact that it is a re-use of an existing building. The case officer and Conservation Officer considers the public benefit of bringing this vacant run down building back into use is greater than the harm to the Conservation Area by the method of its conversion.
- 8.24 On balance it is considered that the proposal would have a positive impact on the Conservation Area and in turn have a positive impact on the character of the area. The proposal would see a vacant and run down building being brought back into use and the building being regenerated with minor external works. The proposal is considered to be in accordance with UDP Policy ENV25, Core Strategy Policy CS15 and Local Plan Policy 37. This is given substantial weight in the determination of this application.

Trees and Landscaping

- 8.25 The proposal will not impact on existing trees adjacent to the site. From a trees and hedgerows perspective the development needs to provide mitigation for any negative impacts it may have and help enhance the local area. Most major planning applications and some minor applications will be required to provide a landscape scheme. However on this site, including a soft landscaping scheme within the site isn't likely pragmatic due to the site constraints. As a result instead

of including an onsite landscaping scheme, a contribution to new tree planting in the local area would be needed. Financial contributions via a Section 106 agreement in respect of tree planting will be required where new planting is required on public land to mitigate the impact of a development where planting cannot be accommodated within the site boundary which is the case here. In order to maximise the benefits of tree planting, the council will expect a minimum of 1 tree per dwelling based on the council's SPD. With the proposal being for 8 new dwellings with there being no provision for onsite planting within the site. A contribution for 8 trees off site would be acceptable from a trees and hedgerows perspective.

- 8.26 Off-site tree planting will take place as close to the site as possible and within the ward containing the site. Where replacement planting will take place into an area of highway verge or hard standing in the contribution will be expected to cover the cost of an engineered tree pit. All tree planting on public land is to be undertaken by the council to ensure a consistent approach and level of quality, and to reduce the likelihood of new tree stock failing to survive.
- 8.27 It is noted that the proposal does include an area for a communal amenity area, but this is not sizeable enough to accommodate a high quality landscaping scheme with trees and substantial planting. However, it is still considered that a small amount of soft landscaping should still be provided to make the amenity area a nice environment for the future occupiers. Whilst the planting is likely to be from small plants, living walls and pots with seating, it is considered that this will provide a good level of amenity for the residents and would help provide a higher quality of housing environment. The finer details of the landscaping and how the amenity area will be utilised would be secured via condition.
- 8.28 It is therefore considered that whilst the amenity area is too small to accommodate a good quality landscaping scheme with a good nursery stock of tree planting on site, the agreement to planting of 8 trees off site and the space for a low level amount of landscaping is acceptable in this instance; given the sites location close to the district centre and close to other areas of public open space. The communal outdoor area would be sufficient to provide a space for the residents to sit out and the provision of off-site trees will benefit the local area and community. It is therefore considered that the application is in accordance with Core Strategy Policy CS16 and Policy 48 of the Emerging Doncaster Local Plan. This is given substantial weight in the determination of this application.

Ecology

- 8.29 Given the size and age of the building, the Ecology Officer considered that a preliminary bat roost assessment was required. As stated in Circular 06/2005 para.99 the presence or absence of protected species must be ascertained prior to determination and originally objected to the application, due to the assessment not being submitted. The Assessment has been submitted and the Officer has provided the following comments; the bat surveyor has clearly stated that there are no internal roosts but some transitory roosting bats may make use of the gaps in the verge mortar and the gaps in the ridge tile mortar. It states that there is a proposal from the developer to not repair the mortar gaps in which case this would not impact upon the roosting bats that may be there. However, it is considered unusual for a developer not to repair the fabric of a building with this scale of renovation works taken place. Following these comments it was confirmed that the

roof would be replaced and made good in places, therefore a nocturnal survey was required. This survey has been conducted and reviewed by the Ecology Officer, who has confirmed that the survey is satisfactory and the conclusion of the survey is that bats are likely absent from the building. The Ecology Officer has requested a condition relating to the provision of ecological enhancements at the site such as swift and bat boxes.

- 8.30 Given the findings of the further survey works and the comments from the Ecology Officer, it is considered that the proposal would not result in any harm to protected species and is therefore in accordance with Core Strategy Policy CS16 and Policy 30 of the Emerging Doncaster Local Plan. This is given significant weight in the determination of this application.

