

<b>Application</b>	<b>2.</b>
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<b>Application Number:</b>	20/01774/TIPA
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<b>Application Type:</b>	Tipping/Waste With Environmental Assess.
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<b>Proposal Description:</b>	The construction of an energy recovery facility involving the thermal treatment of residual waste and associated infrastructure including engineering, access, landscape, ground and landscaping works
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<b>At:</b>	Land North West Of Sandall Stones Road Kirk Sandall Doncaster
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<b>For:</b>	BH Energy Gap (Doncaster) Ltd
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<b>Third Party Reps:</b>	2 Letters of objection, and 2 objections from Barnby Dun/Kirk Sandall PC and Edenthorpe PC	<b>Parish:</b>	Barnby Dun /Kirk Sandall Parish Council
		<b>Ward:</b>	Edenthorpe And Kirk Sandall

<b>Author of Report:</b>	Mrs Andrea Suddes
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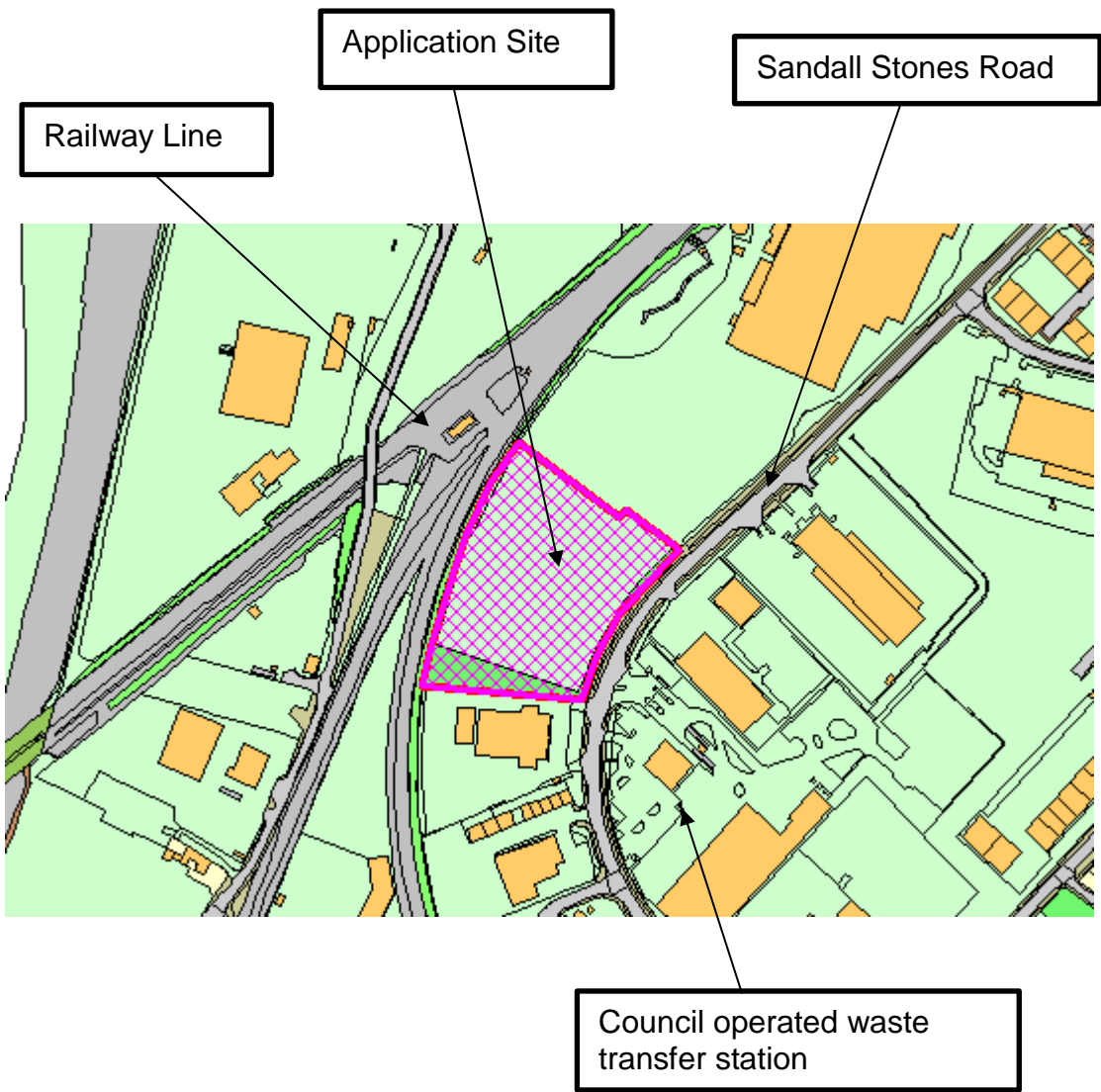
**SUMMARY**

Planning permission is sought for an energy recovery facility involving the thermal treatment of residual waste with associated infrastructure, access, landscape, ground and landscaping works, on land that is designated as Employment Policy Area as defined by the Doncaster Local Plan. The proposal is considered to be acceptable in policy terms being located within a sustainable location on a site allocated as a 'new strategic waste management site.' It is allocated as one of the large-scale municipal, commercial and industrial waste management facilities aimed at addressing the capacity needs over the period to 2026 in the Barnsley Doncaster Rotherham Waste Plan and this weighs considerably in favour of the application. In addition the two previously approved applications on this site are a material consideration, including the currently extant planning consent that is capable of being developed.

The environmental issues associated with the operation of the facility will be controlled by the Environment Agency under the Environmental Permitting Regulations whilst protection of residential amenity for nearby residents from noise and disturbance during the construction period and during operation of the facility will be mitigated and controlled by condition.

The report demonstrates that there are no material planning considerations that would significantly or demonstrably outweigh the social, economic or environmental benefits of the proposal in this location. The development would not cause undue harm to nearby residents, neighbouring uses, the highway network, rail network or the wider character of the area.

**RECOMMENDATION: GRANT planning permission subject to conditions and the signing of a S106 legal agreement.**



## **1.0 Reason for Report**

- 1.1 The application is being presented to Members at the request of local ward councillors Andrea Robinson and David Nevett on account of the environmental impact upon residents within their ward.

## **2.0 Proposal and Background**

- 2.1 The proposals comprise the construction of an energy recovery facility, involving the thermal treatment of residual waste and the recovery of metals, ash and other residues for recycling, and associated infrastructure including engineering; access, landscape; ground and landscaping works.
- 2.2 The proposed facility will treat Commercial and Industrial waste (C&I), and/ or municipal waste which otherwise would go to landfill and produce energy from a sustainable alternative to fossil fuels and primary resources by recovering maximum value from the waste stream. The site is located on land to the North West of Sandall Stones Road, Kirk Sandall Industrial Estate. (See Appendix 1 for site location).
- 2.3 The proposed facility would process waste materials and generate electricity on a 24 hour basis. Waste will only be accepted during daytime hours.
- 2.4 The facility will treat up to 300,000 tonnes per annum of commercial and industrial waste and/or municipal waste with 90% being diverted away from landfill sites.
- 2.5 The facility will be designed to produce circa 34 Megawatts of electricity, taking advantage of the energy efficiency benefits of the proposed technology. The plant will consume approximately 4 Megawatts of power with the remainder being exported to the local distribution grid. This is enough to provide electricity, heat and power to more than 45,000 homes.
- 2.6 As background to the site; Planning permission was granted on 16.12.2010 under planning ref 09/00246/TIPA for an energy recovery facility. The permission was subject to a S106 legal agreement that agreed routing for HGV movements to and from the site.
- 2.7 At the time of the application the Operators were relying on Government funding which they did not get therefore the scheme was not built out. However on 11th Dec 2013 the commencement of the development was agreed as foundations had been excavated. This was on account that the applicants wanted to ensure the permission remained extant until they could secure funding. Therefore there is a 'live' permission for a facility on this site.
- 2.8 A non-material amendment was also agreed in 2013 under ref 13/01137/MAT that amended the layout and appearance of buildings so as to enable another Operator to take over the site.
- 2.9 A variation (17/00923/TIPA) to the approved details, namely site layout, energy output, HGV movements, increased stack height and changes to the building shape and elevations, was granted by Doncaster Council on the 3rd May 2018.
- 2.10 Due to technical and commercial difficulties a number of contractors were having

in delivering Gasification technology, investor confidence collapsed. It has therefore not proven possible to finance the facility at Sandall Stones Road. This has resulted in the original project being undeliverable within the current planning permission.

- 2.11 In light of the fundamental change from gasification technology ('advanced thermal treatment') to combustion with associated energy recovery – a new application has been required to be submitted. The applicant initially considered that the change in process to combustion fell within the remit of the existing consent, however the Council disagreed therefore the applicant has subsequently submitted this current application.
- 2.12 The Site is also identified in the adopted Barnsley, Doncaster and Rotherham Joint Waste Plan (March 2012) as a strategic site for large scale municipal, commercial and industrial waste management facilities to meet the capacity need in the Joint Authorities for the period until 2026.
- 2.13 A detailed Environmental Statement has been submitted with the application.

### **3.0 Site Description**

- 3.1 The application site is located in the Kirk Sandall Industrial Estate, an established industrial area with steel framed portal buildings of various sizes and heights within the wider area and typical of the type of buildings to be found in an industrial estate, but also includes a Municipal Waste Transfer Station located opposite the Site and operated on behalf of Doncaster Council by Suez. Residential properties are located beyond the industrial uses.
- 3.2 The site itself is a vacant plot some 2ha in size, within the estate enclosed by palisade fencing and gates. Some of the site is hard surfaced and most recently the site has been used as an open storage facility for the adjacent occupiers (Polypipe Group PLC). The site is set back from the highway frontage and separated by a grassed highway verge which forms part of the characteristic of the industrial estate.
- 3.3 There are a few individual properties along Clay Lane, which are separated from the application site by a rail line, the closest being some 200 metres from the application site. The Site is separated from these residential premises by industrial businesses and railway lines. Residential properties associated with Kirk Sandall are situated, at the closest point, 370m to the west of the Site.
- 3.4 Further employment and business uses are present in the wider surrounding area where residential areas can also be found. The nearest educational facility to the Site is the Hungerhill School on Thorne Road located approximately 800m to the south east of the site.

