

Application	1.
--------------------	----

Application Number:	22/01710/4FULM
----------------------------	----------------

Application Type:	Planning FULL (DMBC Reg 4) Major
--------------------------	----------------------------------

Proposal Description:	Erection of residential development and public open space with associated infrastructure, landscaping and drainage.
At:	Land North Of The Railway Line Rose Hill Rise Rose Hill Doncaster DN4 5LE

For:	Mr Adam Pitman - Miller Homes Limited
-------------	---------------------------------------

Third Party Reps:	120 Letters of objection and 1 petition	Parish:	None
		Ward:	Bessacarr

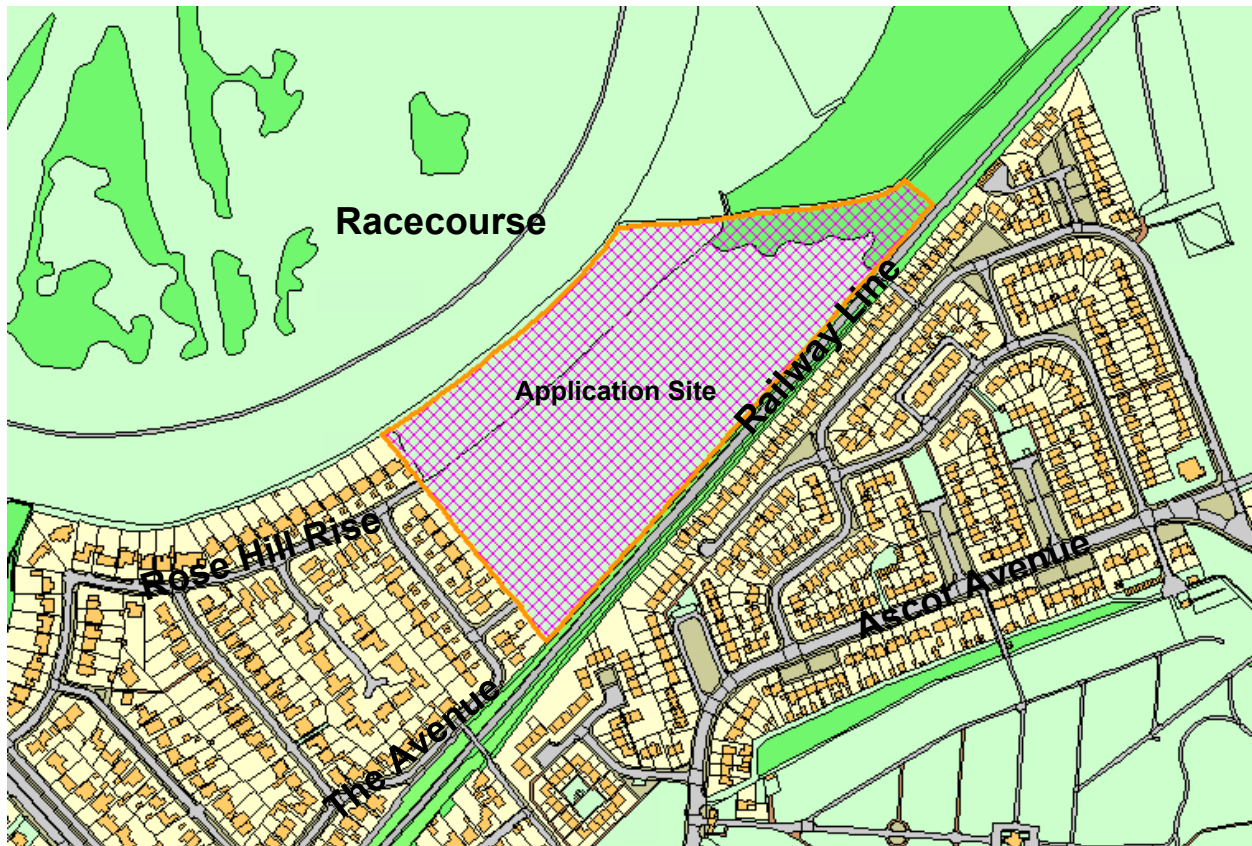
Author of Report:	Andrea Suddes
--------------------------	---------------

SUMMARY

The proposal seeks permission for the erection of 121 dwellings and public open space with associated infrastructure, landscaping and drainage. The proposal is considered to be acceptable in policy terms given the site is designated within the Local Plan as a Housing Development Allocation, Site Ref: MUA56 – Rose Hill, Cantley, with an indicative housing capacity of 166 dwellings. Overall the proposal is considered to be an acceptable and sustainable form of development in line with paragraph 7 and 8 of the National Planning Policy Framework (NPPF, 2021).

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 has been sympathetically designed to maximise the ecological interest of the site and would not cause undue harm to neighbouring properties, heritage and ecological assets, the highway network or the wider character of the area.

RECOMMENDATION: GRANT subject to conditions and signing of a Section 106 agreement.



1.0 Reason for Report

- 1.1 This application is being reported to planning committee as this is a site within Council ownership; due to the number of representations that have been received and at the request of Local Ward Councillors; Councillor Nick Allen, Councillor Majid Khan and Councillor Laura Bluff.

2.0 Proposal and Background

- 2.1 Planning permission is being sought for the erection of 121 dwellings including the formation of a new access, landscaping and public open space.
- 2.2 The site has had a longstanding allocation in the Doncaster Unitary Development Plan for housing which was adopted in 1998. The allocation has been reallocated through the adopted Doncaster Local Plan (September 2021). The Unitary Development Plan site allocation included a Development Brief that set out the planning requirements and development guidelines to inform and advise on any proposed scheme being brought forward. This Development Brief has since been updated and more recently, the current Local Plan allocation also includes Site Development Requirements at Appendix 2 for this site. The issues highlighted at Appendix 2 for this site include consideration of the following issues;

- Archaeology
- Biodiversity
- Design
- Education
- Public Open Space

- Transport
- Trees and Hedgerows

2.3 Pre application advice has been sought and provided along with an application submission that was later withdrawn. This current proposal is submitted as a result of the advice provided.

3.0 Site Description

3.1 The site is an area of unmanaged grassland. It is generally level and was previously cultivated. The site is located on the northern edge of the Cantley and Bessacarr housing estates, approximately 2 miles southeast of Doncaster City Centre.

3.2 The site is bound to the southwest by existing residential development; to the south east by a mineral railway line, with residential development immediately behind; to the north-west by Doncaster Racecourse/Common; and to the north by agricultural land and Redhouse Plantation woodlands.

3.3 Doncaster Common and Redhouse Plantation are both designated as Local Wildlife Sites.

3.4 The site falls within a Site of Special Scientific Interest (SSSI) Impact Risk Zone associated with the Sandal Beat SSSI, situated approximately 750m to the north east.

3.5 The site lies adjacent to an existing well established residential estate and is accessed via two existing adopted metalled roads with footpaths, leading from Rose Hill Rise and The Avenue and which extend to the site boundary at its south western end.

3.6 The site is approximately 400m east of the A638 Bawtry Road, a major strategic route in to Doncaster City Centre and from which the site is accessed.

4.0 Relevant Planning History

4.1 Application site history;

Application Reference	Proposal	Decision
21/03161/FULM	Erection of residential development comprising of 157 units, with public open space and associated landscaping, drainage and infrastructure. DRAFT	Withdrawn 29.06.2022
21/01523/PREAPP	Proposed residential development (162 dwelling)	Enquiry Closed 23.07.2021
19/01530/PREAPP	Erection of 164 dwellings and associated works.	Enquiry Closed 09.08.2019

- 4.2 As further background to this site, the most recent history is application reference 21/03161/FULM. This application proposed 157 units but was never made valid and was withdrawn by the applicant on account that further archaeological information was required to accompany the application submission as required by paragraph 194 of the National Planning Policy Framework (NPPF) and the Local Plan Developer Requirements for this allocation.
- 4.3 At the time of the application submission, officers raised concerns regarding the quantum of development proposed. As a consequence of both these issues, the application was withdrawn to both review the scale of the proposal and to provide the necessary archaeological information. This current application submission is the result of this review and now significantly reduces the quantum of development to 121 units; equating to a reduction of 36 units in order to maximise the biodiversity interest of the site.

5.0 Site Allocation

- 5.1 The site is allocated for housing as designated within the Doncaster Local Plan, Site allocation ref: MUA56 – Rose Hill, Cantley. The indicative capacity for housing within the site, which provides a general guide for potential housing numbers, is shown to be approximately 166 dwellings. The proposal is for 121 units, which is an overall reduction of 27% of the potential development site.

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 National Planning Policy Framework is a material consideration in planning decisions and the relevant sections are outlined below:
- 5.4 Paragraph 2 states that planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 5.5 Paragraphs 7 – 11 establish that all decisions should be based on the principles of a presumption in favour of sustainable development. One of the three overarching objectives of the NPPF is to ensure a significant number and range of homes are provided to meet the needs of present and future generations (paragraph 8b).
- 5.6 Paragraph 55 of the NPPF states that planning authorities should consider whether unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other aspects.

- 5.7 Paragraph 63 requires on site provision of affordable housing where a need is identified.
- 5.8 Paragraph 110 sets out that in assessing specific applications for development, it should be ensured that:
- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
 - b) safe and suitable access to the site can be achieved for all users;
 - c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code and
 - d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 5.9 Paragraph 111 states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 5.10 Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities (paragraph 126).
- 5.11 Paragraph 174 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible.
- 5.12 Paragraph 180 further states that when determining applications the LPA should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission.
- 5.13 Planning decisions should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new developments and avoid noise giving rise to significant adverse impacts on health and the quality of life (para 185).
- 5.14 Paragraph 194 relates to proposals affecting heritage assets, requiring that the impact on any heritage asset is assessed and where heritage assets have or has the potential to include an archaeological interest, an appropriate desk-based assessment and where necessary a field evaluation should be submitted.
- 5.15 Local Plan**
- 5.16 The site is allocated for housing within the Local Plan, Site allocation MUA56 – Rose Hill, Cantley. This allocation is also accompanied by a Development Brief along with Developer Requirements set out at Appendix 2 of the Local Plan.

- 5.17 Policy 1 sets out the Doncaster Settlement Hierarchy and is the overarching strategic policy that informs the decision making process on where the location and scale of development should take place in Doncaster. Policy 1 identifies Bessacarr as being located within the 'Main Urban Area', this is the area defined as the contiguous built up area of Doncaster comprising of a number of connected districts around the now City Centre. Doncaster Main Urban Area provides services for the whole City, and to strengthen this role and to meet growth objectives and regeneration needs it states that this area will be the main focus for growth. In terms of housing provision this policy states that 45% of new homes provision for the borough will be provided in the 'Main Urban Area.'
- 5.18 Policy 1 should be read in conjunction with Policy 2 as this policy sets out the level of growth and states that the Local Plan's strategic aim is to facilitate the delivery of at least 920 net new homes each year over the plan period (2018-2035) (15,640 net homes in total). This would therefore equate to the provision of 7,038 homes within the 'Main Urban Area' over the plan period. Table 4 confirms that specific allocations have been made equating to 7,182 net new homes across the Main Urban Area.
- 5.19 Policy 7 states that the delivery of a wider range and mix of housing types, sizes and tenures will be supported through the following:
- a) New housing developments will be required to deliver a mix of house sizes, types, prices, and tenures to address as appropriate the needs and market demand identified in the latest Housing Need Assessment;
 - b) Housing sites of 15 or more homes (or 0.5ha or above) will normally be expected to include 23% affordable homes in the borough's high value housing market areas or a lower requirement of 15% elsewhere in the borough (including starter homes which meet the definition) on site.
- 5.20 Policy 13 sets out that new development shall make appropriate provision for access by sustainable modes of transport to protect the highway network from residual vehicular impact to ensure that:
- a) access to the development can be made by a wide choice of transport modes, including walking, cycling, private vehicles and public transport;
 - b) site layouts and the street environment are designed to control traffic speed through an appropriate network and street hierarchy that promotes road safety for all;
 - c) walking and cycling are encouraged with the development and beyond, through the design of facilities and infrastructure within the site and provision of linkages to the wider network;
 - d) appropriate levels of parking provisions are made; and
 - e) existing highway and transport infrastructure is not adversely affected by new development. Where necessary, developers will be required to mitigate (or contribute towards) and predicted adverse effects on the highway network.
- 5.21 Policy 16 states that the needs of cyclists must be considered in relation to new development and in the design of highways and traffic management schemes to ensure safety and convenience. Provision for secure cycle parking facilities will be sought in new developments.

- 5.22 Policy 17 states that an increase in walking provision in Doncaster will be sought. Walking will be promoted as a means of active travel. Proposals will be supported which provide new or improved connections and routes, which enhance the existing network and address identified gaps within that network. The needs of pedestrians will be considered and prioritised in relation to new developments, in public realm improvements and in the design of highways and traffic management schemes.
- 5.23 Policy 21 sets out that all new housing and commercial development must provide connectivity to the Superfast Broadband network unless it can be clearly demonstrated that this is not possible.
- 5.24 Policy 28 deals with open space provision in new developments and states that proposals of 20 family dwellings or more will be supported which contribute 10 or 15 per cent of the site as on-site open space to benefit the development itself, or a commuted sum in lieu of this (especially where the site is close to a large area of open space).
- 5.25 Policy 30 seeks to protect sites and species of local, national and international importance and requires proposals to meet 10 per cent net gain for biodiversity.
- 5.26 Policy 31 seeks to identify and protect Local Wildlife sites to maintain a functioning ecological network.
- 5.27 Policy 32 states sets out that proposals will be supported where it can be demonstrated that woodlands, trees and hedgerows have been adequately considered during the design process, so that a significant adverse impact upon public amenity or ecological interest has been avoided.
- 5.28 Policy 35 advises on the Understanding and Recording the Historic Environment, stating that proposals that affect known or potential heritage assets will require a heritage statement and justification of any harm, with detailed investigation and recording, demolition or groundwork to ensure that an understanding of the affected asset is gained along with deposition of the site archive with the relevant archive repository and deposition of a report on the results with the South Yorkshire Sites & Monuments Record.
- 5.29 Policy 37 states that proposals should not detract from the heritage significance of a conservation area by virtue of their location, layout, nature, height, density, form, scale, materials or design or by the removal of trees, the loss of important open spaces or other important landscape features, or through adverse impact on key views and vistas.
- 5.30 Policy 39 states that development affecting archaeology will be assessed against two principles; development that would result in harm to the significance of a scheduled monument and how any benefits outweigh harm to the site for development affecting other archaeological assets.

