

<b>Application</b>	1.
--------------------	----

<b>Application Number:</b>	21/01109/FUL
----------------------------	--------------

<b>Application Type:</b>	Full Planning
--------------------------	---------------

<b>Proposal Description:</b>	Landscape works to area within the walled garden at Hooton Pagnell Hall to create new car parking area, a wildflower garden and a way finding lighting scheme.
<b>At:</b>	Hooton Pagnell Hall Hooton Pagnell Village Streets Hooton Pagnell Doncaster DN5 7BW

<b>For:</b>	Mr Mark Norbury
-------------	-----------------

<b>Third Party Reps:</b>	8 letters of objection	<b>Parish:</b>	Hooton Pagnell
		<b>Ward:</b>	Sprotbrough

<b>Author of Report:</b>	Nicola Elliott
--------------------------	----------------

## SUMMARY

The proposal seeks full permission for landscape works to area within the walled garden at Hooton Pagnell Hall to create new car parking area, a wildflower garden and a way finding lighting scheme. The car park is contained within a former walled garden and is not significantly visible from outside the site therefore it is not considered that the proposal represents harm to the openness of the Green Belt. Furthermore, it is not considered inappropriate development in the Green Belt in that it is ancillary to an existing, permitted, use.

The report demonstrates that any harm generated by the proposal is outweighed by other material planning considerations. The development would not cause undue harm to neighbouring properties, heritage assets, the highway network or the wider character of the area.

The application was deferred from Planning Committee on the 1<sup>st</sup> February 2022 for a Site Visit in order to assess the impact on the neighbouring dwellings located to the North of the walled garden and for clarification on the drainage including how contaminants would be intercepted in the proposed porous drainage scheme.

**RECOMMENDATION: APPROVE subject to conditions**

B6422

Application site



Access road

## **1.0 Reason for Report**

- 1.1 This application is being presented to Planning Committee due to the level of opposition to the proposal. The application was deferred from the previous Planning Committee on the 1<sup>st</sup> February 2022 for a Site Visit in order to assess the impact on the neighbouring dwellings located to the North of the walled garden and for clarification on the drainage including how contaminants would be intercepted in the proposed porous drainage scheme. At the time of the writing of this report the Site Visit was being scheduled for 25<sup>th</sup> February 2022. Further clarification in respect of drainage can be found in paragraph 9.41.

## **2.0 Proposal and Background**

- 2.1 This application seeks full permission for landscape works to area within the walled garden at Hooton Pagnell Hall to create new car parking area, a wildflower garden and a way finding lighting scheme. This will provide event parking for guests attending the hall. A separate Listed Building Consent application has been submitted alongside this application, although the Conservation Officer does not believe that this is required and as such is not presented to Planning Committee.
- 2.2 The Design and Access Statement states that currently the parking within the grounds only accommodates those guests who are booked in to use the accommodation associated with the Hotel. The parking will provide 43 additional car park spaces for those guests who wish to park their vehicles at the venue during an event. Typically, events held on site have guest numbers of between 80 to 150. Guest arrival times are dictated by the event start time, which would generally be between 11.30am to 2.00pm. Occasionally later arrivals may occur for those clients wishing to invite additional guests to an evening function; in which case some cars may arrive between 6-8pm. In each case, the arrival period is short due to events being by invitation only with specified timings.
- 2.3 The total amount of land to be converted will be 2,220m<sup>2</sup>, with approximately 57% being converted into parking bays and access tracks and the remaining 43% being developed for biodiversity.
- 2.4 The proposal does not seek to make any alteration to the walls and in order to protect the walls and vehicles parked within the walled garden the proposal includes for reclaimed stone to be laid approximately 600mm from the boundary. Lighting is also proposed, and there will be a planting scheme on the area not to be utilised as a car park.

## **3.0 Site Description**

- 3.1 The site is situated to the north east of Hooton Pagnell Hall, a Grade II\* listed building and is surrounded by 2.5m high stone wall. The hall forms the focus of a group of buildings associated with the Hall and the estate, most of which are grouped around courtyards to the south and east of the Hall, with many being separately Grade II listed.
- 3.2 The walled garden unlike the courtyard buildings is in a prominent position with respect to the formal north front of the Hall. It is not clear whether the original function of the garden was to provide food for the occupiers of the Hall or to provide

them with a private recreational area away from the eyes of the villagers to the north. OS maps from the latter half of the 20th century and remains of concrete bases within the garden suggest that the area last accommodated sheds or greenhouses. Whatever its origins or recent uses, the walls of the garden are prominently visible from the entrance courtyard though their impact is softened by extensive tree planting around the outside of the walls.

#### 4.0 Relevant Planning History

4.1 The relevant planning history is as follows:

Application Reference	Proposal	Decision
06/00720/FUL	Erection of single storey detached dwelling on approx 0.23 ha of land	Refused 4 <sup>th</sup> September 2006 (Appeal dismissed 11 <sup>th</sup> January 2008)
16/02345/FUL	Proposed conversion of existing Tithe Barn & adjacent barns to a wedding venue and creation of additional parking area	Granted 07/04/2017
16/02347/LBC	Listed Building Consent for proposed conversion of an existing Grade II listed Tithe Barn & adjacent barns into a wedding venue.	Granted 07/04/2017
18/02137/FUL	Change of use of the existing Stable Block to Hotel accommodation.	Granted 14/01/2019
18/02138/LBC	Listed Building Consent for alterations to building in connection with planning application for change of use of the existing Stable Block to Hotel accommodation (18/02137/FUL).	Granted 14/01/2019
20/03165/LBC	Listed building consent for internal and external alterations, including conversion of attic space (Stable Block)	Granted 04.02.2021

#### 5.0 Site Allocation

5.1 The site is located within the Green Belt and Hooton Pagnell Conservation Area, defined by Doncaster's Local Plan. Hooton Pagnell Hall is a Grade II\* Listed Building.

#### 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 NPPF is a material consideration in planning decisions and the relevant sections are outlined below:

- 5.4 Paragraph 2 states that planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 5.5 Paragraphs 7 – 11 establish that all decisions should be based on the principles of a presumption of sustainable development.
- 5.6 Paragraphs 55-56 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. 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.
- 5.7 Paragraph 111 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.
- 5.8 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.
- 5.9 Paragraph 137 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.
- 5.10 Paragraph 138 lists the five purposes that Green Belt serves;
- a) to check the unrestricted sprawl of large built-up areas;
  - b) to prevent neighbouring towns merging into one another;
  - c) to assist in safeguarding the countryside from encroachment;
  - d) to preserve the setting and special character of historic towns; and
  - e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 5.11 Paragraph 147 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 148 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 150 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, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

- 5.14 Paragraph 201 states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:
- a) the nature of the heritage asset prevents all reasonable uses of the site; and
  - b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
  - c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
  - d) the harm or loss is outweighed by the benefit of bringing the site back into use.
- 5.15 Paragraph 202 states that 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.
- 5.16 Paragraph 208 states that local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the dis-benefits of departing from those policies.

