

<b>Application</b>	<b>3</b>
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<b>Application Number:</b>	21/02867/FULM
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<b>Application Type:</b>	Full Planning Permission
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<b>Proposal Description:</b>	Erection of stables and change of use of field to equestrian use (Amended plans - change of access and design of stable block as well as the addition of a perimeter fence.)
<b>At:</b>	Land On The North Side Of Bawtry Road Finningley Doncaster DN9 3BX

<b>For:</b>	Natalie O'Connor G.A Mell (Builders)Ltd
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<b>Third Party Reps:</b>	20 objections received in respect of the amended scheme, 18 in respect of the original proposal	<b>Parish:</b>	Finningley
		<b>Ward:</b>	Finningley

<b>Author of report</b>	Mary Fleet
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## SUMMARY

This proposal seeks full planning permission for the erection of stables and change of use of field to equestrian use. The plans have been amended since the application was originally submitted: the position of the access and the design of the stables has been altered and a perimeter fence has been included in the proposal.

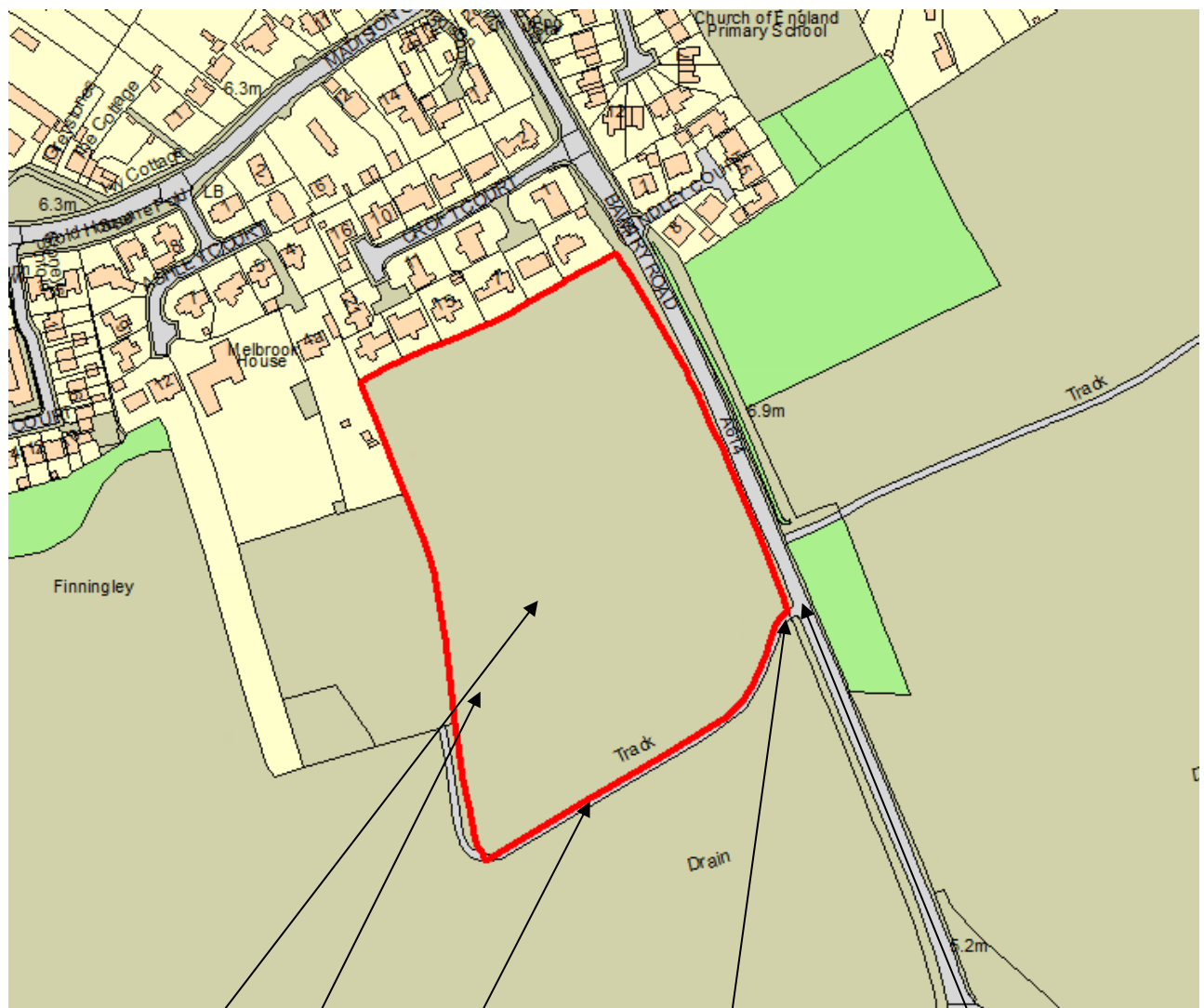
The proposal is compliant with policy however both the original and the amended plans have received a number of objections both from members of the public and from the Parish Council.