- 5.31 Policy 41 sets out that imaginative design and development solutions will be encouraged to ensure that proposals respect and enhance identity, character and local distinctiveness. In all cases, proposals will need to demonstrate an understanding of the context, history, character and appearance of the site, neighbourhood and wider area, to inform the appropriate design approach.
- 5.32 Policy 42 states that high-quality development that reflects the principles of good urban design will be supported. Proposals for new development will be expected to follow a best practice design process and where appropriate, use established design tools to support good urban design.
- 5.33 Policy 43 C) requires edge of settlement developments or developments on the edge of countryside or Green Belt to provide suitable landscaping to soften the urban edge.
- 5.34 Policy 44 sets out that new housing will be supported where it responds positively to the context and character of existing areas and creates high quality residential environments through good design.
- 5.35 Policy 45 states that new housing proposals will be supported where they are designed to include sufficient space for the intended number of occupants and shall meet the Nationally Described Space Standard as a minimum.
- 5.36 Policy 48 states that development will be supported which protects landscape character, protects and enhances existing landscape features and provides a high quality, comprehensive hard and soft landscape scheme.
- 5.37 Policy 50 states that development will be required to contribute positively to creating high quality places that support and promote healthy communities and lifestyles, such as maximising access by walking and cycling.
- 5.38 Policy 52 states that where housing proposals of 20 or more family dwellings will create or exacerbate a shortfall in the number of local school places, mitigation will be required, either through an appropriate contribution to off-site provision or, in the case of larger sites, on-site provision.
- 5.39 Policy 54 sets out that where developments are likely to be exposed to pollution, they will only be permitted where it can be demonstrated that pollution can be avoided or where mitigation measures will minimise significantly harmful impacts to acceptable levels. This includes giving particular consideration to the presence of noise generating uses close to the site.
- 5.40 Policy 55 sets out criteria to mitigate against land contamination or land stability on development of land that is unstable, currently contaminated or suspected of being contaminated.
- 5.41 Policy 56 states that development sites must incorporate satisfactory measures for dealing with their drainage impacts to ensure waste water and surface water run-off are managed appropriately and to reduce flood risk to existing communities.

- 5.42 Policy 65 states that developer contributions will be sought to mitigate the impacts of development through direct provision on site, provision off site, and contributions towards softer interventions to ensure the benefits of the development are maximised by local communities.

5.43 Other material planning considerations

National Design Guide (Jan 2021)

- 5.44 The national design guide sets out the characteristics of well-designed places and demonstrates what good design means in practice to achieve a successful place.

Doncaster Transitional Developer Guidance

- 5.45 Doncaster Council's previous suite of 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. The SPDs refer to superseded development plan policies and some provide guidance which is not in accordance with the new Local Plan. 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. The Transitional Developer Guidance, Carr Lodge Design Code and the South Yorkshire Residential Design Guide (SYRDG), should be treated as informal guidance only as they are not formally adopted SPDs. These documents can be treated as material considerations in decision-making, but with only very limited weight. The Council have adopted a Biodiversity Net Gain Supplementary Planning Document in line with the Local Plan which attracts full weight.

5.46 Neighbourhood Plan

- 5.47 There is no Neighbourhood Plan for this area.

6.0 Representations

- 6.1 Prior to submitting this current application the applicant carried out a public consultation event which took place at The Dome, Doncaster Lakeside, Bawtry Road by Miller Homes on 26th July, 3pm – 8pm. The purpose of the event was to provide opportunity for residents to view and comment on the proposal prior to submission.
- 6.2 A leaflet drop was carried out sending notification of the event to all residents and businesses immediately surrounding the site, including local Ward Councillors. The leaflet drop included the following streets; Rose Hill Rise, Rose Hill Court, Moorland Grove, Park Lane, The Avenue, York Gardens, Epsom Road and Aintree Avenue.
- 6.3 The event was attended by 70 residents, the key issues raised were regarding the impact of the development on traffic, ecological impacts, capacity at schools/doctors, loss of trees, landscape management, archaeological implications, construction disruption and bridleways.

6.4 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, press advertisement and neighbour notification.

6.5 120 letters of objection have been received, some individual objectors having submitted a number of representations. These can be summarised as follows:

- Lack of information/detail of ecological information and reports
- Loss of a biodiverse young woodland habitat with important connectivity to Doncaster's Green Infrastructure corridors
- Impact on air quality for adjacent residents caused by dust emissions
- Noise and disruption for residents during construction period
- Incorrect tree survey-incorrectly counts trees and number of trees to be lost
- Loss of a mature and diverse wildlife site
- The full impact on the wildlife in this area has not been fully assessed
- Loss of open space
- Loss of trees
- Roads not wide enough for the estate and construction traffic
- On street parking problems, leaving problems with access for emergency vehicles
- Conflict with narrow roads being used by HGV's and 2 way construction traffic
- Potential impact on local and major road infrastructure
- Potential problems accessing Bawtry Road at busy times
- Potential problems with HGV's accessing Rose Hill Rise from Bawtry Road
- Congestion and traffic fumes on the existing estate roads
- Issues of crime as a result of the social housing to be provided
- Inadequate surface water drainage solution
- Existing problems with mains foul and surface water drainage and flooding
- Plans to drain the surface water along the ditch by the racecourse is not ideal. Previous instances of flooding of the common land between Bawtry Rd and Rose Hill Rise
- Loss of site impacts on climate change
- Proposed houses will have gas central heating therefore not environmentally friendly
- No demand for new build homes
- Loss of public footpaths across the site
- Impact on services as Schools, doctors, dentists already over capacity
- Devaluation of properties due to development
- Development fails to meet the criteria set out in DMBC Development Guidance

6.6 Non Material Issues raised:

- The Local Planning Authority cannot control the type of proposed heating for dwellings
- Devaluation of properties is not a planning consideration

6.7 A petition containing 1447 names from both locally, regionally, countrywide and even worldwide, has also been submitted but raises no additional issues to those listed above. The petition raises issue with the Council selling the site and proposals for it to be developed.

- The sale of the land is not a material planning issue

7.0 Parish Council

7.1 There is no Parish Council for this area.

7.2 Relevant Consultations

7.3 **Area Manager** – No comments received.

7.4 **Conservation** – No objection raised. The Council's Conservation Officer is in agreement with the conclusion of the submitted Heritage Statement in that there are no above ground heritage assets or any of their settings that would be harmed by the development.

7.5 **Trees and Hedgerows Officer** – The submitted tree survey is accepted. No objections raised subject to mitigation to be secured via conditions for a detailed soft landscape scheme and tree protection measures to be submitted and agreed.

7.6 **Ecology** – The Council's Ecologist is satisfied with the survey information submitted with this application is acceptable. Following submission of additional reports/details, there are no objections raised subject to mitigation by biodiversity offsetting via s106 legal agreement and inclusion of suggested conditions.

7.7 **Highways (Transportation)** – No objections raised subject to mitigation by conditions for electric vehicle charging points, cycle parking to be provided within the curtilage of each dwelling and annual monitoring for the Travel Plan.

7.8 **Highways Development Control** – Following a number of amendments no objections are raised subject to mitigation by conditions including submission of a construction traffic management plan, vehicle turning space to be constructed prior to development being brought into use and parking to be retained as such.

7.9 **Urban Design** – After a number of minor iterations the scheme is acceptable subject to inclusion of conditions for final external materials to be agreed, securing accessible and adaptable dwellings and a hard and soft landscaping scheme to be agreed.

7.10 **Natural England** – Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.

7.11 **Pollution (Air Quality)** – The submitted Air Quality Assessment follows standard methodology using information from recognised sources. No objections or issues of concern raised subject to conditions for electric vehicle charging points and on account of proximity to the racecourse, a restriction of dust producing activities on race days.

- 7.12 **Pollution (Land Contamination)** – Phase 1 and 2 geotechnical site investigation reports have been submitted. The results show the natural ground and top soil on site is suitable for re use. No made ground was been found. The report concludes NO remediation is required. No objection raised subject to condition for testing of any imported soils to ensure suitability for the proposed use.
- 7.13 **Strategic Housing** – No objections raised. The scheme proposes the full 23% affordable housing requirement on site and will provide 28 affordable family homes. The mix and tenure of the homes will be agreed via Section 106 legal agreement.
- 7.14 **Pubic Health** – Overall no objections raised following submission of and full consideration of the Health Impact Assessment.
- 7.15 **Environment Agency** – Have responded advising they have no objections as the site is designated as Flood Risk Zone 1 with a low probability of flooding.
- 7.16 **Internal Drainage** –No objections raised subject to condition for full foul and surface water details to be submitted, and a drainage management and maintenance plan to be approved.
- 7.17 **Yorkshire Water** – No objections raised subject to mitigation by conditions to mitigate the impact of planning permission on the sewerage system and the development to be carried out in accordance with the submitted Flood Risk Assessment (FRA).
- 7.18 **Built Environment (Open Space Policy)** – No objections raised following relocation of the play area and pumping station, and subject to conditions for details of play equipment, along with the delivery of the play area.
- 7.19 **Education** – No objection raised subject to financial contribution of £481,752.00 for 18 additional school places at Hall Cross Academy. This contribution will be secured via a Section 106 legal agreement.
- 7.20 **Local Plan (Housing)** – Supports the application subject to other policy considerations as the site is within a housing allocation within the adopted Doncaster Local Plan: Site MUA56 – Rose Hill, Cantley.
- 7.21 **Superfast South Yorkshire** – No objections subject to inclusion of condition for installation of superfast broadband.
- 7.22 **Public Rights of Way** – No objection raised. There are 3 existing bridleways that cross the site that will be retained. Any surfacing will be agreed by the Public Rights of Way Officer.
- 7.23 **Yorkshire Wildlife Trust** – Initially raised objection on account of a number of concerns regarding lack of information and details. However following submission of further details now defer to the Council’s Ecologist and subject to Officer’s raising no objection the YWT makes no further comment.
- 7.24 **Local Plan (Flooding)** – No objection raised given the site lies within Flood Zone 1.

- 7.25 **Environmental Health** – No objection raised subject to mitigation by condition for a construction method statement and construction impact management plan in order to safeguard the living conditions of neighbouring residents.
- 7.26 **South Yorkshire Architectural Liaison (SY Police)** – No objection raised subject to advice that the development should be built to Secured by Design standards. An advisory informative note for the applicant is therefore included.
- 7.27 **Network Rail** – No objections has been raised in principle however on account of the proximity to with the operational railway boundary works will need to be agreed with the Asset Protection Team. As such appropriate conditions and informative notes are included.
- 7.28 **South Yorkshire Archaeology Service (SYAS)** – The site has a high potential for the survival of significant archaeological remains. As such SYAS has recommended a condition for the development to be carried out in accordance with the submitted Written Scheme of Investigation that sets out a strategy for archaeological investigation on site.
- 7.29 **Ward Members.**
- 7.30 Councillor Majid Khan has raised a number of concerns including:
- i) Application is contrary to council's Climate and Biodiversity emergency
 - ii) Access to the site is not suitable for the long process of development, creating large numbers of HGV's, noise and air pollution
 - iii) Loss of an amenity area
- 7.31 Councillor Nick Allen has raised a number of concerns including:
- i) Land should not have been disposed of by CDC
 - ii) Development would destroy an area of green space which is well used by local people
 - iii) Access to the site for the developer will be difficult
 - iv) Development will result in noise, drainage issues
- 7.32 Councillor Laura Bluff has raised a number of concerns including:
- i) Loss of a well-used green space, including loss of mature trees
 - ii) Loss of wildlife as a result of the development
 - iii) Access issues from Bawtry Road
- 7.33 Non Material Issues raised:

Whether the land should or should not be disposed of by the Council is not a material planning consideration for this application.

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 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. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.

8.3 This report considers the proposal against the Development Plan (Doncaster Local Plan, Joint Waste Plan), the relevant sections of the NPPF and the National Planning Practice Guidance.

8.4 The principal issues for consideration under this application are as follows:

- Principle of development;
- Affordable Housing
- Impact on Residential Amenity
- Access to Services
- Climate Emergency
- Design and Impact on Character of Area
- Impact upon Highway Safety
- Archaeology
- Ecology
- Flood Risk and Drainage
- Trees and Landscaping
- Public Open Space
- Pollution Issues
- Section 106 Obligations
- Overall planning balance

8.5 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 or no

Principle of Development

- 8.6 With regard to the principle of residential development on this site, Bessacarr is identified in the Local Plan as one of the 'connected' districts around the City Centre that comprise the Development Limits of the Doncaster Main Urban Area. Policy 1 directs at least 45% of new homes over the plan period to the Doncaster Main Urban Area and, as such, is the main focus for housing growth and regeneration in the Borough.
- 8.7 Policy 2 builds further on this and sets out the strategic aim of facilitating the delivery of a minimum of 15,640 (net) new homes in the remainder of the plan period (2018-2035), or at least 920 new homes per year. Table 4 (Allocations of new homes across settlement hierarchy and individual settlements) identifies that allocations have been made equating to 7,182 new homes at the Doncaster Main Urban Area to accord with the 45% requirement.
- 8.8 The site is located on land allocated for housing within the Local Plan and is a long established proposed housing site as far back as the Doncaster Unitary Development Plan (1998). Policy 5 of the Local Plan relates to the delivery of the housing allocations set out in Policy 2 and Table H2(A) identifies the site as a Housing Allocation without planning permission, Site Ref: MUA56 – Rose Hill, Cantley, with an indicative housing capacity of 166 dwellings. Policy 5 states that housing allocations will be developed primarily for residential uses to help deliver the housing requirement, and will be developed having regard to both the specified developer requirements set out in Appendix 2 of the Local Plan, and the indicative number of new homes identified. It is important to note that the indicative number of dwellings within the Local Plan are not ceilings to quantum of development, which are to be more appropriately assessed at the detailed planning application stage. However, it does serve as a guide and it is important to note that proposals for lower density schemes can be supported where this would assist with the delivery of a better design solution. The scheme under consideration is below the indicative capacity but in doing so responds positively to the ecological/biodiversity interest of the area in terms of maximising this interest through sympathetic design and maximising the buffers around the site.
- 8.9 Taking the above considerations into account, the proposal would therefore make a significant contribution towards the Main Urban Area's housing requirement and thus contributing towards the policy objectives of the adopted Local Plan. The site is sustainable, being well located to access the services and facilities in the area, including schools, shops, employment and access to public transport. Doncaster town centre can be accessed within 3km cycling distance and the closest bus stops are located on Bawtry Road, which provide a number of services towards the town centre and other local destinations. The scheme proposes a lower density scheme than set out within its housing allocation, however this provides a better design solution as supported by Policy 5 of the Local Plan and maximises the biodiversity interest of the site and as such is acceptable in principle, subject to other policy considerations. The application is therefore in accordance with the guidance set out in paragraph 119 of the NPPF.