### **5.17 Doncaster Local Plan**

- 5.18 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for Doncaster includes the Doncaster Local Plan (adopted 23 September 2021). The following Local Plan policies are relevant in this case:
- 5.19 Policy 1 sets out the Borough's settlement hierarchy, seeking to preserve the openness and permanence of Doncaster's Green Belt. Within the Green Belt, national planning policy will be applied including the presumption against inappropriate development except in very special circumstances.
- 5.20 Policy 13 seeks to promote sustainable transport within new developments.
- 5.21 Policy 29 seeks to protect the Borough's ecological networks.
- 5.22 Policy 30 deals with the need to value biodiversity.
- 5.23 Policy 32 states that the design process should consider woodlands, trees and hedgerows.
- 5.24 Policy 34 seeks to conserve Doncaster's historic environment.
- 5.25 Policy 36 sets out a number of principles to assess proposals which affect Listed Buildings or their setting.

- 5.26 Policy 37 sets out the principles to assess proposals which affect Conservation Areas or their setting.
- 5.27 Policy 42 deals with the need for good urban design.
- 5.28 Policy 54 requires the need to take into account air and noise pollution.
- 5.29 Policy 55 deals with the need to mitigate any contamination on site.
- 5.30 Policy 56 requires the need for satisfactory drainage including the use of SuDS.
- 5.31 Policy 57 deals with the need to consider flooding.
- 5.32 Policy 58 deals with low carbon and renewable energy within new developments.

### **5.33 Other material planning considerations**

- Community Infrastructure Levy (CIL) Regulations (2010)
- Town and Country Planning (Environmental Impact Assessment) Regulations (2017)
- Development Requirements and Guidance Supplementary Planning Document (SPD) (2015)
- South Yorkshire Residential Design Guide (SPD) (2015)
- National Planning Policy Guidance

## **6.0 Representations**

- 6.1 This application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015 by means of site notice, neighbour notification, council website and press advertisement.
- 6.2 Following this publicity, a total of 8 letters of objection were received. A summary of the material planning issues raised is set out below:
- Impact on residential amenity from noise and disturbance and lighting – night and day
  - No very special circumstances to justify development in the Green Belt
  - Visible from upstairs windows
  - Negative impact on Conservation Area and Listed Buildings
  - Walled garden was not previously unkempt until recently, previously abundant with indigenous wildflowers, shrubs and small trees
  - Gravel surface will be noisy, exacerbated by the numbers of vehicles
  - Impact on health and wellbeing
- 6.3 Non material issues raised included the following
- Other land associated with the Hall would be more appropriate
  - The current car park is adequate
  - No need for the development

## **7.0 Parish Council**

### **Hampole and Skelbrooke Parish Council**

- 7.1 Objects for three principal reasons - the removal of a buffer zone between a significant growing business and the village, the adverse effect on the setting of listed buildings and the inappropriate nature of the development in Green Belt.
- 7.2 There are no very special circumstances to justify this inappropriate development in Green Belt. The proposal is therefore contrary to policies ENV10 of the UDP, policy CS3 of the Core Strategy, policy 2 of the emerging Local Plan and paragraphs 143 and 144 of the National Planning Policy Framework. *[Comments provided prior to adoption of Local Plan.]*

### **Marr Parish Council**

- 7.3 Objects for the following reasons;
- Impact on the Grade I Listed church
  - No assessment of the other 28 Listed Buildings in the village
  - Inappropriate development in the Green Belt
  - Planning permission previously refused for this site and upheld at Appeal
  - Insensitive end use and not environmentally friendly
  - No electric vehicle parking
  - There would be no buffer between the Hall and residents as there currently is
  - Light, noise and air pollution impacts where currently there are none
  - Impact on residential amenity from cars arriving and departing, guests making noise at late times
  - Negative impact from lighting on residents
  - Loss of children's privacy
  - Access not wide enough for two cars to pass
  - Noise from gravel surface
  - Not suitable for wheelchair users and the elderly/infirm
  - Impact on ecology and trees

## **8.0 Relevant Consultations**

### **8.1 Design and Conservation Officer**

The proposal is broadly welcome as this area will be less intrusive on the setting of the listed buildings and Conservation Area than the previously approved location of car parking, although it should be confirmed that this car parking will supersede the previously approved car parking to the south of the Tithe Barn rather than be additional to it. *[The proposal replaces this previously approved location]* The walls of the walled garden are also to be repaired which will be of long term benefit to the walls and to the setting of the listed Hall and its buildings. Given its position it will have minimal impact on the Conservation Area although would ask that conditions be added to minimise any significant light and noise pollution.

The proposal would therefore be considered to protect the setting of the listed hall and its buildings, and preserve the character and appearance of the conservation area. It is considered to be in accordance with saved policies ENV 25 and 34 of the Doncaster UDP, emerging policies 36 and 37 of the Local Plan, Policy CS15 of



Doncaster Core Strategy, particularly sections A, and Section 16 (Conserving and enhancing the historic environment) specifically paragraphs 190, 192 and 193 of the National Planning Policy Framework on determining applications. *[Comments provided prior to adoption of Local Plan, policies updated accordingly within report].*

## **8.2 South Yorkshire Archaeology Service**

Google maps shows the base of the former glasshouse within the walled garden but there is no mention of it at all in the heritage statement or pictures. The proposals would clearly have an impact if it remains (excavation of 150mm-200mm deep within walled garden) and evidence relating to the former glasshouse (construction materials, power supply, heating technology etc) could be damaged or destroyed. If the base still remains, a condition to secure a watching brief will be requested. *[At the time of writing this report, a response is still awaited from the applicant, this can ultimately be dealt with by condition which can be added by way of pre-committee amendment if necessary.]*

## **8.3 Historic England**

Do not wish to offer any comments and suggest that the views of the Council's specialist conservation and archaeological advisers, as relevant, are sought.

## **8.4 National Grid**

No comments received.

## **8.5 Pollution Control – Air Quality**

Falls below air quality assessment criteria.

## **8.6 Pollution Control – Contaminated Land**

Historic maps indicate that the site is not located on land subject to previous industrial use and the proposed development does not constitute a sensitive end use. As such, no further comment to make in relation to potential contaminated land and the impact upon human health.

## **8.7 Ecology**

No objections, subject to condition for ecological enhancement.

## **8.8 Trees and Hedgerows**

The Arboricultural Impact Assessment (AIA) and the Arboricultural Method Statement (AMS) (Report Reference: TCC-1463-1) appear to have made a fair assessment of the trees and the proposal in relation to them. If the access into the wall garden and the tree protection fencing can be installed as described in the AMS the proposal would be acceptable from a trees and hedgerows perspective, subject to condition.

## **8.9 Yorkshire Water**

No comments received.

## **8.10 Drainage**

No objections, subject to condition.

## **8.11 Environmental Health**

No objections following review of the lighting design proposals, and subject to condition.

## **8.12 Highways**

Following clarification that this will not result in additional traffic to the venue using the existing access, no objections.

## **8.13 Transportation**

The proposal is to provide parking for event traffic. The Design and Access Statement indicates that the arrival and departure times are most likely to be outside traditional network peak hours. It also states that the 43 car parking spaces is ample to meet their needs, this number is not considered to generate trips which will have a severe impact on the highway network, therefore, there are no objections from a Transportation perspective.

