

Application	2
--------------------	---

Application Number:	23/00851/FUL
----------------------------	--------------

Application Type:	Full Planning Permission
--------------------------	--------------------------

Proposal Description:	The construction of 1 new dosing kiosk and 1 Sequential Batch Reactor Motor Control Centre (MCC) kiosk,
At:	Sewage Works Doncaster Lane Woodlands Doncaster DN6 7QN

For:	Mr Mark Hewison -Yorkshire Water Services Ltd
-------------	---

Third Party Reps:	0	Ward:	Adwick Le Street and Carcroft
--------------------------	---	--------------	-------------------------------

Author of Report:	Hannah Wilson
--------------------------	---------------

SUMMARY

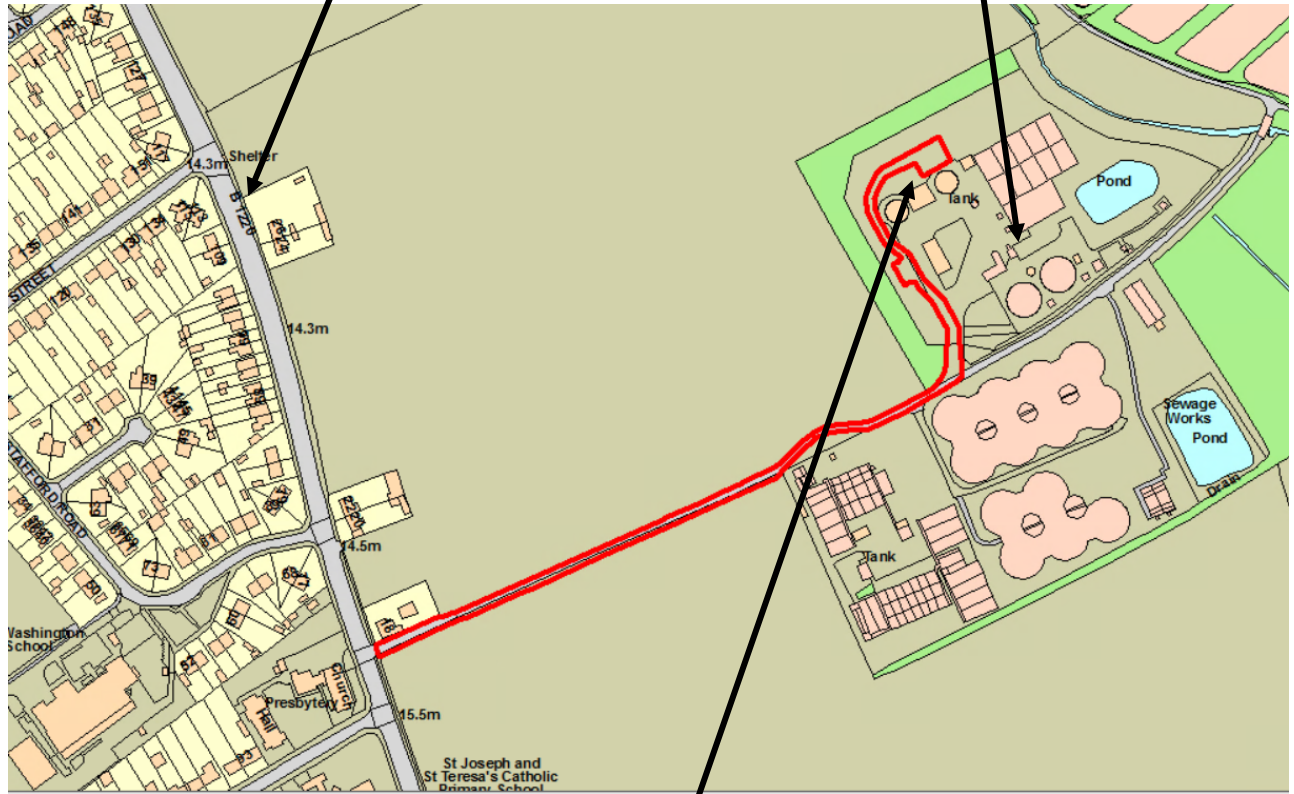
The proposal seeks full planning permission for the construction of 1 new dosing kiosk and 1 Sequential Batch Reactor Motor Control Centre (MCC) kiosk within the Green Belt in the adopted (Sept 2021) Doncaster Local Plan.

The application site is located within the Green Belt, and technically represents inappropriate development as defined by the National Planning Policy Framework. Whilst the development would be inappropriate development within the Green Belt, very special circumstances have been provided to justify the development, in respect of the environmental benefits that the scheme would deliver for water quality. The application has also been assessed in terms of its impacts upon ecology, visual impact, agricultural land, highways and other technical matters and, subject to the imposition of appropriate conditions to deliver mitigation where required, is considered to be acceptable.

RECOMMENDATION: GRANT subject to conditions.

Doncaster Lane and the boundary between Residential Policy Area and Green Belt

Existing Sewage Works



The Site

1.0 Reason for Report

1.1 This application is being presented to Planning Committee due to the development being a departure from the development plan.

2.0 Proposal and Background

2.1 The proposal seeks full planning permission for a new dosing kiosk and motor control centre kiosk. The proposals will help to meet national obligations in the Water Industry National Environment Program (WINEP) set by the Environment Agency. The proposal as a whole will remove phosphorus from effluent before it enters the watercourse. Also, refurbishment is required to help deal with the extra sludge produced from the improved process. This will improve water quality in the wider watercourse up to 8.57km.

2.2 A lot of the works undertaken by Yorkshire Water are permitted development within the site, however these works do not fall within that remit and require permission.

3.0 Site Description

3.1 The application site is within the confines of the existing operating sewage works and is on operational land owned by Yorkshire Water. The site is surrounded by screening and although relatively flat it is not obvious that it is there from the surrounding agricultural land.

