

<b>Application</b>	<b>03</b>
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<b>Application Number:</b>	22/00404/FULM
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<b>Application Type:</b>	Planning FULL Major
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<b>Proposal Description:</b>	Erection of 26 dwellings with associated landscaping and parking, and the conversion of Coltran Mill to form 60 apartments.
<b>At:</b>	17 - 31 Church Street Mexborough S64 0EW

<b>For:</b>	TIRTLR 10 Ltd
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<b>Third Party Reps:</b>	4 Objections	<b>Parish:</b>	None
		<b>Ward:</b>	Mexborough

<b>Author of Report:</b>	Andrea Suddes
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## SUMMARY

The proposal seeks permission for the erection of 26 dwellings, with associated landscaping and parking, and the conversion of Coltran Mill to form 60 apartments including the formation of a new access, landscaping and public open space. The site falls within the Residential Policy Area as designated in the Doncaster Local Plan and accords with Policy 10 of the Local Plan.

The proposal provides an acceptable level of amenity for existing and new residents, helps to protect and enhance the existing area and meets other development plan policies relating to flood risk and open space. Whilst the application does not fully meet design policies, the application is a balance of material planning considerations. Given that the site is subject to viability, the application will still provide a public open space contribution, and the development will preserve and bring back into use a non-designated local landmark building of historic significance. On a balance of considerations this weighs in support of the application.

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

**RECOMMENDATION: GRANT planning permission 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 on account that the application is subject to viability and therefore cannot provide for all Local Plan policy contribution requirements.

## **2.0 Proposal and Background**

- 2.1 Planning permission is being sought for the erection of 26 dwellings with associated landscaping and parking, and the conversion of Coltran Mill to form 60 apartments.

- 2.2 The site is suitable in principle for residential use being designated as Residential Policy Area within the Doncaster Local Plan.

- 2.3 In summary the housing mix comprises:

- 26 x 3 bedroom (4 person) houses;
- 51 x 1 bedroom apartment;
- 9 x 2 bedroom apartment.

- 2.4 All house types meet M4(2) and National Described Space Standards (NDSS) minimum and also provides M4(3) properties in accordance with Policy 45.

- 2.5 The application seeks to retain the existing Coltran Mill building which is recognised locally as a historic landmark building. The existing mill does not benefit from a formal designation as a designated heritage asset such as a Listed Building, nor does it lie within a Conservation Area, however it is a building of local significance. At the time of writing this report the building is currently being considered as a potential candidate to include on the South Yorkshire Local Heritage List. Therefore, the building can be considered as a non-designated asset in accordance with para 203 of the National Planning Policy Framework (NPPF).

- 2.6 The site is subject to viability and has been assessed by an independent viability consultant. Details in respect to the viability of the site will be discussed later within this report.

- 2.7 The Applicant has commenced unauthorised demolition works on site that is being dealt with separately by the CDC Planning Investigation Team.

## **3.0 Site Description**

- 3.1 The application site is located to the old part of Mexborough, to the immediate north of the Don Navigation canal and south-east of the Town Centre.

- 3.2 The site is bounded on the north by Church Street and on the east and west by small works and yard areas. The site is the former Coltran engineering works buildings and yards. There are no listed buildings within the site and it does not lie within (or adjoin) a conservation area.

- 3.3 There are several designated heritage assets in close proximity to the site. Surrounding development is predominantly residential with some commercial uses to the east.

## 4.0 Relevant Planning History

### 4.1 Application site history;

Application Reference	Proposal	Decision
07/02778/OUTM	Outline application for Residential Development (43 houses) (Amended Scheme) including demolition of all existing buildings on the site.	Finally Disposed of 08.05.2014

## 5.0 Site Allocation

5.1 The site is designated as Residential Policy Area within the Doncaster Local Plan.

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

5.3 The National Planning Policy Framework 2021 (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. Planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions and the relevant sections are outlined below:

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 38 states that local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

5.7 Paragraph 47 reiterates that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

5.8 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.

- 5.9 Paragraph 63 requires on site provision of affordable housing where a need is identified.
- 5.10 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.
- 5.11 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.
- 5.12 Paragraph 119 states planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.
- 5.13 Paragraph 120 states planning policies and decisions should:
- c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;
  - d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure)
- 5.14 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).
- 5.15 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.
- 5.16 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.

- 5.17 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).
- 5.18 Paragraph 203 relates to proposals affecting non-designated heritage assets and states that the significance of a non-designated heritage asset should be taken into account in determining an application. It further states that a balanced judgement will be required having regard to the scale of any or loss harm and the significance of the heritage asset.

**5.19 Doncaster Local Plan**

- 5.20 The site lies within the Residential Policy Area as designated in the Doncaster Local Plan.
- 5.21 Policy 1 states that Mexborough is defined as a Main Town and after Doncaster Town Centre, priority will be given to improving uses and facilities in Mexborough and Thorne. At least 40 per cent of new homes will be provided in the Main Towns.
- 5.22 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 new homes each year over the plan period (2018-2035) (15,640 net homes in total). The total allocation for Mexborough is 310 new homes.
- 5.23 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 in size) 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.
- 5.24 Policy 10 states that new residential development will be supported in Residential Policy Areas provided: 1) an acceptable level of amenity for existing and new residents is provided; 2) the development helps to protect and enhance the existing area; and, 3) the development meets other development plan policies relating to flood risk, open space, design and sustainable construction.
- 5.25 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.
- 5.26 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.
- 5.27 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.
- 5.28 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.
- 5.29 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).
- 5.30 Policy 30 seeks to protect sites and species of local, national and international importance and requires proposals to meet 10 percent net gain for biodiversity.
- 5.31 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.
- 5.32 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.
- 5.33 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.
- 5.34 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.
- 5.35 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.

- 5.36 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.
- 5.37 Policy 47 supports developments which are designed in a way that reduces the risk of crime and the fear of crime.
- 5.38 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.
- 5.39 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.
- 5.40 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.
- 5.41 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.
- 5.42 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.
- 5.43 Policy 56 states that development sites must incorporate satisfactory measures for dealing with their drainage impacts, including the use of SuDS, to ensure waste water and surface water run-off are managed appropriately and to reduce flood risk to existing communities.
- 5.44 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.
- 5.45 Policy 66 states that where the applicant can demonstrate that particular circumstances justify the need for a Viability Appraisal, the Council will take a pragmatic and flexible approach to planning obligations and consider their genuine impact on viability of development proposals on an independent and case-by-case basis.

**5.46 Other material planning considerations**

*National Design Guide (Jan 2021)*

- 5.47 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.

*Local Interim Guidance & Supplementary Planning Documents*

5.48 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.

*National Planning Practice Guidance (ongoing)*

5.49 The national design guide sets out the government's planning policies for England and how these are expected to be applied.

### **5.50 Neighbourhood Plan**

5.51 There is no Neighbourhood Plan for this area.

## **6.0 Representations**

6.1 This application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015 by means of site notice, press advertisement and neighbour notification.

6.2 9 individual letters of objection have been received however multiple objections have been received from the same person which equates to 4 objections in total. These can be summarised as follows:

- Vehicular access from the site is hindered due to the volume of traffic on Church Street
- Lack of sufficient parking spaces on site will result in pressure for on street parking
- Detrimental impact on surrounding historic buildings
- Inadequacies on fire statement form
- Kestrel nesting on the roof of the mill building

6.3 Doncaster Civic Trust welcomes the retention of the Mill building but raises concerns on account of the insufficient amount of parking provided on site.

## **7.0 Relevant Consultations**

7.1 **Conservation Officer** – No objections in principle. The Officer notes whilst the site does not contain a nationally listed building nor is in a conservation area, Coltran Mill is considered to have some heritage interest. The mill is a potential candidate on the South Yorkshire Local Heritage List but is not yet been assessed. It is proposed to get it assessed at the earliest opportunity.

The proposal is warmly welcomed by the Officer as it retains the main heritage assets of the mill and boundary wall(s). The loss of the concrete barrelled roof structure is considered acceptable given its less importance and subject to efforts being concentrated on the restoration of the mill and its detailing. The roof-top addition is considered appropriate and indeed was previously encouraged as a way to make viable the conversion of the mill building. The new development would be considered to be of a scale to respect neighbouring properties and the setting of the Grade I church.

