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Application Number:	23/01305/4FULM
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Application Type:	Planning FULL (DMBC Reg 4) Major
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Proposal Description:	Erection of residential development with public open space and associated landscaping, drainage and infrastructure. (Being resubmission of application 22/01710/4FULM refused on 14/04/2023.)
At:	Land North Of The Railway Line Rose Hill Rise Rose Hill Doncaster DN4 5LE

For:	Mr Adam Pitman - Miller Homes Limited
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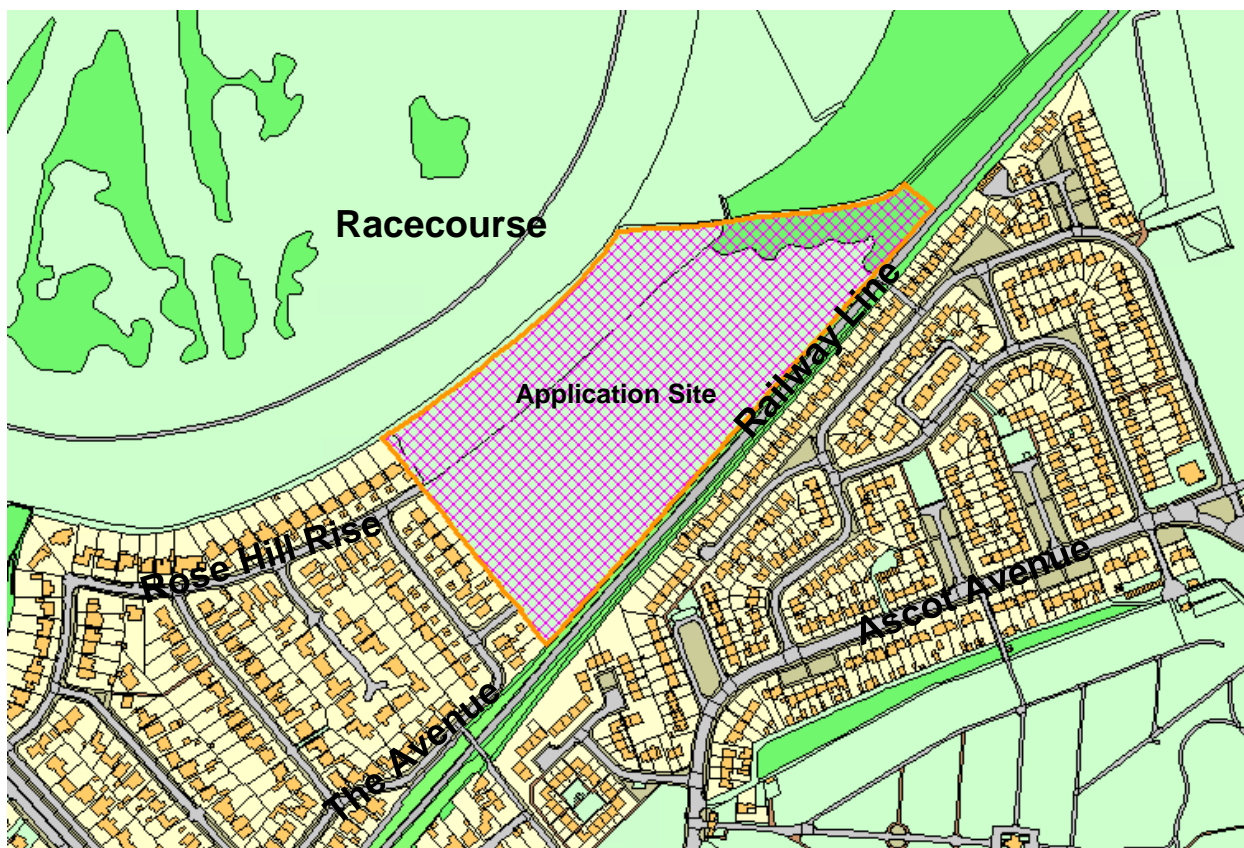
Third Party Reps:	111 Letters of objection	Parish:	None
		Ward:	Bessacarr

SUMMARY

The proposal is a resubmission of a previously refused scheme seeking permission for the same quantum of development. Updated ecology and transportation surveys and reports have been submitted to accompany this resubmission application and it is considered that these overcome the previous reasons for refusal. As such, this resubmitted scheme for the erection of 121 dwellings and public open space with associated infrastructure, landscaping and drainage, is considered to be acceptable in policy terms given the site is designated within the Local Plan as a Housing Development Allocation, Site Ref: MUA56 – Rose Hill, Cantley, with an indicative housing capacity of 166 dwellings. Overall, the proposal is considered to be an acceptable and sustainable form of development in line with paragraph 7 and 8 of the National Planning Policy Framework (NPPF, 2023).

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

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



1.0 Reason for Report

1.1 This application is being reported to planning committee as this is a site within Council ownership and due to the number of representations that have been received.

2.0 Proposal and Background

2.1 Planning permission is being sought for the erection of 121 dwellings including the formation of a new access, landscaping and public open space. The application is a resubmission of an application previously submitted under ref 22/01710/4FULM which was refused by Planning Committee on 31st March 2023. The Notice of Decision was issued on 14.04.2023 citing three reasons for refusal.

- 1) The application will result in traffic impacts both during the construction period and also post development arising from increased volumes of traffic on the A638 Bawtry Road and Rose Hill Rise. The application is therefore contrary to Doncaster Local Plan Policy 13 Part A)6 and NPPF paragraph 111.
- 2) The application will result in the loss of a non-designated open space that provides an important social and ecological role. The application is therefore contrary to Doncaster Local Plan Policy 27 B) and paragraph 98 of the NPPF.

- 3) The application will result in the loss of biodiversity and adversely impact on wildlife including protected species and is thereby contrary to Doncaster Local Plan Policy 30 Part B) and paragraph 180 a) of the NPPF.

2.2 In terms of what has changed since the previous application refusal, this resubmission application has sought to overcome the reasons for refusal in the following ways:

- 1) With regards to Reason 1 and traffic impacts and volumes of traffic during the construction period and also post development. The Applicant has updated traffic surveys done previously. The Transport Assessment is, in the main, the same as previously submitted, however further counts and modelling of the U-Turn on Bawtry Road, have been undertaken to include a future year of 2033 as opposed to 2032.

Traffic counts have been updated from 2021 and undertaken in May 2023. However, the counts taken in 2021 were higher, more robust, so these counts have been used as opposed to the 2023 counts.

- 2) With respect to Reason 2, this cites the loss of a non-designated open space. Whilst it is acknowledged that this site is a physical open space, on reading the Local Plan “as a whole” it is allocated for development and thus is not afforded protection under Policy 27b. “Non-designated open space” is referred to in the policy justification at 10.16 as being incidental small areas of land within verges etc., that are not significant enough to be separately identified. Officers advise that this reason for refusal is untenable in this case and if members are minded to refuse the application this reason should not be included.
- 3) With regards to loss of biodiversity and the adverse impact on wildlife, ecology surveys undertaken in 2021 and 2022 have been updated –this includes vegetation, bats, reptiles, badger and breeding birds. Ecological impacts have been reconsidered. Biodiversity Net Gain demonstrates an improvement of units to be secured offsite.

2.3 The site has had a longstanding allocation in the Doncaster Unitary Development Plan for housing which was adopted in 1998. The allocation has been reallocated through the adopted Doncaster Local Plan (September 2021). The Unitary Development Plan site allocation included a Development Brief that set out the planning requirements and development guidelines to inform and advise on any proposed scheme being brought forward. This Development Brief has since been updated and more recently, the current Local Plan allocation also includes Site Development Requirements at Appendix 2 for this site. The issues highlighted at Appendix 2 for this site include consideration of the following issues;

- Archaeology
- Biodiversity
- Design
- Education
- Public Open Space
- Transport
- Trees and Hedgerows

2.4 Pre-application advice was sought and provided with the previously refused application and this current proposal is submitted as a result of informal advice provided.

3.0 Site Description

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

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

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

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

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

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

4.0 Relevant Planning History

4.1 Application site history:

Application Reference	Proposal	Decision
23/00030/REF	Erection of residential development and public open space with associated infrastructure, landscaping and drainage	Appeal in Progress
22/01710/4FULM	Erection of residential development and public open space with associated infrastructure, landscaping and drainage	Refused 14.04.2023 (Currently subject to appeal)
21/03161/FULM	Erection of residential development comprising of 157 units, with public open space and associated landscaping, drainage and infrastructure. DRAFT	Withdrawn 29.06.2022
21/01523/PREAPP	Proposed residential development (162 dwelling)	Enquiry Closed 23.07.2021

19/01530/PREAPP	Erection of 164 dwellings and associated works.	Enquiry Closed 09.08.2019
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4.2 As further background to this site, the most recent history is the application refused under reference 23/01305/4FULM. The applicant has submitted an appeal against the refusal of this application (Appeal ref APP/F4410/W/23/3329658 and Council appeal ref 23/00030/REF). The start date for the appeal was 03.10.2023. The appellant has requested the appeal be heard by way of a Hearing and the appeal hearing date is set for 23.01.2024 at 10.00 in the Council Chamber, Civic Office.

4.3 Prior to submitting the appeal, the applicant also resubmitted this current scheme with additional updated information, following the refusal in order to overcome Planning Committee's reasons for refusal.

5.0 Site Allocation

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

5.2 National Planning Policy Framework (NPPF 2023)

5.3 The 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 55 of the NPPF states that planning authorities should consider whether unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other aspects.

5.7 Paragraph 63 requires on site provision of affordable housing where a need is identified.

5.8 Paragraph 110 sets out that in assessing specific applications for development, it should be ensured that:

a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location.

b) safe and suitable access to the site can be achieved for all users.

c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code and

d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

5.9 Paragraph 111 states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

5.10 Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities (paragraph 126).

5.11 Paragraph 174 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible.

5.12 Paragraph 180 further states that when determining applications, the LPA should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission.

5.13 Planning decisions should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new developments and avoid noise giving rise to significant adverse impacts on health and the quality of life (para 185).

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

5.15 Local Plan

5.16 The site is allocated for housing within the Local Plan, Site allocation MUA56 – Rose Hill, Cantley. This allocation is also accompanied by a Development Brief along with Developer Requirements set out at Appendix 2 of the Local Plan.

5.17 Policy 1 sets out the Doncaster Settlement Hierarchy and is the overarching strategic policy that informs the decision-making process on where the location and scale of development should take place in Doncaster. Policy 1 identifies Bessacarr as being located within the 'Main Urban Area', this is the area defined as the contiguous built-up area of Doncaster comprising of a number of connected districts around the now City Centre. Doncaster Main Urban Area provides services for the whole City, and to strengthen this role and to meet growth objectives and regeneration needs it states that this area will be the main focus for growth. In terms of housing provision this

policy states that 45% of new homes provision for the borough will be provided in the 'Main Urban Area.'

- 5.18 Policy 1 should be read in conjunction with Policy 2 as this policy sets out the level of growth and states that the Local Plan's strategic aim is to facilitate the delivery of at least 920 net new homes each year over the plan period (2018-2035) (15,640 net homes in total). This would therefore equate to the provision of 7,038 homes within the 'Main Urban Area' over the plan period. Table 4 confirms that specific allocations have been made equating to 7,182 net new homes across the Main Urban Area.
- 5.19 Policy 7 states that the delivery of a wider range and mix of housing types, sizes and tenures will be supported through the following:
- a) New housing developments will be required to deliver a mix of house sizes, types, prices, and tenures to address as appropriate the needs and market demand identified in the latest Housing Need Assessment;
 - b) Housing sites of 15 or more homes (or 0.5ha or above) will normally be expected to include 23% affordable homes in the borough's high value housing market areas or a lower requirement of 15% elsewhere in the borough (including starter homes which meet the definition) on site.
- 5.20 Policy 13 sets out that new development shall make appropriate provision for access by sustainable modes of transport to protect the highway network from residual vehicular impact to ensure that:
- a) access to the development can be made by a wide choice of transport modes, including walking, cycling, private vehicles and public transport.
 - b) site layouts and the street environment are designed to control traffic speed through an appropriate network and street hierarchy that promotes road safety for all.
 - c) walking and cycling are encouraged with the development and beyond, through the design of facilities and infrastructure within the site and provision of linkages to the wider network.
 - d) appropriate levels of parking provisions are made; and
 - e) existing highway and transport infrastructure is not adversely affected by new development. Where necessary, developers will be required to mitigate (or contribute towards) and predicted adverse effects on the highway network.
- 5.21 Policy 16 states that the needs of cyclists must be considered in relation to new development and in the design of highways and traffic management schemes to ensure safety and convenience. Provision for secure cycle parking facilities will be sought in new developments.
- 5.22 Policy 17 states that an increase in walking provision in Doncaster will be sought. Walking will be promoted as a means of active travel. Proposals will be supported which provide new or improved connections and routes, which enhance the existing network and address identified gaps within that network. The needs of pedestrians will be considered and prioritised in relation to new developments, in public realm improvements and in the design of highways and traffic management schemes.

- 5.23 Policy 21 sets out that all new housing and commercial development must provide connectivity to the Superfast Broadband network unless it can be clearly demonstrated that this is not possible.
- 5.24 Policy 28 deals with open space provision in new developments and states that proposals of 20 family dwellings or more will be supported which contribute 10 or 15 per cent of the site as on-site open space to benefit the development itself, or a commuted sum in lieu of this (especially where the site is close to a large area of open space).
- 5.25 Policy 30 seeks to protect sites and species of local, national and international importance and requires proposals to meet 10 per cent net gain for biodiversity.
- 5.26 Policy 31 seeks to identify and protect Local Wildlife Sites to maintain a functioning ecological network.
- 5.27 Policy 32 states that proposals will be supported where it can be demonstrated that woodlands, trees and hedgerows have been adequately considered during the design process, so that a significant adverse impact upon public amenity or ecological interest has been avoided.
- 5.28 Policy 35 advises on the Understanding and Recording the Historic Environment, stating that proposals that affect known or potential heritage assets will require a heritage statement and justification of any harm, with detailed investigation and recording, demolition or groundwork to ensure that an understanding of the affected asset is gained along with deposition of the site archive with the relevant archive repository and deposition of a report on the results with the South Yorkshire Sites & Monuments Record.
- 5.29 Policy 37 states that proposals should not detract from the heritage significance of a conservation area by virtue of their location, layout, nature, height, density, form, scale, materials or design or by the removal of trees, the loss of important open spaces or other important landscape features, or through adverse impact on key views and vistas.
- 5.30 Policy 39 states that development affecting archaeology will be assessed against two principles; development that would result in harm to the significance of a scheduled monument and how any benefits outweigh harm to the site for development affecting other archaeological assets.
- 5.31 Policy 41 sets out that imaginative design and development solutions will be encouraged to ensure that proposals respect and enhance identity, character and local distinctiveness. In all cases, proposals will need to demonstrate an understanding of the context, history, character and appearance of the site, neighbourhood and wider area, to inform the appropriate design approach.
- 5.32 Policy 42 states that high-quality development that reflects the principles of good urban design will be supported. Proposals for new development will be expected to follow a best practice design process and where appropriate, use established design tools to support good urban design.
- 5.33 Policy 43 C) requires edge of settlement developments or developments on the edge of countryside or Green Belt to provide suitable landscaping to soften the urban edge.