This report will demonstrate this policy compliance focusing on both the principle of the development as well as on matters relating to character, amenity and ecology. In addition to this technical considerations will be discussed relating both to drainage and highways. The report will note consultee responses and respond at relevant points to matters raised in representations.

Having considered these matters the report concludes that the proposed development will not cause undue harm to the character of the countryside, to the existing ecology of the area or to the amenity of local residents.

**Recommendation:** grant planning permission subject to conditions

**RECOMMENDATION: GRANT planning permission subject to conditions.**



Application site

Historic position of access track

Existing access

A614 to Bawtry

Approximate location of the proposed stables

## **1.0 Reason for Report**

- 1.1 The application is being presented to Members given the amount of public interest in the proposal.
- 1.2 Local residents and the Parish Council have objected to the principle of the development as well as in terms of the impact of the proposal on the character of the countryside, on amenity, and on ecology. Concerns have also been expressed in terms of the access however it is not clear as to which plans objectors have considered when making those comments but they appear to relate to the original scheme.

## **2.0 Proposal and Background**

- 2.1 Planning permission is sought for the erection of a stable block as well as for the change of use of land to equestrian. The designation of the site in the Doncaster Local Plan (adopted Sept 2021) is Countryside Policy Area. The original application has been amended to alter the design of the stables as well as the position of the access. A fence has also been added to the access in order to avoid the need for a condition regarding this and latterly an amendment has been received confirming that the gates will open inwards in order to meet with highways requirements.

## **3.0 Site Description**

- 3.1 The site is currently an arable field located to the south of the village of Finningley, accessed off Bawtry Road. Residential properties are located to the north of the site just inside the settlement boundary. The eastern extent of the site is bound by Bawtry Road and to the south and west the site adjoins residential garden and otherwise open countryside.
- 3.2 The site is relatively level land currently used for the growing of arable crops. The access to the site is currently informal though the kerb has been dropped to allow access on to the A614.
- 3.3 The site is edged on all sides by trees and hedges which serve to break up the views across the site from the road.

## **4.0 Relevant Planning History**

- 4.1 The site has no relevant planning history.

## **5.0 Site Allocation**

- 5.1 The site is identified within the Local Plan as Countryside Policy Area. The site adjoins the settlement boundary of Finningley village. In addition to this the site is in Flood Zone 1 and therefore at low risk of flooding.

## **5.2 National Planning Policy Framework (NPPF 2021)**

- 5.3 The National Planning Policy Framework 2021 (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. Planning

permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions and the relevant sections are outlined below:

Paragraph 38 (Decision making)  
Paragraph 47 (Determining applications)  
Paragraph 56 (Planning Conditions)  
Paragraph 84 (Building a strong and competitive economy)  
Paragraph 111 (Promoting sustainable transport)  
Paragraph 130 (Achieving well designed places)  
Paragraph 167 (Meeting the challenge of climate change, flooding and coastal change)  
Paragraph 174 (Conserving the natural environment)  
Paragraph 183 (Ground conditions and pollution)

### **Local Plan**

- 5.4 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). The following Local Plan policies are relevant in this case:
- 5.5 Policy 1 Settlement Hierarchy (Strategic Policy)
- Policy 2 Level of Growth (Strategic Policy)
- Policy 13 Promoting Sustainable Transport in New Developments (Strategic Policy)
- Policy 25 Development in the Countryside Policy Area
- Policy 29 Ecological Networks (Strategic Policy)
- Policy 30 Valuing Biodiversity and Geodiversity (Strategic Policy)
- Policy 41 Character and Local distinctiveness (Strategic Policy)
- Policy 46 Design of non-residential, commercial and employment development (Strategic Policy)
- Policy 55 Contamination and unstable land
- Policy 56 Drainage
- 5.6 There is no neighbourhood plan at the current time for Finningley.

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

- Transitional Developer Guidance (2022)
- South Yorkshire Residential Design Guide 20(2015)
- National Planning Policy Guidance

## **6.0 Representations and consultations**

- 6.1 This application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015 by means of site notice, council website, and neighbour notification.
- 6.2 The application was initially submitted on the 20<sup>th</sup> September, 2021 and advertised via site notice on both the 12<sup>th</sup> November 2021 and on the 22<sup>nd</sup> July, 2022 as well as via neighbour letter on the 2<sup>nd</sup> November 2021, on the 15<sup>th</sup> July, 2022 and the 6<sup>th</sup> October, 2022.
- 6.3 Comments have been made in respect of the shorter period of consultation afforded to the latest iteration of the plans. This was done so as to expedite the application to the committee stage for a decision given the age of the application – from the applicant's perspective but also in respect of the local people who have objected. It is considered advantageous to determine the application at the earliest opportunity, with the expectation this would be a committee decision.
- 6.3 20 objections have been received in respect of the scheme currently being considered. The original scheme received 16 objections whilst the later amendments (which altered the design of the stables and the location of the access track received a total of 18 objections. A summary of the material planning issues raised is set out below. Where the details will not be covered in the remaining analysis of the report they are answered here.