## 4.0 Relevant Planning History

Application Reference	Proposal	Decision
09/00246/TIPA	Proposed energy recovery facility involving gasification of waste	Granted subject to S106 Legal Agreement 16.12.2010
13/01137/MAT	Proposed energy recovery facility involving gasification of waste (being amendment to previous permission 09/00246/TIPA, granted on 16.12.2010 - Minor revisions to layout and appearance of gasification/building, revisions to ancillary buildings and minor revisions to layout)	Granted 20.06.2013
16/02913/SCOP	Request for a scoping opinion	Issued 15.12.2016
17/00923/TIPA	Proposed energy recovery facility	Granted 03.05.2018
19/00954/CPL	Certificate of proposed lawful use for the use of a combustion technology in place of a gasification technology solution as approved under application ref 17/00923/TIPA	Certificate Refused 11.06.2019

## 5.0 Site Allocation

5.1 The site is designated as Employment Policy Area as defined by the Doncaster Local Plan (adopted Sept 2021), and as an allocated strategic waste site (Site 3.1) in the Barnsley, Doncaster and Rotherham ('BDR') Joint Waste Plan (2012).

## 5.2 National Planning Policy Framework (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 81 states that planning decisions should help create conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account local business needs and wider opportunities for development.

5.5 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.

- 5.6 Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or if the residual cumulative impacts on the road network would be severe.
- 5.7 Paragraph 113, requires an application to be supported by a transport assessment where significant amounts of traffic are generated and the likely impacts of the proposal can be assessed.

## **5.8 National Planning Policy for Waste**

- 5.9 **The National Waste Management Plan for England January 2021** is an analysis of the current waste management situation in England. Its aim is to bring current waste management policies together under one national plan. The Plan, and its associated documents, together with local authorities' waste local plans will ensure that waste management plans are in place for the whole of the UK. The Plan, which sits alongside the Resources and Waste Strategy realises the requirements of the Waste (England and Wales) Regulations 2011. The 2011 Regulations require everyone involved in waste management and waste production in England (and Wales) to take all reasonable measures to apply the priority order in the waste hierarchy of prevention, re-use, recycling and other recovery.
- 5.10 **The National Planning Policy for Waste (October 2014)** is also a material consideration for this application, and should be read in conjunction with the National Waste management Plan for England, in particular the relevant sections outlined below;
- 5.11 Paragraph 3 states that Waste planning authorities should prepare Local Plans which identify sufficient opportunities to meet the identified needs of their area for the management of waste streams; in particular, identify the tonnages and percentages of municipal, and commercial and industrial, waste requiring different types of management in their area over the period of the plan; work collaboratively in groups with other waste planning authorities; and, consider the extent to which the capacity of existing operational facilities would satisfy any identified need.
- 5.12 Paragraph 4 states that in preparing their plans waste planning authorities should identify sites for new or enhanced waste facilities and should identify the broad type or types of waste management facility that would be appropriately located on the allocated site, taking care to avoid stifling innovation.
- 5.13 Paragraph 6 advocates criteria for which to assess sites including the capacity of existing and potential transport infrastructure to support the sustainable movement of waste, and products arising from resource recovery, and the cumulative impact of existing and proposed waste disposal facilities on the well-being of the local community, including any significant adverse impacts on environmental quality, social cohesion and inclusion or economic potential.
- 5.14 Paragraph 7 asserts that when determining applications, waste planning authorities should concern themselves with implementing the planning strategy in the Local Plan and not with the control of processes which are a matter for the pollution control

authorities. Waste planning authorities should work on the assumption that the relevant pollution control regime will be properly applied and enforced.

### **Local Plan**

5.15 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 consists of the Doncaster Local Plan (adopted 23 September 2021) and the Barnsley, Doncaster and Rotherham ('BDR') Joint Waste Plan (2012). The following Doncaster Local Plan policies are relevant in this case:

5.16 Policy 4: Employment Policy Areas  
Policy 13: Promoting Sustainable Transport in New Developments  
Policy 46: Design of Non –Residential, Commercial and Employment Developments  
Policy 50: Health  
Policy 54: Pollution  
Policy 57: Flood Risk Management  
Policy 58: Low Carbon and Renewable Energy

5.17 The following **Barnsley, Doncaster and Rotherham ('BDR') Joint Waste Plan (2012)** policies are also relevant in this case:

5.18 Policy WCS3: New Strategic Waste Management Sites.  
This policy identifies the Sandall Stones Road site (3.1) as a 'new strategic waste management site,' one of the large-scale municipal, commercial and industrial waste management facilities aimed at addressing our capacity needs over the period to 2026.

5.19 Policy WCS6: General considerations for all waste management proposals

**5.20 There is no Neighbourhood Plan (NP) for this area.**

### **5.21 Other material planning considerations and guidance**

- National Planning Policy Guidance –Waste
- 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)

## **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 notices, council website, and press advertisement.

6.2 The application was initially submitted on the 04.08.2020 and advertised via site notice (21.08.2020) with additional notices posted 29.10.2020 and press notice on 20.08.2020. Following this publicity, a total of 2 individual letters of objection were received. A summary of the material planning issues raised is set out below:

- The increase in HGV's bringing in waste and resultant impact on the highway network
- Impact on air quality, contamination and odours (Doncaster already has one of the lowest air qualities and one of the highest pollution levels)

6.3 Non material issues raised included the following;

- Lack of notification to all individual residents living in Clay Lane, Edenthorpe, Kirk Sandall, and Barnby Dun
- Possible minimum wages to be paid to workers at the facility
- Materials the facility will incinerate and price of electricity
- DMBC have poor recycling record, if overseas countries will not accept DMBC waste will we get government funding for housing the facility?

## **7.0 Parish Council**

7.1 Edenthorpe PC has raised objection to the proposal for the following reasons;

- Location of the proposal, close to major housing estates and school
- Issue of air pollution, smells (The Council run Waste Transfer Station is already an issue)
- Generation of traffic movements associated with the development
- Cumulative impact of this and other developments with respect to emissions from road haulage and other existing developments ie Aardagh Glass, Trackwork Incinerator, Car Transporter & Storage site and the Waste Recycling Plant

7.2 Barnby Dun with Kirk Sandall PC has raised objection to the proposal for the following reasons;

- The cumulative impact of emissions from this and other sources
- No noise background data available or predicted noise levels.
- Flood risk
- There are areas within the surrounding local landscape that provide suitable habitats for wildlife species including badger, grass snake and great crested newt which will be threatened by this development.
- Lack of consideration of safety, health and wellbeing of local residents
- Insufficient information submitted to confirm that the development could be operated in an environmentally acceptable manner

## **8.0 Relevant Consultations**

8.1 **DMBC Policy (Employment)** – No policy objections in principle as the site is located within an allocated Employment Policy Area, and subject to further consideration by the Waste Policy Officer.



- 8.3 Environment Agency** – Initially raised objection on account of lack of acceptable Flood Risk Assessment (FRA). A further FRA was submitted which has addressed EA concerns and who have subsequently removed their objection subject to inclusion of condition for the development to be carried out in accordance with the submitted flood risk assessment.
- 8.5 DMBC Ecology** – The Council’s Ecologist has raised no objection to the application subject to conditions including a monitoring programme from the commencement of operational activities. This would establish a data set of emissions and depositions over a period of several years or more to ensure accurate assessment of impacts and significance of any impacts. A condition for an ecological enhancement plan to compensate for any biodiversity losses as the overall ecological value of the site is very low, and a Construction Environmental Management Plan which sets out measures for protecting wildlife and habitats during construction.
- 8.6 DMBC Tree Officer** – No objections raised, no conditions.
- 8.7 DMBC Internal Drainage** – No objections or issues raised and no conditions.
- 8.8 Yorkshire Water** – No objection subject to conditions for foul and surface water drainage.
- 8.9 DMBC Environmental Health** – No objections raised subject to conditions with respect to noise related issues to protect amenity.
- 8.11 DMBC Highways Development Control** – No objections are raised following minor amendment to the overflow parking spaces, and subject to a number of conditions related to highway safety.
- 8.12 DMBC Transportation** – No objections are raised subject to conditions for electric vehicle charging points and adherence to the Transport Assessment and Travel Plan.
- 8.13 DMBC Design Officer** – No objections raised in principle however has requested details of all external materials to be agreed.
- 8.14 South Yorkshire Archaeology** – The site has archaeological implications however no objections are raised subject to inclusion of condition for submission of a Written Scheme of Investigation that sets out a strategy for archaeological investigation.
- 8.15 DMBC Pollution Control** – No objections raised subject to mitigation by condition for a Phase 1 desktop study to be submitted and agreed, and material imported onto a sensitive site.
- 8.16 DMBC Air Quality** – No objections are raised subject to conditions for submission of an air quality mitigation plan to demonstrate how the damage costs will be disbursed to offset traffic emissions during the lifetime of the development, and provision for charging points for electric vehicles with respect to staff parking.
- 8.17 Network Rail** – No objection raised in principle however subject to an advisory note for requirements to be met with respect to the proximity of the rail line given the scale and nature of the proposal.

- 8.18 DMBC Public Health** – A Health Impact Assessment for Commercial Developments was requested and subsequently submitted. No issues of concern have been raised as a result.
- 8.19 RHADS Safeguarding** – Doncaster Sheffield Airport has been consulted and no response has been received on this application. However a response to the previously approved application requests lighting for the chimney stack on account of its height. Therefore an advisory informative note is also included with this application as this scheme includes the same height chimney stack.
- 8.20 Ward Members** – Edenthorpe and Kirk Sandall Local Ward Councillors Andrea Robinson and David Nevett have raised objection to the application as they consider the proposal is a significant development, the environmental impact upon residents within their ward and surrounding communities will be considerable.