The Officer does raise some specific detailing on the application which are included within the response. Once these are addressed, the proposal is judged to retain and preserve a local heritage asset and preserve the setting of nearby listed buildings.

**7.2 Urban Design Officer** – Whilst this scheme has several positive features such as the reuse of the mill building, nice architecture, a distinctive character and interesting spaces, the Officer highlighted characteristics of overdevelopment and fails on some key aspects of the Local Plan design policies. These include:

1. The site is gated and it is not clear as to whether this will be permanently gated with controlled access for both pedestrians and vehicles or vehicles only.
2. A related issue is how the properties along the northern edge turn their back on the existing community and Market St.
3. The size of gardens for these properties (and all the other houses on site) which fall significantly below the 50m<sup>2</sup> min for a 2 bed and 60m<sup>2</sup> for a 3 bed. Some of the gardens are below half of the size they should be.
4. The lack of private gardens raises concerns for adequate private and public amenity space. Particularly important for children given a large proportion of the houses will be family homes.
5. The impact on the dormer bungalow to the south western corner of the site and the level changes at the boundary and any potential overlooking / overshadowing issues of the bungalow and its garden will need to be considered.
6. The scheme generally has car dominated streets and compromises the security of the scheme to the rear. I note the Highway Officer's concerns re parking levels and divergence from standards.
7. Confirmation as to which plots will be M4(2) and which will be M4(3) in order to meet the requirements of LP Policy 45 which requires 65% of units to be M4(2) and 5% M4(3).
8. More opportunity for street scene planting to meet the 'generous' landscaping requirements of Policy 48.

In summary, the Officer believes the scheme cannot be considered to be of good design. The financial/ viability aspects of the scheme have been highlighted that compromise better design solutions. The retention and development of the mill conversion should be secured as a first phase of the development. The agent has confirmed that the development will meet M4(2) and M4(3) requirements and the specific plots. The decision maker will need to weigh whether wider benefits outweigh these weak elements of the design.

**7.3 Trees and Hedgerows Officer** – No objections in principle. Some minor alterations are required to increase the size of tree planting and tree guards to ensure longevity and reduce vulnerability to damage/vandalism. More details and specifics are required for the landscaping management plan for the site. The plan should cover for five years including weed control, top up mulch, pruning, mowing, watering,

replacement of plant failures, litter collection, safety checks, removal of plant guards, stakes and shelters at appropriate stages. This is secured via planning conditions.

- 7.4 **Highways (Transportation)** – No objections raised subject to mitigation by conditions for electric vehicle charging points and cycle parking to be provided within the curtilage of each dwelling. This is secured via condition.
- 7.5 **Highways (Development Management)** – Following the receipt of additional information and a parking strategy, the Highways Development Control Officer is supportive of the scheme.
- 7.6 **Highways (Waste and Recycling)** – Concerns were raised with the gated access to the site and assurances were sought on right of access and indemnification for incidental damage. Alternatively, private arrangements for waste collection will need to be secured by planning condition. The location of bin stores requires further considerations. Full details of bin storage will be secured via condition.
- 7.8 **Ecology Officer** – No objections raised subject to conditions.
- 7.9 **Pollution (Air Quality)** – No objections subject to condition. The Officer notes the conclusions of the assessment can be accepted with a high degree of confidence. The Air Quality Assessment proposes a number of acceptable mitigation measures such as electric vehicle charging points, travel plans, secure cycle parking facilities and bus taster passes.
- 7.10 **Pollution (Land Contamination)** – No objection raised subject to further conditions relating to the submitted surveys.
- 7.11 **Strategic Housing** – No objections raised. Given the type of units proposed and the location within Mexborough (no net housing need as per the 2019 HNS), an off-site financial contribution of £826,450.17 is required. This is to be agreed with the developer through a Section 106 agreement, if the proposed planning application stays as 86 residential units (26 houses and 60 apartments). If through discussions it is agreed that the Mill is not abandoned and therefore falls under the Vacant Building Credit definition then the applicant would be required to contribute £305,168.97 through 23% of the new build houses. In the unlikely event that we could secure a Housing Association to take 6 of the houses then the off-site financial contribution would be reduced down to £521,281.20, unless the Mill is not abandoned and then the figure would be zero.
- 7.12 **Environment Agency** – No objections raised and no conditions. The response refers to a series of standard comments for local planning authorities and planning applicants to refer to on 'lower risk' development proposals.
- 7.13 **Internal Drainage** – Holding objection pending further details to be provided, including detailed drainage design, hydraulic investigations and evidence of third party consent to discharge.
- 7.14 **Yorkshire Water** – Require further details to remove objection. The response notes only two sewers are shown on the site layout and it does not show any easement strips, therefore an objection has been raised over the proximity of buildings and landscaping until such time as more clarity on existing sewers and their easements can be provided. If satisfactory, YW can withdraw their objection and provide

appropriate conditions. A verbal update will be provided to Planning Committee at the meeting.

- 7.15 **Open Space Policy Officer** – No objections. Initial concerns with on-site open space and to provide a contribution instead. The amended plans show an improved onsite offer by providing a natural play area and some seating alongside grassland which the residents can use to enjoy the canalside location. The space can contribute towards the 10% POS requirement with any remaining shortfall secured via an offsite contribution
- 7.16 **Education** – No objections and no contributions required. An assessment shows there are currently enough spare places available at New Pastures Primary School and The Lauren Academy.
- 7.17 **Local Plan (Housing)** – Supports the application in principle subject to other policy considerations.
- 7.18 **Superfast South Yorkshire** – No objections subject to inclusion of condition for installation of superfast broadband
- 7.19 **Local Plan (Flooding)** – No objection raised. The EA response was noted and primarily all the site lies within Flood Zone 1. A slither on the southern boundary is showing FZ2 although we cannot be sure how accurate the mapping is at this scale.
- 7.20 **Environmental Health (Noise)** – No objections. The Officer notes the submitted noise impact assessment has determined that the site is affected by noise from a number of different sources: road traffic to the north, rail traffic to the south and industrial premises to the east. The report recommends that glazing with enhanced acoustic properties will be required in living rooms and bedrooms to ensure that good internal noise levels can be achieved. The solution also relies on mechanical ventilation treatments so that the required air changes can be achieved without the need for passive vents or open windows. A ‘whole building’ noise mitigation/ventilation scheme is suggested via condition. It should be noted that even with such a scheme occupiers of the dwellings will still be exposed to high levels of noise, above the recommended standards should they choose to open their windows for cooling or purge ventilation at the same time the noise is occurring.
- 7.21 **South Yorkshire Police Architectural Liaison Officer** – No objections, informative advice given.
- 7.22 **South Yorkshire Archaeology Service (SYAS)** – No response received.
- 7.23 **Canal and River Trust** – Recommended that additional information is submitted to demonstrate that development will not result in an increase in the risk of land instability associated with the cutting slope. Further information has been provided and subject to inclusion of condition for piling methodology and measures to monitor/reduce vibration during works, are satisfied with the proposal.
- 7.24 **Mexborough & District Heritage Society** - Welcomes any preservation of our historical buildings and therefore does not object to Coltran Mill’s redevelopment. Concerns with the property on Market Street and impact from increased vehicle movement, access width, parking, materials and boundary details within the development. The Society would also like to see the erection of a heritage board

which outlines the historical significance of the building which can be viewed by members of the public.

7.25 **Cadent Gas** – noted the local layout of gas pipelines in the area.

7.26 **Yorkshire Wildlife Trust** – No response received.

7.27 **Ward Members** – No comments received.