Concerns raised in the representations are as follows:

- Contrary to policy 26a and therefore inappropriate development- no need has been identified. Having received representations relating to policy 26a the applicant has provided a statement setting out the merits of the application in relation to this policy. Arguably though policy 26 isn't of relevance to this application the main consideration is policy 25 and the suitability of the proposal in a countryside policy area.
- Loss of amenity in respect of the change to equestrian use as well as in respect of increase vehicle movements.
- Detrimental to the character of the area.
- The scale/design of the stable block as well as the extent of the proposed change of use of land, plus the addition of the fence.
- Ecologically detrimental.
- No benefit either to the community or to the local economy. The proposed use is less sustainable.
- Concerns expressed over the suitability of the access (though made in respect of the later advertisement the comments appear to relate to the earlier iteration of the plans)
- Drainage issues lack clarity.

6.4 Other matters have been raised which are not material and therefore would not be considered as part of this report. These are as follows:

- It is considered that the stables would be better located on adjoining land owned by the applicant and notes the fact that this is no longer legally prohibited.
- Concerns have been expressed regarding the motives of the developer.
- It will result in loss of revenue for the tenant farmer who has offered to work to increase the biodiversity of the site

## **7.0 Town/Parish Council**

7.1 The Parish Council have objected to the proposal expressing concern that this application is a prelude to residential development; they question the type of application and state that the stables could have been built closer to the applicant's home using permitted development rights. They comment that the agricultural tenant should have security of tenure; that the application will be detrimental to wildlife, as well as expressing concerns regarding the expansion of the village.

## **8.0 Relevant Consultations**

8.1 **South Yorkshire Archaeology Service** – no objections to either the original or the amended proposal including to the reinstatement of the track.

8.2 **DMBC Ecology** – No objections subject to the inclusion of a condition relating to the development of an adaptive management plan.

8.3 **DMBC Tree Officer** – no objections and no requirements for conditions. There are no issues with the fact that the access track has been ploughed over.

8.4 **Environment Agency** – have confirmed that they have no objections given the location of the site in flood zone 1.

8.5 **DMBC Pollution Control** – have requested an informative note relating to development being undertaken in the proximity of infilled land.

8.6 **DMBC Internal Drainage** – have no objections and require a condition adding to ensure the surface water drainage impacts are dealt with adequately.

8.7 **DMBC Highways Development Control** – objected to the plans to make the access more informal. They are supportive of the amended plans now subject to conditions.

8.8 **DMBC Area Manager** – no response.

8.9 **Anglian Water** – no response.

8.10 **Severn Trent** – responded with standard informative note

8.11 **National Grid** – standard response from Cadent Gas.

**8.12 Stronger Communities** – no objections but note the need for the access to meet highways requirements.

**8.13 Yorkshire Wildlife Trust** – no response.

**8:14 Environmental Health** – no objections but have noted that the location of the manure heap should be conditioned.

**8:15 East Drainage Board** - no response

## **9.0 Assessment**

9.1 The proposal seeks permission for the erection of stables and the change of use of land to equestrian. It is being considered on the basis of the amended plans dated 5.10.22. In considering the proposal the main material planning considerations are outlined below:

- The acceptability of the change of use of land for equestrian use.
- The impact on the character of the area
- The impact on neighbouring residential properties
- The impact on the ecology of the highway network and highways standards
- The acceptability of the access.
- Flooding and Drainage issues

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

- Substantial
- Considerable
- Significant
- Moderate
- Modest
- Limited
- Little
- No

### Appropriateness of the proposal

9.3 The site is identified within the Local Plan as Countryside Policy Area. As such applications are assessed against policy 25 of the Local Plan. In respect of non-residential development part 4 of the policy states that proposals for non-residential developments will be supported provided that:

A) the rural location of the enterprise is justifiable to support a prosperous rural economy in accordance with national policy in the NPPF;

B) the location of the enterprise would not have a significant adverse effect on neighbouring uses or on highway safety;

C) the development is of a size (including floorspace) and scale commensurate with an existing use, or that reasonably required for a new use, and with the rural character of the location; and

D) the scale and design of the proposal would not have a significant adverse impact on the landscape.

- 9.4 The proposed change of use of land to equestrian from agricultural is acceptable in principle. The locating of stables and grazing of horses admittedly is a change from the current arable use however it is a use that by its nature tends to be located on the outskirts of settlements and is one of the uses characteristic of the countryside.
- 9.5 Compliance with policy 25 therefore depends on an assessment of the change of use on residential amenity, on highway safety as well as on the character of the area. As part of the consideration of the impact on the character of the area it is necessary to consider both the extent of the change of use, the scale of the proposed stables as well as the other changes which are required on site to facilitate the equestrian use. An assessment of this change will be made in the following paragraphs under the relevant headings. However, the proposal, subject to consideration and acceptability of these matters means that the proposal is in accordance with Policy 25 of the Doncaster Local Plan.

