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Application Number:	22/01228/3FULM
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Application Type:	Planning FULL (REG3)
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Proposal Description:	Erection of 48 dwellings ranging from 1 bedroom apartments to 5 bedroom homes. Works to include new road infrastructure connecting to Cedar Road, new public open space; and other landscaping and associated works.
At:	Site Of Former Nightingale School Cedar Road Balby Doncaster DN4 9EY

For:	Adam Goldsmith - CDC
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Third Party Reps:	8 objections	Parish:	N/A
		Ward:	Balby South

Author of Report:	Jessica Duffield
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SUMMARY

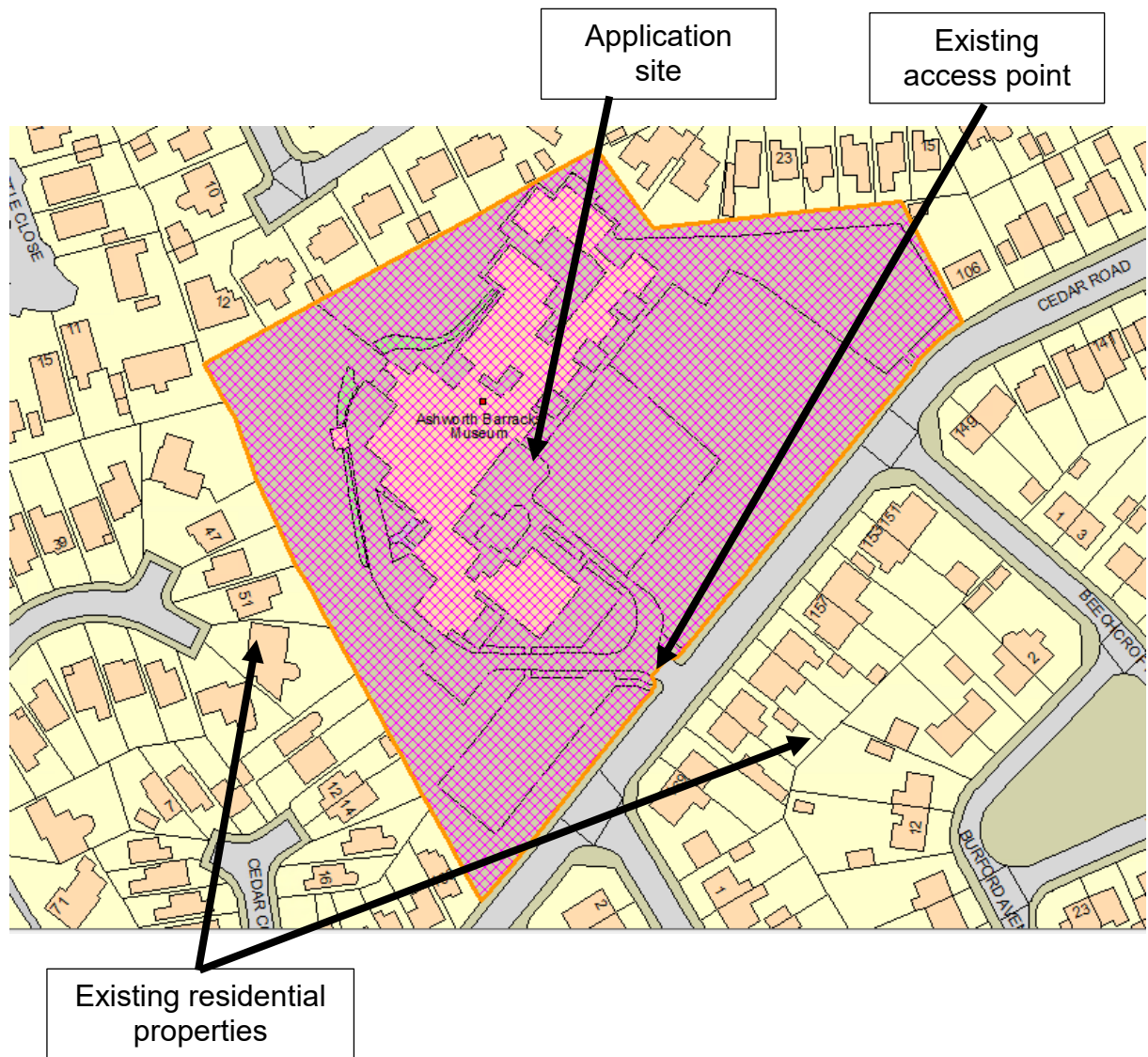
This application seeks permission for the erection of 48 dwellings and associated works at the former Nightingale School site. The former buildings have already been cleared from the site. The site is located in a residential area and will deliver much needed 100% affordable housing for the City which will help meet the social needs of Balby specifically by providing 48 affordable dwellings.

The proposal is presented to Planning Committee for determination, as the application has been submitted by Doncaster Council as well as having received a number of neighbour representations. The properties are to be constructed as part of the Council House Build Programme to deliver new council housing for the City. Once built the site would be transferred to St Leger Homes, Doncaster Council's arms length organisation that manages all housing for the Authority. The development will be funded through Homes England government funding.

The application site provides an opportunity to support the on-going aspirations of the Council to achieve additional affordable homes across the City within a sustainable location on land that is allocated for housing in the adopted Doncaster Local Plan (allocation ref: MUA62).

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

RECOMMENDATION: GRANT planning permission subject to conditions.



1.0 Reason for Report

- 1.1 This application is being presented to Planning Committee because the application has been submitted by Doncaster Council for its own development. The application has received 8 neighbour representations.

2.0 Proposal

- 2.1 This application seeks full planning permission for 48 new dwellings and associated infrastructure on a site which is owned by Doncaster Council. The proposed housing mix consists of a variety of housetypes including bungalows, flats, terrace and semi-detached houses as well as larger 4 and 5 bedroom detached homes. The proposed housing mix is set out as follows:

4x Housetype E1210- 4 Bedroom 7 person House
1x Housetype E1375 -Adapted 5 Bedroom House
6x Housetype E500 -1 bedroom apartment
2x Housetype E716 -2 Bedroom 3 person Mobility Bungalow
3x Housetype E1014 -3 bedroom 5 person Dormer Bungalow
9x Housetype E790- 2 bedroom 4 person house
4x Housetype E794- 2 Bedroom 4 person house
4x Housetype E801- 2 Bedroom 4 person house
2x Housetype E930- 3 Bedroom 5 person House
7x Housetype E943- 2 Bedroom 4 person Dormer Bungalow
5x Housetype E855 -3 Bedroom 4 person house
1x Housetype E645- 2 Bedroom 3 Person Bungalow

- 2.2 The scheme contributes 22.95% of the site area as public open space (POS). This is made up of the various pockets of POS which includes Nightingale Park, The Greens and The Square in addition to the orchard which will be gated for residents of the site only. Minus the orchard provision the POS contribution equates to 18.8% of the site area.
- 2.3 Doncaster Council's Property Services department have submitted the application on behalf of Doncaster Council's Strategic Housing team.
- 2.4 Strategic Housing as a team, are responsible for ensuring the delivery of Doncaster Council's Housing Strategy by meeting the housing needs of the City. This scheme is part of Doncaster Council's Council House New Build (CHNB) programme, which has been on-going since 2014 and to date has seen the delivery of 447 new affordable properties.