## **9.0 Assessment**

9.1 The proposal seeks permission for a thermal treatment plant to generate energy from commercial and industrial waste, and/ or municipal solid waste. In considering the proposal the main material planning considerations are outlined below:

- The acceptability of the development
- The impact on residential amenity
- The impact on the character and appearance of the surrounding area
- The impact on visual Amenity
- The impact on the highway network and highways standards
- Flooding and Drainage issues
- The impact on the existing trees
- The impact on the ecology/wildlife of the site
- Pollution Issues
- Section 106 Legal Agreement

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

### Appropriateness of the proposal

9.3 The site lies within an area designated as Employment Policy Area as per the Doncaster Local Plan. As such it should be assessed against Policy 4 which relates to Employment Policy Areas stating that B2, B8 and E(g) (this includes offices, research and development and light industrial) uses will be supported and retained. The site lies within the Kirk Sandall Industrial Estate where the nature and character of this area is industrial type uses.

- 9.4 The site is also a strategic site allocated within the Barnsley, Doncaster and Rotherham (BDR) Joint Waste Plan 2012. The 2012 BDR Waste Plan Policy WCS3 identifies the Sandall Stones Road site (3.1) as a 'new strategic waste management site' as one of the large-scale municipal, commercial and industrial waste management facilities aimed at addressing our capacity needs over the period to 2026.
- 9.5 Table 9 of the Plan identifies the site for recycling and recovery with a potential waste recovery capacity of the site at 120,000 tonnes per year and includes the requirement of mitigation measures to protect the surrounding environment. It also acknowledges that Sandall Stones Road is centrally located within an established industrial area close to existing waste facilities and major transport routes on the gateway to Doncaster.
- 9.6 As stated previously within the background section of this report; Planning permission (09/00246/TIPA) was granted for a gasification facility in December 2010 and the permission implemented in 2013. A further permission was granted (17/00923/TIPA) which varied the approved application in 2018, but was not progressed. The site allocation in the BDR Waste Plan and the previous consents on this site are therefore material considerations with regard to this current application.
- 9.7 Waste Plan Policy WCS3 sets out the general considerations to be addressed as part of the application process. The applicant has provided a full EIA, focusing on and addressing issues such as; landscape and visual impact, air quality, draining and flood risk, ecology, noise, and traffic as set out in Policy WCS3. The applicant has also provided a Health Impact Assessment.
- 9.8 The overarching national policy for waste is the Waste Management Plan for England (2021) This Plan sits alongside the Resources and Waste Strategy and realises the requirements of the Waste (England and Wales) Regulations 2011. The 2011 Regulations require everyone involved in waste management and waste production in England (and Wales) to take all reasonable measures to apply the priority order in the waste hierarchy of prevention reuse, recycling and other recovery. Disposal of landfill or incineration without R1 (Recovery) status should be a last resort. Simply put, R1 status means any operation the principal result of which is waste serving a useful purpose by replacing other materials which would otherwise have been used to fulfil a particular function, or waste being prepared to fulfil that function, in the plant or in the wider economy. In this case recovery of waste to produce energy which will go into the national grid.
- 9.9 The 2012 BDR Waste Plan also considers 'waste needs and capacity'. The Plan identifies in 2021 a commercial and industrial waste gap of 155,000 tonnes per annum rising to 180,000 tonnes per annum by 2026. However, the detailed figures within the plan are now out of date. Doncaster LPA is currently project managing the production of an up to date 'Waste Needs Assessment' for the whole of South Yorkshire, but this will not be completed until March/April 2022.
- 9.10 As the BDR Waste Plan is now out of date, National Waste Policy requires applicants to demonstrate a need for a new facility where proposals are not consistent with an up-to date Local Plan. A Need Statement was therefore requested and subsequently submitted.

## Need

- 9.11 The applicants were requested and advised to critique the BDR waste plan to provide updated need assessment work that was forward thinking beyond the 2026 plan period. The applicants have now duly carried out this work including also modifying this at the Officer's request when queried on some of the figures. The waste needs assessment provided by the applicant identifies an average estimate capacity gap of approximately 375,000 tonnes by 2035.
- 9.12 External consultants have been employed by the Council to produce a new South Yorkshire Waste Needs Assessment. They have also independently assessed the Waste Needs Assessment provided by the applicants and have estimated an interim lower capacity gap of approximately 280,000 tonnes by 2035 for commercial, industrial and residual waste arisings. As a result of the comments received from the council's consultants, the applicant has suggested they are willing to condition the through-put of material to 300,000 tonnes per annum.
- 9.13 Given the previous approved applications and the fall-back position in that the extant consent can still be brought into use, and the current (if out of date) BDR Waste Plan, the application is considered to comply with policy. The site is identified in the BDR Waste Plan as a 'Strategic Waste Management Site' for recycling and recovery subject to appropriate mitigation measures protecting the environment. The application therefore satisfies both local plan policy and regional waste policy subject to inclusion of conditions ensuring the applicant attains R1 status from the EA, a restriction of the through-put, and satisfying other policy considerations.

## Sustainability

- 9.14 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
- 9.15 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

- 9.16 The nearest residential properties are located some 200 metres from the application site and which are separated by a railway line. Residential properties associated with Kirk Sandall are situated, at the closest point, 370m to the west of the Site. The nearest educational facility to the Site is the Hungerhill School on Thorne Road located approximately 800m to south east of the site. The main impacts on residential amenity as a result of this development will be environmental (air quality) as a result of emissions and potential noise arising from the proposed facility.

- 9.17 It should be noted that the actual operation of and emissions from, the proposed installation will require a valid permit issued and regulated by the Environment Agency (EA) as defined within the Environmental Permitting Regulations (EPR).
- 9.18 The Applicant has already applied for and received an Environmental Permit (on 10.09.2021) from the Environment Agency who will oversee the proper environmental management of the facility. When determining planning applications, National Waste Policy states LPA's should *'Concern themselves with implementing the planning strategy in the Local Plan and not with the control of processes which are a matter for the pollution control authorities. Waste planning authorities should work on the assumption that the relevant pollution control regime will be properly applied and enforced.'* The Planning Practice Guidance is also clear that there are separate roles between the planning function and other regulatory bodies when considering an application for a waste treatment facility.
- 9.19 The LPA can however assess the impact on residential amenity. The Council's Environmental Health Officer has assessed the proposal and recommended a number of conditions to protect the amenity of any nearby residents or adjacent uses from noise disturbance during the construction phase, including construction activities that would create noise disturbance such as piling, and annual noise monitoring for the first 3 years. This is discussed further in paragraph 9.64 of this report.
- 9.20 With respect to other issues including emissions from the facility itself, these are in the main covered by the Environment Agency's Permit as stated previously and it is discussed further in paragraph 9.60. However emissions from traffic is an aspect that can be considered by the LPA and as such is addressed by the Council's Pollution Control, again as discussed in paragraph 9.61.

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

- 9.22 In conclusion of the social impacts of the development, it is not considered that the impact of residential amenity will be adversely affect by the proposal, subject to the mitigation by a number of conditions suggested by Officers. Significant weight should also be attached to the provision of energy produced from the facility that will generate power to the local distribution grid, sufficient to provide electricity, heat and power to more than 45,000 homes.

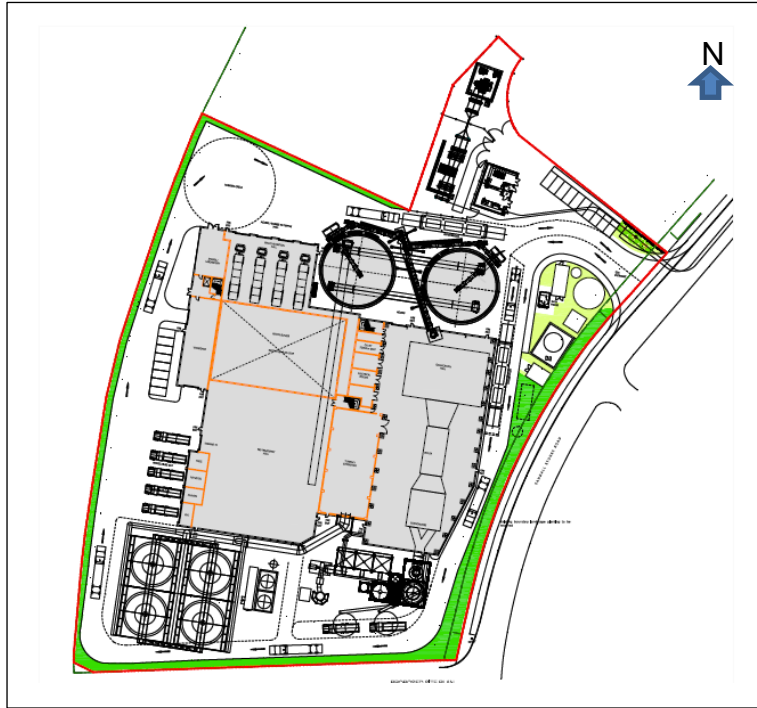
## **9.23 ENVIRONMENTAL SUSTAINABILITY**

### Impact upon the character and appearance of the surrounding area

- 9.24 Policy 46 of the Local Plan states that all non-residential, commercial and employment developments must be designed to a high quality, attractive and make a positive contribution to the area in which they are located. Part A) sets out a list of design criteria developments should meet.
- 9.25 This new scheme retains the fundamental design and proportions of the building from the extant consent. However due to the new process requirements there are a number of changes proposed. Fundamentally these are; a significant reduction in the amount of outdoor equipment and plant with the majority now being contained within building enclosures. Another change is the inclusion of the administration wing on the eastern facade. The overall footprint is therefore bigger than as previously

approved on account of these changes. See ground floor plans below of the extant consent and currently proposed scheme.

### Ground Floor of Building Approved under ref 17/00923/TIPA (Extant Consent)



### Ground Floor of Current Proposal



9.26 As with the extant permission the main mass of the building is located centrally on the site. The submitted Design and Access Statement acknowledges that whilst adjacent industrial units are reasonably large they cannot equate to the scale that is inherent in this development, and thus to further reduce its visual impact in more distant views, the building height has been kept as low as possible. The previously

approved process building sought to reduce the mass of the facility by 'stepping down' the building northwards. The building height has increased from 40m to 49.50m but then steps down 37m, 28m and 16.0m.