### Sustainability

- 9.6 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
- 9.7 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

- 9.8 Policy 25, part 4(b) states that the enterprise would not have a significant adverse effect on neighbouring uses or on highway safety.
- 9.9 Policy 46 of the Local Plan states that proposals will be supported where they are designed to (A.2.) have no unacceptable negative effects upon the amenity of neighbouring land uses or the environment.
- 9.10 Paragraph 130f) of the NPPF states that planning policies and decisions should ensure that developments are approved that have a high standard of amenity for existing and future users.
- 9.11 Paragraph 6.2.4 of the Transitional Developer Guidance states that proposals must not cause a nuisance to adjoining or neighbouring occupiers through smell, noise or disturbance. Appropriate planning conditions will be attached to any grant of planning permission, where they can be used to protect a sensitive landscape and /or the amenities of neighbouring properties and may be used to regulate issues such as fencing, vehicle parking areas, lighting and the siting of the manure heap.



- 9.12 The application site is located adjoining residential properties to the north of the site. The stables are proposed in the south west corner of the site; the access track to the very south. Inside the boundary of the site a post and rail fence is proposed to contain the horses and also to protect the boundary of the site.
- 9.13 In terms of residential amenity the issues relevant in the case of this application relate particularly to noise from comings and goings to the stables, the keeping of horses on the land, as well as in terms of odour from the manure heap. The siting of the stables and the nature of the accommodation it is proposed to provide raises no issues relating to overshadowing or in terms of privacy.
- 9.14 In support of the proposal the applicant has provided details of the delivery /access requirements for the stables: farrier access is required 4 times a year; the manure heap to be located to the south of the stables would be removed once a year and haylage and straw bedding delivered 5 times a year. In addition to this vet visits would be approximately every 6- 8 weeks and possible off site visits for shows 4 times a year. Day to day access to the stables is proposed from the applicant's land and will not require the use of a vehicle. This latter point is compliant with paragraph 6.2.2 of the Transitional Developer Guidance which states that developments should ideally be close to the dwelling occupied by the person responsible for the care of the horses.
- 9.15 Given that the stables and the access are proposed to the south of the site this keeps the main focus of activity away from the residential gardens located to the north. Environmental Health have been consulted and have raised no objections provided the manure heap is located to the south of the stables and thus at the furthest distance from these gardens. The exact siting of the heap is to be agreed by condition. The proposed keeping of 4 horses on this site, plus the associated comings and goings related to this, would not be considered to impact significantly on residential amenity either specifically from noise caused by the animals; the siting of the manure heap or in terms of vehicle movements.

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

- 9.16 On the basis of the above information it is not considered that the erection of the stables would have a detrimental impact on amenity. The application is therefore compliant with policy 46 of the Local Plan as well as with paragraph 130f of the NPPF and the Transitional Developer Guidance. This weighs significantly in favour of the application.

### **ENVIRONMENTAL SUSTAINABILITY**

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

- 9.17 Policy 25, part 4 (d) states that in a countryside policy area the scale and design of the proposal (should) not have a significant adverse impact on the landscape.
- 9.18 Policy 41a) 3. and 4. of the Local Plan states that development proposals will be supported where they respond positively to their context, setting and existing site features, respecting and enhancing the character of the locality; and where they integrate visually and functionally with the immediate and surrounding area at a settlement, neighbourhood, street and plot scale.

- 9.19 Paragraph 130c) of the NPPF states that planning decisions should ensure that developments are sympathetic to local character and history, including the surrounding and built environment and landscape setting.
- 9.20 It is acknowledged that the proposed change of use of land will alter the character of this site. In assessing the application against policies 25 and 41 of the Local Plan consideration has been given to the extent of the proposed change of use of land as well as also considering the impact of the proposed physical development on site: that being the stable block, the access track and the proposed perimeter fencing, and for a decision to be made as to whether proposed scheme is reasonable and its impact acceptable in terms of the character of the area.
- 9.21 Contained within the Transitional Developer Guidance is a section on equestrian development. Paragraph 6.1.5 discusses grazing land in particular noting that the council is unlikely to grant planning permission if the amount of land proposed for grazing is insufficient. The guidance goes on to note that the British Horse Society suggest that as a rule the amount of available land should be 2 horses per hectare or 1-1.5 acres per horse or pony. The guidance notes also that there are a number of variables to take into consideration when assessing the amount of land required such as the type, size and fat score of horse/pony being grazed, the type of pasture, the quality of the pasture and the quality of the pasture management. When measured against the minimum requirements set out by the British Horse Society at first glance the 8 acres grazing land that will be created by this application seems quite generous however if you consider that there is little or no grass growth from November until March, then if the field is sectioned off to allowed the grass to regrow the amount of land available quickly reduces. As well as considering horse welfare requirements overgrazing would also be detrimental to the landscape. On balance, although there have been representations made about the extent of the land given over to this change of use, and the impact this will have on the character of the area the proposal is not considered to be unreasonable and it is not considered that a reduction to the site boundary needs to be made.
- 9.22 In addition to the change of use of land the erection of the stables, the re-establishing of the access track and the erection of the stable block will alter views across the site. Representations have been made objecting to both the scale and design of the proposed stables as well as to the addition of the boundary fence. Whilst not quoting any dimensions the Transitional Developer Guidance in section 6.2 does discuss the scale and siting of stables. Paragraph 6.2.1 notes that the siting, scale and design of stables must not have an adverse effect on the quality of the landscape...the number of stables should be proportional to the accommodation of reasonable equestrian needs balanced against the need to protect the countryside and the character of the landscape. Paragraph 6.2.2 goes on to note that stables, tack rooms and feed stores should be situated on one block or a tight grouping of buildings rather than the buildings being dispersed over a wider area – thus reducing the impact of the development. Paragraph 6.3.2 notes also the benefit to be had in locating buildings close to thick hedges to reduce their landscape impact. Looking at the details of this application the stables are confined to one block and are proposed to be located to the south west corner of the site, close to the field boundary, whilst still allowing for access from the adjoining land. Therefore it is considered that this application is compliant with this guidance.
- 9.23 The British Horse Society do publish minimum sizes for stables though these details aren't contained within the Transitional Developer Guidance. The measurements quoted are 3.65m x 4.25m for large horses (so an area of