## **9.0 Assessment**

9.1 The proposal seeks full planning permission for landscape works to area within the walled garden at Hooton Pagnell Hall to create new car parking area, a wildflower garden and a way finding lighting scheme. In considering the proposal the main material planning considerations are outlined below:

- The principle of development within the Green Belt
- The impact on the character of the area
- The impact on neighbouring residential properties
- The impact on the highway network and highways standards
- The impact on the existing trees and hedgerows
- The impact on the ecology of the site
- The archaeological implications
- Flooding and Drainage issues

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
- No

### Principle of development

9.3 As stated in the National Planning Policy Framework (NPPF), inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. This is reinforced by Policy 1 of the Local Plan. It is further stated in the NPPF 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.'

9.4 Paragraph 147 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.' Paragraph 148 of the NPPF states that new buildings should be

regarded as inappropriate development. There are however exceptions to this and part (b) includes; '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'.

- 9.5 Part (g) includes; '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.'
- 9.6 The proposed car park is not a new building. It is however a change of use of previously developed land which is now redundant and the overall use of the Hall, to which the walled garden is connected, is as an events venue. Therefore, providing that the car park does not harm the openness of the Green Belt, which will be assessed in a later section of this report, in accordance with the NPPF, the principle of the development is not considered inappropriate. The NPPF allows for other uses required in connection with an existing use, as such, it is not contrary to policy.
- 9.7 As stated in paragraph 138 of the NPPF, Green Belt serves five purposes:
- a) to check the unrestricted sprawl of large built-up areas;
  - b) to prevent neighbouring towns merging into one another;
  - c) to assist in safeguarding the countryside from encroachment;
  - d) to preserve the setting and special character of historic towns; and
  - e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 9.8 If approved, it is not considered that the proposed car park would contribute to urban sprawl or coalescence of settlements, encroachment of the countryside, or would hinder urban regeneration. The impact on the setting and character of the Conservation Area and Listed Building is to be assessed later in this report.
- 9.9 A number of the objections comment that there is no need for the car park and it will be additional to the existing car park. The agent has confirmed that this is not the case and that the original car park site has not proved to be feasible. The area suffers from a high water table and problems have been encountered in inclement weather. The proposed scheme will replace the current car park site and will not be in addition to it. Access to the venue will be through the same route on Butt's Lane.
- 9.10 It is therefore not considered that the proposal represents inappropriate development and therefore does not need to demonstrate very special circumstances. The use is already present, and it is not considered that a car park to be contained within a walled garden, will harm the openness of the Green Belt.

## Sustainability

- 9.11 The NPPF (2021) sets out at paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs
- 9.12 There are three strands to sustainability, social, environmental and economic. Para.10 of the NPPF states that in order sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.

## **SOCIAL SUSTAINABILITY**

### Impact on Residential Amenity

- 9.13 Part A.2 of Policy 46 of the Doncaster Local Plan states that proposals for non-residential, commercial or employment developments will be supported where they are designed to have no unacceptable negative effects upon the amenity of neighbouring land uses or the environment. Paragraph 130 states that developments should 'create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.'
- 9.14 Many of the objections received raise concern with regard to the impact of the proposal on residential amenity, from the overall use as a car park adjacent property boundaries and the hours of use (which would be late at night given that many of the events hosted are weddings). Many do not wish to see a car park in this location from bedroom windows.
- 9.16 Whilst outlook is a material planning consideration, the right to a view is not. The fact that residents will be able to see cars parked in this location during an event, it is not considered to contribute to a poor outlook. When not in use, the outlook will be of a gravel surface with landscaping, retained behind the existing wall. The car park will not be visible from neighbouring properties gardens for ground floor accommodation. Therefore, it is not considered that the proposal would lead to a poor outlook for which planning permission could reasonably be refused. This also needs to be balanced with keeping the Hall in use in the interests of preserving a Listed Building for the future.
- 9.17 The impact of noise and disturbance is a material consideration, and in order to fully assess this, consultation has taken place with Environmental Health. In respect of the noise from guests leaving events which has been raised by concerned residents, the agent states that each of the events at Hooton Pagnell Hall is managed carefully and, aside from the main management team, security are also employed. Security will be deployed at the end of an event to help direct guests to their cars and ensure people are aware and respect the fact that there are properties nearby. There are currently several properties within the immediate vicinity of the Tithe Barn which are privately let and the management team are used to directing guests to ensure minimal disruption. Cars will be travelling at a maximum of 5mph in line with the wider site speed restrictions enforced during events. Hooton Pagnell Hall are not

aware of any historic complaints relating to the noise levels created by guests at any of its events. No objections have been received from Environmental Health.

- 9.18 There is no change to the proposed access, so there is no further impact here. The car park would be relocated however, and the closest residential property is The Old Vicarage. The Old Vicarage is set within a large garden, which is separated by a stone wall of approximately 2.5m in height, and 55cm thick. The closest part of the car park would be 27m from this property. St Chads adjoins The Old Vicarage so if further away from the proposed car park.
- 9.19 Concern has also been raised by residents with regard to light pollution. The agent has responded to this and states that 'the lighting scheme has been carefully designed in line with guidance from the IDA (International Dark-Sy Association). All lighting will be a colour temperature of 2700k and will be shielded to prevent upward light spill. All lighting proposed in the scheme has been manufactured specifically for applications such as this, where ecology and wellbeing are paramount. The management team will be able to operate the lighting remotely to ensure that it is only on when required (when guests leave) and lights will not be left on overnight.' Environmental Health have reviewed the lighting design proposals and raised no objections to the proposal.
- 9.20 As such, it is not considered that there will be adverse impact to residential amenity.

### **Conclusion on Social Impacts.**

- 9.21 In conclusion of the social impacts of the development, it is not considered that residential amenity will be adversely affected by the proposal in accordance with the NPPF and the Doncaster Local Plan.
- 9.22 It is not anticipated that the proposal would lead to noise and disturbance being generated whilst construction is taking place given the site's isolated setting. Notwithstanding this, planning conditions could mitigate any unexpected harm through the submission of a Construction Method Statement and as such this is considered to carry limited weight against the proposal.

### **9.23 ENVIRONMENTAL SUSTAINABILITY**

#### Impact upon the openness of the Green Belt

- 9.24 Paragraph 150 of the NPPF requires proposals to preserve the openness of the Green Belt and not to conflict with the purposes of including land in it. Part (e) of paragraph 150 lists material changes of use of land as a form of development which may not be inappropriate in the Green Belt.
- 9.25 The car park is to be screened by the existing walls of the walled garden which are approximately 3m in height. It is only likely to be viewed from neighbouring first floor windows. As such, it is not considered that this constitutes harm to the openness of the Green Belt. There are no additional highway problems given that the existing access is to be utilised. As such, the proposal is in conformity with the NPPF.