3.2 The site is within the Green Belt and adjacent to the settlement of Adwick le Street.

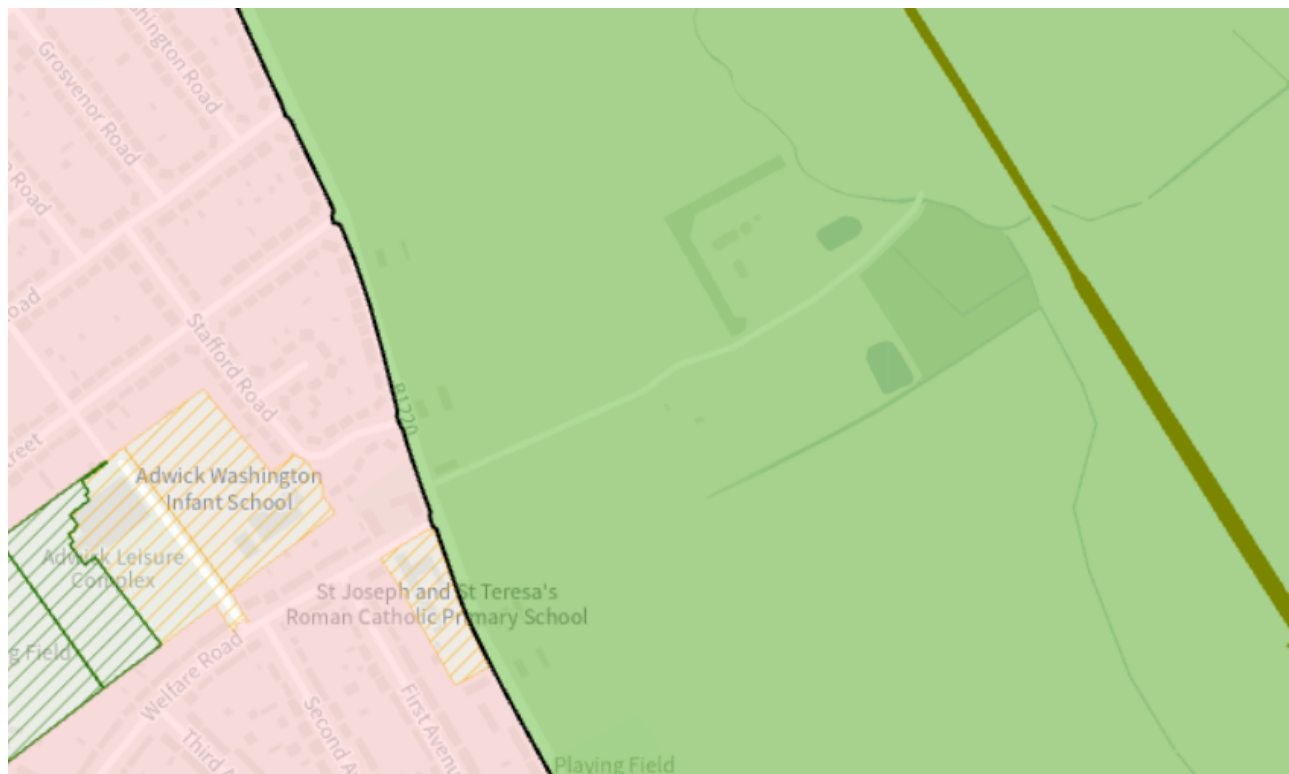


Figure 1: Extract from Doncaster Local Plan

3.3 The proposed development site is within Flood Zone 2 of the Environment Agency's (EA) Flood Map for Planning and has an agricultural land classification grade of 2 (good).

4.0 Relevant Planning History

4.1 Planning History as follows:

Reference	Description	Decision/Date
96/3691/P	Outline application for extension and alterations to existing waste water treatment plant.	GRANTED 10.02.1997
98/1350/P	Details of siting, design, external appearance and means of access to waste water treatment plant (being matters reserved in outline granted under 96/14/3691/OTL on 20.02.97)	GRANTED 17.08.1998
03/6544/P	Extension of existing underground combined sewer overflow chamber, installation of new screens and erection of kiosk (2.6m x 1.7m) to house control equipment	GRANTED 06.01.2004

5.0 Site Allocation

5.1 The site identified as Green Belt as defined by the Doncaster Local Plan (adopted in 2021).

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 of sustainable development.

5.6 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.

- 5.7 Paragraphs 55 and 56 states that Local Planning Authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning 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 be imposed where necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.
- 5.8 Paragraph 111 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 5.9 Paragraph 138 states that the green belt serves 5 purposes including controlling urban sprawl, prevent neighbouring towns merging, safeguarding the countryside, preserving the character of historic towns, and assist urban regeneration.
- 5.10 Paragraph 147 states inappropriate development is by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 5.11 Paragraph 148 states when considering any planning application, LPAs should ensure that substantial weight is given to any harm to the Green Belt and very special circumstances will not exist unless the potential harm to the Green Belt is clearly outweighed by other considerations.
- 5.12 Paragraph 149 states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
- not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.
- 5.13 Paragraph 150 states that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:
- b) engineering operations.
- 5.14 Paragraph 174 states planning policies and decisions should contribute to and enhance the natural and local environment, including preventing new and existing development from being put at unacceptable risk from land instability.
- 5.15 Paragraph 180 states if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

- 5.16 Paragraph 183 states planning policies and decisions should ensure that a site is suitable taking account of ground conditions and any risks arising from land instability and contamination.
- 5.17 Paragraph 184 states where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.
- 5.18 Paragraph 185 states planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

5.15 Development Plan: Local Plan

- 5.16 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for Doncaster includes the Doncaster Local Plan (adopted 23 September 2021).
- 5.17 The following Local Plan policies are the most relevant in this case:
 - 5.20 Policy 13 relates to sustainable transport within new developments. Part A.6 states that proposals must ensure that the development does not result in an unacceptable impact on highway safety, or severe residual cumulative impacts on the road network. Developments must consider the impact of new development on the existing highway and transport infrastructure.
 - 5.21 Policy 21 ensures that utilities development keeps disruption and environmental impact to a minimum (including water).
 - 5.22 Policy 29 states proposals will only be supported which deliver a net gain for biodiversity and protect, create, maintain and enhance the Borough's ecological networks.
 - 5.23 Policy 30 deals with the need to value biodiversity.
 - 5.24 Policy 32 states that the design process should consider woodlands, trees and hedgerows.
 - 5.25 Policy 41 relates to character and local distinctiveness and states that development proposals will be supported where they recognise and reinforce the character of local landscapes and building traditions; respond positively to their context, setting and existing site features as well as respecting and enhancing the character of the locality. Developments should integrate visually and functionally with the immediate and surrounding area at a street and plot scale.
 - 5.26 Policy 42 requires proposals to reflect and respect character and local distinctiveness. In all cases, the components of a development must be designed and assessed to ensure that, amongst other things, it provides safe and secure private property, public areas and the adoptable highway ensuring access points.

- 5.27 Policy 46 ensures non-residential development is designed to a high quality, attractive and make a positive contribution to the area.
- 5.28 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.
- 5.29 Policy 55 deals with the need to mitigate any contamination on site.
- 5.30 Policy 56 requires the need for satisfactory drainage including the use of SuDS.
- 5.31 Policy 57 is with respect to Flood Risk Management.
- 5.32 Policy 58 deals with low carbon and renewable energy within new developments.
- 5.33 Policy 60 is with respect to Protecting and Enhancing Doncaster's Soil and Water Resources.

5.34 Other material planning considerations and guidance

- 5.35 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 first SPD in line with the Local Plan was adopted in September 2022 with respect to Biodiversity Net Gain. Four more SPDs were adopted in August 2023 with respect to: Flood Risk; Loss of Community Facilities & Public Open Space; Local Labour Agreements; and, Technical & Developer Requirements. The Transitional Developer Guidance (Updated August 2023) provides guidance on certain elements, including design, during the interim period, whilst further 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 limited weight.
- 5.36 Neighbourhood Plan – there is no Neighbourhood Plan for this area.
- 5.37 Other material considerations include:
- National Planning Practice Guidance (ongoing)
 - National Design Guide (2019)
- 5.38 Other Council initiatives include:
- Doncaster Green Infrastructure Strategy 2014 – 2028
 - Doncaster Environmental and Sustainability Strategy
 - Doncaster Delivering Together
 - Barnsley, Doncaster and Rotherham (BDR) Waste Plan (adopted 2012)
- 5.39 Launched in September 2021, Doncaster Delivering Together (DDT) is the Council's new 10 year Borough Strategy. DDT is about everyone being able to thrive and contribute to thriving communities and a thriving planet. This strategy

does not form part of the adopted development plan but it is important that the policies of the Doncaster Local Plan achieve the aims and objectives of DDT strategy. The DDT has identified 8 priorities to deliver for Doncaster over the next ten years.

