



MINUTES OF THE MEETING OF ARMTHORPE PARISH COUNCIL HELD IN ARMTHORPE COMMUNITY CENTRE, WELFARE PARK, CHURCH STREET, ARMTHORPE, ON TUESDAY, 03 FEBRUARY 2026

PRESENT:

Chairperson: Councillor C Brodhurst Brown.

Councillors: N Berry, A Bradley, L Bradley, A Duckitt, M Jackson, E North, C Parry, C Trewick and M Walton.

City Councillors: C Marriott and N Pritchard.

Clerk to the Council: S Youngman.

Ten members of the public.

128 APOLOGIES

Apologies were received from Councillors A Barrington, C Head, L Monks, T Needham, and S Rose.

RESOLVED: To approve the reasons for absence

129 HERITAGE PROJECT

Joshua Daniels attended the meeting to discuss a heritage project with the involvement of local students to create a heritage trail, leaflets, and film making sessions to create a documentary over a period two to six weeks.

RESOLVED: To arrange a further meeting to discuss proposals.

130 ITEMS TO WHICH THE PUBLIC AND PRESS ARE TO BE EXCLUDED FROM

Item 9d: Salary Evaluation for the Post of Clerk/RFO.

131 DECLARATIONS OF PERSONAL AND PREJUDICIAL INTERESTS

Councillor N Berry declared an interest in item 8b: Ladycroft Road development.

132 MINUTES OF THE FULL COUNCIL MEETING HELD ON 06 AND 13 JANUARY 2026

RESOLVED: That the minutes be approved and signed as a true record of the meeting.

133 MINUTES OF THE EVENTS COMMITTEE MEETING HELD ON 18 NOVEMBER 2025

RESOLVED: That the minutes of the meeting be noted as received.

134 MINUTES OF THE COMMUNITY CENTRE AND GENERAL-PURPOSE COMMITTEE MEETING HELD ON 18<sup>TH</sup> NOVEMBER 2025

RESOLVED: That the minutes of the meeting to be noted as received.

135 PLANNING

26/00064/FUL: 12 Park Close: Erection of a single storey rear and side wrap around extension and an infill front extension. Erection of a new garage following the demolition of the existing garage.

26/01976/FUL: Armthorpe Shaw Wood Academy: Erection of a single storey extension to the sports hall and internal alterations.

No objections were made.

136 LADYCROFT ROAD DEVELOPMENT

Councillor C Brodhurst Brown provided members with an overview of the meeting held the previous evening with the developer and advised that until the outline plans have been submitted to Doncaster Council, the Parish Council are unable to make a decision or comment on the proposal.

137 FINANCE

**a. Bank Reconciliation**

Council members were provided with the bank reconciliation dated 31<sup>st</sup> December 2025.

RESOLVED: To approve the statement.

**b. Schedule of Payments**

Method	Payee	Item	Amount
DD	CF Corporate Finance	Photocopier Lease	£301.50
	EDF Energy	Electricity – CC	£1,447.94
	Doncaster Council	Business Rates	£1,227.00
	Co-operative Bank	Commission	£4.16
	Scottish Water	Water Rates – CC	£470.11
BACS	Glean Safer	Window Cleaning Fees	£170.00
	M Dymniuk	Tea Dance Sessions	£180.00
	Burgray	PA System Hire Fees – Remembrance	£390.00
	Yorkshire Mechanical Services Ltd	Boiler Servicing Fees – CC	£527.48
	About Access Ltd	Access Audit - CC	£1,320.00
	DSA Gardening Ltd	Grounds Maintenance Fees	£528.00
	Abouncearound	Inflatable Hire Charges – S&R	£150.00
	British Red Cross	First Aid Training	£1,292.40
	LITE Ltd	Christmas Lighting Cost	£5,124.00
	Gartec Ltd	Lift Repairs	£61.33
	Scottish Water	Water Charges – Burial Ground	£141.07
		Water Charges – Allotments	£808.99
	Markham Mian Colliery Brass Band	Donation	£500.00
	Armthorpe Rovers JFC	Donation	£650.98
DD	O2	Telephone Charges – S&R	£30.30
	Tesco Mobile	Telephone Charges – Clerk	£31.99

	Waterplus	Surface Water Charges – CC	£247.97
	Sage Software Ltd	Payroll & HR Subscription	£112.80
	Doncaster Council	Quarterly Waste Removal Fees (CC, Burial Ground & The Acorn Hub)	£987.35
	South Yorkshire Pensions Authority	Pension Contributions	£3,626.44
BACS	Calibre Office Furniture	Youth Club Furniture (Funded)	£8,659.20
	Breaktime Group Ltd	Vending Machine (Funded)	£6,048.00
DD	Quando Drinks Ltd	Bar Supplies	£2,795.95
	British Gas	Gas Supply – CC	£679.58
	Worldpay	Subscription Fees	£1.20
		Commission	£99.78
	BT	Broadband – The Acorn Hub	£36.23
	HMRC	PAYE & NI Contributions	£4,614.63
BACS	Flying Futures CIC	Youth Club Support Fees	£720.00
	Wages	Wages	£17,328.49
	S Youngman	Christmas Tea Expenses	£25.99
	Dining Diva Catering	Cleaning Supplies	£102.42
	DSA Gardening	Grit Bin Maintenance & Supply of Grit Sand	£165.00
	J P Glasby Ltd	Replacement of Heating Valves – Water Boiler	£456.00
	Yorkshire Mechanical Services Ltd	Water Boiler Repairs – CC	£502.42
	J P Glasby Ltd	Emergency Lighting Tests, Provision of Logbook and Lighting Plans	£597.60
	Clean Safer Ltd	Carpet Cleaning Services – CC	£1,552.00
	J P Glasby Ltd	Emergency Lighting Remedial Works	£4,464.00
	Yorkshire Floor Sanding	Main Hall Floor Refurbishment Fees	£6,200.00
DD	Biffa Waste Services	Recycling Fees	£74.99
	Onecom	Telephone Charges – CC	£175.97
CC	Newitts	S&R Equipment	£110.00
	Aldi	Bar & Christmas Market Supplies	£29.23
	Amazon	Stationery	£13.75
	Defib Supplies	Defibrillator	£954.00
	Essential Food Hygiene	Allergy Training	£7.20
		Food Safety Training	£33.58
	Aldi	Christmas Party Supplies	£11.83
	The Village Butchers	Christmas Party Supplies	£24.70
	Crusty Cob Shop	Christmas Party Supplies	£7.68
	B&M	Christmas Party Supplies	£9.96
	Amazon	Christmas Tea Supplies	£7.79
	Aldi	Youth Club Supplies	£11.60
	Temu	Christmas Decorations	£53.21
	Doncaster Council	Car Parking Fees	£2.20
	E Bowie Solutions Ltd	Scanning Fees	£20.00
	Armthorpe PC	Christmas Tea Drinks for Dignitaries	£47.90

Armthorpe Community Centre, Welfare Park, Church Street, Armthorpe, Doncaster, DN3 3AG

Tel: 01302 830543

M&S	Christmas Tea Gifts	£78.00
Screwfix	Angle Grinder	£44.99

RESOLVED: To approve the payments.

**c. Income and Expenditure Report**

Council members were provided with a copy of the report dated 31<sup>st</sup> December 2025.

RESOLVED: To approve the report.

**d. Salary Evaluation for the post of Clerk/RFO**

Council members were provided with a report from YLCA regarding the responsibilities of the Clerk/RFO and a recommended scale and spinal column for the position.

RESOLVED: To accept the recommendation from YLCA and for the new pay scale to be backdated to 1<sup>st</sup> April 2025.