Highway safety and traffic

- 8.31 Upon submission of the original proposal for 11 apartments, concerns were raised Highways Development Control (HDC), a ward Councillor, and two public objectors in relation to the lack of parking, identifying that the site is located on a street with high demand for parking. Waste and Recycling have also noted that waste collection vehicles may not access the site easily which could cause obstructions on the highway. Following this amended plans were received reducing the number of apartments to 9 and accommodating 9 car parking spaces and designated bin storage area within the existing car park area.
- 8.32 The existing use of the site comprises a commercial pub and a car park. It is therefore not considered that the proposed use would result in an intensification of use of the site as there is no significant change of use of the land formerly used as a car park. Given the sites highly sustainable location within Conisbrough Town Centre, it was considered by the Highways Team that parking levels could be reduced to 1 designated space per apartment and it is deemed acceptable for the community use to have no parking again given its town centre location. This is considered not to result in a significantly detrimental impact to the existing demand for on street parking in the area. The access, parking spaces, and manoeuvrability within the site have been assessed by the Highways Team and they offer no objections to the application, subject to conditions. Furthermore, given the scale of development it is not considered that further survey works or transport assessments are required but the Transportation Officer has requested cycle storage be provided, this is shown to be within the ground floor area internally but a condition is suggested to provide the details of the storage is provided prior to occupation of the building.
- 8.33 The designated bin store is considered to be in an appropriate position for access by refuse vehicles and is considered to be a suitable size to accommodate the amount of bins required for the residential properties. However, to ensure bin storage is accommodated separately for the community facility, it is deemed necessary to include a condition on the decision for the finer details of the storage to be provided prior to occupation of the building.
- 8.34 It is noted that one resident has requested a pedestrian barrier is included outside of the site. There is no evidence to suggest that pedestrian safety is an issue in this location or that it would be significantly exacerbated by the proposal and consequently it is important to recognise that a condition requiring off site improvement works must meet the planning tests in order to be lawful. The

planning tests ensure that conditions are; necessary; relevant to planning; relevant to the development to be permitted; enforceable; precise; and reasonable in all other respects.

- 8.35 The proposed change of use of the public house to 9 apartments and community space would not result in a significant intensification of the existing use access or use. The proposed car parking is considered to be acceptable and the bin storage can be accommodated on site without impacting the use of the car park. It is considered that there would be no detrimental harm to the highway safety of the area, subject to a series of conditions. The application is considered to be in accordance with Policy CS14 of the Core Strategy, Policy 13 and Policy 16 of the Emerging Doncaster Local Plan, and Para 111 of the NPPF. This is given significant weight in the determination of this application.

Security and Crime Prevention

- 8.36 Comments have been received relating to the potential increase in anti-social behaviour (ASB), however the nature of this development is not considered to be likely to create a significant increase in ASB.
- 8.37 South Yorkshire Police responded with no objections however recommended informatics to ensure the development is carried out by the Secure by Design Standards. This is given moderate weight in the determination of this application.

8.38 Conclusion on Environmental Issues

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

8.40 ECONOMIC SUSTAINABILITY

- 8.41 The site is well connected to the town centre, there is a bus stop a short walk down to Low Road or up into town on Church Street and footpaths leading from the site to the Core Business area of Conisbrough. This connection to the main town centre is emphasized by the site being within 'Walkable' distance of the main centre (SYRDG). Policy CS2 supports the provision of local facilities and improved access to these by creating walkable neighbourhoods.
- 8.42 Jobs will be created during construction, to manage the property, and within the community facility; these are considered to be small in number and would have minimal impact on the economic sustainability of the site. However, the public house has been vacant for a number of years and the re-use of this building will include the payment of business rates, council tax and would encourage more footfall into the main shopping area of the town centre. Therefore it is considered that the proposal overall would make a positive contribution to the area in terms of economic sustainability.

8.43 Conclusion on Economy Issues

- 8.44 Paragraph 8 (a) of the NPPF (2021) 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.
- 8.45 The proposal would generate some economic benefit, which will result in the property providing a good quality of accommodation and more attractive to future tenants, as well as provide a serviced space for community use. Though, the scale of this increase is limited. As such the proposal carried limited weight in favour of the application.