- 5.34 Policy 44 sets out that new housing will be supported where it responds positively to the context and character of existing areas and creates high quality residential environments through good design.
- 5.35 Policy 45 states that new housing proposals will be supported where they are designed to include sufficient space for the intended number of occupants and shall meet the Nationally Described Space Standard as a minimum.
- 5.36 Policy 48 states that development will be supported which protects landscape character, protects and enhances existing landscape features and provides a high quality, comprehensive hard and soft landscape scheme.
- 5.37 Policy 50 states that development will be required to contribute positively to creating high quality places that support and promote healthy communities and lifestyles, such as maximising access by walking and cycling.
- 5.38 Policy 52 states that where housing proposals of 20 or more family dwellings will create or exacerbate a shortfall in the number of local school places, mitigation will be required, either through an appropriate contribution to off-site provision or, in the case of larger sites, on-site provision.
- 5.39 Policy 54 sets out that where developments are likely to be exposed to pollution, they will only be permitted where it can be demonstrated that pollution can be avoided or where mitigation measures will minimise significantly harmful impacts to acceptable levels. This includes giving particular consideration to the presence of noise generating uses close to the site.
- 5.40 Policy 55 sets out criteria to mitigate against land contamination or land stability on development of land that is unstable, currently contaminated or suspected of being contaminated.
- 5.41 Policy 56 states that development sites must incorporate satisfactory measures for dealing with their drainage impacts to ensure wastewater and surface water run-off are managed appropriately and to reduce flood risk to existing communities.
- 5.42 Policy 65 states that developer contributions will be sought to mitigate the impacts of development through direct provision on site, provision off site, and contributions towards softer interventions to ensure the benefits of the development are maximised by local communities.

5.43 Other material planning considerations

National Design Guide (Jan 2021)

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

Local Interim Guidance & Supplementary Planning Documents

- 5.45 Doncaster Council's previous suite of adopted Supplementary Planning Documents (SPDs) have been formally revoked in line with Regulation 15 of the Town and Country Planning (Local Planning) (England) Regulations 2012, following the

adoption of the Local Plan. The SPDs referred to superseded development plan policies and some provided guidance which was not in accordance with the new Local Plan. The Transitional Developer Guidance (Updated August 2023) 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 5 new SPDs in line with the new Local Plan. These are: Biodiversity Net Gain; Flood Risk; Loss of Community Facilities & Open Space; Local Labour Agreements; and Technical & Developer Requirements which attract full weight.

National Planning Practice Guidance (ongoing)

5.46 The National Planning Practice Guidance sets out the government's expectations and further detail for how planning policies for England should be interpreted and applied.

5.47 Neighbourhood Plan

5.48 There is no Neighbourhood Plan for this area.

6.0 Representations

6.1 The applicant previously undertook a public consultation event which took place at The Dome, Doncaster Lakeside, Bawtry Road by Miller Homes on 26th July, 3pm – 8pm. Whilst there was no formal public consultation for this re-submission application, the applicant (including their technical experts) met with Rose Hill Residents Association (RHRA) representatives and local ward Councillors. The meeting was at the request of the RHRA to provide opportunity for residents to discuss and comment on the proposal prior to submission.

6.2 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.

6.3 110 letters of objection have been received with this resubmission application; some individual objectors having submitted a number of representations. The reasons for objecting are fundamentally unchanged from the previous application. These can be summarised as follows:

- Loss of a biodiverse young woodland habitat with important connectivity to Doncaster's Green Infrastructure corridors
- Impact on air quality for adjacent residents caused by dust emissions
- Noise and disruption for residents during construction period
- Incorrect tree survey-incorrectly counts trees and number of trees to be lost
- Loss of a mature and diverse wildlife site
- The full impact on the wildlife in this area has not been fully assessed
- Loss of open space
- Loss of trees
- Errors in ecological information and reports

- Errors in landscaping plan
- Roads not wide enough for the estate and construction traffic
- On street parking problems, leaving problems with access for emergency vehicles
- Conflict with narrow roads being used by HGV's and 2-way construction traffic
- Modelling errors for U turn junction at Cantley lights in the Transport Assessment and updated Construction Management Plan relating to residents parking and construction activities
- Potential traffic impact on local and major road infrastructure
- Potential problems accessing Bawtry Road at busy times
- Potential problems with HGV's accessing Rose Hill Rise from Bawtry Road
- Congestion and traffic fumes on the existing estate roads
- Existing problems with surface water drainage
- Loss of site impacts on climate change
- No demand for new build homes
- Impact on services as Schools, doctors, dentists already over capacity
- Devaluation of properties due to development
- Development fails to meet the criteria set out in Doncaster Council Development Guidance
- Objects to changes/closure/rerouting of bridleway
- Development is out of character with its surroundings

6.4 Non Material Issues raised:

- Devaluation of properties is not a planning consideration

7.0 Parish Council

7.1 There is no Parish Council for this area.

7.2 Relevant Consultations

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

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

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

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

7.7 **Highways (Transportation)** – A revised Transport Assessment and Travel Plan have been submitted in support of this resubmitted application. Following review (including review by CDC Traffic Signals), previous comments still apply. No

objections raised subject to mitigation by conditions for electric vehicle charging points, cycle parking to be provided within the curtilage of each dwelling and annual monitoring for the Travel Plan.

- 7.8 **Highways Development Control** – No objections are raised subject to mitigation by conditions including vehicle turning space to be constructed prior to development being brought into use and parking to be retained as such.
- 7.9 **Urban Design** – After a number of minor iterations the scheme is acceptable subject to inclusion of conditions for final external materials to be agreed, securing accessible and adaptable dwellings and a hard and soft landscaping scheme to be agreed.
- 7.10 **Natural England** – Reiterate previous application comments stating that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes and therefore raises no objection.
- 7.11 **Pollution (Air Quality)** – The submitted Air Quality Assessment follows standard methodology using information from recognised sources. No objections or issues of concern raised subject to conditions for electric vehicle charging points.
- 7.12 **Pollution (Land Contamination)** – Previous application comments are reiterated. Phase 1 and 2 geotechnical site investigation reports have been submitted. The results show the natural ground and topsoil on site is suitable for re use. No made ground has been found. The report concludes NO remediation is required. No objection raised subject to condition for testing of any imported soils to ensure suitability for the proposed use.
- 7.13 **Strategic Housing** – No objections raised, and previous application comments reiterated in that the scheme proposes the full 23% affordable housing requirement on site and will provide 28 affordable family homes. The mix and tenure of the homes will be agreed via Section 106 legal agreement.
- 7.14 **Public Health** – No additional comments to those made previously. Previous application there were no overall objections raised following submission of and full consideration of the Health Impact Assessment.
- 7.15 **Environment Agency** – Standing advice applies as the site is designated as Flood Risk Zone 1 with a low probability of flooding from main rivers.
- 7.16 **Internal Drainage** – No objections raised subject to condition for details of land drainage consent, written evidence from the sewage undertaker to confirm adoption agreements/discharge rates, and a drainage management and maintenance plan to be submitted and approved.
- 7.17 **Yorkshire Water** – No objections raised subject to mitigation by condition for drainage to be installed in accordance with submitted drainage plan. All drainage details will be agreed with the Council's drainage team as Lead Local Flood Authority so this condition is omitted as current drainage conditions will ensure the drainage strategy is adhered to.
- 7.18 **Built Environment (Open Space Policy)** – No objections raised, and subject to conditions for details of play equipment, along with the delivery of the play area.

- 7.19 **Education** – Previous application comments reiterated including financial contribution. No objection raised subject to financial contribution of £481,752.00 for 18 additional school places at Hall Cross Academy. This contribution will be secured via a Section 106 legal agreement.
- 7.20 **Local Plan (Housing)** – Previous application comments are reiterated supporting the application subject to other policy considerations as the site is within a housing allocation within the adopted Doncaster Local Plan: Site MUA56 – Rose Hill, Cantley.
- 7.21 **Superfast South Yorkshire** – No response received however previously raised no objections subject to inclusion of condition for installation of superfast broadband.
- 7.22 **Public Rights of Way** – There are 3 existing bridleways that cross the site that will be retained. No objection raised subject to providing that the full 4 metre width of the bridleways is maintained with no obstruction. Any furniture or planting should be placed outside the 4 m width. A condition is included for surfacing to be agreed by the Public Rights of Way Officer.
- 7.23 **Yorkshire Wildlife Trust** – Previous application raised no comment, deferring to the CDC Ecologist. However, now raise objection to the sensitivity of the site, impacts on adjoining sites, retention of wildlife corridors, classification of baseline habitats and the magnitude of habitat losses identified through the BNG process. The Council's Ecologist has commented on all of the matters raised by the YWT and is satisfied that these have been adequately addressed.
- 7.24 **Local Plan (Flooding)** – Given that nothing has changed on site in terms of strategic policy consideration of flooding, previous comments are re-iterated. No objection raised given the site lies within Flood Risk Zone 1.
- 7.25 **Environmental Health** – Since the previous application refusal and construction traffic issues raised by residents, a construction method statement has been submitted. Following minor amendment, no objection is raised. Therefore, a condition for the construction works to be carried out in accordance with the construction method statement is included in order to safeguard the living conditions of neighbouring residents.
- 7.26 **South Yorkshire Architectural Liaison (SY Police)** – Comments are reiterated from previous application. No objection raised subject to advice that the development should be built to Secured by Design standards. An advisory informative note for the applicant is therefore included.
- 7.27 **Network Rail** – The previous application comments are reiterated. No objections have been raised in principle. However, on account of the proximity of the site to the operational railway boundary, works will need to be agreed with the Asset Protection Team. As such appropriate conditions and informative notes are included.
- 7.28 **South Yorkshire Archaeology Service (SYAS)** – The site has a high potential for the survival of significant archaeological remains. As such a Written Scheme of Investigation (WSI) has been submitted. SYAS has agreed the WSI recommending a condition for the development to be carried out in accordance with the submitted WSI that sets out a strategy for archaeological investigation on site.

7.29 **Ward Members.**

7.30 Councillor Nick Allen has raised issue that there is no fundamental difference between this and the previously refused application (22/01710/4FULM), raising the following issues:

- i) Loss in biodiversity
- ii) Accessibility to the site for construction traffic will be difficult down The Avenue
- iii) Development will result in traffic, noise and loss of amenity

7.31 Councillor Laura Bluff has also raised issue that there is no fundamental difference between this and the previously refused application (22/01710/4FULM), particularly with respect to the following issues.

- i) the impact on the environment and wildlife,
- ii) the loss of amenities for the local people,
- iii) the increased pressure on the already overcrowded local road networks,
- iv) the lack of provisions for new residents to school young children or gain access to a local doctor and dentist.

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 unless material considerations indicate otherwise'.

8.2 The NPPF at paragraph 2 states that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF must be taken into account in preparing the development plan and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.

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

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

- Principle of development
- Affordable Housing
- Impact on Residential Amenity
- Access to Services
- Climate Emergency
- Design and Impact on Character of Area
- Impact upon Highway Safety
- Archaeology
- Ecology
- Flood Risk and Drainage
- Trees and Landscaping

- Public Open Space
- Pollution Issues
- Section 106 Obligations
- Overall planning balance

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

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

Principle of Development

- 8.6 With regard to the principle of residential development on this site, Bessacarr is identified in the Local Plan as one of the 'connected' districts around the City Centre that comprise the Development Limits of the Doncaster Main Urban Area. Policy 1 directs at least 45% of new homes over the plan period to the Doncaster Main Urban Area and, as such, is the main focus for housing growth and regeneration in the Borough.
- 8.7 Policy 2 builds further on this and sets out the strategic aim of facilitating the delivery of a minimum of 15,640 (net) new homes in the remainder of the plan period (2018-2035), or at least 920 new homes per year. Table 4 (Allocations of new homes across settlement hierarchy and individual settlements) identifies that allocations have been made equating to 7,182 new homes at the Doncaster Main Urban Area to accord with the 45% requirement.
- 8.8 The site is located on land allocated for housing within the Local Plan and is a long-established proposed housing site as far back as the Doncaster Unitary Development Plan (1998). Policy 5 of the Local Plan relates to the delivery of the housing allocations set out in Policy 2 and Table H2(A) identifies the site as a Housing Allocation without planning permission, Site Ref: MUA56 – Rose Hill, Cantley, with an indicative housing capacity of 166 dwellings. Policy 5 states that housing allocations will be developed primarily for residential uses to help deliver the housing requirement and will be developed having regard to both the specified developer requirements set out in Appendix 2 of the Local Plan, and the indicative number of new homes identified. It is important to note that the indicative number of dwellings within the Local Plan are not ceilings to quantum of development, which are to be more appropriately assessed at the detailed planning application stage. However, it does serve as a guide and it is important to note that proposals for lower density schemes can be supported where this would assist with the delivery of a better design solution. This scheme under consideration is below the indicative capacity, as was the previously refused scheme, and in being below the indicative capacity responds positively to the ecological/biodiversity interest of the area in terms of maximising this interest through sympathetic design and maximising the buffers around the site.

- 8.9 Taking the above considerations into account, the proposal would therefore make a significant contribution towards the Main Urban Area's housing requirement and thus contributing towards the policy objectives of the adopted Local Plan. The site is sustainable, being well located to access the services and facilities in the area, including schools, shops, employment and access to public transport. Doncaster City Centre can be accessed within 3km cycling distance and the closest bus stops are located on Bawtry Road, which provide a number of services towards the City Centre and other local destinations. The scheme proposes a lower density scheme than set out within its housing allocation, however this provides a better design solution as supported by Policy 5 of the Local Plan and maximises the biodiversity interest of the site and as such is acceptable in principle, subject to other policy considerations. The application is therefore in accordance with the guidance set out in paragraph 119 of the NPPF.

Sustainability

- 8.10 The NPPF 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. Paragraph 10 of the NPPF states that in order sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.

SOCIAL SUSTAINABILITY

8.12 Affordable Housing

- 8.13 Doncaster Local Plan Policy 7 seeks an affordable housing contribution and relates to housing mix stating that new housing developments will be required to include a mix of house size, type, price and tenure to address the identified needs and market demand to support mixed communities. It further states that in terms of delivering affordable housing, housing sites of 15 or more homes will normally be expected to include 23% affordable homes in the Borough's high value housing market areas. It further states that commuted sums in lieu of on-site affordable housing will only be accepted where this is robustly justified which would include where there is already an identified surplus of affordable housing in the community.
- 8.14 With regard to the need, the Strategic Housing team confirmed that the 2019 Housing Needs Study confirms there is a high need for 300 affordable homes in the Bessacarr Ward (which includes part of the Cantley settlement). As an update on this, the most recent June 2023 survey shows an increase with a potential need for 475 affordable homes. This increase is due to no residential developments having taken place in Bessacarr. The Bessacarr ward has the 3rd highest need for affordable homes in the City. However, this site is only one of two sites allocated within the Local Plan within the Bessacarr ward that would deliver any affordable housing. The scheme proposes the full 23% (a total of 28) affordable housing requirement and includes a mix of 2, 3 and 4 bedroomed dwellings (this also includes 6 x 2 bedroomed bungalows).

8.15 The housing tenure would comprise affordable rented and shared ownership which can be secured via a Section 106 legal agreement with the applicant. The application therefore satisfies policy requirements in the full provision of affordable housing within an area where there is high demand and thereby is in accordance with Local Plan Policy 7.

8.16 Impact on Residential Amenity

8.17 Table 2 of the Transitional Developer Guidance (TDG) gives minimum separation distances that are applied for new residential development. 2-3 storey properties should have back-to-back distances (between facing habitable rooms) of no less than 21m, and front to front distance of no less than 12m, dependent upon the street hierarchy. Habitable room windows that overlook neighbouring garden space should normally be at least 10 metres from the boundary. Where a new property overlooks an existing garden, these distances may need to be increased. Oblique or obscured outlook from habitable room windows within 10m of the boundary may be allowed at the discretion of the case officer dependent upon site specific considerations. Where first floor habitable rooms face habitable rooms in a single storey dwelling, or the habitable rooms of two single storey dwellings face one another this separation distance may be reduced at the discretion of the case officer.