## **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
- Design and Impact on Character of Area
- Impact upon Highway Safety
- Flood Risk and Drainage
- Trees and Landscaping
- 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 The site lies within the Residential Policy Area as designated in the Doncaster Local Plan, where residential development is acceptable in principle. Policy 10 of the Local Plan states that new residential development will be supported in Residential Policy Areas provided: 1) an acceptable level of amenity for existing and new residents is provided; 2) the development helps to protect and enhance the existing area; and 3) the development meets other development plan policies relating to flood risk, open space, design and sustainable construction.
- 8.7 Policy 1 of the Local Plan states that Mexborough is defined as a Main Town and after Doncaster Town Centre, priority will be given to improving uses and facilities in Mexborough and Thorne. The housing requirement for Mexborough is 310 new homes. At least 40 per cent of new homes will be provided in the Main Towns. The proposal would therefore make a significant contribution towards the Mexborough housing target on a brownfield site, thus contributing towards the objectives of the Local Plan. This further chimes with the Local Plan and national policy objectives which seeks to make efficient use of land, with an emphasis on brownfield sites.
- 8.8 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. Further assessment of the sustainability credentials of the site will be provided throughout this report.
- 8.9 In summary, the principle of development would see sustainable development of a brownfield site in an area where residential development is acceptable. This is considered to weigh substantially in favour of the application.

### Sustainability

- 8.10 The NPPF(2021) sets out at paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
- 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 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, on 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 Policy 7 of the Local Plan is the Council's strategic policy in relation to delivering on a wide range and mix of housing types, sizes and tenures. It makes clear at criterion B) the Council's approach to affordable housing. Housing schemes of 15 or more homes are expected to include 23% affordable housing. However consultation with the Council's Strategic Housing Team has confirmed that the proposal seeks permission for predominantly apartments within one building (It is unlikely that a Housing Association will be willing to purchase any of the apartments as there would be conflict in terms of management and maintenance of the building with more than one owner as well as potential tenancy management issues with private tenants and private owners) and the location is in Mexborough (no net housing need as per the 2019 Housing Needs Study). Therefore, Strategic Housing have requested an off-site financial contribution in lieu of on-site provision, in line with criterion C) of Policy 7.
- 8.15 The commuted sum calculated for this development is £826,450.17. However, given its location and by virtue of bringing back into use a large, underused building, such a contribution would render the scheme unviable. As such the proposal would not realistically be able to achieve an affordable housing contribution. This is considered to weigh significantly against the proposal.
- 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 design of the terraced properties has ensured that the necessary separation distances can be achieved between the properties in line with the TDG. It is noted that that land levels change, with the north of the site being higher than the southern boundary and location of the existing Mill. This has resulted in a step change in site levels and is illustrated within Appendix 3. The Urban Design Officer has commented on a potential adverse impact on amenity for the existing bungalow situated adjacent to the western boundary on account of overlooking/loss of privacy. Specifically in relation to the existing bungalow, the scheme proposes 1 small ground floor en-suite window that will face towards the bungalow which will be obscure glazed. Given the difference in land levels and the erection of a stone retaining wall there will be minimal impact on amenity for this property. Whilst there are changes in the overall land levels, the design of the scheme has minimised any potential impact on neighbouring properties.
- 8.19 Overall the scheme is considered to meet the necessary separation distances so as to not give rise to excessive levels of overlooking or loss of privacy. Furthermore, the proposed terraced properties are sufficiently distanced from existing neighbours and are of an appropriate scale to ensure that excessive overshadowing or over

dominance does not occur. The existing Mill will remain in situ and the internal alterations are not considered to significantly harm the amenities of neighbouring properties given their distance from the building.

8.20 Having taken these matters into account, the lack of impact on existing and future occupants is considered to weigh moderately in favour of the application.

#### 8.21 Public Open Space (POS)

8.22 During the initial consideration of the application, Doncaster's Public Open Space officer raised concerns over the lack of useable onsite resulting in the scheme being contrary to Policy 28 of the Local Plan.

8.23 The proposal was subsequently revised and the applicants have sought to improve the onsite offer by providing a natural play area and some seating alongside grassland which the residents can use to enjoy the canalside location.

8.24 As a consequence, Doncaster's POS officer is now satisfied that the area demarked on the plan for open space counts towards the onsite open space. There remains a shortfall of around 5% which the applicant has offered to provide through a S106 agreement. The commuted sum equates to £39,500 and will form part of the heads of terms for the S106 agreement that are set out in section 8.76.

8.25 In summary, the proposal has sought to ensure that residents and the wider community have the ability to access well designed and functioning open space in line with Policy 28 of the Local Plan. The shortfall will be 'topped up' via a commuted sum to ensure that the proposal is compliant with Policy 28 of the Local Plan and this is considered to weigh significantly in favour of the application.

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

8.27 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 this weighs moderately in favour of the application. It is accepted that the proposal would lead to some noise and disturbance being generated whilst construction is taking place, however this is considered to be short term when considered against the lifetime of the development. A planning condition is recommended for the submission of a construction impact management plan to be submitted and approved by the local planning authority to ensure that impacts are minimised. Significant weight should be attached to the provision of community benefits including the provision of on site POS and a top up commuted sum ensuring that the development is compliant with Policy 28.

8.28 It is acknowledged that the proposal cannot provide the affordable housing contributions required by Policy 7 of the Local Plan due to the viability constraints of the site and this is considered to weigh significantly against the proposal.

8.29 Whilst finely balanced, it is considered that overall the social impacts are considered to weigh in favour of the application.

### **ENVIRONMENTAL SUSTAINABILITY**

#### 8.30 Design and Impact upon the Character of the Area

- 8.31 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.
- 8.32 In accordance with Policy 41, the Design and Access Statement sets out the context, local character and appearance of the site. A great deal of thought has been given the design of the scheme. 3D visuals have been provided to show how the development would appear once built. The visuals have provided comfort that the scheme would be of a high quality. There are subtle nods to the existing character of the area such as the boundary wall that runs from north to south adjacent to the western elevations of the proposed terraced properties which would be seen as a continuation of the frontage walls on Church Street. In addition, the attention to design in retaining the mill would see limited additional openings meaning that the overall fabric and character of the building is retained.
- 8.33 That being said, there are aspects of the design that weigh against the proposal, namely that the northern most terraced properties turn their back on Church Street and that there are areas within the site that are parking dominated. However, this is largely due to the site constraints. As previously set out, the land levels change significantly from north to south, meaning that the properties could not be front facing and provide the necessary parking and separation distances.
- 8.34 Overall, the design of the terraced properties and the conversion of the Mill is likely to result in a good quality product which compliments the character of the surrounding area and brings back into use a vacant brownfield site. The design of the scheme is considered to weigh neutrally having balanced all aspects of the proposal.
- 8.35 The proposed dwellings meet NDSS requirements as set out in Policy 45 and ..... properties have been earmarked as M4(2) and M4(3), there would be plots 1 - 9 Flour Mill Walk and plots 1 - 8 Canalside Walk with M4(2) compliance and a ground floor flat within the Mill conversion with M4(3) compliance.
- 8.36 Concerns have been raised that the proposal has failed to consider fire safety. A fire statement has been submitted with the application. Following the Grenfell Tower fire on 14 June 2017 the government commissioned the Independent Review of Building Regulations and Fire Safety led by Dame Judith Hackitt. The report highlighted the need to transform the fire and building safety regime and recommended that “some minimum requirements around fire safety will need to be addressed when local planning authorities are determining planning applications and will require input from those with the relevant expertise.
- 8.37 Following from the updated fire safety review, HSE are the statutory consultee for planning applications that involve or may involve a relevant building. Relevant building is defined as:
- contains two or more dwellings or educational accommodation and
  - meets the height condition of 18m or more in height, or 7 or more storeys