138 PARISH MATTERS

- a. **Rands Lane Burial Ground:** The Clerk advised that the grounds maintenance contractor has agreed to extend the contract until the Council are in a position to carry out the maintenance work.
- b. **Mercel Avenue Allotments:** No matters reported.
- c. **Play Park Project:** The Clerk advised that the Strategic Planning committee are meeting the following week to discuss the draft car park plans with the architect.
- d. **Solar Panels:** No updates.
- e. **Website and Branding:** The Clerk advised that Washhouse Designs are working on building the website.

139 CITY COUNCILLOR UPDATES

Councillor N Pritchard advised that he had reported the uneven pavement along Woodlea Grove to Doncaster Council and had also arranged for CCTV to be installed on Walbank Road and Larch Drive.

Councillor C Marriott provided members with a report which included the following updates:

- A review of the service data for the bins located in the Cow House Lane area, there is no evidence that new bins are needed.
- The landowner of the car park outside Card Factory will be contacted about the issue with the dropped kerb.
- A site visit to Ernelsthorpe Car Home is required to review the issue with the subsidence.
- The broken fencing outside 29 Tranmoor Lane has been reported to Doncaster Council.
- The issue relating to commercial bins obstructing Church Street is ongoing, the landlord of the property has been identified and will be contacted shortly.
- The broken bollard on Southfield Road has been reported and will be repaired.
- 7.5T weight restrictions on Nutwell lane.
- Illegal parking on Gunhills Lane.
- Doncaster Council Pothole Policy.

140 POLICIES

a. **Mobile Phone Policy**

Council members were provided with a copy of the policy.

RESOLVED: To approve the policy.

b. **Risk Management Policy**

Council members were provided with a copy of the policy.

RESOLVED: To approve the policy.

141 CORRESPONDENCE

a. **Letter of thanks from Armthorpe Rovers Junior Football Club**

Council members were provided with a copy of the letter which expressed thanks for the funding towards equipment for the club.

142 TREE PLANTING SESSION

Council members were asked to agree a date to plant the trees obtained from South Yorkshire Mayoral Combined Authority.

RESOLVED: To arrange a planting event on 14<sup>th</sup> March 2026 at 10am.

143 DATE AND TIME OF NEXT MEETING

RESOLVED: To hold the next Full Council meeting on Tuesday 3<sup>rd</sup> March 2026 at 7pm

144 MEMBERS ITEMS

Councillor C Parry raised a point of there being previous plans to build a bypass from Nutwell Lane to Yorkshire Way. Councillor C Brodhurst Brown advised that the bypass had been abandoned, and a project of that scale would be a government initiative.

Councillor N Berry reported a faulty lighting column, number 72232. Councillor C Marriott agreed to report the problem to Doncaster Council.

Councillor N Berry reported subsidence of the highway in the Parkway/Cranfield Close area. Councillor C Brodhurst Brown advised that Yorkshire Water are responsible for the matter.

Councillor M Walton reported an overgrown hedge at 35 Laburnum Drive. Councillor C Marriott agreed to report the matter to Doncaster Council.

Councillor M Walton reported a pothole at the junction of Hatfield Lane and Fernbank Drive. Councillor C Marriott agreed to report the matter to Doncaster Council.

Councillor E North reported numerous lighting columns out along Southfield Road and Oakwood Drive.

Councillor E North reported a missing light at the junction of Cow House Lane and Nutwell Lane. Councillor C Marriott agreed to investigate the matter.

Councillor A Bradley volunteered to be a key holder for the community centre.

Armthorpe Community Centre, Welfare Park, Church Street, Armthorpe, Doncaster, DN3 3AG

Councillor L Bradley reported a loose flag in the memorial garden.

There being no further Council business the meeting was closed.

### PUBLIC SESSION

A member of the public reported a problem with the drains overflowing outside the shops on Church Street.

A member of the public advised that there had been no street lighting on the Southfield Road estate for 3 weeks.

A member of the public advised that 5 volunteers' had recently collected 42 bags of litter on a litter pick, would it be possible for more Streetscene to be deployed in the winter months when the grass cutting duties are reduced.

A member of the public advised that neighbours of 12 Park Close have not been informed of the planning application to extend the property. The Clerk agreed to provide the resident with a link to the application.

A member of the public advised that there is a section of knee rail fencing missing outside 76 Toftstead.

A member of the public raised concerns with the impact the proposed development on Ladycroft Road will have in regard to flooding and traffic.

A member of the public reported an overgrown hedge along Maple Grove/Lime Tree Avenue. Councillor C Marriott agreed to report the matter to Doncaster Council.

A member of the public asked for an update on the new bus route to Wheatley Hall Road. Councillor C Marriott agreed to speak with the resident after the meeting.

A member of the public commented on the proposed 2026/2027 budget for Doncaster Council and advised that notes from the Ladycroft Development meeting had been passed onto the Clerk.



MINUTES OF THE MEETING OF THE EVENTS SUB COMMITTEE HELD IN ARMTHORPE COMMUNITY CENTRE, WELFARE PARK, CHURCH STREET, ARMTHORPE, ON TUESDAY, 20 JANUARY 2026

PRESENT:

Chairperson: Councillor C Head.

Councillors: A Barrington, and L Monks.

Also present: S Youngman: Clerk to the Council, and Daisy Youngman: Events Assistant.

48 APOLOGIES

Apologies for absence were received from Councillor L Bradley, C Brodhurst Brown, E North and S Rose.

RESOLVED: To approve the reasons for absence.

49 ITEMS TO WHICH THE PUBLIC AND PRESS ARE TO BE EXCLUDED FROM

None.

50 DECLARATIONS OF PERSONAL AND PREJUDICIAL INTERESTS

None declared.

51 MINUTES OF THE MEETING HELD ON 18 NOVEMBER 2025

Council members were provided with a copy of the minutes.

RESOLVED: To approve the minutes as a true record of the meeting.

52 ARMTHORPE COMMUNITY THEATRE

Councillor A Barrington advised that arrangements for the cabaret evening on 14<sup>th</sup> March are ongoing, ticket prices need to be confirmed and more acts are needed.

53 REVIEW OF EVENTS

**a. Christmas Market & Christmas Light Switch On**

Council members noted a successful event but agreed that the location of Santa's grotto needs to be reviewed and a one-way system needs to be implemented.

**b. Children's Christmas Party**

Council members agreed that the event had been well received but there had been an issue with children climbing on furniture in the lounge.

RESOLVED: To implement a policy of no children in the lounge at next year's event.

**c. Christmas Tea Event**

Council members noted successful events, there had been a problem with seating on the Saturday evening, and a suggestion was made for people to pay a fee to reserve a full table. The Clerk advised that it would also be a good idea for the hall to be set up to seat 150 guests to avoid odd places being left at tables. Councillor L Monks advised that members of the public had suggested that a charge should be implemented for the raffle. Concerns were raised over the cost of the events; the Clerk advised that there is also an issue with people not attending once tickets have been allocated.

RESOLVED: To review the cost per head for the events and consider the suggestions made at a future meeting.

54 2026-2027 EVENTS

**a. Cocktail Evening: 13<sup>th</sup> February 2026**

The Events Assistant advised that tickets are on sale and are £10.00 each which includes taster cocktails, food and entertainment.

**b. Pride of Armthorpe: 17<sup>th</sup> April 2026**

RESOLVED: To arrange a meeting to discuss arrangements.

**c. Children's Easter Event: TBC**

A discussion took place regarding whether to organise a party, Easter bonnet competition, or Easter egg hunt around the village.

RESOLVED: For Councillor A Barrington to speak with Jean from Armthorpe Community Library about arranging an event. The Events Assistant agreed to look at alternative ideas for an Easter Event.