3.0 Site Description

- 3.1 The application site lies within the western part of Balby off Cedar Road. Residential houses and gardens surround the site in all directions, with Cedar Road defining the southern boundary of the site.

- 3.2 The site was historically used as a school (known as Nightingale School) but this use ceased in 2003. The site was more recently used as temporary accommodation to house the Ashworth Barracks museum. The museum use ended in 2019 and the buildings were demolished during March – May 2021. Since then the site has become somewhat overgrown with low quality trees and grassland forming across the site. One of the trees on the western boundary of the site is protected via a Tree Preservation Order (TPO).
- 3.3 The site benefits from an existing vehicular access off Cedar Road which previously served the school/museum use. The site is relatively flat, bounded by green palisade fencing.
- 3.4 The site is situated in an established residential area, though the surrounding housing differs in appearance. Cedar Road primarily consists of traditional dark brick semi-detached properties with a characterful brick dwarf wall along the front. Though there are examples of detached properties also, to the immediate east and west of the site.
- 3.5 The properties to the north, east and west are more modern in appearance, varying between detached bungalows and houses but still finished in similar coloured brick. The development to the north, east and west is relatively high density all arranged in cul-de-sac layouts.
- 3.6 Given the site's residential surroundings it is well connected to local amenities and facilities. Mallard Primary School is located within less than 200m of the site, meanwhile a large area of public open space is situated to the south-west of the site. Local shops are located within walking distance on Warmsworth Road.
- 3.7 The site is within Flood Zone 1 thus at low risk of flooding from main rivers.

4.0 Relevant Planning History

- 4.1 Planning History as follows:

Reference	Description	Decision/Date
00/4254/P	Erection of 2.0m high nylofor 3d mesh fencing and gates to front boundary (being application under regulation 3 town and country planning (general) regulations 1992)	GRANTED 15/2/2002

5.0 Site Allocation

- 5.1 The application site is allocated (MUA62) for housing in the Local Plan. The indicative capacity for housing within the site is shown to be 49 dwellings.
- 5.2 Residential Policy Area wraps around the site in all directions, with the protected open space to the south-west (on the opposite side of Cedar Road).
- 5.3 National Planning Policy Framework (2021)
- 5.4 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:
- 5.5 Paragraph 2 states that planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 5.6 Paragraphs 7-11 establish that all decisions should be based on the principles of a presumption in favour of sustainable development.
- 5.7 Paragraph 38 states that local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- 5.8 Paragraph 47 reiterates that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 5.9 Paragraphs 55 and 56 states that Local Planning Authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning conditions should be kept to a minimum and only be imposed where necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.
- 5.10 Paragraph 60 states to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
- 5.11 Paragraph 108 states maximum parking standards for residential development should only be set where there is a clear and compelling justification that they

are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport.

- 5.12 Paragraph 111 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 5.13 Paragraph 119 states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.
- 5.14 Paragraph 126 states the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 5.15 Paragraph 130 states that planning decisions should ensure developments will function well and add to the overall quality of the area, are visually attractive and optimise the potential of the site. Paragraph 127(f) sets out that planning decisions should create places which provide a high standard of amenity for existing and future users.
- 5.16 Paragraph 131 states trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments, that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible.
- 5.17 Paragraph 135 makes clear that local planning authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme.
- 5.18 Paragraph 174 states planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value (in a manner commensurate with their statutory status or identified quality in the development plan), as well as recognising the wider benefits from natural capital and ecosystem services, such as including trees and woodland.
- 5.19 Paragraph 180 states if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

- 5.20 Paragraph 185 states planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.
- 5.21 Local Plan
- 5.22 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The development plan consists of the Doncaster Local Plan (DLP) (adopted 2021), and the Barnsley, Doncaster and Rotherham Joint Waste Plan (JWP) (adopted 2012).
- 5.23 Policy 1 sets out the Settlement Hierarchy for the City. It seeks to concentrate growth at the larger settlements of the City with remaining growth delivered elsewhere to support the function of other sustainable settlements and to help meet more local needs taking account of existing settlement size, demography, accessibility, facilities, issues and opportunities.
- 5.24 Policy 5 sets out housing allocations to deliver the housing requirement and distribution as set out in Policy 2. Allocations have been made having regard to the Spatial Strategy and the findings of the site selection methodology. This site is allocated under Policy 5 for housing under reference: MUA62.
- 5.25 Policy 7 relates to the range of housing required. Part B refers to the requirement for the provision of affordable housing to meet local needs in the majority of the City's communities. Housing sites of 15 or more homes will be expected to include 23% affordable homes in high value market areas, or a lower requirement of 15% elsewhere in the City. This site falls within a higher value area so thus would require 23% affordable housing provision.
- 5.26 Policy 13 relates to sustainable transport within new developments. Part A.6 states that proposals must ensure that the development does not result in an unacceptable impact on highway safety, or severe residual cumulative impacts on the road network. Developments must consider the impact of new development on the existing highway and transport infrastructure.
- 5.27 Policy 28 refers to the open space provision in new developments. Development proposals with 20+ family dwellings will be supported which contribute 10% - 15% of the site area as on-site open space to benefit the development itself.
- 5.28 Policy 29 relates to ecological networks and that proposals will only be supported which deliver a net gain for biodiversity and protect, create, maintain and enhance the City's ecological networks.
- 5.29 Policy 30 relates to valuing biodiversity and geodiversity and advises that internationally, nationally, and locally important habitats, sites and species that

will be protected through a number of principles. It requires the use of the mitigation hierarchy to ensure that the most valuable ecological features of a site are protected and harm to biodiversity is minimised. In line with best practice, the provision of compensation to account for residual biodiversity impacts will not be allowed unless the prior steps of the mitigation hierarchy have been followed, and all opportunities to avoid and then minimise negative impacts have first been pursued.

- 5.30 Policy 32 relates to woodlands, trees and hedgerows. 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. There will be a presumption against development that results in the loss or deterioration of ancient woodland and/or veteran trees.
- 5.31 Policy 39 states that development affecting other archaeological assets will need to demonstrate how any benefits will outweigh harm to the site.
- 5.32 Policy 41 relates to character and local distinctiveness and states that development proposals will be supported where they recognise and reinforce the character of local landscapes and building traditions; respond positively to their context, setting and existing site features as well as respecting and enhancing the character of the locality. Developments should integrate visually and functionally with the immediate and surrounding area at a street and plot scale.
- 5.33 Policy 42 relates to urban design and states that new development will be expected to optimise the potential of a site and make the most efficient use of land whilst responding to location, local character, and relevant spatial requirement and design standards.
- 5.34 Policy 44 relates to residential design and sets out the key design objectives which residential development must achieve, as well as stating that all developments must protect existing amenity and not significantly impact on the living conditions or privacy of neighbours.
- 5.35 Policy 45 relates to Housing Design Standards and advises that new housing proposals will be supported where they are designed to include sufficient space for the intended number of occupants, and are designed and constructed in a way that enables them to be easily adapted to meet existing and changing needs of residents in Doncaster. The policy requires all new dwellings to meet the Nationally Described Space Standard (NDSS).
- 5.36 Policy 48 states that development will be supported which protects landscape character, protects and enhances existing landscape features and provides high quality hard and soft landscaping scheme which includes fit for purpose planting and generous trees, shrubs and hedgerow planting.
- 5.37 Policy 54 relates to pollution and states that consideration will be given to the impact on national air quality.