## Highways

- 9.26 Policy 13 (A) of the Doncaster Local Plan requires new development to make appropriate provision for access by sustainable modes of transport to protect the highway network from residual vehicular impact. Part 3 of the policy states that the Council will work with developers to ensure that appropriate levels of parking provision are made in accordance with the standards contained within Appendix 6 (of the Local Plan). Developments should also include provision for electric vehicle charging points, with fast charging infrastructure provided for use by short stay users. In accordance with NPPF paragraph 111, 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, which is consistent with part 6 of Policy 13 (A) of the Local Plan.
- 9.27 The Highways Officer originally raised concern to the proposal as it was considered to be an increase in vehicle movements utilising the existing access which was considered too narrow and poorly defined, limiting visibility. Concern was also raised with regard to the dimensions of the car parking spaces. However, as the applicant pointed out, the application is for a new car park, not the access or principle of the development as this was approved in 2016. The venue has established a one way system which is effective and vehicles are parked at the venue for a long time (given that it is a wedding venue) rather than repeatedly coming in and out. The proposed car park is to replace the existing which has drainage issues resulting in cars becoming stuck.
- 9.28 Following this clarification, the Highways Officer states that if this is not additional parking but replacement for the problematical existing parking, then they would be content that there will be a little or no impact between the existing and proposed layouts or have an adverse impact on the development. The applicant was however asked to check the parking dimensions for the parking layout which are set out in the South Yorkshire Residential Design Guide reference 4B.2.1.19 through to 4B.2.1.26 which covers, aisle widths, end space widths and those spaces next to grassed areas. If these measurements can be confirmed, which shouldn't be too onerous and that the use of the existing parking will be conditioned then highways would be happy to support the application.
- 9.29 The applicant reviewed the car parking and found only one bay to be tight. It was suggested that this bay be omitted if adequate spacing cannot be achieved on site, and this was agreed by the Highways Officer, as such there are now no objections on highway grounds.
- 9.30 Hooton Pagnell Hall were keen to ensure a sustainable scheme and have been in conversations with Doncaster Council about the allocation of electric charging points. Should the scheme be approved, then it is the applicant's intention to install at least two EV bays.
- 9.31 Therefore, it is considered that as the proposal would not constitute an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe, there is no conflict with the Local Plan or the NPPF.

## Impact on Conservation Area and Listed Building

- 9.32 The site is situated to the north east of Hooton Pagnell Hall, a Grade II\* listed building and is surrounded by 2.5m high stone wall. The hall forms the focus of a group of

buildings associated with the Hall and the estate, most of which are grouped around courtyards to the south and east of the Hall, with many being separately Grade II listed.

- 9.33 The walled garden unlike the courtyard buildings is in a prominent position with respect to the formal north front of the Hall. It is not clear whether the original function of the garden was to provide food for the occupiers of the Hall or to provide them with a private recreational area away from the eyes of the villagers to the north. OS maps from the latter half of the 20th century and remains of concrete bases within the garden suggest that the area last accommodated sheds or greenhouses. Whatever its origins or recent uses, the walls of the garden are prominently visible from the entrance courtyard though their impact is softened by extensive tree planting around the outside of the walls.
- 9.34 Recently the nearby 'Tithe Barn', one of the listed courtyard buildings mentioned above, has been converted sensitively into a wedding venue, and the adjoining listed stables is also being converted to provide auxiliary accommodation. As part of this car parking was to be provided in an area to the south of the Tithe Barn
- 9.35 The proposal is broadly welcome by the Conservation Officer, as this area will be less intrusive on the setting of the listed buildings and conservation area than the previously approved location of car parking, and it has been confirmed that this car parking will supersede the previously approved car parking to the south of the Tithe Barn rather than be additional to it. The walls of the walled garden are also to be repaired which will be of long term benefit to the walls and to the setting of the listed Hall and its buildings. Given its position it will have minimal impact on the conservation area and conditions can be added to minimise any significant light and noise pollution.
- 9.36 The Conservation Officer considers that the proposal would therefore be considered to protect the setting of the listed hall and its buildings, and preserve the character and appearance of the conservation area. It is considered to be in accordance with Policies 36 and 37 of the Local Plan and paragraphs 195, 197 and 199 of the NPPF on determining applications.
- 9.37 It noted that this application is accompanied by a Listed Building Consent (LBC) but there does not appear to be anything that would affect any walls and/or build features associated with the adjoining listed buildings and therefore LBC is not required.

### Archaeology

- 9.38 Policy 39 (B) of the Doncaster Local Plan states that development affecting other archaeological assets will need to demonstrate how any benefits will outweigh harm to the site. When development affecting such sites is justifiable, the Council will seek to ensure preservation of the remains in situ as a preferred solution. When in situ preservation is not justified, the developer will be required to make adequate provision for appropriate investigation and recording including excavation in accordance with Policy 35.
- 9.39 A late consultation response was received from South Yorkshire Archaeology Service (SYAS) as detailed in the above consultation comments. The matter of concern related to whether or not the former greenhouse base remain and if so, a condition for a Watching Brief will be required. Confirmation has been sought from the applicant and the response is awaited. Once confirmation is provided, this will

inform if the condition is required and this can be added as a pre-committee amendment.

### Flooding and Drainage

- 9.40 The application site lies within an area designated as Flood Risk Zone 1 and has a low probability of flooding. The site is also less than a hectare in size and a flood risk assessment is not required. The Council's drainage team have been consulted and raise no objections, subject to condition.
- 9.41 At the Planning Committee held on the 1<sup>st</sup> of February 2022, Members requested clarification on the drainage including how contaminants would be intercepted in the proposed porous drainage scheme. Following consultation with the Council's Drainage team, the drainage team agree that interceptors will not work if the car park is porous. It is therefore suggested that alternative methods for pollution control are designed in accordance with the SuDS Manual C753 with detailed explanation as to how pollution risk will be minimised and treatment train provided. Condition 10 should cover all SuDS features and would therefore deal with this concern.
- 9.42 As such, in accordance with policy 56 of the Local Plan and the NPPF, it is not considered that there are any flooding or drainage issues which would prevent approval of the application, which carries considerable weight.

### Trees and Landscaping

- 9.43 Policy 32 of the Doncaster Local Plan states that proposals will be supported where it can be demonstrated that woodlands, trees and hedgerows have been adequately considered during the design process, so that a significant adverse impact upon public safety have been avoided. Following consultation with the Council's Trees and Hedgerows Officer, a Tree Survey was requested. All the trees within and overhanging the proposed development site are within the Hooton Pagnell Conservation Area and the Tree Officer considered that whilst there was no objection to the parking within the walled garden area of the hall, this part of the site is directly adjacent a well-established group of trees that help frame/buffer the northern edge of the hall and contribute to its setting/character.
- 9.44 As such, this is important because the new proposed hard surfaces could have a significant impact on the health and structure of these trees if it impacted on their rooting systems. Without the tree survey there wasn't enough information on the trees around the proposed car park to assess what potential impacts and encroachment the proposal would have. A tree survey was duly submitted, to which the Trees and Hedgerows Officer has no objections subject to a number of tree related conditions.

### Ecology and Wildlife

- 9.45 Policy 29 of the Local Plan states that proposals will only be supported which deliver a net gain for biodiversity and protect, create, maintain and enhance the Borough's ecological networks. The Council's Ecologist has been consulted on the application.
- 9.46 The Ecologist considers that the proposal would be an improved use of the land within the curtilage of the Hall. Some informal discussion with the applicants did take place prior to the submission of the application and what has been put down on the



plan equates to what was expected. The area is not quite big enough to require a biodiversity net gain assessment.