- 8.38 However, from the information submitted, the proposal does not fall under the remit of planning gateway one because the height condition of a relevant building is not met. That being said, should planning permission be granted, the developer will need to make a submission under building regulations. Building Control will then consider compliance of the scheme under Approved Document B (Fire safety) in consultation with South Yorkshire Fire and Rescue.
- 8.39 Concerns have also been raised by objectors with regard to the impact of the development on nearby heritage assets. Doncaster Design and Conservation Officer has been consulted as part of the application and has commented the site does not contain a nationally listed building nor is it within a conservation area. The existing mill building is considered to have some heritage interest and indeed could be a candidate for being a locally listed building. It is of five storeys in brick which is heavily modelled and is a local landmark contributing to the canal-side as well as views from other parts of the town.
- 8.40 There are other former industrial buildings on site, including a low four bayed concrete barrel roofed structure that seems also to be of some limited heritage interest. On the roadside the boundary wall is of sandstone and appears to be the remnants of historic frontage buildings which again adds to the heritage interest of the site.
- 8.41 To the north further along Church Street lies the Grade I listed church, Opposite the site lies the Grade II listed Glasby Arch in the grounds of a row of almshouses, the latter could be also considered a locally list candidate but the significance of both would not be considered to be affected by development of the application site.
- 8.42 The proposal is to retain the mill building and convert to apartments with a new residential development on the rest of the site.
- 8.43 The proposal is warmly welcomed as it retains the main heritage assets of the mill and boundary wall(s). The loss of the concrete barrelled roof structure is considered acceptable given its less importance and subject to efforts being concentrated on the restoration of the mill and its detailing. The roof-top addition is considered appropriate and indeed was previously encouraged as a way to make viable the conversion of the mill building. The new development would be considered to be of a scale to respect neighbouring properties and the setting of the Grade I church.
- 8.44 Whilst concerns from neighbours have been raised in relation to the impact of the development on heritage assets, taken in the round, it is not considered that the design or quantum of development would impact on the heritage significance of these assets.
- 8.45 Impact upon Highway Safety
- 8.46 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.” 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 Objectors have raised concerns with regards to the vehicular access from the site as it is hindered due to the volume of traffic on Church Street and the lack of sufficient parking spaces on site which will result in pressure for on street parking. The Doncaster Civic Trust also raise the same issue regarding a lack of parking.
- 8.48 A Transport Statement and Travel Plan have been submitted in support of the application which has been reviewed by CDC Transportation who raise no objection to the proposal on transportation grounds. The nearest bus stops are located within a 250m walking distance from the site via Quarry Street which is acceptable. Examination of the latest timetable information shows that the 221 service is every 30 minutes. With regard to EV charging and cycles storage, this can be secured by condition.
- 8.49 A trip generation and distribution exercise has also been completed based on the predicted trip generation detailing the number of vehicles expected at the adjacent junctions, and demonstrating any impact. The exercise confirms that no offsite junction capacity assessments are required.
- 8.50 CDC Highways Development Management have been consulted on the proposal in relation to the site layout and access arrangements and initially the Highways Officer raised concerns with the level of parking provision, visibility splay details and boundary for the access and refuse collection. Amendments have been received to the satisfaction of the Highways Officer, this includes the submission of a Parking Strategy.
- 8.51 The Parking Strategy has been submitted to provide additional information on the likely parking demands at the site and provides justification for the level of car parking provision, taking account of the site's location, car ownership levels and mitigation measures proposed.
- 8.52 The proposal is for the erection of 26 dwellings and the development of 60 apartments in the converted mill. 51 units will have 1 bedroom and 9 units will have 2 bedrooms. The parking provision previously allowed for 40 spaces for the apartments and 3 visitor space, and 2 spaces per dwelling for each of the 26 dwellings. In order for full conformity with the Local Plan, the apartments should provide 90 spaces. The applicant has looked at car ownership levels for private rented accommodation using official census data and labour market statistics and the TRICS data from the Transport Statement which provides likely parking accumulations based on arrivals and departures. The applicant has also provided parking information from a number of similar sites which are managed by them in relation to numbers of apartments, number of car parking spaces and number of apartments let with car parking spaces. Some of the sites are in similar sustainable locations and some with less public transport facilities and local amenities. This shows that of the apartments occupied, 75% are let inclusive of a car parking space.
- 8.53 Based on this, the apartments at Coltran Mill would require 45 spaces, however the site plan has been amended to show 49 car parking spaces for the apartments. The 26 dwellings each have 2 car parking spaces and 4 visitor spaces. The applicant acknowledges that the apartments are 11 spaces short of the Local Plan requirement and has offered further mitigation in relation to a pool/car club formal booking systems which would be available to occupiers. Furthermore, the operators of Coltran Mill would fully manage the parking space allocation. Therefore, if apartments are let without requiring a car parking space, this can be offered to another tenant. Parking would be enforced by the site operators.

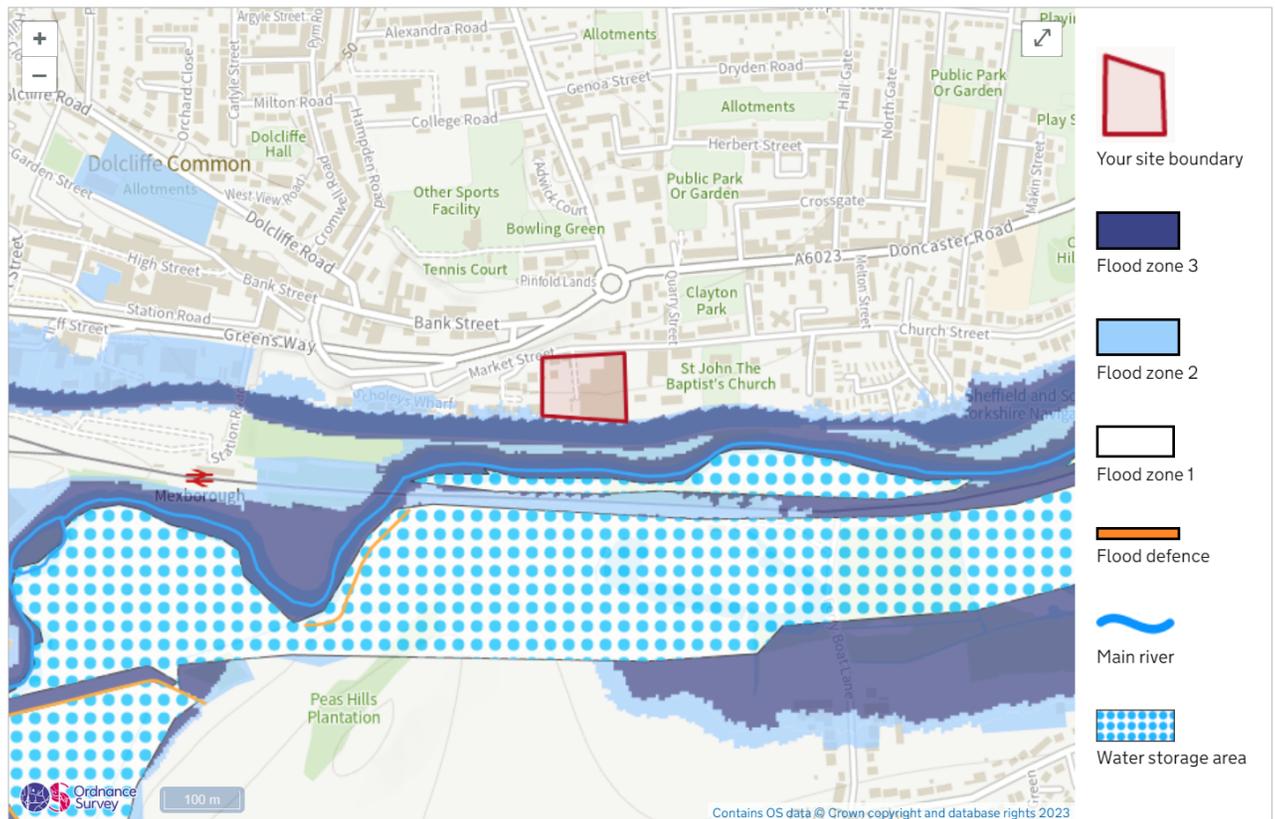
- 8.54 Using this information, the applicant has justified a lower demand for parking at the site, which has been agreed by the Highways Officer and the Parking Strategy is to be secured by condition.
- 8.55 Earlier comments with regard to visibility splay details and boundary for the access and refuse collection have been addressed to the satisfaction of the Highways Officer.
- 8.56 The proposal is therefore considered to sufficiently accord with Policy 13 of the Local Plan and paragraph 111 of the NPPF.

8.57 Ecology

- 8.58 Policy 30 of the Local Plan seeks to protect biodiversity and geodiversity. It lists a set of criteria for protection of nationally and locally important habitats, sites and species. It requires developments to assess the impacts of the development on such sites and to provide mitigation against any harms including delivering a net gain in biodiversity to offset any harms by using the DEFRA biodiversity metric.
- 8.59 An Ecological Impact Assessment (EclA) has been submitted with the application and has been assessed by Doncaster's Ecologist. Additional information was sought in relation to biodiversity net gain and how it would be delivered on this site. Additional information has been provided and landscaping information has indicated how biodiversity on the site could be achieved. Suitably worded conditions have been suggested by Doncaster's Ecologist dealing specifically with a lighting design strategy for light-sensitive biodiversity and an ecological enhancement plan. A representation has been received advising that a kestrel 's nest is now present on the roof of the mill building. Whilst kestrel's are not a protected species and there is no requirement to report its presence; the accompanying EclA compiled by Witcher Wildlife includes provision for one kestrel nest box to be positioned on the roof of the mill building. The document is included via condition as part of the ecological enhancement plan with mitigation measures to be adhered to as detailed within the document. Therefore the provision of a kestrel nest box is secured and future nesting.