- 9.27 The proposed facility also seeks to visually anchor itself within the surrounding landscape with the use of horizontal banding on the elevations to break up the scale of the main building which has been repeated from the previous consent along with the principle of using darker coloured cladding at the base of the building and lighter colours of the top and interruption of large wall surfaces with building features such as coloured cladding, ventilation openings, windows and louvers. It also recognises that much of its upper parts will be read against a backdrop of sky and for that reason its higher levels are light coloured.
- 9.28 The Council's Urban Design officer made previous comments on the approved scheme but has again reiterated that he considers the architectural appearance of the building requires more detailed consideration and in particular the choice of cladding and colours. Whilst there has obviously been an attempt to introduce some interest to what is essentially a functional industrial structure, the proposed cladding colour and quality will be important to get right, to ensure the building makes a positive contribution to the character of the area, reduces the visual impact of the proposal and makes the building as attractive as can be for this typology. The final choice of materials is therefore subject to agreement via condition, therefore a suitable condition has been included as originally suggested by the applicant.

#### Visual Amenity

- 9.29 With the previously approved application the main issue for concern was the stack height; A 95m high chimney stack was proposed as opposed to the originally approved 45m high stack. A 95m chimney stack height is again proposed.
- 9.30 It is important to note that whilst the application proposes a 95m high stack, this is a maximum worst case scenario and the final height is determined following the agreement of the air quality model with the Environment Agency (EA) as part of the environmental permit application submission. As stated previously, the EA has now issued the permit, and this is based on air quality modelling with an 85m high stack, therefore the maximum height of the chimney will be 85m and not 95m as per the application submission.
- 9.31 The application includes key viewpoints from various locations around the site and a Landscape and Visual Impact Assessment which assesses the overall visual impact of the chimney stack and the proposed building. Whilst the proposal will be prominent and have a visual impact from key viewpoints, the building has to be considered in relation to the existing industrial character of the area and the landscape character which is judged to have less importance in the countryside area to the west, (see Appendix 3). Whilst the building and chimney will be visible from residential properties along Doncaster Road and from glimpsed viewpoints further afield, the distance, intervening features and the location within the existing estate serve to reduce the impact of the proposals. Having fully considered the height of the stack previously, it was considered by officers that 'the chimney stack will be seen in context with the stacks on the nearby Ardargh glass site which are 65m and 70m high. Although the proposed stack will be taller; given the local context it would not adversely affect visual amenity to an extent to recommend refusal of the application.'

This consideration has not changed since the previous approval and in officers' opinion the height of the chimney stack is acceptable.

- 9.32 Overall the proposed building in terms of its height, scale and massing is appropriate to the industrial nature of the immediate surrounding area, and whilst the building will be viewed from further afield it will not adversely affect the character or appearance of the surrounding area. The application therefore accords with Policy 46 of the Local Plan subject to mitigation by inclusion of condition for external materials to be submitted and agreed.

#### Highways/Access

- 9.33 Safety and security of the highway is one of the criteria set out in Local Plan Policy 13 to ensure that there are no negative effects upon highway safety or residual cumulative impacts on the road network. It also seeks to ensure that new developments provide the delivery of travel choice and sustainable opportunities for travel.
- 9.34 The development proposes to utilise the existing access from Sandall Stones Road and as previously approved in the extant permission. Ample car parking is provided on site including 22 parking spaces along the South Eastern boundary perimeter with 2 disabled spaces plus overflow parking with the provision of 14 additional spaces. The Highways DC Officer has therefore raised no issues with the access but requested slight amendment to the car parking spaces on the over flow car park as the 2 end spaces would not be accessible. They have therefore been brought forward by an amended plan. The Highways DC Officer is now satisfied with the proposal subject to inclusion of a number of conditions such as submission and agreement of a construction traffic management plan, access construction details, the potential installation of gates and provision of parking prior to the development being brought into use.
- 9.35 In terms of traffic movements associated with this proposal, a detailed Transport Assessment has been submitted to accompany the application. The extant permission allows for up to 78 HGV trips (156 two-way) per 12-hour operating period. The proposed development will not result in a change to required staff numbers or the number of HGV movements compared to the already consented development.
- 9.36 The information submitted in relation to 'Peak Traffic Flows' arising from the development shows:

**Table 3 – Peak Hour Trip Generation (HGV's)**

Time Period	Arrivals	Departures	Two-Way
AM Peak (8am to 9am)	5	5	10
PM Peak (5pm to 6pm)	5	5	10

- 9.37 The site will employ approximately 46 members of staff across five shifts. A maximum of 22 staff members will be on site at any time and this will be during the day. Five members of staff will work one of five operational shifts. Four members of staff will



work one of two maintenance shifts. To provide a robust assessment in the Transport Assessment, it is assumed that all 22 staff who work during the day will arrive and depart in the AM and PM peak hours. In addition, it is also assumed that all nine staff associated with the operational and maintenance shifts will arrive during the PM peak and depart during the AM peak.

- 9.38 An issue of concern has been raised by objectors regarding the impact of additional traffic on the highway network. The Council's Transportation Officer has raised no issue of concern stating that *'there will be no change to staff numbers or HGV movements compared to the extant permission, therefore, the trip generation will be the same as has been agreed previously, no increase.'* The Transportation Officer also provided advice on the information required for inclusion within the Transport Assessment for this application submission. As per that advice, this includes taking into account consented and committed developments within the surrounding area. It also includes a forecast of future traffic growth up to 2030 as per Supplementary SPD guidance, again as agreed with the Transportation Officer. Overall there are no objections raised subject to condition that the development is carried out in accordance with the submitted TA and Travel Plan.
- 9.39 The proposal shows provision for cycle parking but not electric vehicle charging therefore a condition is included requiring this. The application thereby satisfies and accords with policy 13 of the Local Plan.

#### Flooding and Drainage

- 9.40 The site lies within Flood Risk Zone 3 as defined by the Environment Agency's Flood Maps, and the proposal is to redevelop an existing industrial site for a similar use. The NPPF Technical Guidance at Table 2 and Annex 3: Flood Risk Vulnerability Classification defines such a use as 'Less Vulnerable'. National planning policy requires proposals in Flood Risk Zones 2 & 3 areas to pass a flood risk Sequential Test (ST) and where necessary an Exception Test (ET). The aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding.
- 9.41 Policy 57 of the Local Plan deals with flood risk management and Part A) states all development proposals will be considered against the NPPF, including application of the ST and, where necessary, ET.
- 9.42 The NPPF at paragraph 166 is clear that where planning applications come forward on sites allocated in the development plan through the sequential test, applicants need not apply the sequential test again (paragraph 14.7 of the Local Plan reconfirms this position).
- 9.43 The proposal is on site ref 3.1 (Sandall Stones Rd, Kirk Sandall) which was allocated as a strategic waste management site via the Barnsley, Doncaster and Rotherham Joint Waste Plan (2012) and is also shown via the Local Plan Policies Map as such.
- 9.44 National planning policy at the time (PPS25) the Joint Waste Plan was being prepared required the application of the flood risk Sequential Test (ST) so, unlike the UDP when sites were allocated without undertaking any such test, the ST was applied at plan-making stage so, in line with NPPF and LP Policy 57A), this site does not need application of the ST again as part of the planning application stage.

- 9.45 Any opportunities for a sequential approach to the site layout should be considered and informed via the Flood Risk Assessment (FRA) which is also required. A FRA, prepared by WYG Engineering Limited, accompanies the application. The principal potential flood mechanisms, identified in Section 4.0 are fluvial flooding from the River Don. The FRA states that the EA map shows the site is within an area that benefits from flood defences comprising of an embankment constructed along the River Don providing a level of protection of up to the 1% exceedance probability (AEP) storm event (1 in 100 year). It also identifies a potential residual risk of flooding from the River Don as a result of floodwater overtopping the existing embankment during storm events with a less than a 1% AEP and a breach of the existing flood defence embankment during an extreme flood event.
- 9.46 The site lies within a flood zone 3 and as such will always be at residual risk of flooding; historically the site did flood during the 2007 flood event. As part of the design of the development it will adopt measures to reduce the impact of surface water run-off through the use of SuDS, where practicable. Surface water run-off will be attenuated within the site drainage system to mitigate off-site flooding and to protect vulnerable areas within the site. The FRA shows that there is little differentiation of residual risk across the site given its relatively small size.
- 9.47 The Environment Agency (EA) initially raised objection due to further information being required but on providing this further information they have addressed the EA's concerns and who have subsequently raised no objection subject to mitigation for a condition for development to be carried out in accordance with the FRA and critical equipment to be protected up to 8.98 metres above Ordnance Datum.
- 9.48 With regards to the Exceptions Test, the NPPF Technical Guidance at Table 2 and Annex 3 defines such industrial uses as 'Less Vulnerable' and as such there is no requirement to pass the Exceptions Test. The application therefore satisfies policy 57 of the Local Plan.

#### Trees and Landscaping

- 9.49 Policy 46 of the Local Plan states that all non-residential, commercial and employment developments should be well landscaped. It also states that the visual impact of car parking, storage and service areas should be reduced through landscaping and boundary treatments. The proposed landscaping on this site is not dissimilar to the extant consent in that it is fundamentally proposed around the perimeter of the site.
- 9.50 An existing tree adjacent to the existing access is proposed to be felled so as to provide widened adequate access provision. However this tree has previously been granted consent for removal on the extant permission. It should also be noted that the removal of this tree will not unduly impact upon the greenery of the wider area and is of minor consequence in terms of this and the benefit of the wider scheme. The applicant has also provided a landscape scheme for the site that includes planting of 5 no. heavy standard trees adjacent to the proposed new access. This is in addition to 5no. heavy standard trees to be planted at the south eastern corner of the site. Landscaping is concentrated along the frontage perimeter boundary that lies adjacent to Sandall Stones Road, with the existing planting retained adjoining the frontage and additional shrub planting proposed behind this which will reduce the visual impact of the proposed linear car parking along this boundary.

- 9.51 The Council's Trees and Hedgerows Officer is satisfied with the proposed landscape scheme subject to the development being carried out in accordance with the details submitted. No conditions are suggested nevertheless the landscape plan is included on the condition listing approved plans should Committee deem to grant consent. The application is therefore in accordance with Policy 46.