8.18 The scheme ensures that there is no loss of amenity to existing bungalows to the west of the site, along with overlooking between front of Plots 105 and rear of 115. The separation distances between existing and proposed properties meet the standards set out in the Council's TDG. Separation distances between houses within the proposed development also meet the Council's standards.

8.19 Concerns were previously raised by objectors regarding noise and dust issues during the construction period, and the impact this will have on the health of local residents living in close proximity. This is again reiterated. The Council's Environmental Health Officer has been consulted and a Construction Method Statement (CMS) has been agreed that addresses a number of issues to protect the amenity of residents living nearby during the construction phase. This includes the parking of vehicles of site workers and visitors; storage of plant and materials; wheel wash facilities and measures to control noise and emission of dust and dirt. It is inevitable that there will be a degree of disruption for local residents during the construction period; in consideration of minimising disruption for residents, the applicant has also agreed for enabling works to be agreed via condition that could otherwise be carried out utilising Permitted Development rights.

8.20 Access to Services

8.21 Objection has been raised on account that the development will impact on services such as schools, doctors and dentists that they state are already over capacity. With regards to education provision, an education contribution can be secured via S106 legal agreement as discussed later in this report. The site is within the Main Urban Area of Doncaster, which is the largest and most sustainable part of Doncaster with the highest provision of services. The site itself is well located to access local, as well as other services within central Doncaster (including the Dome and Lakeside).

8.22 It should be noted that whilst planning applications can secure contributions towards any potential impact of the development, local NHS healthcare services are centrally funded with contracts being negotiated locally for by the South Yorkshire Integrated

Care Board (ICB) for the provision of services. The funding which the ICB receives is calculated using a formula which takes into account population growth, using Office of National Statistics projected populations.

- 8.23 There is an important distinction to make therefore between the impact of the development on certain NHS services and other infrastructure. Essentially, the provision of NHS services and accounting for population growth and demand should be funded through central government funding and direct taxation and not through a planning application. The impacts of this development should be recognised by the ICB who would take into account not only population growth, but also other factors such as migration into the area, relocation of some existing population and the occupation of properties vacated by existing residents relocating to the proposed development. This would translate into a formula, which indicates population growth and a requirement to fund additional floor space within local surgeries. The NHS have indicated that this will be required in future years and discussions are ongoing to accommodate this demand, however this would fall outside the remit of this planning application to provide any additional funding.
- 8.24 The Council, and public bodies, are legally required to demonstrate that the requirements of the 'duty to co-operate' have been met including constructive, active and on-going engagement on cross boundary strategic matters to assist with planning for sustainable development. A further consideration is that the site benefits from being sequentially assessed as suitable for housing through the Local Plan. As part of the plan preparation, it was necessary for CDC to engage and co-operate therefore with other Councils, public bodies and stakeholders. Primary Care Trusts were identified as part of this consultation and were consulted at each stage of preparing the Local Plan.
- 8.25 No objections were raised by the NHS Primary Care Trusts in relation to allocating this site for housing within the Local Plan.
- 8.26 The site is allocated in the Local Plan, meaning external stakeholders have been consulted on the intended approach for housing growth in the area to allow forecasting to take place. The grant of planning permission would not prevent the ICB from seeking additional funding from NHS England to accommodate any population growth including the development in future settlement grants. Therefore, the healthcare infrastructure implications of any relevant proposed development have been considered in accordance with Policy 50 part D.

8.27 Conclusion on Social Impacts.

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

ENVIRONMENTAL SUSTAINABILITY

8.29 Climate Emergency

- 8.30 Objections have again been received with this resubmission, asserting that the application is contrary to the Council's Climate and Biodiversity Emergency. As

stated previously, the Borough Strategy (Doncaster Delivering Together) sets out the Council's vision for everyone to 'improve and maintain a pleasant and sustainable natural and built environment for everyone to enjoy.' Whilst the Borough Strategy is not planning policy, the whole ethos of sustainable development is embedded within the NPPF. The Local Plan is consistent with national policy having been found 'sound' by an independent Planning Inspector and ultimately adopted by the Council. The foreword to the Local Plan recognises the Council's Climate and Biodiversity Emergency; the aim of the Local Plan is to help tackle climate change. The Local Plan was also examined for its legal compliance with the relevant statutory legislation, including with respect to the Planning & Compulsory Purchase Act 2004 that requires Local Plans to include policies designed to secure that the development and use of land contributes to the mitigation of, and adaptation to, climate change. The policies contained within the Local Plan guide development towards sustainable solutions. The NPPF is clear that sustainable development is pursued in a positive way with a 'presumption in favour of sustainable development.' This application is assessed against all the relevant policies within both the Local Plan and the NPPF and as such ensures that the proposed development is in accordance with relevant policies, taking into account both climate change and biodiversity.

8.31 Design and Impact upon the Character of the Area

- 8.32 Paragraph 130(a) of the NPPF states that planning decisions should ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development, part (c) seeks to ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.
- 8.33 Since the previous application nothing has changed within the layout or design that would now change the previous assessment of the design and character of the scheme. As mentioned previously, this site is subject to a Development Brief that sets out design principles for consideration with any scheme being proposed. Since the production of the Brief, the Council has expressed aspirations for more significant areas of greenspace on the site and ecological benefits. The applicant has strived to meet both these aspirations. It is also worth noting that since the production of the Brief the Local Plan has been adopted which introduces new design requirements particularly around street design, character / local distinctiveness and housing space and accessibility standards.
- 8.34 In accordance with Policy 41, the Design and Access Statement sets out the context, local character and appearance of the site, and whilst the site is currently undeveloped arable land the surrounding character is residential in nature and built up to the East and South of the site.
- 8.35 In terms of the proposed development, the scheme proposes 121 housing units. This remains the same as the previously refused scheme. The Local Plan housing allocation indicates a potential for 166 units on this site and the scheme did originally propose 157 units in the early stages prior to the refused application submission. However, the Council expressed an aspiration for more significant areas of greenspace on the site and ecological benefits. The applicant subsequently reduced the scheme, by removing a total of 36 units from the original 157 proposed. The buffer along the racecourse edge was also increased. As can be seen in the original layout below, this reduction of units and increased buffer has clearly benefitted the

site in terms of retaining much of the greenspace. This scheme which again proposes 121 units, is a development well below the 166 indicative capacity with an overall reduction of 45 units in total.

As Originally Proposed:



Current Proposal:



8.36 Policy 5 states that housing allocations will be developed primarily for residential uses to help deliver the housing requirement and will be developed having regard to both the specified developer requirements set out in Appendix 2 of the Local Plan, along with the indicative number of new homes identified. Proposals for lower density schemes will be supported where this would assist with the delivery of a better design solution. In this case the scheme is providing better quality open space and ecology benefits at the request of the Council, therefore this proposed lower density scheme is fully accepted.

8.37 In terms of the proposed layout, again this remains the same as that previously refused and which adheres to the Development Brief that sets out a number of design principles and parameters to be adhered to. As stated previously, the Local Plan introduces new design requirements particularly around street design, character / local distinctiveness and housing space and accessibility standards. Appendix 2 of the Local Plan also includes developer requirements for each allocated housing site. The Council's Urban Design Officer has commented that whilst this does change the requirements of the brief, the applicant has strived to meet both aspirations and, on

the whole, the higher proportion of greenspace as currently proposed is welcome. Fundamentally these design principles state that the access should be taken from both Rose Hill Rise and The Avenue. The application accords with this and proposes access from both these existing points of entry into the site. The layout proposes a main loop road around the estate linking to Rose Hill Rise and The Avenue as per the design principles. Existing informal Bridleways/footpath routes, desire lines and connections are incorporated into the layout so the site is easily accessible on foot and with connections to the wider area. This is again in accordance with the design principles. The Public Rights of Way (PROW) Officer has requested the bridleways be retained at 4m width which subject to minor amendment, has been adhered to, and surfacing materials for the bridleways/footpaths will be agreed via condition. One of the design parameters in the Development Brief advises that "The layout should provide the opportunity to accommodate large detached individually designed "executive homes" with a villa character and spacious front and rear gardens fronting toward (option 1) or backing onto (option 2) the Racecourse/ Common." The layout does just that, providing large, detached dwellings that whilst they do not directly back on to the racecourse, they back onto a greenspace landscape buffer between the development and the racecourse. This not only replicates but improves upon the existing landscape buffer along backs of properties fronting Rose Hill Rise by providing a wider buffer zone. This ensures no trees encroach into rear gardens. The layout recognises the importance of natural surveillance of the open spaces and pedestrian routes; properties will directly overlook the open spaces. The pumping station has been relocated at the request of Officers due to impacting on natural surveillance for the play area.

- 8.38 The built form is in keeping with residential development in the vicinity and the wider area as the scheme comprises of a range of housing types again as set out in the design principles, providing 2, 3, 4 and 5 bedroomed 2 storey detached and semi-detached houses with hipped roof and gable roof designs, and single storey bungalows along with semi-detached single storey bungalows. This resubmission includes updated house types in order to meet with new Part L requirements of the Building Regulations. These changes include greater insulation, air tightness and the majority of the homes to be fitted with solar panels. Materials proposed reflect the character of the surrounding area, proposing red facing brick with terracotta or grey concrete roof tiles. The scale of the properties at two storeys is also in keeping with the type of housing that surrounds the site. Dual aspect and corner turning dwellings are used across the development ensuring continuity of activity, natural surveillance and recognisable markers to guide navigation through the development. The Council's Urban Design Officer has commented that the main requirements of the Brief have been followed in terms of the structure of the layout.
- 8.39 With respect to the housing design standards, Local Plan Policy 45 sets out a list of criteria A) to C) seeking to ensure that new housing proposals are designed to include sufficient space for the intended number of occupants. Criteria A) ensures that all homes are large enough for the intended number of occupants. All the proposed homes meet the requirements set out in the Nationally Described Space Standards. Criteria B) requiring provision of 65% of new homes on housing sites over 10 units to ensure that they can be easily adapted to meet existing and changing needs of residents, and Criteria C) which requires provision of wheelchair adaptable dwellings. The Council's Urban Design Officer has assessed this aspect of the application and following minor amendments is satisfied with the proposals compliance with Policy 45. A condition is included to ensure this provision is safeguarded.

- 8.40 As previously, objectors have raised issue of concerns of crime as a result of the social housing being provided on site. Affordable housing provision does not equate to an increase in anti-social behaviour and is a recognised and required housing tenure for major development sites. Should there be issues of anti-social behaviour on site this will be dealt with under separate legislation. An advisory informative note is, however, included for the developer to seek to implement security measures into the development in order to achieve the 'Secured By Design' accreditation from South Yorkshire Police in order to reduce potential for crime.
- 8.41 Local Plan Policy 21 requires all new housing to provide connectivity to the fastest available broadband technology. No details in this respect have been submitted to accompany this application, however this requirement is secured by condition.
- 8.42 Landscaping forms an integral part of the design process and a Landscape Masterplan has been agreed in principle but is subject to submission of further details to be secured via condition. This includes by requirement, all TPO'd trees to be retained along the north and north-eastern boundaries. Street tree planting is proposed and has been improved upon from resubmission within the grassed highway verges along the principal loop street and bridleways, planting to areas of POS and planting to gardens.
- 8.43 The applicant has worked with the Council to amend the scheme in line with the urban design officer's comments and the resultant scheme represents a well-designed development proposal. The application therefore accords with Policies 41, 42, 44 and 45 of the Local Plan and guidance set out in the NPPF this is considered to weigh significantly in favour of the application.
- 8.44 Impact upon Highway Safety
- 8.45 Paragraph 111 of the NPPF states that "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."
- 8.46 Safety and security of the highway is also one of the criteria set out in Local Plan Policy 13 to ensure that there are no negative effects upon highway safety or residual cumulative impacts on the road network. It also seeks to ensure that new developments provide the delivery of travel choice and sustainable opportunities for travel.
- 8.47 One of the reasons Planning Committee refused the previous application was on account of the traffic impacts during the construction and post construction due to increased volumes of traffic on the A638 Bawtry Road and Rose Hill Rise.

01. The application will result in traffic impacts both during the construction period and also post development arising from increased volumes of traffic on the A638 Bawtry Road and Rose Hill Rise. The application is therefore contrary to Doncaster Local Plan Policy 13 Part A)6 and NPPF paragraph 111.

- 8.48 This application is accompanied by a Transport Assessment (TA) and Travel Plan (TP) as required by Policy 13. Whilst the TA is, in the main, the same as previously, further modelling and updated traffic counts are included to further demonstrate that there will not be unacceptable traffic impacts. The TA and TP have both been assessed by the Council's Highways Transportation Officer following initial

comments regarding data collection. The site is considered to be located in a sustainable location with good access to local amenities, public transport and cycling and walking opportunities.

- 8.49 In terms of access to public transport, the closest bus stop is located on the A638 Bawtry Road offering access to high frequency bus services which provides sustainable travel choices for the residents. The walk distance from the centre of the site is around 630m.
- 8.50 In respect of cycling, the report shows a 5km cycle catchment area around the site to show accessibility by cycle, that includes the whole of Doncaster City Centre, Bessacarr, Belle Vue, Cantley, Wheatley and Intake.
- 8.51 In terms of walking, the report shows a summary table of local facilities within the preferred maximum walking (2km) distance of the site including healthcare, education, employment and retail facilities.
- 8.52 Objectors previously raised concerns on account of the potential increased traffic on the A638 Bawtry Road, the need for a signalised junction and questioned the validity of the traffic data contained within the Transport Assessment in that traffic surveys were undertaken during the 2021 lockdown period. This was also an issue of concern raised by Members during the consideration of the previous application and indeed was a reason for refusal. The updated TA includes an update on traffic counts from 2021 undertaken in May 2023. As shown on the table below, the results recorded in June 2021 are higher than those recorded in May 2023. Consequently the 2021 data has been used for assessment purposes as these are more robust and representative. Objectors also previously raised issue that the 2021 traffic surveys were not a true representation as this was during the pandemic. However, comparisons have been made against pre-COVID traffic levels, nationally and locally, and this has found that the June 2021 counts undertaken are overall higher than pre-COVID levels so are considered acceptable and robust. As such the 2021 data has been used for junction capacity assessment purposes to represent a worst-case scenario. It should also be noted that junction capacity assessments have been undertaken using a development design year of 2033 as agreed with Transport Officers.