Sustainability

- 8.10 The National Planning Policy Framework (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.
- 8.11 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

- 8.12 Affordable Housing
- 8.13 Doncaster Local Plan Policy 7 seeks an affordable housing contribution and relates to housing mix and affordable housing stating that new housing developments will be required to include a mix of house size, type, price and tenure to address the identified needs and market demand to support mixed communities. It further states that in terms of delivering affordable housing, housing sites of 15 or more homes will normally be expected to include 23% affordable homes in the Borough's high value housing market areas. It further states that commuted sums in lieu of on-site affordable housing will only be accepted where this is robustly justified which would include where there is already an identified surplus of affordable housing in the community.
- 8.14 With regard to the need; the Strategic Housing team confirmed that there is a high need for Affordable Housing in the Bessacarr Ward (which includes Cantley settlement). The scheme proposes the full 23%, (a total of 28) affordable housing requirement and includes a mix of 2, 3 and 4 bedroomed dwellings (this also includes 6 x 2 bedroomed bungalows).
- 8.15 The housing tenure will comprise affordable rented and shared ownership which will be secured via a Section 106 legal agreement with the applicant. The application therefore satisfies policy requirements in the full provision of affordable housing within an area of high demand and thereby is in accordance with Local Plan Policy 7.
- 8.16 Impact on Residential Amenity
- 8.17 Table 2 of the Transitional Developer Guidance (TDG) gives minimum separation distances that are applied for new residential development. 2-3 storey properties should have back to back distances (between facing habitable rooms) of no less than 21m, and front to front distance of no less than 12m, dependent upon the street hierarchy. Habitable room windows that overlook neighbouring garden space should normally be at least 10 metres from the boundary. Where a new property overlooks an existing garden these distances may need to be increased. Oblique or obscured outlook from habitable room windows within 10m of the boundary may be allowed at the discretion of the case officer dependent upon site specific considerations.

Where first floor habitable rooms face habitable rooms in a single storey dwelling, or the habitable rooms of two single storey dwellings face one another this separation distance may be reduced at the discretion of the case officer.

- 8.18 The scheme has been amended to ensure that there is no loss of amenity to existing bungalows to the west of the site, along with overlooking between front of Plots 105 and rear of 115. The separation distances between existing and proposed properties meet the standards set out in the Council's TDG. Separation distances between houses within the proposed development also meet the Council's standards.
- 8.19 Concerns have been raised by objectors regarding noise and dust issues during the construction period, and the impact this will have on the health of local residents living in close proximity. The Council's Environmental Health Officer has been consulted and recommended that a Construction Method Statement (CMS) be secured via condition to address a number of issues to protect the amenity of residents living nearby during the construction phase. This includes the parking of vehicles of site workers and visitors; storage of plant and materials; wheel wash facilities and measures to control noise and emission of dust and dirt. The applicant has nevertheless provided a CMS during the application consideration stage which has been agreed in principle. It is inevitable that there will be a degree of disruption for local residents during the construction period, therefore the condition will remain to ensure all aspects of the construction period are suitably addressed so as to avoid unnecessary noise, dust emissions or disruption.
- 8.20 Access to Services
- 8.21 Objection has been raised on account that the development will impact on services such as schools, doctors, dentists that they state are already over capacity. With regards to education provision, an education contribution has been secured via S106 legal agreement as discussed later in this report. The site is within the Main Urban Area of Doncaster, which is the largest and most sustainable part of Doncaster with the highest provision of services. The site itself is well located to access local, as well as other services within central Doncaster (including the Dome and Lakeside).
- 8.22 It should be noted that whilst planning applications can secure contributions towards any potential impact of the development, local NHS healthcare services are centrally funded with contracts being negotiated locally for by the South Yorkshire Integrated Care Board (ICB) for the provision of services. The funding which the ICB receives is calculated using a formula which takes into account population growth, using Office of National Statistics projected populations.
- 8.23 There is an important distinction to make therefore between the impact of the development on certain NHS services and other infrastructure. Essentially, the provision of NHS services and accounting for population growth and demand should be funded through central government funding and direct taxation and not through a planning application. The impacts of this development should be recognised by the ICB who would take into account not only population growth, but also other factors such as migration into the area, relocation of some existing population and the occupation of properties vacated by existing residents relocating to the proposed development. This would translate into a formula, which indicates population growth and a requirement to fund additional floor space within local surgeries.

The NHS have indicated that this will be required in future years and discussions are ongoing to accommodate this demand, however this would fall outside the remit of this planning application to provide any additional funding.

- 8.24 The Council are required to set out a 'duty to co-operate' in relation to planning of sustainable development. A further consideration is that the site benefits from being sequentially assessed as suitable for housing through the Local Plan. As part of the plan preparation, it was necessary for CDC to engage and co-operate with other Councils, public bodies and stakeholders. Primary Care Trusts were identified as part of this consultation and were consulted at each stage of adopting the Local Plan.
- 8.25 No objections were raised by the NHS Primary Care Trusts in relation to allocating this site for housing within the Local Plan.
- 8.26 The site is allocated in the Local Plan, meaning external stakeholders have been consulted on the intended approach for housing growth in the area to allow forecasting to take place. The grant of planning permission would not prevent the ICB from seeking additional funding from NHS England to accommodate any population growth including the development in future settlement grants. Therefore, the healthcare infrastructure implications of any relevant proposed development have been considered in accordance with Policy 50.D.

8.27 Conclusion on Social Impacts.

- 8.28 In conclusion of the social impacts of the development, it is not considered that the impact of residential amenity will be adversely affected by the proposal subject to mitigation by conditions, and significant weight should be attached to the provision of community benefits including the provision of POS and affordable housing.

ENVIRONMENTAL SUSTAINABILITY

8.29 Climate Emergency

- 8.30 Objections have been received asserting that the application is contrary to the council's Climate and Biodiversity Emergency. The Borough Strategy (Doncaster Delivering Together) sets out the Council's vision for everyone to 'improve and maintain a pleasant and sustainable natural and built environment for everyone to enjoy.' Whilst the Borough Strategy is not planning policy, the whole ethos of sustainable development is embedded within the National Planning Policy Framework (NPPF). The Local Plan is consistent with national policy having been found 'sound' by an independent Planning Inspector and ultimately adopted by the Council. The foreword to the Local Plan recognises the Council's Climate and Biodiversity Emergency; the aim of the local plan is to help tackle climate change. The Local Plan was also examined for its legal compliance with the relevant statutory legislation, including with respect to the Planning & Compulsory Purchase Act 2004 that requires Local Plans to include policies designed to secure that the development and use of land contributes to the mitigation of, and adaptation to, climate change.

The policies contained within the Local Plan guide development towards sustainable solutions. The NPPF is clear that sustainable development is pursued in a positive way with a 'presumption in favour of sustainable development.' This application is assessed against all the relevant policies within both the Local Plan and the NPPF and as such ensures that the proposed development is in accordance with relevant policies, taking into account both climate change and biodiversity.

8.31 Design and Impact upon the Character of the Area

8.32 Paragraph 130(a) of the NPPF states that planning decisions should ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development, part (c) seeks to ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

8.33 As mentioned previously, this site is subject to a Development Brief that sets out design principles for consideration with any scheme being proposed. Since the production of the brief, the Council has expressed aspirations for more significant areas of greenspace on the site and ecological benefits. The applicant has strived to meet both these aspirations. It is also worth noting that since the production of the brief the Local Plan has since been adopted which introduces new design requirements particularly around street design, character / local distinctiveness and housing space and accessibility standards.

8.34 In accordance with Policy 41, the Design and Access Statement sets out the context, local character and appearance of the site, and whilst the site is currently undeveloped arable land the surrounding character is residential in nature and built up to the East and South of the site.

8.35 In terms of the proposed development, the scheme proposes 121 housing units. The LP housing allocation indicates a potential for 166 units on this site and the scheme did originally propose 157 units in the early stages prior to this application submission. However, as mentioned in paragraphs 4.3 and 8.8, the Council expressed an aspiration for more significant areas of greenspace on the site and ecological benefits. The applicant subsequently reduced the scheme, by removing a total of 36 units from the original 157 proposed. The buffer along the racecourse edge has also been increased. As can be seen in the original layout below, this reduction of units and increased buffer has clearly benefitted the site in terms of retaining much of the green space. This scheme now proposes 121 units, a development well below the 166 indicative capacity with an overall reduction of 45 units in total.

As Originally Proposed:



Current Proposal:



- 8.36 Policy 5 states that housing allocations will be developed primarily for residential uses to help deliver the housing requirement, and will be developed having regard to both the specified developer requirements set out in Appendix 2 of the Local Plan, along with the indicative number of new homes identified. Proposals for lower density schemes will be supported where this would assist with the delivery of a better design solution. In this case the scheme is providing better quality open space and ecology benefits at the request of the Council, therefore this proposed lower density scheme is fully accepted.
- 8.37 In terms of the proposed layout, the Development Brief sets out a number of design principles and parameters to be adhered to. As stated previously, the Local Plan introduces new design requirements particularly around street design, character / local distinctiveness and housing space and accessibility standards. Appendix 2 of the LP also includes developer requirements for each allocated housing site. The Council's Urban Design Officer has commented that whilst this does change the requirements of the brief, the applicant has strived to meet both aspirations, and on the whole the higher proportion of greenspace as currently proposed is welcome. Fundamentally these design principles state that the access should be taken from both Rose Hill Rise and The Avenue. The application accords with this and proposes access from both these existing points of entry into the site.

The layout proposes a main loop road around the estate linking to Rose Hill Rise and The Avenue as per the design principles. Existing informal footpath routes, desire lines and connections are incorporated into the layout so the site is easily accessible on foot and with connections to the wider area. This is again in accordance with the design principles. The PROW Officer has requested these be hard surfaced however surfacing materials for the bridleways/footpaths will be agreed via condition. One of the design parameters in the Development Brief advises that "The layout should provide the opportunity to accommodate large detached individually designed "executive homes" with a villa character and spacious front and rear gardens fronting toward (option 1) or backing onto (option 2) the Racecourse/ Common." The layout does just that, providing large detached dwellings that whilst they do not directly back on to the racecourse, they back onto a green space landscape buffer between the development and the racecourse. This not only replicates but improves upon the existing landscape buffer along backs of properties fronting Rose Hill Rise by providing a wider buffer zone. This ensures no trees encroach into rear gardens. The layout recognises the importance of natural surveillance of the open spaces and pedestrian routes; properties will directly overlook the open spaces. The pumping station has been relocated at the request of Officers due to impacting on natural surveillance for the play area.

- 8.38 The built form is in keeping with residential development in the vicinity and the wider area as the scheme comprises of a range of housing types again as set out in the design principles, providing 2, 3, 4 and 5 bedroomed 2 storey detached and semi-detached houses with hipped roof and gable roof designs, and single storey bungalows along with semi-detached single storey bungalows. Materials proposed reflect the character of the surrounding area, proposing red facing brick with terracotta or grey concrete roof tiles. The scale of the properties at two storeys is also in keeping with the type of housing that surrounds the site. Dual aspect and corner turning dwellings are used across the development ensuring continuity of activity, natural surveillance and recognisable markers to guide navigation through the development. The Council's Urban Design Officer has commented that the main requirements of the brief have been followed in terms of the structure of the layout.
- 8.39 When the application was first submitted, there were minor design points/amendments for the applicant to address with the scheme. These included an issue of overlooking between plots 105 and rear of 115, Plot 118 too close to the rear boundary, location of the pumping station, size of some back gardens and parking dominated frontages. As stated these were minor issues and following submission of amended plans these points are now addressed.
- 8.40 With respect to the housing design standards, Local Plan Policy 45 sets out a list of criteria A) to C) seeking to ensure that new housing proposals are designed to include sufficient space for the intended number of occupants. Criteria A) ensures that all homes are large enough for the intended number of occupants. All the proposed homes meet the requirements set out in the Nationally Described Space Standards. Criteria B) requiring provision of 65% of new homes on housing sites over 10 units to ensure that they can be easily adapted to meet existing and changing needs of residents, and Criteria C) which requires provision of wheelchair adaptable dwellings. The Council's Urban Design Officer has assessed this aspect of the application and is satisfied with the proposals compliance with Policy 45. A condition is included to ensure this provision is safeguarded.

- 8.41 An objector has raised issue of concerns of crime as a result of the social housing being provided on site. Affordable housing provision does not equate to an increase in anti-social behaviour and is a recognised and required housing tenure for major development sites. Should there be issues of anti-social behaviour on site this will be dealt with under separate legislation. An advisory informative note is, however, included for the developer to seek to implement security measures into the development in order to achieve the 'Secured By Design' accreditation from South Yorkshire Police in order to reduce potential for crime.
- 8.42 Local Plan Policy 21 requires all new housing to provide connectivity to the fastest available broadband technology. No details in this respect have been submitted to accompany this application, however this requirement is secured by condition.
- 8.43 Landscaping forms an integral part of the design process and a Landscape Masterplan has been agreed in principle, but is subject to submission of further details to be secured via condition. This includes by requirement, all TPO'd trees to be retained along the north and north eastern boundaries. Street tree planting is proposed within the grassed highway verges along the principal loop street and bridleways, planting to areas of POS and planting to gardens.
- 8.39 The applicant has worked with the Council to amend the scheme in line with the urban design officer's comments and the resultant scheme represents a well-designed development proposal. The application therefore accords with Policies 41, 42, 44 and 45 of the Local Plan and guidance set out in the NPPF this is considered to weigh significantly in favour of the application.
- 8.44 Impact upon Highway Safety
- 8.45 Paragraph 111 of the NPPF states that "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."
- 8.46 Safety and security of the highway is also one of the criteria set out in Local Plan Policy 13 to ensure that there are no negative effects upon highway safety or residual cumulative impacts on the road network. It also seeks to ensure that new developments provide the delivery of travel choice and sustainable opportunities for travel.
- 8.47 The application is accompanied by a Transport Assessment (TA) and Travel Plan (TP) as required by Policy 13, which have both been assessed by the council's Highways Transportation officer following initial comments regarding data collection. The site is considered to be located in a sustainable location with good access to local amenities, public transport and cycling and walking opportunities.
- 8.48 In terms of access to public transport, the closest bus stop is located on the A638 Bawtry Road offering access to high frequency bus services which can provide sustainable travel choices for the residents. The walk distance from the centre of the site is around 630m.

