

<b>Application</b>	2.
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<b>Application Number:</b>	21/01502/FULM
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<b>Application Type:</b>	Planning FULL Major
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<b>Proposal Description:</b>	Erection of 33 dwellings and associated infrastructure.
<b>At:</b>	Land off Church Lane, Finningley

<b>For:</b>	Partner Construction And Guinness Partnership
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<b>Third Party Reps:</b>	57 letters of objection	<b>Parish:</b>	Finningley Parish Council
	1 letter in support		
		<b>Ward:</b>	Finningley

<b>Author of Report:</b>	Mel Roberts
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## SUMMARY

The proposal is for 100 per cent affordable housing in an area that is in need of affordable housing. The site is in a sustainable location being located close to local facilities and public transport provision. There are no highway safety issues and the scheme has been designed to ensure that there is no impact from overlooking on nearby existing residential properties. The scheme meets design criteria including National Minimum Space Standards. The most important trees are to be retained and additional landscaping will be provided and there is no impact on any protected species, with 10 per cent biodiversity net gain secured. A Viability Assessment has been submitted to demonstrate that contributions towards education and further off-site open space improvements would not be viable.

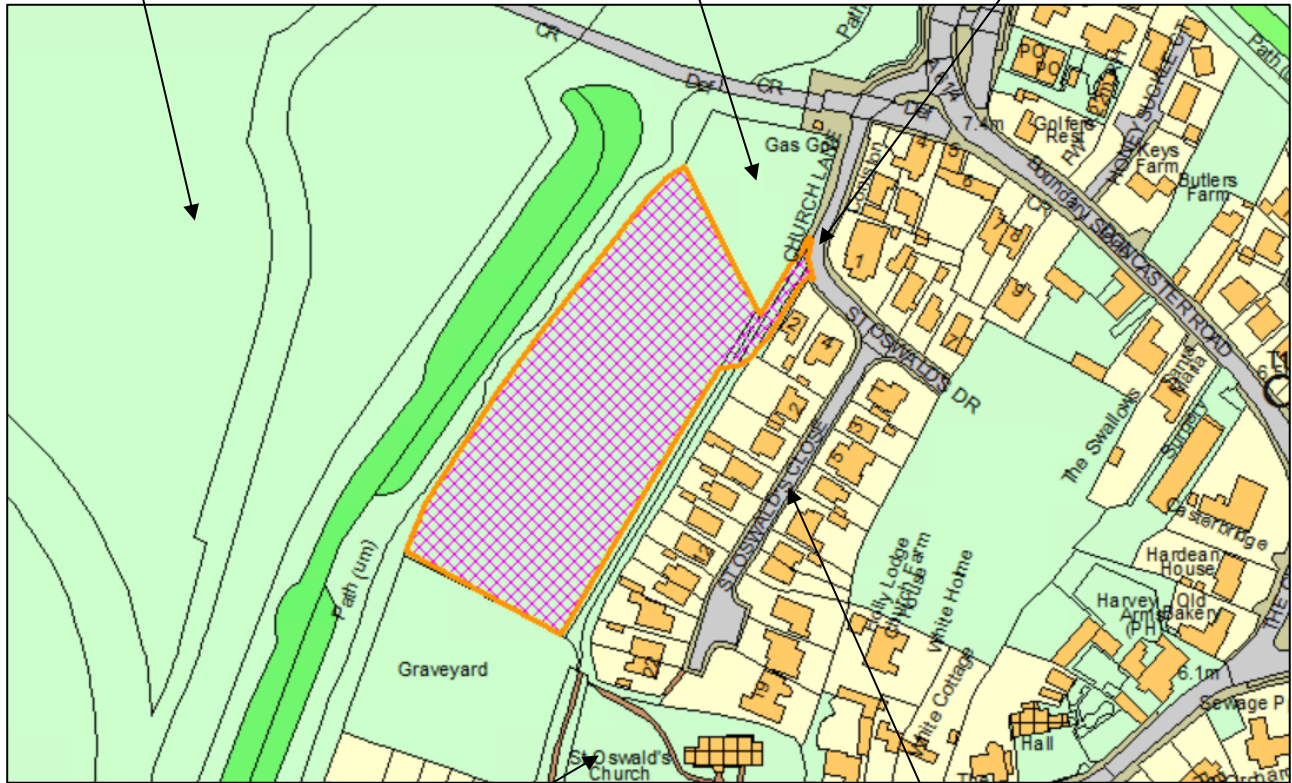
The need for affordable housing weighs heavily in its favour and the site is a suitable rounding off of the settlement.

**RECOMMENDATION: Grant subject to a Section 106 Agreement**

Doncaster Sheffield Airport

Allotments

Access into the site from Church Lane



St Oswald's Church (listed) and graveyard

Residential

## **1.0 Reason for Report**

- 1.1 This application is being reported to planning committee due to the number of representations that have been received, including objections from two local Ward Members and Finningley Parish Council.

## **2.0 Proposal and background**

- 2.1 This application seeks planning permission for the erection of 33 affordable dwellings with open space provision and associated landscaping and drainage works (see site plan in figure 1). The proposal is for 12 two bed homes and 21 three bed homes. The development includes a mixture of shared ownership and affordable rent properties. The layout provides a density mix of approximately 31 dwellings per hectare. Access is proposed to be taken from Church Lane, with pedestrian and cycle access also available via this route.
- 2.2 The proposed dwellings are all two storeys in height (see figure 2 for typical house type). All of the proposed houses will have red brick exteriors with a mixture of red and dark grey roof tiles. A mix of parking on private driveways and on street visitor parking is proposed. Pedestrian footpaths are provided throughout the site, including beyond the site boundary to Church Lane.