1. Tackling Climate Change
2. Developing the skills to thrive in life and work
3. Making Doncaster the best place to do business and create good jobs
4. Building opportunities for healthier, happier and longer lives for all
5. Creating safer, stronger, greener and cleaner communities where everyone belongs
6. Nurturing a child and family - friendly borough
7. Building transport and digital connections fit for the future
8. Promoting the borough and its cultural, sporting and heritage opportunities

6.0 Representations

- 6.1 This application has been advertised in accordance with Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) by means of site notice, council website, press advertisement and neighbour notification.
- 6.2 No representations were received.

7.0 Relevant Consultations

- 7.1 **SY Police Architectural Liaison Officer** - Offered additional advice to the applications that any container with windows should have solid hinged shutters that can be closed and secured when staff are not on site. All external doors to achieve the security standard LPS 1175 SR3. Doors and gates that can facilitate lock shrouds should do so. All fire doors should be void of any external door furniture where possible. Ventilation grills should be robustly constructed and secured into the fabric of the building, alternatively protected with security grills to prevent removal and unlawful entry. This has been incorporated into an informative.
- 7.2 **CDC Planning Policy (Minerals)** - From a minerals perspective, it is in an area identified as mineral safeguarding area, however given this proposal is minor development, there is no need to consider minerals safeguarding policy (As per Policy 61B -5). This is further confirmed in paragraph 14.56 of the Local Plan which states 'Proposals for temporary, permitted or minor development, and aviation related development within the airport operational area, are not required to consider the impact of mineral sterilisation.
- 7.3 **CDC Planning Policy (Waste)** – Considering the Waste Plan policy WCS6 (General Considerations for All Waste Management Proposals) part B the applicants were requested to provide additional information. This was provided and the officer raised no objections.
- 7.4 **CDC Planning Policy (Flooding)** – The officer notes that where possible the proposed equipment has been located on higher ground within the site or raised to a level, which offers protection to the critical infrastructure within the site.

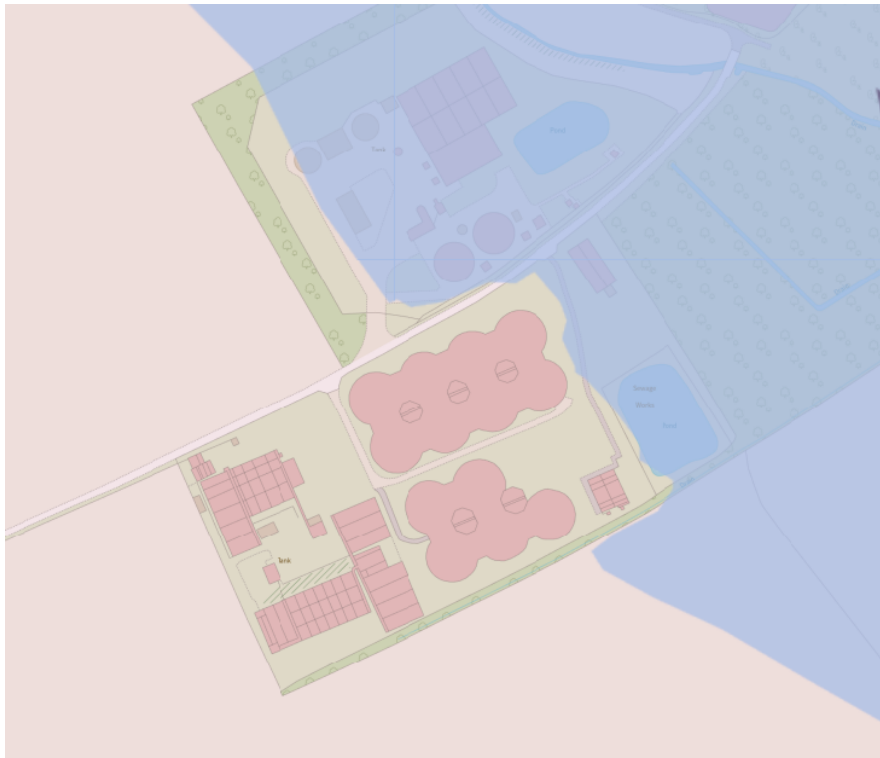


Figure 2: Flood zone 1 (pink) and Flood zone 2 (blue) from the EA maps.

- 7.5 **CDC Planning Policy (Countryside and Green Belt):** The proposal would involve infilling of an existing developed site but given the size and volume of the buildings it is difficult to conclude that there would not be an impact on Green Belt openness (because, as Planning Practice Guidance clarifies “openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume”).

On the basis of the above the officer thinks the proposal is inappropriate development in the Green Belt. However, the need for the proposal at this particular location, for the purpose described, does constitute ‘very special circumstances’. The proposal lies within an existing operational site and is suggested to be required to meet Environment Agency and Water Framework Directive requirements and as such would bring significant environmental benefits and increase resilience from future flood and drought events and ongoing climate change.

- 7.6 **CDC Area Manager** – No issues.
- 7.7 **CDC Internal Drainage** – No objections subject to conditions
- 7.8 **CDC Pollution Control (Contaminated Land)** – No comments.
- 7.9 **CDC Pollution Control (Air Quality)** – No comments.
- 7.10 **CDC Environmental Health** – No objection.
- 7.11 **CDC Tree Officer** – No objection.
- 7.12 **CDC Ecology** – No objections subject to condition.

- 7.13 **CDC Highways DC** – Does not encroach into the turning area or access and therefore no objections.
- 7.14 **Environment Agency** – No objection subject to a condition and informative.
- 7.15 **Airport Safeguarding** – Does not conflict with safeguarding criteria.
- 7.16 **SY Fire & Rescue** – No objections subject to informative.
- 7.17 **Yorkshire and Humber Drainage Board, Danvm Drainage** – No objection.

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 main issues are:
- The principle
 - The impact on the Green Belt
 - Waste
 - Residential amenity
 - The impact on the character and appearance of the area
 - Highways
 - The impact on trees and landscaping
 - The impact on the ecology of the site
 - Flooding and Drainage issues
 - Ecology and Agricultural Land
- 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 application site comprises of land within an existing sewage treatment plant. The proposal exceeds permitted development and so must be applied for. The site is surrounded by planting and around that it is predominantly rural in character with agricultural fields around the site. To the west beyond the field is the edge of Adwick le Street.
- 8.7 The site is wholly within the Green Belt as defined by the Local Plan. In terms of judging the principle of development, the Local Plan defers to national policy held within the NPPF in terms of development within the Green Belt. The proposal doesn't meet any of the exceptions to the Green Belt and therefore must be considered inappropriate development. Inappropriate development is only acceptable where Very Special Circumstances (VSC) have been demonstrated. A combination of positive material planning considerations may themselves represent VSC to justify development. These will be discussed below.
- 8.8 At a local level, in September 2019 Doncaster Council joined a growing number of local authorities who have declared a climate and biodiversity emergency. Doncaster Council has pledged to become carbon neutral by 2040. An Environment & Sustainability Strategy 2020 - 2030 has been developed by Team Doncaster having the backing of the Council and builds on the work of the Council's Climate and Biodiversity Commission. Importantly, this strategy provides an aim to reduce diffuse pollution inputs to the borough's waterbodies.
- 8.9 Within the Local Plan, Policy 21 looks at Utilities. This aims to minimise the visual impact of the proposal, which will be assessed further in sections below.