- 8.49 In respect of cycling, the report shows a 5km cycle catchment area around the site to show accessibility by cycle, that includes the whole of Doncaster City centre, Bessacarr, Belle Vue, Cantley, Wheatley and Intake.
- 8.50 In terms of walking, the report shows a summary table of local facilities within the preferred maximum walking (2km) distance of the site including healthcare, education, employment and retail facilities.
- 8.51 Objectors have raised concerns on account of the potential increased traffic on the A638 Bawtry Road, the need for a signalised junction and questioning the validity of the traffic data contained within the Transport Assessment in that traffic surveys were undertaken during the 2021 lockdown period. Traffic surveys were undertaken in June 2021, however comparisons have been made against pre-COVID traffic levels, nationally and locally, and this has found that the June 2021 counts undertaken are overall higher than pre-COVID levels so are considered acceptable and robust. Additionally, the collision data is now up to date and identifies no specific trends which could be as a result of the existing highway conditions.
- 8.52 The trip generation on the highway network has been assessed, which assesses the peak hours flows, which is the period of greatest impact on the highway network and shows that a total of 62 2-way trips and 61 2-way trips will be generated in the AM and PM Peak hours respectively. The exercise undertaken is accepted. The impact of the trip generation on the highway network is not considered severe and is therefore in accordance with Paragraph 111 of the NPPF.
- 8.53 The Transport Assessment incorporates and includes the operational analysis of the existing junctions close to the site including the junction at A638 Bawtry Road/Rose Hill Rise and the racecourse roundabout/gyratory. These junctions have been modelled taking into account base year (2021), the Future Year (2032) and the Future Year + development scenarios. Committed developments have been taken into account and future growth has also been applied. The Transport Officer is satisfied that the traffic flows predicted are robust. The modelling shows that the A638 Bawtry Road/Rose Hill Rise junction has been forecast to operate within capacity in all modelled scenarios, meaning that no signalised junction is required as suggested by objectors. With regards to the Racecourse Roundabout, both A18 arms of the gyratory are already over capacity in the base year without development. However modelling shows the main impact is from the background growth and committed developments. The Transport Officer advises that in conclusion there is negligible impact with the addition of the predicted development traffic in 2032, with a maximum increase in delay of 19 seconds and a maximum increase in queue length of 9 Passenger Car Units (PCU) on Carr House Road in the PM Peak. For clarity and explanation, PCU is the unit used for modelling purposes, as it converts different classes of vehicles into lengths, it is used to account for the road space they take up rather than just the numbers of vehicles, thus allowing an assessment of highway capacity.

- 8.54 The TA also includes an operational analysis of the nearby signalised junctions namely the A638 Bawtry Road/B1396 Cantley Lane and the A638 Bawtry Road adjacent St Augustine's Road. The CDC Traffic Signals team has assessed the modelling for these junctions and accepts the results subject to a financial contribution of £2,000 for each junction to be 'revalidated,' this involves reviewing the sequencing and queue times at the signalised junctions and adjusting where necessary. As such this financial contribution is included within the S106 Legal Agreement.
- 8.55 A Transport Bond is required to mitigate any traffic in the event that targets are not met. The purpose of the Transport Bond is to ensure that the targets within the Travel Plan towards sustainable travel (bus, walk, cycle etc.) can be met, and if not met the Council would step in with sustainable measures using the Bond. The Council needs to be assured that the Travel Plan is effective and has reasonable targets that can be met. A monitoring and review will be required for a 5 year period to ensure the targets are met therefore commuted sums are sought via inclusion within the S106 agreement as discussed and detailed later in this report.
- 8.56 With regard to the layout of the scheme and the design of the access; there is one point of access/egress proposed to the site from Bawtry Road, via Rose Hill Rise with access only provided from Bawtry Road via The Avenue which is a one way street. Objectors have raised issue on the inadequacy of visibility of the existing access from the A638 (Bawtry Road) to serve the development, in that it does not comply with standard requirements, and potential problems with HGV's using the access, along with concerns that there will be a stacking up of traffic.
- 8.57 The Highways Development Control Officer raises no objection to the scheme following amendment to the proposal in terms of technical details regarding visibility splays, location of bin stores for accessibility for refuse vehicles, location and number of visitor parking space provision, and speed restraint measures. With respect to concerns regarding the current access from Bawtry Road, the Highways Officer, along with consultation with the Council's Safer Roads Team, has assessed the existing access in respect of any recurring accidents/incidents as well as checking other safety issues relating to its operation and considers the proposed development will not have any significant impact especially considering other similar developments within built up areas. Collision data for this junction confirms there is no safety issue with this junction so the additional traffic generated by the development (one car per minute in peak periods), does not require the need for junction improvements nor can it be justified. The concern regarding stacking of vehicles as raised by objectors has been assessed by the Transport Officer as part of the technical detailed assessment of the modelling data and considers the junction satisfactory.
- 8.58 Car parking provision on the site meets local plan policy requirements of 2 spaces per dwelling plus 1 visitor space per 4 dwellings. Therefore in terms of objectors concerns regarding increased pressure for parking, the development provides sufficient car parking provision on site to serve the future residents in line with Local Plan policy requirements.

8.59 The development will attract the usual servicing requirements such as refuse collection. The development design and layout allows for all manoeuvres to take place within the site to accommodate this. Sufficient parking is provided for each plot together with adequate visitor parking. A requirement for EV charging points and cycle storage provision is secured via inclusion of planning conditions. The application therefore accords with Policies 13, 16 and 17 of the Local Plan and guidance set out in the NPPF and taken in the round this is considered to weigh significantly In favour of the application.

Archaeology

8.60 Paragraph 194 of the NPPF requires that the impact on any heritage asset is assessed and where heritage assets have or has the potential to include an archaeological interest, an appropriate desk-based assessment and where necessary a field evaluation should be submitted.

8.61 Local Plan Policy 35 reinforces this and advises on the understanding and recording of the historic environment, with Part A) stating that proposals that affect known or potential heritage assets will require a heritage statement and Part B) requiring justification of any harm, with detailed investigation and recording, demolition or groundwork to ensure that an understanding of the affected asset is gained along with deposition of the site archive with the relevant archive repository and deposition of a report on the results with the South Yorkshire Sites & Monuments Record.

8.62 Policy 39 also reiterates this stating that development affecting archaeology will be assessed against two principles; development that would result in harm to the significance of a scheduled monument and how any benefits outweigh harm to the site for development affecting other archaeological assets.

8.63 The site has a high potential for the survival of significant archaeological remains associated with Roman period pottery production and agricultural practices, therefore an assessment on these was required as part of the application consideration and prior to determination of the planning application. The developer requirements for this site set out at Appendix 1 of the Local Plan is also explicit in the archaeological requirements to inform on any development on this site.

8.64 A geophysical survey and scheme of trial trenching were undertaken with the results summarised in a Heritage Statement, as required by Policy 39, the developer requirements and as agreed with the South Yorkshire Archaeology Service (SYAS). In the Northeast area of the site, trenching confirmed the presence of an industrial area with activity dating between the mid-2nd and 3rd centuries AD. Two kiln features were recorded with the amount of ceramic material identifying the primary purpose as pottery production. The presence of cereal grain may indicate a secondary use of crop drying but this remains uncertain. The investigations enabled the significance of the archaeological remains to be understood and have informed the design of the proposed scheme to maximise preservation in-situ of the most important remains and the need for further mitigation fieldwork in areas of lower archaeological potential. The location of the LEAP and pumping station has been re sited following discussion and agreement with SYAS.

This process is detailed in the submitted heritage statement. A balanced approach is required to comply with Policy 35 and 39 of the Local Plan such that sufficient investigation occurs and balanced with the preservation *in situ* of the most important remains for future generations. Following discussions between SYAS and the applicants archaeological consultant, a scheme of mitigation has been prepared and is detailed in the Written Scheme of Investigation (WSI) "Rosehill, Bessacarr WSI for Archaeological Mitigation" Revision 4. This specifies further investigation of the application area, preservation *in situ* for the majority of the pottery production area and which will importantly allow for community engagement through school visits and assisting the excavation, site tours and open days. This represents appropriate mitigation for the impact of the scheme on the archaeological remains is to be secured by condition and further emphasises the applicant's willingness to work with the Local Planning Authority to resolve any potential issues. The Planning Practice Guidance (PPG) makes clear that the imposition of conditions that meet the planning tests should only be imposed where it would make development that would otherwise be unacceptable, acceptable. In this case the imposition of the condition 10 would meet the relevant tests and ensures that the archaeology of the site is suitably dealt with. This is considered to weigh positively in favour of the application.

8.65 Ecology

- 8.66 Paragraph 174 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. Paragraph 180 further states that when determining applications the LPA should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission.
- 8.67 Policies 29 and 30 of the Local Plan echoes this and seeks to protect and enhance the City's natural environment and supports proposals which will enhance the City's Ecological Networks. Policy 30 lists a set of criteria for protection of nationally and locally important habitats, sites and species. It requires developments to assess the impacts of the development on such sites and to provide mitigation against any harms including delivering a net gain in biodiversity to offset any harms by using the DEFRA biodiversity metric.
- 8.68 Objectors have raised issue at the inadequacy and lack of ecological reports and/or detailed information to accompany the application. Additionally, they stated that the full impact on the wildlife in this area has not been fully assessed. In response to this the Council's Ecologist has been in dialogue with the Applicants' Ecology Consultant to request additional further information and clarity of information as and when required. The information currently submitted now contains all the necessary information and detail in order to robustly assess the impact on biodiversity and mitigation for this site. The ecological surveys of the site and its surroundings followed standard procedures set out in established professional guidance as published by the Chartered Institute of Ecology and Environmental Management (CIEEM) and the British Standards Institute along with other standard guidance and best practice sources. All surveying ecologists are fully qualified and experienced professionals.

Habitats

- 8.69 A Preliminary Ecological Appraisal (“PEA”) and Ecological Impact Assessment (EclA) of the site has been submitted. The PEA carried out from April 2021 and through the following summer months identified a range of habitats comprising: other neutral grassland, mixed scrub, broadleaved woodland, bramble scrub, bracken, and hedgerow. The DEFRA information mapping system MAGIC (Multi Agency Geographical Information for the Countryside) shows no priority woodland on the proposal site and a strip of acid grassland along the western boundary, which will be retained as part of the buffer between the site and the racecourse. Further vegetation surveys were carried out on grassland habitats and these identified small areas of other lowland acid grassland in the centre of the site. These were added to the site’s biodiversity net gain habitat baseline assessment. This is priority habitat, but it is a very small area and will become rough grassland and scrub if the site were left to natural succession. A review of woodland habitat type was carried out and this confirmed the presence of non-priority woodland type ‘other woodland: broadleaved’. All of these habitats were identified as being of medium distinctiveness in the biodiversity net gain assessment. Overall, the habitats present on site have been thoroughly surveyed and assessed correctly for their inclusion in the biodiversity net gain assessment and the ecological impact assessment.
- 8.70 The principles of ecological impact assessment as set out in the CIEEM guidance were applied in respect of habitats and assessing their relative values over a range of geographic scales. The site is abandoned agricultural land, with habitats including grassland, scrub, and immature woodland, having developed over the past 20 years, due to the lack of agricultural use. The Ecological Impact Assessment identifies the habitats to be of ‘site’ or ‘local’ value and this, along with the recent history of the site clearly indicates that the site habitats are not irreplaceable.

Fauna

- 8.71 The faunal species and species group surveys recommended by the PEA were: amphibians, badgers, bats, birds, and reptiles. Species surveys were carried out over recommended survey periods in 2021 from April – October and these were submitted as separate survey reports in August 2022. Although these reports were submitted the following year they are still valid. The Council’s Ecologist requested that these survey reports be incorporated into the EclA as is best practice; the applicant included the reports and the outcome of surveys is set out in Table 3.2 of the amended (07/02/23) EclA.

Reptiles and amphibians

- 8.72 The use of environmental DNA sampling at the nearest waterbody found no evidence of Great Crested Newt. It was also concluded from surveys and lack of suitable habitat that reptiles and amphibians would most likely be absent from the site. An anecdotal report of adder was reported to a surveyor on site and whilst this cannot be used as conclusive evidence of the presence of reptiles it prompts the use of a precautionary approach to site development activities. These can be included as part of a Construction Environmental Management Plan (CEMP), to be secured by condition. As there is a high likelihood of these faunal groups being absent there is no applicable level of significance attributed to them.

Ecological enhancements created through a site Biodiversity Management Plan will provide a positive outcome for reptiles and amphibians.

Bats

- 8.73 Bat surveys carried out as walked transects and static monitoring were carried out on three occasions as required by current best practice. The results of the walked bat surveys and static monitoring found a low level of use of the site by bats. There was also a small range of species using the site, pipistrelle, soprano pipistrelle, noctule, Myotis sp. and Leislers. The latter is considered to be scarce in South Yorkshire but the relatively low numbers of sightings does not make its presence on the site significant at anything other than site level. The information collected from all of the bat survey periods was used to provide a score that evaluates significance. This showed that the value of the site is significant at a local level for commuting and foraging bats. The Council's Ecologist concurs with the finding of the bat survey, that having considered the design of the scheme, the proposed development is unlikely to have a significant effect on local bat populations. In order to mitigate residual impacts it recommended woodland to the northwest and boundary features should not be subject to excessive illumination. This will be secured via a condition. Enhancement will also be provided for bats on the site through the provision of bat boxes on properties and trees within the site, again secured via a condition.

Breeding Birds.