## **3.0 Site Description**

- 3.1 The site is situated to the west of Finningley and extends to approximately 1.07 hectares. The site would appear to have formed part of the airport at one stage. The site is currently unused and is grassed over with trees along the edge, most notably on the southern and eastern boundaries. To the west of the site lies Doncaster Sheffield Airport, to the north are allotments, to the east are residential properties and to the south is a cemetery in the grounds of St Oswald's Church (a Grade 1 listed building).

## **4.0 Relevant Planning History**

- 4.1 There is no planning history associated with the site itself, but planning permission was granted on land immediately to the north under reference 19/02985/COU for a change of use from agricultural land to residential allotments, which is now in operation.

## **5.0 Planning Policy Context**

### National Planning Policy Framework (NPPF 2021)

- 5.1 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:

- 5.2 Paragraphs 7 – 11 establish that all decisions should be based on the principles of a presumption in favour of sustainable development. One of the three overarching objectives of the NPPF is to ensure a significant number and range of homes are provided to meet the needs of present and future generations (paragraph 8b).
- 5.3 The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force (para 58).
- 5.4 Paragraph 63 requires on site provision of affordable housing where a need is identified.
- 5.5 Local planning authorities should support the development of entry-level exception sites, suitable for first time buyers (or those looking to rent their first home), unless the need for such homes is already being met within the authority's area. These sites should be on land which is not already allocated for housing and should:
- a) comprise of entry-level homes that offer one or more types of affordable housing as defined in Annex 2 of this Framework; and
  - b) be adjacent to existing settlements, proportionate in size to them, not compromise the protection given to areas or assets of particular importance in this Framework and comply with any local design policies and standards (paragraph 72).
- 5.6 Paragraph 110 sets out that in assessing specific applications for development, it should be ensured that:
- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
  - b) safe and suitable access to the site can be achieved for all users;
  - c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code and
  - d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 5.7 Paragraph 111 states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 5.8 Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities (paragraph 126).
- 5.9 Planning decisions should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new developments and avoid noise giving rise to significant adverse impacts on health and the quality of life (para 185).

## Local Plan

- 5.10 The site is allocated as Airport Operational land within the Doncaster Local Plan. It also lies just outside Finningley Conservation Area, which extends to the grounds of St Oswald's Church to the south.
- 5.11 Policy 1 states that in Service towns and villages (including Finningley), a good range of services is provided to meet local needs. To maintain and enhance their role as service towns and larger villages, they will need to provide housing, employment, retail and key services and facilities for the local area and will be a focus for accommodating an appropriate level of growth with priority given to renewing and regenerating run-down neighbourhoods. Additional growth on non-allocated sites within the development limits of the Service Towns and Villages will also be considered favourably.
- 5.12 Policy 2 states that the Local Plan's strategic aim is to facilitate the delivery of at least 920 new homes each year over the plan period (2018-2035) (15,640 net homes in total). Provision is to predominantly meet local housing need in each town and village with a total settlement allocation of 50 houses for Finningley.
- 5.13 Policy 7 states that the delivery of a wider range and mix of housing types, sizes and tenures will be supported through the following:
- a) New housing developments will be required to deliver a mix of house sizes, types, prices, and tenures to address as appropriate the needs and market demand identified in the latest Housing Need Assessment;
  - b) Housing sites of 15 or more homes (or 0.5ha or above) will normally be expected to include 23% affordable homes in the borough's high value housing market areas or a lower requirement of 15% elsewhere in the borough (including starter homes which meet the definition) on site.
- 5.14 Policy 13 sets out that new development shall make appropriate provision for access by sustainable modes of transport to protect the highway network from residual vehicular impact to ensure that:
- a) access to the development can be made by a wide choice of transport modes, including walking, cycling, private vehicles and public transport;
  - b) site layouts and the street environment are designed to control traffic speed through an appropriate network and street hierarchy that promotes road safety for all;
  - c) walking and cycling are encouraged with the development and beyond, through the design of facilities and infrastructure within the site and provision of linkages to the wider network;
  - d) appropriate levels of parking provisions are made; and
  - e) existing highway and transport infrastructure is not adversely affected by new development. Where necessary, developers will be required to mitigate (or contribute towards) and predicted adverse effects on the highway network.
- 5.15 Policy 16 states that the needs of cyclists must be considered in relation to new development and in the design of highways and traffic management schemes to ensure safety and convenience. Provision for secure cycle parking facilities will be sought in new developments.
- 5.16 Policy 17 states that an increase in walking provision in Doncaster will be sought. Walking will be promoted as a means of active travel. Proposals will be supported

which provide new or improved connections and routes, which enhance the existing network and address identified gaps within that network. The needs of pedestrians will be considered and prioritised in relation to new developments, in public realm improvements and in the design of highways and traffic management schemes.