9.0 PLANNING BALANCE & CONCLUSION

- 9.1 In accordance with Paragraph 11 of the NPPF the proposal is considered in the context of the presumption in favour of sustainable development. Officers have identified no adverse economic, environmental or social harm that would significantly or demonstrably outweigh the benefits identified when considered against the policies in the NPPF taken as a whole. It is noted that this recommendation has been made on balance and the development does not comply with Policy 51 of the Local Plan. However, the proposal does provide a number of positive benefits to the local area including but not limited to, improving the character of the Conservation Area and vitality of the town centre by bringing a boarded up building back into use, and planting of new trees within the local area; having both social and environmental benefits.

10.0 RECOMMENDATION

- 10.1 **MEMBERS RESOLVE TO GRANT PLANNING PERMISSION FOR THE PROPOSED DEVELOPMENT SUBJECT TO THE CONDITIONS BELOW AND FOLLOWING THE COMPLETION OF AN AGREEMENT UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) IN RELATION TO THE FOLLOWING MATTERS:**

- To secure financial contribution for the required off-site tree planting.

Conditions / Reasons

01. 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 of the Town and Country Planning Act 1990 (as amended).
02. The development hereby permitted must be carried out and completed entirely in accordance with the terms of this permission and the details shown on the approved plans listed below:
- 020023-AAD-01-XX-DR-A-009-P07 – amended 24.08.21
020023-AAD-01-XX-DR-A-007-P09 – amended 24.08.21
020023-AAD-01-XX-DR-A-008-P08 – amended 24.08.21

020023-AAD-01-XX-DR-A-014-P04 – amended 24.08.21

020023-AAD-01-XX-DR-A-006-P05 – amended 29.06.21

020023-AAD-01-XX-DR-A-001-P01 – received 18.11.20

Render Colour Details – received 12.05.21

REASON

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

03. Before the first occupation of the development the vehicle turning space as shown on the approved plans shall be constructed and shall thereafter be retained and maintained as such.

REASON

To avoid the necessity of vehicles reversing on to or from the highway and creating a highway hazard.

04. Before the development hereby permitted is brought into use, the parking as shown on the approved plans shall be provided and that area shall not thereafter be used for any other purpose other than the parking of private motor vehicles belonging to the occupants of and visitors to the development hereby approved.

REASON

To ensure that adequate parking provision is retained on site.

05. No development shall take place until details of the provisions for the storage and recycling of refuse have been submitted to and approved in writing by the Local Planning Authority. Such provisions shall be made/constructed prior to the first occupation of the building and shall thereafter be made permanently available for the occupants of the building.

REASON

To ensure the satisfactory provision of facilities for the storage of refuse.

06. No development (including any earthworks or vegetation clearance) shall take place before a scheme of landscaping, which shall include details of both hard and soft landscape works and earthworks, has been submitted to, and approved in writing by, the Local Planning Authority. The scheme as approved shall be carried out in the first planting season following the completion of the development. Any trees, shrubs or plants that die within a period of five years from the completion of each development phase, or are removed and/or become seriously damaged or diseased in that period, shall be replaced (and if necessary continue to be replaced) in the first available planting season with others of similar size and species, unless the Local Planning Authority gives prior written permission for any variation.

REASON

To ensure that replacement trees are of a suitable type and standard in the interests of amenity.

07. The development hereby permitted shall not be occupied until details of secure cycle parking facilities for the occupants of, and/or visitors to the development have been submitted to and approved in

writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to first occupation of the development hereby permitted and shall thereafter be maintained and 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.

08. Prior to the occupation of the development hereby approved, details of electric vehicle charging provision shall be submitted to and approved in writing by the Local Planning Authority. The first dwelling/development shall not be occupied until the approved connection has been installed and is operational and shall be retained for the lifetime of the development. The development shall be carried out in accordance with the approved details.

REASON

To contribute towards a reduction in emissions in accordance with air quality objectives and providing sustainable travel choice in accordance with policies CS9 and CS18 of the Doncaster Council Core Strategy.

09. No development shall take place before a Drainage Impact Study, a surface water drainage scheme for the site (based on sustainable drainage principles SuDS) and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The surface water scheme shall be implemented before the first occupation and/or use of the development and be constructed in accordance with the approved details.

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 further works begin.

10. In the event that contamination is found at any time when carrying out the approved development, all associated works shall cease and the Local Planning Authority (LPA) be notified in writing immediately. A Phase 3 remediation report shall be submitted to the LPA for approval. Following completion of the measures identified in the approved remediation scheme a Phase 4 verification report must be prepared, which is subject to the approval in writing of the LPA. The associated development works shall not re-commence until both reports have been approved by the LPA.