- 8.74 Three breeding bird surveys were carried out between April and June 2021. Using an amended Common Bird Census method. 21 species of bird were identified on the site and of these 18 were identified as exhibiting breeding behaviour. Of these there were two red listed species (Species of Conservation Concern) and two amber listed species (now increased to 4 since the survey) the remainder are green listed species (not considered to be of conservation concern). Of the red and amber listed species recorded as breeding or displaying breeding behaviours on or adjacent to the site, these were recorded in low numbers (maximum of 4 territories/pairs,). This suggests that site does not support key breeding populations. However, the scrub and bramble scrub habitat supporting these declining species is still valuable. The range of age ranges in the scrub of particular value, with red and amber listed species making use of the various ages of scrub and grassland across the site. These habitat types are however widespread in areas close to the site so it can be predicted that impacts will be at a local level as similar habitats are available in many of the surrounding areas such as statutory sites, Cantley Park, Doncaster Common and other adjoining Local Wildlife Sites all of which are protected from development and habitat loss through their designations.
- 8.75 In conclusion, the Council's Ecologist concurs with the EclA that the impacts of the development on breeding birds will be significant at a Local Level and will be Neutral following mitigation. Residential gardens can provide nesting habitats for birds and mitigation will also be provided through the installation of bird nesting boxes in suitable locations. This will be secured via condition.

Badgers

- 8.76 A badger survey was submitted and has not been published in accordance with Planning Practise Guidance which advises they should be kept confidential to avoid the ill-treatment of badgers. Conditions are proposed by the ecologist to mitigate the impact on faunal species.
- 8.77 A CEMP is secured by condition to ensure the protection of species and habitats during the construction phase. However should there be a delay in the commencement of development on site further species survey updates will also be required and which is also secured by condition.

Ecological Impact Assessment

- 8.78 The appraisals, surveys, and assessments carried out to identify the ecological features on and adjacent to the site have been considered in the ecological impact assessment report that follows BS 42020 and CIEEM guidance on report structure and content. Policy 30 (A) requires proposed developments to demonstrate the application of the mitigation hierarchy. The early layouts of the site proposed by the developer have been significantly changed in that the more mature woodland to the north of the site, which was included in the layout for residential properties, has now been taken out of development and will be retained as mature woodland. This also provides a clear buffer between the development and the adjacent Local Wildlife Site Red House Plantation. The mitigation hierarchy has also been applied in ensuring a significant buffer zone on the western boundary which will be maintained with no public access. The impacts on the site which cannot be avoided are principally the loss of habitat through development. As an allocated housing site there is an unavoidable certainty that a large part of the site will be transformed into developed land. As a means of addressing this loss, the delivery of a biodiversity net gain as required through the NPPF para 174 and Local Plan policy 30B must be achieved.

Biodiversity Net Gain

- 8.79 Local Plan policy 30B requires that developments demonstrate a minimum net gain of 10%, and further guidance on this is contained within the Council's Biodiversity Net Gain SPD (2022). Table 3 of the SPD provides a list of submissions required to support an application and following a number of communications with the applicant's ecologists, The Councils' Ecologists are now satisfied with the biodiversity net gain metric submitted, as the final version on the 7th February 2023.
- 8.80 Points raised by objectors include the specific designation of woodland type and the presence of 2x small patches of acid grassland both of which would be considered priority habitats. The Council's Ecologist considers the woodland type 'other woodland, broadleaved' to be a correct assessment of the habitat present, 'Lowland Mixed Deciduous Woodland' is a high value habitat which is considered to take in excess of 30+ years to develop. The grasslands which are developing are generally of poor quality at medium distinctiveness. This grassland then becomes invaded by tree species and forms scrub which if left would dominate the site within several years.

8.81 Following a number of discussions and refinements to the baseline assessment as mentioned previously; the outcome of the net gain assessment is as follows. The site has a Baseline Biodiversity Value of 41.74 Habitat units. In order to deliver a minimum of 10% net gain, in Habitat Units, the post development Habitat Units secured for the development must exceed 45.914 (41.74×1.1).

- 7.65 Habitat Units will be retained on site
- 2.7 Habitat Units will be delivered through enhancement of existing habitats
- 10.4 Habitat Units will be created on site

8.82 The total number of Habitats Units delivered on site post development is **20.75**.

The shortfall in Habitat Units needed to reach 10% net gain is 25.16. However, trading rules must also be satisfied. (Trading rules are set by the Defra Metric used to undertake net gain calculations. They require compensation for certain habitats is carried out on a 'like for like' or 'like for better' basis.)

To meet the requirement for 10% net gain, and to satisfy trading rules, the following habitats will need to be delivered off-site.

- 10.16 Units of medium distinctiveness grassland
- 16.16 Units of scrub
- 1.63 Units of medium distinctiveness woodland

8.83 The delivery off-site of the above 27.96 Habitat Units can be legally secured via a S106 agreement. This can also be used to secure the onsite delivery of units. The combined onsite and off-site delivery of Habitat Units mean the development would deliver 48.71 units in total. This exceeds the minimum 10% net gain required to satisfy planning policy.

8.84 The proposed development will also deliver a 12.08% net gain in Hedgerow Units, all of which are secured on-site.

8.85 Where habitats are to be managed, enhanced and created on site this will be delivered through a biodiversity net gain management plan which is secured by condition.

The Mitigation Hierarchy

8.86 Local Plan Policy 30 states "The mitigation hierarchy is a vital first principle that all applications must apply." In the first iteration of the proposed development the majority of the red line boundary site was proposed for development along with a very restricted buffer zone on the western boundary. Early site visits by officers identified areas that should be removed from development and returned back to unmanaged greenspace to provide a significant buffer as it represented the more advanced areas of nascent woodland development in the north eastern part of the site. The buffer zone on the western boundary has been widened from gardens butting up to existing hedgerow and trees to a 15 m strip of additional, shrub planting and grassland creation and this will be excluded from public access. Figures 1 and 2 below, illustrates the application of the mitigation hierarchy in the retention of woodland habitat and the western boundary buffer zone.

Fig. 1 pre-application layout



Fig. 2 final approved layout with significant reduction of housing in the north east and creation of a 15m buffer on the western boundary



Designated sites

8.87 The site lies 0.5km from a Site of Special Scientific Interest (SSSI) and Local Nature Reserve (LNR), Sandall Beat Wood. Local Wildlife Sites Red House Plantation, adjoins on the north eastern boundary of the site and Doncaster Common to the west within the circuit of Doncaster racecourse. The EclA proposes no significant effects on the SSSI. The Council's Ecologist considers that the potential increase in visitor numbers would not have any adverse impact on the qualifying features of the site. Natural England has been consulted and confirm this in their consultation response.

8.88 In respect of the adjoining Local Wildlife Site (LWS) and Red House Plantation, there are wide rides and tracks through the site indicating that the woodland is a well-established route for leisure walks and as means of linking communities. As Red House Plantation LWS is less extensive than Sandall Beat Wood, and closer to the proposed development site there is the potential for direct and indirect impacts from an increase in visitor numbers. The Preliminary Ecological Appraisal (Brooks Ecology Ref: ER-5334-Q1A) accepted this at paragraph 23 and suggested mitigation measures. As such a condition that requires a management plan for the LWS site to mitigate impacts on the woodland and associated bird and bat species is secured by condition. Although Doncaster Common is immediately west of the proposed development site there is a natural barrier of an inaccessible buffer zone on the western boundary of the site and the racecourse circuit to cross which will impose a further constraint on informal access movement in that direction. To protect adjoining habitats a lighting scheme that is sensitive to nocturnal wildlife will be required for submission and approval by inclusion of a suitably worded condition.

Objections received on ecological grounds

8.89 A significant number of objections have been received. The main issues raised regarding the loss of biodiversity and the ecological value of the site are addressed below;

8.90 Local residents have raised issues such as loss of greenspace, walking, horse-riding, cycling, dog walking, and general enjoyment of the natural habitat. In response to this, there is access to greenspace currently and there will continue to be access to greenspace. The loss of natural habitat is taken into account through the BNG process.

8.91 Colin Howes on behalf of the Doncaster Naturalists has claimed there would be a loss of acid grassland and loss of Lowland Heathy Oak Woodland (LBAP habitat priority.) It is agreed that there are two very small patches of acid grassland on the site but, as mentioned previously (para 8.80), these are quite unsustainable and would be lost in future years to coarse grassland and scrub. The Lowland Heathy Oak Woodland habitat type depends upon locally heathland species as part of its ground flora and this does not exist on the site.

8.92 The Yorkshire Wildlife Trust (YWT) initially stated that “sufficient detail is not included within the EclA, which refers to the original stand -alone documents, which have not been provided” This was resolved and survey information included in the EclA following discussions with the surveying ecologists. The format of the EclA adhered to the guidance of the CIEEM which the Council’s Ecologists are satisfied with. The YWT stated “The EclA states that the mitigation hierarchy has been followed but this has not been sufficiently evidenced within the report” the section above on the mitigation hierarchy identifies how this has been addressed.

8.93 The YWT initially stated “The outline Biodiversity Net Gain assessments indicate a predicted -58% loss of biodiversity which is not acceptable” a deficit of habitat units created by a proposed development is very unfortunate but it is not ‘unacceptable’ and is an unavoidable outcome of residential developments taking into account the requirements of a residential development and habitat loss which that causes.

The biodiversity net gain mechanism ensures that on-site losses are identified and appropriate compensation is delivered as same or higher value habitats in an offsite location. This can be secured through a S106 agreement. Following re-consultation on revised information, the YWT has since commented, "I trust the Council Ecologists have assessed all the information submitted with the application and that they are aware of the issues raised in our previous comments, so long as the Ecologists have requested sufficient information to address those concerns, we have no further comments to make." As set out above these original concerns have now been addressed.

- 8.94 Rose Hill Residents Association Ecologists have stated "*The site's proximity to Sandall Beat SSSIs/Local Nature Reserve and its location within SSSI Impact Risk Zones, and its proximity to several Local Wildlife Site, means that any development will need close consultation with the Local Authority and any other relevant bodies before any potential development plans are approved.*" Natural England are in agreement with the Council's Ecologist in that they consider that the proposed development would not have an adverse impact on the Sandall Beat Wood SSSI. As stated previously, the LWS will be managed in the future to enable its carrying capacity for visitors to be enhanced via inclusion of a suitably worded condition.
- 8.95 They also stated, "*The mosaic of habitats present on site is ecologically valuable, providing extensive ecotone, and will support a number of different species including various birds, invertebrates, bats, hedgehog etc. Areas of scrub and young woodland across the site provide forage and shelter and assist movement of animals.*" It is not disputed that the mix of grassland scrub and developing woodland is valuable in respect of biodiversity but the areas to be affected by the proposed development are not priority habitats other than the two small patches of acid grassland, nor do protected species depend upon them.
- 8.96 They also mentioned, "*The other lowland mixed deciduous woodland qualifies as priority habitat although it is too recent to be recorded on the Natural England priority habitat register Areas of dense scrub will succeed to similar priority habitat woodland in time*" If it does not feature in the Natural England Magic Mapping as priority habitat then it is not treated as such. Ecologists are concerned with the existing habitats and what they are currently recorded as, as opposed to speculation on what could be in the future.
- 8.97 Miscellaneous objections. Other objectors raised the following points. "*The field is covered in trees which are important in tackling climate change and as homes and habitat for birds and other wildlife*" In response to this, if the site was covered in trees it would not be a 'field' but a woodland. But surveying ecologist's habitat maps do not show it covered in trees. Also "*The Revised EclA does not adequately engage with the ecological function of the habitats and wildlife on site, or with Rose Hill's location next to two LWSs on a wildlife corridor in a Biodiversity Opportunity Area.*" In response, the EclA does identify that large areas of habitat will be lost through the development and losses will be compensated for through the BNG policy and process. It has been identified that there are no habitats of Primary Importance (NERC Act) or BNG high distinctiveness habitats. There are small fragments of acid grassland and developing woodland but these are insubstantial or very recently emerging (woodland).

Also “*The Defra Metric calculation shows a high (-51%) biodiversity loss against a high baseline of habitat units (over 42). Such a high loss of habitat is not acceptable, particularly during a climate and biodiversity emergency and council policies regarding protecting and enhancing habitats, helping nature recover, and protecting trees and woodland*” There are no set limits on what level of BNG loss is ‘acceptable’. In response to this, the rules and guidance of the BNG process have to be fulfilled and all compensation or deficits have to be accounted for through the measures set out in the SPD. The applicant has done this and the Council’s Ecologist is satisfied with the information provided.

- 8.98 In summary, what the above sections show is that a great deal of consideration has been given to the ecological value of the site, the impact that the development will have and the mitigation needed to offset the development and adhere to the adopted policies. The site has been identified as a residential development site for decades. Since arable agriculture ceased in 1997 the site has been changing in respect of ecological succession from farmland to woodland through phases of different types of grassland and scrub. The time lapse between the cessation of agriculture and the current application shows that habitats can develop and succeed ultimately to woodland which in this area is generally oak and birch woodland with a small range of other species. Woodland is not measured merely by the size and number of trees, but by other factors such as the ground flora and the species associated with this and the developing trees. If any area in this vicinity was left to develop spontaneously then woodland would be the ultimate outcome. This process would take decades and in that process immature habitats form and succeed preceding habitat types. The biodiversity net gain calculations have been accepted after a number of iterations that have corrected and refined the calculations. This has resulted in a habitat unit deficit, and offsite BNG delivery would therefore need to be secured through a S106 agreement as detailed in the SPD.
- 8.99 The site is an allocated housing site which has taken many years to come forward. It must be stressed that none of the habitats that have developed on site are irreplaceable nor have they developed under any very special circumstances or conditions specific to the site that cannot be replicated elsewhere in suitable areas. Following a range of appropriate surveys and appraisals the Council’s Ecologist, Natural England and the Yorkshire Wildlife Trust raise no objections to the proposals on ecological grounds, subject to conditions as specified above being applied and a S106 to secure the necessary biodiversity net gain.
- 8.100 Overall, the proposal has fully considered the ecological implications associated with the site and has been designed to positively retain and enhance existing biodiversity features on site. Additional mitigation can be delivered through a suitable S106 agreement and the combination of these factors would result in a scheme that is compliant with Policies 29 & 30 of the Local Plan and paragraph 174 of the NPPF. This is considered to weigh positively in favour of the application carrying significant weight.