Waste

- 8.10 The Barnsley, Doncaster and Rotherham (BDR) Joint Waste Plan (adopted 2012) identifies that proposals to manage other waste streams will be assessed against the criteria set out under policies WCS4 and WCS6. (See paragraph 4.9 of the Joint Waste Plan).
- 8.11 Planning and pollution control regimes are separate yet complementary. Control of waste processes is a matter for the Environment Agency (the waste regulatory authority), who are concerned with preventing pollution using measures to prohibit or limit the release of substances into the environment to the lowest practicable level. This ensures that ambient air and water quality meet standards that guard against impacts on the environment and human health.
- 8.12 The proposal is to improve the wastewater management of a sewage works (part B4 of Policy WCS4). The proposals are within an existing site that is well screened and does not adversely affect the character or amenity of the site or surrounding area in line with Joint Waste Plan Policy WCS4. This visual impact will be assessed more in sections below.
- 8.13 In terms of Policy WCS6 (General Considerations for All Waste Management Proposals), which is quite lengthy, most of the relevant points are considered in the Local Plan. Additional information was sought to address part B of this policy.

B. Proposals must include sufficient information with the planning application to demonstrate how they comply with the above criteria. This will include:

- 1) the type of process;
- 2) the amount and type of waste to be handled or treated at the site (together with any residues) and how they will be addressed (including estimated annual throughput);
- 3) details of proposed hours of working, expected number of existing and proposed employees and the anticipated number and type of vehicle movements per day both in and out of the site;
- 4) the estimated life of the operation;
- 5) the origins of the waste and where it is going;
- 6) the location of storage facilities within the site; and
- 7) access and travel arrangements for both employees and customers, including alternative modes of travel to the private car, such as public transport, cycling and walking.

Figure 3: WCS6 Part B

8.14 The applicants provided additional information stating that the proposal was for Wastewater Treatment by aeration and settlement in open topped batch reactor tanks followed by chemical addition and filtration to remove excess solids prior to discharge of effluent to river. This is needed because of the population growth within the drainage area. There is a need to dispose of the surplus activated sludge generated by the biological process that is processed in the new sludge thickening plant. The current sludge production will be 9600 cubic metres per year once the proposed sludge thickening plant is commissioned. This will rise to 10012 cubic metres per year in 2035 due to population growth within the catchment. The hours of operation, traffic movement and staff will remain the same. The plant will continue to operate but the designed life of the new structures is 15 years.

8.15 The CDC Planning Policy (Waste) officer had no concerns with the above information and it adequately addresses the policy by providing justification for the works.

Green Belt

8.16 As a starting point, Policy 1 (Settlement Hierarchy) of the Local Plan sets out the Council's approach to development within the Green Belt. The policy states that;

"The openness and permanence of Doncaster's Green Belt (as indicated on the Key Diagram) and defined on the Policies Map will be preserved."

"The general extent of the Green Belt will be retained. Within the Green Belt, national planning policy will be applied including the presumption against inappropriate development except in very special circumstances."

8.17 As such, the Local Plan document defers to the NPPF with regards to Green Belt Policy. Para 147 of the NPPF states that "inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances." Para 148 goes on to state that "When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the

potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”

8.18 Also NPPF '21 para 150 states that “Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it.” Exceptions are also given.

8.19 The applicant’s agent suggests NPPF para 149 g) and para 150 b) listed exceptions lend support to the proposal. However the LPA do not believe these buildings can be classed as engineering operations and thus cannot be an exception.

8.20 On this basis, the Authority must consider the impact of the proposal upon the openness of the Green Belt, and whether very special circumstances justify the development in the Green Belt.

8.21 The NPPF at para 138 sets out the five purposes of the Green Belt;

- a) To check the unrestricted sprawl of large built-up areas;
- b) To prevent neighbouring towns merging into one another;
- c) To assist in safeguarding the countryside from encroachment;
- d) To preserve the setting and special character of historic towns; and
- e) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

8.22 In order to assist the decision making process, Planning Practice Guidance provides advice on the factors that can be taken into account when considering the potential impact of development upon openness of the Green Belt. The guidance advises that the courts have identified a number of matters which may need to be taken into account in making this assessment. These include;

- Openness is capable of having both spatial and visual impacts – in other words, the visual impact of the proposal may be relevant, as could its volume;
- The duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness;
- The degree of activity likely to be generated, such as traffic.

8.23 Para. 149 g) allows some infilling of existing development. But given the size and volume of the buildings it is difficult to conclude that there would not be an impact on Green Belt openness because, as Planning Practice Guidance clarifies “openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume”. Therefore this needs to be assessed.

8.24 On the basis of the above, the proposal is inappropriate development in the Green Belt. However, the need for the proposal at this particular location, for the purpose described, does constitute ‘very special circumstances’. The proposal lies within an existing operational site which is well screened and already existing, and is to be required to meet Environment Agency and Water Framework Directive requirements and as such would bring significant environmental benefits and reducing phosphorus and improving water quality. This is also echoed by the CDC Planning Policy Team’s consultation response.

Sustainability

- 8.25 The National Planning Policy Framework (NPPF 2021) sets out at paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
- 8.26 There are three strands to sustainability, social, environmental and economic. Para.10 of the NPPF states that in order sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.

SOCIAL SUSTAINABILITY

Impact on neighbouring residential amenity

- 8.27 Local Plan Policy 46 states that development will be supported provided that it does not result in unacceptable negative effects on the amenity of neighbouring land uses or the environment.
- 8.28 The nearest dwelling house is over 250m away. Substantial planting exists along the boundaries, screening the development from the neighbouring land uses. The neighbouring buildings are at such a distance that they would not be harmfully affected by the development and the works are confined within the existing sewerage works. The Environmental Health Team have not objected to the proposal.



Figure 4: Aerial image

Conclusion on Social Impacts.

- 8.29 The proposal has been able to adequately demonstrate that the development can be achieved on the site without adversely affecting the residential amenity of neighbouring properties. The development complies with Policy 46 of the Local Plan and is given moderate weight in the determination of the application.

8.30 ENVIRONMENTAL SUSTAINABILITY

Impact upon the character and appearance of the surrounding area

- 8.31 One of the core principles of the NPPF is that the intrinsic character and beauty of the countryside should be recognised. Planning Practice Guidance notes that Local Authorities should plan for infrastructure that often has locational requirements for wastewater treatment.
- 8.32 Local Plan, Policy 21 looks at Utilities and aims to minimise the visual impact of the proposal. The proposal is set within the confines of the existing sewerage works and the buildings are similar in colour, appearance and are no higher than existing apparatus on the site at 3m tall. They are small scale and do not cause significant harm being well screened within the confines of the site.