**d. Family Circus: 18<sup>th</sup> to 25<sup>th</sup> May 2026**

The Clerk confirmed that Pinders Circus had agreed to the terms and conditions of holding the event on Briar Road playing field.

**e. Bridlington Coach Trip: 26<sup>th</sup> June 2026**

No updates received.

RESOLVED: To approve the date of the event and for Councillors A Barrington and C Head to attend the trip.

**f. Family Seaside Trip: 7<sup>th</sup> August 2026**

Council members discussed how to reach out to families who would benefit from the day out.

RESOLVED: For an application form to be drafted so families can apply for a place on the trip and for the form to be shared with local schools.

**g. Firefly Summer Event: 8<sup>th</sup> August 2026.**

Council members were asked to consider approving a free letting for the event.

RESOLVED: To approve the event and the request for a free letting.

**h. Miners Memorial: 6<sup>th</sup> September 2026**

RESOLVED: To approve the date of the event.

**i. Children's Halloween Party: 30<sup>th</sup> October 2026**

RESOLVED: To approve the date of the event.

**j. Firework Event: 4<sup>th</sup> November 2026**

Council members discussed the option of a quieter/silent display.

RESOLVED: To approve the date of the event.

**k. Remembrance Service and Parade: 8<sup>th</sup> November 2026**

RESOLVED: To approve the date of the event.

**l. Christmas Market & Christmas Light Switch on: 21<sup>st</sup> November 2026.**

Council members discussed the option of starting the event at 12pm to allow stall holders to sell products for a longer period of time and to also avoid overcrowding.

A discussion took place regarding the queuing system for Santas Grotto, and the implementation of a one-way system in the main hall to enable the flow of visitors.

RESOLVED: To start the event at 12pm and implement a one-way system in the main hall.

**m. Children's Christmas Party: 4<sup>th</sup> December 2026.**

RESOLVED: To approve the date of the event.

**n. Christmas Tea Events: 11<sup>th</sup> and 12<sup>th</sup> December 2026**

RESOLVED: To approve the date of the events.

55 EVENTS ASSISTANT UPDATE

The Events Assistant provided members with a proposal from Jamie Warren, the entertainer from the Christmas Tea events. The proposal included details of themed nights to be held at Armthorpe Community Centre with APC receiving 40% of the revenue from ticket sales.

The Events Assistant also suggested arranging a small-scale street food event in the car park, the event would be held during the week, and the bar would be open throughout the evening for visitors to the event.

RESOLVED: To approve the events and review after three months.

56 VILLAGE PARADE/GALA

No updates received.

57 REQUEST FROM ROBINSONS FUN FAIR

Council members were provided with a copy of the request from Robinsons Fun Fair to hold a three-day event on Briar Road playing field.

RESOLVED: To approve the request with the same conditions as agreed with Pinders Circus.

58 NEXT MEETING DATE

RESOLVED: To meet on 17<sup>th</sup> February 2026 at 6pm.



MINUTES OF THE MEETING OF THE COMMUNITY CENTRE AND GENERAL PURPOSES COMMITTEE  
HELD IN ARMTHORPE COMMUNITY CENTRE, WELFARE PARK, CHURCH STREET, ARMTHORPE, ON  
TUESDAY, 20 JANUARY 2026

PRESENT:

Chairperson: Councillor C Head.

Councillors: N Berry, A Bradley, L Monks, T Needham, C Parry and M Walton.

Clerk to the Council: S Youngman.

Sports & Recreation Officer: C Hughes.

Community Clean up Champion: Lea Pedley.

ALSO PRESENT: One member of the public.

NOT PRESENT:

Councillor M Jackson.

58 APOLOGIES

Apologies for absence were received from Councillors L Bradley, C Brodhurst Brown and E North.

RESOLVED: To approve the reasons for absence.

59 TO CONSIDER ITEMS THAT REQUIRE THE EXCLUSION OF THE PRESS AND PUBLIC

None.

60 DECLARATIONS OF PERSONAL AND PREJUDICIAL INTEREST

None declared.

61 MINUTES OF THE MEETING HELD ON 18<sup>TH</sup> NOVEMBER 2025

Council members were provided with a copy of the minutes.

RESOLVED: To approve the minutes as a true record of the meeting.

62 MONTHLY REPORT RECEIVED FROM THE SPORTS AND RECREATION OFFICER

Council members were provided with a copy of the report which included an overview of the tag rugby festival and the involvement of local school children at the Christmas market. The Sports and Recreation Officer reported on the progress of the youth club sessions and advised that the participants are excited about the new space being created for them. Members were provided with an overview of the adult programme and asked to consider providing a Pickleball session.

RESOLVED: For a Sports and Recreation meeting to be arranged to discuss the adult fitness provision.

63 COMMUNITY CLEAN UP CHAMPION

Members were provided with a newsletter which included details of how much litter had been collected in December and January, the Clean Up Champion reported that fly-tipping is occurring more frequently across the village. Work is ongoing to deliver a weeklong programme of events for the Great British Spring Clean project.

64 ARMTHORPE COMMUNITY CENTRE MATTERS

**a. Access Audit Report**

Council members were provided with a copy of the report from the recent inspection of the building in relation to accessibility. The Clerk advised that the Deputy Clerk is working through the report and members will be updated each month and provided with quotes for the recommended work.

**b. Electrical Works**

Council members were provided with a quote from J P Glasby Ltd to replace lights in the new Youth Club room, replace lights in the bar, washroom and cellar, boiler room and storeroom adjacent to room 4.

**RESOLVED:** To approve the work required in the Youth Club room at a cost of £998.00 and for the remainder of the works to be carried out in April at a cost of £1,547.80.

**c. Provision of Blinds**

Council members were provided with a quote from Smart Blinds to install roller blinds in the Youth Club room.

**RESOLVED:** To approve the quote at a cost of £555.00.

**d. Hot Water Issues**

The Clerk provided members with an update of the issues occurring with the hot water boiler system and made a recommendation for the system to be replaced with an unvented cylinder tank and immersion heater system. Members were provided a quote from Yorkshire Mechanical Systems and J P Glasby Ltd for the works required.

**RESOLVED:** To approve for the boiler to be replaced with an unvented cylinder system at a cost of £3,234.87 and for the work to be scheduled for April.

**e. Boiler Pressurization Units**

Council members discussed the quote and requirement for the works.

**RESOLVED:** Not to proceed with the works.

**f. Fire Risk Assessment**

Council members were provided with three quotes to provide a Fire Risk Assessment for the premises.

**RESOLVED:** To appoint White Safety at a cost of £330.00.

65 **NEXT MEETING DATE**

**RESOLVED:** To meet on Tuesday 17<sup>th</sup> February 2026 at 7pm.

MINUTES OF THE MEETING OF THE STRATEGIC PLANNING COMMITTEE HELD IN ARMTHORPE COMMUNITY CENTRE, WELFARE PARK, CHURCH STREET, ARMTHORPE, ON MONDAY, 06 OCTOBER 2025

PRESENT:

Chairperson: Councillor's C Brodhurst Brown.

Councillors: A Barrington, C Head, T Needham, S Rose and M Walton.

Also in attendance: S Youngman, Clerk to the Council.

01 ELECTION OF CHAIRPERSON

Council members asked were asked to elect a Chairperson for the year ahead.

RESOLVED: To elect Councillor C Brodhurst Brown.

02 ELECTION OF VICE CHAIRPERSON

Council members were asked to elect a Vice Chairperson for the year ahead.

RESOLVED: To elect Councillor S Rose.

03 APOLOGIES

None received.

04 ITEMS TO WHICH THE PUBLIC AND PRESS ARE TO BE EXCLUDED FROM

None.