- 5.17 Policy 21 sets out that all new housing and commercial development must provide connectivity to the Superfast Broadband network unless it can be clearly demonstrated that this is not possible.
- 5.18 Policy 28 deals with open space provision in new developments and states that proposals of 20 family dwellings or more will be supported which contribute 10 or 15 per cent of the site as on-site open space to benefit the development itself, or a commuted sum in lieu of this (especially where the site is close to a large area of open space).
- 5.19 Policy 30 seeks to protect sites and species of local, national and international importance and requires proposals to meet 10 per cent net gain for biodiversity.
- 5.20 Policy 32 states sets out that proposals will be supported where it can be demonstrated that woodlands, trees and hedgerows have been adequately considered during the design process, so that a significant adverse impact upon public amenity or ecological interest has been avoided.
- 5.21 Policy 37 states that proposals should not detract from the heritage significance of a conservation area by virtue of their location, layout, nature, height, density, form, scale, materials or design or by the removal of trees, the loss of important open spaces or other important landscape features, or through adverse impact on key views and vistas.
- 5.22 Policy 41 sets out that imaginative design and development solutions will be encouraged to ensure that proposals respect and enhance identity, character and local distinctiveness. In all cases, proposals will need to demonstrate an understanding of the context, history, character and appearance of the site, neighbourhood and wider area, to inform the appropriate design approach.
- 5.23 Policy 42 states that high-quality development that reflects the principles of good urban design will be supported. Proposals for new development will be expected to follow a best practice design process and where appropriate, use established design tools to support good urban design.
- 5.24 Policy 44 sets out that new housing will be supported where it responds positively to the context and character of existing areas and creates high quality residential environments through good design.
- 5.25 Policy 45 states that new housing proposals will be supported where they are designed to include sufficient space for the intended number of occupants and shall meet the Nationally Described Space Standard as a minimum.
- 5.26 Policy 48 states that development will be supported which protects landscape character, protects and enhances existing landscape features and provides a high quality, comprehensive hard and soft landscape scheme.

- 5.27 Policy 50 states that development will be required to contribute positively to creating high quality places that support and promote healthy communities and lifestyles, such as maximising access by walking and cycling.
- 5.28 Policy 52 states that where housing proposals of 20 or more family dwellings will create or exacerbate a shortfall in the number of local school places, mitigation will be required, either through an appropriate contribution to off-site provision or, in the case of larger sites, on-site provision.
- 5.29 Policy 54 sets out that where developments are likely to be exposed to pollution, they will only be permitted where it can be demonstrated that pollution can be avoided or where mitigation measures will minimise significantly harmful impacts to acceptable levels. This includes giving particular consideration to the presence of noise generating uses close to the site.
- 5.30 Policy 56 states that development sites must incorporate satisfactory measures for dealing with their drainage impacts to ensure waste water and surface water run-off are managed appropriately and to reduce flood risk to existing communities.
- 5.31 Policy 65 states that developer contributions will be sought to mitigate the impacts of development through direct provision on site, provision off site, and contributions towards softer interventions to ensure the benefits of the development are maximised by local communities.
- 5.32 Policy 66 states that where the applicant can demonstrate that particular circumstances justify the need for a Viability Appraisal, the Council will take a pragmatic and flexible approach to planning obligations and consider their genuine impact on viability of development proposals on an independent and case-by-case basis.

#### Other material planning considerations

- 5.33 Several Supplementary Planning Documents (SPDs) have been published, which although largely superseded by the Local Plan can be material considerations in the determination of planning applications, the main ones of which include:

##### *Development Guidance and Requirements SPD (July 2015)*

- 5.34 The SPD sets out the guidance to help implement policies in the Development Plan. This includes design in the urban and rural environment, the historic environment, transport and accessibility, strategic green infrastructure, biodiversity, geodiversity and ecological networks, open space standards and requirements, landscape, trees and hedgerows.

##### *South Yorkshire Residential Design Guide SPD (2011)*

- 5.35 The South Yorkshire Residential Design Guide SPD is intended to provide a consistent approach to design in the development management process and aims to improve the quality of residential design in South Yorkshire.

## **6.0 Representations**

6.1 In September 2020, prior to submitting the application, the applicant delivered leaflets to all properties within the Finningley Parish Council area, extending to approximately 1,300 households. Residents of the households were provided with details of the proposal and directed to a website for further information where consultation responses could also be submitted. 125 responses were received. The majority of responses considered that Finningley is not a sustainable location for new homes.

6.2 The application has been advertised in the press, on site and with letters to properties that are close to the site. 57 letters of objection have been received and these can be summarised as follows:

- i) the village is too small to cope with more houses and there are insufficient services like shops, doctors, schools etc.
- ii) loss of trees and bushes along the lane to the churchyard and its resurfacing.
- iii) the site is a wildlife sanctuary for many species of animals.
- iv) increase in air pollution from the traffic generated from the development.
- v) increased traffic congestion on roads already busy and dangerous, especially with users of the allotments close-by.
- vi) access is off a bend and is likely to cause accidents and is too narrow.
- vii) access to the proposed development site goes along a public footpath and would not permit any safe dedicated pedestrian access along this section.
- viii) the scheme is over-intensive and out of character with the surrounding area.
- ix) the site is not infill.
- x) the land has been used daily by walkers and dog owners with children playing there during school holidays.
- xi) brown spaces should be developed first.
- xii) the village/military cemetery has limited space.
- xiii) residents on the site will be subject to noise and air pollution from the airport.
- xiv) there will be overlooking of properties on St Oswald's Close.
- xv) consideration should be given to the developer paying for traffic calming measures at the border between Finningley and Blaxton and a pedestrian crossing near the duck pond, to ensure the safe crossing of the children on the A614 as they walk to school.
- xvi) the drains will not be able to cope with the additional housing.
- xvii) in the event of an emergency at the airport, it would be extremely difficult for households to evacuate quickly and safely.
- xviii) there is ample scope for building housing elsewhere in the area, for example at Hurst Lane and Mosham Road.
- xix) building applications for the same area have already been turned down several times in the recent past

6.3 One letter of support has been received, stating that the development will provide affordable homes for Finningley residents and will contribute to keeping families local and contribute to turning Finningley back into a village for local people.