### Ecology and Wildlife

- 9.52 Policy 30 of the Local Plan seeks to protect biodiversity and geodiversity. It lists a set of criteria for protection of nationally and locally important habitats, sites and species. It requires developments to assess the impacts of the development on such sites and to provide mitigation against any harms including delivering a net gain in biodiversity to offset any harms by using the DEFRA biodiversity metric.
- 9.53 The Council's Ecologist has commented that this application is principally about the potential impacts of the proposal away from the red line boundary site. The origin of these potential impacts is the emissions from the waste conversion process, the content and direction of travel. These ecological receptors, identified as being within range of potentially damaging impacts are, in order of level of protection: Special Protection Area (SPA) and Special Area for Conservation (SAC) both of which extend across Thorne and Hatfield Moors, the Site of Special Scientific Interest (SSSI) at Hatfield Moors and Sandall Beat Wood: the most distant one at 1.2km from the site. Shaw Wood 1.7km to the south of the application site is also included in the assessment on the grounds that it is ancient woodland.
- 9.54 At the request of the Ecologist an Air Quality Assessment was submitted for these sites prior to the application submission which was accompanied by an Ecological Interpretation Report (EIR) that provides specific details on the predicted impacts on these sites of the predicted emissions. Overall the assessment concludes that whilst the predicted emissions would be unlikely to have any significant impacts upon these sites; however the potential impacts are close to the threshold levels for significance. As such the Ecologist has recommended a condition for a monitoring programme from the commencement of operational activities. This condition has not been included as the EA License Permit assesses the environmental impact of the emissions and is therefore duly considered as part of the Licensing considerations. Therefore to include this condition would breach the remit and scope of the LPA in assessing the application.
- 9.55 With regard to the site itself, it is of limited ecological value in respect of habitats. The overall ecological value of the site is very low and it is considered that ecological enhancements can fully compensate for any biodiversity losses. There are no protected species issues and no habitats or species of principal importance. Barnby Dun with Kirk Sandall PC has also raised concerns that there are areas within the surrounding local landscape that provide suitable habitats for wildlife species including badger, grass snake and great crested newt which will be threatened by this development. However the Council's Ecologist has fully considered the impact of the development on local species and habitats, and has raised no issues of concern.
- 9.56 The site is virtually all hard standing/sealed surfaces and as such a biodiversity Net Gain assessment is not required as there will only be a loss of 0.1 ha of the peripheral vegetation on the south western boundary which amounts to about >5% of the total area of the whole site. It would be very difficult to carry out a BNG calculation on the

loss of such a small area, and the landscape scheme proposed adequately addresses and compensates for the losses of the vegetation on the south western boundary. However, the application of the mitigation hierarchy, mitigation, compensation, and enhancement measures should be applied through an Ecological Enhancement Scheme which is included via a suitably worded condition.

- 9.57 The application is therefore in accordance with Local Plan Policy 30 subject to the inclusion of suggested condition.

#### Pollution issues

- 9.58 Local Plan Policy 54 seeks to ensure that development proposals that are likely to cause pollution are only permitted where it can be demonstrated that pollution can be avoided or mitigation measures can be incorporated to minimise harmful impacts to acceptable levels that protect health, environmental quality and amenity.
- 9.59 As stated previously in paragraph 9.18, the applicant has already applied for and received an Environmental Permit License (on 10.09.2021) from the Environment Agency who will oversee the proper environmental management of the facility in terms of consideration of environmental issues such as air quality, odour and noise associated with the processes. The Planning Practice Guidance is clear that there are separate roles between the planning function and other regulatory bodies when considering an application for a waste treatment facility.
- 9.60 The role of the Environment Agency is to provide the environmental permit which will provide the required level of protection for the environment from the operation of a waste facility. The permit will aim to prevent pollution through the use of measures to prohibit or limit the release of substances to the environment to the lowest practicable level. It also ensures that ambient air and water quality meet standards that guard against impacts to the environment and human health.
- 9.61 However the permitting regime does not include pollution from traffic that may be generated by the facility. This comes within the remit of the local authority. As such the applicant has submitted an Air Quality Assessment (AQA) which follows standard methodology, uses data from recognised sources and worst case scenarios.
- 9.62 Edenthorpe PC and Barnby Dun with Kirk Sandall PC has each raised concerns as to whether the cumulative impact of emissions from other developments is taken into account as part of the consideration of air quality? In response to this, the Council does consider existing sources and those that have planning consent in the consideration of air quality (emissions) of a new development with respect to traffic emissions. Standard modelling will also take into account existing sources for the emissions to the environment. The EA has confirmed they also consider cumulative impacts under the permitting regime.
- 9.63 The Council's Pollution (Air Quality) Team have been consulted and subsequently raised a number of queries which have been satisfactorily addressed by the applicant. The Pollution Officer has commented that the Air Quality Assessment (AQA) includes a calculated sum of £79319 to ameliorate the impact of traffic emissions. The majority of transport emissions will be from the additional HGV movements and therefore mitigation proposals should focus on reducing the impact of the HGV traffic. As such two conditions are recommended; submission of an air quality mitigation plan to demonstrate how the damage costs will be disbursed to offset traffic emissions during the lifetime of the development; this will set out how,

and provision for charging points for electric vehicles with respect to staff parking. This sum will be put towards the potential mitigation options in an air quality mitigation plan and will include measures recommended in the AQA such as public transport use and infrastructure, walking and cycling infrastructure, and electric vehicle charging infrastructure.

- 9.64 The Council's Environmental Health Team has been consulted and whilst environmental issues are considered under the EA permit application, the impact on residential amenity as a result of the development can be considered by the local authority. The Environmental Health Officer has requested a number of conditions to protect the amenity of nearby residents during the construction phase such as the submission and agreement of a Construction Environmental Management Plan (CEMP), details to be submitted and agreed of any piling activities, restriction of construction hours, and noise monitoring during the operations of the development for the first 3 years.
- 9.65 The application is therefore deemed to be in accordance with Local Plan Policy 54 subject to the inclusion of the suggested conditions.

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

- 9.67 Para. 8 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.
- 9.68 In conclusion of the environmental issues, it is considered that there has been no significant issues raised which would weigh against the proposal that cannot be mitigated by condition. The facility will require an Environment Agency Permit License that will control environmental issues including emissions and noise whilst the suggested planning conditions controlling noise during construction and noise monitoring will protect amenity.

#### **9.69 ECONOMIC SUSTAINABILITY**

- 9.70 As part of the submitted information it is stated that once operational, the facility will create approximately 46 permanent full time jobs (including locally sourced apprenticeships): therefore there is some economic long term benefit. It is anticipated that there would be some medium term economic benefit to the development of the site through the employment of around 300 construction workers and tradesmen connected with the build of the project which will be approximately a 3 year construction period and therefore carries moderate weight in favour of the application.

#### **9.71 Conclusion on Economy Issues**

- 9.72 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.

9.73 Whilst the economic benefit of the proposal is modest and afforded moderate weight, it does not harm the wider economy of the borough and for that reason weighs in favour of the development.

#### **9.74 Planning Obligations**

9.75 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.

9.76 These are the statutory tests as set out in the Community Infrastructure Levy Regulations 2010.

9.77 The previously approved applications and the current extant consent were subject to a routeing agreement by way of a Section 106 legal agreement. A further routeing agreement is deemed necessary to render the proposal acceptable to ensure HGV's traverse a specific route to and from the site using classified roads. Therefore, it is considered that this would meet with the provisions of Local Plan Policy 13.

### **10.0 PLANNING BALANCE & CONCLUSION**

10.1 In accordance with Paragraph 11 of the NPPF (2021) the proposal is considered in the context of the presumption in favour of sustainable development. The proposal is considered to be located within a sustainable location on a site allocated as a 'new strategic waste management site.' It is allocated as one of the large-scale municipal, commercial and industrial waste management facilities aimed at addressing the capacity needs over the period to 2026 in the BDR Waste Plan and this weighs considerably in favour of the application. In addition the two previously approved applications on this site are a material consideration, including the currently extant planning consent that is capable of being developed.

10.2 The proposed maximum number of HGV vehicles leaving the site will be limited and controlled by condition as per previous permissions and the routeing for HGV's will also be agreed and controlled by legal agreement. This will ensure HGV's traverse a specific route to and from the site.

10.3 Moderate weight in favour of the application has been afforded to the potential economic benefits generated by the proposal.

10.4 The environmental issues associated with the operation of the facility will be controlled by the Environment Agency under the Environmental Permitting Regulations whilst protection of residential amenity for nearby residents from noise and disturbance during the construction period and during operation of the facility can be mitigated and controlled by condition, the short term noise and disturbance associated with implementing the planning permission is considered to carry limited weight against the proposal.

10.5 The proposal is subject to a Section 106 Agreement and the proposed heads of terms are outlined below.

## 11.0 RECOMMENDATION

### 11.1 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 IN RELATION TO THE FOLLOWING MATTERS:

#### A) Routeing Agreement

**THE HEAD OF PLANNING BE AUTHORISED TO ISSUE THE PLANNING PERMISSION UPON COMPLETION OF THE AGREEMENT.**

#### 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(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:  
  
AMENDED Proposed Site layout Dwg 1388-PL101-Rev A  
AMENDED Fencing Plan Dwg 1388-PL103-Rev A  
AMENDED Landscape Plan Dwg 1388-PL102-Rev B  
AMENDED Roof Plan Dwg 1388-PL110 Rev A  
  
REASON  
To ensure that the development is carried out in accordance with the application as approved.
03. The development hereby permitted shall be carried out in accordance with the details contained in planning application Ref. 20/01774/TIPA - and the mitigation measures contained in the submitted Environmental Statement dated June 2020 compiled by YWG (Tetra Tech), and the additional information received on 28 June 2021 and 31 March 2021, unless otherwise set out in the conditions stated below which shall in all cases take precedence.  
Reason  
To ensure that the development is carried out in accordance with the submitted details.
04. Prior to the commencement of the development of the Facility hereby permitted, details which verify that the Facility has achieved R1 status (energy efficiency equal to or above 0.65) from the Environment Agency at Stage 1 (i.e. the design information stage) of the R1 status

application process shall be submitted to and approved in writing by the Local Planning Authority.