REASON

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

11. Prior to the occupation of the proposed development hereby approved, details shall be submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials, height, and type of boundary treatments to be erected on

site, including any gates. Unless otherwise approved in writing by the Local Planning Authority, the details as approved shall be completed before the occupation of any buildings on site and retained and maintained throughout the life of the development.

REASON

To ensure the satisfactory appearance of the development.

12.

The roof-lights hereby permitted shall be low profile conservation roof-lights with a central vertical glazing bar. Full details of the size, location, and design of the roof-lights to be used in the conversion of the building shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. Development shall be carried out in accordance with the approved details and retained and maintained throughout the life of the development.

REASON

To preserve and enhance the character and appearance of the conservation area.

13.

Prior to the occupation of any part of the building current windows shall be replaced with vertically sliding sash windows. Prior to relevant works a method statement for the replacement of windows shall be provided to and approved in writing by the Local Planning Authority. The statement shall include timescales for the work and the exact design and location of the replacement windows.

Development to be in accordance with approved details.

REASON

To preserve the character and appearance of the conservation area.

14.

Prior to the commencement of development, 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 prior to the first occupation of the site or an alternative timescale to be approved in writing with the Local Planning Authority: 1x artificial bat roost feature based on the recommendations of Wildscapes Bat Survey Report

1x swift nest feature either surface mounted or integrated.

REASON

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

INFORMATIVES

01.

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

02.

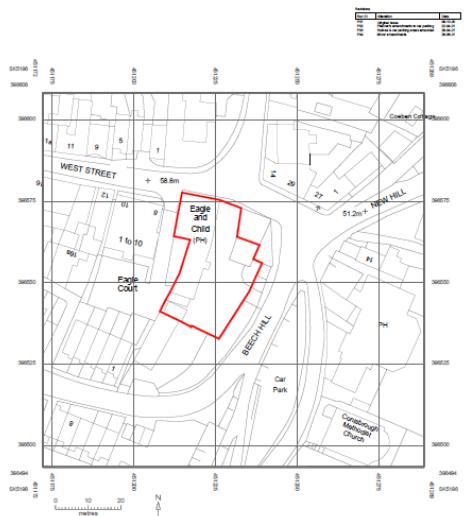
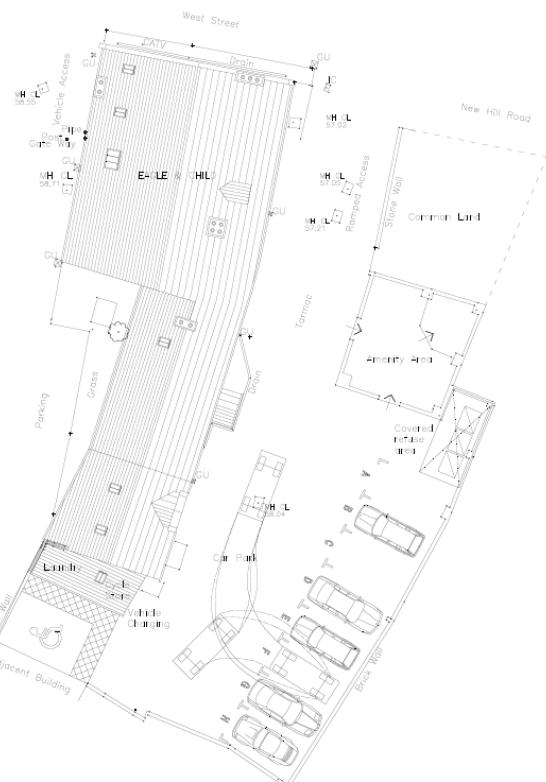
The permission hereby granted shall not relate to the display of any advertisement for which express consent is required. Separate consent under the Town & Country Planning (Control of Advertisements) Regulations 2007 (as amended) is required.

03. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.
Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority
Standing Advice valid from 1st January 2021 until 31st December 2022
04. The applicant is advised to seek to implement security measures into the development in order to achieve the 'Secured By Design' accreditation from South Yorkshire Police.
05. Adequate provision for the storage and collection of waste and recycling is essential for both domestic and commercial premises, lawful arrangements should be in place prior to the occupation of any property. The applicant should contact waste&recycling@doncaster.gov.uk prior to occupation to discuss the provision and siting of suitable bins and setting up a collection service.