## **7.0 Parish Council**

7.1 Finningley Parish Council has objected on the following grounds:

- i) stress on local infrastructure including St Oswald's Primary and Hayfields School and the Doctors Surgery.



- ii) parking for allotment users, plane spotters, and users of the Chinese take away and Post Office.
- iii) access to residents properties.
- iv) potential parking for an extra 80 cars if the spaces are taken up and the scheme does not seem to work with access and egress from the parking spaces.
- v) refuse trucks will not be able to get on to the development if occupants park on the roadside and not in their allocated spaces.
- vi) the proposed access is not wide enough for two cars to pass each other.
- vii) access to the graveyard and Grade 1 listed Church, the Public Right of Way (Church Lane), the allotment site and Post Office.
- viii) in the Local Plan, Finningley is a Service Village designated with "infill only."
- ix) Finningley Service Village reached its housing targets in 2020.
- x) the site is on a dangerous bend, a HGV route, with poor line of sight from entrance/exit junction and is close to 40/30 mph change in Station Road.

## 8.0 Relevant Consultations

- 8.1 **Transportation:** has responded and has raised no objections given the limited amount of traffic generated by the development and the commitment to cycle parking and EV charging for each dwelling.
- 8.2 **Highways:** The road layout from the A614 to access the site is acceptable with good visibility in all directions. Most properties have two allocated spaces and there are plenty of visitor spaces distributed throughout the site. There are some concerns regarding the pedestrian access to and from the site crossing over the A614. This site will double the number of properties on this estate. A safe crossing point on the A614 for pedestrians would help encourage pedestrian to access the shops and support bus users, whereas the current provision may encourage short car journeys to access the shops and discourage use of bus services if crossing the A614 is too difficult.
- 8.3 **PROW:** The public rights of way team has no objection in principle to the proposed development.
- 8.4 **Ecology:** The survey work shows that there will be no adverse impact on any protected species. The Ecology Officer is however concerned that the retention of existing vegetation has been given very little consideration with the loss of a significant amount of vegetation including the hedgerow on the eastern boundary. However, there is a biodiversity net gain of 10 per cent with off-site compensation with either ecological enhancement elsewhere or a commuted sum and as such, the proposal complies with policy 29 of the Local Plan.
- 8.5 **Trees:** The Tree Officer has raised no objections subject to a condition requiring tree protection measures to be in place during construction.
- 8.6 **Conservation:** The Conservation Officer has responded and has raised no objections.
- 8.7 **South Yorkshire Archaeology Service:** The site is just outside the historic core of Finningley. It borders the medieval church to the south, but any settlement is likely to have been focussed between the church and the village greens to the east, not the north and west. Aerial photographs show a large circular feature in the middle of the site. Plans show this to be one of the old 'frying pan' concrete hard standings of RAF Finningley where planes were stationed. Archaeological evaluation on sites

with similar features has shown the ground to be very disturbed with negligible archaeological evidence recoverable. The archaeological potential of this site is minimal and no archaeological investigation is required in connection with the development of this site.

- 8.8 **Environmental Health (Noise):** have raised no objections subject to a condition requiring a Construction Method Statement.
- 8.9 **Contamination:** Happy that the area in question has been risk assessed in an appropriate manner and that no remediation is required. The gas monitoring confirms that no gas protection measures are required.
- 8.10 **Air quality:** Have raised no objections subject to a condition requiring EV Charging points.
- 8.11 **Yorkshire Water:** has responded and has raised no objections.
- 8.12 **Drainage:** have asked for further information, which is to be covered by a planning condition.
- 8.13 **Public Health:** have raised no objections and are pleased to see that the proposed development includes provision for cycle parking.
- 8.14 **Open Space:** have requested a commuted sum of 15% to be provided in lieu of onsite open space.
- 8.15 **Strategic housing:** The Affordable Housing Officer has stated that demand for affordable rented housing in Finningley parish is very high, with the requirement being specifically high for two bed properties, followed by three bed family properties. This proposed development for 100% affordable housing mirrors this specific affordable rented requirement to meet the local need. The housing association agrees to the legal basis by which priority will be provided to local residents of Finningley through either living in the parish, having a strong family connection to the parish or working in the parish.
- 8.16 According to the Housing Needs Study, Finningley has the highest median house prices of all of Doncaster, making Shared Ownership accommodation essential to meet the need and demand for employed local residents who cannot afford to purchase an open market property in Finningley. Locally, there is limited existing affordable housing, which increases the need and demand of new build affordable housing even more. The properties will be built to a high standard, including insulation levels and energy efficiency measures to help minimise fuel poverty and high-energy bills. The properties exceed the Nationally Described Space Standards.
- 8.17 **Education:** has requested a contribution of £109,782 towards The Hayfield School to fund an additional six school places.
- 8.18 **NATS:** has no safeguarding objections to the proposal.
- 8.19 **Superfast South Yorkshire:** has raised no objections subject to a condition.

## **9.0 Ward members**

9.1 Councillor Steve Cox has raised the following concerns:

- i) additional traffic onto Station Road.
- ii) issues raised in some of the surveys regarding drainage, foul and surface water.
- iii) pedestrian access to the shops/doctors etc.
- iv) parking issues in Finningley, especially lack of parking for plane spotters.
- v) management of the green space.
- vi) how affordable would the properties be?