05 DECLARATIONS OF PERSONAL AND PREJUDICIAL INTERESTS

Councillor S Rose declared an interest in the car park project.

06 MINUTES OF THE MEETING HELD ON 24 MARCH 2025

RESOLVED: That the minutes of the meeting be approved and signed as a true record of the meeting.

07 PLAY PARK UPDATES

1. Review of Pre Planning Application reports received from Doncaster Council.

Council members were provided with the following documents:

- a. Supporting Planning Statement submitted by Andrew Towleron.
- b. Pre planning written advice report from Nicola Howarth.
- c. Planning Consultation Response from Local Flood Authority.
- d. Planning Consultation Response from Transportation.
- e. Site Plan.
- f. Summary of feedback received from Doncaster Council in relation to the pre planning documents.

Council members noted and discussed the feedback received, concerns were raised regarding the costs to deliver the car park project with the requirements specified. The Clerk confirmed that several requests to meet with the Highway Engineer from Doncaster Council had been made but a response had been received to advise that the engineer is unable to meet due to the department being short staffed.

Further concerns were raised regarding the requirement for all play equipment to be located 30 metres away from all residential boundaries.

RESOLVED 1: For Councillor T Needham to try to arrange a meeting with a member of the Highways department.

RESOLVED 2: For a full review of the existing car park to be carried out and costs for plans to be obtained to provide accessible parking with a safe area for pedestrians.

RESOLVED 3: For a meeting with HAGS to be arranged to discuss the 30-metre boundary.

RESOLVED 4: For a public meeting to be arranged for Saturday 25<sup>th</sup> October at 10am to enable residents from neighbouring properties to discuss the proposal.

08 DATE AND TIME OF NEXT MEETING

To be confirmed.

**ARMTHORPE PARISH COUNCIL**

**LIST OF PLANNING APPLICATIONS FOR CONSIDERATION  
AT THE MEETING TO BE HELD ON 03 MARCH 2026**

Reference	Property	Application
26/000003/REF	38 Whiphill Lane	Change of Use from Use Class C3 (Dwellinghouse) to Use Class E(f) (Nursery), and alterations to car park layout - APPEAL
26/00207/FUL	21 Hatfield Lane	Erection of a 2 storey side extension and a single storey internal garage side extension.
25/02459/FUL	Sandall View, Barton Lane	Erection of 2 four-bedroomed detached dwellings with integral garage following the demolition of existing dwelling.

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## Summary

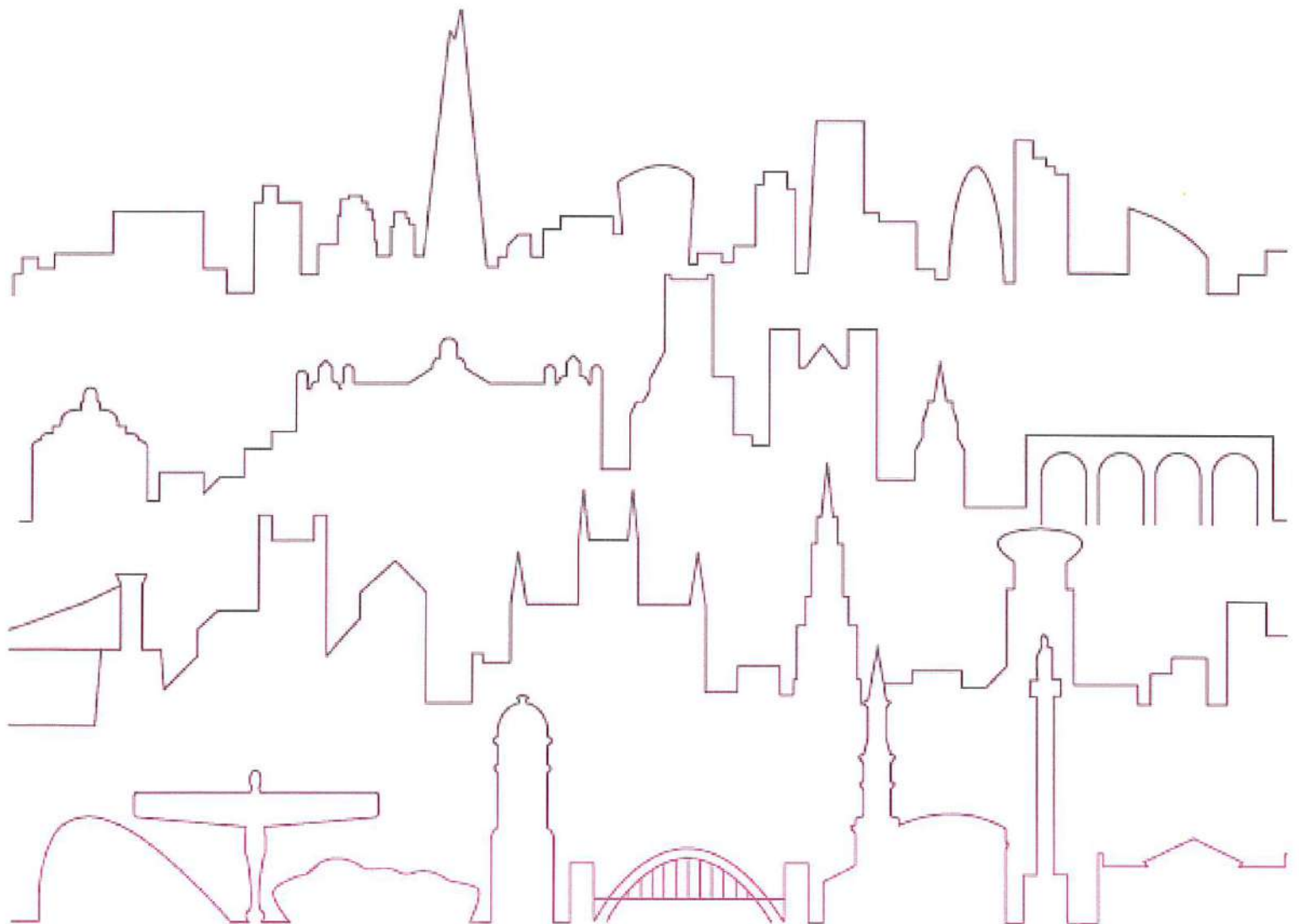
Reference:	26/00003/REF
Alternative Reference:	PP-14360987
Address:	38 Whiphill Lane Armthorpe Doncaster DN3 3JP
Nature:	Change of Use from Use Class C3 (Dwellinghouse) to Use Class E(f) (Nursery), and alterations to car park layout
Status:	Appeal In Progress
Appeal Type:	Appeal Against Refusal
Decision:	Not Available
Case Officer:	Owain Herring
Parish:	Armthorpe Parish Council
Ward:	Armthorpe
Procedure:	Written Representation
Decision Date:	Not Available
Venue:	Not Available

## Important Dates

Lodged Date	Thu 29 Jan 2026
Validated Date	Tue 10 Feb 2026
Started Date	Tue 10 Feb 2026
Overall Expiry Date	Tue 17 Mar 2026
Decision Date	Not Available
Decision Received Date	Not Available
Committee Informed that Appeal Lodged	Not Available

# Statement of Case

38 Whiphill Lane, Armthorpe, Doncaster



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Appendix 2 – Statement of Case on Highways

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Appendix 4 – Small World Day Nursery, Hatfield