Ecology and Agricultural Land

- 8.33 The technical note of the 27th April 2023 the survey undertaken in 2021 and reported in BL Ecology Ref:08.21.RE01 September 2021 takes in a far greater area than the red line boundary area. The vegetation clearance undertaken in 2022 under PD rights, has been attended by an ecologist and hence the matter of protected species has been fully covered. The surveys of September 2021 and the update within the Technical Note of the 27th April 2023 provide ample evidence that the biodiversity values within the site are negligible and the CDC ecologist concurs with that conclusion.
- 8.34 The Technical Note concludes with the sentence “The habitats remaining within the planning redline boundary have negligible value for protected and notable species, therefore no further survey or ecological mitigation is recommended.” The CDC ecologist can confirm that no mitigation will be required as it is not anticipated that any ecological features would be lost and hence there is no need for mitigation within this existing site.
- 8.35 Although activities such as the clearance of vegetation has taken place there is still a policy requirement at Local Plan Policy 30 to ensure the protection of Local Wildlife Sites (LWS) and therefore the CDC ecologist considers that a construction environmental management plan, ecology (CEMP ecology) should be produced and implemented to ensure the integrity of the LWS is maintained. Therefore a condition is to be included.
- 8.36 The site is an existing site and thus the minor proposal will not sterilise any Agricultural Land.

Highways

- 8.37 Similarly, this is an existing site and the access and turning areas will not be adversely affected by the proposal and thus highways have raised no objections to the proposal.

Flooding and Drainage

- 8.38 The application site is located within Flood Zone 1 and Flood Zone 2. The CDC policy officer for flooding has stated this is within flood zone 3. However, this is to the East of the site and not the specific part of the site that this development is upon. The development has been sited on the lowest risk and highest parts of the site that it can possibly be sited on and given the locational requirements and existing site, it sequentially cannot be located at a lower risk elsewhere. Given these requirements and existing site it is not felt to cause significant harm to flood risk. No objections have been raised by the EA or the CDC internal drainage subject to condition.
- 8.39 Pollution control and air quality have also raised no concerns with the proposal.

Trees and Landscaping

- 8.40 The existing trees are on a bund and although the development comes close to them it does not come under them. The tree officer has raised no objections to the proposal and it is felt no harm is created to these trees.

Conclusion on Environmental Issues

- 8.41 Para. 8 of the NPPF (2021) indicates, amongst other things, that the planning system needs to contribute to protecting and enhancing the natural, built and historic environment, including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 8.42 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 is weight attached to this in favour of the development through the environmental benefits it will offer improving the cleaning of waste water. Whilst the proposal does add built form and volume to the site, it is considered that the existing landscaping can accommodate the development and the small scale nature within an existing site, will not cause substantial harm to visual amenity of the area. The scheme is acceptable in terms of drainage and flood risk, and no objections have been received.

ECONOMIC SUSTAINABILITY

- 8.43 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. This is however a temporary benefit, and so carries limited weight in favour of the application.

Conclusion on Economy Issues

- 8.44 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.
- 8.45 Whilst the economic benefit of the proposal in terms of job creation is temporary, the numbers of employees is not insignificant, however limited weight is afforded to this benefit overall.

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. Whilst the development would be inappropriate development within the Green Belt, very special circumstances have been demonstrated to justify the development. With respect of the environmental benefits it would provide for improved water quality. Furthermore, the visual impacts would be very limited given that the works would be within an existing site, no higher than the existing apparatus on site and well screened.
- 9.2 It is considered that the benefits the scheme delivers, namely the environmental benefits for water quality, weighs heavily in its favour. The scheme is considered to be acceptable in terms of ecology, and will not damage trees on site. The scheme will also ensure highway safety is protected, having no impact on access or turning within the site.
- 9.3 This proposal is considered to be small scale within the existing site, it is not considered necessary to refer this decision to the national case work unit. Whilst being a departure from the NPPF, given its location within the Green Belt, the harm is not considered to be significant.

10.0 RECOMMENDATION

10.1 GRANT PLANNING PERMISSION FOR THE PROPOSED DEVELOPMENT SUBJECT TO THE FOLLOWING CONDITIONS:

Conditions/Reasons

01. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.
REASON
Condition required to be imposed by Section 91(as amended) of the Town and Country Planning Act 1990.
02. The development hereby permitted must be carried out and completed entirely in accordance with the terms of this permission and the details shown on the approved plans listed below:

- Sections A & B- ADWICK No. 2 WWTW, KOS - MCC KIOSK- Rev. P01 (ADWIC WBK WWT WWT DR C 0502)
- Plan view floor plan - ADWICK No. 2 WWTW KOS - MCC KIOSK- Rev.P01 (ADWIC WBK WWT WWT DR C 0501)
- Sections C & D AND DETAILS 01 & 02ADWICK No. 2 WWTW KOS - MCC KIOSK- Rev. P01 (ADWIC WBK WWT WWT DR C 0503)
- Site plan – Rev. P01 (ADWIC WBK WWT WWT DR C 0006)
- Location plan – Rev.P01 (ADWIC WBK WWT WWT DR C 0004)
- Plan view floor plan - ADWICK No. 2 WWTW KOS CHEMICAL DOSING KIOSK PLAN VIEW- Rev.P01 (ADWICK WBK WWT WWT DR M 0301)
- ISOMETRIC VIEW, ELEVATIONS AND SECTIONS - ADWICK No. 2 WWTW KOS - CHEMICAL DOSING KIOSK – Rev. C01 (ADWICK WBK WWT WWT DR M 0302)
- SURFACE AND SUSTAINABLE DRAINAGE SYSTEM LAYOUT – Rev.C01 (ADWIC WBK WWT WWT DR C 0011)

REASON

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

03. Prior to the commencement of development a Construction Environmental Management Plan (Ecology) based on the recommendations in Section 5 of the Updated Ecological Impact Assessment, BL Ecology Ref: 08.21.RE01 September 2021 shall be submitted to the LPA for approval, and the implemented prior to development, in accordance with the approved details. Measures shall include:
- A risk assessment of the potentially damaging construction activities in relation to wildlife and habitats.
 - Measures to protect the adjacent Local Wildlife Site,

REASON:

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

04. 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.

05. No building hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be

designed, managed and maintained in accordance with the Non-statutory technical standards and local standards.

REASON

To comply with current planning legislation - National Planning Policy Framework

06. No building shall be erected within 10 metres of a watercourse or culvert which passes through/runs adjacent to the site.
REASON
To ensure adequate access at all times and to protect the culvert from damage.
07. All surface water run off from the site, excepting roof water, shall be discharged to the public surface water sewer/land drainage system or Highway Drain via a suitable oil/petrol/grit interceptor. Details of these arrangements shall be approved by the Local Planning Authority prior to the commencement of the development and they shall be fully operational before the site is brought into use.
REASON
To avoid pollution of the public sewer and land drainage system.
08. The development shall be carried out in accordance with the submitted flood risk assessment by Arup referenced ADW01-ARP-XX-XX-RP-C-1001 FRA and dated 13 March 2023, and the following mitigation measures it details:
 Finished floor levels for the chemical dosing kiosk shall be set no lower than 7.5 metres above Ordnance Datum (mAOD)
 Finished floor levels for the MCC kiosk shall be set no lower than 6.535 metres above Ordnance Datum (mAOD)
These mitigation measures shall be fully implemented prior to use. .
The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.
REASON
To reduce the risk of flooding to the proposed development and future occupants.