9.2 Councillor Richard Jones has objected for the following reasons:

- i) this application is too high in density and would be more appropriate if built to the similar design of the adjacent properties.
- ii) would noise issues be mitigated better below bund level?
- iii) improvements are needed for residents to access the local shop and the recreation ground, with maybe a pelican type crossing adjacent to the shop.
- iv) need for improvement for vehicular entrance and exit to the proposed development.
- v) open space provision is insignificant.
- vi) provision to contribute to the community facilities would be more beneficial in this application.

## **10.0 Assessment**

10.1 The issues for consideration under this application are as follows:

- Principle of development;
- Impact on Amenity
- Design and Impact on the character and appearance of the area
- Ecology
- Trees and Landscaping
- Highway safety and traffic
- Flooding
- Noise
- Contamination
- Energy efficiency
- Economy
- S106 obligations
- Overall planning balance

### Principle of Development

10.2 The Local Plan shows the site as Airport Operational Area. The site lies immediately adjacent to Finningley, which is designated as a Service town and a village where there is a need to provide housing and will be a focus for accommodating an appropriate level of growth to meet their local needs.

10.3 Policy 2 of the Local Plan includes a target for 50 new houses to be allocated to this area. This need is already being met through three allocated sites in the Local Plan totalling 67 dwellings. It should be noted however that this is not a ceiling on the amount of development for the area.

- 10.4 The site is considered to relate well to the settlement form of Finningley. It would not significantly harm the character and appearance of the village. Also, given that the western boundary is the Airport, the proposal would not harm the character and appearance of the surrounding countryside or the rural setting of the settlement; it would be a natural rounding off of the village.
- 10.5 The site is well integrated into the village and is sustainable, being located within walking distance of local facilities including the primary school, parks, pubs, a medical centre and a post office. There are also bus stops close to the site on the A614, allowing access to the wider area including Doncaster town centre. The bus services include 57F which serves Doncaster, Auckley and Finningley and runs approximately every 30 minutes Monday to Saturday and 58F, which serves Doncaster, Bessacarr and Finningley every hour in the evenings.
- 10.6 Paragraph 72 of the NPPF states that local planning authorities should support the development of entry-level exception sites, suitable for first time buyers (or those looking to rent their first home), unless the need for such homes is already being met within the authority's area. These sites should be on land which is not already allocated for housing and should comprise of entry-level homes that offer one or more types of affordable housing and be adjacent to existing settlements, proportionate in size to them (i.e. should be no larger than one hectare in size or exceed 5 per cent of the size of the existing settlement), not compromise the protection given to areas or assets of particular importance in this Framework and comply with any local design policies and standards.
- 10.7 This proposal is considered to meet the criteria set out in paragraph 72 of the NPPF. Demand for affordable rented housing in Finningley parish is very high, with the requirement being specifically high for two bed properties followed by three bed family properties and so the need is not already being met. The land is not already allocated for housing and comprises entry-level homes that offers both shared ownership and affordable rented properties. The site is adjacent to the settlement of Finningley and would be no larger than 5 per cent of the size of it. A survey based on Council Tax showed that there were 775 households in Finningley in 2018. The actual figure will be higher than that now, as this did not account for empty homes and the houses that have been built since then. Even at 775 houses, the percentage of an additional 33 is 4.25 per cent and so is below the 5 per cent set out in paragraph 72 of the NPPF. As will be seen below, it does not compromise the protection given to areas or assets of particular importance and complies with local design policies and standards.

### **Sustainability**

- 10.8 The NPPF 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
- 10.9 There are three strands to sustainability and these are social, environmental and economic. Paragraph 10 of the NPPF states in order that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.

## **SOCIAL SUSTAINABILITY**

### Impact on Residential Amenity

- 10.10 The scheme has been designed to ensure that there is no loss of amenity to existing residential properties to the east of the site on St Oswald's Drive. The separation distances are well in excess of the standards set out in the Council's SPD. Separation distances between houses within the proposed development also meet the Council's standards.

## **ENVIRONMENTAL SUSTAINABILITY**

### Design and impact upon the character of the area including the Conservation Area

- 10.11 The density of the development at 31 dwellings per hectare is considered acceptable and in keeping with the character of the surrounding area. The scale of the properties at two storeys is also in keeping with the type of housing that surrounds the site.
- 10.12 When the application was first submitted, there were a number of design concerns raised about the scheme. These included too much frontage parking on parts of the site, National Space Standards not being met and the need for dual aspect properties at key points in the layout. Concerns were also raised about boundary treatments in that a more robust boundary treatment was required along the western edge of the site (for security reasons) and a more soft treatment along the greener edges of the site to the east and south to retain more trees and respect the green nature of the lane and the setting of the cemetery to the south.
- 10.13 Amended plans were submitted to address all of these concerns. The number of houses was reduced by three and this allowed more space for parking at the side of the properties. A more secure 1.8m high close boarded fence is to be erected along the western boundary on the inside of the existing hedge to soften its impact. A 1.5m high green paladin type mesh fence is proposed along the southern boundary with the existing hedge retained. A mixture of retained hedges and trees together with the green paladin fencing are proposed along the eastern boundary to retain the green character along the lane. The Conservation Officer and Tree Officers are now happy with the scheme, as it retains the green character along the lane and also respects the setting of the cemetery by retaining the hedge and trees along this boundary.
- 10.14 The design of the proposed houses is acceptable as they have some additional architectural detailing such as stone effect window cills and canopies, which adds to the interest of the design. The proposed materials will match existing dwellings on St Oswald's Close and surrounding estates that reflect the character of Finningley and include red brick with red and dark grey roof tiles (to be secured by a planning condition). The application therefore accords with policies 41, 42, 44 and 45 of the Local Plan and guidance set out in the NPPF.