- 5.38 Policy 55 deals with the need to mitigate any contamination on site.
- 5.39 Policy 56 requires the need for satisfactory drainage including the use of SuDS.
- 5.40 Policy 65 relates to developer contributions. The policy states that proposals should make appropriate contributions towards new infrastructure as required in order to deliver sustainable development. However, development should not be subject to such a scale of developer contributions or policy requirements that development viability is put at risk.
- 5.41 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 proposals on an independent and case by case basis. Applications may be supported where it can be demonstrated that the wider benefits of the scheme outweigh its lower level of contribution.
- 5.42 Other material planning considerations
- 5.43 The Biodiversity Net Gain SPD was adopted in September 2022.
- 5.44 Doncaster Council's previous suite of other adopted Supplementary Planning Documents (SPDs) have been formally revoked in line with Regulation 15 of the Town and Country Planning (Local Planning) (England) Regulations 2012, following the adoption of the Local Plan.
- 5.45 The Transitional Developer Guidance (April 2022) provides guidance on certain elements, including design, during the interim period, whilst new SPDs to support the adopted Local Plan are progressed and adopted. This guidance is attached limited weight.
- 5.46 Other material considerations include:
- National Planning Practice Guidance (ongoing)
 - National Design Guide (2019)
 - Section 66 of the Planning (Listed Buildings and Conservation Areas) Act (1990)

6.0 Representations

- 6.1 This application has been advertised in accordance with Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) as follows:
- Advertised on the Council website
 - All neighbours with an adjoining boundary notified by letter
 - Site notice to advertise major application

6.2 Two rounds of public consultation have been carried out to ensure that neighbours have had the opportunity to comment on any updated plans. In total 8 neighbour representations have been received raising the following comments:

- Concerns regarding height of properties at plot 28 and 29 and the impact upon adjacent bungalows;
- Impact upon existing vegetation;
- Impact upon property prices/values;
- Concerns regarding maintenance of open spaces;
- Impact upon local highway network;
- Increased noise;
- Impact upon existing residential amenity;
- Increased pressure for on-street parking along Cedar Road;
- Increased anti-social behaviour;
- Concerns regarding use of the public open space;
- Lack of appropriate consultation;
- Concerns regarding boundary treatment design; and,
- Queries regarding the site boundary and its maintenance.

6.3 The impact upon property values is not considered to be a material planning consideration. The other comments raised will be addressed in the appraisal section.

6.4 In addition to the publicity carried out as part of the planning application assessment, the applicant/ Strategic Housing team carried out a public exhibition event on 4th March 2022 whereby 70 local people attended. This event allowed members of the public to view the proposed plans at the earliest opportunity.

7.0 **Consultations**

7.1 **Highway Officer** - Amended plans have been received relating to the footway width; bin storage positions; visibility; visitor parking and driveway designs. It has been agreed that some of the 2 bedroom properties only require 1 off-street parking space in line with the demand at these types of properties and the plans have been updated accordingly. Based on the updated masterplan the Highways DC Officer has no concerns subject to the conditions attached.

7.2 **Tree Officer**- The proposal does involve the removal of moderate amenity trees from the site to facilitate it but does retain most of the existing trees and has made a good attempt to work with the existing features. No objection subject to conditions.

7.3 **Drainage Officer** - No objections subject to a condition detailing full drainage design and maintenance information.

7.4 **Urban Design Officer** - Various elements of the scheme have been updated to accord with the relevant design policies and standards. No objection based on latest masterplan and housetype plans subject to conditions attached.

- 7.5 **Ecology Officer-** Bio-diversity Net Gain (BNG) metric and report have been submitted. No off-site habitat creation is included in the scheme due to viability constraints. Therefore the scheme fails to achieve the +10% biodiversity net gain requirement as set out in adopted Policy 30. However, the social benefits provided by the proposal are considered to outweigh the harm in terms of ecology in this instance. This is addressed in further detail in the appraisal section of this report. In follow up, the Ecologist has suggested conditions relating to landscaping and ecological enhancements which will help to minimise any harm.
- 7.6 **Environmental Health Officer-** No objections subject to conditions attached relating to construction hours and method statement.
- 7.7 **Open Space Policy Officer-** 15% open space requirement has been accommodated into the site layout by virtue of the open space and the orchard. Queries raised regarding the proposed natural play equipment which have been dealt with. No objections.
- 7.8 **Waste & Recycling Officer-** Concerns raised regarding the position of some bin stores but these have been addressed through the Highways Officer's comments. No conditions required.
- 7.9 **Pollution Control Officer-** Site Investigation Report was submitted with the application which concluded that some of the made ground is unsuitable from a geo-technical point of view so would need to be removed from site or buried at depth. Further investigation is required as covered by the attached condition. No objection on this basis.
- 7.10 **Yorkshire Water-** No objections subject to conditions attached.
- 7.11 **Education-** Originally requested commuted sum payment towards the provision of school places. However due to viability this request has been withdrawn. This is addressed further in the appraisal below.
- 7.12 **Environment Agency-** No objections, standing advice applies.
- 7.13 **Pollution Control Air Quality -** A screening assessment has been submitted along with references to the Air Quality Technical Planning Guidance. No objection based on the proposed mitigation of an EV charging point being added to each dwelling. This is secured by the attached condition as covered by the Transportation Officer's comments.
- 7.14 **Public Rights of Way -** No objections
- 7.15 **South Yorkshire Police Liaison Officer -** No objections, informative attached.
- 7.16 **Public Health-** Health Impact Assessment has been submitted and reviewed. The open space provision proposed is welcomed. Query regarding cycle storage raised. Condition attached relating to this as covered by Transportation.

- 7.17 **Transportation** - Transport Statement has been submitted and reviewed. The development is forecast to generate 21, 2-way trips in both the AM and PM peak hours which is not considered to be severe. No objection subject to the conditions attached relating to cycle storage and EV charging.
- 7.18 **Strategic Housing** - The proposal exceeds the required provision of affordable housing as set out in Policy 7 (23%) by instead providing 100% affordable housing. The development will help meet the social housing needs of Balby South and includes a range of property types. The properties all meet or exceed the Nationally Described Space Standards (NDSS) with the scheme to be supported by Homes England grant funding. Demand for affordable housing in Balby South ward, Doncaster is very high; with the initial requirement being highest for two bedroom 4 person houses and some three bedroom properties for the larger families on the waiting lists. However, following further integration of the existing waiting list it was thought that bungalows and apartments for older people and single people would also be required along with larger family houses of up to 5 bedrooms, these are all clearly reflected in the Site Layout Plan. No objection on this basis.
- 7.19 **South Yorkshire Archaeology Service** - No objections, no conditions required.
- 7.20 **Ward Members** - Cllr John Healy commented to state that he fully supports the development.