Table 2.2 Traffic Survey Comparison (PCU)

Location	June 2021 Total Junction Flow	May 2023 Total Junction Flow	2021 vs 2023	% Change
AM Peak Hour				
A638 Bawtry Road/Rose Hill Rise	3,453	3,403	-50	-1.5%
A638 Bawtry Road/The Avenue	3,539	3,381	-158	-4.7%
A638 Bawtry Road/Cantley Lane	3,345	3,232	-113	-3.5%
A638/Bawtry Road	3,470	3,392	-78	-2.3%
A18/A638/Bennetthorpe	4,959	4,910	-49	-1.0%
A638 Bawtry Road/Gliwice Way	4,165*	3,908	-257	-6.6%
Network Total	22,931	22,227	-704	-3.2%
PM Peak Hour				
A638 Bawtry Road/Rose Hill Rise	3,405	3,379	-26	0.8%
A638 Bawtry Road/The Avenue	3,368	3,348	-19	-0.6%
A638 Bawtry Road/Cantley Lane	3,329	3,296	-33	-1.0%
A638/Bawtry Road	3,378	3,352	-26	-0.8%
A18/A638/Bennetthorpe	4,879	4,827	-52	-1.1%
A638 Bawtry Road/Gliwice Way	4,583*	4,351	-233	-5.4%
Network Total	22,942	22,553	-389	-1.7%

*2021 Factored Third-Party Data

- 8.53 The trip generation on the highway network has been re assessed, which assesses the peak hours flows, which is the period of greatest impact on the highway network and shows that a total of 62 2-way trips and 61 2-way trips will be generated in the AM and PM Peak hours respectively. The exercise undertaken is accepted. The impact of the trip generation on the highway network is not considered severe and is therefore in accordance with Paragraph 111 of the NPPF.
- 8.54 The Transport Assessment incorporates and includes the operational analysis of the existing junctions close to the site including the junction at A638 Bawtry Road/Rose Hill Rise and the racecourse roundabout. These junctions have also been re modelled taking into account base year (2021), the Future Year (2033 as opposed to previously 2032)) and the Future Year + development scenarios. Committed developments have been taken into account and future growth has also been applied. The Transport Officer is satisfied that the traffic flows predicted are robust. The modelling previously showed that the A638 Bawtry Road/Rose Hill Rise junction has been forecast to operate within capacity in all modelled scenarios, meaning that no signalised junction is required as suggested by objectors. This is again the case. With regards to the Racecourse Roundabout, the A638 Bawtry Road and both A18 arms of the roundabout are already over capacity in the base year without development. However, modelling shows the main impact is from the background growth and committed developments. The Transport Officer advises that in conclusion there is negligible impact with the addition of the predicted development traffic in 2033, with a maximum increase in delay of 18 seconds and a maximum increase in queue length of 8 Passenger Car Units (PCU) on Carr House Road in the PM Peak. For clarity and explanation, PCU is the unit used for modelling purposes, as it converts different classes of vehicles into lengths, it is used to account for the road space they take up rather than just the numbers of vehicles, thus allowing an assessment of highway capacity.
- 8.55 The TA also includes an operational analysis of the nearby signalised junctions namely the A638 Bawtry Road/B1396 Cantley Lane and the A638 Bawtry Road adjacent St Augustine's Road. Further counts and modelling of the U-Turn on Bawtry Road have been undertaken to include a future year of 2033 as opposed to 2032. This was raised as a particular issue by objecting residents. The CDC Traffic Signals team has assessed the modelling for these junctions and accepts the results that the junctions are operating well within capacity, and subject to a financial contribution of £2,000 for each junction to be 'revalidated,' this involves reviewing the sequencing and queue times at the signalised junctions and adjusting where necessary. As such this financial contribution is included within the S106 Legal Agreement.
- 8.56 A Transport Bond is required to mitigate any traffic in the event that targets are not met. The purpose of the Transport Bond is to ensure that the targets within the Travel Plan towards sustainable travel (bus, walk, cycle etc.) can be met, and if not met the Council would step in with sustainable measures using the Bond. The Council needs to be assured that the Travel Plan is effective and has reasonable targets that can be met. A monitoring and review will be required for a 5-year period to ensure the targets are met therefore commuted sums are sought via inclusion within the S106 agreement as discussed and detailed later in this report.
- 8.57 With regard to the layout of the scheme and the design of the access; there is one point of access/egress proposed to the site from Bawtry Road, via Rose Hill Rise with access only provided from Bawtry Road via The Avenue which is a one way street. Objectors have raised issue on the inadequacy of visibility of the existing

access from the A638 (Bawtry Road) to serve the development, in that it does not comply with standard requirements, and potential problems with HGV's using the access, along with concerns that there will be a stacking up of traffic.

- 8.58 The Highways Development Control Officer has commented that the scheme is a re submission of the previously refused scheme that was a fully policy compliant scheme. As such this scheme is also fully policy compliant. With respect to concerns currently raised regarding the visibility standards of the access from Bawtry Road, the Highway Officer notes that objectors are referring to inappropriate highway standards for this junction. Officers have used the appropriate standard for this junction and concluding that the adequacy of the visibility splay is acceptable. With respect to the current access from Bawtry Road, the Highways Officer, along with consultation with the Council's Safer Roads Team, has assessed the existing access in respect of any recurring accidents/incidents as well as checking other safety issues relating to its operation and considers the proposed development will not have any significant impact especially considering other similar developments within built up areas. Collision data for this junction confirms there is no safety issue with this junction so the additional traffic generated by the development (one car per minute in peak periods), does not require the need for junction improvements nor can it be justified. The concern regarding stacking of vehicles as raised by objectors has been assessed by the Transport Officer as part of the technical detailed assessment of the modelling data and considers the junction satisfactory.
- 8.59 Car parking provision on the site meets Local Plan policy requirements of 2 spaces per dwelling plus 1 visitor space per 4 dwellings. Therefore, in terms of objectors concerns regarding increased pressure for parking, the development provides sufficient car parking provision on site to serve the future residents in line with Local Plan policy requirements.
- 8.60 The development will attract the usual servicing requirements such as refuse collection. The development design and layout allows for all manoeuvres to take place within the site to accommodate this. Sufficient parking is provided for each plot together with adequate visitor parking. A requirement for EV charging points and cycle storage provision is secured via inclusion of planning conditions. The application therefore accords with policies 13, 16 and 17 of the Local Plan and guidance set out in the NPPF and taken in the round this is considered to weigh significantly In favour of the application.

Archaeology

- 8.61 Paragraph 194 of the NPPF requires that the impact on any heritage asset is assessed and where heritage assets have or has the potential to include an archaeological interest, an appropriate desk-based assessment and where necessary a field evaluation should be submitted.
- 8.62 Local Plan Policy 35 reinforces this and advises on the understanding and recording of the historic environment, with Part A) stating that proposals that affect known or potential heritage assets will require a heritage statement and Part B) requiring justification of any harm, with detailed investigation and recording, demolition or groundwork to ensure that an understanding of the affected asset is gained along with deposition of the site archive with the relevant archive repository and deposition of a report on the results with the South Yorkshire Sites & Monuments Record.

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

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

8.65 The archaeology information included in this resubmission application has been updated but fundamentally remains the same as there are no changes on the site. It was previously noted that a geophysical survey and scheme of trial trenching were undertaken with the results summarised in a Heritage Statement, as required by Policy 39, the developer requirements and as agreed with the South Yorkshire Archaeology Service (SYAS). In the Northeast area of the site, trenching confirmed the presence of an industrial area with activity dating between the mid-2nd and 3rd centuries AD. Two kiln features were recorded with the amount of ceramic material identifying the primary purpose as pottery production. The presence of cereal grain may indicate a secondary use of crop drying but this remains uncertain. The investigations enabled the significance of the archaeological remains to be understood and have informed the design of the proposed scheme to maximise preservation in-situ of the most important remains and the need for further mitigation fieldwork in areas of lower archaeological potential. The location of the LEAP and pumping station have been re sited following discussion and agreement with SYAS. This process is detailed in the submitted Heritage Statement. A balanced approach is required to comply with Policy 35 and 39 of the Local Plan such that sufficient investigation occurs and balanced with the preservation in situ of the most important remains for future generations. Following discussions between SYAS and the applicant's archaeological consultant, a scheme of mitigation has been prepared and is detailed in the Written Scheme of Investigation (WSI) "Rosehill, Bessacarr WSI for Archaeological Mitigation" Revision 5. This specifies further investigation of the application area, preservation *in situ* for the majority of the pottery production area and which will importantly allow for community engagement through school visits and assisting the excavation, site tours and open days. This represents appropriate mitigation for the impact of the scheme on the archaeological remains to be secured by condition and further emphasises the applicant's willingness to work with the Local Planning Authority to resolve any potential issues. The Planning Practice Guidance (PPG) makes clear that the imposition of conditions that meet the planning tests should only be imposed where it would make development that would otherwise be unacceptable, acceptable. In this case the imposition of the condition would meet the relevant tests and ensures that the archaeology of the site is suitably dealt with. This is considered to weigh positively in favour of the application.

8.66 Ecology

8.67 Paragraph 174 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

Paragraph 180 further states that when determining applications, the LPA should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission.

- 8.68 Policies 29 and 30 of the Local Plan echoes this and seeks to protect and enhance the City's natural environment and supports proposals which will enhance the City's Ecological Networks. Policy 30 lists a set of criteria for protection of nationally and locally important habitats, sites and species. It requires proposals 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.
- 8.69 Planning Committee refused the previous application on account of concerns with the loss of biodiversity.

03. The application will result in the loss of biodiversity and adversely impact on wildlife including protected species and is thereby contrary to Doncaster Local Plan Policy 30 Part B) and paragraph 180 a) of the NPPF.

- 8.70 Objectors previously raised issue at the inadequacy and lack of ecological reports and/or detailed information to accompany the application. Additionally, they stated that the full impact on the wildlife in this area has not been fully assessed. These objections are maintained and reiterated with this resubmission application.
- 8.71 This resubmission has updated on the ecology surveys undertaken in 2021 and 2022, this includes vegetation, bats, reptiles, badger and breeding bird's surveys. Ecological impacts have also been reconsidered along with an update on biodiversity net gain.
- 8.72 The information currently submitted contains all the necessary information and detail in order to robustly assess the impact on biodiversity and mitigation for this site. The ecological surveys of the site and its surroundings followed standard procedures set out in established professional guidance as published by the Chartered Institute of Ecology and Environmental Management (CIEEM) and the British Standards Institute along with other standard guidance and best practice sources. All surveying ecologists are fully qualified and experienced professionals.

Habitats

- 8.73 The resurvey of the habitats was undertaken in May and June of 2023 which optimised survey periods for the range of habitats present on site. Habitats are ultimately expressed as UKHabs classifications in order to retain consistency through to the biodiversity net gain assessment. The surveys are reported in the Vegetation Survey report (Brookes Ecological 29/06/23 Ref: ER-5334-12).
- 8.74 The habitat descriptions have been clearly set out and use clear tables along with DEFRA condition assessments alongside to ensure clarity. The overall trend as witnessed by the surveyors was a movement away from species rich grassland towards scrub and woodland. This is as would be expected and there seem to be no anomalies to this normal succession.
- 8.75 The acid grassland habitat has been identified as g1a6 in the vegetation survey. Although this is recognised as representing a priority habitat surveyors noticed a

degradation in this habitat since 2021 surveys with scrub encroachment and increased occurrence of rank grasses (Results table pg.2). In the DEFRA condition assessment, it is considered to be in moderate condition.

- 8.76 Other grassland types identified are more widespread and contain fewer grassland forb species and become more dominated by rank grasses and garden escapees. The grasslands identified on the site are of no clear merit other than the 'other lowland dry acid grassland' and though a priority habitat the areas representing this grassland are not viable and retention in the middle of the proposed development would be impossible. The Yorkshire Wildlife Trust comments of 31/07/23 mention the loss of this acid grassland and the translocation of them at site clearance. The CDC Ecologist also believes that translocation of these small patches of acid grassland should be carried out to hopefully retain them in the undeveloped north-eastern part of the site within the red line boundary.
- 8.77 The scrub habitats cover a range of tree species including birch, oak, sorbus, Hawthorn and pine as well as less woody species such as dog rose. The scrub is as noted in the description as a habitat phase in the eventual succession to woodland and is noticeably encroaching into grassland areas. The scrub does not constitute priority habitat although it is acknowledged that this is habitat for breeding birds.
- 8.78 Woodlands have been identified as distinctive areas with specific characteristics from w1-w5 and appear to have been carefully mapped on Figure 1 of the Vegetation Survey report. The differing characteristics of the different woodland areas are described in the woodland section of the vegetation survey report. The woodland areas that would be impacted by the proposed development i.e., types W2 W3 and W4 are those displaying characteristics of immature secondary woodland with noticeably poor ground flora. The woodland type with the richest ground flora W5 is considered to have acquired characteristic ground flora from the off-site mature woodland and this will remain undeveloped.
- 8.79 The detailed vegetation surveys looked closely at the woodland characteristics and concluded that the woodland should be classified as 'other broadleaved woodland' which is a non-priority habitat type. The CDC Ecologist agrees with this assessment.
- 8.80 The Ecological Impact Assessment (EclA) (Brookes Ecological ER 5334-17 22/06/23) has been updated to take into account any changes since the original EclA was produced. The EclA uses all current best practice methods of survey and assessment. The Preliminary Ecological Appraisal (PEA) screened out the potential for significant adverse impacts on nearby Local Wildlife Sites (LWS). Despite this a precautionary approach has been taken and measures have been incorporated into the design to ensure that that negative impacts do not occur.
- 8.81 The site is located within the Finningley cover sands Biodiversity Opportunity Area (BOA) but it has to be stressed that this does not form a constraint on development as some objectors suggest. The BOAs in the borough, wash over areas of comparable geology, physical and habitat characteristics. They exist largely to guide the compensation and enhancements generated by all types of developments and land use changes to ensure a comprehensive and co-ordinated approach to the development of the boroughs ecological networks and to deliver strategic conservation objectives.

- 8.82 The principles of ecological impact assessment as set out in the CIEEM guidance were applied in respect of habitats and their relative values over a range of scales were assessed as being of site value and local value. The site is described in the vegetation survey and the EclA as mainly an abandoned agricultural area with habitats including grassland, scrub, and immature woodland, developing over the past 20 years due to the lack of agricultural use. The EclA identifies the habitats to be of site or local value and this, along with the recent history of the site clearly indicates that the site habitats are not irreplaceable. The CDC Ecologist does not disagree with that assessment.

Fauna

- 8.83 Surveys have been updated to ensure that up to date information of the surveyed faunal groups could reflect the current use of the site. Surveys have been carried out in accordance with the recommendations of the PEA.

Reptiles and amphibians

- 8.84 Reptile surveys were carried out over what would be an optimal period for such surveys but due to unseasonal hot weather survey periods were adjusted to ensure that survey conditions were as optimal as possible. There were no reptiles found in all of the survey occasions and it can be assumed that there is a high likelihood of reptiles being absent on the site. In respect of amphibians an environmental DNA analysis of the single water body with functional links to the site was carried out and this proved negative, demonstrating a likely absence of amphibians. However, in order that a precautionary approach is maintained in accordance with best practice these can be included as part of a Construction Environmental Management Plan (CEMP), to be secured by condition which should include for reptiles and amphibians during site clearance.

Bats

- 8.85 Bat surveys carried out as walked transects and static monitoring were carried out on two occasions during the spring and summer 2023 using current best practice methods. The results of the two surveys carried out were very similar as required by current best practice. The results of the walked bat surveys and static monitoring found a low level of use of the site by bats. This level of use was very similar to that found in surveys of 2021, it was therefore concluded that a further survey in the autumn was not required. The CDC Ecologist concurs with that approach as the two surveys had shown a very clear repetition of the level of bat use of the site.

Using the *Wray et al. 2010* scoring system for analysis of the importance of a site to foraging bats it was concluded that the site is of local importance to bats. This is a clear and quantifiable analysis of bat usage, which the CDC Ecologist agrees with and concludes that there would be no significant impact upon bats from the proposed development.

In order to mitigate residual impacts, it is recommended that the woodland to the northwest and boundary features should not be subject to excessive illumination. This will be secured via a condition. Enhancement will also be provided for bats on

the site through the provision of bat boxes on properties and trees within the site, again secured by condition.

Breeding Birds.