Appendix 5 – Little Rascals, Edenthorpe

Appendix 6 – Paskals Day Nursery, Balby

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7870

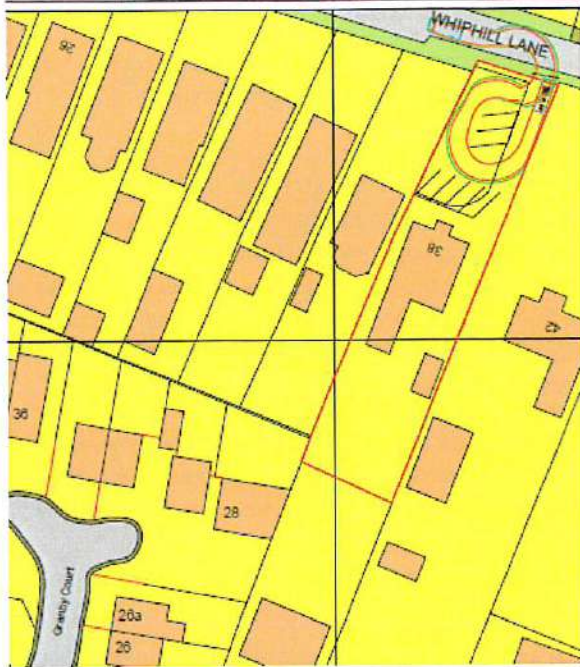
## 1. Introduction

- 1.1. This Statement of Case has been prepared in respect of an appeal made by Mrs Stephanie Robinson (the Appellant) against the refusal of planning permission by Local Planning Authority, Doncaster Metropolitan Borough Council, for the “change of use from Use Class C3 (Dwellinghouse) to Use Class E(f) (Day Nursery) and alterations to car park layout” at 38 Whiphill Lane, Armthorpe, Doncaster, DN3 3JP.
- 1.2. The planning application (25/02013/FUL) was refused by delegated powers on 5 December 2025 for three reasons:
- 1.3. The reasons for refusal are as follows:
  1. *The noise, disruption and privacy impacts arising from the use of the rear garden and the comings and goings associated with the use of the residential property as a nursery will result in a harmful impact on neighbouring residential amenity. This is contrary to policy 10, 46, 52 and 54 of the Local Plan and paragraph 135 of the NPPF.*
  2. *The application proposes off-site parking for staff on land outside of the applicant's ownership. This arrangement would be an unreasonable walking distance from the site and could not be secured through the lifetime of the development as it relies on an informal agreement. There is insufficient parking available on the site to accommodate both staff parking and parking related to pick ups and drop offs. The width of the access is also unsuitable for two cars to pass, would result in poor lane discipline and would mean vehicles turning out of the site exceed the highway boundary. This would result in an unacceptable parking arrangement and a parking layout that is poorly designed for the commercial use of the site. As such, the proposal is not in accordance with policy 13, 46 and 52 of the Local Plan and paragraph 115 and 116 of the NPPF.*
  3. *The installation of hardstanding over of the entire front garden for use as a dedicated car parking area together with the commercial scale parking on the land would significantly alter the character of the site. This would be incongruous with the prevailing residential and suburban character of the area. The proposal therefore fails to meet policy 41, 42 and 46 of the Local Plan.*
- 1.4. A copy of the Decision Notice and Officer's Report can be viewed as part of the appeal submission.
- 1.5. The Appellant is an experienced nursery provider and seeks to open a new nursery at the site in response to a documented shortfall in early years provision, as evidenced by data provided by Early Years Education at Doncaster Council. Nurseries are generally best placed within residential locations, including suburban areas, where they can operate in proximity to the families they serve. Such locations offer ease of daily drop-off and collection, provide a familiar and homely environment for young children, and enable a cohesive and compatible use alongside surrounding residential properties, reflecting established and successful patterns of early years provision.
- 1.6. The application material included a supporting Noise Impact Assessment and Transport Statement, with further comments submitted to rebut the objections made by the Local Highway Authority and Environmental Health. Additional supporting information, including a Noise Management Plan and Car Park Management Strategy have been offered to the LPA as well as a formal response to public comments from the Appellant, to which there has been a failure to acknowledge. These documents are included as part of the appeal submission.
- 1.7. This appeal seeks to challenge the decision made by LPA and this Statement sets out the Appellant's case, demonstrating that the appeal proposals are entirely acceptable and are in accordance with local and national policy, and that permission should be granted.

## 2. Appeal Site and Surrounding Area

- 2.1. This appeal relates to 38 Whiphill Lane, a modest two-storey detached dwelling set within generous gardens to the front and rear. The site is bound by mature hedging and trees on all boundaries.
- 2.2. The site lies within the administrative authority of Doncaster Metropolitan Borough Council and is located within the Armthorpe Neighbourhood Plan area.

Figure 2.1 Location Plan



Source: 3DPPD

Figure 2.2 Photograph of Appeal Site



Source: Planning Potential site visit December 2025

- 2.3. Whiphill Lane is a private road which has recently been resurfaced to improve conditions for all users. The surrounding built context is predominantly residential in nature, within a residential area to the south eastern of the village centre of Armthorpe on the outskirts of the city of Doncaster. This site is within walking distance to the centre of the village of Armthorpe.
- 2.4. The property is not statutorily or locally listed, and the site does not fall within a conservation area.
- 2.5. As part of the proposals, the entirety of the property would become Class E(f) (Day Nursery), with the only external alterations comprising surface treatment to the front of the property.

### 3. Planning History

- 3.1. The sites previous planning history identifies a number of applications relating to extensions and alterations to the property pre-2000. In 2006, there was also an outline application for the erection of residential development on approximately 0.6ha of land following demolition of existing buildings at 38 and 40 Whiphill Lane, ref. 06/01118/OUT, which was approved 4th July 2006.
- 3.2. The site's most recent planning history of relevance to this appeal are as follows:
- **25/00669/FUL** – Change of Use from Use Class C3 (Dwellinghouse) to Use Class E(f) (Nursery), and alterations to car park layout. Refused 25 July 2025.  
At full capacity, the nursesey would provide a setting for **46 children from 0-5 years old and 8 staff.**
  - **25/02013/FUL** – Change of Use from Use Class C3 (Dwellinghouse) to Use Class E(f) (Nursery), and alterations to car park layout. Refused 5<sup>th</sup> December 2025.  
At full capacity, the nursery would provide a setting for **39 children from 0-5 years old and 7 staff.**
- 3.3. The second application demonstrates the Appellants commitment to working with the Local Planning Authority to secure a positive outcome, reducing numbers and offering specific mitigation measures to address concerns on amenity and highways/ parking raised.

#### 4. Planning Policy Context

- 4.1. The planning system is plan-led. Planning law requires that applications for planning permission must be determined in accordance with the adopted development plan (when taken as a whole) unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions. It also provides guidance on how to draw up Development Plans and Policies.
- 4.2. On 16 December 2025, the Government published a consultation on proposed updates to the National Planning Policy Framework (NPPF) until 10 March 2026 however this holds little weight in decision making currently as it is still subject to public consultation.