8.60 Flood Risk and Drainage

- 8.61 The NPPF (section 14) sets strict tests using the sequential approach to protect people and property from flooding, that all local planning authorities are expected to follow. National Planning Practise 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.
- 8.62 The site area measures 0.81ha and the majority of the site lies within Flood Risk Zone 1 (FZ1) i.e., the lowest area of flood risk. There is an element adjacent to the canal that is classed as Flood Risk Zone 2 (FZ2).



8.63 The site will incorporate satisfactory measures for dealing with drainage impacts to ensure waste water and surface water run-off run off is dealt with on site. The development includes two swales which are positioned on the western boundary of the site. The information provided has been reviewed by the Council's Drainage Officer and there is no objection on this basis, subject to the maintenance condition attached.

8.64 The EA were consulted on the application, and raised no objections. Yorkshire Water's engineers have requested further details on the site plan to outline the easements around the sewers. The further details have been provided to Yorkshire Water and a verbal update will be provide to Planning Committee on their response.

8.65 Trees and Landscaping

8.66 Initially concerns were raised with respect to the proposed landscaping in terms of its size and quantity. Suitably worded conditions are proposed in respect to the final landscaping scheme and maintenance of the landscaping should planning permission be granted.

8.67 Overall, there is no objection to the proposal in principle from a trees and hedgerows perspective.

**8.68 Conclusion on Environmental Issues**

8.69 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.

- 8.70 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. As such, significant weight can be attached to this in favour of the development.

## **ECONOMIC SUSTAINABILITY**

- 8.71 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.
- 8.72 On a wider level, additional housing will increase spending within the borough which is of further economic benefit in the long term.

### **SECTION 106 OBLIGATIONS**

- 8.74 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'.

#### *Affordable Housing*

- 8.75 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. In this case, it would equate to a commuted sum of £826,450.17.

#### *Public Open Space*

- 8.76 Policy 28 of the Local Plan requires new development of 20+ units to provide 10 – 15% onsite open space. The nature and type of which will be determined having regard to the Council's Green Space Audit and Playing Pitch Strategy.
- 8.77 The policy requirement as per Policy 28, in the case of new development within Mexborough, is that 10% of the site should be open space given the Mexborough Community Profile Area is deficient in 2 / 5 open space typologies. In this case, the proposal results in on site POS towards the south of the site adjacent to the mill and canal. The applicants have also provided confirmation that they would provide the commuted sum for the shortfall in POS provision (£39,500). This ensures that the proposal is compliant with Policy 28 of the Local Plan.

#### *Education*

- 8.78 Doncaster's education team have confirmed that there is currently sufficient capacity at New Pastures Primary School and The Laurel Academy. As a consequence there is no education requirement for a commuted sum.

- 8.79 Viability

- 8.80 Viability assessment is a process of assessing whether a site is financially viable, by looking at whether the value generated by a development is more than the cost of developing it. This includes looking at the key elements of gross development value, costs, land value, landowner premium, and developer return.
- 8.81 The Planning Practice Guidance (PPG) makes clear that in decision making viability helps to strike a balance between the aspirations of developers and landowners, in terms of returns against risk, and the aims of the planning system to secure maximum benefits in the public interest through the granting of planning permission.
- 8.82 The applicant has provided a viability assessment that has adequately demonstrated that the site is unviable for the policy asks in respect of affordable housing. The viability of the site has been independently verified and it has been confirmed that the site is unviable.
- 8.83 As set out above, there is an acknowledgement within the PPG that local communities are not disproportionately affected when a scheme is subject to viability concerns.
- 8.84 The PPG considers a reasonable return to the developer of 15-20% of Gross Development Value (GDV). In this case the developer has reduced its GDV to 10% meaning that the viability of the scheme has been felt by all parties and is a reflection of constraints associated with bringing back into use the existing mill. It is also acknowledged that by reducing the GDV, a balance has been struck in which the applicant takes on considerably more risk whilst still being incentivised to develop the site.

### **8.85 Conclusion on Economy Issues**

- 8.86 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.
- 8.87 In this case, the proposal would result in some economic benefit through the construction of the dwellings and redevelopment of the mill. These are likely to be fixed to a short period whilst construction takes place. Once built and occupied there is likely to be some economic benefit to the local community by virtue of the use of local shops and services. In combination these are considered to weigh moderately in favour of the application.
- 8.88 The proposal is subject to viability issues which have demonstrated that the proposal is unable to provide the necessary policy asks with respect to affordable housing. This is considered to weigh against the application however it is considered to carry moderate weight given that the developer has reduced their GDV to ensure that the scheme can be delivered.

## **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.

- 9.2 The application is finely balanced. The scheme would see the redevelopment of an underused brownfield site in a sustainable location for which substantial weight is afforded in favour. In addition, the proposal would see the existing mill redeveloped, securing its long-term future. The developer has started the process of adding the mill to the Council's local heritage list. The proposal would not adversely affect the character of the surrounding area or neighbouring residential properties. There would be some financial benefit to the local community. Finally, the scheme would result in a suitable level of onsite POS which is being 'topped up' via a commuted sum to ensure that the scheme adheres to Policy 28 of the Local Plan.
- 9.3 No objections have been received by consultees in respect to the application with the exception of Yorkshire Water who first require further information in regard to sewer easements before then can lift their objection. The concerns raised by local residents have been satisfactorily addressed within this report.
- 9.4 Weighing against the proposal are aspects of the design including the parking arrangement. In addition, the proposal is unable to provide the policy requirements with respect to affordable housing and this is considered to weigh moderately against the proposal. However, the viability case for this development has been checked and confirmed by the Council's own independent viability consultants.
- 9.5 Overall, having balanced the material planning considerations, it is considered that the scheme would result in a largely positive development, importantly securing the existing historic mill's future and in doing so providing much needed housing on a brownfield site within a Residential Policy Area. These positive aspects of the proposal are not outweighed by the material considerations set out above and consequently the application is, on balance, recommended for approval.

## **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) **5% on site POS (and Maintenance) and a commuted sum of £39,500 (5% of the site area) in lieu of POS.**

## **CONDITIONS/REASONS**

### **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:

Design and Access Statement Addendum received 11.05.23  
Dwg. 000 Location Plan received 17.02.22  
Dwg. 100 Proposed Site Plan Revision B received 11.05.23  
Dwg. 101 Proposed Lower Ground and Ground Floor Plan Revision A received 19.08.22  
Dwg. 102 Proposed 1st and 2nd Flood Plan received 17.02.22  
Dwg. 103 Proposed 3rd and Rooftop Floor Plan received 17.02.22  
Dwg. 110 Proposed Mill North Elevation Revision A received 11.05.23  
Dwg. 111 Proposed Mill South Elevation Revision A received 11.05.23  
Dwg. 112 Proposed Mill East Elevation Revision A received 11.05.23  
Dwg. 113 Proposed Mill West Elevation Revision A received 11.05.23  
Dwg. 114 Section AA Revision A received 11.05.23  
Dwg. 120 Proposed House Plans and Elevation Type A Revision B received 30.06.23  
Dwg. 121 Proposed House Plans and Elevation Type B Revision B received 30.06.23  
Dwg. 122 Proposed House Plans and Elevation Type C Revision C received 30.06.23  
Dwg. 130 Proposed Street Elevations North and South received 17.02.22  
Dwg. 131 Proposed Street Elevations East and West received 17.02.22  
Dwg. 132 Proposed Street Elevations AA and BB Revision A received 11.05.23  
Dwg. 133 Proposed Street Elevations CC and DD and GG Revision A received 11.05.23  
Dwg. 134 Proposed Street Elevations EE and FF and HH received 17.02.22  
Sheet No. 0050 Proposed Foundation Plan Plot 1 - 8 Revision P02 received 30.06.22

#### REASON

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

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

- i) the parking of vehicles of site operatives and visitors
- ii) loading and unloading of plant and materials
- iii) storage of plant and materials used in constructing the development and use of spill kits
- iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v) wheel washing facilities

- vi) measures to control noise and the emission of dust and dirt during construction
- vii) a scheme for recycling/disposing of waste resulting from demolition and construction works

REASON

To safeguard the living conditions of neighbouring residents and in the interests of highway safety. This condition is required to be discharged prior to commencement as the approved detail may have an impact on construction arrangements.