### Ecology

- 10.15 An Ecological Impact Assessment has been undertaken as part of this planning application together with a number of surveys covering bats, invertebrates and reptiles.

- 10.16 The reptile survey provides the most significant results, with several reptiles being found just off-site. Mitigating for a small number of reptiles can be carried out through a Construction Ecological Management Plan (CEMP) and this is secured by a condition. Bat activity surveys identified that the proposed development is unlikely to impact significantly on the local bat populations and that mitigation should be in the form of the retention of existing habitat features such as the hedgerows and the inclusion of bat boxes in the proposed dwellings (also secured by a planning condition). Although there were a small number of invertebrates of local note, no significant species were found that would be a significant constraint, but the retention of existing vegetation where possible would be of benefit. No active badger setts or other evidence of badger activity has been identified on site. The current likely absence of badger can therefore be reasonably concluded.
- 10.17 The permanent loss of significant habitats on site have resulted in a deficit in habitat and hedgerow units as shown in the biodiversity net gain assessment submitted with a -84% and -8% losses respectively. The total habitat units lost is 4.27 biodiversity units taking into account the minimum 10% net gain requirement from policy 30 of the Local Plan. Where there is a deficit in biodiversity net gain from developments, then these have to be discharged through off site provision either in the form of ecological enhancements on land that the applicant owns or on sites that the Council has identified, with a commuted sum paid to the Council. The applicant is to provide off-site ecological compensation in the form of enhancements on another site, or they will make a payment of £106,700 to the Council (based on a sum of £25,000 per unit) for it to provide ecological enhancement on an alternative site; this will be secured through a Section 106 Agreement.
- 10.18 There are no impacts on any protected species and ecological compensation is being offered to meet the 10 per cent Biodiversity Net Gain and so the proposal accords with policy 30 of the Local Plan.

#### Trees and Landscaping

- 10.19 An Arboricultural Impact Assessment has been submitted with the planning application. The report includes an assessment of the trees on site and a tree protection plan for the construction period. The report identifies a total of 14 trees on site and a further 5 groups, including boundary hedgerows.
- 10.20 Of the trees on site, the majority are classified as category C (low quality) specimens, with only one category A (high quality) tree, which is an Oak. The tree protection plan confirms retention and protection of this oak, as well as another two oak trees (T4 and T5) and a Cherry Tree (T14). It is also confirmed that the boundary hedgerow to the west will be retained and protected.
- 10.21 As part of the landscaping scheme for the development, it is proposed to introduce a range of new street trees and boundary landscaping, including five extra heavy standard trees, one heavy standard and 15 selected standard trees. A detailed landscaping scheme is to be secured by a planning condition.
- 10.22 Overall, the proposed layout has sought to protect existing trees where appropriate, as well remove those that are recommended for removal as part of good arboricultural management. In order to ensure an appropriate and high-quality response to landscaping and biodiversity, a wide range of replacement tree

planting and landscaping is proposed. The application therefore accords with policy 48 of the Local Plan.

#### Impact upon Highway Safety

- 10.23 A Transport Statement (TS) has been submitted with the application. The proposed access has been designed and agreed with the Council's Highways department with an independent road safety audit undertaken to ensure that the junction is designed and constructed to the required road safety standards. The TS sets out that the access junction has capacity to serve the additional 33 dwellings.
- 10.24 As part of the TS, a trip generation assessment has also been undertaken. This concludes that when fully built, the proposals are expected to generate 18 two-way vehicle trip movements during a typical weekday AM peak hour (one every 3 minutes) and 17 during the PM peak hour. The proposed development will therefore not have a significant impact on the operation of the local highway network or site access junction.
- 10.25 It is anticipated that the development will attract the usual servicing requirements such as refuse collection. The development design and layout allows for all manoeuvres to take place within the site. Sufficient parking is provided for each plot together with adequate visitor parking.
- 10.26 Footways are generally available on both sides of the adjoining roads network. Along Church Lane, the section between Golden Sun Takeaway restaurant and the proposed site access, footways are available on one side (eastern flank) reverting to both sides along St Oswald's Close / St Oswald's Drive. From site observations and review of the Personal Injury Incidents, the road network is deemed to be safe for pedestrians. The development is not creating the need for a pedestrian crossing on the A614 and so cannot be secured either by condition or a 106 Agreement even if it were viable. The application therefore accords with policies 13, 16 and 17 of the Local Plan and guidance set out in the NPPF.

#### Flood Risk, Foul and Surface water drainage

- 10.27 A Flood Risk Assessment and Drainage Strategy has been undertaken and confirms that the site falls entirely within Flood Zone 1. A series of tests and analysis has been carried out to assess the flood risk on site and any impacts on future development. The site has been found not to be at risk of flooding from river or tidal water. The report concludes that the site is considered to be acceptable for residential development.
- 10.28 Infiltration testing has been carried out to inform the surface water drainage solution, concluding that soakaways can be used on site, designed to cater for a 1:100 year storm event plus 30%. In terms of foul water, a gravity connection cannot be achieved due to site levels and a pumped connection is therefore proposed, with connection to the public foul sewer crossing Doncaster Road.
- 10.29 The proposals therefore accord with policy 56 of the Local Plan.

## Noise

- 10.30 An Acoustic Assessment has been undertaken to accompany this application; it has assessed the impact of noise sources within the vicinity of the site, principally the nearby airport.
- 10.31 It has been demonstrated that with the mitigation recommended, including ceiling insulation and enhanced double glazing to all bedrooms with acoustic trickle vents, that noise will not cause an unacceptable impact on the residential amenity of the properties (details to be secured by a planning condition). The report concludes that for the large majority of the daytime period, garden areas would enjoy a reasonable degree of amenity.
- 10.32 It is therefore considered that the proposed development accords with guidance in the NPPF and policy 54 of the Local Plan.