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

Site Plan



aad architects

Unit 101a, 2 West Street
Cottingham, DN3 3H
01482 810000
E: info@aad-architects.co.uk

Planning PO Ltd

Eagle & Child, 2 West Street, Cottingham, DN3 3H, Residential Development

Site Layout as Proposed

Area 1: 1100.8 m²	Area 2: 100.0 m²	Area 3: 100.0 m²
Area 4: 100.0 m²	Area 5: 100.0 m²	Area 6: 100.0 m²

Architectural Drawing Ref: 000033-AAD-01-02-DR-A-01-a-PDF
Document Number: 000033-AAD-01-02-DR-A-01-a-PDF

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Appendix 2: Landscape Details

Proposed Landscape Details

2 West Street Planting Proposal

- to recycle old pallets to make upright and flat planters, being low maintenance and practical.



Appendix 3: Elevations

Existing Elevations



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Elevations as Existing

Scale 1:100
Drawing No. DR-A-024-PDF
Drawing Date 01/03/2012
Document Number: 000021-AAD-DR-A-024-PDF

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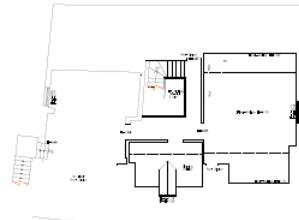
Proposed Elevations