Within 24 months of the first operation of the Facility hereby permitted details which verify that the operating Facility has achieved R1 status through certification from the Environment Agency shall be submitted to the Local Planning Authority.

The Facility shall be configured and operated such that R1 status is maintained throughout its operation.

REASON

To ensure that the Facility operates only as an energy recovery facility.

05. The Facility hereby permitted shall not exceed the maximum throughput of 300,000 tonnes per annum and a record of the annual throughput monitoring information will be available to the Local Planning Authority upon request. The throughput shall be monitored for the lifetime of the development hereby permitted.

REASON

In order to reflect the current outstanding need for the facility and assist with monitoring and compliance with the above condition.

06. Prior to the development commencing, a Construction Environmental Management Plan (CEMP) shall be submitted to, and approved in writing by the Local Planning Authority.

REASON

To ensure that the development does not prejudice the local amenity in accordance with Local Plan Policy 54.

07. Details of intended piling activities (including time frames) shall be submitted to and approved by the Local Planning Authority prior to the commencement of development.

REASON

To ensure that the development does not prejudice the local amenity in accordance with Local Plan Policy 54.

08. The doors to the waste reception hall shall remain closed at all times other than for access and egress.

REASON

To ensure that the development does not prejudice the local amenity in accordance with Local Plan Policy 54.

09. Prior to the commencement of development a Construction Traffic Management Plan shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the agreed details and cover the following points, expanded on as required'

- Volumes and types of construction vehicles
- identification of delivery routes, including any Abnormal load routing.)
- identification of agreed access point



- Contractors method for controlling construction traffic and adherence to routes
- Size, route and numbers of abnormal loads
- Swept path analysis (as required)
- Construction Period
- Temporary signage
- Wheel Wash facilities
- Timing of deliveries

REASON

In the interests of road safety in accordance with Policy 13 of the Doncaster Local Plan.

10. Before the development hereby permitted is brought into use, the designated private car parking spaces as shown on the approved plans shall be provided. The parking area shall not be used otherwise than for the parking of private motor vehicles belonging to the occupants of and visitors to the development hereby approved and shall be retained as such for the lifetime of the development.

REASON

To ensure that adequate parking provision is retained on site.

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

REASON

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

12. The proposed access shall be constructed to the satisfaction of the Local Planning Authority before the development is brought into use. Adequate measures shall be designed to avoid the discharge of surface water from the site onto the public highway.

REASON

In the interests of road safety in accordance with Policy 13 of the Doncaster Local Plan.

13. Gates to the vehicular access, if provided, shall not be less than 20m from the edge of the carriageway of the public highway and hung as to open inwards and shall be retained as such for the life of the development.

REASON

To provide adequate space to allow an arriving vehicle to be driven clear of the carriageway of the highway before the driver alights to open the gate.

14. The development hereby granted approval shall be carried out in accordance with the details contained within Appendix 2.2 of the Environmental Statement, Transport Assessment Report No. RT111857-01 compiled by WYG Transport Planning and Dated June

2020 and Appendix 2.2, Travel Plan Report No. RT111857-02  
compiled by WYG Transport Planning and Dated June 2020

REASON

In the interests of road safety in accordance with Policy 13 of the  
Doncaster Local Plan.

15. Unless otherwise approved in writing by the Local Planning Authority, the maximum number of HGVs leaving the site per day shall not exceed 78.

REASON

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

16. The site shall be developed with separate systems of drainage for foul and surface water on and off site.

REASON

In the interest of satisfactory and sustainable drainage.

17. There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works, details of which will have been submitted to and approved by the Local Planning Authority. If discharge to public sewer is proposed, the information shall include, but not be exclusive to:-

- a) evidence to demonstrate that surface water disposal via infiltration or watercourse are not reasonably practical;
- b) evidence of existing positive drainage to public sewer and the current points of connection ; and
- c) the means of restricting the discharge to public sewer to the existing rate less a minimum 30% reduction, based on the existing peak discharge rate during a 1 in 1 year storm event, to allow for climate change.

REASON

To ensure that no surface water discharges take place until proper provision has been made for its disposal and in the interest of sustainable drainage.

18. No development approved by this permission shall be commenced prior to a contaminated land assessment and associated remedial strategy, together with a timetable of works, being accepted and approved by the Local Planning Authority (LPA), unless otherwise approved in writing with the LPA.

- a) The Phase I desktop study, site walkover and initial assessment must be submitted to the LPA for approval. Potential risks to human health, property (existing or proposed) including buildings, livestock, pets, crops, woodland, service lines and pipes, adjoining ground, groundwater, surface water, ecological systems, archaeological sites and ancient monuments must be considered. The Phase 1 shall include a full site history, details of a site walkover and initial risk assessment. The Phase 1 shall propose further Phase 2 site

investigation and risk assessment works, if appropriate, based on the relevant information discovered during the initial Phase 1 assessment.

b) The Phase 2 site investigation and risk assessment, if appropriate, must be approved by the LPA prior to investigations commencing on site. The Phase 2 investigation shall include relevant soil, soil gas, surface and groundwater sampling and shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a quality assured sampling and analysis methodology and current best practice. All the investigative works and sampling on site, together with the results of analysis, and risk assessment to any receptors shall be submitted to the LPA for approval.

c) If as a consequence of the Phase 2 Site investigation a Phase 3 remediation report is required, then this shall be approved by the LPA prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters, the site must not qualify as contaminated land under Part 2A of the Environment Protection Act 1990 in relation to the intended use of the land after remediation.

d) The approved Phase 3 remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. The LPA must be given two weeks written notification of commencement of the remediation scheme works. If during the works, contamination is encountered which has not previously been identified, then all associated works shall cease until the additional contamination is fully assessed and an appropriate remediation scheme approved by the LPA.

e) Upon completion of the Phase 3 works, a Phase 4 verification report shall be submitted to and approved by the LPA. The verification report shall include details of the remediation works and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the verification report together with the necessary documentation detailing what waste materials have been removed from the site. The site shall not be brought into use until such time as all verification data has been approved by the Local Planning Authority.

#### REASON

To secure the satisfactory development of the site in terms of human health and the wider environment, in accordance with the National Planning Policy Framework and Doncaster's Local Plan Policy 54 & 55.

19.

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

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

REASON

To secure the satisfactory development of the site in terms of human health and the wider environment, in accordance with the National Planning Policy Framework and Doncaster's Local Plan Policy 54 & 55.

20. There shall be no outside storage or stockpiling of waste.

REASON

In the interest of health and safety, visual amenity and to prevent dust and litter on the highway.

21. Prior to the operation/opening of the development hereby approved, an air quality mitigation plan shall be submitted to and approved in writing by the Local Planning Authority. This plan should demonstrate how the damage costs have been applied to develop mitigation that specifically and quantifiably offsets vehicle emissions, particularly HGVs, during the lifetime of the development. As a minimum the following will be submitted:

- A detailed travel plan;
- A plan for encouraging use of public transport;
- Aiding and facilitation of walking and cycling to the site
- Car sharing
- Electric car charging points
- HGV emissions reduction plan including baseline vehicle standards, retrofitting programme, fleet turn-over commitments and commitment to ULEV

This list is not exhaustive and should show that the damage costs have been "off-set."

Vehicles operating at the development should have the same or better standard Euro engines than those used in the modelling assessment, this will ensure that the predictions from the air quality assessment are representative of the real operating conditions

REASON

To contribute towards a reduction in emissions in accordance with air quality objectives and providing sustainable travel choice in accordance with Doncaster Local Plan Policies 13 and 54.

22. Before the development commences, a BREEAM pre-assessment, or equivalent assessment, shall be submitted for approval demonstrating how BREEAM 'Very Good' will be met. Unless otherwise agreed, the

development must take place in accordance with the approved assessment. Prior to the occupation of any building, a post construction review should be carried out by a licensed assessor and submitted for approval. This will enable the planning condition to be fully discharged.

Advice should be sought from a licensed BREEAM assessor at an early stage to ensure that the required performance rating can be achieved. A list of licensed assessors can be found at [www.breeam.org](http://www.breeam.org).

**REASON**

In the interests of sustainability and to minimise the impact of the development on the effects of climate change.

23. No built development shall commence ( excluding site clearance and excavation, demolition, ground investigations, installation of foundations), until details, including the colours and materials, of the proposed external façade have been submitted to and approved in writing by the Local Planning Authority. The development shall only be constructed in accordance with the approved materials and colours.

**REASON**

To ensure that the materials are appropriate to the area in accordance with Policy 46 of the Doncaster Local Plan.

24. No development shall take place in implementation of this permission until a report (the initial SAP report carried out as part of Building Regulations will be sufficient information in many cases) has been submitted to the Local Planning Authority and approved in writing from them, which details how CO2 emissions from the development will be reduced by providing at least 10 Percent of the development's operational energy through on-site renewable energy equipment or improvements to the fabric efficiency of the building. The carbon savings, which result from proposed measures, will be above and beyond what is required to comply with Part L of Building Regulations. Unless otherwise agreed in writing by the Local Planning Authority, the development shall then proceed in accordance with the approved report. Before any building is occupied or sold, the Local Planning Authority shall be satisfied that the measures have been installed, which will enable the planning condition to be fully discharged.

**REASON**

In the interests of sustainability and to minimize the impact of the development on the effects of climate change. This condition is required to be discharged prior to commencement as the approved detail may have an impact on the design and fabric of the building during construction or the appearance of the development.

25. The operator shall maintain yearly records for the lifetime of the development of all HGVs and collection vehicles entering the site and these records shall be made available for inspection by the Local Planning Authority within two working days of a verbal or written request.

**REASON**

To assist in the monitoring and compliance with the above condition.