15.5m<sup>2</sup>). It is however noted that, as with the amount of land, the size of the stables required can vary for several reasons. The footprint of the proposed stables is 165.0m<sup>2</sup> which includes an area for storage amounting to 18.3m<sup>3</sup> therefore the area available for stabling is 146.7m<sup>2</sup> which is more significant than the minimum standard however this gives scope to section off an area in each stable to use for the storage of rugs, tack and any supplementary feed. Considered on this basis the scale of the stables is not considered to be unreasonable. In the context of the field the structure will occupy a very small footprint and being built in the first instance to a good size will reduce the need to add additional buildings in a piecemeal fashion.

- 9.24 Paragraph 6.3.1 of the Transitional Developer Guidance states that the appearance and design of any new development should be in keeping with its use... The Local Planning Authority favours structures that are built from timber and of a less permanent nature.
- 9.25 Paragraph 6.3.2 goes on to note that roof pitches should be shallow, typically clad in green/ grey mineral felt or corrugated sheeting. Colours for this type of roof should be muted and, wherever possible in a matt finish to limit the degree of reflected glare in the landscape.
- 9.26 The proposed stable is a timber built construction, 18.5m in width, 10.5m in depth with an open area in the centre onto which the stable doors will open. It is proposed to clad the stables in timber with a shallow pitch roof (height 4m at the highest point) made from corrugated sheeting. The exact details of the materials are to be agreed by a condition however the use of these materials is entirely in accordance with the guidance in respect of the appearance of stables. The proposed timber will weather with time and the combination of the wood with the sheeting suggests a building of a more temporary nature which is appropriate to this situation.
- 9.27 Whilst needing to comply with highways standards the access track has been kept as informal as possible and has been moved to the south of the site where its landscape impact will be less. Permeable gravel is proposed after the first 15m which will suffice for vehicle movements but that will soften over time into the field edge. This relocation of the track also makes the addition of the perimeter fencing less convoluted. The Transitional Developer Guidance in paragraph 6.3.3 is supportive of the use of gravel. The proposed post and rail fence is typical of a boundary treatment used in a rural area and raises no concerns.
- 9.28 The application site is screened on all sides by trees and bushes which are to remain in situ: they have been noted for their ecological contribution and it is proposed that the site boundaries are enhanced by the planting of supplementary native species planting as well as wild flowers. The change of use of the land and the addition of the stable block will alter the character of the land but not in such a way that is out of keeping with the character of the countryside.
- 9.29 Given the points raised above the proposal is considered to be in accordance with policy 25, part 4d, with policy 41a) 3 and 4 as well as with paragraph 130 of the NPPF and the Transitional Developer Guidance as it relates to the character / design of equestrian development. This weighs significantly in favour of the application.

#### Highways/Access

- 9.30 Policy 13 of the Local Plan states that development (must not) result in an unacceptable impact on highway safety.
- 9.31 This is reiterated by 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 highways safety, or the residual cumulative impacts on the road network would be severe.
- 9.32 Given that the A614 is a classified road the access is required to meet the visibility requirements set out in the Design Manual for roads and bridges.
- 9.33 The proposal has been amended to address concerns raised by Highways DC in respect of the informal nature of the access. Much as the comings and goings to the site are by no means frequent given that the access is on to a classified road it is necessary to build the access track to an acceptable standard. The proposal has thus been amended to achieve this standard allowing Highways DC to remove their objection. A visibility splay has been indicated on plan, the access gates are set 15m into the site, a passing place and a turning area next to the proposed stables has been included to ensure a 4x4 pulling a trailer or horse box can turn adequately. Subject to the amended plan drg no 01, Rev F the proposal is acceptable subject to the inclusion of conditions relating to surfacing, turning, parking, sight lines, wheel washing and in respect of the dropped crossing.
- 9.34 Comment has been made that the access track will need to be reinstated as it has currently been cultivated as part of the field. This raised no issues from a Highways perspective – the requirement is to create/ improve what is existing with the resulting standard being the same. The turning area and the passing place have been included to ensure safety not on account of a large number of vehicles using the site at any given time.
- 9.35 The proposal is therefore considered compliant with the above mentioned policies, subject to the inclusion of the conditions noted in paragraph 9.22. This weighs considerably in favour of the application.