8.0 **Assessment**

- 8.1 Section 38(6) of the Planning & Compulsory Purchase Act 2004 requires that:
- 'Where in making any determination under the planning acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise'.*
- 8.2 The NPPF (2021) at paragraph 2 states that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF must be taken into account in preparing the development plan, and is a material consideration in planning decisions.
- 8.3 The main issues for consideration under this application are as follows:
- Principle of development
 - Sustainability
 - Impact upon residential amenity
 - Impact upon the character and appearance of the surrounding area
 - Impact upon highway safety
 - Trees and Landscaping
 - Flood Risk and Drainage
 - Air Pollution and Contaminated Land
 - Energy Efficiency/Sustainability Features

- Archaeology
- Ecology
- S106 Planning Obligations
- Overall Planning Balance

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

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

The Principle of the Development

8.5 Policy 5 sets out Housing Allocations to deliver the housing requirement and distribution set out in Policy 2 of the Local Plan. The site is described as housing allocation “MUA62” in the Local Plan, and has been sequentially assessed as suitable for modest housing development subject to the specific site constraints. The ‘Developer Requirements’ detailed in Appendix 2 (page 273) of the Local Plan details the following matters need to be taken into detailed consideration:

- **Archaeology** – The presence or otherwise of significant archaeology on the site is unknown. Contact the South Yorkshire Archaeological Service (SYAS) as to whether any further archaeological investigations are required if the site is brought forward for development.
- **Biodiversity** - Habitat losses should be accounted for and appropriate compensation provided. Mature trees on site should be retained where possible subject to the results of a tree survey. The buildings proposed for demolition would require bat surveys.
- **Conservation and Heritage** – Due to its elevated location the distinctive white tower and dome of the listed church of St Peter is visible from Cedar Road across the open grounds of the site. Maintaining some open space and/or building in sightlines from Cedar Road towards the church above and around any new buildings should mitigate any impact on views.
- **Design** – New development should be of a suburban character appropriate to the area. The layout should incorporate semi-detached properties fronting Cedar Road. Rear gardens of new homes should back onto existing rear gardens to the north and west in a secure layout.

- **Education-** A contribution towards education may be required.
- **Public Open Space** – On site open space would be preferred on this site.
- **Transport** – Access from Cedar Road in accordance with South Yorkshire Residential Design Guide – splay required – 2.4m x 43m.
- **Trees and Hedgerows** - Turkey Oak is subject to T1 of the Doncaster Borough Council Tree Preservation Order (No.267) Mallard Primary School, Cedar Road, Balby, Doncaster 2004 on the site (along with other trees on the frontage, lining the access and NW corner). Layout proposals should be informed by a tree survey.

8.6 The application fully accords with policies 2 and 5 of the Local Plan and this is given significant weight in favour of the application.

8.7 Policy 7 states that new housing developments will be required to deliver an appropriate mix of house size, type and tenure to address housing need. The policy goes on to state that there is a clear requirement for the provision of affordable housing to meet local needs in the majority of the Borough's communities, including Balby. The proposal would make an important contribution towards council housing delivery for the area and significant weight is attached as a result.

Sustainability

8.8 Paragraph 7 of the NPPF states that one of the core principles 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

8.9 There are three strands to sustainability, social, environmental and economic. Paragraph 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 neighbouring residential amenity

8.10 Policy 44(A) of the Local Plan states: Developments must protect existing amenity and not significantly impact on the living conditions or privacy of neighbours or the host property (including their private gardens), be overbearing, or result in an unacceptable loss of garden space.

8.11 The properties most likely to be affected by the development are those surrounding the site on Raleigh Terrace and Cedar Road. The proposed development has been arranged so that the dwellings are within slightly closer

proximity to the neighbours on those streets referred to, due to the POS and orchard providing a buffer between the proposed dwellings and the existing properties to the north and west.

- 8.12 A representation from a neighbour on Raleigh Terrace raised concerns regarding the design of the dwellings at plots 24 - 27 and potential overlooking. The neighbour requested that these housetypes be changed to bungalows. The housetype at these plots (E943) are dormer style bungalows with only one window within the roof to serve the upper floor level. The appropriate separation distances as set out in the Transitional Design Guidance is achieved and therefore there is considered to be no overlooking introduced.
- 8.13 All properties would be separated from neighbouring properties in line with the Transitional Design Guidance and therefore would not cause harmful overlooking or overshadowing of existing neighbouring properties.
- 8.14 The proposed dwellings will provide appropriately sized outdoor amenity space in accordance with the Transitional Design Guidance. The shape of plot 34 and 35's garden is slightly compromised given the corner position but still achieve the required size, and therefore this is acceptable.
- 8.15 Policy 45 of the Local Plan requires all new dwellings to meet the Nationally Described Space Standard (NDSS). In addition to this 39 properties will meet Part M4 (2) for accessible and adaptable dwellings and 3 will meet Part M4 (3) for wheelchair user dwellings. All properties will have good standards of internal and external amenity space.
- 8.16 Overall the development would provide acceptable levels of adequate residential amenity in accordance with Local Plan Policy 44.
- 8.17 Conclusion on Social Impacts.**
- 8.18 It is not considered that the proposed development would detract from the residential amenity of any neighbouring residential properties, and the development would accord with policy 44 of the Local Plan. The properties themselves would also have good levels of internal and external living areas in accordance with policy 45. The development would therefore be acceptable in terms of social sustainability.
- 8.19 It is accepted that the proposal would lead to some noise and disturbance being generated whilst construction is taking place, however this is considered to be short term when considered against the lifetime of the development. A planning condition would require a construction traffic management plan to be submitted and approved by the local planning authority in addition to the construction hours condition to ensure that impacts are minimised.

ENVIRONMENTAL SUSTAINABILITY

Impact upon the character and appearance of the surrounding area

- 8.20 Policies 41 (a), 42 (b), and 44 (b) in part require development to be of a high quality design that contributes to local distinctiveness, respond positively to existing site features and integrate well with its immediate surroundings. These policies also look at design components including the mix, layout, density and form of development, to ensure it provides a decent living environment and is safe.
- 8.21 The proposed dwellings would consist of a mixture of housetypes from apartments through to detached houses. However, the variety will still reflect the local character and building traditions. All the dwellings will be finished in red brick with the dark roof tiles. The windows and door styles are finished in grey and modern in style to create some variation.
- 8.22 The development is laid out in a cul-de-sac arrangement with two main artery roads. Properties will front Cedar Road along the southern boundary to form a traditional 'two-sided' street arrangement along this part of the development.
- 8.23 A neighbour representation suggested turning the properties on Cedar Road so that they faced inwards rather than towards the road to avoid overlooking. However this would harmfully impact the appearance of the area by providing no interest or detail along the street and as such cannot be supported.
- 8.24 The prevailing characteristic of Cedar Road is semi-detached dwellings, though there are also examples of detached properties. The proposed frontage arrangement will consist of semi-detached and terrace dwellings with a single detached property at plot 1. A low brick boundary wall will run the full length of the frontage to reflect that on the opposite side of Cedar Road. Overall the appearance of the site from Cedar Road is acceptable.
- 8.25 Whilst plots 2 - 7 are labelled as 'apartments' the appearance of these dwellings are more akin to typical two storey dwellings. The properties will consist of one bedroom two storey flats with a communal amenity space to the rear and parking courtyard. Therefore the introduction of flats is not considered to impact the appearance of the locality.
- 8.26 Within the development, boundary treatments and the positioning of plots has been amended to ensure that the development provides interesting elevations and natural surveillance. Windows have been added to any corner plots so that there are no blank elevations as well as natural surveillance over the parking areas and public open space.
- 8.27 The street will provide appropriate planting and landscaping to break up the car parking spaces and ensure that development will not appear dominated by vehicles.