- 8.86 Three further updated breeding bird surveys were carried out in May early June and Late June 2023 using identical survey methods as those used in the breeding bird surveys of 2021. Recent guidance on breeding bird surveys suggests that up to six surveys should be undertaken on sites that contain a range of complex habitats and in assessing this the surveyors took into account:
- the absence of complex and densely vegetated habitats.
 - the absence of rare habitats.
 - the absence of habitats that are likely to support particularly early or late breeding species.
 - the whole site could be accessed freely; and
 - the surveys undertaken in 2021/22 in support of the previous planning application.
- 8.87 With these considerations taken into account it was decided by the surveying ecologist that three surveys would be sufficient which the CDC Ecologist considers to be well justified in the rational put forward.
- 8.88 The results of the breeding bird surveys were similar to the 2021 survey in terms of the species assemblage found on site and the range of species found to be holding territory.
- 8.89 Of the Birds of Conservation Concern (BoCC) (British Trust for Ornithology) red listed species observed on or adjacent to the site only one species; greenfinch was observed with one breeding pair.
- 8.90 Of those species on the BoCC amber list breeding species included woodpigeon (5 territories), willow warbler (4 territories), whitethroat (5) and Wren (6).
- 8.91 A total of 18 species were found to be breeding on the proposals site of which 1 was red listed, 6 were amber listed and 11 breeding species were green listed birds not of conservation concern.
- 8.92 An overall analysis of the relative conservation value of the breeding birds and the numbers occupying the site both as breeding pairs and foraging the importance of the site for breeding birds should be considered to be at a local level. The CDC Ecologist concurs with this assessment.
- 8.93 Mitigation and enhancement measures can reduce the impacts on breeding birds though it is inevitable that some will be displaced into adjoining suitable breeding areas if the proposed development were to go ahead. A CEMP is secured by condition which will also include measures to mitigate the impacts of construction activities on birds on site. A cautionary advisory informative note for breeding birds is also included.

Badgers

- 8.94 A badger survey was submitted and has not been published in accordance with Planning Practice Guidance which advises they should be kept confidential to avoid

the ill-treatment of badgers. Conditions are proposed by the ecologist to mitigate the impact on faunal species.

- 8.95 A CEMP is secured by condition to ensure the protection of species and habitats during the construction phase. However, should there be a delay in the commencement of development on site further species survey updates will also be required and which is also secured by condition.

Ecological Impact Assessment

- 8.96 The appraisals, surveys, and assessments carried out to identify the ecological features on and adjacent to the site have been considered in the Ecological Impact Assessment (EclA) report (Ref: ER-5334-17A 22nd June 2023) that follows BS 42020 and CIEEM guidance on report structure and content. The EclA was updated on 11th September 2023 in response to changes in the location of the compound. Policy 30 (A) requires proposed developments to demonstrate the application of the mitigation hierarchy. The early layouts of the site proposed by the developer have been significantly changed in that the woodland to the north of the site which was included in the layout for residential properties has now been taken out of the development footprint and will be retained as mature woodland. This also provides a clear buffer between the development and the LWS Red House Plantation. The mitigation hierarchy has also been applied in ensuring a significant buffer zone on the western boundary which will be maintained with no public access. The impacts on the site which cannot be avoided are principally the loss of medium and low distinctiveness habitat through development. Table 3.1 Site Habitat Summary of the EclA report identifies the relative value of each of the 8 habitat types as being either of local or site level. In respect of potential impacts the CDC Ecologist is satisfied with the range of potential impacts identified in Table 6. As an allocated housing site there is an unavoidable certainty that a large part of the site will be transformed into developed land. As a means of addressing this loss the delivery of biodiversity net gain as required through the NPPF para 174 and Local Plan Policy 30B must be achieved.

Biodiversity Net Gain

- 8.97 Local Plan Policy 30B requires that developments demonstrate a minimum net gain of 10%, and further guidance on this is contained within the Council's Biodiversity Net Gain SPD (2022). Table 3 of the SPD provides a list of submissions required to support an application. A biodiversity net gain assessment has been submitted with the latest DEFRA metric 4.0 as the final version dated 1st September 2023.
- 8.98 Points raised by objectors include the specific designation of woodland type and the presence of 2x small patches of acid grassland both of which would be considered priority habitats. The CDC Ecologist considers the woodland type 'other woodland, broadleaved' as opposed to a high value woodland 'lowland mixed deciduous woodland' which is considered to take 30+ years to develop according to BNG metric habitat creation calculations.
- 8.99 In reviewing the BNG metric it was considered that Guidance for determining strategic significance as set out in the Council's Biodiversity Net Gain SPD had not been followed. Some changes to the strategic significance values for the woodland and acid grassland areas were requested.

8.100 It is proposed that the deficit in biodiversity net gain should be discharged through agreement of a s106 with the developer. This will require the developer to demonstrate that off-site biodiversity net gain has been secured, prior to the commencement of development. This will either involve legally securing biodiversity net gain units on the open market within Doncaster, or through a financial contribution to the Council if no suitable units can be found in line with the Council's SPD. This is the standard method for securing offsite BNG units that is being used in Doncaster prior to the introduction of the national Mandatory BNG in January 2024. Were a commuted sum to the Council ultimately be required then, based on the latest metric calculations and the current fee of £27,500 per unit, this would be £721,325 to deliver 26.23 units. On a site such as this, where the offsite unit delivery has not yet been identified, then it is normal for the trading rules to be broken. This will be resolved once offsite units are secured.

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

The Mitigation Hierarchy

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

Fig. 1 initial pre-application layout



Fig. 2 final approved layout (Revision D October 2023) with significant reduction of housing in the north-east and creation of a 15m buffer on the western boundary



Designated sites

- 8.103 The site lies 0.5km from a Site of Special Scientific Interest (SSSI) and Local Nature Reserve (LNR), Sandall Beat Wood. Local Wildlife Site (LWS), Red House Plantation, adjoins on the northeastern boundary of the site and Doncaster Common to the west within the circuit of Doncaster racecourse. The EclA proposes no significant effects on the SSSI. The CDC Ecologist considers that the potential increase in visitor numbers would not have any adverse impact on the qualifying features of the site. Natural England has been consulted and confirm this in their consultation response.
- 8.104 In respect of the adjoining Local Wildlife Site (LWS) and Red House Plantation, there are wide rides and tracks through the site indicating that the woodland is a well-established route for leisure walks and as means of linking communities. As Red House Plantation LWS is less extensive than Sandall Beat Wood, and closer to the proposed development site there is the potential for direct and indirect impacts from an increase in visitor numbers. The Habitat Management Plan (Brooks Ecological Ref: ER-5334-11, 12/06/23) accepts this and suggests mitigation measures. As such a condition that requires a management plan for the LWS site to mitigate impacts on the woodland and associated bird and bat species is secured by condition. Although Doncaster Common is immediately west of the proposed development site there is a natural barrier of an inaccessible buffer zone on the western boundary of the site and the racecourse circuit to cross which will impose a further constraint on informal access movement in that direction. To protect adjoining habitats a lighting scheme that is sensitive to nocturnal wildlife will be required for submission and approval by inclusion of a suitably worded condition.

Objections received on ecological grounds

- 8.105 A significant number of objections have been received which reiterate the same issues as previously raised regarding the loss of biodiversity and the ecological value of the site. These are addressed below:

- 8.106 Local residents have raised issues such as loss of greenspace, walking, horse-riding, cycling, dog walking, and general enjoyment of the natural habitat. In response to this, there is access to greenspace currently and there will continue to be access to greenspace. The loss of natural habitat is taken into account through the BNG process.
- 8.107 Colin Howes on behalf of the Doncaster Naturalists resubmitted an objection raising the similar issues previously raised. This objection claims there would be a loss of acid grassland and loss of Lowland Heathy Oak Woodland (LBAP habitat priority) It is agreed that there are two very small patches of acid grassland on the site but, as mentioned previously (para 8.98), these are quite unsustainable and would be lost in future years to coarse grassland and scrub invasion, were the development not to proceed. As detailed above the remnant patches of dry acid grassland will be translocated to undeveloped areas in the northeast of the site.
- 8.108 The Lowland Heathy Oak Woodland habitat type characteristics depend upon locally heathland species as a significant part of its ground flora such as wood millet, wood sorrel wood melic and climbing corydalis and these do not exist on the site.
- 8.109 There is also an objection on the grounds that the invertebrate fauna of the site has not been surveyed by the applicants' ecologists, asserting this should have been carried out. The CDC Ecologist deemed an entomological survey unnecessary as the transitional nature of the site habitats would not present the conditions necessary for the establishment of significant invertebrate assemblages. Specifically in relation to the acid grassland, it is considered that increasing shade from scrub and possibly impacts of eutrophication makes the acid grassland a diminishing ecological type on the site and therefore of no significance for important invertebrate assemblages. The RHRA ecological consultants carried out a desk study and site survey the results of which were reported in the PEA (Ref: P1592 Rose Hill Doncaster PEA) as follows "*A total of 39 invertebrate records were returned in the filtered data search from DLRC, with the majority of records being for moths and butterflies. The majority of recent records are from over 1.13 km distant from site. None of the records relate directly to the site*" and "*The field surveyor is not an invertebrate specialist but noted a moderate number of invertebrate species....*" There was no significant assemblage of invertebrates identified by desk study or field studies found on the site.
- 8.110 The Yorkshire Wildlife Trust (YWT) previously raised no comment, deferring to the CDC Ecologist. However, they now raise objection with this resubmission raising a range of ecological issues relating to the site. These were grouped under the following headings: ecologically sensitive location of the site, biodiversity net gain, the mitigation hierarchy and outstanding surveys. It was considered appropriate to deliver a separate response to the Trust and this was forwarded to them on the 22nd of September setting out the Council's position on the application. Notwithstanding this, they have maintained their objection in relation to the sensitivity of the site, impacts on adjoining sites, retention of wildlife corridors, classification of baseline habitats and the magnitude of habitat losses identified through the BNG process. Planning officers and internal consultees along with the applicants consulting ecologists have commented on all of the matters raised by the YWT and are satisfied that these have been adequately addressed.
- 8.111 Rose Hill Residents Association Ecologists (Wildscapes) and individual submissions. The Wildscapes report states "*The site's proximity to Sandall Beat SSSIs/Local Nature Reserve and its location within SSSI Impact Risk Zones, and its proximity to*

several Local Wildlife Site, means that any development will need close consultation with the Local Authority and any other relevant bodies before any potential development plans are approved.” Natural England are in agreement with the CDC Ecologist in that they consider that the proposed development would not have an adverse impact on the Sandall Beat Wood SSSI. As stated previously, the LWS will be managed in the future to enable its carrying capacity for visitors to be enhanced via inclusion of a suitably worded condition.

- 8.112 It is also stated at pg. 23 of the RHRA detailed submission *“In summary, Rose Hill is a rewilded mosaic of valuable habitats situated in an ecologically sensitive area on a wildlife corridor in a Biodiversity Opportunity Area. It is located adjacent to two Local Wildlife Sites and is already supporting protected, priority and endangered species.”* It is not disputed that the mix of grassland scrub and developing woodland is valuable in respect of biodiversity but the areas to be affected by the proposed development are not priority habitats other than the two small patches of acid grassland, nor do protected species depend upon them. Also, on pg. 23 there is the passage *“A priority species of invertebrate (caterpillars of the cinnabar moth *Tyria jacobaeae*, a species listed under NERC Section 41) has been identified on Rose Hill by Wildscapes”*. This is considered a common moth by a number of conservation bodies, and it is present on a dozen or so local sites in abundance. It is neither rare nor endangered in Doncaster or nationally.
- 8.113 They also mentioned, *“The other lowland mixed deciduous woodland qualifies as priority habitat although it is too recent to be recorded on the Natural England priority habitat register Areas of dense scrub will succeed to similar priority habitat woodland in time”* If it does not feature in the Natural England Magic Mapping as priority habitat then it is not treated as such. Ecologists are concerned with the existing habitats and what they are currently recorded as, as opposed to speculation on what could be in the future.
- 8.114 Miscellaneous objections. Other objectors reiterate the following points. *“The Revised EclA does not adequately engage with the ecological function of the habitats and wildlife on site, or with Rose Hill’s location next to two LWSs on a wildlife corridor in a Biodiversity Opportunity Area.”* In response, the EclA does identify that large areas of habitat will be lost through the development and losses will be compensated for through the BNG policy and process. It has been identified that there are no habitats of Primary Importance (NERC Act) or BNG high distinctiveness habitats. There are small fragments of acid grassland and developing woodland, but these are insubstantial or very recently emerging (woodland). Also *“The Defra Metric calculation shows a high (-51%) biodiversity loss against a high baseline of habitat units (over 42). Such a high loss of habitat is not acceptable, particularly during a climate and biodiversity emergency and council policies regarding protecting and enhancing habitats, helping nature recover, and protecting trees and woodland.”* There are no set limits on what level of BNG loss is ‘acceptable’. In response to this, the rules and guidance of the BNG process have to be fulfilled and all compensation or deficits have to be accounted for through the measures set out in the SPD. The applicant has done this and the CDC Ecologist is satisfied with the information provided.
- 8.115 The application site has been identified as a residential development site for over two decades. Since arable agriculture ceased in 1997 the site has been changing in respect of ecological succession from farmland to woodland through phases of different types of grassland and scrub. The time lapse between the cessation of

agriculture and the current application shows that habitats can develop and succeed ultimately to woodland which in this area is generally oak and birch woodland with a small range of other species. Woodland is not measured merely by the size and number of trees but by other factors such as the ground flora and the species associated with this and the developing trees. If any area in this vicinity were left to develop spontaneously then woodland would be the ultimate outcome. This process would take decades and, in that process, immature habitats form succeeding habitat types of increasing maturity and diversity.