04. Before any construction works are started on the application site, a Construction Impact Management Plan, indicating measures to be taken to mitigate the effects of the construction activity and associated vehicle movements upon the living conditions of neighbouring residents and highway safety shall be submitted to and approved by the Local Planning Authority. The mitigation measures shall include provision for the following: the limitation of noise, the means of enclosure of the construction sites, and any proposed external security lighting installation; the control of dust emissions; the control of deposition of mud or debris on the highway, and the routing of contractors' vehicles. The mitigation measures so approved shall be carried out at all times during the construction of the development hereby approved.

REASON

To safeguard the living conditions of neighbouring residents.

05. No development shall take place until a Phasing Plan for the site has been submitted to and approved in writing by the local planning authority. Development shall take place in accordance with the approved phasing plan.

REASON

To clarify how the site is to be phased to assist with the approval of details required by subsequent conditions attached to this permission. The condition has been imposed to secure the retention and reuse of Coltrou Mill as a material planning consideration.

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

The programme and method of site investigation and building recording.

The requirement to seek preservation in situ of identified features of importance.

The programme for post-investigation assessment.

The provision to be made for analysis and reporting.

The provision to be made for publication and dissemination of the results.

The provision to be made for deposition of the archive created.  
Nomination of a competent person/persons or organisation to undertake the works.

The timetable for completion of all site investigation and post-investigation works.

Part B (pre-occupation/use)

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

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.

07. No development beyond site clearance and groundworks shall take place until a detailed hard and soft landscape scheme based on the approved Dwg: 2201FOS-COL-A1-1 Version H 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.

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 Guidance, nursery stock specification in accordance with British Standard 3936: 1992 Nursery Stock Part One and planting distances of trees and shrubs; a specification of planting and staking/guying; a timescale of implementation, details of tree pit design and details of aftercare for a minimum of 5 years following practical completion of the landscape works with detailed scheduling of maintenance/aftercare operations and clear responsibilities.

Thereafter the landscape scheme shall be implemented in full accordance with the approved details and the Local Planning Authority notified in writing within 7 working days to approve practical completion of any planting within public areas or adoptable highway within the site. Soft landscaping for any individual housing plot must be implemented in full accordance with the approved scheme, prior to occupation of the home.. 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 as required by Policies 26 and 48 of the Local Plan.

08. Following the commencement of the development and before 30th September of every year during the implementation period (either phased or in full) and 5 year aftercare period, a 'Landscaping

Implementation Report' shall be prepared by a suitably qualified landscape architect and / or contractor, and submitted by the developer to the Local Planning Authority in order to demonstrate that the landscaping has been carried out in full accordance with the approved landscaping details. The report should record the landscaping operations carried out on the land since the date of commencement, or previous report / aftercare meeting, and set out the intended operations for the next 12 months. It shall cover the following matters in particular, but not limited to, species, size, location, planting and aftercare specification, and be illustrated with evidence such as an overall progress summary, inspection site visit notes, a schedule of maintenance operations undertaken, before and after photos of any remedial plantings or completed works. If required, the developer shall arrange to attend a site meeting with the Local Planning Authority to inspect the planting and ongoing maintenance requirements.

#### REASON

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

09.

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

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

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

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

contaminated land under Part 2A of the Environment Protection Act 1990 in relation to the intended use of the land after remediation.

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

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

**REASON**

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

10. Development shall not begin until a scheme for protecting residents in the proposed dwellings from noise from the adjacent industrial premises has been submitted to and approved in writing by the local planning authority. The scheme shall be in accordance with the recommendations set out in the noise impact assessment, reference 9690.1 (Apex Acoustics) submitted in support of the application. All works which form part of the approved scheme shall be completed before occupation of the permitted dwellings. The protection measures in the agreed scheme shall be maintained throughout the life of the development

**REASON**

To safeguard the amenity of the proposed dwellings from the noise levels which exist on the site.

11. The development hereby granted shall not be begun until details of the foul, surface water and land drainage systems and all related works necessary to drain the site have been submitted to and approved by the Local Planning Authority. These works shall be carried out concurrently with the development and the drainage system shall be operational prior to the occupation of the development.

**REASON**

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

12. Prior to first occupation of the development, a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to and approved in writing by the Local Planning Authority. The plan shall have regard to the principles as set out in the submitted Drainage Strategy L2694 Revision P3 . The sustainable drainage management and maintenance plan shall include as a minimum:

a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a residents' management company; and

b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

#### REASON

In order to manage the risk of flooding and pollution during the lifetime of the development having regard to Policy 55 of the Local Plan.

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

Plots 1 - 9 Flour Mill Walk and Plots 1 - 8 Canalside Walk must meet Part M4(2) 'accessible and adaptable dwellings'.

Flat 7 must meet Part M4(3) 'wheelchair adaptable dwellings'.

#### REASON

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

14. Prior to the commencement of any part of the development hereby approved, the following information shall be submitted to and approved in writing by the Local Planning Authority:

(i) a full site survey showing:

- the datum used to calibrate the site levels
- levels along all site boundaries
- floor levels of adjoining buildings
- full details of the proposed finished floor levels of all buildings and proposed levels for external areas.
- details of proposed boundary treatments

The development shall be implemented only in full accordance with the approved details.

REASON

To protect the character of the area and residential amenity.

15. Detailed engineering drawings for the alterations to the public highway shall be submitted for inspection by the Local Highway Authority before works commence on site. These drawings shall be approved by the Local Highway Authority prior to the occupation of any approved dwelling. The development shall thereafter be carried out in accordance with the approved drawings.

REASON

In the interests of road safety and residential amenity as required by Policy 13 of the Local Plan.

16. Before the first occupation of any dwelling hereby approved, details of the vehicular access, parking and turning area for the site and how it is surfaced, drained and where necessary marked out shall be approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details prior to first occupation and shall remain available for access for the lifetime of the development.

REASON

To ensure adequate parking, delivery and turning provision in the interests of public safety as required by Policy 42 B.4 of the Doncaster Local Plan.

17. Prior to the commencement of the development hereby approved, details of electric vehicle charging provision, in compliance with Appendix 4 of the Council's Air Quality Technical Planning Guidance 2022, shall be submitted for the approval of the local planning authority. No dwelling shall be occupied until an approved provision has been installed and is operational.

REASON

In accordance with the aims of Policy 54 of the Doncaster Local Plan.

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

REASON

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

19. The development hereby permitted shall not be commenced until details of bin stores for the occupants of the development have been

submitted to and approved in writing by the local planning authority. The provision of bin stores for the site shall be fully implemented and made available for use prior to the occupation of the development hereby permitted. Prior to the first occupation of any apartment, a Waste Management Plan for that building shall be submitted to and approved in writing by the Local Planning Authority. Waste and recycling bins shall thereafter be stored and made available for collection in accordance with the approved plan.

REASON

To ensure that satisfactory facilities for the storage and collection of waste is agreed as required by Policy 44.B.10 of the Local Plan.

20. The development shall be carried out in accordance with the submitted Car Parking Management Strategy prepared by Paragon Highways dated Aug 2022 and shall be adhered to at all times for the lifetime of the development.

REASON

To ensure that off street parking is utilised effectively within the site in accordance with Policy 13 of the Local Plan.

21. Within two months of the commencement of development, an ecological enhancement plan shall be submitted to the local planning authority for approval in writing. This plan shall include details of the measures set out in detail in Section 5 Compensation and Enhancement Measures of the Ecological Impact Assessment Whitcher Wildlife Ref:210924/EcIA , all of which shall be implemented prior to the first occupation of the site.: Photographic evidence of implementation must be submitted to the local planning authority prior to first occupation.