Informatives

01. **INFORMATIVE**
The applicants attention is drawn to the South Yorkshire Fire and Rescue Service comments which states that: Access is to be in accordance with Approved Document b Volume 2 Part B5 Section 16.2 16.11 and Table 20. Pumping appliances in South Yorkshire will weigh 26 tonnes. Table 20 references to pumping appliances should be read as 26 tonnes.
02. **INFORMATIVE**
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. The applicants attention is drawn to the response from South Yorkshire Police and measures they recommend.

03.

INFORMATIVE

The developer shall consider incorporating all possible sustainability features into the design of the proposed development.

04.

INFORMATIVE

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.

05.

INFORMATIVE

In order to discharge the conditions DA01, DS01, DS02, DNQ17, DX24A, the applicant is advised that they would be expected to submit information including but not limited to the following:

1. As stated in the Flood risk and Coastal Change, National Planning Guidance, surface water run-off should be discharged as high up the drainage hierarchy, as reasonably practicable:

- a) into the ground (infiltration);
- b) to a surface water body;
- c) to a surface water sewer, highway drain, or another drainage system*;
- d) to a combined sewer.

2. Records indicate site to be in Environment Agency Flood Alerts Area.

3. Drainage plans should include the following:

- *Rainwater pipes, gullies and drainage channels including cover levels.*
- Inspection chambers, manholes and silt traps including cover and invert levels.
- Pipe sizes, pipe materials, gradients and flow directions.
- Soakaways, including size and material.
- *Typical inspection chamber / soakaway / silt trap and SW attenuation details.*
- Site ground levels and finished floor levels.

4. Surface Water Discharge From Brownfield Site (if the site has a proven positive drainage system):

For developments on previously developed land the peak runoff rate, where the water leaves the site should be as close as reasonably practicable to the greenfield runoff rate especially where there is no existing positive drainage system. For areas that have a proven existing positive drainage system, a higher rate will be accepted only where detailed sensitivity testing is undertaken to establish the current maximum rate at which water leaves that system. This should be assessed up to the current 1 in 30-year rainfall event where water does not escape at ground level. In other words, the peak runoff rate should never exceed the rate of discharge from the drainage system prior to the redevelopment. Any such proposal will require a body of evidence potentially including surveys and computer modelling.

5. On Site Surface Water Management:

The site is required to accommodate rainfall volumes up to 1 in 100 year return period (plus climate change) whilst ensuring no flooding to buildings or adjacent land.

The applicant will need to provide details and calculations including any below ground storage, overflow paths (flood routes), surface detention and infiltration areas etc. to demonstrate how the 100 year + 40% CC rainfall volumes will be controlled and accommodated. FSR6/FEH7 rainfall profiles will be accepted when making this calculation.

Where cellular storage is proposed and is within areas where it may be susceptible to damage by excavation by other utility contractors, warning signage should be provided to inform of its presence. Cellular storage and infiltration systems should not be positioned within highway.

Guidance on flood pathways can be found in BS EN 752.

6. Areas of "river" flooding (fluvial) should have Finished Floor Levels (FFLs) set a minimum of 600 mm for dwellings, 400 mm for office and commercial, 300 mm for industrial and warehousing, 300 mm for entrances to underground car parks above highest possible water level (unless alternative levels are agreed with key stakeholders, including the Environment Agency).

7. If infiltration systems are to be used for surface water disposal, the following information must be provided:

- o Ground percolation tests to BRE-digest 365 must be performed with a minimum of 3 tests per trial hole, with trial hole location plan submitted and where possible photographic evidence of tests.

- o The CDC flood risk engineers should be contacted 7 days prior to tests being carried out to see if they would like to witness the tests being performed. The engineer may or may not attend. Alternatively, if the test is witnessed by an officer of another flood risk management authority (e.g. IDB), CDC will accept the results.

- o Ground water levels records. Minimum 1m clearance from maximum seasonal groundwater level to base of infiltration compound. This should include assessment of relevant groundwater borehole records, maps and on-site monitoring in wells.

- o Soil / rock descriptions in accordance with BS EN ISO 14688-1:2002 or BS EN ISO 14689-1:2003

- o Volume design calculations to 1-in 30-year rainfall + 30% climate change standard. An appropriate factor of safety should be applied to the design in accordance with CIRIA C753 - Table 25.2.

- o Location plans indicating position (Soakaways serving more than one property must be located in an accessible position for maintenance and a maintenance plan should be provided).

Soakaways should not be used within 5m of buildings, the highway, or any other structure including other soakaways (building regulations). Best practice is to provide 2.5m from the soakaway structure to the site boundary where possible.

- o Construction details must be submitted including dimensions and material.

- o Details of a sedimentation chamber (silt trap) upstream of the inlet should be included.

- o Any shared soakaways, or soakaways located beneath a shared driveway should provide maintenance plans identifying who will be responsible for maintenance, the type of maintenance required and the frequency it should be carried out.
 - o Hydraulic calculations should be submitted for each proposed soakaway showing, half empty times of less than 24 hours.
 - o A permeable/impermeable plan should be submitted for each proposed soakaway.
 - o Calculations should be provided to show that each soakaway would have sufficient capacity for a consecutive 1 in 30-year rainfall event after a 24-hour period.
- Soakaway detailed design guidance is given in CIRIA Report 753, CIRIA Report 156 and BRE Digest 365.

8. There should be no siting of above ground sustainable drainage systems in fluvial Flood Zones 2 or 3 as this would result with the displacement of flood water and alter/block conveyance routes and flow paths. In certain circumstances, above ground SuDS could potentially be located in fluvial Flood Zones 2 and 3, contact the LLFA to discuss proposals. A surface water drainage system should function effectively during the 1% AEP (with climate change allowance) event.

9. Written evidence is required from the LLFA / Internal Drainage Board / Environment Agency to confirm any adoption agreements and discharge rates, including for increased discharge rate from the site for both foul and surface water.

10. The written consent of the IDB may be required for any works on or near a watercourse. Any consent required in relation to the planning application, once obtained shall be submitted to CDC flood risk team.

11. A Flood Risk Assessment (FRA) should be provided for the proposed development site, in accordance with the NPPF (including Technical guidance and CDC Supplementary Planning Guidance Document). Where the site is at risk of flooding (Fluvial and Pluvial), details of place of refuge/evacuation should be considered and sign up to the Environment Agency flood warning service.

12. Flood resilience should be duly considered in the design of the new building/s or renovation. Guidance may be found in BRE Digest 532 Parts 1 and 2, 2012 and BRE Good Building Guide 84.

13. The proposed development is within the operating boundary of Danvm Drainage Commissioners who should be consulted with regard to land drainage matters and to obtain any required consents.

14. All surface water run-off from the site, except roof water, shall be discharged to the public surface water sewer/land drainage system or Highway Drain via a suitable oil/petrol/grit interceptor. Details of these arrangements shall be approved by the Local Planning Authority prior to the commencement of the development and they shall be fully operational before the site is brought into use.