Appendix 4: Floor Plans

Existing Floor Plans

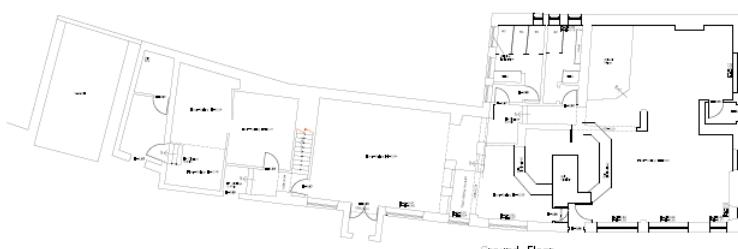
Sheet 1 of 3



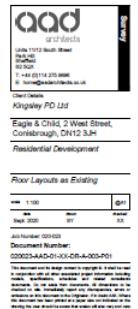
Second Floor



First Floor



Ground Floor

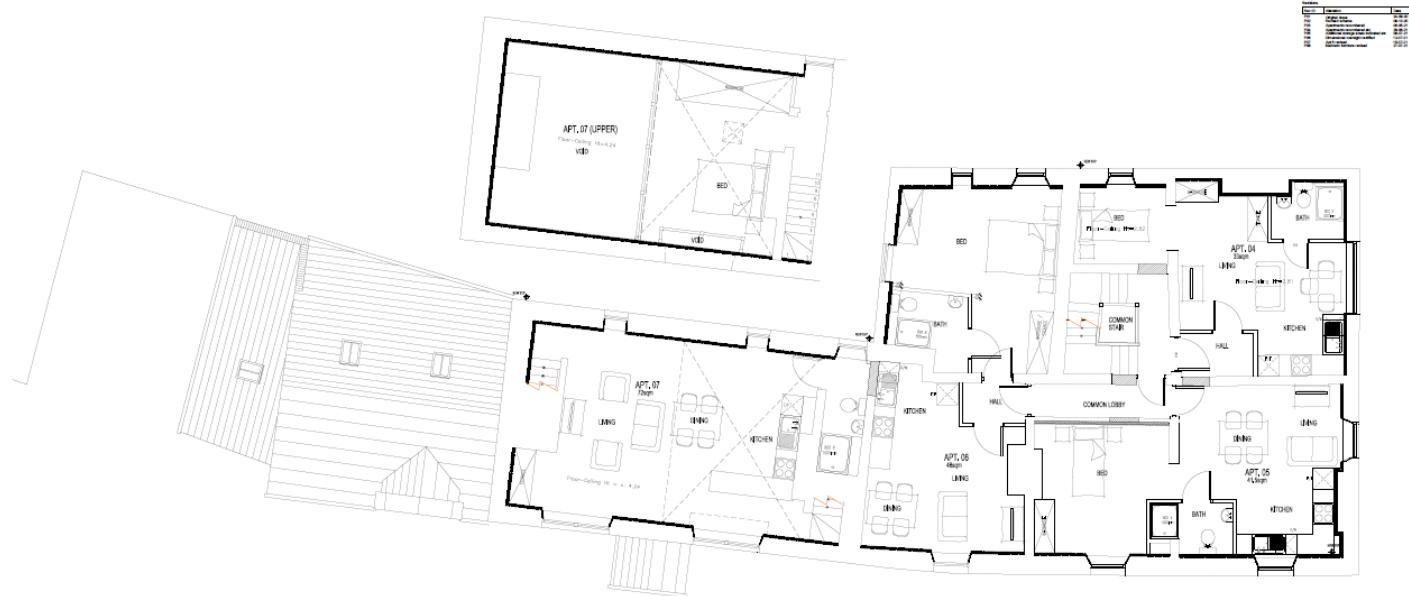


Proposed Floor Plans

Ground Floor



First Floor



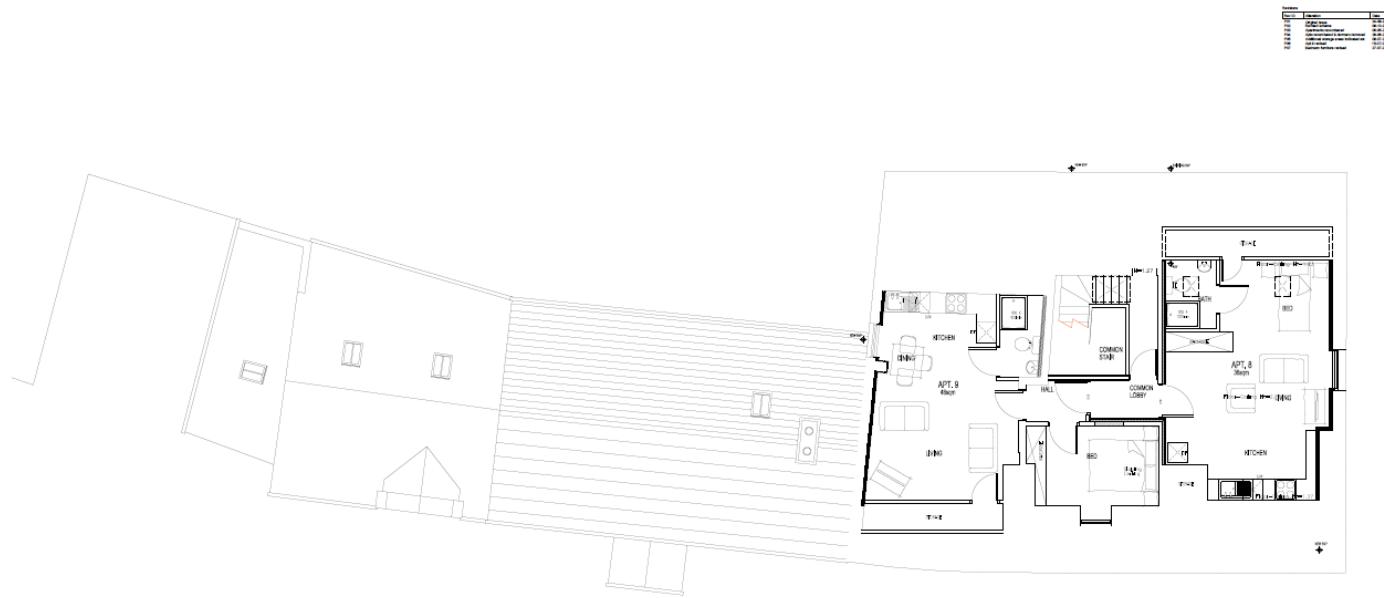
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Residential Development													
Firat Floor Layout as Proposed													
<table border="1"> <thead> <tr> <th>Area</th> <th>Size</th> <th>Room</th> </tr> </thead> <tbody> <tr> <td>Ground</td> <td>130</td> <td></td> </tr> <tr> <td>First</td> <td>203</td> <td>MH</td> </tr> <tr> <td></td> <td>87</td> <td></td> </tr> </tbody> </table>		Area	Size	Room	Ground	130		First	203	MH		87	
Area	Size	Room											
Ground	130												
First	203	MH											
	87												
Area Number: 000-000													
Document Number:													
0003-AAD-01-000-000-000-P08													

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It is the responsibility of the client to ensure that the design complies with the Building Regulations.

Second Floor



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Second Floor Layout as Proposed

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Document Number:	
020203-AAD-01-XX-DR-A-009-P07	

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Appendix 5: Historic Image of Pub – closed and to let April 2019.