#### Flooding and Drainage

- 9.36 Policy 56 of the Local Plan 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. This point is reiterated by paragraph 167 of the NPPF.
- 9.37 The application site is located in Flood Zone 1 and is therefore at low risk of flooding and the Environment Agency have confirmed they have no comments to make.
- 9.38 The scheme initially proposed a small shower room and kitchen area however these have now been removed from the application. The drainage issues on this site therefore relate purely to surface water. A permeable access track and turning area is proposed thus limiting the drainage impacts of the application. The drainage team have reviewed the plans and have advised that further details can be agreed post determination and have asked for a condition to this effect. When asked specifically regarding the proposed change of use and any implications this may have no concerns have been raised.

- 9.39 In support of the proposal the applicant has also provided a topographical drawing confirming the land levels of the site. This serves as confirmation that the finish floor level of 4.4m AOD can easily be achieved on this site. Therefore this need not be a concern in respect of a subsequent conditions discharge application
- 9.40 On the basis of the above the drainage impacts of the development have been dealt with and the proposal is considered to comply with policy 56. This weighs considerably in favour of the proposal.

#### Ecology and Wildlife

- 9.41 Policy 29 of the Local Plan states that proposals will only be supported which deliver a net gain for biodiversity and protect, create, maintain and enhance the Borough's ecological networks by a) being of an appropriate size, scale and type in relation to their location within and impact on the ecological network.
- 9.42 Policy 30 (b.1.) states that proposals will only be supported where they use the DEFRA biodiversity metric to demonstrate that a proposal will deliver a 10% net gain for biodiversity.
- 9.43 Concerns have been raised that the proposal will be ecologically detrimental and an initial objection has been received from our ecologist planner requesting both a preliminary ecological appraisal as well as the submission of the DEFRA metric. Both of these reports have been prepared by Natasha Estrada BSc (hons), MRes, MCIEEM and are available to view online.
- 9.44 The findings of the preliminary ecological appraisal demonstrate that the main ecological interest in the site lies along the boundaries of the site: the hedgerows to the western and eastern elevations are suitable for breeding birds though these hedgerows display no potential roost features for bats. The hedge boundaries are though considered suitable of the commuting and foraging of bats. The hedgerows are to be retained by this application and the applicant has confirmed that they require no external lighting. The site itself provides hostile conditions for riparian/aquatic mammals – no suitable habitat is present on site; the site is also suboptimal for reptiles and amphibians The report confirms also that there were no protected species or habitats of primary importance on the site that required more detailed survey work to be undertaken. Common species of vegetation was found to be present within the site boundary and the site is not deemed capable of supporting important assemblages of invertebrates based on the current species composition. No evidence was found of the use of the site by the European hedgehog though a suitable habitat exists predominantly along the site boundary.
- 9.45 The applicant has also submitted the DEFRA metric identifying that an additional 2.92 habitat units can be delivered by the proposed scheme which equates to an increase of 39.46%.
- 9.46 A condition is to be included in any grant of planning consent for an adaptive ecological management plan monitored at specified times over the course of 30 years. Should improvements not be being delivered the plan will require adaption to ensure the required targets are achieved.
- 9.47 The point has been raised that the current tenant farmer has offered to implement improvements to the boundary of the site that would be ecologically beneficial. This

however is not relevant as we are required to consider the application before us and its merits or otherwise. A query has been raised in relation to the addition of the post and rail fence to the application. Concerns were expressed that this would preclude the free movement of wildlife. On this point, the Planning Ecologist has been re-consulted and has provided reassurance that a 1.5m high post and rail fence would not prove to be a significant barrier to the movement of wildlife. Large deer could jump such a fence and smaller deer may well wriggle under it. Smaller animals such as badgers and foxes could easily get underneath. A point that has been raised is that the addition of mesh would exclude more wildlife as would the lowest horizontal element being set too low to the ground. A condition is therefore to be added stating that mesh must not be added to the fence and around the entirety of the perimeter the lowest horizontal plank must be elevated from the ground in accordance with the drawing supplied.

- 9.48 The Preliminary Ecological Appraisal therefore clarifies that the proposal will not be harmful to the ecology of the site. In addition to this the DEFRA metric demonstrates the extent of the ecological enhancements that can be achieved. With the addition of the condition for the adaptive management plan the ecological significance of the site is considered to have been suitably assessed and measures put in place to ensure net gain is delivered. The proposal is therefore considered to comply with policies 29 and 30 of the Local Plan.