REASON

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

22. Within two months of commencement of development, a lighting design strategy for light-sensitive biodiversity areas shall be submitted to and approved in writing by the Local Planning Authority.

The strategy shall show how external lighting on the development will be installed so that it can be clearly demonstrated that it will not disturb or adversely affect the use of the semi-natural areas of the of the site and specifically the canal side areas, bat boxes and nest boxes. 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 prior to first occupation, in accordance with the approved specification and locations set out in the strategy and maintained as such.

REASON

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

23. Notwithstanding the approved plans, the development shall not be occupied until details of the public open space area has been submitted to and approved in writing by the local planning authority. These details shall include:

- i) Play equipment;
- ii) Surfacing;
- iii) Landscaping;
- iv) Means of enclosure;
- v) Street furniture;
- vi) Details of how the space will be managed and maintained.

The play area shall be completed and available for use in accordance with the approved details prior to 50% of the dwellings being first occupied.

**REASON**

To ensure that good quality play equipment is provided in accordance with Policy 28 of the Local Plan.

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

**REASON**

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

25. Construction, demolition or associated deliveries shall only take place between 0800 - 1800 hours Mondays to Fridays, and 0800 - 1300 hours on Saturdays, and not at any time on Sundays and Bank or Statutory Holidays.

**REASON**

In the interests of protecting residential amenity.

26. The development shall be carried out in accordance with the submitted Travel Plan prepared by Paragon Highways and the mitigation it details. An Annual Travel Plan Monitoring Report shall be submitted to and approved in writing by the local planning authority no later than 6 months post the first anniversary of the development being brought into use, and this shall continue on an annual basis for the first five years and the results to be submitted to the Local Planning Authority.

**REASON**

To promote non-car methods of use for the development to reduce parking demand in the area as required by Policy 13 of the Local Plan.

27. Prior to commencement of relevant works a method statement for repairs to existing brickwork of the mill building shall be submitted to and agreed in writing by the Local Planning Authority. Details shall include specification of any cleaning, mortar/pointing mix and sample of any additional bricks needed for making good. Works shall thereafter be carried out in accordance with the agreed details and completed prior to occupation of any of the units.

REASON

To protect the appearance of the building.

28. Prior to commencement of relevant works details of the replacement windows and doors to the mill building shall be submitted to and agreed in writing by the Local Planning Authority. Details shall include each window and door type. Works shall thereafter be carried out in accordance with the agreed details and completed prior to occupation of any of the units.

REASON

To protect the appearance of the building.

29. Prior to commencement of relevant works samples of the cladding to be used on the roofs, walls and canopies of the mill building shall be submitted to and agreed in writing by the Local Planning Authority. Works shall thereafter be carried out in accordance with the agreed details and completed prior to occupation of any of the units.

REASON

To protect the appearance of the building.

30. Before the development commences, details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority. This may include submission of samples if requested 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 and to protect the setting of nearby historic assets.

31. Prior to commencement of relevant works details of any alterations to the front wall to Church Street shall be submitted to and agreed in writing by the Local Planning Authority. Works shall thereafter be carried out in accordance with the details agreed and completed prior to occupation of any of the units. Any boundary treatment shall be a maximum of 900mm in height.

REASON

To protect the setting of the adjoining historic buildings.

32. Should any unexpected significant contamination be encountered during development, all associated works shall cease and the Local Planning Authority (LPA) be notified in writing immediately. A Phase 3 remediation and Phase 4 verification report which addresses the unexpected contamination shall be submitted to the LPA for approval. The associated works shall not re-commence until the reports have been approved by the LPA.

**REASON**

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

33. Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling 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.

34. Prior to the commencement of development (excluding demolition), details shall be submitted to the Local Planning Authority which demonstrate that the layout of the development can be adequately supported without adversely impacting the structural integrity of the cutting slope of the canal side to the south of the site. Details shall include information on any improvements to retaining structures on site that may be necessary to ensure long term land stability. Thereafter, the development shall be constructed in accordance with the approved details. No development (excluding the demolition works already undertaken) shall take place unless and until the details submitted have been approved by the Local Planning Authority in writing.

**REASON**

To ensure the structural stability of the site in accordance with Doncaster Local Plan Policy 55.

**Informatives**

01. The provision of electric vehicle charging points.

The 3 D site plan indicates that there are to be approximately 100 parking spaces, none of which is within a curtilage. Therefore, the developer will have to consider where the charging points will be located and indeed how their usage will be allocated.

Given the Government's stated intention with respect to fossil fuelled vehicles the developer may wish to consider increasing the number of points and/or install the civil works to facilitate future expansion.

02. 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.
  
03. Arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the system/scheme throughout the developments lifetime shall be supplied as part of the drainage management and maintenance plan. In addition, the arrangements shall have clarified the access that is required to each surface water management component for maintenance purposes. The applicant's attention is drawn towards the Drainage Officer's comments on file regarding the level of information required to discharge the conditions relating to drainage on the planning permission.
  
04. If the developer is looking to have new sewers included in a sewer adoption agreement with Yorkshire Water (under Section 104 of the Water Industry Act 1991), they should contact the Developer Services Team (telephone 03451 208 482, [technical.sewerage@yorkshirewater.co.uk](mailto:technical.sewerage@yorkshirewater.co.uk)) at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with the WRc publication 'Codes for Adoption - a design and construction guide for developers' as supplemented by Yorkshire Water's requirements.
  
05. 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 and adoption roads within the development shall be carried out under Section 38 of the Highways Act. The S38 and S278 agreements 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.

Street lighting design and installation is generally undertaken by the Local Highway Authority. There is a fee payable for this service and the

applicant should make contact with Fiona Horgan - Tel 01302 735097 or e-mail [Fiona.Horgan@doncaster.gov.uk](mailto:Fiona.Horgan@doncaster.gov.uk) as soon as possible. Further information on the selected DNO / IDNO together with the energy supplier will also be required as soon as possible as they directly affect the adoption process for the street lighting assets.

Doncaster Borough Council Permit Scheme (12th June 2012) - (Under section 34(2) of the Traffic Management Act 2004, the Secretary of State has approved the creation of the Doncaster Borough Council Permit Scheme for all works that take place or impact on streets specified as Traffic Sensitive or have a reinstatement category of 0, 1 or 2. Agreement under the Doncaster Borough Council Permit Scheme's provisions must be granted before works can take place. There is a fee involved for the coordination, noticing and agreement of the works. The applicant should make contact with Paul Evans - Email: [p.evans@doncaster.gov.uk](mailto:p.evans@doncaster.gov.uk) or Tel 01302 735162 as soon as possible to arrange the setting up of the permit agreement.

The developer shall ensure that no vehicle leaving the development hereby permitted enter the public highway unless its wheels and chassis are clean. It should be noted that to deposit mud on the highway is an offence under provisions of The Highways Act 1980.

06.

#### INFORMATIVE

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

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

Standing Advice valid from 1st January 2023 until 31st December 2024

07.

#### INFORMATIVE

Nothing in this permission shall be taken as giving authority to commence any works which affect the watercourse/ land drainage dyke which crosses / runs adjacent to the site, as separate consent is required for such works from the Environment Agency or internal drainage board.

08.

#### INFORMATIVE

In order to discharge the above condition relating to gigabit-capable full fibre broadband in new developments, the developer is advised that they will be expected to submit information including but not limited to the following:

1) A contract or invoice for the installation of the physical infrastructure and the connection to gigabit-capable full fibre broadband (must match the stipulation in the original requirement by the Local Authority)

2) Confirmation of the speed that will be achieved by the gigabit-capable full fibre broadband infrastructure, from the network operator

Developers should:

- Contact broadband infrastructure suppliers as soon as possible about their planning application and requirements;
- Provide gigabit-capable full fibre broadband for dwellings/developments; and
- Consider installing gigabit-capable full fibre infrastructure from at least 2 suppliers.

Gigabit-capable full fibre network operators include Openreach, Virgin Media, CityFibre, Hyperoptic and Gigaclear (but this list is not exhaustive).