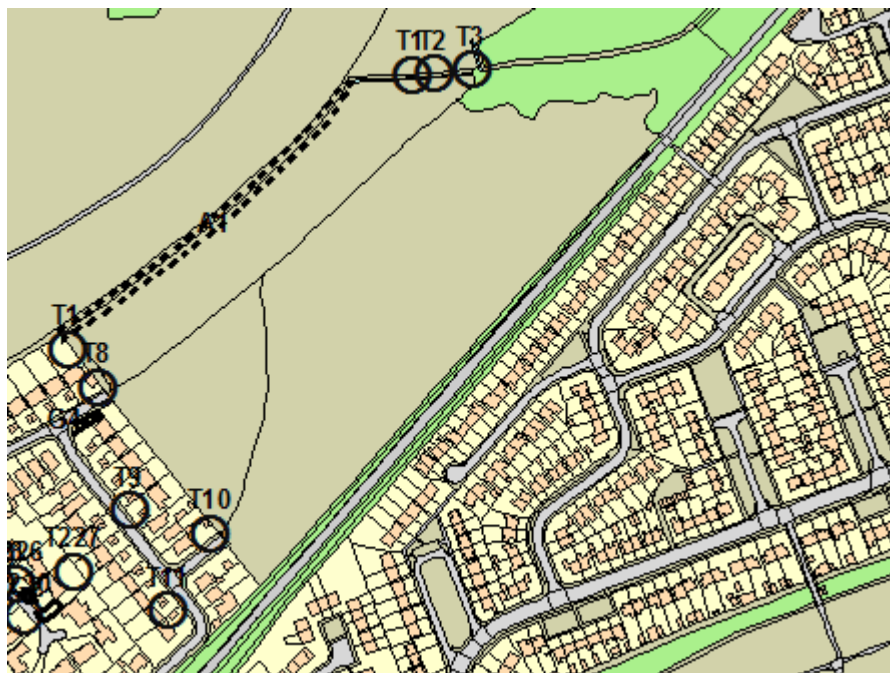
- 8.116 Surveys have been prepared and submitted by experienced ecologists to present as clear a picture as possible of the ecological content and value of the site. Where local knowledge and experience can provide additional information and steerage then this has been provided by the CDC Ecologist who has longstanding knowledge of this site. The biodiversity net gain calculations have been accepted after a number of iterations that have been corrected and refined. This has produced a habitat deficit which the developers will be liable to discharge through the biodiversity net gain process as detailed in the SPD and secured via a s106 agreement.
- 8.117 The site is an allocated housing site which has taken many years to come forward. In that time habitats have developed on the site. It must be stressed that none of the habitats that have developed on site are irreplaceable nor have they developed under any very special circumstances or conditions specific to the site that cannot be replicated elsewhere. Following a range of appropriate surveys and appraisals it is concluded that the application accords with planning policy in relation to ecology and no objections to the proposals on ecological grounds are raised subject to the inclusion of appropriate conditions.
- 8.118 Overall, the proposal has fully considered the ecological implications associated with the site and has been designed to positively retain and enhance existing biodiversity features on site. Additional mitigation can be delivered through a suitable S106 agreement, and the combination of these factors would result in a scheme that is compliant with polices 29 & 30 of the Local Plan and paragraph 174 of the NPPF. This is considered to weigh positively in favour of the application carrying significant weight.
- 8.119 Flood Risk and Drainage
- 8.120 The NPPF (section 14) sets strict tests using the sequential approach to protect people and property from flooding, that all local planning authorities must have regard to. The National Planning Practice Guidance also gives guidance to ensure that if there are better sites in terms of flood risk, or a proposed development cannot be made safe, it should not be permitted. Local Plan Policy 57 is the local interpretation of these policies and guidance that indicates acceptability of proposals for the purposes of flood risk management but will still be considered against the NPPF. The site lies within Flood Risk Zone 1 as defined by the Environment Agency's Flood Maps. As the site is more than 1 hectare (ha) in size a Flood Risk Assessment (FRA) is required. As such, in accordance with the NPPF and Local Plan Policy 57, a site-specific FRA has been submitted.
- 8.121 The proposal lies within a Housing Development Allocation Site Ref: MUA56 – Rose Hill, Cantley in the Local Plan (adopted Sept 2021). Therefore, in terms of flood risk, the site was sequentially tested using the Doncaster Strategic Flood Risk Assessment (SFRA) (Level 1, 2015) to inform the evidence-based document for site

allocations and was deemed to pass the sequential test. The Environment Agency has been consulted and have raised no objections, and the Council's Flooding Policy Officer has also raised no objections given that the site has been sequentially tested at allocations stage. The site therefore satisfies Policy 57 of the Local Plan, subject to consideration of other drainage related policy detailed below.

- 8.122 Local Plan Policy 56 deals with drainage of a site and seeks to ensure wastewater and surface water run-off are managed appropriately and to reduce flood risk to communities. A number of objectors previously raised concerns regarding the ability of the mains drainage system to accept the additional capacity that would be generated by the development. Concerns were raised on account that residents have been advised that previous drainage issues have been as a result of being over capacity. Utilities has again been raised as an issue given the age; it is assumed this is again in relation to drainage.
- 8.123 The Environment Agency (EA), Yorkshire Water (YW), and the CDC Drainage Team have been consulted on the proposal. During the course of the previous application, it was confirmed that YW are responsible for the maintenance of the existing sewer system and have raised no issue with respect to capacity of the existing system, commenting that any existing issues with overflow from foul sewage is an operational matter and not for consideration as part of this application. The Case Officer also queried this with YW who have confirmed their stance. YW therefore raise no objection to the proposal subject to a condition for development to be in accordance with the submitted drainage plan. This condition is omitted as it replicates on details required by the CDC Drainage Team.
- 8.124 The Council's Internal Drainage team is the Lead Local Flood Authority, who have agreed on site drainage details of foul and surface water disposal subject to confirmation of land drainage consent, written evidence from the sewage undertaker to confirm adoption agreements and discharge rates. It should be noted that having assessed the proposal, the Drainage Officer is satisfied with the proposed siting and location of the sustainable drainage (SuD's) solution on site, which includes the surface water run off to an attenuation tank and pumping station which are both located within the area of open space to the north of the site. Overall, the application is in accordance with Local Plan policies 56 and 57 and subject to the imposition of conditions, this is considered to weigh positively in favour of the application carrying significant weight.
- 8.125 Trees and Landscaping
- 8.126 Policy 32 of the Local Plan supports proposals where it can be adequately demonstrated that woodlands, trees and hedgerows have been adequately considered during the design process, so that a significant adverse impact on public amenity or ecological interest has been avoided. The policy requires submission of survey information to a recognised industry standard and demonstrate how retained features are to be protected during development.
- 8.127 Policy 48 of the Local Plan also seeks to protect and enhance the borough's natural environment and supports proposals which conserves, protects and enhances the existing landscape character, and provides a high quality comprehensive hard and soft landscape scheme.

8.128 One of the main considerations for this site are the trees that are subject to Tree Preservation Orders. There are three Oak trees on the northern boundary of the site (T1, T2 and T3), and the row of Oak trees along the north-western boundary of the site adjacent to the racing track (A1) that were made subject to Doncaster Borough Council Tree Preservation Order (TPO) (No.410) on the 28th February 2020. Additionally, a year earlier, as a result of a request from the owner of 61 Rose Hill Rise a copper beech (T1) was made subject to Doncaster Borough Council Tree Preservation Order (No.409) 2019 No.61 Rose Hill Rise, Rose Hill, Doncaster. More historically, Doncaster Borough Council Tree Preservation Order (No.64) 1991 Bessacarr with Cantley still protects a whitebeam (T8) at 61 Rose Hill Rise and a sycamore (T10) at 36 The Avenue. (See map showing these TPO Orders below):

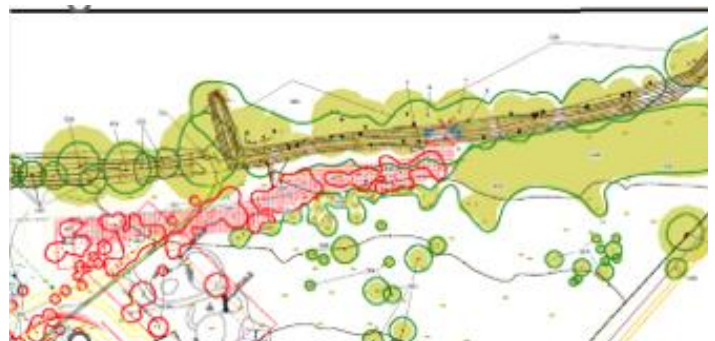
Tree Preservation Orders on and around the site



8.129 An Arboricultural Impact Assessment was submitted with the application, including a survey in accordance with BS5837 (2012). The findings of the report have positively informed the design and layout of this proposal. In short, the proposal and associated structures are well clear of the best trees at the site i.e. the boundary trees, notably the oaks subject to Tree Preservation Order on the race course boundary and the northern boundary of the site.

8.130 Objectors previously raised issue that the submitted tree survey was inaccurate in that it was over a year old at the time of the application submission and given that the report itself confirms it is only valid for a year. The trees were inspected and assessed in March 2021 (whilst the tree survey was revised on 24.06.2022 the trees were not further assessed). The application was received on 13.07.2022 and validated two days later; this means that the tree survey was 16 months old at the time of the submission of the application. Nevertheless, the Tree Officer considered the tree survey complied with industry wide standard and was 'fit for purpose.'

- 8.131 Since then, however, a further updated tree survey has been carried out (May 2023) and forms part of the application resubmission documents, and which has been used to inform the development design and layout.
- 8.132 Objectors have also raised an issue with the number of trees to be removed which has risen since the last survey stating that there will be 1,101 trees lost due to the proposed development.
- 8.133 In the previous application objectors submitted an independent tree count carried out by Selwyn Trees which also stated that the number of trees to be lost was much higher in that there could be over 700 trees present on the site. The 700 figure was speculative as it included trees that are so small that they do not fall within the industry standard (BS5837) survey parameters. It is important to note this report as it also recognised that *“Due to the large numbers of self-sets and understorey growth, it is possible there could be errors in the counting.”*
- 8.134 Firstly, it is therefore necessary for an explanation of what constitutes a “tree”. The courts have determined that *“It is not in dispute that a seed is not but that a sapling is.”* (ref. Court of Appeal in Distinctive Properties (Ascot) Limited v Secretary of State for Communities and Local Government; C1/2015/1102). In applying the court’s definition as to what constitutes a tree, what the 1,101 tree figure could only ever inform upon is the number of germinated seeds of woody species within the site. Such an approach in no way recognises that the site is recently regenerated arable land, in no way helpfully informs the development process by assigning weight to tree quality, and in no way recognises that the historic development of Rose Hill has always respected and retained the historic woodlands of the area.
- 8.135 This resubmission application now includes a number of trees to be lost for the drainage to be installed. The proposal does now impinge upon some northern boundary trees in group G19 along with some new elements in G20 – just set in from this boundary). This is due to drainage requirements; a late introduction, but the routing of which avoids the best of the boundary trees (notably the TPO’d oaks T21, T23 and T24).



The above extract from the landscape masterplan shows the attenuation tank along with the revised tree removal plan which takes the drainage requirements in to account, show the area of additional tree removal in G20 to the east of the track. It is evident that this erodes much of the western “tail” of the G2; however, the bulk of G20 directly to the east is being retained. The revised tree survey advises on the structural condition of G20 “close-grown “leggy”/structureless trees all of a similar age and that the trees to be removed are predominantly sycamore and ash, some

young oaks and rowan.” The CDC Tree Officer considers the trees only began to encroach in to the then open field from around 2008 and, arguably, did not become a feature within the landscape until around 2015. Hence, ecologically and, from a landscape perspective – in view of the mature woodland edge of Redhouse Plantation directly adjacent to the north – the removal of this area of G20 is not deemed to be an issue significant enough to warrant refusal of this application on arboricultural grounds. Perhaps this opinion would be different if the tree removal were an attempt to squeeze in more units but, it is not, it is to deal with a late drainage issue (always an important issue in its own right, of course) which has been responded to in a way that avoids the best trees on the northern boundary. The Tree Officer has also noted that 2 trees; Poplar and Lime, will have severely breached root protection areas so will likely be lost. The Tree Officer has taken a pragmatic approach and raises no issue of concern over the loss of these 2 trees on the woodland edge. However, the applicant has confirmed that these two trees are not situated on a flat piece of land they are located on the opposite side of a ditch so root pruning will not result in the loss of these trees.

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

Public Open Space

8.139 Policy 28 relates to the provision of public open space on residential sites. Objectors have raised issue over the loss of a well-used greenspace and amenity area. The loss of this site as a greenspace was cited as a second reason for refusal as follows;

02. The application will result in the loss of a non-designated open space that provides an important social and ecological role. The application is therefore contrary to Doncaster Local Plan Policy 27 B) and paragraph 98 of the NPPF

8.140 Policy 27 B) states the following:

B) Within non-designated open space, development proposals will only be supported where: 1. casual playing space is unaffected; 2. buffers between incompatible uses are unaffected; 3. visual amenity is retained and enhanced; 4. nature conservation improvements are the key driver; 5. green infrastructure connections are retained; and 6. the space does not contribute to the character of a Conservation Area or the setting of a designated heritage asset.

8.141 Planning Committee refused the previous application as being contrary to Policy 27-part b, which references this site as a 'non – designated open space'. Whilst it is acknowledged that this site is a physical open space, on reading the Local Plan "as a whole" it is allocated for development and thus is not afforded protection under Policy 27b. "Non-designated open space" is referred to in the policy justification at 10.16 as being incidental small areas of land within verges etc., that are not significant enough to be separately identified. Officers advise that this reason for refusal is untenable in this case and if members are minded to refuse the application this reason should not be included.

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

8.143 The design principles and parameters set out in the Development Brief require that "Approximately 15% of the site area should be laid out as a single area of public open space, including children's play equipment (Local Equipped Area for Play- LEAP). The open space should be overlooked by development and located adjacent to the woodland in the northern part of the site."

8.144 The scheme provides 34% of the site as public open space, which is the same provision as the previously submitted scheme. This is a significant amount we would not usually see on planning applications and more than double the policy requirement (at 15%), and importantly creates a 'buffer' between the woodland to the north and the proposed housing to the south. This includes a large open space to the east of the site and spaces amongst the housing set beside the PROW, meaning there is good spread on the site, providing opportunities for sport and recreation, making an important contribution to health and well-being.

8.145 The scheme proposes a Locally Equipped Area of Play (LEAP) within the large area of open space, with details of the play equipment to be reserved by condition. Overall, the open space provision and play area adheres to the Development Brief principles and exceeds policy requirements. The Council's Open Space Officer is satisfied with both the quantum of provision of open space and play area provision subject to inclusion of conditions for details of play equipment to be submitted and agreed, along with a timescale for delivery of the LEAP. Therefore, it is considered that this would meet with the provisions of Policy 28. This weighs positively in favour of the application carrying substantial weight.

Pollution issues

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

8.147 The site is not located within an Air Quality Management Area, nevertheless an Air Quality Assessment (AQA) has been submitted which includes a road traffic emissions assessment which considers the impact of development generated road traffic on air quality. The Council's Pollution (Air Quality) Team have been consulted and after reviewing the submitted AQA, comment that it follows standard methodology, uses information from recognised sources, includes existing pollution information, provides a traffic emission sensitivity test and assesses suitable receptors. The Pollution Officer accepts the findings of the report acknowledging that the need for a damage cost assessment is waived on the basis that this is categorised as 'medium' development in the context of the Council's Air Quality Technical Planning Guidance subject to the inclusion of an electric vehicle charging point for each dwelling.

8.148 The Pollution Officer has commented that consideration may need to be given to the potential emission of dust and dirt during construction on race days. As detailed above, a detailed Construction Management Plan (CMS) has been submitted and agreed that includes the consideration of all dust and dirt emissions, therefore addressing the Pollution Officer's concerns over dust and dirt emissions. A condition will therefore be included for adherence to the agreed CMS.

8.149 Historic maps show a landfill lies 239m from the proposed site's northern boundary. The Council's Pollution (Land Contamination) Team has been consulted on the proposal, and as this development is for a sensitive end use a Phase 1 desktop study and site walkover and a Phase 2 site investigation have been carried out and submitted. The Council's Pollution Officer is content with the findings as the results show the natural ground and topsoil on site is suitable for re use, and no remediation is required. A condition is therefore recommended for soil testing in the event that soil importation is required for levelling purposes; the results of which will be submitted to and be approved in writing by the Local Planning Authority prior to any soil or soil forming materials being taken onto site. As such, there are no issues on air quality or contaminated land grounds that weigh against the development.

8.150 Conclusion on Environmental Issues

- 8.151 Paragraph 8 c) of the NPPF (2023) 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.
- 8.152 In conclusion of the environmental issues, it is considered that there have been no significant issues raised which would weigh against the proposal that cannot be mitigated by condition. Cumulatively, the environmental issues associated with this application carry significant weight in favour of the development.

ECONOMIC SUSTAINABILITY

- 8.153 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. It is proposed there will be a 3 ½ year build programme employing up to 50 employees on site with further employment benefits within the supply chain/manufacturers. However, this is restricted to a relatively short period of time and therefore carries limited weight in favour of the application.
- 8.154 On a wider level, additional housing will increase spending within the borough which is of further economic benefit in the long-term carrying moderate weight.