26. The development shall be carried out in accordance with the submitted Flood Risk Assessment Addendum (ref 784-A111857-L01, dated 16 February 2021 by Tetra Tech) and the following mitigation measures it details:

- Critical Equipment shall be protected up to 8.98 metres above Ordnance Datum (AOD)

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

REASON

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

27. During the operations of the development, for the first three years, annual noise monitoring for compliance or at any time as requested by the Local Planning Authority following a complaint, the operator shall submit a noise report to the Local Planning Authority. The noise report shall be conducted by a competent noise consultant whilst the site is in operation and cover daytime/night-time periods. The monitoring positions shall reflect the sensitive receptors as identified in chapter 6 Noise and Vibration (page 6-5 to 6-7) of the White Young Green Environmental Statement Volume dated June 2020. The first report shall be submitted within 3-4 months of the process receiving material (and 12 months after to demonstrate that the plant noise does not exceed the existing background levels). Should the actual noise levels not meet the identified background levels at the sensitive receptors location mitigation measures shall be agreed with the Local Planning Authority and implemented within three months of the date of the noise report subject to the source of any increase in noise level being as a result of the operations of the development.

REASON

To protect the amenities of the locality from noise in accordance with Local Plan Policy 54.

28. Prior to the commencement of development, a Construction Environmental Management Plan shall be submitted to the Local Planning Authority for approval, and then implemented in accordance with the approved details.

- A risk assessment of the potentially damaging construction activities in relation to wildlife and habitats.
- A method statement for the protection of reptiles and other terrestrial fauna that may be encountered on site.
- Measures to protect the adjacent ecological receptors and impact pathways
- The use of protective fencing, exclusion barriers, and wildlife safety measures.

REASON

To ensure the ecological interests of the site are maintained in accordance with Local Plan Policy 30.

29. During the construction phase of the development, the hours of operation and deliveries to and from and the loading or unloading of raw materials shall be restricted to the hours of 06:00 to 19:00 Monday to Friday and 07:00 to 17:00 on Saturdays, except as may otherwise be agreed in writing with the Local Planning Authority. No deliveries or construction work on Sundays and Bank Holidays.
- REASON  
To ensure that the development does not prejudice the local amenity in accordance with Local Plan Policy 54.

30. Prior to the commencement of development, an Ecological Enhancement Plan shall be submitted to and approved in writing by the Local Planning Authority. This plan shall include details of the measures outlined in Section 7.7 to 7.9 of Chapter 7 Ecology of the Environmental Statement. All measures within the Ecological Enhancement Plan shall be implemented on a timescale to be approved in writing with the Local Planning Authority:
- REASON  
To ensure the ecological interests of the site are maintained in accordance with Local Plan Policies 29 and 30.

31. 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 shall comply with current guidance/advice. The use shall not commence operation 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 Doncaster Local Plan Policies 13 and 54.

32. Part A (pre-commencement)

No development, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation and this has been approved in writing by the Local Planning Authority. The WSI shall include:

- The programme and method of site investigation and recording.
- The requirement to seek preservation in situ of identified features of importance.
- The programme for post-investigation assessment.
- The provision to be made for analysis and reporting.
- The provision to be made for publication and dissemination of the results.

- The provision to be made for deposition of the archive created.
- Nomination of a competent person/persons or organisation to undertake the works.
- The timetable for completion of all site investigation and post-investigation works.

Part B (pre-occupation/use)

Thereafter the development shall only take place in accordance with the approved WSI and the development shall not be brought into use until the Local Planning Authority has confirmed in writing that the requirements of the WSI have been fulfilled or alternative timescales agreed.

REASON

To ensure that any archaeological remains present, whether buried or part of a standing building, are investigated and a proper understanding of their nature, date, extent and significance gained, before those remains are damaged or destroyed and that knowledge gained is then disseminated.

33.

Where vibro-compaction machinery is to be used in the development, details of the use of such machinery and a method statement should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement

REASON

To safeguard the stability of the nearby railway line.

34.

Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed.

REASON

To safeguard the stability of the nearby railway line.

35.

Detail of any external lighting should be provided as a condition if not already indicated on the application.

REASON

In the interests of safeguarding the nearby railway line.

**INFORMATIVES**

01. **INFORMATIVE: ENVIRONMENT AGENCY FLOODING**

We recommend that the developer uses this opportunity to reduce the potential impact of flooding by raising floor levels wherever possible and incorporating flood proofing and resilience measures. Physical barriers, raised electrical fittings and special construction materials are just some of the ways to help reduce flood damage.



Guidance on how to reduce flood damage can be found at the following websites:-

Communities and Local Government: 'Improving the flood performance of new buildings' -  
<http://www.communities.gov.uk/publications/planningandbuilding/improvingflood>;

Environment Agency: How to reduce flood damage -  
[www.environment-agency.gov.uk/homeandleisure/floods/105963.aspx](http://www.environment-agency.gov.uk/homeandleisure/floods/105963.aspx);

Department for Communities and Local Government: Preparing for floods -  
[www.communities.gov.uk/publications/planningandbuilding/improvingflood](http://www.communities.gov.uk/publications/planningandbuilding/improvingflood);

Ciria: What to do if your property is flooded and how to minimise the damage from flooding - [www.ciria.com/flooding/](http://www.ciria.com/flooding/);

National flood forum-  
[www.floodforum.org.uk/index.php?option=com\\_content&view=article&id=8&Itemid=4](http://www.floodforum.org.uk/index.php?option=com_content&view=article&id=8&Itemid=4)

02. **INFORMATIVE: ENVIRONMENT AGENCY FLOODLINE**  
At the time of this decision, the site has been identified as being within an area of medium or high flood risk, based on the Environment Agency's flood maps. Therefore, the applicant/occupants should consider registering for the Environment Agency's Floodline Warning Direct, by phoning Floodline on 0345 988 1188 . This is a free service that provides flood warnings direct by telephone, mobile, fax or paper. It also gives practical advice on preparing for a flood, and what to do if one happens. By getting an advanced warning it will allow protection measures to be implemented such as moving high value goods to an elevated level as well as evacuating people off site.
03. **INFORMATIVE: BREEAM**  
Please note certain BREEAM credits are now not available post planning approval which can impact on scoring and measures to be included therefore associated costs, we strongly recommend advice should be sought from a licensed BREEAM assessor ASAP.
04. **INFORMATIVE: NETWORK RAIL**  
Network Rail has no objection in principle to the development, but below are some requirements which must be met, especially given the scale and nature of the proposed scheme.

#### Asset Protection

Given the scale and nature of this scheme in proximity to the operational railway, it is imperative that the developer liaise and fully engage with our Asset Protection Team (details below) prior to any work commencing on site. This is to ensure that the scheme can be delivered safely and without impact to operational railway safety. Issues

to be discussed and agreed will include (but not necessarily be limited to), construction methodology, use of crane and plant, construction of the chimney (given its height), possible electromagnetic interference with adjacent railway equipment must also be ruled out and use of scaffolding.

#### Drainage

All surface and foul water arising from the proposed works must be collected and diverted away from Network Rail property. All soakaways must be located so as to discharge away from the railway infrastructure. The following points need to be addressed:

1. There should be no increase to average or peak flows of surface water run off leading towards Network Rail assets, including earthworks, bridges and culverts.
2. All surface water run off and sewage effluent should be handled in accordance with Local Council and Water Company regulations.
3. Attenuation should be included as necessary to protect the existing surface water drainage systems from any increase in average or peak loadings due to normal and extreme rainfall events.
4. Attenuation ponds, next to the railway, should be designed by a competent specialist engineer and should include adequate storm capacity and overflow arrangements such that there is no risk of flooding of the adjacent railway line during either normal or exceptional rainfall events.

It is expected that the preparation and implementation of a surface water drainage strategy addressing the above points will be conditioned as part of any approval.

#### Fail Safe Use of Crane and Plant

All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.

#### Excavations/Earthworks

All excavations/ earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/ structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Project Manager should be

undertaken. Network Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the railway infrastructure nor for any noise or vibration arising from the normal use and/or maintenance of the operational railway. No right of support is given or can be claimed from Network Rail's infrastructure or railway land.

#### Security of Mutual Boundary

Security of the railway boundary will need to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail's Asset Protection Project Manager.

#### Armco Safety Barriers

An Armco or similar barrier should be located in positions where vehicles may be in a position to drive into or roll onto the railway or damage the lineside fencing. Network Rail's existing fencing / wall must not be removed or damaged. Given the considerable number of vehicle movements likely provision should be made at each turning area/roadway/car parking area adjacent to the railway. This is in accord with the new guidance for road/rail vehicle incursion NR/LV/CIV/00012 following on from DfT advice issued in 2003, now updated to include risk of incursion from private land/roadways. We note that the proposals appear to indicate the use of a Trief HGV kerb along the boundary with the railway which may well satisfy this requirement.

#### Fencing

Because of the nature of the proposed developments we consider that there will be an increased risk of trespass onto the railway. The Developer must provide a suitable trespass proof fence adjacent to Network Rail's boundary (minimum approx. 1.8m high) and make provision for its future maintenance and renewal. Network Rail's existing fencing / wall must not be removed or damaged. We note that the proposals include 2.4m weldmesh security fencing along the site boundary with the railway which should meet this requirement.

#### Method Statements/Fail Safe/Possessions

Method statements may require to be submitted to Network Rail's Asset Protection Project Manager at the below address for approval prior to works commencing on site. This should include an outline of the proposed method of construction, risk assessment in relation to the railway and construction traffic management plan. Where appropriate an asset protection agreement will have to be entered into. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. "possession" which must be booked via Network Rail's Asset Protection Project Manager and are subject to a minimum prior notice period for booking of 20 weeks. Generally if excavations/piling/buildings are to be located within 10m of the railway boundary a method statement should be submitted for NR approval.

**Asset Protection Project Manager  
Network Rail (London North Eastern)  
Floor 3B**

**George Stephenson House  
Toft Green  
York  
Y01 6JT**

**Email: [assetprotectioneastern@networkrail.co.uk](mailto:assetprotectioneastern@networkrail.co.uk)**

Please note we will be unable to agree to discharge of a method statement condition without direct discussion and agreement with our Asset Protection Team and the developer entering into a Basic Asset Protection Agreement (where appropriate). We would advise that the developer discuss the proposals with Asset Protection prior to applying for the discharge of condition. Contact details for Asset Protection are below.