- 9.47 However it is considered that a plan with 'wildflower meadow' marked upon an area of the walled garden is sufficient to ensure that the wildflower grassland (meadow would be the wrong description) created will become established and will have the biodiversity value that was discussed with the applicants.
- 9.48 The Ecologist considers that the creation of the wildflower grassland area should be subject to a detailed specification. This should provide information on the ground preparation, seed mix used, application of seeds, aftercare and the indicators of good establishment. It is also considered that the boundary walls at the wildflower meadow end of walled garden could accommodate some bird boxes at the higher parts.
- 9.49 As such, there are no objections on ecological grounds subject to an ecological enhancement plan by condition in order that the wildflower grassland is correctly established. This can also require the installation of bird boxes. There is therefore, no conflict with Policy 29.

#### Pollution issues

- 9.50 Consultation has taken place with the Council's Pollution Control Team in respect of contaminated land and air quality. The proposal does not trigger the need for an Air Quality Assessment and with regard to contaminated land, historic maps indicate that the site is not located on land subject to previous industrial use and the proposed development does not constitute a sensitive end use. As such, there are no objections from Pollution Control and no conditions.

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

- 9.51 Para.8 (c) of the NPPF (2021) indicates, amongst other things, that the planning system needs to contribute to protecting and enhancing the natural built and historic environment, including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 9.52 In conclusion of the environmental issues, it is considered that issues in relation to trees, ecology, highways, flood risk and drainage and pollution have been overcome subject to suitably worded conditions. Collectively these issues weigh significantly in favour of the application. Overall therefore, the proposal is considered to balance positively in relation to environmental matters.

#### **9.53 ECONOMIC SUSTAINABILITY**

- 9.54 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. The proposal also allows this commercial enterprise to continue with improved facilities, however limited weight is also given to this.

## 9.55 Conclusion on Economy Issues

- 9.56 Para 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.
- 9.57 Whilst the economic benefit of the proposal is slight and afforded only limited weight, 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 no adverse economic, environmental or social harm that would significantly or demonstrably outweigh any benefits identified when considered against the policies in the NPPF taken as a whole. It is considered that subject to the recommended conditions, there are no material considerations which indicate the application should be refused.
- 10.2 The proposal seeks to relocate the existing parking to an alternative part of the site which will be screened by the existing walls of the former walled garden. There is no increase in vehicle movements and the development will be screened from view therefore not impacting on the Green Belt. Whilst occupiers of neighbouring properties may have some views from first floor windows, this is not considered to represent a poor outlook given the distance away, and cars are not permanent structures. No objections have been raised by Environmental Health and it is not considered that the use of the area for car parking would lead to significant harm to residential amenity. Any car lights would be largely obscured by the boundary walls and there light spillage from the proposed lights within the car park have been assessed by Environmental Health. Event staff at the Hall will help direct guests to their cars and ensure people are aware and respect the fact that there are properties nearby. The proposal is therefore recommended for approval.

## 11.0 RECOMMENDATION

Planning permission be **GRANTED** subject to the following conditions;

### Conditions

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(as amended) of the Town and Country Planning Act 1990.

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:

Walled Garden - Proposed Layout - Rev R1  
Walled Garden - Lighting Plan - HPH-09032021.R1.104.DWG - Rev R1  
Lighting Design Proposal for HPH Ltd - Wall Garden Car Park

REASON

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

03. No construction or demolition works shall take place outside the hours of 7am to 5pm Mondays to Fridays inclusive, 9am to 1pm on Saturdays, and not at all on Sundays or Bank Holidays.

REASON

To ensure that the development does not prejudice the local amenity.

04. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:

- i) - the parking of vehicles of site operatives and visitors
- ii) - loading and unloading of plant and materials
- iii) - storage of plant and materials used in constructing the development
- iv) - the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v) - wheel washing facilities
- vi) - measures to control noise and the emission of dust and dirt during construction
- vii) - a scheme for recycling/disposing of waste resulting from demolition and construction works

REASON

To safeguard the living conditions of neighbouring residents and in the interests of highway safety.

05. Before any construction works are started on the application site, a Construction Impact Management Plan, indicating measures to be taken to mitigate the effects of the construction activity and associated vehicle movements upon the living conditions of neighbouring residents and highway safety shall be submitted to and approved by the Local Planning Authority. The mitigation measures shall include provision for the following: the limitation of noise, the means of enclosure of the construction sites, and any proposed external security lighting installation; the control of dust emissions; the control of deposition of mud or debris on the highway, and the routing of contractors' vehicles. The mitigation measures so approved shall be carried out at all times during the construction of the development hereby approved.

REASON

To safeguard the living conditions of neighbouring residents.

06. The development hereby granted shall not be commenced until a schedule of tree surgery work has been submitted to and approved in writing by the Local Planning Authority. Best arboricultural practice shall be employed in all work, which shall comply with British Standards BS3998:2010 Tree Works Recommendations and, unless as may be specifically approved in writing by the Local Planning Authority, all tree work shall be completed before the demolition or development commences.

REASON

To ensure that all tree work is carried out to the appropriate high standard

07. The development hereby granted shall not be commenced nor materials or machinery brought onto the site until a written specification for the construction and installation of a porous, no-dig driveway utilising a professionally recognised 3-dimensional load-bearing construction technique has been submitted to and approved in writing by the Local Planning Authority. Thereafter, installation of the driveway shall be implemented in full accordance with the approved scheme before the new access is used by any vehicle.

REASON:

To prevent the loss of and damage to roots from retained trees as a result of the installation of the new access.

08. This document (Report Reference: TCC-1463-1) is to be made available to all operatives on site during the construction process, so that they understand the scope and importance of the AMS. The facilitation tree pruning works agreed with the LPA, the erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials have been brought on to site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Following the installation of the tree protection fencing the CCS shall be installed as per the approved details before any equipment, machinery or materials have been brought into the main walled garden area. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.'

REASON

To ensure that all trees are protected from damage during construction.

09. 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 on a timescale to be approved by the local planning authority.

- o The specification and establishment details for a wildflower grassland to include indicators of successful establishment and the requirement to provide a report of progress within 18 months of the commencement of development.

- o Proposals to install 3No. surface mounted bird boxes on suitable area of existing wall.

REASON

To ensure the ecological interests of the site are maintained in accordance with Local Plan Policy 29 and the NPPF para. 176

10. The development hereby granted shall not be begun until details of the foul, surface water and land drainage systems (based on sustainable drainage principles SuDS) and all related works necessary to drain the site, including details indicating how additional surface water run-off from the site will be avoided during the construction works, 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.

11. Unless otherwise approved in writing by the Local Planning Authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

REASON

To ensure that no foul or surface water discharge take place until proper provision has been made for their disposal.

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

REASON

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

13. A method statement shall be submitted to and approved in writing by the Local Planning Authority for the repair of the boundary walls to the area prior to any part of the site being used for car parking. Within the statement shall be a timescale for works to be undertaken and specification for repairs to be undertaken. Works to be undertaken in accordance with approved details.