8.155 SECTION 106 OBLIGATIONS

- 8.156 Paragraph 55 of the NPPF states that 'local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations'. Paragraph 57 states that 'planning obligations must only be sought where they meet all of the following tests: a) necessary to make the development acceptable in planning terms, (b) directly related to the development; and (c) fairly and reasonably related in scale and kind to the development'. Policy 65 of the Local Plan also reflects this stating that new proposals should contribute to supporting infrastructure and make appropriate contributions in order to deliver sustainable development. In terms of this resubmission application, the heads of terms for the S106 legal agreement remains as per the previous application.

Affordable Housing

- 8.157 In order to comply with Local Plan Policy 7 there would normally be a requirement for provision of 23% of the properties on site to be affordable housing.
- 8.158 The application includes 28 general needs (affordable) family houses made up of 2, 3 and 4 bed affordable properties (including 6 x 2 bed Bungalows). This application therefore complies with the Council's Local Plan Policy 7 Delivering the Necessary Range of Housing (Strategic Policy) by providing **23% affordable housing**.
- 8.159 The Local Plan affordable housing tenure split policy is 75% Affordable Rented and 25% Shared Ownership, which approximately equals 22 Rented and 6 Shared Ownership dwellings. With regards to the Shared Ownership mix the Council are looking at 4 x 2 bed houses and 2 x 3 bed houses, all to be agreed within the S106 legal agreement with the developer (including plot numbers).

Public Open Space

- 8.160 Policy 28 requires new development of 20+ units to provide 10 – 15% onsite open space. In this case, as the Bessacarr community profile area is deficient in 4/5 open space typologies, the requirement is for 15% of the site to be delivered as public open space. This should be useable onsite open space, including facilities for children's play.
- 8.161 The developer has allocated over and above the policy requirement providing **34% of the site as 'useable' open space**. This incorporates a designated play space within a large area of open space. Therefore, this not only meets but exceeds the provisions of Policy 28.

Education

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

Transportation

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

The formula for calculating the bond is as follows:

No. of dwellings x the current cost of a 28 day SY Connect+ ticket (currently £131.70)
x 1.1 = **£17,529.27**

Annual Travel Plan Monitoring

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

Traffic Signal Revalidation

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

Biodiversity Net Gain

- 8.166 Prior to development the biodiversity value of the site has been assessed as being worth 38.03 habitat units and 5.26 hedgerow units. The proposed development will result in the loss primarily of habitats of medium distinctiveness according to the Defra Biodiversity Metric. These habitats have arisen over the last 20-30 years and are not considered irreplaceable, as they could be recreated on a different site over a similar time frame. Post development onsite there will be 15.61 Habitat Units and 5.87 Hedgerow Units. 7.61 of these habitat units are derived from 1.27 hectares of existing habitats (18.9% of the total site area) that are being retained and/or enhanced to improve their biodiversity value. The remaining 8 units are derived from new habitats that are being created on site as part of the landscaping of the scheme. A deficit of 26.23 habitat Units are to be secured as off-site compensation to ensure the development delivers a minimum 10% net gain, in accordance with Planning Policy. In line with the Council's Biodiversity Net Gain Supplementary Planning Document, the S106 agreement will commit the developer to either, showing that biodiversity units have been secured in a suitable offsite location, or paying the Council a biodiversity offsetting contribution of £721,325 to deliver 26.23 units at £27,500 per biodiversity unit needed. The Council would then secure the necessary biodiversity units using this money. An offsite delivery project will be identified that delivers the appropriate types of habitat compensation. This means that the trading rules will be satisfied.

8.167 Conclusion on Economy Issues

- 8.168 Para 8 a) of the NPPF (2023) 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.
- 8.169 Whilst the economic benefit of the proposal is slight and afforded only limited weight, it does not harm the wider economy of the borough and for that reason weighs in favour of the development.

9.0 PLANNING BALANCE & CONCLUSION

- 9.1 In accordance with Paragraph 11 of the NPPF (2023) the proposal is considered in the context of the presumption in favour of sustainable development. The proposal will redevelop an allocated housing site in the adopted Local Plan (2021) for housing and will deliver a significant contribution to much needed housing within the Main Urban Area, which is the main focus for housing growth and regeneration in the City, therefore in line with the Council's strategic approach to housing delivery.
- 9.2 The design and layout of the scheme is identical to that previously refused proposing the same quantum of development. In terms of what has changed since the previous refusal, the applicant has updated ecology reports and the consideration of BNG has been updated. Traffic surveys have been updated along with further junction capacity

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

- 9.3 The scheme proposes the delivery of 34% on site public open space, providing more than double the usual policy requirement of 15%.
- 9.4 There is a significantly high need for Affordable Housing within the Bessacarr Ward. The scheme proposes the full 23%, (a total of 28) affordable housing requirement and includes a mix of 2, 3 and 4 bed roomed dwellings (this also includes 6 x 2 bed roomed bungalows). Therefore, contributing to this much needed housing within the area.
- 9.5 The design and layout of the scheme provides streets, which have a spacious, boulevard feel with street tree planting within all of the main streets which will green up, soften and enhance the built form to a very high standard. Creating a pleasant and attractive place to live.
- 9.6 The scheme will provide a well-designed, high quality housing development which will meet Nationally Described Space Standards. It also meets policy requirements for adaptable/accessible and wheelchair housing.
- 9.7 Consultees have raised no objections on matters pertaining to ecology, trees, archaeology, highways, design, drainage or flood risk, with the scheme meeting or exceeding policy requirements.
- 9.8 The proposal is fully compliant with the development plan and has overcome all previous reasons for refusal.
- 9.9 The proposal is subject to a Section 106 Agreement which is considered to meet the requirements of the CIL tests, the fine details of which are still to be agreed.

10.0 RECOMMENDATION

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

- a) Provision of 22 Rented and 6 Shared Ownership dwellings. Shared Ownership mix of 4 x 2 bed houses and 2 x 3 bed houses.
- b) Provision of 15% on site POS (and Maintenance) and LEAP
- c) A commuted sum of £481,752.00 towards the provision of school places at Hall Cross Academy.
- d) Commuted sum of £17,529.27 as a Transport Bond in the event targets within the Travel Plan are not met.
- e) Annual Travel Plan monitoring at a cost of £5,000 per entrance/ exit point.
- f) Traffic signals revalidation at the following junctions at a cost of £2,000 per junction.

SCND0011 A638 Bawtry Road/B1396 Cantley Lane
SCND0029 A638 Bawtry Road Adj St Augustine's Rd

- g) Biodiversity Net Gain to deliver a minimum 10% net gain to be secured via a suitable offsite location or paying the Council of a biodiversity offsetting contribution of £27,500 per biodiversity unit needed.

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:

Site Location Plan Dwg 2332.01 Rev A
AMENDED Site Layout Dwg 2332.01 Rev F
AMENDED Boundary Treatment Plan Dwg 2119.03 Rev D
AMENDED Materials plan Dwg 2119.03 Rev E
Solar PV Layout Dwg 2332.06 Rev D
Street Scenes Dwg 2332.04
AMENDED Landscape Masterplan Dwg R/2528/1J
AMENDED CMS Site Management & Environmental Plan Rev F
Dated October 2023.

House Types

AMENDED Beauwood - Village Style Dwg 2332.BEA.01 Rev B
AMENDED Beauwood - Cottage Style Dwg 2332.BEA.02 Rev B
Braxton - Cottage Style Dwg 2332.BRA.01
AMENDED Briarwood - Village Style Dwg 2332.BRI.01 Rev A
AMENDED Briarwood - Cottage Style Dwg 2332.BRI.02 Rev A
Charleswood - Village Style Dwg 2332.CHA.01
Clevemont Pair - Village Style Dwg 2332.CLE.01
Clevemont Pair Floor Plans Dwg 2332.CLE.02
Denford Elevations - Village Style Dwg 2332.DEF.01
Denford Elevations - Cottage Style Dwg 2332.DEF.02
Denford Floor Plans Dwg 2332.DEF.03
Denton Pair - Village Style Dwg 2332.DEN.01
Denton Pair - Cottage Style Dwg 2332.DEN.02
Faverwood - Village Style Dwg 2332.FAV.01
Faverwood - Cottage Style Dwg 2332.FAV.02
Glenwood - Village Style Dwg 2332.GLE.01
Glenwood - Cottage Style Dwg 2332.GLE.02
AMENDED Grayford - Village Style Dwg 2332.GRA.01 Rev A
AMENDED Grayford - Cottage Style Dwg 2332.GRA.02 Rev A
Hampton - Village Style Dwg 2332.HAM.01
Kingford Elevations - Village Style Dwg 2332.KIN.01

Kingford Elevations - Cottage Style 2332.KIN.02
AMENDED Kingford Floor Plans Dwg 2332.KIN.03 Rev A
Lockton Dwg 2332.LOC.01
Shermont Pair - Village Style Dwg 2332.SHE.01 A
Shermont Pair - Cottage Style Dwg 2332.SHE.02 A
Torwood Pair - Village Style Dwg 2332.TOR.01
Single Garage Dwg 2119.SG.01
Twin Garage 2119.TG.01

REASON

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

03. The construction works shall be carried out in complete accordance with the submitted Construction Method Statement, Site Management & Environmental Plan Revision F Dated October 2023.

REASON

To safeguard the living conditions of neighbouring residents and in the interests of highway safety.

04. Prior to any enabling works commencing and notwithstanding the submitted and agreed Construction Method Statement, Site Management & Environmental Plan Revision F Dated October 2023, a programme of enabling works to prepare the site shall be submitted to and agreed in writing by the Local Planning Authority.

REASON

To safeguard the living conditions of neighbouring residents and in the interests of highway safety.

05. Prior to first occupation of 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 3-5, 7-9, 11-14, 16-20, 27, 29-34, 38-45, 47, 52, 53, 57-60, 63-66, 69-75, 79, 83-85, 87-106, 110, 112-116, 120. must meet Part M4(2) 'accessible and adaptable dwellings'.
Plots 21-26 must meet Part M4(3) 'wheelchair adaptable dwellings'.

REASON

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

06. Prior to the commencement of the works for roads and sewers and the signing of any agreement under S38 of the Highways Act 1980, a landscape scheme which includes details of the proposed tree pits and utilities siting and alignments within the adoptable highway shall be submitted to and agreed in writing by the Local Planning Authority. This shall include a detailed specification for tree pit construction that utilises either grass verges or a professionally recognised crate system construction to provide the minimum rooting volume set out in

the Council's Transitional Developer Guidance and a load-bearing capacity equivalent to BS EN 124 2015 Class C250 for any paved surface above; a specification for planting including details of tree support, tree pit surfacing, aeration and irrigation; a timescale of implementation, and a maintenance specification until trees are adopted by the Council.

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

REASON

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

07. Excluding site preparation, ground engineering and site infrastructure works no development shall take place on the site until a detailed hard and soft landscape scheme based on the approved landscape masterplan (drawing R/2528/1J) has been submitted to and approved in writing by the Local Planning Authority. The hard landscape scheme shall include details of all external hard surfacing materials, including adoptable highway finishes and footpaths through POS. The soft landscape scheme shall include a soft landscape plan; a schedule providing plant and tree numbers and details of the species, which shall comply with the Council's Transitional Developer Requirements Document, nursery stock specification in accordance with British Standard 3936: 1992 Nursery Stock Part One and planting distances of trees and shrubs; a specification of planting and staking/guying; a timescales for delivery; a detailed specification for tree pit construction for the trees within highway that utilises a professionally recognised method of construction to provide the minimum rooting volume set out in the Council's guidance and a load-bearing capacity equivalent to BS EN 124 2015 Class C250 for any paved surface above; a specification for planting including details of tree support, tree pit surfacing, aeration and irrigation and details of management and maintenance for a minimum of 5 years following practical completion of the landscape works. Thereafter the landscape scheme shall be implemented within the first year following commencement of the development in full accordance with the approved details and the Local Planning Authority shall be notified in writing within 7 working days to approve practical completion of any planting within public areas or adoptable highway within the site. Soft landscaping for any individual housing plot must be implemented in full accordance with the approved scheme, prior to occupation of the home. Any part of the scheme which fails to achieve independence in the landscape, or is damaged or removed within five years of planting shall be replaced during the next available planting season in full accordance with the approved scheme.

REASON

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

08. Following the commencement of the hard and soft landscaping scheme and before 30th September of every year during the implementation period (either phased or in full) and 5 year aftercare period, a 'Landscaping Implementation Report' shall be prepared by a suitably qualified landscape architect and / or contractor, and submitted by the developer to the Local Planning Authority in order to demonstrate that the hard and soft landscaping scheme has been carried out in full accordance with the approved landscaping details. The report should record the landscaping operations carried out on the land since the date of commencement, or previous report / aftercare meeting, and set out the intended operations for the next 12 months. It shall cover: species, size, location, planting and aftercare specification, and include an overall progress summary, inspection site visit notes, a schedule of maintenance operations undertaken, and before and after photos of any remedial plantings or completed works.

REASON

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

09. No work shall take place above damp proof course level until product details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority. 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 in accordance with Local Plan Policy 44.

10. The development shall take place in accordance with the approved Written Scheme of Investigation (WSI) document entitled "Rosehill, Bessacarr Written Scheme of Investigation for Archaeological Mitigation" Revision 5 (Revised June 2023). The development shall not be brought into use until the Local Planning Authority has confirmed in writing that the requirements of the Written Scheme of Investigation have been fulfilled or alternative timescales agreed.

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.

11. Prior to the commencement of the development hereby granted a scheme for the protection of the root protection areas of all trees shown for retention on the approved plan that complies with clause 6.2 of British Standard 5837: 2012 Trees in Relation to Design, Demolition and Construction - Recommendations shall be submitted to and approved in writing by the Local Planning Authority. Tree protection shall be implemented on site in accordance with the

approved details and the local planning authority notified of implementation to approve the setting out of the tree protection scheme before any equipment, machinery or materials have been brought on to site for the purposes of the development. Thereafter, all tree protection shall be maintained in full accordance with the approved details until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

REASON

To ensure that all trees are protected from damage during construction in accordance with Local Plan Policy 32.

12. Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filing and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and be approved in writing by the LPA prior to any soil or soil forming materials being brought onto site. The approved contamination testing shall then be carried out and verification evidence submitted to and approved in writing by the LPA prior to any soil and soil forming material being brought on to site.

REASON

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

13. Prior to the occupation of the development hereby approved, details of electric vehicle charging provision shall be submitted to and approved in writing by the local planning authority. Installation shall comply with Appendix 2 of the Doncaster Local Plan 2015-2035 (2021). The first dwelling shall not be occupied until the approved connections have been installed and are operational. Electric vehicle charging connections shall thereafter be retained for the lifetime of the development. The development shall be carried out in accordance with the approved details.

REASON

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

14. Prior to the first occupation of the development hereby approved, details of secure cycle parking facilities for the occupants of, and/or visitors to the development have been submitted to and approved in writing by the local planning authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

REASON

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

15. 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.

16. Prior to installation of the play equipment on the green space area designated to accommodate a LEAP, as shown on Landscape Masterplan Dwg R/2528/1J, the developer will provide the planning authority with a location plan and design to be agreed by the authority, which identifies the type and placement of equipment, and safety surfacing to be used. The developer should ensure the equipment is robust, sustainable, meets the needs of the community and meets with the relevant safety standards. The play equipment shall be installed and maintained in accordance with the approved details.