#### National Planning Policy Framework (NPPF) (December 2024)

- 4.3. The content of the NPPF (December 2024) is also a material consideration. The chapters particularly pertinent to the determination of the application include:
- Decision-making
- 4.4. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise (paragraph 48). Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.
- Promoting healthy and safe communities
- 4.5. Paragraph 100 sets out that it is important that a sufficient choice of early years, school and post-16 places are available to meet the needs of existing and new communities. It states that local authorities should give **great weight** (our emphasis added) to the need to create, expand or alter early years, schools and post-16 facilities through the preparation of plans and decisions on applications.
- Making effective use of land
- 4.6. Paragraph 124 states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.
- Promoting sustainable transport
- 4.7. Paragraph 115 sets out that when assessing sites for allocation or determining planning applications, development should prioritise sustainable transport modes appropriate to the site's vision, type, and location; ensure safe and suitable access for all users; reflect current national design guidance in the layout of streets, parking, and transport infrastructure; and ensure that any significant impacts on the transport network or highway safety are mitigated to an acceptable level in a cost-effective and vision-led manner.
- 4.8. Paragraph 116 states that development should only be prevented or refused on highway grounds where it would result in an unacceptable impact on highway safety, or where the residual cumulative impacts on the road network, after mitigation, would be **severe** (our emphasis added), taking into account all reasonable future scenarios.
- Achieving well-designed places
- 4.9. Paragraph 135 states that Planning policies and decisions should ensure that developments:
- a. 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;
  - b. are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
  - c. are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
  - d. establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
  - e. optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

- f. create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

#### Development Plan Policies

4.10. The local development plan comprises the following:

- Local Plan (adopted September 2021)
- Armthorpe Neighbourhood Plan (2017)

#### Local Plan Policies applied to the reason for refusal

- Policy 10 Residential Policy Areas
- Policy 13 Promoting Sustainable Transport in New Developments (Strategic Policy)
- Policy 41 Character and Local Distinctiveness (Strategic Policy)
- Policy 42 Good Urban Design (Strategic Policy)
- Policy 46 Design of Non-Residential, Commercial and Employment Developments (Strategic Policy)
- Policy 52 New Education facilities
- Policy 54 Pollution

## 5. Matters in Agreement

5.1. It is important to note that during the application process, the following statutory consultees commented:

- South Yorkshire Police – No objection
- Ecology – No objections, conditions
- Severn Trent – No objections, conditions
- Locality Manager – East – No objection
- Armthorpe Parish Council – Objection
- Highways – Objection
- Environmental Health – Significant concerns
- Councillor Christopher Marriot and Cllr Nick Prichard – Objection

### Agreed Common Ground

5.2. The following matters are not in dispute:

- The appeal site sits within a Residential Policy Area (Policy 10) and that the proposal is supported in principle by both national and local planning policy.
- It also recognises that the proposal responds to a clear and pressing shortage of early years childcare provision within Armthorpe.
- The proposal would deliver 39 additional childcare places, and great weight should be afforded to the proposal (NPPF paragraph 100 and Policy 52).
- The site is accessible by non-car modes.
- Ecology, drainage, crime prevention and flood risk raise no objections.
- The nursery would operate weekday-only and within standard working hours.

## 6. The Appellant's Statement of Case

- 6.1. This section details the case put forward by the Appellant in detailed evidence and is supported also by information submitted as part of the planning application.
- 6.2. The reasons for refusal are as follows:
1. *The noise, disruption and privacy impacts arising from the use of the rear garden and the comings and goings associated with the use of the residential property as a nursery will result in a harmful impact on neighbouring residential amenity. This is contrary to policy 10, 46, 52 and 54 of the Local Plan and paragraph 135 of the NPPF.*
  2. *The application proposes off-site parking for staff on land outside of the applicant's ownership. This arrangement would be an unreasonable walking distance from the site and could not be secured through the lifetime of the development as it relies on an informal agreement. There is insufficient parking available on the site to accommodate both staff parking and parking related to pick ups and drop offs. The width of the access is also unsuitable for two cars to pass, would result in poor lane discipline and would mean vehicles turning out of the site exceed the highway boundary. This would result in an unacceptable parking arrangement and a parking layout that is poorly designed for the commercial use of the site. As such, the proposal is not in accordance with policy 13, 46 and 52 of the Local Plan and paragraph 115 and 116 of the NPPF.*
  3. *The installation of hardstanding over of the entire front garden for use as a dedicated car parking area together with the commercial scale parking on the land would significantly alter the character of the site. This would be incongruous with the prevailing residential and suburban character of the area. The proposal therefore fails to meet policy 41, 42 and 46 of the Local Plan.*
- 6.3. The reasons for refusal can be summarised as follows:
- "Impact on neighbouring residential amenity";
  - "unacceptable parking arrangement and a parking layout that is poorly designed"; and
  - Alter the character of the site, being "incongruous with the prevailing residential and suburban character of the area".
- 6.4. For ease of reference, the Statement focuses on these three broad reasons, and these are addressed in turn below.
- 6.5. This Statement demonstrates that the Local Planning Authority's conclusions are not supported by objective evidence, rely on misinterpretation and misapplication of policy, and fail to properly engage with the extensive technical material submitted and mitigation measures offered as part of the application. The refusal does not reflect a balanced planning judgement, nor does it give effect to the presumption in favour of sustainable development.
- 6.6. Detailed technical evidence relating to noise and highways has been submitted separately as part of this appeal, including:
- Statement of Case on Noise prepared by E3P (Appendix 1); and
  - Statement of Case on Highways prepared by Exigo Project Solutions (Appendix 2)
- 6.7. This Statement of Case does not seek to duplicate that technical evidence. Instead, it focuses on the planning judgement exercised by the LPA, the interpretation of policy, and the adequacy of the Officer's reasoning.

### Reason for Refusal 1 – Impact on residential amenity

- 6.8. The first reason for refusal alleges that noise, disturbance and privacy impacts from use of the rear garden and associated comings and goings would harm neighbouring residential amenity, contrary to Policies 10, 46, 52 and 54 of the Local Plan and paragraph 135 of the NPPF.
- 6.9. The technical response to these noise allegations is set out fully in E3P's Statement of Case (Appendix 1). This Statement focuses instead on how that evidence was treated by the Local Planning Authority and the planning judgements underpinning the refusal.

- 6.10. Although the Officer's Report acknowledges receipt of a Noise Impact Assessment and Noise Management Plan, it offers no substantive critique of their methodology, assumptions or conclusions. No alternative assessment has been produced, nor has any technical flaw been identified.
- 6.11. The Report instead relies heavily on the Environmental Health officer's assertion that it is 'inconceivable' that children playing would not be audible. Audibility, however, is not the relevant policy test. National policy seeks to avoid *significant adverse effects*, not all audible sound.
- 6.12. As demonstrated in the Noise Statement of Case, the submitted evidence shows that the proposal would not generate unacceptable or significant adverse impacts. The LPA has provided no objective evidence to the contrary. In the absence of any technical analysis demonstrating harm, the conclusion that unacceptable amenity impacts in respect of noise would arise is unsupported.
- 6.13. The Officer's Report suggests that the 'commercial scale' of the parking area and increased staff presence would create privacy impacts. This is not supported by the site's physical characteristics or established planning principles. Drop-off and pick-up activity would occur entirely within the existing curtilage, with parents remaining on-site, in vehicles for only brief periods. Such short, transient movements do not create overlooking. No new windows, elevated viewpoints, level changes or reorientation are proposed, and the relationship with neighbouring dwellings remains unchanged from the lawful residential use.
- 6.14. The parking area is at ground level and screened by existing boundary treatments, including hedging, which limits intervisibility. Staff use of the building and garden would not introduce activity materially different from that of a typical dwelling, and daytime garden use is not ordinarily considered a privacy concern. In any case, the LPA has powers to investigate and tackle noise issues should they arise.
- 6.15. The nursery would operate only on weekdays, when most residents are away from their homes. The Report conflates increased activity with loss of privacy; while activity may be noticeable, it does not amount to overlooking or intrusion. Planning policy does not require the elimination of all awareness of neighbouring activity.
- 6.16. The Report does not explain how privacy harm would occur or identify any specific properties affected. Without a clear mechanism of harm, the conclusion is speculative. Accordingly, the allegation of unacceptable privacy impacts is unsubstantiated and cannot justify refusal.
- 6.17. Policies 10, 46, 52 and 54 of the Local Plan and paragraph 135 of the NPPF support non-residential uses of an appropriate scale where they do not cause unacceptable amenity impacts. Policy 46 further supports high-quality non-residential development that does not adversely affect neighbouring uses.
- 6.18. Independent assessments demonstrate that the proposal would not harm residential amenity. Any residual concerns can be addressed through conditions securing Management Plans for the car park and outdoor play space, consistent with Policy 54 and NPPF 135(f), which support mitigation to acceptable levels.
- 6.19. In reaching its conclusions, the LPA places weight on objections received, including those from the Parish Council. However, some of these objections are based on incorrect information. In particular, it was suggested that additional local provision had become available since the application was submitted and that there was therefore no longer a need for the nursery. This is not correct. To clarify the position, the Appellant contacted Doncaster Council's Early Years Sufficiency Team to confirm the current situation. Their response, based on up-to-date data and provided directly to the LPA during the application, confirms that there remains a clear shortfall of early years places in Armthorpe, specifically 62 places for babies aged 9 months to 2 years and 32 places for children aged 2 to 3 years.
- 6.20. The proposal represents a modestly scaled day nursery, reduced during the course of the application process, which has balanced the need for the nursery to be of a size necessary to ensure a sustainable and viable business and meet identified local need. Policy 52 and NPPF paragraph 100 confirm significant weight should be given to the provision of new early years education facilities in decision making.