## Contamination

- 10.33 The application is supported by a series of detailed site investigation reports that demonstrate the suitability of the site for the proposed development. This includes a Phase I and Phase II Site Investigation, as well as ground gas monitoring results. It is concluded there are no risks from ground gas that require protection and ground conditions are suitable for development of the proposed houses. The application therefore accords with policy 54 of the Local Plan.

## Energy Efficiency

- 10.34 The proposals seek to implement a fabric first approach to reduce the carbon footprint of the development. This approach places greater emphasis on the thermal performance of the building envelope to ensure that thermal performance and sustainability is embedded within the fabric for the lifetime of the building.

## **ECONOMIC SUSTAINABILITY**

- 10.35 The proposed development will support a range of economic benefits including 40 direct full time construction jobs.

## OTHER ISSUES RAISED BY OBJECTORS NOT ALREADY ADDRESSED IN THE REPORT

- 10.36 A number of issues have been raised by residents and these have been covered in the report. One issue raised includes that the cemetery has limited space. No evidence has been submitted to substantiate this claim, but the land is in private ownership and there is nothing in the Local Plan that requires this land to be safeguarded for an extension to the cemetery. Also, it has been mentioned by some that there is insufficient parking for allotment users, plane spotters, Chinese take away Users and Post Office Users. Again, there is no evidence to substantiate this, but even if there were, then it is not for the applicant to address any deficiencies in parking for other users; the applicant has to ensure that there is sufficient parking available for its own development and it has done this.



## **PLANNING OBLIGATIONS**

- 10.37 Under the relevant policies of the Local Plan, there would be a requirement for an off-site open space contribution (to make up the shortfall of 15 per cent on site provision), as per policy 28 of the Local Plan. There would be a requirement for an education contribution of £109,782 towards Hayfield School to fund an additional six school places as required by policy 52 of the Local Plan. There is also a requirement for off-site ecological enhancements or a contribution of £106,700 in lieu of this to meet ten per cent Biodiversity Net Gain as per policy 30 of the Local Plan. The proposal clearly exceeds its affordable housing requirement in that it is for 100 per cent as opposed to the 23 per cent requirement under policy 7 of the Local Plan.
- 10.38 The proposal meets the Biodiversity Net Gain requirement and this will be secured through a Section 106 Agreement. The proposal also exceeds the requirement for affordable housing, being 100 per cent affordable and this will also form part of the 106 Agreement. As with most schemes that are for 100 per cent affordable housing, there are viability issues in meeting other policy requirements for contributions. The applicant has submitted a viability assessment and this has been checked by the Council's Housing Officer. The Viability Assessment shows that the scheme is unviable for any contributions other than 100 per cent affordable housing and the off-site ecological enhancement or commuted sum of £106,700 in lieu of that. It should be noted that the scheme meets all other policy requirements in terms of National Minimum Space Standards, Electric vehicle charging and Superfast broadband. The application therefore accords with 66 of the Local Plan and guidance within the NPPF.

## **11.0 PLANNING BALANCE & CONCLUSION**

- 11.1 The proposal accords with guidance set out in the NPPF. Demand for affordable rented housing in Finningley parish is very high and the need is not being met. The site is adjacent to the settlement of Finningley and would be no larger than 5 per cent of the size of it. The proposed development will deliver local needs affordable housing for residents who are able to demonstrate a local connection. Whilst there has been housing development in the area in recent years, very little of this has been affordable housing for local needs, as demonstrated through the Council's evidence for affordable housing need in the area. The delivery of 100% affordable homes represents a significant benefit, addressing a need for local families. The properties will be secured as affordable housing in perpetuity with clear eligibility criteria ensuring they are allocated to people in need with a genuine local connection.
- 11.2 There are no highway concerns with the proposal and the scheme has been designed to ensure that there is no impact on nearby residential properties. The scheme has been designed to meet Local Plan policies including National Minimum Space Standards. The most important trees on site are being retained and will be enhanced through additional planting. Off-site ecological enhancement will ensure that the scheme achieves a 10 per cent Biodiversity Net Gain.
- 11.3 The proposal will deliver much needed affordable housing in a sustainable location and this weighs heavily in its favour.

## 12.0 RECOMMENDATION

### 12.1 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) 100% affordable housing to be secured in perpetuity.
- b) Off-site ecological enhancement or a commuted sum of £106,700 for the Council to identify and provide ecological enhancement on an alternative site.

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

**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**

#### Conditions / Reasons

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

##### REASON

Condition required to be imposed by Section 91(as amended) of the Town and Country Planning Act 1990.