15. All Micro Drainage calculations and results must be submitted in .MDX format, to the LPA. (Other methods of drainage calculations are acceptable).

16. Micro Drainage results will be provided for the 1 in 1-year, 1 in 2-year, 1 in 30-year and 1 in-100 year (+40% climate change). The proposed drainage system will be designed so that the drainage network does not surcharge during the 1 in 1-year or 1 in 2-year event. The proposed infrastructure will be designed to ensure that no site flooding occurs during a 30-year event, and the system will be tested against a 100-year event (+40% climate change allowance) to ensure no flooding of adjacent land or buildings. Storm durations supplied (in minutes) must include 15, 30, 60, 120, 240, 360, 480, 960, 1440.

17. An impermeable/permeable areas plan must be provided to illustrate areas used for hydraulic calculations.

18. Any SuDS/Drainage system installed must not be at the detriment to the receiving watercourse or ground (infiltration), so managing the quality of the run-off to must be incorporated into any design in accordance with CIRIA 753 the SuDS Manual.

The design of flow control devices should, wherever practicable, include the following features:

- a. Flow controls may be static (such as vortex flow controls or fixed orifice plates) or variable (such as pistons or slide valves);
 - b. Controls should have a minimum opening size of 100 mm chamber, or equivalent;
 - c. A bypass should be included with a surface operated penstock or valve; and
 - d. Access should be provided to the upstream and downstream sections of a flow control device to allow maintenance.
- a) Details of financial surety to ensure long-term maintenance and capital maintenance costs of apparatus. It is for the developer to demonstrate that a suitable financial underwriting arrangement is in place

06.

Flood resistance and resilience – advice to LPA/applicant We strongly recommend the use of flood resistance and resilience measures. Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage. To find out which measures will be effective for this development, please contact your building control department. In the meantime, if you'd like to find out more about reducing flood damage, visit the flood risk and coastal change pages of the planning practice guidance. The following documents may also be useful:

- Government guidance on flood resilient construction <https://www.gov.uk/government/publications/flood-resilient-construction-of-newbuildings>
- CIRIA Code of Practice for property flood resilience https://www.ciria.org/Research/Projects_underway2/Code_of_Practice_and_guidance_for_property_flood_resilience.aspx

- British Standard 85500 – Flood resistant and resilient construction <https://shop.bsigroup.com/ProductDetail/?pid=00000000030299686>

Flood warning and emergency response – advice to LPA We do not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement with this development during an emergency will be limited to delivering flood warnings to occupants/ users covered by our flood warning network. Planning practice guidance (PPG) to the National Planning Policy Framework (NPPF) states that, in determining whether a development is safe, the ability of residents and users to safely access and exit a building during a design flood and to evacuate before an extreme flood needs to be considered. One of the key considerations to ensure that any new development is safe is whether adequate flood warnings would be available to people using the development. In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions. As such, we recommend you refer to 'Flood risk emergency plans for new development' and undertake appropriate consultation with your emergency planners and the emergency services to determine whether the proposals are safe in accordance with paragraph 167 of the NPPF and the guiding principles of the PPG. The applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning or visit <https://www.gov.uk/sign-up-for-flood-warnings>. It's a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email, or text message. Anyone can sign up. Flood warnings can give people valuable time to prepare for flooding – time that allows them to move themselves, others and sensitive items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities. For practical advice on preparing for a flood, visit <https://www.gov.uk/prepare-forflooding>. To get help during a flood, visit <https://www.gov.uk/help-during-flood>. For advice on what do after a flood, visit <https://www.gov.uk/after-flood>.

07.

INFORMATIVE

The Developer should be aware that a Sustainable Drainage System (SuDS) is the LPA's preferred option. A detailed explanation of any alternative option and reasons for rejecting a SuDS solution will be required.

{b 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:

- Additional information for the Waste Policy Officer

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 – Location plan

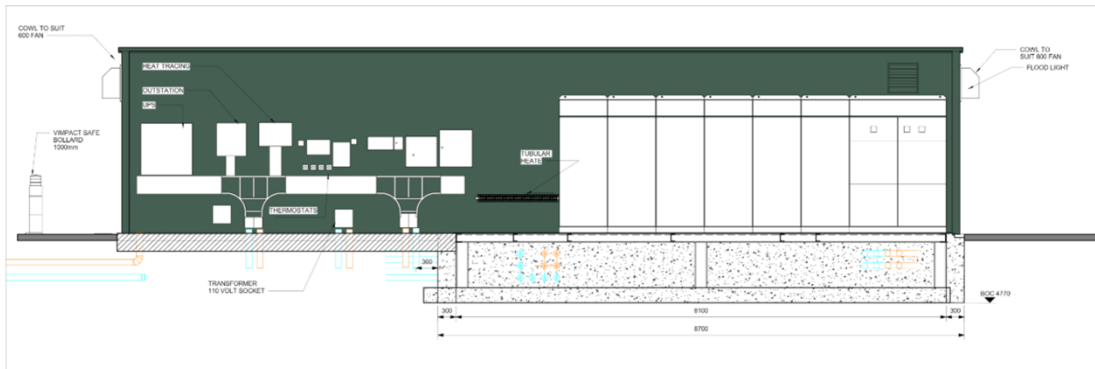
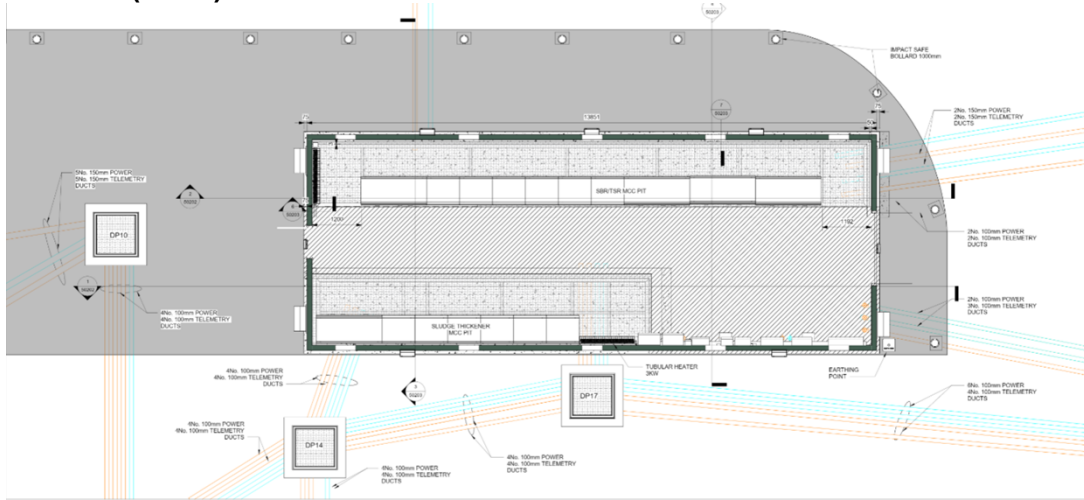