REASON

To ensure the long term future of the boundary walls and their protection as a curtilage listed structure.

14. 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. Installation and any replacement vehicle charging provisions shall comply with current guidance/advice. 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 policy 13 of the Doncaster Local Plan.

**Informatives**

01. **INFORMATIVE TO CONDITION 7**  
The outline specification for the Arboricultural Method Statement (AMS) section 8 and 9 is acceptable for the Access Road Construction, please confirm which Cellular Confinement System (CCS) will be used on site, due to the availability of a wide variety in type and efficacy. For example "Cellweb" is a CCS used in the AMS and the relevant technical specs and installation guide is available to be downloaded from the website (<http://www.geosyn.co.uk/downloads>). To discharge condition 7 please confirmation in writing which CCS is to be implemented along with a copy of the relevant technical specs and installation guide for the version used.
02. **INFORMATIVE TO CONDITION 6**  
The AMS doesn't specify tree works required for facilitation pruning or if its needed, so if it is needed a schedule of pruning will need to be agreed.
03. **INFORMATIVE TO CONDITION 8**  
This relates to the timing and phasing of the works onsite and how to work it around the trees. Prior to the works commencing within the walled garden the CCS assess and tree protection fencing needs to be in place for the construction vehicles and equipment to use in order to access and exit the site. So it needs to be the first thing to be implemented.
04. **INFORMATIVE**  
1. Surface water drainage plans should include the following:  
\* Rainwater pipes, gullies and drainage channels including cover levels.  
\* Inspection chambers, manholes and silt traps including cover and invert levels.  
\* Pipe sizes, pipe materials, gradients and flow directions.

\*Soakaways, including size and material.

\*Typical inspection chamber / soakaway / silt trap and SW attenuation details.

\*Site ground levels and finished floor levels.

## 2. Surface Water Discharge From Greenfield Site:

The total surface water discharge from greenfield sites should be limited to green field run-off rates - up to 1 in 100 years storm + climate change. On site surface water attenuation will be required.

If the greenfield run-off for a site is calculated at less than 2 l/s/ha then a minimum of 2 l/s can be used (subject to approval from the LPA)

## 3. On Site Surface Water Management:

The site is required to accommodate rainfall volumes up to 1 in 100 year return period (plus climate change) whilst ensuring no flooding to buildings or adjacent land.

The applicant will need to provide details and calculations including any below ground storage, overflow paths (flood routes), surface detention and infiltration areas etc. to demonstrate how the 100 year plus 30% CC rainfall volumes will be controlled and accommodated.

Where cellular storage is proposed and is within areas where it may be susceptible to damage by excavation by other utility contractors, warning signage should be provided to inform of its presence. Cellular storage and infiltration systems should not be positioned within highway.

Guidance on flood pathways can be found in BS EN 752.

## 4. If infiltration systems are to be used for surface water disposal, the following information must be provided:

\*Ground percolation tests to BRE 365.

\*Ground water levels records. Minimum 1m clearance from maximum seasonal groundwater level to base of infiltration compound. This should include assessment of relevant groundwater borehole records, maps and on-site monitoring in wells.

\*Soil / rock descriptions in accordance with BS EN ISO 14688-1:2002 or BS EN ISO 14689-1:2003

\*Volume design calculations to 1-in 30-year rainfall plus 30% climate change standard. An appropriate factor of safety should be applied to the design in accordance with CIRIA C753 - Table 25.2.

\*Location plans indicating position (Soakaways serving more than one property must be located in an accessible position for maintenance). Soakaways should not be used within 5m of buildings or the highway or any other structure.

\*Drawing details including sizes and material.

\*Details of a sedimentation chamber (silt trap) upstream of the inlet should be included.

Soakaway detailed design guidance is given in CIRIA Report 753, CIRIA Report 156 and BRE Digest 365.

## 5. Written evidence is required from the LLFA / sewerage undertaker to confirm any adoption agreements and discharge rates.

## 6. The proposed development is within a groundwater source protection zone (SPZ\_)

Where the development lies within SPZ 1 or 2, the applicant is advised to consult with the Environment Agency to ensure that pollution risk to aquifers is minimised.

All necessary precautions should be taken to avoid any contamination of the ground and thus groundwater. Guiding principles on the protection of groundwater are set out in Environment Agency document GP3.

7. All Micro Drainage calculations and results must be submitted in .MDX format, to the LPA. (Other methods of drainage calculations are acceptable)

8. Any SuDS/Drainage system installed must not be at the detriment to the receiving watercourse or ground (infiltration), so managing the quality of the run-off to must be incorporated into any design in accordance with CIRIA 753 The SuDS Manual

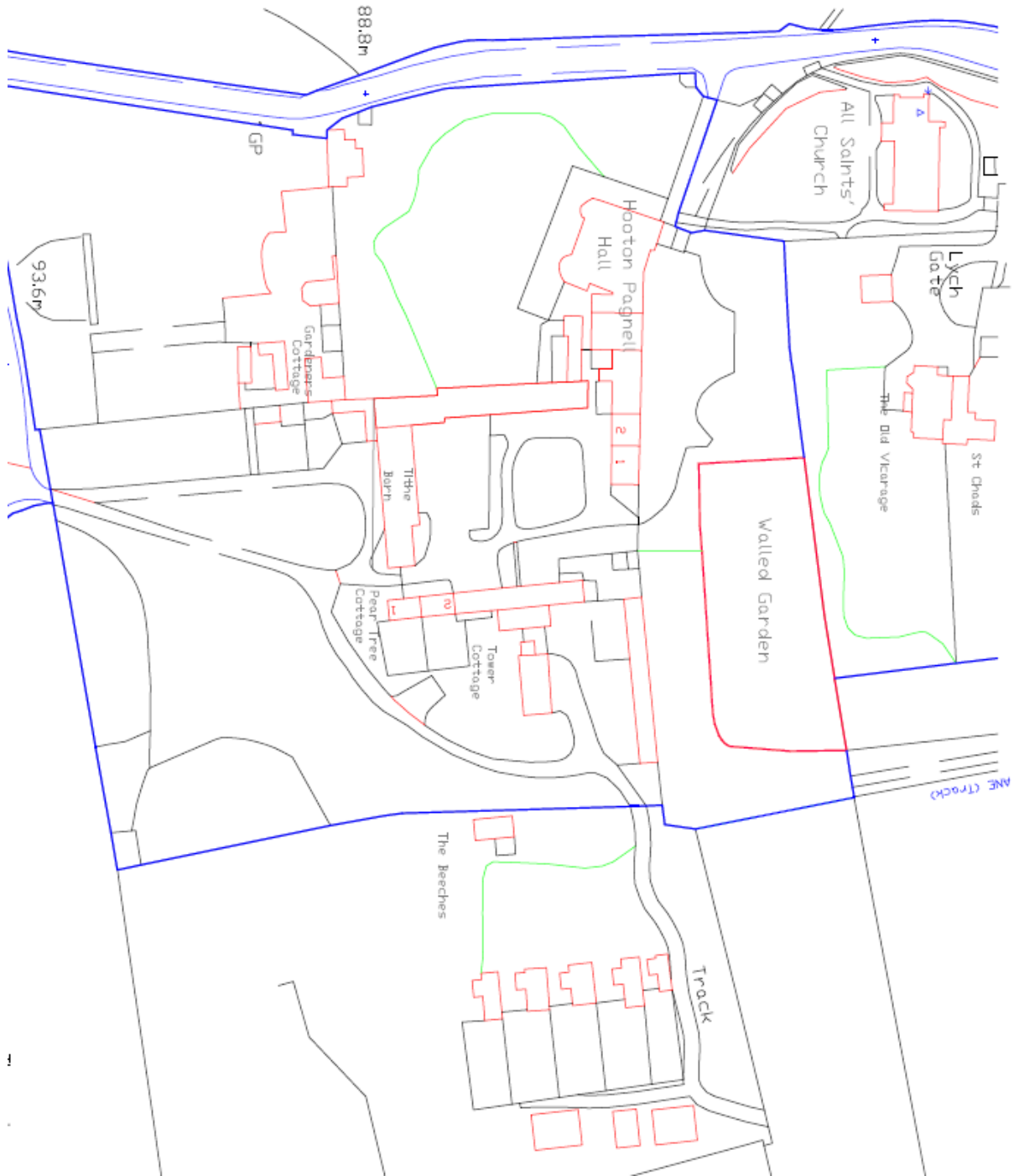
The design of flow control devices should, wherever practicable, include the following features:

- a) Flow controls may be static (such as vortex flow controls or fixed orifice plates) or variable (such as pistons or slide valves);
- b) Controls should have a minimum opening size of 100 mm chamber, or equivalent;
- c) A bypass should be included with a surface operated penstock or valve; and
- d) Access should be provided to the upstream and downstream sections of a flow control device to allow maintenance.

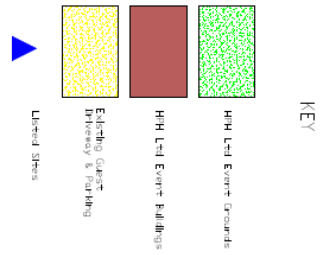
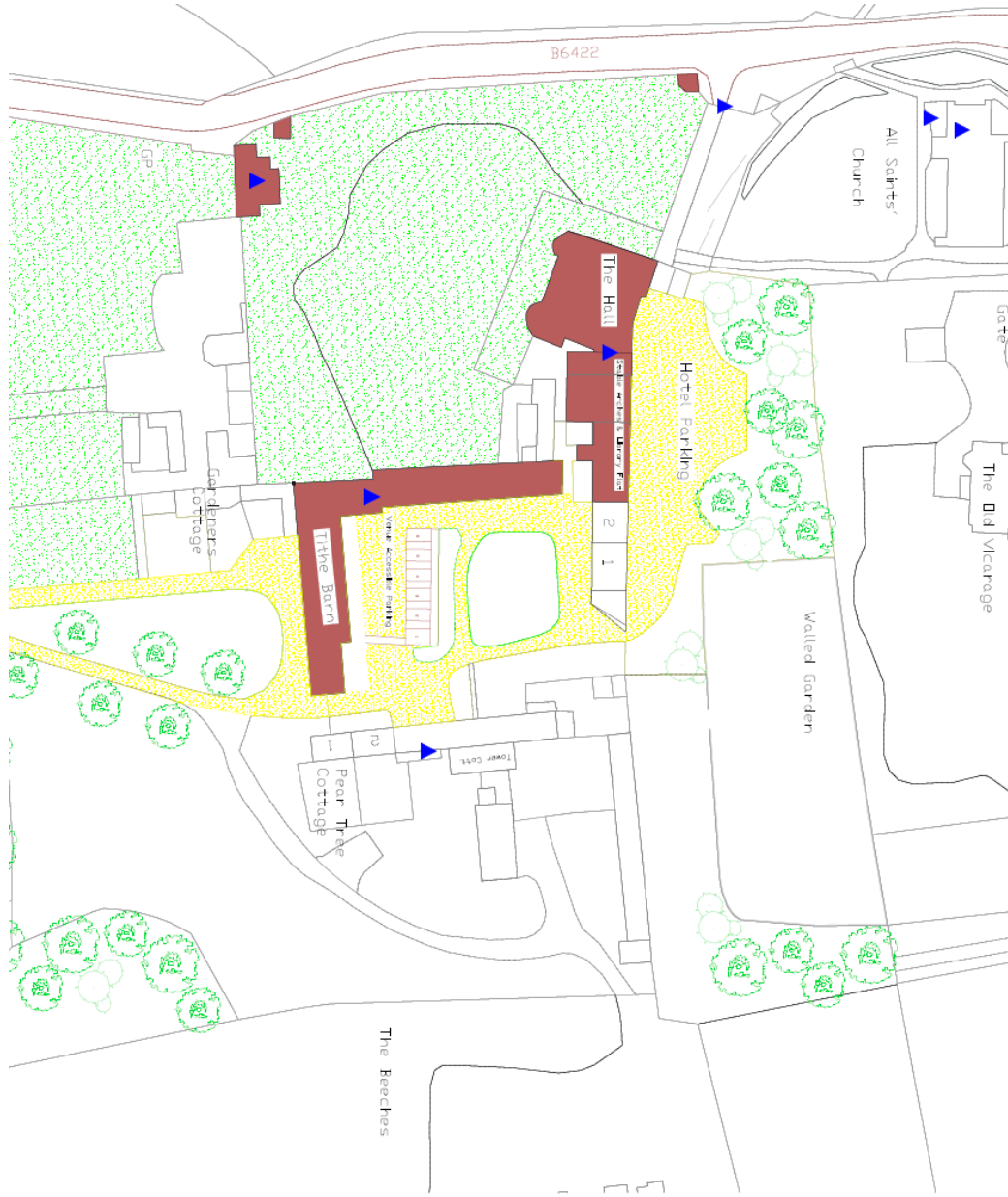
**The above objections, consideration and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence.**