- 8.28 The inclusion of the 'Nightingale Park' along with two 'The Green' areas; the entrance 'Square' and the orchard provide additional landscaping and areas of openness, which together contribute to the appearance and character of the development.
- 8.29 Overall the development is considered to be acceptable in terms of design and appearance. Whilst the appearance of the dwellings are modern in comparison to the existing semi-detached properties on the southern side of Cedar Road, the development does replicate the style and appearance of those dwellings bordering the site to the north, east and west. The development has been carefully arranged so that there is a distinct sense of openness and spaciousness whilst providing a well-mixed variety of housetypes. This attracts moderate weight in favour of the proposal.

Impact upon highway safety

- 8.30 Policy 13(A) of the Local Plan states that the Council will work with developers to ensure that appropriate levels of parking provision are made in accordance with the standards in Appendix 6 (criterion 4) and development does not result in unacceptable impacts on highway safety (criterion 6). Developments should also include provision for electric vehicle charging points (criterion 4).
- 8.31 The main access to the site will be provided in the same position as the existing access which previously served the museum/school use. Albeit the access will be widened in order to achieve the suitable width for two way passing traffic in addition to appropriate pedestrian footpath widths at either side. The Highways DC Officer has no objection this.
- 8.32 A second smaller access will be installed at the south-eastern corner of the site which will serve the apartment's parking courtyard. The properties which face onto Cedar Road will benefit from direct access off the existing street.
- 8.33 Policy 13 states that *'appropriate levels of parking provision are made in accordance with the standards contained within Appendix 6. A departure from these standards may be justified on a case by case basis, for example reduced parking levels for Town Centre residential developments where accessibility to public transport is more prevalent.'*
- 8.34 Appendix 6 of the Local Plan sets out the minimum parking standards to be applied to new residential developments. The guidelines state 2+ bedroom properties should provide 2 allocated spaces per dwelling plus 1 visitor space per 4 dwelling. However, in determining the right levels of parking the Council will consider the anticipated demand from the type of housing proposed and the likely occupiers so it can be assessed on a case by case basis as per Policy 13.
- 8.35 Having regard to the nature and tenure of the housing proposed, in some instances the private parking provision for the 2 bedroom dwellings has been reduced to only one space per dwelling. The applicant has provided a report

to evidence this reduction in car parking requirements which concludes: *'The Council does not hold records of council house tenants vehicle ownership, but it has always been largely understood residents that rent the two bedroom houses typically have a single car, or no car at all. All Council built housing sites have either sheds, or cycle hoops for the safe storage of bicycles, and the majority are on well served public transport networks respecting the fact that some residents do not own cars.'* On this basis, the parking provision does not entirely accord with the standards set out in Appendix 6. However the Highways DC Officer has confirmed that this is acceptable in this situation.

- 8.36 The remainder of the house types i.e. the 1 bedroom and 3+ bedroom properties fully accord with the adopted parking standards. In addition to this appropriate visitor parking has been distributed across the site and the relevant pedestrian footways have been widened to accommodate some on-street parking.
- 8.37 Each property will have access to an electric vehicle charging point which will be accommodated within the plot. A condition is attached to secure this.
- 8.38 The development has been supported by a Transport Statement which has been reviewed by the Council's Transport Planner. Based on the number of movements projected to be generated by the development, it is not considered that the proposal will impact the local highway network. There is no objection in this regards.
- 8.39 In addition to this, a cycle storage condition has been attached to encourage sustainable transport options. Given the position of the site within an established residential area, there are a number of health, retail and leisure facilities, education institutions and employment sites within relatively close proximity.
- 8.40 Overall, the proposal provides suitable arrangements for vehicular access, parking and protects public safety in line with the above policies. The trip generation to and from the site would not lead to a cumulative impact and the location of the site means that there is potential for reduced private car demand and ownership. This attracts neutral weight in the overall planning balance.

Trees and Landscaping

- 8.41 Policy 48 states that development will be supported which protects landscape character, protects and enhances existing landscape features and provides high quality hard and soft landscaping schemes which include fit for purpose planting and generous trees, shrubs and hedgerow planting.
- 8.42 The Council's Tree Officer has reviewed the application and has no objection based on the proposed plans. Whilst the development will result in the loss of some trees, most of the trees will be retained, including the 1 TPO tree on the site. Conditions are attached relating to the arboricultural method statement; tree removal works and a full landscape plan which is to be agreed prior to commencement of development. The development accords with the above policy.

Flood Risk and Drainage

- 8.43 Policy 56 states that development proposals will be supported where there is adequate means of foul sewerage disposal; no increase in flood risk or surface water run off and make use of SUDs unless it can be shown to be technically unfeasible.
- 8.44 The site lies within Flood Risk Zone 1 as per the Environment Agency's Flood Map for Planning and by Doncaster's Strategic Flood Risk Assessment (SFRA). This is the lowest area of flood risk from main river flooding. Nevertheless major planning applications must be supported by the relevant drainage information including plans and strategies in order to accord with adopted Policy 56.
- 8.45 The site will incorporate satisfactory measures for dealing with drainage impacts to ensure waste water and surface water run-off is dealt with on site. The information provided has been reviewed by the Council's Drainage Officer and there is no objection on this basis, subject to the conditions attached.
- 8.46 Yorkshire Water and the EA were also consulted on the application, neither of which raised any objections. Yorkshire Water's engineers requested a number of conditions relating to environmental management plans; discharge points and protection of public sewers which have been attached.

Air Pollution and Contaminated Land

- 8.47 Policy 55 states that proposals will be required to mitigate contamination by demonstrating there is no significant harm to human health; land; natural environment; pollution of soil or any watercourse. Developments must ensure that necessary remedial action is undertaken and demonstrate that any adverse ground conditions have been properly identified and safely treated so suitable for the proposed use.
- 8.48 Policy 54 relates to pollution and states that consideration will be given to the impact on national air quality. An air quality assessment will be required to enable clear decision making on any relevant planning application.
- 8.49 The Contamination Officer has reviewed the application in regards to land contamination. It is noted that the existing buildings have already been demolished. There is no overall concern regarding the suitability of the site for the proposed use, subject to further assessments being carried out as per the attached condition.
- 8.50 In terms of air quality, a screening assessment has been provided which has been reviewed. The site lies outside any Air Quality Management Area. Based on the findings of that report, there is no objections relating to air quality.

However a condition is attached relating to EV Charging as per the recommendations of the report.