2. The development hereby permitted must be carried out and completed entirely in accordance with the terms of this permission and the details shown on the approved plans listed below:

Drawing number 001 Rev A dated Feb 2021 (Location plan)

Drawing number 003 Rev G dated Feb 2021 (Site plan)

Drawing number R/2464/1D dated Mar 21 (Landscape masterplan)

Drawing number 004 Rev H dated Feb 2021 (Hard landscape and boundary treatment plan)

Drawing number BT / SHEET 01 dated 13.09.11 (Boundary railing detail)

Drawing number BT / SHEET 05 dated 13.09.11 (Boundary close boarded fence)

Drawing number BT / SHEET 27 dated 22.02.12 (Boundary screen fence and wall)

Drawing number BT / SHEET 40 dated 21.12.21 (Mesh security fence)

Drawing number NDS-13(FA) dated Sept 2021 (House type 13)

Drawing number NDS-31 dated Sept 2021 (House type 31)

Drawing number NDS-33(M4(2)) dated Sept 2021 (House type 33)

Drawing number STE/21/06/07/01 A dated 22.07.21 (Drainage plan)

Drawing number STE/21/06/07/02 A dated 22.07.21 (Drainage plan)

##### REASON

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

3. Prior to the commencement of the development hereby granted a scheme for the protection of the root protection areas of all retained trees and hedgerows that complies with clause 6.2 of British Standard 5837: 2012 Trees in Relation to Design, Demolition and Construction Recommendations shall be submitted to and approved in writing by the Local Planning Authority. Tree protection shall be implemented on site in accordance with the approved details and the local planning authority notified of implementation to approve the setting out of the tree protection scheme before any equipment, machinery or materials have been brought on to site for the purposes of the development. Thereafter, all tree protection shall be maintained in full accordance with the approved details until all equipment, machinery and surplus materials have been removed from the site, unless the local planning authority gives its written approval to any variation. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

REASON

This is required prior to commencement to ensure that all trees are protected from damage during construction in accordance with in accordance with Local Plan Policy 32.

4. Before the construction of any dwellings on site, a character area strategy and details of materials shall be submitted to and approved in writing by the Local Planning Authority. The LPA may request samples be provided if required. The development shall be carried out in accordance with the approved materials and details.

REASON

To ensure the satisfactory appearance of the development.

5. No development shall take place on the site until a detailed soft landscape scheme, has been submitted to and approved in writing by the Local Planning Authority. The soft landscape scheme shall include a soft landscape plan; a schedule providing plant and tree numbers and details of the species, which shall comply with section 8 Landscape, Trees and Hedgerows of the Council's Development Guidance and Requirements guide, nursery stock specification in accordance with British Standard 3936: 1992 Nursery Stock Part One and planting distances of trees and shrubs; a specification of planting and staking/guying; a timescale of implementation; and details of aftercare for a minimum of 5 years following practical completion of the landscape works. Thereafter the landscape scheme shall be implemented in full accordance with the approved details and the Local Planning Authority notified in writing within 7 working days to approve practical completion of any planting within public areas or adoptable highway within the site. Soft landscaping for any individual housing plot must be implemented in full accordance with the approved scheme, prior to occupation of the home, which will be monitored by the Local Planning Authority. Any part of the scheme which fails to achieve independence in the landscape, or is damaged or removed within five years of planting shall be replaced during the next available planting season in full accordance with the approved scheme, unless the local planning authority gives its written approval to any variation.

REASON

In the interests of environmental quality and policy 48 of the Local Plan.

6. Upon commencement of development, details of measures to facilitate the provision of gigabit-capable full fibre broadband for the dwellings/development hereby permitted, including a timescale for implementation, shall be submitted to

and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

**REASON**

To ensure that all new housing and commercial developments provide connectivity to the fastest technically available Broadband network in line with the NPPF (para. 114) and Policy 21 of the Doncaster Local Plan.

7. Prior to the construction of any dwellings on site, 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 first dwelling/development shall not be occupied until the approved connection has been installed and is operational and shall be retained for the lifetime of the development. The development shall be carried out in accordance with the approved details.

**REASON**

To contribute towards a reduction in emissions in accordance with air quality objectives and providing sustainable travel choice in accordance with policy of the Local Plan.

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

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

**REASON**

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

9. Prior to the occupation of each dwelling on site, noise mitigation measures for that property including enhanced ceiling construction, glazing and ventilation shall have been carried out in accordance with the details set out in section 4 of the submitted Noise Impact Assessment by ENS dated 15th March 2021 referenced NIA/8269/19/8222/v3/Church Lane, Finningley.

**REASON**

To mitigate against the impact of noise from the airport in accordance with policy of the Local Plan.

10. Monitoring Plan for proposed onsite habitats shall be submitted to the Local Planning Authority for approval in writing. The Management and Monitoring plan shall detail the following:
  - A 30 year adaptive management plan for the site detailing the management measures to be carried out in order to achieve the target conditions proposed for each habitat parcel.

- Objectives relating to the timescales in which it is expected progress towards meeting target habitat conditions will be achieved.
- That monitoring reports shall be provided to the LPA on the 1st November of each year of monitoring (Years 1, 2, 5, 10, , 25 and 30) immediately following habitat creation. GIS files showing the current habitat condition of each habitat parcel will accompany each monitoring report.

Once approved in writing the management measures and monitoring plans shall be carried out as agreed.

**REASON**

To ensure that habitat creation on site and subsequent management measures are sufficient to deliver a net gain in biodiversity as required by the NPPF paragraph 170.

11. On or before the commencement of development, a Construction Ecological Management Plan shall be submitted to the LPA for approval and then implemented in accordance with the approved details. Measures will be based on recommendations in the Ecological Impact Assessment (Brookes Ecological, Ref. ER-3389-07 01/12/21)

**REASON:**

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

**Fig 1: Proposed site plan**

CODE	MISS	M4-2	TYPE	NO	SGM	TOTAL SGM	SOFT	TOTAL SQFT
NDS 33 M4-2	✓	✓	2 Bed AP	12	55.62	557.44	868	15416
NDS 13M0	✓	✓	3 Bed SF	1	54.84	54.84	1021	1521
NDS 31 M4-2	✓	✓	3 Bed SF	20	54.84	1096.8	1021	26420
				33		2999.08		31857



**Fig 2: Typical house type**