Appendix 2 – Site Plan

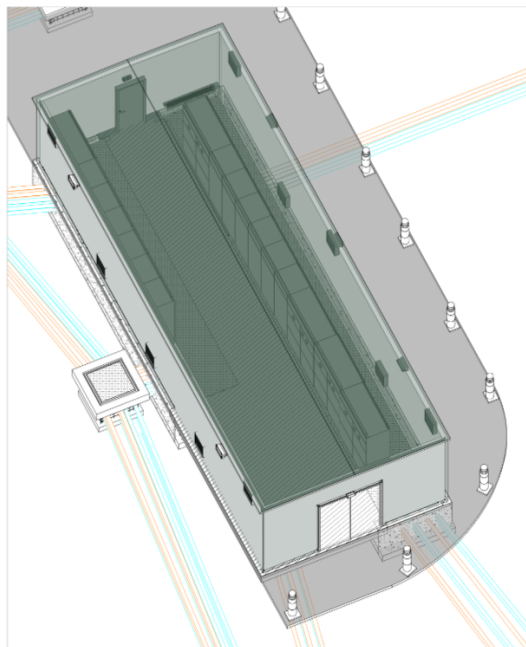


Appendix 3 – Elevations and floor plans

Control Kiosk (MCC)

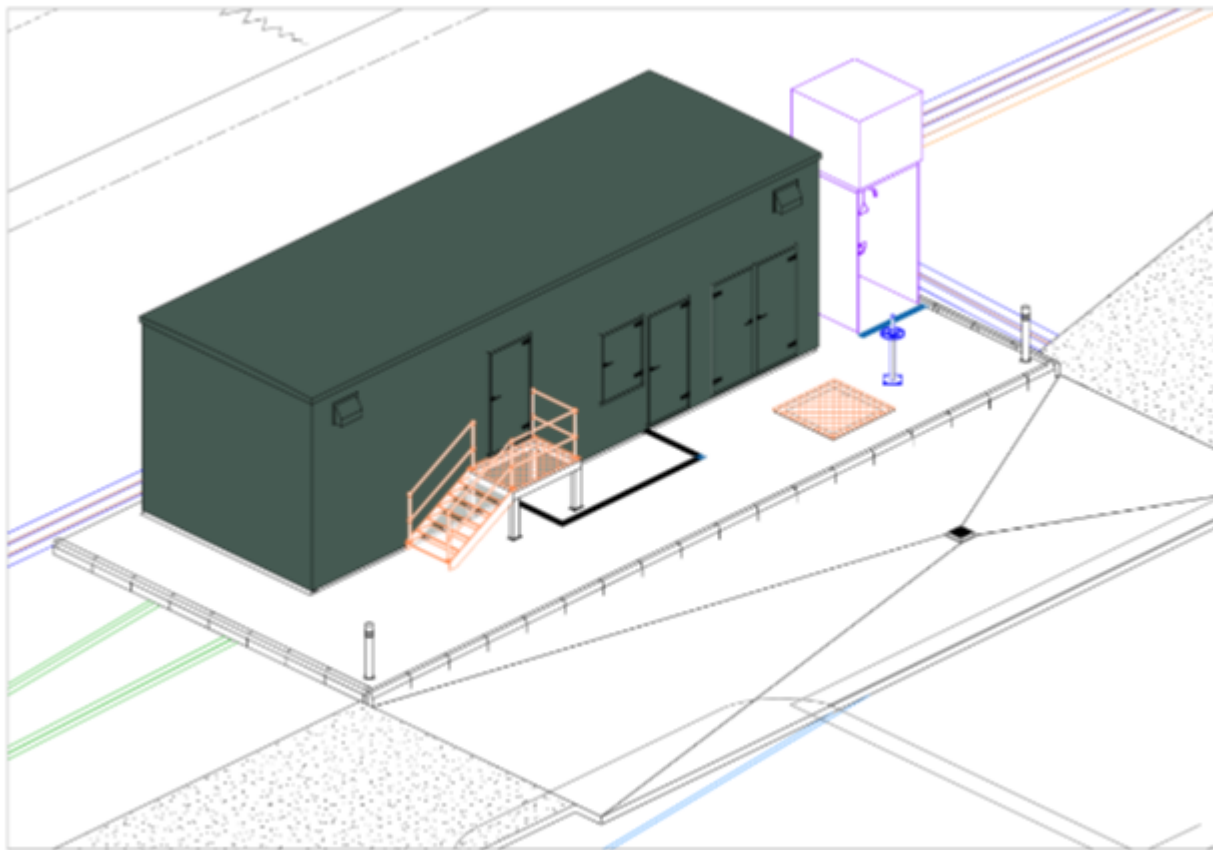
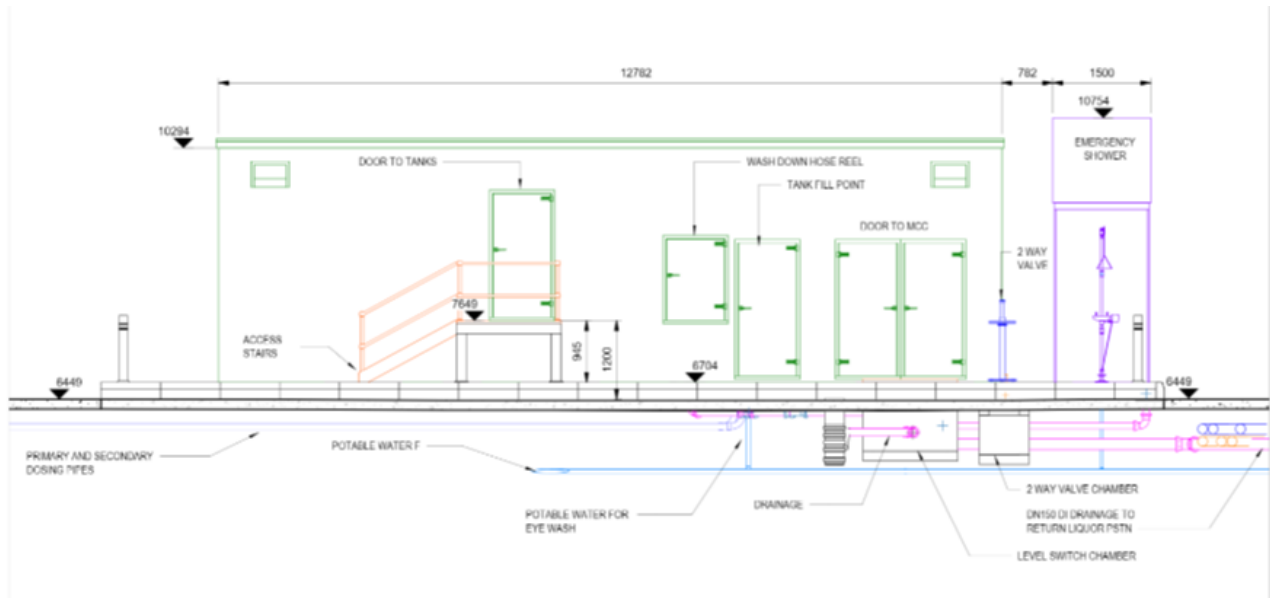


1 SECTION A-A
1:30



5 {3D}

Chemical Dosing Kiosk (KOS)



ISOMETRIC VIEW