Energy Efficiency/Sustainability Features

- 8.51 Policy 58 relates to low carbon and renewable energy proposals, and states that development will be supported which give priority to heat or power generation from light or other low carbon heat sources.
- 8.52 The proposed development includes the integration of PV solar roof tiles in all of the property roofs in addition to an air source heat pump being installed for each dwelling. These energy efficient features exceed those required by Building Control regulations, therefore providing clear environmental benefits.

Archaeology

- 8.53 Policy 39 states that development affecting other archaeological assets will need to demonstrate how any benefits will outweigh harm to the site.
- 8.54 The developer requirements for the site allocation states that the presence of archaeology is unknown and to contact the relevant consultee. The South Yorkshire Archaeology Service have been consulted and confirmed that the site has negligible archaeological potential and advises that there are no archaeological concerns with this application.

Ecology

- 8.55 Policy 29 states proposals will only be supported which deliver a net gain for biodiversity and protect, create, maintain and enhance the Borough's ecological networks. Policy 30 states proposals which may harm priority habitats; protected species or features of biodiversity interest will only be supported where the DEFRA biodiversity metrics demonstrates that a proposal will deliver a minimum 10% net gain for biodiversity.
- 8.56 The application has been supported by a preliminary ecological appraisal (PEA). The report concluded that no priority habitats were recorded within the site other than hedgerows (which fall under the broad category of boundary and linear features). The hedges were considered to be of poor species quality.
- 8.57 Two trees were assessed as having low bat roosting potential due to ivy coverages. However the remaining trees contained no further bat roosting features. The site was considered to provide negligible potential to support commuting lines or foraging bats.
- 8.58 Active nests and nesting sites for breeding birds were recorded within the site in several locations. It is therefore recommended that any site clearance works are undertaken outside the breeding bird season.

- 8.59 The site is also considered to provide suitable habitats for hedgehogs. Autumn site clearance would avoid the bulk of the breeding season and be prior to hedgehog hibernation, therefore limiting any harm upon the species.
- 8.60 The biodiversity net gain (BNG) metric calculation states that the current site baseline (as per the field survey carried out in November 2022) provides 19.7 habitat units. Post-development the site will provide a total of 12.39 habitat units resulting in a net loss of -7.31 units meaning the development does not accord with adopted Policy 30 in terms of achieving +10% BNG.
- 8.61 Typically in instances where there is a net loss of habitat units, a BNG offsetting scheme or financial contribution would be secured through a S106 Agreement which would be used for offsite habitat improvement works. However due to the nature and viability of the development proposed, and the fact that government grant funding is being used to implement the scheme, monies towards offsetting works are not available. The Council's Strategic Housing team have provided a viability statement to address this which states that the funding streams do not allow for contribution requests and any BNG contribution would impact on the viability and delivery of the scheme.
- 8.62 Whilst the failure to accord with the adopted development plan policy on BNG is acknowledged, the overall benefits of the scheme are considered to outweigh the harm introduced in terms of habitat loss in this instance. The fact that the scheme will deliver 100% affordable housing (in a location where typically 23% is required) all of which will include environmentally sustainable features is considered to provide significant social and environmental benefits. Additionally, the scheme includes generous community features such as spacious open space as well as an orchard, both of which will include tree planting.
- 8.63 It is also important to acknowledge that should the BNG metric assessment have been undertaken prior to the demolition works, the on-site baseline is likely to be very different. Prior to the demolition works (which were completed in May 2021) the site consisted of large buildings with hardstanding, parking areas, and cultivated lawns. It is only since this relatively recent demolition that the bio-diversity value of the site is considered to have improved. If the BNG metric had been assessed against the baseline of the site approximately 21 months ago then the outcome of the development is likely to have resulted in a different habitat output figure.
- 8.64 The Ecologist has provided a condition relating to ecological enhancements which are to be included on the site and which will mitigate the BNG requirements further. Whilst the minor enhancements suggested (including integrated bat boxes; swift nest boxes and hedgehog access holes) will not account for the overall habitat loss, it will provide some additional mitigation. Based on this, and taking the wider benefits of the site into consideration, the ecological impact holds moderate weight.

Conclusion on Environmental Issues

- 8.65 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.
- 8.66 In conclusion of the environmental issues, it is considered that there has been no significant issues raised which would outweigh against the benefits of the proposal or that cannot be mitigated by condition. The proposal would not have a harmful visual impact, and would integrate well with the surrounding local environment. The parking/access arrangements are deemed to be acceptable, as well as the tree and landscaping proposals. There are no archaeological constraints, and the site is not in a flood risk area. Whilst it is acknowledged that the site does not provide +10% BNG, the other environmental benefits of the scheme, such as the use of green energy features, are considered to balance out the potential harm. Overall, the environmental impact of the development is considered to be acceptable.

ECONOMIC SUSTAINABILITY

- 8.67 It is anticipated that there would be some short term economic benefit to the development of the site through employment of construction workers and tradesmen connected with the build of the project however this is restricted to a short period of time and therefore carries limited weight in favour of the application.
- 8.68 On a wider level, additional housing will increase spending within the City which is of further economic benefit in the long term.

S106 Planning Obligations

- 8.69 Paragraph 55 of the NPPF states '*Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.*'
- 8.70 Paragraph 57 states '*Planning obligations must only be sought where they meet all of the following tests: a) necessary to make the development acceptable in planning terms; b) directly related to the development; and c) fairly and reasonably related in scale and kind to the development.*'
- 8.71 Paragraph 58 states '*Where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. 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.'

- 8.72 This development is to provide 46 x 100% affordable housing units, whereas adopted Policy 7 only requires the provision of 23 per cent affordable housing in this area, subject to viability.
- 8.73 The Education department originally requested a commuted sum of £196,714.00 towards secondary school places at the local school. In response to this, the applicant has provided an affordable housing statement to address the viability of the scheme.
- 8.74 The scheme will require significant levels of Homes England grant to support the delivery of the scheme and no further grant is available and any additional expense or contributions would lead to a reduction in the number of units, affect the terms of the grant offer or result in non-delivery of the scheme to its current tight timeline or render the scheme unviable. The development therefore cannot sustain any Section 106 contributions as commuted sums. As such the viability of the scheme in delivering social housing should not be put at risk by enforcing any financial contributions.
- 8.75 The development would not be viable if the biodiversity off-setting contribution (see section 8.61) was required along with other contributions such as the education contribution of £196,714.00. However the scheme will deliver 100% affordable housing and will also provide the required on-site POS in accordance with adopted Policy 28. Given these factors, it is considered that there is greater community benefit in assisting the delivery of these affordable homes by granting permission without a commuted sum or biodiversity offsetting. The Education department are also satisfied with the information provided and have confirmed that their contribution request is withdrawn.

Conclusion on Economy Issues

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

9.0 PLANNING BALANCE & CONCLUSION

- 9.1 In accordance with Paragraph 11 of the NPPF, the proposal is considered in the context of the presumption in favour of sustainable development.
- 9.2 The principle of developing the site is acceptable having regard to its allocation for housing in the Local Plan. The proposal is also for much needed affordable council housing for the City and this attracts substantial weight. The site constraints have been assessed and there are no significantly adverse economic, environmental or social harm that would significantly or demonstrably outweigh the overall benefits identified when considered against the policies in the NPPF taken as a whole.