#### OPE

Once planning permission has been granted and at least six weeks prior to works commencing on site the Asset Protection Project Manager (OPE) MUST be contacted, contact details as below. The OPE will require to see any method statements/drawings relating to any excavation, drainage, demolition, lighting and building work or any works to be carried out on site that may affect the safety, operation, integrity and access to the railway.

**Asset Protection Project Manager  
Network Rail (London North Eastern)  
Floor 3B  
George Stephenson House  
Toft Green  
York  
Y01 6JT**

**Email: [assetprotectioneastern@networkrail.co.uk](mailto:assetprotectioneastern@networkrail.co.uk)**

#### Cranes

With a development of a certain height that may/will require use of a crane, the developer must bear in mind the following. Crane usage adjacent to railway infrastructure is subject to stipulations on size, capacity etc. which needs to be agreed by the Asset Protection Project Manager prior to implementation.

#### ENCROACHMENT

The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail and its infrastructure or undermine or damage or adversely affect any railway land and structures. There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail air-space and no encroachment of foundations onto Network Rail land and soil. There must be no physical encroachment of any foundations onto Network Rail land. Any future maintenance must be

conducted solely within the applicant's land ownership. Should the applicant require access to Network Rail land then must seek approval from the Network Rail Asset Protection Team. Any unauthorised access to Network Rail land or air-space is an act of trespass and we would remind the council that this is a criminal offence (s55 British Transport Commission Act 1949). Should the applicant be granted access to Network Rail land then they will be liable for all costs incurred in facilitating the proposal.

#### Trees/Shrubs/Landscaping

Where trees/shrubs are to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. We would wish to be involved in the approval of any landscaping scheme adjacent to the railway. Where landscaping is proposed as part of an application adjacent to the railway it will be necessary for details of the landscaping to be known and approved to ensure it does not impact upon the railway infrastructure. Any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fencing. Lists of trees that are permitted and those that are not permitted are provided below and these should be added to any tree planting conditions:

#### Acceptable:

Birch (Betula), Crab Apple (Malus Sylvestris), Field Maple (Acer Campestre), Bird Cherry (Prunus Padus), Wild Pear (Pyrus Communis), Fir Trees - Pines (Pinus), Hawthorn (Cretaegus), Mountain Ash - Whitebeams (Sorbus), False Acacia (Robinia), Willow Shrubs (Shrubby Salix), Thuja Plicatata "Zebrina"

#### Not Acceptable:

Acer (Acer pseudoplatanus), Aspen - Poplar (Populus), Small-leaved Lime (Tilia Cordata), Sycamore - Norway Maple (Acer), Horse Chestnut (Aesculus Hippocastanum), Sweet Chestnut (Castanea Sativa), Ash (Fraxinus excelsior), Black poplar (Populus nigra var, betulifolia), Lombardy Poplar (Populus nigra var, italica), Large-leaved lime (Tilia platyphyllos), Common lime (Tilia x europea)

A comprehensive list of permitted tree species is available upon request.

#### Lighting

Where new lighting is to be erected adjacent to the operational railway the potential for train drivers to be dazzled must be eliminated. In addition the location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway.

#### Access to Railway

All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development.

#### Heaping, Dust and Litter

It should be noted that because of the nature of the proposals we would not want to see materials piled against our boundary. Items to be heaped on site should be kept away from the boundary an equal distance as the pile is high to avoid the risk of toppling and damaging or breaching our boundary.

#### Gas and Fuel Storage

Risks of fires and explosions must be eliminated to safeguard Network Rail assets and the public. Storage must be 15m away from Network Rail assets and accompanied with a detailed method statement.

All gas storage and handling must be in accordance with the industry guidelines, particularly with regard to separation. The developer should be reminded that in case of any incident they are liable for any costs involved and a zone of exclusion imposed for safety reasons must include the railway because of the close proximity of the site to the operational rail. It is strongly recommended that this issue must be included in any planning permission granted for this application as an informative.

#### Electromagnetic Interference

Power generation presents a risk to Network Rail assets and passengers, therefore the design must take account of the potential for electromagnetic interference. The electromagnetic disturbance generated by an apparatus must not prevent radio and telecommunications equipment, and other apparatus, to operate as intended.

Network Rail is required to recover all reasonable costs associated with facilitating these works.

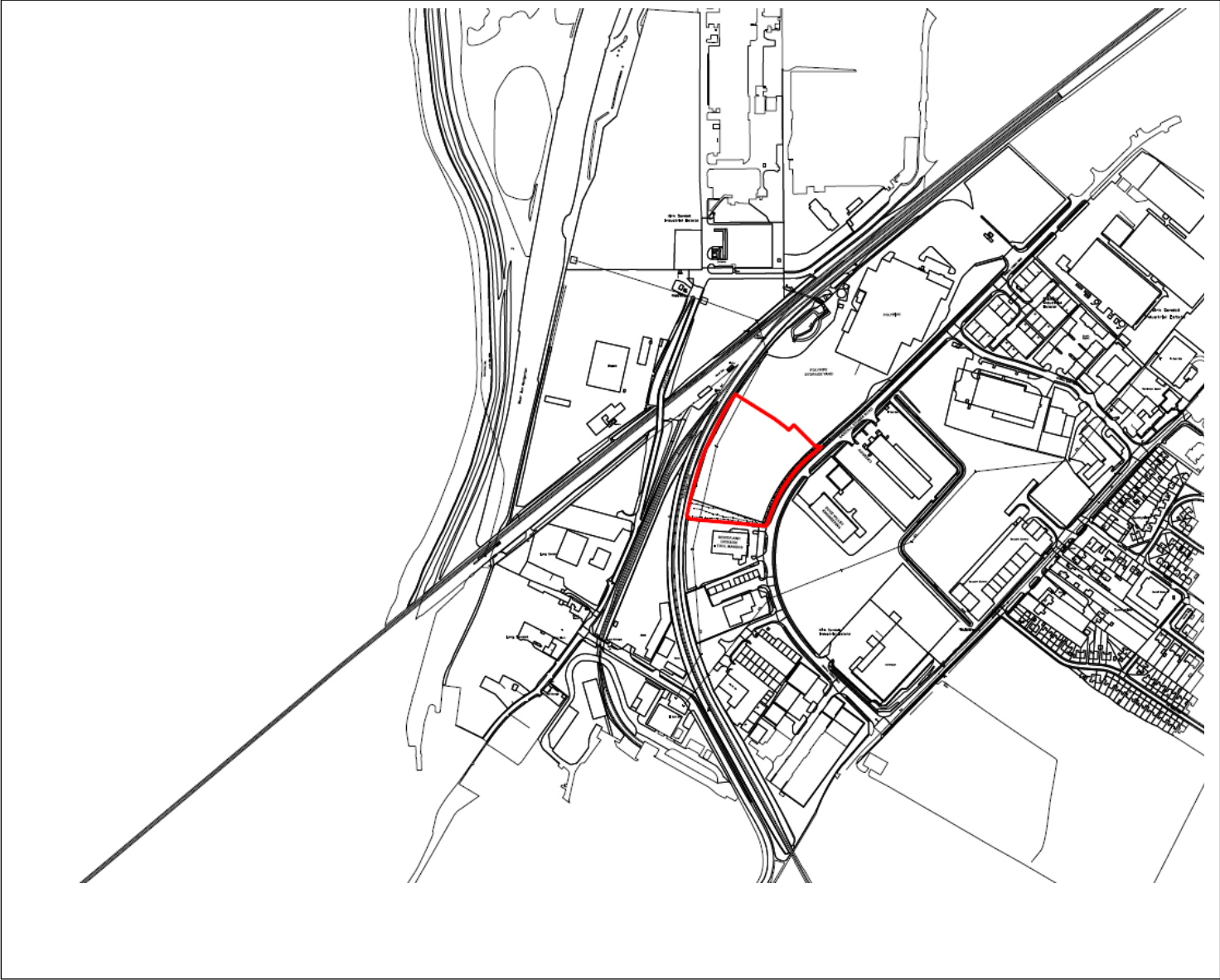
### **STATEMENT OF COMPLIANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY DEVELOPMENT MANAGEMENT PROCEDURE ORDER 2015**

In dealing with the application, the Local Planning Authority has worked with the applicant to find solutions to the following issues that arose whilst dealing with the planning application:

- Additional information in relation to the need for the facility

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

**Appendix 1: Location Plan**







# Appendix 2: Site Plan



**NOTE**  
 THIS DRAWING IS COPYRIGHT GSDA LTD.  
 THE CONTRACTOR MUST NOT SCALE FROM THE DRAWING  
 ALL DIMENSIONS TO BE TAKEN FROM DIMENSION STRINGS.  
 WHERE ANY DISCREPANCIES ARE FOUND BETWEEN  
 DIMENSIONS THESE MUST BE BROUGHT TO THE ATTENTION  
 OF THE ARCHITECTS FOR RESOLUTION.  
 WHERE DISCREPANCIES EXIST BETWEEN REFERENCE OR  
 ASSEMBLY DRAWINGS & DETAIL DRAWINGS, THE LATTER  
 TAKE PREFERENCE.

- Red Line Boundary
- 66kV Ducted Cable
- Cable Easement Strip
- Proposed Amenity Grass
- Proposed Edge Mix
- Proposed Hedgerow
- Existing 2.4m Palisade Fence
- Existing 1.5m Post & Weldmesh Fence
- 2.4m Palisade Fence
- 3.1m Palisade Fence
- - - 2.4m Weldmesh Security Fence
- - - Vehicle Barrier
- Pedestrian Guard Rail
- Removable Armco Barrier
- Triel HGV Kerb
- Vehicle Bollard

<b>PROJECT</b>		<b>DONCASTER EFW</b>	
<b>DRAWING</b>		<b>Proposed Site Layout</b>	
<b>FOR PLANNING</b>		20/06/04	Issued for Planning
1:250 @ A0	22/01/14	A	22/01/14
SCALE	DATE	REVISION	Overflow car park adjusted
1388 PL101	A		
DWG. NO.	REVISION		

GSDA

GARRY STEWART DESIGN ASSOCIATES

Highways House, Office 302A, 155 The Broadway, Wokingham, London, SW19 1NE  
 T: 020 8544 8005

### Appendix 3: Photo Montages -Visuals