#### Pollution issues

- 9.49 Policy 55 of the Local Plan states that development on land that is unstable, currently contaminated or suspected of being contaminated due to its previous history or geology, or that will potentially become contaminated as a result of the development, will require the submission of an appropriate Preliminary Risk Assessment. Proposals will be required to mitigate contamination or land stability by:

A) demonstrating there is no significant harm, or risk of significant harm, to human health, or land, natural environment, pollution of soil or any watercourse or ground water;

B) ensuring necessary remedial action is undertaken to safeguard users or occupiers of the site or neighbouring land and protect the environment and any buildings or services from contamination during development and in the future;

C) demonstrating that adverse ground conditions have been properly identified and safely treated; and

D) clearly demonstrating to the satisfaction of the Local Planning Authority, that the land is suitable for its proposed use.

- 9.50 The proposed application is not for a sensitive end use, such as a dwelling or residential garden. The response from Pollution Control therefore acknowledges the proximity of 2 landfill sites but requires only the inclusion of an informative note regarding development within 250m of a landfill site noting that gas protection measures may be required now or at some point in the future. They require no conditions adding to any grant of planning permission.

- 9.51 On this basis the issue of potential contamination has been addressed and the proposal is considered to be compliant with Local Plan policy 55, which weighs significantly in favour of the application.

### **Conclusion on Environmental Issues**

- 9.52 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.
- 9.53 In conclusion of the environmental issues, it is considered that this proposal, with the addition of the above mentioned conditions, adequately fulfils this requirement. This weighs considerably in favour of the application.

### **ECONOMIC SUSTAINABILITY**

- 9.54 This proposal is for personal use not a commercial venture. The economic benefit of the proposal will therefore be very slight – limited to the activity involved in building the stables, the access track and the boundary. That said the proposal will cause no economic harm.

### **Conclusion on Economy Issues**

- 9.55 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.
- 9.56 Whilst the economic benefit of the proposal is slight and afforded only limited weight, it does not harm the wider economy of the Borough and for that reason weighs in favour of the development.

## **10.0 PLANNING BALANCE & CONCLUSION**

- 10.1 In accordance with Paragraph 10 of the NPPF (2021) the proposal is considered in the context of the presumption in favour of sustainable development. Officers have identified that both socially and environmentally the application weighs in positive favour, while no adverse economic harm, that would significantly or demonstrably outweigh the benefits outlined, has been identified when considered against the policies in the Framework taken as a whole. The proposal is compliant with the adopted development plan and adopted policies and there are no material considerations which indicate the application should be refused. Accordingly, the application is recommended for approval – subject to conditions.

## **11.0 RECOMMENDATION**

- 11.1 **MEMBERS RESOLVE TO GRANT PLANNING PERMISSION FOR THE PROPOSED DEVELOPMENT SUBJECT TO THE FOLLOWING CONDITIONS:**

### **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:

Proposed plans – project 2112, drg 01, rev F received on 7.12.22

REASON

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

03. Within one month of the commencement of development a Management Plan for proposed onsite habitats shall be submitted to the Local Planning Authority for approval in writing. The Management Plan shall detail the following:
- a) An adaptive management plan for the site detailing the management measures to be carried out over the phased restoration of the site in order to achieve the target conditions proposed for each habitat parcel.
  - b) Objectives relating to the timescales in which it is expected progress towards meeting target habitat conditions will be achieved.
  - c) A commitment to adaptive management that allows a review of the management plan to be undertaken and changes implemented if agreed in writing by the LPA and if monitoring shows that progress towards target conditions is not progressing as set out in the agreed objectives.
  - d) That monitoring reports shall be provided to the LPA on the 1st November of each year of monitoring (Years 1, 2, 5, 10, 20, and 30) immediately following habitat creation.

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

REASON

To ensure the habitat creation on site and subsequent management measures are sufficient to deliver a net gain in biodiversity as required by Local Plan policy 30B and the NPPF paragraph 174.

04. 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.



05. The vehicle turning space as shown on the approved plans shall be constructed before the development is brought into use and shall thereafter be maintained as such.

REASON

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

06. Before the development hereby permitted is brought into use, the parking 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.

REASON

To ensure that adequate parking provision is retained on site.

07. Before the development is brought into use, the sight lines as shown on the approved plan (2112-01-Rev F) shall be rendered effective by removing or reducing the height of anything existing on the land highlighted within the red line on the said plan which obstructs visibility at any height greater than 900mm above the level of the near side channel line of the public highway. The visibility thus provided shall thereafter be maintained as such, unless otherwise approved in writing with the local planning authority

REASON

In the interests of road safety and to provide and maintain adequate visibility.

08. Before the development is brought into use, the existing hedge/wall abutting the highway shall be reduced to a height not exceeding 0.9m above the near side channel line of the adjoining highway and/or entrance and the visibility thus provided shall be maintained, unless otherwise approved in writing by the local planning authority.

REASON

To ensure that there is adequate visibility for highway safety.