10.0 RECOMMENDATION

10.1 MEMBERS RESOLVE TO GRANT PLANNING PERMISSION FOR THE PROPOSED DEVELOPMENT SUBJECT TO THE CONDITIONS BELOW:

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:

Site Plan – Site Layout, Drg No: PQ2806 /AD / 10, Rev: K, Received: 20/2/2023

Location Plan, Drawing: PQ2806 / AD / 11, Received: 18/5/2022

Proposed Plans – House Type E855, Drg No: PQ2806 /AD / PD36, Rev: C, Received: 20/2/2023

Proposed Plans – House Type E1210, Drg No: PQ2806 /AD / PD40, Received: 16/2/2023

Proposed Plans- House Type E943, Drg No: PQ2806 /AD / PD04, Received: 23/1/2023

Proposed Plans – House Type E500/ E500, Drg No: PQ2806 /AD / PD30, Rev: A Received: 20/2/2023

Proposed Plans – House Type E645 A/B, Drg No: PQ2806 /AD / PD31, Rev: A, Received: 20/2/2023

Proposed Plans- House Type E716, Drg No: PQ2806 /AD / PD32, Rev: A, Received: 20/2/2023

Proposed Plans- House Type E790 A/B, Drg No: PQ2806 /AD / PD33, Rev: A, Received: 20/2/2023

Proposed Plans- House Type E794, Drg No: PQ2806 /AD / PD34, Received: 20/2/2023

Proposed Plans- House Type E801 A/B, Drg No: PQ2806 /AD / PD35, Rev: A Received: 20/2/2023

Proposed Plans- House Type E930, Drg No: PQ2806 /AD / PD37, Rev: A Received: 20/2/2023

Proposed Plans- House Type E1014, Drg No: PQ2806 /AD / PD39, Received: 18/5/2022

Proposed Plans- House Type E1375, Drg No: PQ2806 /AD / PD41, Received: 18/5/2022

Additional Information - Thermal Store Cylinder Spec Sheets, Received: 20/2/2023

REASON

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

03. 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.

04. 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.

05. 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.

06. Before the development is brought into use, the sight lines as shown on the approved plan shall be rendered effective by removing or reducing the height of anything existing on the land hatched black 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.

REASON

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

07. Development shall commence until Construction Traffic Management Plan (CTMP) for that phase of development is submitted to and subsequently approved in writing by the Local Highway Authority. The approved plan shall be adhered to throughout the construction phase. I would expect the CTMP to contain information relating to (but not limited to):

- Numbers and types of construction vehicles including details of abnormal loads;
- Identification of delivery routes;
- Identification of agreed access point;
- Contractors method for controlling construction traffic and adherence to routes;
- Swept path analysis for construction access;
- Construction Period;
- Temporary signage;
- Measures to control mud and dust being transferred to the public highway;
- Timing of deliveries.

REASON

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

08. No development or other operations shall commence on site in connection with the development hereby approved until a detailed Arboricultural Method Statement that complies with British Standard 5837: 2012 Trees in Relation to Design, Demolition and Construction - Recommendations has been submitted to and approved in writing by the Local Planning Authority. Thereafter, no development or other operations shall take place except in complete accordance with the approved Method Statement. The arboricultural method statement should be appropriate to the proposals and might typically address some or all of the following, incorporating relevant information from other specialists as required:
- a) removal of existing structures and hard surfacing;
 - b) installation of temporary ground protection and temporary tree protection fencing;
 - c) excavations and the requirement for specialized trenchless techniques where it is required/can't be avoided within the root protection areas of retained trees to be installed prior any equipment, machinery or materials have been brought on to site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site;
 - d) installation of new hard surfacing - materials, design constraints and implications for levels;
 - e) retaining structures to facilitate changes in ground levels;
 - f) preparatory works for new landscaping;
 - g) auditable/audited system of arboricultural site monitoring, including a schedule of specific site events requiring input or supervision.

REASON

To minimise damage to the root systems of trees that are shown for retention on the Approved Plan

09. Tree removal work shall be carried out in accordance with the approved plans and particulars (Drawing - Site Layout, Drg No:

PQ2806 /AD / 10, Rev: K, Received: 20/2/2023). Best arboricultural practice shall be employed in all work, which shall comply with British Standards Specification No.3998:2010. Tree works shall be completed before the development commences. Other trees shall be retained and protected during the development.

REASON

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

10. The development hereby granted shall not be begun until details of the foul, surface water and land drainage systems 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 operational prior to the occupation of the development.

REASON

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

11. Prior to the first occupation of the development hereby approved, details of the drainage management and maintenance plan shall be submitted to and approved in writing by the Local Planning Authority. The drainage system for foul and surface water drainage shall be retained, managed and maintained for the lifetime of the development in accordance with the approved drainage management and maintenance plan.

REASON

To ensure the drainage apparatus of the site is adequately maintained for the lifetime of the development and to accord with Para. 169 c) of the NPPF (2021).

12. Before the development commences, product 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 the satisfactory appearance of the development

13. Prior to first occupation of the each of the dwellings listed below, Building Control Completion Certificates must have been provided to the Local Planning Authority demonstrating that the specified optional requirements as set out in the Building Regulations 2010 (as amended) have been achieved for the following plots:

Plots 1, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 , 18 , 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 30, 31, 32, 33, 34, 35, 36, 38, 40 , 41, 42, 43, 44, 45, 46, 47, 48 must meet Part M4(2) 'accessible and adaptable dwellings' and

Plots 29, 37, 39 must meet Part M4(3) 'wheelchair adaptable dwellings'.

REASON

To ensure compliance with the requirements of Local Plan Policy 45 to deliver the agreed accessible and adaptable homes.

14. No development shall take place on the site until a detailed hard and soft landscape scheme based on the approved landscape masterplan (drawing no: PQ2806 /AD / 10, Rev: K, Received: 20/2/2023) has been submitted to and approved in writing by the Local Planning Authority. The hard landscape scheme shall include details of all external hard surfacing materials, including adoptable highway finishes and footpaths through Public Open Space. 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 the Council's Transitional Developer Requirements Document, 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; a detailed specification for tree pit construction for the trees within highway that utilises a professionally recognised method of construction to provide the minimum rooting volume set out in the Council's guidance and a load-bearing capacity equivalent to BS EN 124 2015 Class C250 for any paved surface above; a specification for planting including details of tree support, tree pit surfacing, aeration and irrigation and details of management and maintenance 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 shall be 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.

REASON

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

15. Following the commencement of the development and before 30th September of every year during the implementation period (either phased or in full) and 5 year aftercare period, a 'Landscaping Implementation Report' shall be prepared by a suitably qualified landscape architect and / or contractor, and submitted by the developer to the Local Planning Authority in order to demonstrate that the landscaping has been carried out in full accordance with the

approved landscaping details. The report should record the landscaping operations carried out on the land since the date of commencement, or previous report / aftercare meeting, and set out the intended operations for the next 12 months for approval by the Local Planning Authority. The works as approved shall be implemented in full within the next available planting season following the approval of the details. The report shall cover the following matters in particular, but not be limited to, species, size, location, planting and aftercare specification, and be illustrated with evidence such as an overall progress summary, inspection site visit notes, a schedule of maintenance operations undertaken, before and after photos of any remedial plantings or completed works. The developer shall arrange to attend a site meeting with the Local Planning Authority to inspect the planting and ongoing maintenance requirements.