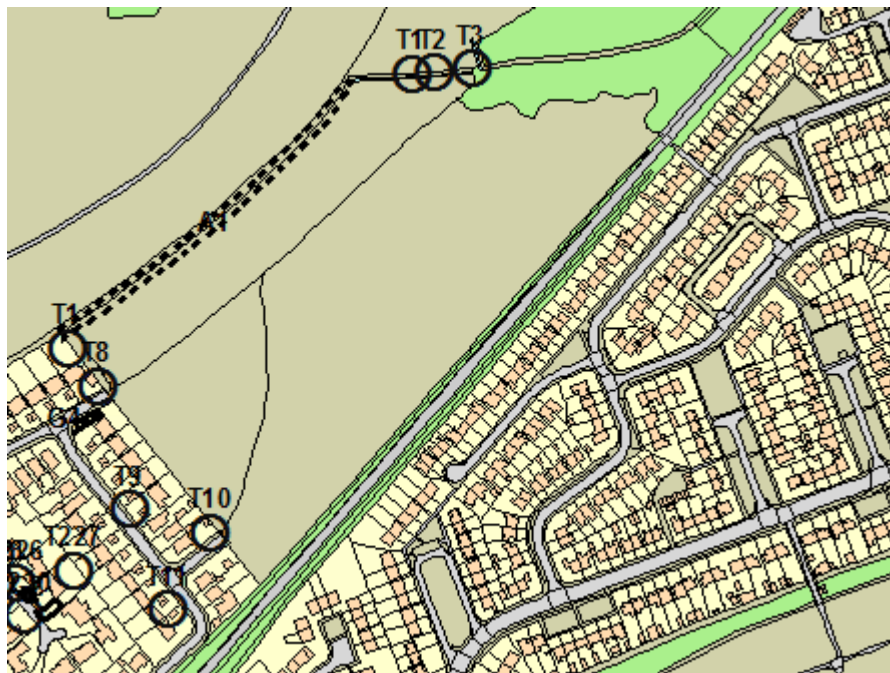
8.101 Flood Risk and Drainage

- 8.102 The NPPF (section 14) sets strict tests using the sequential approach to protect people and property from flooding, that all local planning authorities must have regard to. The National Planning Practice Guidance also gives guidance to ensure that if there are better sites in terms of flood risk, or a proposed development cannot be made safe, it should not be permitted. Local Plan Policy 57 is the local interpretation of these policies and guidance that indicates acceptability of proposals for the purposes of flood risk management but will still be considered against the NPPF. The site lies within Flood Risk Zone 1 as defined by the Environment Agency's Flood Maps. As the site is more than 1 hectare (ha) in size a Flood Risk Assessment (FRA) is required. As such, in accordance with the NPPF and Local Plan Policy 57, a site specific FRA has been submitted.
- 8.103 The proposal lies within a Housing Development Allocation Site Ref: MUA56 – Rose Hill, Cantley in the Local Plan (adopted Sept 2021). Therefore, in terms of flood risk, the site was sequentially tested using the Doncaster Strategic Flood Risk Assessment (SFRA) (Level 1, 2015) to inform the evidence based document for site allocations and was deemed to pass the sequential test. The Environment Agency has been consulted and have raised no objections, and the Council's Flood Policy Officer has also raised no objections given that the site has been sequentially tested at allocations stage. The site therefore satisfies Policy 57 of the Local Plan, subject to consideration of other drainage related policy detailed below.
- 8.104 Local Plan Policy 56 deals with drainage of a site and seeks to ensure waste water and surface water run-off are managed appropriately and to reduce flood risk to communities. A number of objectors have raised concerns regarding the ability of the mains drainage system to accept the additional capacity that would be generated by the development. Concerns are raised on account that residents have been advised that previous drainage issues have been as a result of being over capacity.
- 8.105 The Environment Agency (EA), Yorkshire Water (YW), and the CDC Drainage Team have been consulted on the proposal. YW are responsible for the maintenance of the existing sewer system and have raised no issue with respect to capacity of the existing system, commenting that any existing issues with overflow from foul sewage is an operational matter and not for consideration as part of this application. The Case Officer has queried this with YW who have confirmed their stance. YW therefore raise no objection to the proposal subject to a number of standard conditions.
- 8.106 Regardless, the Council's Internal Drainage team is the Lead Local Flood Authority, full details of foul and surface water disposal have not been agreed therefore these details will be secured by inclusion of conditions. It should be noted that having assessed the proposal, the Drainage Officer is satisfied with the proposed siting and location of the sustainable drainage (SuD's) solution on site, which includes the surface water run off to an attenuation tank and pumping station which are both located within the area of open space to the north of the site. Overall the application is in accordance with Local Plan Policies 56 and 57 and subject to the imposition of conditions, this is considered to weigh positively in favour of the application carrying significant weight.

8.107 Trees and Landscaping

- 8.108 Policy 32 of the Local Plan supports proposals where it can be adequately demonstrated that woodlands, trees and hedgerows have been adequately considered during the design process, so that a significant adverse impact on public amenity or ecological interest has been avoided. The policy requires submission of survey information to a recognised industry standard and demonstrate how retained features are to be protected during development.
- 8.109 Policy 48 of the Local Plan also seeks to protect and enhance the borough's natural environment and supports proposals which conserves, protects and enhances the existing landscape character, and provides a high quality comprehensive hard and soft landscape scheme.
- 8.110 One of the main considerations for this site are the trees that are subject to Tree Preservation Order. There are three Oak trees on the northern boundary of the site (T1, T2 and T3), and the row of Oak trees along the north western boundary of the site adjacent to the racing track (A1) that were made subject to Doncaster Borough Council Tree Preservation Order (TPO) (No.410) on the 28th February 2020. Additionally, a year earlier, as a result of a request from the owner of 61 Rose Hill Rise a copper beech (T1) was made subject to Doncaster Borough Council Tree Preservation Order (No.409) 2019 No.61 Rose Hill Rise, Rose Hill, Doncaster. More historically, Doncaster Borough Council Tree Preservation Order (No.64) 1991 Bessacarr with Cantley still protects a whitebeam (T8) at 61 Rose Hill Rise and a sycamore (T10) at 36 The Avenue. (See map showing these TPO Orders on next page).

Tree Preservation Orders on and around the site



- 8.111 An Arboricultural Impact Assessment was submitted with the application, including a survey in accordance with BS5837 (2012). The findings of the report have positively informed the design and layout of this proposal. In short, the proposal and associated structures are well clear of the best trees at the site i.e. the boundary trees, notably the oaks subject to Tree Preservation Order on the race course boundary and the northern boundary of the site.
- 8.112 Objectors have raised issue that the submitted tree survey is out of date in that it was over a year old at the time of the application submission, and given that the report itself confirms it is only valid for a year. The trees were inspected and assessed in March 2021 (whilst the tree survey was revised on 24.06.2022 the trees were not further assessed). The application was received on 13.07.2022 and validated two days later; this means that the tree survey was 16 months old at the time of the submission of the application.
- 8.113 In response to this, the Tree Officer has advised that it is an industry wide accepted caveat that tree surveys are never open ended. With respect to frequency of surveys, the internationally respected International Society of Arboriculture states that inspection frequencies typically range from one to five years. Good practice would suggest that trees surveyed as “poor” would require reassessing closer to the one year timeframe whereas “fair” and “good” trees would require reassessing closer to the five year timeframe. The report assesses none of the trees as being in less than in “fair” or “good” structural and physiological condition. Hence, it is reasonable to say that the BS5837:2012 tree survey remains valid and is fit for purpose.
- 8.114 Objectors have also raised an issue refuting the number of trees the report states require removal. The submitted tree survey states that a total of approximately 115 trees will require removal to accommodate the development. The report recognises that the majority of the trees that require removal lie within the centre of the site and which are predominantly smaller self-set category ‘C’ trees.
- 8.115 An independent tree count carried out by Selwyn Trees states that the number of trees to be lost is much higher as there ‘*may be*’ an additional 150+ self-set young woody stems of trees with trunk diameters less than 75mm, meaning that there could be over 700 trees present on the site. The 700 figure is speculative as it includes trees that are so small that they do not fall within the industry standard (BS5837) survey parameters. The Selwyn report also recognises that “*Due to the large numbers of self-sets and understorey growth, it is possible there could be errors in the counting.*”
- 8.116 The figure quoted in the Selwyn report of 700 trees present within the centre of the site requires some explanation and context. Firstly, an explanation of what constitutes a “tree”. The courts have determined that “*It is not in dispute that a seed is not but that a sapling is.*” (ref. Court of Appeal in Distinctive Properties (Ascot) Limited v Secretary of State for Communities and Local Government; C1/2015/1102). The number counted by Selwyn Trees was 556, with the count covering areas of the site that will remain undeveloped. Furthermore, the report recognising the possibility of figure errors, somewhat randomly, adds another 150 trees, possibly more, that “*may be*” there. Hence, the figure of 700 trees as quoted in the Selwyn report is deemed to be speculative.

Furthermore, applying the court's definition as to what constitutes a tree, what the 700 tree figure could only ever inform upon is the number of germinated seeds of woody species within the site. Such an approach in no way recognises that the site is recently regenerated arable land, in no way helpfully informs the development process by assigning weight to tree quality, and in no way recognises that the historic development of Rose Hill has always respected and retained the historic woodlands of the area.

- 8.117 The Trees and Hedgerows officer is satisfied that the trees to be lost are self-set low value amenity trees, and subject to landscape details and tree planting in accordance with the development plan, supports the submitted arboricultural report.
- 8.118 In terms of landscaping, a detailed scheme will be secured via planning condition, but the indicative landscape masterplan scheme provided so far is acceptable in that the amount of POS on this site and accompanying wider, spacious landscape is generous. Whilst the Council aims for a minimum of one tree per dwelling, including trees to be designed into the public realm, the site needs to be considered holistically. By this, it is meant that since the site was first considered for development (19/01530/PREAPP) the development footprint has reduced significantly; this has had the effect of reducing the future pressure on the established boundary vegetation – notably that on the racecourse and northern boundaries – the best elements of which are now subject to Doncaster Borough Council Tree Preservation Order (No.410) 2020 Land North of Railway Line, Rose Hill Rise, Rose Hill, Doncaster. In view of the projected age of some of the northern boundary trees (the oak T21, for example, has an estimated age of 140 years) the setting back of the development, including the garden areas, well back from the trees (and keeping them out of gardens) would be mitigation in itself for not attaining the aim of one tree per dwelling.
- 8.119 There is also the fact that no trees are proposed within individual front gardens as this is impractical and something Officer's discourage as future residents invariably choose to remove trees (or subject them to unsightly and disfiguring pruning) within front gardens. Additionally, whilst some tree planting is proposed within the northern open space area, this is restricted as new planting cannot take place where there are archaeological remains left in situ. As stated previously, the LEAP and pumping station has had to be relocated on account of these archaeological remains. Thus, the new planting of around 80 trees which will be predominantly heavy or extra heavy standard (12-14cm girth or 16-18cm girth) will be concentrated within the POS and the streets, which have a spacious, boulevard feel with street tree planting within all of the main streets which will green up, soften and enhance the built form to a very high standard. These nursery specifications in terms of size fully accord with the SPD. The Council does feel that with the 80+ new trees and the retained newly regenerated trees in the now undeveloped north-eastern sector of the site, that the one tree per dwelling figure is more than met, and the proposed landscaping will create an attractive and environmentally friendly place to live, thereby in accordance with Local Plan Policies 32 and 48. This is considered to weigh substantially in favour of the application.

Public Open Space

- 8.120 Policy 28 relates to the provision of public open space on residential sites. Objectors have raised issue over the loss of a well-used green space and amenity area. The site is not allocated in the Local Plan as Public Open Space, rather it is a longstanding housing allocation in both the new Local Plan and the former UDP. As such the relevant open space policy is Policy 28. This policy requires new development of 20+ units to provide 10 – 15% onsite open space. In this case, as the Bessacarr community profile area is deficient in 4/5 open space typologies, the requirement would be for 15% of the site to be delivered as open space. This should be useable onsite open space, including facilities for children’s play.
- 8.121 The design principles and parameters set out in the Development Brief require that “Approximately 15% of the site area should be laid out as a single area of public open space, including children’s play equipment (Local Equipped Area for Play- LEAP). The open space should be overlooked by development and located adjacent to the woodland in the northern part of the site.”
- 8.122 The planning statement notes that 34% of the site is proposed as public open space, which is a significant amount we would not usually see on planning applications and more than double the policy requirement and importantly creates a ‘buffer’ between the woodland to the north and the proposed housing to the south. This includes a large open space to the east of the site and spaces amongst the housing set beside the PROW / footpath, meaning there is good spread on the site.
- 8.123 The scheme proposes a LEAP within the large area of open space. However the scheme also originally included a pumping station immediately adjacent and to the South of the LEAP thereby creating a visual screening and lack of natural surveillance for children playing here from houses opposite the play area. This screening and proposed natural planting also raised an issue of concern of safety and security. Consequently the LEAP and pumping station have been relocated more peripherally further west, which now overcomes this issue. Overall, the open space provision and play area adheres to the Development Brief principles and exceeds policy requirements. The Council’s Open Space Officer is satisfied with both the quantum of provision of open space and play area provision subject to inclusion of conditions for details of play equipment to be submitted and agreed, along with a timescale for delivery of the LEAP. Therefore, it is considered that this would meet with the provisions of Policy 28. This weighs positively in favour of the application carrying substantial weight.

Pollution issues

- 8.124 Local Plan Policies 54 and 55 seek to ensure that development proposals that are likely to cause pollution are only permitted where it can be demonstrated that pollution can be avoided or mitigation measures can be incorporated to minimise harmful impacts to acceptable levels that protect health, environmental quality and amenity.

- 8.125 The site is not located within an Air Quality Management Area, nevertheless an Air Quality Assessment (AQA) has been submitted which included a road traffic emissions assessment which considers the impact of development generated road traffic on air quality. The Council's Pollution (Air Quality) Team have been consulted and after reviewing the submitted AQA, comment that it follows standard methodology, uses information from recognised sources, includes existing pollution information, provides a traffic emission sensitivity test and assesses suitable receptors. The Pollution Officer accepts the findings of the report acknowledging that the need for a damage cost assessment is waived on the basis that this is categorised as 'medium' development in the context of the Council's Air Quality Technical Planning Guidance subject to the inclusion of an electric vehicle charging point for each dwelling.
- 8.126 The Pollution Officer has commented that consideration may need to be given to the potential emission of dust and dirt during construction on race days. As detailed above, a condition for a Construction Management Plan to be agreed via condition that includes the consideration of all dust and dirt emissions, therefore addressing the Pollution Officer's concerns over dust and dirt emissions, is required.
- 8.127 Historic maps show a landfill lies 239m from the proposed site's northern boundary. The Council's Pollution (Land Contamination) Team has been consulted on the proposal, and as this development is for a sensitive end use a Phase 1 desktop study and site walkover and a Phase 2 site investigation have been carried out and submitted. The Council's Pollution Officer is content with the findings as the results show the natural ground and top soil on site is suitable for re use, and no remediation is required. A condition is therefore recommended for soil testing in the event that soil importation is required for levelling purposes; the results of which will be submitted to and be approved in writing by the Local Planning Authority prior to any soil or soil forming materials being taken onto site. As such, there are no issues on air quality or contaminated land grounds that weigh against the development.