The Superfast South Yorkshire Team is available to offer advice and discuss connectivity solutions to new sites with developers and can be emailed at [hello@superfastsouthyorkshire.co.uk](mailto:hello@superfastsouthyorkshire.co.uk)

For more information please visit:

<http://www.superfastsouthyorkshire.co.uk/sfsy/developments>

09.

#### INFORMATIVE

The developer's attention is drawn to the information provided by Cadent Gas. The information may be found by viewing the consultation reply from the Gas Operator which is attached to the planning application on the Council's website. Please use the following link [www.doncaster.gov.uk/planningapplicationsonline](http://www.doncaster.gov.uk/planningapplicationsonline)

### Justification

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

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

Viability

Design

Highways

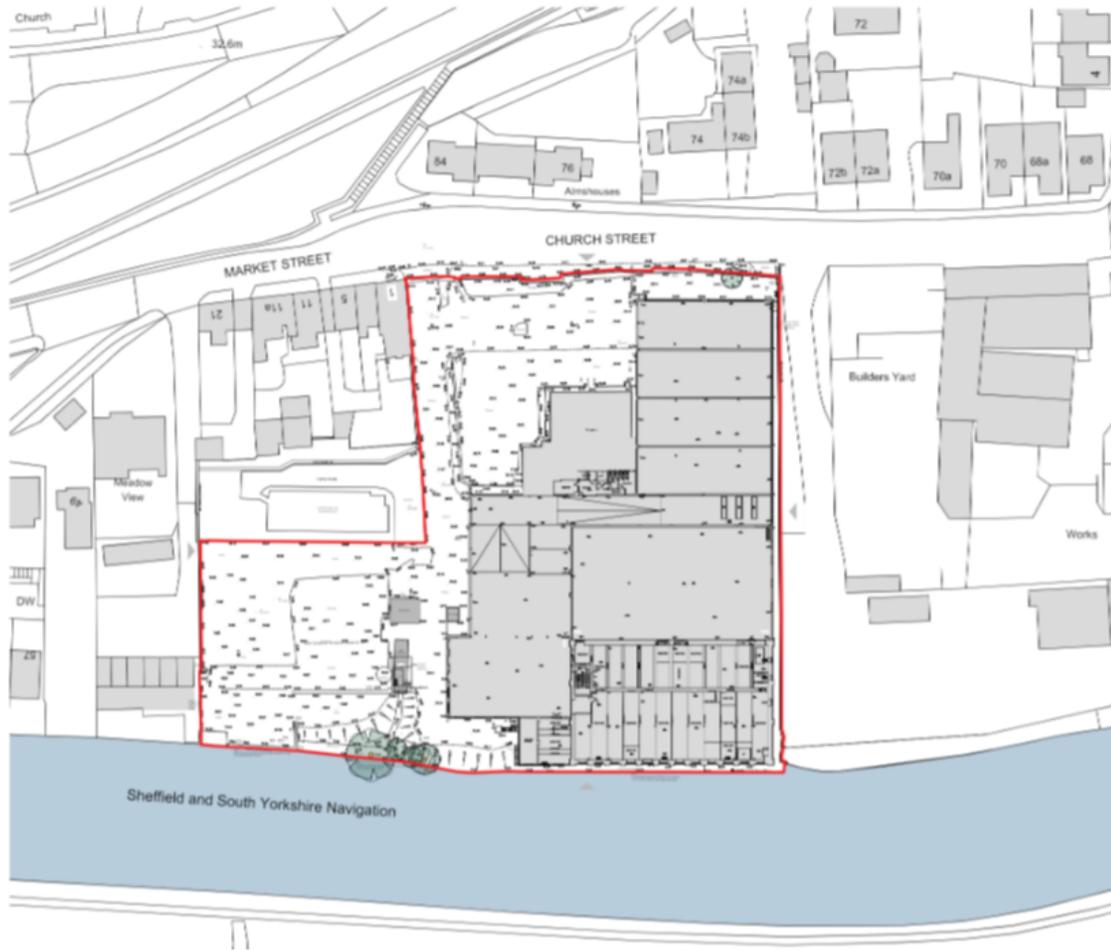
Drainage

Conservation

**Due regard has been given to Article 8 and Protocol 1 of Article 1 of the European Convention for Human Rights Act 1998 when considering objections, the determination of the application and the resulting recommendation. it is considered that the recommendation will not interfere with the applicant's and/or any objector's right to respect for his private and family life, his home and his correspondence.**

**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 –Site Location Plan



# APPENDIX 2 - Proposed Site Layout

**2131**

T: 07948 853 700  
 E: [info@2131.co.uk](mailto:info@2131.co.uk)

**General Notes:**  
 1. This drawing is for general guidance only. It is not intended to be used for construction without the approval of the relevant authorities.  
 2. The contractor shall be responsible for obtaining all necessary permissions and consents from the relevant authorities.  
 3. The contractor shall be responsible for ensuring that the proposed works comply with all applicable regulations and standards.  
 4. The contractor shall be responsible for ensuring that the proposed works are completed in accordance with the programme of works.  
 5. The contractor shall be responsible for ensuring that the proposed works are completed in accordance with the programme of works.  
 6. The contractor shall be responsible for ensuring that the proposed works are completed in accordance with the programme of works.  
 7. The contractor shall be responsible for ensuring that the proposed works are completed in accordance with the programme of works.  
 8. The contractor shall be responsible for ensuring that the proposed works are completed in accordance with the programme of works.  
 9. The contractor shall be responsible for ensuring that the proposed works are completed in accordance with the programme of works.  
 10. The contractor shall be responsible for ensuring that the proposed works are completed in accordance with the programme of works.

**2131**  
 Planning Application  
 TIRTLR 10 Ltd  
 Coliban Mill, Menborough,  
 S84 0HH

Proposed Site Plan

Scale: 1:500 @ A1 - 28.1.22  
 Date: 28.1.22  
 No. of Sheets: 10  
 Sheet No.: 070  
 100  
 B



Proposed Site Plan

# APPENDIX 3 – Site Sections

- 1: 1/4" = 1' - 0"
- 2: 1/8" = 1' - 0"
- 3: 1/16" = 1' - 0"
- 4: 1/32" = 1' - 0"
- 5: 1/64" = 1' - 0"
- 6: 1/128" = 1' - 0"
- 7: 1/256" = 1' - 0"
- 8: 1/512" = 1' - 0"
- 9: 1/1024" = 1' - 0"
- 10: 1/2048" = 1' - 0"
- 11: 1/4096" = 1' - 0"
- 12: 1/8192" = 1' - 0"
- 13: 1/16384" = 1' - 0"
- 14: 1/32768" = 1' - 0"
- 15: 1/65536" = 1' - 0"
- 16: 1/131072" = 1' - 0"
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- 18: 1/524288" = 1' - 0"
- 19: 1/1048576" = 1' - 0"
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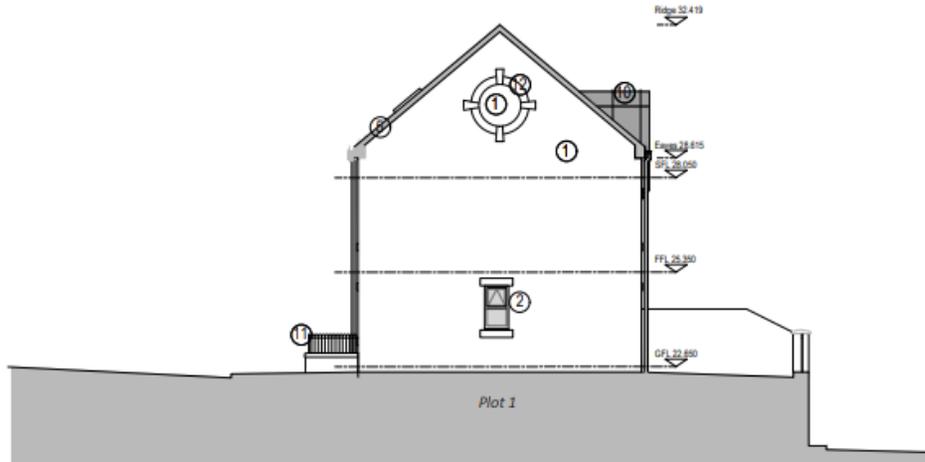
# APPENDIX 4 – Proposed Elevations



North Elevation



South Elevation



West Elevation