#### Reason for Refusal 2 – Parking, Access and Highway Safety

- 6.21. The second reason for refusal claims that the proposal would result in an unacceptable parking arrangement and harmful highway impacts, contrary to Policies 13, 46 and 52 of the Local Plan and paragraphs 115 and 116 of the NPPF.

- 6.22. Detailed transport and highway matters are addressed in full within the separate Highways Statement of Case (**Appendix 2**) submitted as part of this appeal. This section therefore focuses on whether the Officer's Report applies the correct policy framework and whether the planning judgement reached is reasonable and proportionate.
- 6.23. Paragraphs 115 and 116 of the NPPF set a deliberately high threshold for refusal on highway grounds. Planning permission should only be refused where the residual cumulative impacts on the highway network would be **severe**. The latest consultation on the NPPF replaces 'would' with 'will', which makes it even more difficult to refuse applications on highways grounds.
- 6.24. The Officer's Report does not conclude that this threshold would be met. It does not identify any unacceptable impact on highway safety, network capacity or accessibility, and these matters are neither accepted or disputed within the Report.
- 6.25. Instead, refusal is based on concerns relating to access width, parking layout and parking management. However, the Report does not demonstrate how these matters would give rise to severe residual impacts, as required by national policy. As a result, the correct policy test has not been applied.
- 6.26. Only limited weight is given to the submitted Car Park Management Strategy, and no clear explanation is provided as to why it could not be secured by planning condition. The rejection of mitigation on the basis of enforceability is unsupported and sits uncomfortably with established planning practice, where such measures are routinely accepted, especially as the condition meets the necessary tests.
- 6.27. The refusal also refers to the fact that the car park is not within the Appellant's ownership and suggests that this undermines the long-term acceptability of the parking arrangements. This approach is inconsistent with the LPA's own decision-making. The Appellant's existing provision at The Secret Gardens Day Nursery (**Appendix 3**) operates using a car park that is also not in the Appellant's ownership, an arrangement which the LPA accepted when granting planning permission. No explanation is given as to why such an arrangement is considered acceptable in that case but unacceptable here. Land ownership is not a determining planning consideration where access, availability and appropriate management can be demonstrated, and there is no policy basis for reaching a different conclusion here.
- 6.28. When assessed against the correct national and local policy framework, the proposed parking and access arrangements do not result in unacceptable highway impacts and do not justify a refusal. The LPA's decision fails to give due weight to the independent, third-party input specifically prepared to address their concerns.

### Reason for Refusal 3 – Impact on Character and Appearance

- 6.29. The third reason for refusal alleges that the formation of hardstanding to the front garden for parking purposes, together with what is described as 'commercial scale parking', would be incongruous with the prevailing residential character, contrary to Policies 41, 42 and 46 of the Local Plan.
- 6.30. The Officer's Report states that, whilst some properties along Whiphill Lane have predominantly paved front gardens, this is "relatively uncommon", particularly for larger plots, and that the proposal would result in the complete loss of the front garden, creating a formalised car park with a distinct commercial character.
- 6.31. This characterisation is overstated and not supported by the evidence. The Officer's Report itself acknowledges that there are properties along Whiphill Lane with predominantly paved front gardens. The existence of such properties demonstrates that hard-surfaced front curtilages are an established and accepted feature of the street, including on larger plots, and are therefore not inherently at odds with the residential environment.
- 6.32. The proposal does not introduce development that would be inherently or uniquely commercial in appearance. As previously noted, a residential dwelling may lawfully hard-surface its front garden for parking purposes without planning permission, subject to meeting drainage requirements. The provision of a fully or largely surfaced driveway is therefore a common and reasonable feature of residential streets and cannot, in itself, amount to character harm.
- 6.33. The Officer's Report places weight on the suggestion that the proposal would create a 'formalised car park' with a one-way system, marked parking spaces and signage. This significantly overstates what is proposed. While parking bays are shown indicatively on the plans to demonstrate how the site would function, they are not intended to be marked out with painted lines or highway-style markings.

- 6.34. Instead, the parking arrangement would be subtly defined through the layout and orientation of permeable clay pavers, in a way that is entirely consistent with high-quality residential driveways. This approach avoids visual clutter, retains a domestic appearance and does not introduce features typically associated with commercial car parks. The nursery would be used regularly by the same visitors, as such they would not require signage or lining to understand the basic operation.
- 6.35. No directional arrows, road markings or commercial signage are proposed as part of the development. The planning application does not include, nor seek consent for such features. Details of the surfacing and layout of the parking arrangement can be secured via condition if deemed necessary.
- 6.36. References to a one-way system arise solely from the Car Park Management Strategy, which is an operational document designed to manage vehicle movements during short weekday peak periods. It does not depend on physical infrastructure or signage to operate effectively. As with many nurseries, parents are regular users who quickly become familiar with straightforward arrangements through routine use and staff guidance.
- 6.37. The Officer's Report therefore conflates operational management measures with physical development. The existence of a management strategy does not translate into a commercial appearance on the ground. Planning decisions must be based on the physical form and visual impact of development, not on assumed or speculative operational outcomes.
- 6.38. The existing area to the front of the property is entirely low, the proposed layout simply alters the surface, there are no material changes to the visual landscape in terms of heights or topography.
- 6.39. The retention of the existing access, use of permeable clay pavers and the retention of boundary hedging are deliberate design choices intended to soften the frontage and maintain a residential appearance. These measures directly reflect the requirements of Policy 46, which seeks to ensure that parking areas are located unobtrusively and their visual impact reduced through landscaping and boundary treatments.
- 6.40. The assessment also does not take account of how the site would appear over the lifetime of the development, as required by paragraph 135 of the NPPF. Outside short weekday drop-off and pick-up periods, the parking area would not be intensively used and the frontage would continue to read as a residential curtilage rather than a commercial forecourt.
- 6.41. In practical terms, the visual difference between the appeal site and a large residential property with several vehicles parked on a hard-surfaced driveway would be minimal. The conclusion reached in the Officer's Report relies on an assumed level of formality and visual intensity that is neither proposed nor evidenced.
- 6.42. For these reasons, the suggestion that the frontage would take on a 'distinct commercial character' is not supported. When considered against the development as proposed, the established character of Whiphill Lane and the relevant policy tests (policies 41, 42 and 46 of the Local Plan), the effect on character would be neutral and does not justify refusal.