09. Details of wheel washing facilities for construction traffic connected with the development hereby permitted shall be submitted to and approved in writing by the local planning authority and shall be installed before the development hereby approved is commenced and once installed shall be used to prevent mud and other debris being deposited on the highway during the construction of the development.

REASON

In the interests of road safety.

10. The development hereby approved shall not be brought into use until a crossing over the footpath/verge has been constructed in accordance with a scheme previously approved in writing by the local planning authority.

REASON

To avoid damage to the verge.

11. The development hereby granted shall not be begun until details of the surface water and all related works necessary to drain the site have been submitted to and

approved by the Local Planning Authority. These works shall be carried out concurrently with the development and the drainage system shall be operating to the satisfaction of the Local Planning Authority prior to the occupation of the development.

**REASON**

To ensure that the site is connected to suitable drainage systems and to ensure that full details thereof are approved by the Local Planning Authority before any works begin.

12. Prior to the development being brought into use details of the location of the manure heap shall be submitted and approved in writing by the Local Planning Authority

**REASON:**

In the interests of residential amenity

13. Prior to the commencement of the relevant works, details of the proposed external materials shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved materials.

**REASON**

To ensure that the materials are appropriate to the area in accordance with policy 42 of the Doncaster Local Plan.

14. No mesh is to be attached to the perimeter fence nor the specification of the fence altered without prior consent of the Local Planning Authority.

**REASON**

To ensure the fence does not become a barrier to the free movement of wildlife and in order to maintain the satisfactory appearance of the site.

15. There shall be no burning of manure onsite.

**REASON**

In the interests of residential amenity.

16. The stables and associated land shall be for the personal use of the applicant and shall not, at any point be used in a commercial capacity without written approval from the Local Planning Authority.

**REASON:**

To ensure that the site continues to be used in the capacity for which it has been assessed.

**INFORMATIVES**

01. **INFORMATIVE**

Severn Trent Water advise that although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under, The Transfer Of

Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the building.

02. INFORMATIVE

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

Standing Advice valid from 1st January 2021 until 31st December 2022

03. INFORMATIVE

The applicant's attention is drawn to the response from Cadent Gas in respect of registering and obtaining consent for works on site. This can be viewed on Public Access via the following link: [View planning applications - Doncaster Council](#)

04. INFORMATIVE

DEVELOPMENTS NEAR LANDFILLS

The proposed development is within 250 meters of a landfill site about which insufficient information is known to permit an adequate response to be made on the extent to which landfill gas may be present on or off site.

Planning permission has been granted on the basis that there is no sound and clear-cut reason to refuse. The applicant is, however, reminded that the responsibility for safe development and secure occupancy of the site rests with the developer and accordingly is advised to consider the possibility of the presence or future presence of landfill gas and satisfy himself of any gas precaution which may be necessary.

06. INFORMATIVE

Works carried out on the public highway by a developer or anyone else other than the Highway Authority shall be under the provisions of Section 278 of the Highways Act 1980. The agreement must be in place before any works are commenced. There is a fee involved for the preparation of the agreement and for on-site inspection. **The applicant should make contact with Malc Lucas – Tel 01302 735110 as soon as possible to arrange the setting up of the agreement.**

07. INFORMATIVE

Doncaster Borough Council Permit Scheme (12th June 2012) - (Under section 34(2) of the Traffic Management Act 2004, the Secretary of State has approved the creation of the Doncaster Borough Council Permit Scheme for all works that take place or impact on streets specified as Traffic Sensitive or have a reinstatement category of 0, 1 or 2. Agreement under the Doncaster Borough Council Permit

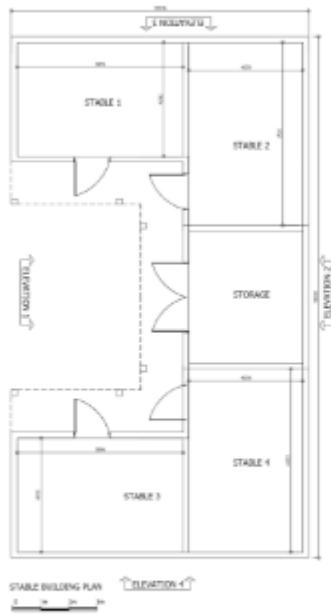
Scheme's provisions must be granted before works can take place. There is a fee involved for the coordination, noticing and agreement of the works. **The applicant should make contact with Paul Evans – Email: [p.evans@doncaster.gov.uk](mailto:p.evans@doncaster.gov.uk) or Tel 01302 735162 as soon as possible to arrange the setting up of the permit agreement.**

## Appendix 1:



002 SITE LOCATION PLAN





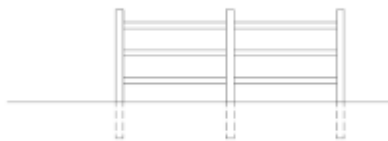
**SITE PLAN**

001

1:200(A1)



See plan for fence location  
 Denoted by red chain link line



1.5M High Post and rail fence