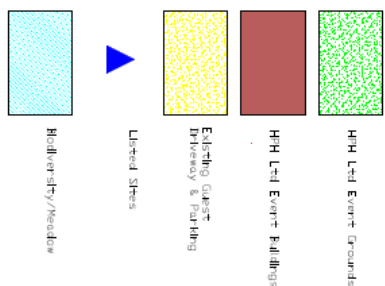
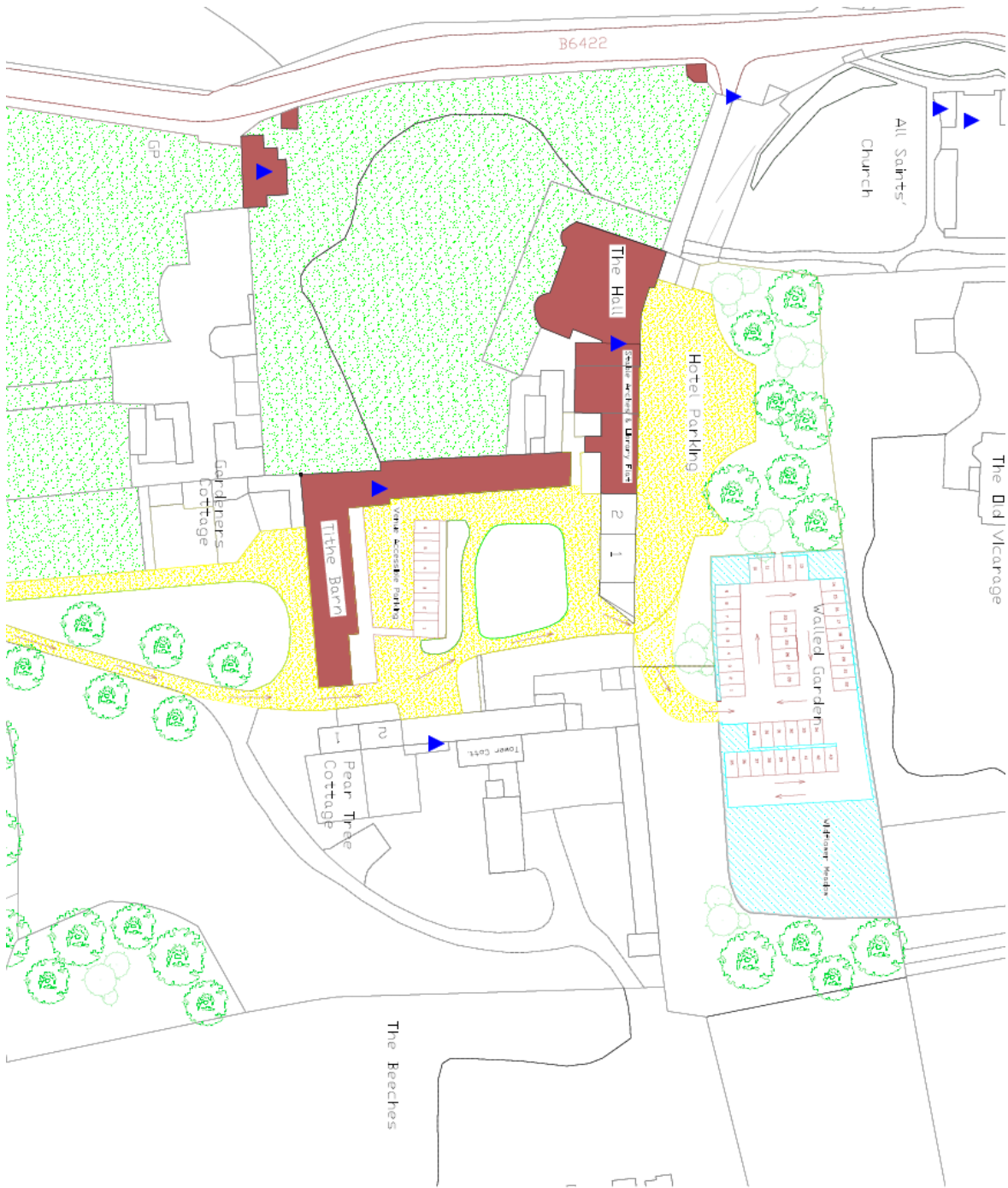
# Appendix 1: Location Plan



# Appendix 2: Existing Site Plan

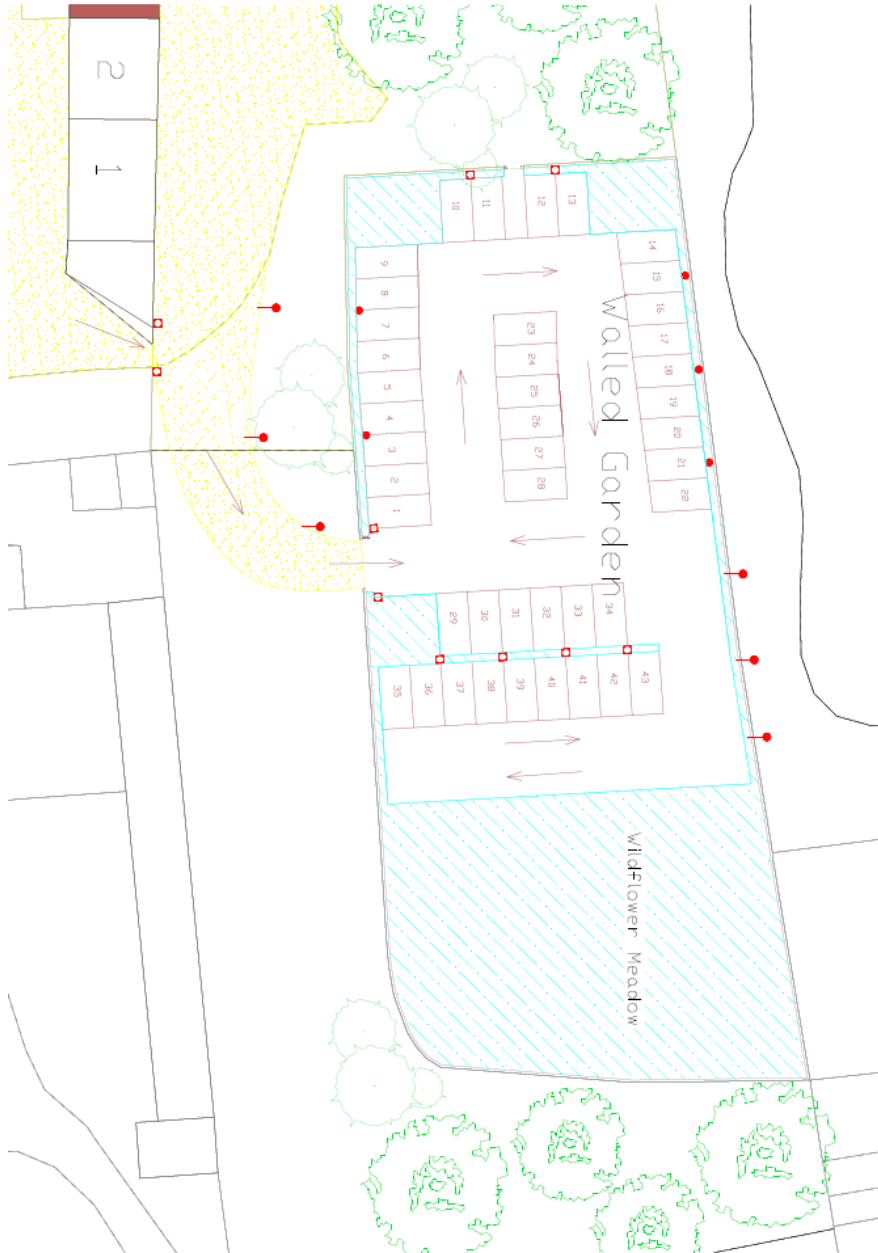


# Appendix 3 – Proposed Site Plan











KEY

# Appendix 4 – Lighting Design Proposals



KEY

-  High End Green Growth
-  High End Green Pathways
-  High End Green Pathways & Seating
-  Used Area
-  Boundary/Structure
-  Water Feature
-  Age Light
-  Flood Light