8.128 Conclusion on Environmental Issues

- 8.129 Paragraph 8 c) of the NPPF (2021) indicates, amongst other things, that the planning system needs to contribute to protecting and enhancing the natural built and historic environment, including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 8.130 In conclusion of the environmental issues, it is considered that there has been no significant issues raised which would weigh against the proposal that cannot be mitigated by condition. Cumulatively, the environmental issues associated with this application carry significant weight in favour of the development.

ECONOMIC SUSTAINABILITY

- 8.131 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.

8.132 On a wider level, additional housing will increase spending within the borough which is of further economic benefit in the long term carrying moderate weight.

8.133 SECTION 106 OBLIGATION

8.134 Paragraph 55 of the NPPF states that 'local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations'. Paragraph 57 states that 'planning obligations must only be sought where they meet all of the following tests: a) necessary to make the development acceptable in planning terms, (b) directly related to the development; and (c) fairly and reasonably related in scale and kind to the development'. Policy 65 of the Local Plan also reflects this stating that new proposals should contribute to supporting infrastructure and make appropriate contributions in order to deliver sustainable development.

Affordable Housing

8.135 In order to comply with Local Plan Policy 7 there would normally be a requirement for provision of 23% of the properties on site to be affordable housing.

8.136 The application includes 28 general needs (affordable) family houses made up of 2, 3 and 4 bed Affordable properties (including 6 x 2 bed Bungalows). This application therefore complies with the Council's Local Plan Policy 7 Delivering the Necessary Range of Housing (Strategic Policy) by providing **23% affordable housing**.

8.137 The Local Plan affordable housing tenure split policy is 75% Affordable Rented and 25% Shared Ownership, which approximately equals 22 Rented and 6 Shared Ownership dwellings. With regards to the Shared Ownership mix the Council are looking at 4 x 2 bed houses and 2 x 3 bed houses, all to be agreed within the S106 legal agreement with the developer (including plot numbers).

Public Open Space

8.138 Policy 28 requires new development of 20+ units to provide 10 – 15% onsite open space. In this case, as the Bessacarr community profile area is deficient in 4/5 open space typologies, the requirement is for 15% of the site to be delivered as public open space. This should be useable onsite open space, including facilities for children's play.

8.139 The developer has allocated over and above the policy requirement providing **34% of the site as 'useable' open space**. This incorporates a designated play space within a large area of open space. Therefore, this not only meets but exceeds the provisions of policy of Policy 28.

Education

- 8.140 A commuted sum of **£481,752.00** is required to provide an additional 18 secondary school places at Hall Cross Academy to accommodate the development and to ensure the school has capacity beyond 2027/28 (the Projection period). No primary school places are required as there are sufficient spare places available at Hawthorn Primary School. This accords with Policy 52 of the Local Plan which states that "where housing proposals of more than 20 family dwellings will create or exacerbate a shortfall in the number of local school places, mitigation will be required, either through an appropriate contribution to off-site provision or, in the case of larger sites, on site provision."

Transportation

- 8.141 Policy 13 of the Local Plan at part B) requires that any new development that is predicted to have an adverse impact on the transport network will be expected to contribute towards capacity and mitigation measures. A Transport Bond is required to mitigate any traffic in the event that targets are not met. The purpose of the TP Bond is to ensure that the targets within the Travel Plan towards sustainable travel (bus, walk, cycle etc.) can be met, and if not met the Council would step in with sustainable measures using the Bond. The Council needs to be assured that the Travel Plan is effective and has reasonable targets that can be met.

The formula for calculating the bond is as follows:-

No. of dwellings x the current cost of a 28 day SY Connect+ ticket (currently £120.40)
x 1.1 = **£16,025.24**

Annual Travel Plan Monitoring

- 8.142 The City of Doncaster (CDC) requirement for monitoring (as per section 3 of the Returnable Transport Mitigation Bond Guidance) is bi-annual counts at each vehicular entrance point of the site, undertaken in a neutral month, by an independent consultant for a period of 5 years. Five years of monitoring can be undertaken by CDC at a cost of **£5,000** per entrance/ exit point. Therefore, it is considered that this would meet with the provisions of Policy 13.

Traffic Signal Revalidation

- 8.143 CDC require a financial contribution towards the revalidation of 2 junctions, SCND0011 A638 Bawtry Road / Cantley Lane and SCND0029 A638 Bawtry Road Adj St Augustine's Rd at **£2,000 per junction**. This in accordance with Local Plan Policy 13. B)

Biodiversity Net Gain

8.144 The proposed development will result in the loss primarily of habitats of medium distinctiveness according to the Defra Biodiversity Metric. These habitats have arisen over the last 20-30 years and are not considered irreplaceable, as they could be recreated on a different site over a similar time frame. 7.75 Habitat Units are being retained on the site as part of the development and a further 13.1 Habitat Units are being delivered onsite as mitigation for habitat losses through the creation of new habitats and landscaping. A deficit of 27.96 habitat Units are to be secured as off-site compensation to ensure the development delivers a minimum 10% net gain, in accordance with Planning Policy. In line with the Council's Biodiversity Net Gain Supplementary Planning Document, the S106 agreement will commit the developer to either, showing that biodiversity units have been secured in a suitable offsite location, or paying the Council a biodiversity offsetting contribution of £25,000 per biodiversity unit needed. The Council would then secure the necessary biodiversity units using this money. A habitat management plan (HMP) for the local wildlife site Red House Plantation would also be included within the agreement. This is to ensure the ongoing interests of the adjacent Local Wildlife Site are maintained in line with Local Plan Policy 30.

8.145 Conclusion on Economy Issues

8.146 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.

8.147 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.

9.0 PLANNING BALANCE & CONCLUSION

9.1 In accordance with Paragraph 11 of the NPPF (2021) the proposal is considered in the context of the presumption in favour of sustainable development. The proposal will redevelop an allocated housing site in the adopted Local Plan (2021) for housing and will deliver a significant contribution to much needed housing within the Main Urban Area, which is the main focus for housing growth and regeneration in the City, therefore in line with the Council's strategic approach to housing delivery.

9.2 The application proposes 121 houses, which is a significantly lower density of development than the indicative 166 unit housing capacity within the Local Plan. This number was reduced in order to maximise the biodiversity interest, which was a key requirement of the Council and responded to positively by the developer and helps to address local resident concerns.

9.3 The scheme proposes the delivery of 34% on site public open space, providing more than double the usual policy requirement of 15%.

- 9.4 There is a high need for Affordable Housing within the Bessacarr Ward. The scheme proposes the full 23%, (a total of 28) affordable housing requirement and includes a mix of 2, 3 and 4 bed roomed dwellings (this also includes 6 x 2 bed roomed bungalows). Therefore contributing to this much needed housing within the area.
- 9.5 The design and layout of the scheme provides streets, which have a spacious, boulevard feel with street tree planting within all of the main streets which will green up, soften and enhance the built form to a very high standard. Creating a pleasant and attractive place to live.
- 9.6 The scheme will provide a well-designed, high quality housing development which will meet Nationally Described Space Standards. It also meets policy requirement for adaptable/accessible and wheelchair housing.
- 9.7 Consultees have raised no objections on matters pertaining to ecology, trees, archaeology, highways, design, drainage matters or flood risk.
- 9.8 The proposal is fully compliant with the development plan.
- 9.9 The proposal is subject to a Section 106 Agreement which is considered to meet the requirements of the CIL tests, the fine details of which are still to be agreed.

10.0 RECOMMENDATION

10.1 MEMBERS RESOLVE TO GRANT PLANNING PERMISSION FOR THE PROPOSED DEVELOPMENT SUBJECT TO THE CONDITIONS BELOW AND FOLLOWING THE COMPLETION OF AN AGREEMENT UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 IN RELATION TO THE FOLLOWING MATTERS;

- a) Provision of 22 Rented and 6 Shared Ownership dwellings. Shared Ownership mix of 4 x 2 bed houses and 2 x 3 bed houses.
- b) Provision of 15% on site POS (and Maintenance) and LEAP
- c) A commuted sum of £481,752.00 towards the provision of school places at Hall Cross Academy.
- d) Commuted sum of £16025.24 as a Transport Bond in the event targets within the Travel Plan are not met.
- e) Annual Travel Plan monitoring at a cost of £5,000 per entrance/ exit point.
- f) Traffic signals revalidation at the following junctions at a cost of £2,000 per junction;
SCND0011 A638 Bawtry Road/B1396 Cantley Lane
SCND0029 A638 Bawtry Road Adj St Augustine's Rd
- g) Biodiversity Net Gain to deliver a minimum 10% net gain to be secured via a suitable offsite location, or paying the Council of a biodiversity offsetting contribution of £25,000 per biodiversity unit needed.
- h) A habitat management plan (HMP) for the local wildlife site Red House Plantation.

CONDITIONS/REASONS:

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

REASON

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

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

AMENDED Site Layout Dwg 2119.01 Rev H (Colour)
AMENDED Site Layout Dwg 2119.01 Rev H (A0) - No landscaping

AMENDED Boundary Treatment Plan Dwg 2119-06 Rev C
AMENDED Materials plan Dwg 2119.03 Rev C
AMENDED Street scenes Dwg 2119-04 Rev C
Build Route Phasing Plan Dwg 2119.13

House Types

AMENDED House type - Brantham
AMENDED House type - Brantham Cottage Style
AMENDED House type - Carson - Village Style
AMENDED House type - Carson - Cottage Style
AMENDED House type - (Clarimond) Pair Plans
AMENDED House type - (Clarimond) - Pair Elevations
AMENDED House type - (Claymond) - Semi Pair
AMENDED House type - Claymond - Cottage Style
AMENDED House type - Denham
AMENDED House type - Farnham - Village Style
AMENDED House type - Farnham - Cottage Style
AMENDED House type - Faversham
AMENDED House type - Faversham - Cottage Style
AMENDED House type - (Harrison Semi - Pair) - Village Style
AMENDED House type - Harrison Semi (Pair) - Cottage Style
AMENDED House type - Haytham - Village Style
AMENDED House type - Haytham - Cottage Style
AMENDED House type - Hopkin - Village Style
AMENDED House type - Hopkin - Cottage Style
AMENDED House type - Hudson
AMENDED House type - Langston Semi (Pair)
AMENDED House type - Langham Semi (Pair)
AMENDED House type - Oxford - Village Style
AMENDED House type - Oxford - Cottage Style
AMENDED House type - Twin Garage
AMENDED House type - Watkin - Village Style
AMENDED House type - Watkin - Cottage Style
AMENDED - Single Garage

AMENDED Landscape Masterplan Dwg R/2528/1F

AMENDED Construction Management Plan Layout Dwg 2119.12 Rev B

AMENDED Drainage Appraisal Plan Dwg 45871-SK01 Rev J

REASON

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

03. Prior to any construction works commencing on 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 approved mitigation measures shall be carried out at all times during the construction of the development hereby approved.

REASON

To safeguard the living conditions of neighbouring residents.

04. 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 1-5, 7-9, 11-14, 16-20, 29-34, 38-48, 50, 53, 57-60, 63-66, 69-75, 83-85, 87-100, 102-106, 110, 112-117 must meet Part M4(2) 'accessible and adaptable dwellings'.
Plots 21 TO 26 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

05. Prior to the commencement of the works for roads and sewers and the signing of any agreement under S38 of the Highways Act 1980, a landscape scheme which includes details of the proposed tree pits and utilities siting and alignments within the adoptable highway shall be submitted to and agreed in writing by the Local Planning Authority.

This shall include a detailed specification for tree pit construction that utilises either grass verges or a professionally recognised crate system construction to provide the minimum rooting volume set out in the Council's Transitional Developer 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; a timescale of implementation, and a maintenance specification until trees are adopted by the Council.

The landscape scheme and utility design shall be implemented in full accordance with the approved details, with the crating system laid prior to any utilities. The Local Planning Authority shall be notified prior to the backfilling of any engineered tree pits to inspect and confirm compliance and within seven days of the completion of landscape works to inspect and approve practical completion in writing.

REASON

To ensure appropriate design of tree's within the adoptable public highway and avoid any potential design conflicts with utilities to meet Local Plan Policy 48.

06. Excluding site preparation, ground engineering and site infrastructure works no development shall take place on the site until a detailed hard and soft landscape scheme based on the approved landscape masterplan (drawing R/2528/1D) 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 POS. 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 timescales for delivery; 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 within the first year following commencement of the development 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.. 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.

07. Following the commencement of the hard and soft landscaping scheme 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 hard and soft landscaping scheme 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. It shall cover: species, size, location, planting and aftercare specification, and include an overall progress summary, inspection site visit notes, a schedule of maintenance operations undertaken, and before and after photos of any remedial plantings or completed works.

REASON

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

08. No work shall take place above damp proof course level until 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.

09. The development shall take place in accordance with the approved Written Scheme of Investigation (WSI) document entitled "Rosehill, Bessacarr Written Scheme of Investigation for Archaeological Mitigation" Revision 4 (issued February 2023), unless an updated WSI and timetable has been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the Local Planning Authority has confirmed in writing that the requirements of the WSI have been fulfilled.

REASON

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

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

REASON:
To ensure that all trees are protected from damage during construction in accordance with in accordance with Local Plan Policy 32.
11. The development shall be carried out in accordance with the details shown on the submitted plan, "'Flood Risk Assessment' 45871-004 (issue 11) prepared by Eastwood & Partners, dated 02/02/23".

REASON
In the interest of satisfactory and sustainable drainage.
12. Prior to commencement of development, a 'Construction Environmental Management Plan (CEMP)' shall be submitted to and agreed in writing by the Local Planning Authority to mitigate the impact of the development on the sewerage system. The development shall be carried out in accordance with the approved CEMP.

REASON
To ensure that the development can be properly drained.
13. Any liquid storage tanks should be located within a bund with a capacity of not less than 110% of the largest tank or largest combined volume of connected tanks.

REASON
To ensure that there are no discharges to the public sewerage system which may injure the sewer, interfere with free flow or prejudicially affect the treatment and disposal of its contents.
14. Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filing and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and be approved in writing by the LPA prior to any soil or soil forming materials being brought onto site.