REASON

To ensure site landscaping works are undertaken as approved in accordance with Local Plan Policy 48.

16. Construction works shall not take place outside:
08:00 hours to 17:00 hours Mondays to Fridays
08:00 hours to 17:00 hours on Saturdays
Not at any time on Sundays or Bank Holidays.

REASON

To safeguard the amenities of the occupiers of the adjoining properties.

17. No development shall take place, 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.

18. Before any construction works are started on the application site, a Construction Impact Management Plan, indicating measures to be taken to mitigate the effects of the construction activity and

associated vehicle movements upon the living conditions of neighbouring residents and highway safety shall be submitted to and approved by the Local Planning Authority. The mitigation measures shall include provision for the following: the limitation of noise, the means of enclosure of the construction sites, and any proposed external security lighting installation; the control of dust emissions; the control of deposition of mud or debris on the highway, and the routing of contractors' vehicles. The mitigation measures so approved shall be carried out at all times during the construction of the development hereby approved.

REASON

To safeguard the living conditions of neighbouring residents.

19. Prior to the occupation of the development hereby approved, details of electric vehicle charging provision shall be submitted to and approved in writing by the local planning authority. Installation shall comply with current guidance/advice and at least one charging point per dwelling must be provided. The first dwelling shall not be occupied until the approved connection has been installed and is operational and the connection shall be retained for the lifetime of the development. The development shall be carried out in accordance with the approved details.

REASON

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

20. There shall be no construction of new buildings on site prior to the submission to and written from the Local Planning Authority of a Construction Environmental Management Plan (CEMP) to understand the impact of planning permission on the principle aquifer. Once approved by the Local Planning Authority, the findings and recommendations of the CEMP must be implemented in full accordance with the timescales detailed within the CEMP.

REASON

To ensure that the development can be properly drained.

21. The site shall be developed with separate systems of drainage for foul and surface water on and off site. The separate systems should extend to the points of discharge to be agreed.

REASON

In the interest of satisfactory and sustainable drainage.

22. There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works, details of which will have been submitted to and approved by the Local Planning Authority. If discharge to public sewer is proposed, the information shall include, but not be exclusive to:
- i) the means of discharging to the public sewer network at a rate not to exceed 5 litres per second.

REASON

To ensure that no surface water discharges take place until proper provision has been made for its disposal.

23. No building or other obstruction including landscape features shall be located over or within 3.5 metres either side of the centre line of the public sewer i.e. a protected strip width of 7 metres that crosses the site. Furthermore, no construction works in the relevant area(s) of the site shall commence until measures to protect the public sewerage infrastructure that is laid within the site boundary have been implemented in full accordance with details that have been submitted to and approved by the Local Planning Authority. The details shall include but not be exclusive to the means of ensuring that access to the pipe for the purposes of repair and maintenance by the statutory undertaker shall be retained at all times. If the required stand-off or protection measures are to be achieved via diversion or closure of the sewer, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and that, prior to construction in the affected area, the approved works have been undertaken.

REASON

In the interest of public health and maintaining the public sewer network.

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

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

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

Environment Protection Act 1990 in relation to the intended use of the land after remediation.

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

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

REASON

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

25. The development hereby permitted shall not be commenced until details of secure cycle parking facilities for the occupants of, and/or visitors to the development have been submitted to and approved in writing by the local planning authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

REASON

To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles and to comply with policy 13 of the Doncaster Local Plan.

26. Within one month of commencement of development, a biodiversity enhancement plan shall be submitted to the local planning authority for approval in writing. This plan shall include details of the following measures, all of which shall be implemented prior to the first occupation of the site, with photographic evidence of the implemented measures:

MEASURES

- integrated bat boxes of the Ibstock Bat Brick type or similar shall be built into 40% of built structures on a west or south facing orientation above 4m from the ground and away from external artificial lighting as informed by a suitably qualified ecologist.
- swift nest box shall be integrated or surface mounted onto 30% of dwellings at eaves level on an east or west orientation, informed by a suitably qualified ecologist.
- hedgehog access holes (13cmx13cm) must be created in garden fences/boundary structures to ensure the safe passage of terrestrial mammals.

REASON

To ensure the ecological interests of the site are maintained in accordance with the NPPF and Local Plan policy 29 and 30.

INFORMATIVES

1. INFORMATIVE- Section 38 & 278

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.

2. INFORMATIVE: Doncaster Borough Council Tree Preservation Order (No.267) 2004 Mallard Primary School, Cedar Road, Balby, Doncaster

The Oak (T15) tree within the application site is subject to T1 of Doncaster Borough Council Tree Preservation Order (No.267) 2004 Mallard Primary School, Cedar Road, Balby, Doncaster. It is a criminal offence to wilfully damage a tree subject to a Tree Preservation Order. Failure to implement the above Planning Conditions which seek to protect the tree will be deemed to constitute wilful damage and may result in criminal proceedings being instigated by the council. Preventing damage to the trees is in the interests of tree health and also in the interests of safety of persons and property

3. INFORMATIVE: SY POLICE

The below recommendations are the minimum required to meet Building Regulations (Document Q) and provide a reasonable level of security. Doorsets are to comply with one of the following security standards –

- PAS 24:2016.
- STS 201 Issue 7:2015; or
- LPS 1175 Issue 8:2019 Security Rating A2+; or
- STS 202 Issue 6:2015 Burglary Rating 2; or
- LPS 2081 Issue 1.1:2016 Security Rating B

While doorsets complying with Approved Document PART M\$(2) are to be fitted, they must also comply with one of the above standards.

Windows - All ground floor and easily accessible windows including roof lights and roof windows must be certified to one of the following standards

- PAS 24:2016; or
- STS 204 Issue 6:2016; or
- LPS 1175 Issue 8:2019 Security Rating A2
- STS 202 Issue 7:2016 Burglary Rating 1; or
- LPS 2081 Issue 1.1:2016 Security Rating A.

The glazing units consist of a minimum of one pane of glass that achieves compliance under the BS EN356 P1A attack resistance standard. (Double glazed with laminated as the exterior pane) Lighting is required to each elevation that contains a doorset where the public, visitors or occupants of the building are expected to use.

It is noted that the following dwellings do not have surveillance over the parking space assigned to that property; No's 22 & 23 and 44. The parking areas for Nightingale apartments and the visitor parking opposite also have no surveillance of their car parking spaces.

House types with recessed doorways are to have an overhead light installed. Ideally, these should be recessed into the canopy to prevent them being covered.

It is important to keep the development secure and safe during the construction phase: Please refer to-

https://www.securedbydesign.com/images/CONSTRUCTION_SITE_SECURITY_GUIDE_A4_8pp.pdf

4. INFORMATIVE – SPACE STANDARDS

In relation to Condition 13 - this condition may be partially discharged by the submission and approval of Completion Certificates for individual plots during a site build out. This condition will be fully discharged upon receipt of satisfactory Completion Certificates for all the above plots.