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

REASON

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

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

REASON

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

18. Notwithstanding the approved Site Layout Plan Dwg Ref: 2332.01 Rev F and prior to commencement of the relevant works, full details of the design of the pumping station, including all materials and boundary treatments shall be submitted and agreed in writing with the Local Planning Authority. This shall include details of the vehicular access to the pumping station.

REASON

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

19. Before the development is brought into use, that part of the site to be used by vehicles shall be surfaced, drained and where necessary marked out in a manner to be approved in writing by the local planning authority.
REASON
To ensure adequate provision for the disposal of surface water and ensure that the use of the land will not give rise to mud hazards at entrance/exit points in the interests of public safety.
20. The vehicle turning space as shown on the approved plans shall be constructed before each phase of the development is brought into use and shall thereafter be maintained as such.
REASON
To avoid the necessity of vehicles reversing on to or from the highway and creating a highway hazard in accordance with Local Plan Policy 13
21. Before any phase (as shown on Construction Management Plan 2119.12 within the CMS Rev F Dated Oct 2023) of the development hereby permitted is brought into use, the parking serving that phase as shown on the approved plans shall be provided. The parking area shall not be used otherwise than for the parking of private motor vehicles belonging to the occupants of and visitors to the development hereby approved.
REASON
To ensure that adequate parking provision is retained on site.
22. Prior to the commencement of development a Construction Environmental Management Plan (ecology) shall be submitted to the Local Planning Authority for approval in writing. The plan shall then be implemented in accordance with the approved details. The measures within the CEMP will be based on those outlined in Table 6.1 of the Ecological Impact Assessment Brooks Ecological Ref: Brooks Ecological Ref: ER-5334-17G 22/06/23 (revised 31/10/2023) and also include:
-A risk assessment of the potentially damaging construction activities in relation to habitats and fauna.
-Any measures identified to protect the adjacent Local Wildlife Site, Red House Plantation from direct and/or indirect impacts of the construction phase.
REASON
To ensure the ecological interests of the site are maintained in accordance with Local Plan policy 29 and 30B(3)
23. Prior to the first occupation of the site, an ecological enhancement plan shall be submitted to the Local Planning Authority for approval in writing. This plan shall include details of the following measures, all of which shall be implemented prior to the first occupation of the site or in an alternative timescale to be approved in writing with the local planning authority: Photographic evidence of the implementation of

the measures must be submitted to the local planning authority to discharge this condition.

- on 30% of new dwellings a swift box of the, <https://www.manthorpebp.co.uk/environmental/swift-nesting-brick/swift-nesting-brick-> or equivalent approved by an ecologist to be located on the northern aspect of the building above 5m from ground level on walls away from trees.

- The translocation of the g1a6 'other lowland dry acid grassland' areas to the undeveloped north eastern boundary area of the site
-on 20% of new dwellings in suitable site boundary locations, bat boxes of the type: [tps://www.nhbs.com/lbstock-enclosed-bat-box-c](https://www.nhbs.com/lbstock-enclosed-bat-box-c) or equivalent approved by an Ecologist to be sited above 4 m from ground level at south or south west locations on the new building

-6 No. tree mounted bat boxes of the Kent Bat Box<https://www.nhbs.com/nhbs-kent-bat-box> or equivalent approved by an ecologist.

- Hedgehog highways features to be incorporated into property boundaries.

- The creation of two reptile/amphibian hibernacula features on the site.

REASON

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

24. Where development commences more than two years from the date of the original protected species surveys, including badgers, bats, great crested newts, reptile and breeding bird surveys, additional/updating surveys should be carried out to ensure that approved mitigation is appropriate for the current situation. Any changes to proposed mitigation measures must be approved in writing by the Local Planning Authority.

REASON

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

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

The strategy shall show how all external lighting within the site will be designed (through the provision of external lighting contour plans and technical specifications) so that it can be clearly demonstrated that it will not disturb or adversely affect the use of the semi-natural areas by bats and other species of wildlife. The strategy shall be informed by the Institute of Lighting Professionals/Bat Conservation Trust, Guidance Note 08/23: Bats and Artificial Lighting at Night.

All external lighting shall be installed in accordance with the 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 Local Plan Policy 29

26. Notwithstanding the submitted Habitat Management Plan (Brooks Ecological ref ER 5334-11. 12/06/23), prior to first occupation of the site, a Management and Monitoring Plan for proposed onsite habitats detailed in the Biodiversity Gain Assessment (Brooks Ecological ref ER-5334-16D) further details shall be submitted prior to the first occupation of the site to detail the following measures:

- o The details of when target condition will be achieved and how it shall be maintained.
- o A detailed monitoring plan that will be used to inform any potential changes to the ongoing management and assess the progress towards achieving target condition. This should detail the surveys that will be used to inform condition monitoring reports. Monitoring reports will be provided to the Local Planning Authority by the end of years 1,2,3, 5,10,15, 20, and 30 of the monitoring period.
- o Details of the approval process with the LPA that will be used in instances where monitoring reports show that measures within the approved Habitat Management and Monitoring Plan need to be changed in order to meet target conditions.
- o The roles, responsibilities, and professional competencies of the people involved in implementing and monitoring the biodiversity net gain delivery.
- o Evidence of the necessary contractual arrangements to ensure that the necessary resources are available to deliver the proposed biodiversity net gain plan and the ongoing management.

The approved Management and Monitoring Plan shall be implemented in full.

REASON

To fulfil specifically the requirements of Local Plan policy 30B and enhance local ecological networks in accordance with Local Plan Policy 29.

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

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

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

REASON

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

28. The development hereby granted shall not be begun until details of the foul, surface water and land drainage systems and all related works necessary to drain the site have been submitted to and approved by the Local Planning Authority. These works shall be carried out concurrently with the development and the drainage system shall be operating to the satisfaction of the Local Planning Authority prior to the occupation of the development.
REASON
To ensure that the site is connected to suitable drainage systems and to ensure that full details thereof are approved by the Local Planning Authority before any works begin.
29. Prior to the first occupation of the development hereby approved, details of the drainage management and maintenance plan shall be submitted to and approved in writing by the Local Planning Authority. The drainage system for foul and surface water drainage shall be retained, managed and maintained for the lifetime of the development in accordance with the approved drainage management and maintenance plan.
REASON
To ensure the drainage apparatus of the site is adequately maintained for the lifetime of the development and to accord with Para. 169 c) of the NPPF (2021).
30. No building hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the details submitted pursuant to condition 28. The sustainable drainage scheme shall be managed and maintained in accordance with the details submitted pursuant to condition 29.
REASON
To comply with current planning legislation - National Planning Policy Framework.
31. There shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.
REASON
To ensure that no foul or surface water discharge take place until proper provision has been made for their disposal.
32. No building shall be erected within 10 metres of the 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.
33. Prior to the installation of any lighting adjacent to the railway, details of the location, colour and illumination of any external lighting shall be submitted to and approved in writing by the Local Planning Authority and approved in conjunction with Network Rail. The development shall thereafter be carried out in accordance with the approved details.
REASON

In the interests of safeguarding the nearby railway line.

34. Development shall not commence until a construction methodology has been agreed with the Asset Protection Project Manager at Network Rail and submitted to and approved in writing by the Local Planning Authority which demonstrates that the development can be undertaken without impact to operational railway safety. The development shall thereafter be carried out in accordance with the approved construction methodology.
REASON
In the interests of safety, operational needs and integrity of the railway.

Informatives

01. **INFORMATIVE: SECURED BY DESIGN**
The applicant is advised to seek to implement security measures into the development in order to achieve the 'Secured By Design' accreditation from South Yorkshire Police.
02. **INFORMATIVE: HIGHWAY WORKS**
Works carried out on the public highway by a developer or anyone else other than the Highway Authority shall be under the provisions of Section 278 of the Highways Act 1980. The agreement must be in place before any works are commenced. There is a fee involved for the preparation of the agreement and for on-site inspection. The applicant should make contact with Malc Lucas - Tel 01302 735110 as soon as possible to arrange the setting up of the agreement.

Doncaster Council Permit Scheme (12th June 2012) - (Under section 34(2) of the Traffic Management Act 2004, the Secretary of State has approved the creation of the Doncaster Borough Council Permit Scheme for all works that take place or impact on streets specified as Traffic Sensitive or have a reinstatement category of 0, 1 or 2. Agreement under the Doncaster Borough Council Permit Scheme's provisions must be granted before works can take place. There is a fee involved for the coordination, noticing and agreement of the works. The applicant should make contact with Paul Evans - Email: p.evans@doncaster.gov.uk or Tel 01302 735162 as soon as possible to arrange the setting up of the permit agreement.
03. **INFORMATIVE: CONDITION 5**
Condition 5 may be partially discharged by the submission and approval of Completion Certificates for individual plots during a site build out. This condition will be fully discharged upon receipt of satisfactory Completion Certificates for all the listed plots.
04. **INFORMATIVE: NETWORK RAIL**
Network Rail has no objection in principle to the development, but below are some requirements which must be met, especially given the scale and nature of the proposed scheme.

Works in Proximity to the Operational Railway Environment

Development Construction Phase and Asset Protection

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

Excavations/Earthworks

All excavations/ earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/ structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Project Manager should be undertaken. Network Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the railway infrastructure nor for any noise or vibration arising from the normal use and/or maintenance of the operational railway. No right of support is given or can be claimed from Network Rails infrastructure or railway land.

Vibro-impact Machinery

Where vibro-compaction machinery is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement.

Scaffolding

Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed.

Security of Mutual Boundary

Security of the railway boundary will need to be maintained at all times. If the works require temporary or permanent alterations to the mutual

boundary the applicant must contact Network Rail's Asset Protection Project Manager.

Drainage

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

Landscaping

It is imperative that planting and landscaping schemes near the railway boundary do not impact on operational railway safety. Where trees and shrubs are to be planted adjacent to boundary, they should be positioned at a minimum distance greater than their height at maturity from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. Any hedge planted adjacent to the railway boundary for screening purposes should be placed so that when fully grown it does not damage the fencing, provide a means of scaling it, or prevent Network Rail from maintaining its boundary fencing. Below is a list of species that are acceptable and unacceptable for planting in proximity to the railway boundary;

Acceptable:

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

Not Acceptable:

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

Railway Noise Mitigation

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

ENCROACHMENT

The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail

and its infrastructure or undermine or damage or adversely affect any railway land and structures. There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail airspace and no encroachment of foundations onto Network Rail land and soil. There must be no physical encroachment of any foundations onto Network Rail land. Any future maintenance must be conducted solely within the applicant's land ownership. Should the applicant require access to Network Rail land then must seek approval from the Network Rail Asset Protection Team. Any unauthorised access to Network Rail land or airspace is an act of trespass and we would remind the council that this is a criminal offence (s55 British Transport Commission Act 1949). Should the applicant be granted access to Network Rail land then they will be liable for all costs incurred in facilitating the proposal.

Access to the Railway

All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development.

Contact Details:

Asset Protection Eastern

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

Land Information

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

Property Services

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

05. **INFORMATIVE**
The installation of the electric vehicle charging points and associated infrastructure as approved should be carried out in accordance with PAS 1899:2022 'Electric Vehicles - Accessible Charging Specification' (or any revisions to this document in the future).
06. **INFORMATIVE: BREEDING BIRDS**
Birds may be nesting in trees and shrubs proposed for removal. It is an offence under the Wildlife and Countryside Act 1981 (as amended) to disturb nesting birds, and vegetation removal should be timed therefore to avoid the nesting season (March to August inclusive).
07. **INFORMATIVE: CONDITION 06**
To minimise future conflict with utilities in new developments, where trees are proposed within the footway or highway build outs, the creation of a common utility enclosure with the necessary provisions for safely including both mains services and ducting should be considered in the utility design. This is preferably located adjacent to the property

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

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

APPENDIX 1 – Proposed Site Layout plan



APPENDIX 2 – HOUSE TYPES –Grayford Cottage Style(5 bed) House



Briarwood Village Style (4 bed) House



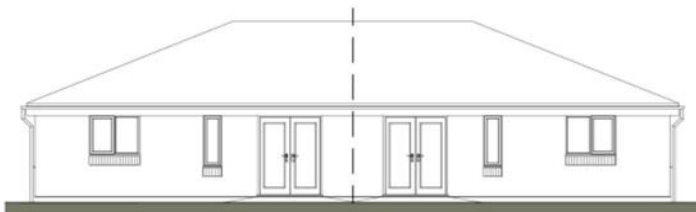
APPENDIX 2 – HOUSE TYPES Clevemont (Affordable) 2 bed bungalow



FRONT ELEVATION



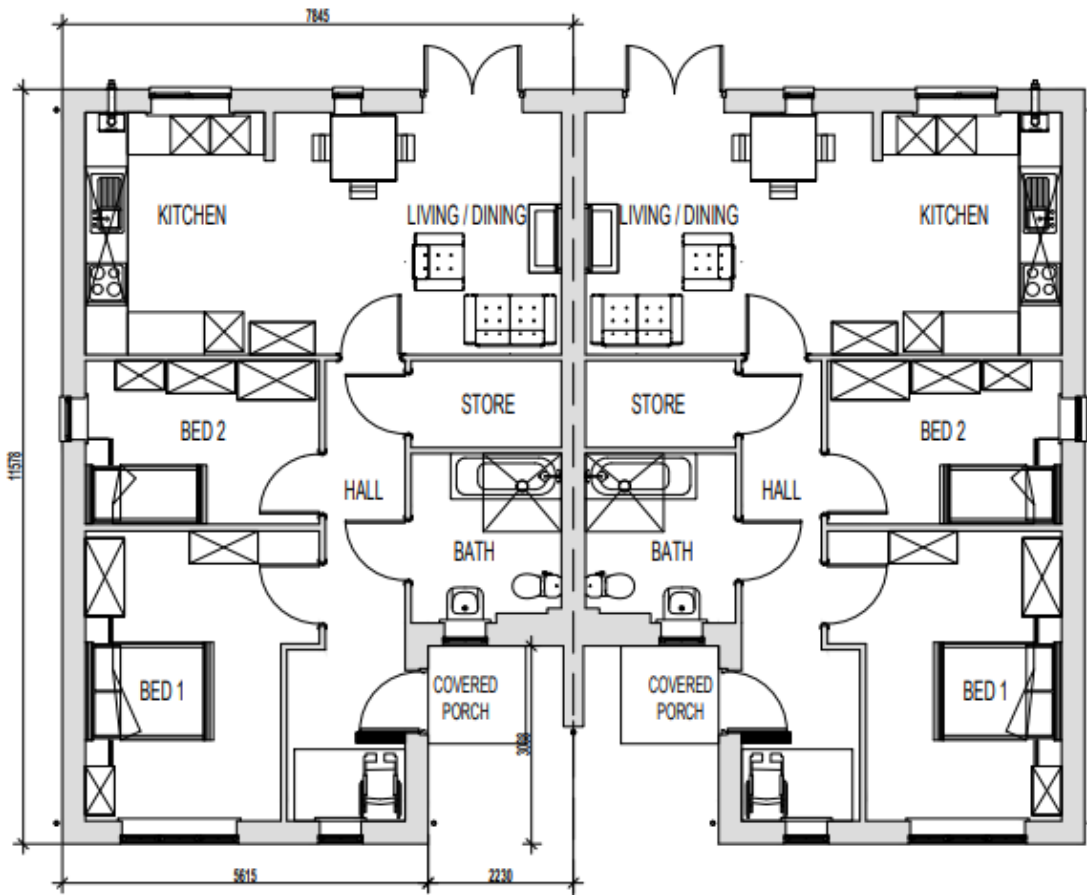
SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION



GROUND FLOOR PLAN

APPENDIX 3 – Proposed Street Scenes