The approved contamination testing shall then be carried out and verification evidence submitted to and approved in writing by the LPA prior to any soil and soil forming material being brought on to site.

REASON

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

15. Prior to the occupation of the development hereby approved, details of electric vehicle charging provision shall be submitted to and approved in writing by the local planning authority. Installation shall comply with current guidance/advice. The first dwelling shall not be occupied until the approved connections have been installed and are operational. Electric vehicle charging connections shall thereafter 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.

16. Prior to the first occupation of the development hereby approved, 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.

17. Prior to commencement of development details of measures to facilitate the provision of gigabit-capable full fibre broadband for the development hereby permitted, including a timescale for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON

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

18. 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 operating to the approval 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.
19. There shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.
REASON
To ensure that no foul or surface water discharge take place until proper provision has been made for their disposal.
20. No building shall be erected within 10 metres of the piped water course which passes through/runs adjacent to the site.
REASON
To ensure adequate access at all times and to protect the culvert from damage.
21. 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).
22. No building hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be designed, managed and maintained in accordance with the Non-statutory technical standards and local standards
REASON
To comply with current planning legislation - National Planning Policy Framework

23. Prior to installation of the play equipment on the green space area designated to accommodate a LEAP, the developer will provide the Local Planning Authority with a location plan and design to be agreed by the authority, which identifies the type and placement of equipment, and safety surfacing to be used. The developer shall ensure the equipment is robust, sustainable, meets the needs of the community and meets with the relevant safety standards. The play equipment shall be installed and maintained in accordance with the approved details.

The LEAP shall be delivered following occupation of no more than 50% (60) of the units on the site.

REASON

To ensure the delivery of appropriate 'fit for purpose' play provision within the Borough and to ensure the development provides adequate areas of public open space for future occupants during the build out phase and in accordance with Doncaster Local Plan Policy 28.

24. Within 1 month of the installation of the play equipment, the applicant shall provide the Local Planning Authority with a copy of the post installation inspection certificate certifying the play equipment meets with European standards EN1176 and EN177. The inspection shall be carried out by an independent RPII (Register of Play Equipment Safety Inspectors International) or registered Playground Equipment Inspector, who is suitably experienced and trained for the task.

REASON

To ensure all equipped play areas meet with the relevant safety standards and are safe and accessible.

25. Notwithstanding the approved Site Layout Plan Dwg Ref: 2119.01 Rev H and prior to commencement of the relevant works, full details of the design of the pumping station, including all materials and boundary treatments shall be submitted and agreed in writing with the Local Planning Authority. This shall include details of the vehicular access to the pumping station. The development shall thereafter be carried out in accordance with the approved design.

REASON

In the interests of highway and pedestrian safety in accordance with Local Plan Policy 13.

26. 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.

27. Prior to the occupation of any phase of development, the vehicle turning spaces serving that phase as shown on the approved plans shall be constructed 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.
28. Before any phase of the development hereby permitted is brought into use, the parking serving that phase 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.
29. No development shall take place, including any works of demolition, until a Construction Traffic Management Plan (CTMP) 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:
- o Routing of vehicles to site including any temporary traffic management measures needed
 - o Construction Period and hours of working.
 - o The parking of vehicles of site operatives and visitors
 - o The location for loading and unloading of plant and materials
 - o Storage of plant and materials used in constructing the development
 - o Wheel washing facilities
 - o Measures to control noise and the emission of dust and dirt during construction
 - o 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.
30. Prior to the commencement of development a Construction Environmental Management Plan (ecology) shall be submitted to the LPA for approval in writing. The plan shall then be implemented in accordance with the approved details. The measures within the CEMP will be based on those outlined in Table 6.1 of the Ecological Impact Assessment Brooks Ecological Ref: ER-5334-07D 30/08/22 last amendment 07/02/23 and also include: -A risk assessment of the potentially damaging construction activities in relation to habitats and fauna.
-Any measures identified to protect the adjacent Local Wildlife Site, Red House Plantation from direct and/or indirect impacts of the construction phase.
REASON:
To ensure the ecological interests of the site are maintained in accordance with Local Plan policy 29 and 30B(3)

31. Prior to the first occupation of the site, an ecological enhancement plan shall be submitted to the local planning authority for approval in writing. This plan shall include details of the following measures, all of which shall be implemented prior to the first occupation of the site or in an alternative timescale to be approved in writing with the local planning authority: Photographic evidence of the implementation of the measures must be submitted to the local planning authority..
- on 30% of new dwellings a swift box of the type: <https://www.manthorpebp.co.uk/environmental/swift-nesting-brick/swift-nesting-brick-0> or equivalent approved by an Ecologist to be located on the northern aspect of the building above 5m from ground level on walls away from trees.
 - on 20% of new dwellings in suitable site boundary locations, bat boxes of the type: <https://www.nhbs.com/lbstock-enclosed-bat-box-c> or equivalent approved by an Ecologist to be sited above 4 m from ground level at south or south west locations on the new building
 - 6 No. tree mounted bat boxes of the Kent Bat Box <https://www.nhbs.com/nhbs-kent-bat-box> or equivalent approved by an Ecologist
 - .
 - Hedgehog highways features to be incorporated into property boundaries.
 - The creation of two reptile/amphibian hibernacula features on the site.

REASON

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

32. Where development commences after two years from the date of the original protected species surveys including badgers, bats, great crested newts, reptiles and breeding bird surveys, additional/updated surveys shall be carried out and submitted to the Local Planning Authority for approval to ensure that the previously approved mitigation is appropriate for the current situation. Any changes to proposed mitigation measures must include timescales for delivery and be approved in writing by the Local Planning Authority. Thereafter the amended mitigation measures shall be implemented in accordance with the approved details.

REASON

To ensure the ecological interests of the site are maintained in accordance with Local Plan policy 30 and that no offence is committed in respect of protected species legislation.

33. Prior to the installation of any external lighting, a lighting design strategy for light-sensitive biodiversity shall be submitted to and approved in writing by the Local Planning Authority:

The strategy shall show how all external lighting within the site will be designed (through the provision of external lighting contour plans and technical specifications) so that it can be clearly demonstrated that it will not disturb or adversely affect the use of the semi-natural areas by bats and other species of wildlife. The strategy shall be informed by the Institute of Lighting Professionals/Bat Conservation Trust, Guidance Note 08/18: Bats and Artificial Lighting in the UK.

All external lighting shall be installed in accordance with the specification and locations set out in the strategy prior to occupation of the units and maintained as such.

REASON

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

34. Prior to the commencement of the relevant works on site details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority and approved in conjunction with Network Rail. The development shall thereafter be carried out in accordance with the approved details.

REASON

In the interests of safeguarding the nearby railway line.

35. The drainage associated with the site shall not impact on or cause damage to adjacent railway assets. Surface water must flow away from the railway, there must be no ponding of water adjacent to the railway boundary and any attenuation scheme within 30m of the railway boundary must be approved by Network Rail in advance. There must be no connection to existing railway drainage assets without prior agreement with Network Rail.

REASON

In the interests of safety, operational needs and integrity of the railway.

36. Development shall not commence until a construction methodology has been submitted to and approved in writing by the Local Planning Authority. The construction methodology shall demonstrate consultation with the Asset Protection Project Manager at Network Rail. The development shall thereafter be carried out in accordance with the approved construction methodology.

REASON

In the interests of safety, operational needs and integrity of the railway.

37. No development works shall commence until the applicant has provided to the Local Planning Authority with evidence of either:

A licence issued by Natural England pursuant of The Protection of Badgers Act 1992 authorising the specified activity/development to go ahead, or

A statement in writing from Natural England (or another relevant licencing authority) to the effect that a specific activity /development does not require a licence.

REASON

To ensure the ecological interests of the site are maintained in accordance with Local Plan Policy 30 and that no offence is committed in respect of protected species legislation. The Protection of Badgers Act 1992

INFORMATIVES

01. **INFORMATIVE: SECURED BY DESIGN**
The applicant is advised to seek to implement security measures into the development in order to achieve the 'Secured By Design' accreditation from South Yorkshire Police.

02. **INFORMATIVE: HIGHWAY WORKS**
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.

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 or Tel 01302 735162 as soon as possible to arrange the setting up of the permit agreement.

03. **INFORMATIVE: CONDITION 05**
To minimise future conflict with utilities in new developments, where trees are proposed within the footway or highway build outs, the creation of a common utility enclosure with the necessary provisions for safely including both mains services and ducting should be considered in the utility design.

This is preferably located adjacent to the property front boundary, under the footway, to facilitate service connections. The developer is to consider the requirements of National Joint Utilities Group guidance volume 4 with regard to the installation of trees and the required installation and maintenance of statutory undertaker's apparatus. <http://streetworks.org.uk/wp-content/uploads/V4-Trees-Issue-2-16-11-2007.pdf>

04

INFORMATIVE: NETWORK RAIL

Network Rail has no objection in principle to the development, but below are some requirements which must be met, especially given the scale and nature of the proposed scheme.

Asset Protection

Due to the proximity of the proposed development to the operational railway boundary, it will be imperative that the developer liaise with the Asset Protection Team (contact details below) prior to any work taking place on site to ensure that the development can be undertaken safely and without impact to operational railway safety. Details to be discussed and agreed will include construction methodology, earthworks and excavations, use of crane, plant and machinery, drainage and boundary treatments. It may be necessary for the developer to enter into a Basic Asset Protection Agreement (BAPA) with Network Rail to ensure the safety of the operational railway during these works.

Works in Proximity to the Operational Railway Environment

Development Construction Phase and Asset Protection

Due to the proximity of the proposed development to the operational railway boundary, it will be imperative that the developer liaise with the Asset Protection Team (contact details below) prior to any work taking place on site to ensure that the development can be undertaken safely and without impact to operational railway safety. Details to be discussed and agreed will include construction methodology, earthworks and excavations, use of crane, plant and machinery, drainage and boundary treatments. It may be necessary for the developer to enter into a Basic Asset Protection Agreement (BAPA) with Network Rail to ensure the safety of the operational railway during these works.

Landscaping

It is imperative that planting and landscaping schemes near the railway boundary do not impact on operational railway safety. Where trees and shrubs are to be planted adjacent to boundary, they should be positioned at a minimum distance greater than their height at maturity from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary.

Any hedge planted adjacent to the railway boundary fencing for screening purposes should be placed so that when fully grown it does not damage the fencing, provide a means of scaling it, or prevent Network Rail from maintaining its boundary fencing. Below is a list of species that are acceptable and unacceptable for planting in proximity to the railway boundary;

Acceptable:

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

Not Acceptable:

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

Railway Noise Mitigation

The Developer should be aware that any development for residential or noise sensitive use adjacent to an operational railway may result in neighbour issues arising. Consequently, every endeavour should be made by the developer to provide adequate soundproofing for each dwelling. Please note that in a worst-case scenario there could be trains running 24 hours a day and the soundproofing should take this into account.

Contact Details:

Asset Protection Eastern

For enquiries, advice and agreements relating to construction methodology, works in proximity to the railway boundary, drainage works, or schemes in proximity to railway tunnels (including tunnel shafts) please email assetprotectioneastern@networkrail.co.uk.

Land Information

For enquiries relating to land ownership enquiries, please email landinformation@networkrail.co.uk.

Property Services

For enquiries relating to agreements to use, purchase or rent Network Rail land, please email propertyservices@networkrail.co.uk.

05.

INFORMATIVE: CONDITION 4

Condition 4 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 listed plots.

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

APPENDIX 1 – Proposed Site Layout plan



APPENDIX 2 – HOUSE TYPES –Brantham (4 bed) House



Brantham Cottage Style (4 bed) House



FRONT ELEVATION

REAR ELEVATION

SIDE ELEVATION



GROUND FLOOR PLAN



FIRST FLOOR PLAN



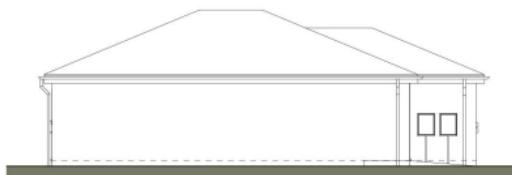
SIDE ELEVATION

APPENDIX 2 – HOUSE TYPES Clarimond (Affordable) 2 bed bungalow



FRONT ELEVATION

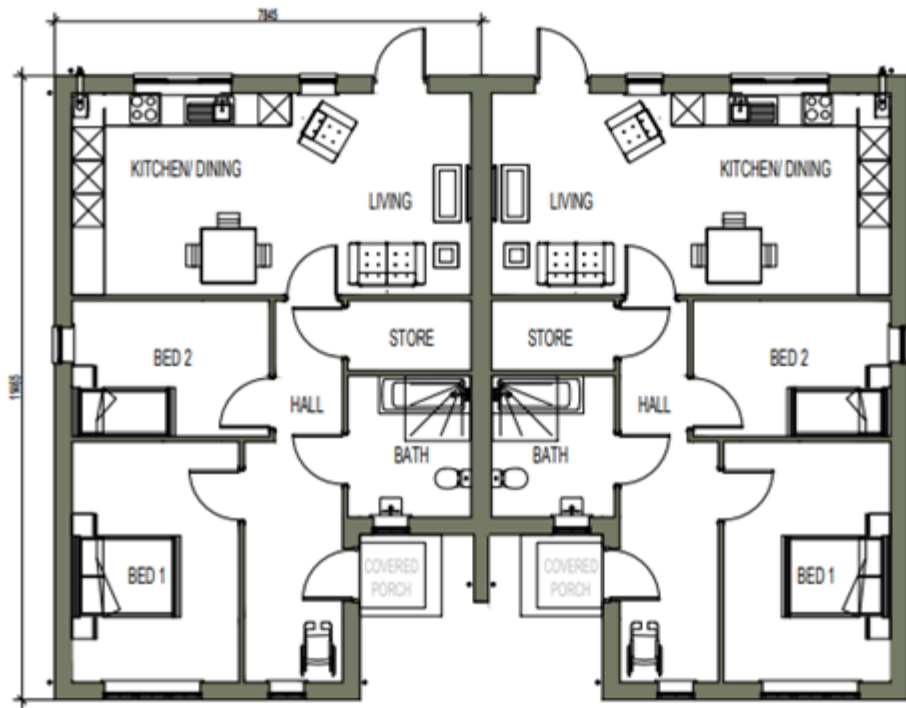
REAR ELEVATION



SIDE ELEVATION



SIDE ELEVATION



GROUND FLOOR PLAN

APPENDIX 3 – Proposed Street Scenes