#### Comparable and Relevant Planning Decisions

- 6.43. Consistency in decision-making is a well-established material consideration in planning appeals. While each application must be determined on its own merits, previous decisions by the same Local Planning Authority (LPA) on materially similar proposals are relevant in assessing whether the refusal of the appeal scheme represents a proportionate and reasonable application of policy.
- 6.44. The LPA has a long and consistent history of permitting day nurseries within residential areas, including the change of use of dwellinghouses, where impacts are appropriately managed. The appeal proposal at 38 Whiphill Lane aligns closely with this established pattern of development.
- 6.45. The following examples are particularly relevant (as referenced in the submitted Planning Statement), as they involve nursery uses within residential settings, comparable or greater child numbers, and similar or more constrained highway and amenity contexts.
- The Secret Garden Day Nursery, Dunville (The Appellant's existing nursery) – 3.3 miles north of Appeal site – 30 children (Appendix 3)
  - Small World Day Nursery, Hatfield – 5.3 miles north east of Appeal site – 90 children (Appendix 4)
  - Little Rascals, Edenthorpe – 3.2 miles north west of Appeal site – 70 children (Appendix 5)

- Paskals Day Nursery, Balby – 7.6 miles south west of Appeal site – 25 children (Appendix 6)
- 6.46. The above examples demonstrate a clear and consistent approach by the LPA in supporting early years provision within residential settings, including through the reuse of dwellinghouses. Furthermore, the Appellant, as an existing day nursery operator, proposes a scheme that meets her business and operational needs. If issues arise in a “worst-case scenario”, mitigation measures can be enforced via the management plans offered during the course of the applications.
- 6.47. In each case, the LPA accepted that:
- residential locations are appropriate and sustainable for nursery uses;
  - some level of activity and vehicle movement is inevitable and acceptable; and
  - impacts can be appropriately managed through operational controls (i.e. staggered play and drop-off/pick-up times), rather than prevented outright.
- 6.48. When assessed against these comparators, the Whiphill Lane proposal is:
- smaller in scale than comparable approved nurseries;
  - supported by equal or better parking ratios;
  - located within a strong residential catchment; and
  - accompanied by more comprehensive management documentation.
- 6.49. Refusal of the proposal therefore represents a departure from the LPA's own established decision-making pattern. In the absence of materially different site circumstances or demonstrable harm, such inconsistency weighs in favour of allowing the appeal.

#### Other matters relevant to the Appellant's Case

- 6.50. The National Planning Policy Framework requires local planning authorities to take a proactive and collaborative approach to decision-making. The Appellant did so throughout the application process, reducing child numbers (in the second application), providing additional technical evidence, offering mitigation through management plans and amendments, and responding fully to public representations.
- 6.51. Despite this, the Officer's Report shows no meaningful engagement with these measures and treats perceived impacts as insurmountable rather than considering whether they could be addressed through reasonable conditions. The suggestion that controls on outdoor play or nursery and parking operations would be unenforceable is inconsistent with established planning practice, where Noise Management Plans and operational conditions are routinely applied to similar uses nationwide. This rigid approach conflicts with national policy expectations, particularly given the acknowledged shortfall in early years provision and the requirement to give great weight to proposals that expand such facilities and that a severe effect on safety or operation of the highway has been not demonstrated.

## 7. Planning Balance Exercise and Summary of Case

- 7.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires this appeal to be determined in accordance with the development plan unless material considerations indicate otherwise. When the proposal is assessed against the development plan as a whole, and when all relevant considerations are properly weighed, the planning balance falls decisively in favour of granting permission.
- 7.2. The appeal seeks the change of use of an existing dwellinghouse to a small-scale day nursery within a Residential Policy Area—an established and policy-supported form of development. National planning policy expressly encourages the creation, expansion and alteration of early years facilities, requiring great weight to be given to such proposals. This reflects the significant social and economic benefits associated with early years provision and the importance of locating facilities within the communities they serve.
- 7.3. The LPA's own Early Education and Childcare Department has identified a clear and quantified shortfall in early years places within Armthorpe. The appeal scheme would deliver 39 additional childcare places, making an immediate and meaningful contribution to meeting that unmet need. The Officer's Report acknowledges that this benefit attracts great weight, yet that weight is not applied to the decision-making process and certainly has not altered the result.
- 7.4. The reasons for refusal do not identify any demonstrable or policy-based harm capable of outweighing the significant public benefits of the development. Concerns relating to residential amenity, character and highway safety are unsupported by evidence or reliant on hypothetical worst-case scenarios rather than the proposal as submitted. Detailed technical assessments addressing noise, activity and highways impacts remain rebutted. The site provides sufficient outdoor play space, is unlikely to operate at maximum intensity, and sits within a sustainable and accessible location appropriate for a community-based nursery.
- 7.5. The proposal also aligns with the Local Planning Authority's established approach to comparable nursery developments within residential areas, many of which have been supported at equal or greater scale. Throughout the application process, the Appellant engaged constructively, reduced child numbers, and provided extensive technical and management information. The refusal fails to meaningfully engage with that mitigation or to explore reasonable solutions, contrary to the expectations of national policy.
- 7.6. When the development plan is read as a whole, and when national policy and all material considerations are properly applied, the proposal clearly accords with the National Planning Policy Framework (2024) and with Policies 10, 13, 41, 42, 46 and 52 of the Doncaster Local Plan (2021). The evidence demonstrates that the scheme would deliver substantial public benefits without giving rise to unacceptable impacts.
- 7.7. Despite clear professional evidence, the LPA did not meaningfully engage with—nor adequately consider—the findings of the submitted reports or proposed plans. As a result, the refusal reasons rest on unsubstantiated assertions rather than the balanced, evidence-led assessment required by national and local planning policy. The appeal should therefore be allowed.
- 7.8. For these reasons, it is respectfully requested that the appeal be allowed and planning permission granted for the change of use of 38 Whiphill Lane, Armthorpe, Doncaster to a day nursery.

# Appendix 1 – Statement of Case on Noise

Date: 21st January 2026

## 25/02013/FUL 38 WHIPHILL LANE, ARMTHORPE STATEMENT OF CASE - NOISE

### 1. INTRODUCTION

- 1.1 This statement has been prepared by Mr Lee Faulkner BSc (Hons), Associate Director of the Noise and Vibration department at E3P, on behalf of Mrs Robinson ('the applicant').
- 1.2 This SoC aims to consider the reasons for refusal, along with consideration of comments received from City of Doncaster Council (the LPA) prior to the decision notice, and the outcome of the NIA and its relevance to planning policy.
- 1.3 This SoC relies on the previously submitted Noise Impact Assessment (NIA) (51-673-R1-4) and provides clarification and additional justification responding to matters raised by the LPA.
- 1.2 Lee Faulkner specialises in environmental noise and routinely deals with noise control in relation to planning (residential, commercial, industrial, and mixed-use applications), licensed premises, transportation noise, wind turbines and construction noise. Lee has experience as an expert witness and routinely produces technical noise assessment reports and Environmental Statements. Lee holds a Bachelor of Science (Honours) degree in Geography and a Post Graduate Diploma in Acoustics and Noise Control. Lee is a Member of the Institute of Acoustics (MIOA) and a Member of the Institute of Environmental Science (MIEnvSci). Lee has over 15 years' experience in the measurement and assessment of noise and vibration with a team lead role for the last 8 years.
- 1.4 I confirm that the content of my statement, which I have prepared and provided for the Written Representation, is true and has been prepared and given in accordance with the guidance of my professional Institution and Institute. I confirm that the opinions expressed are my true and professional opinions.





## 2. BACKGROUND

2.1 The LPA reviewed planning application reference; 25/02013/FUL ('the application') which sought consent for the conversion of a dwelling (use class C3) to a Day Nursery (use class E), DC refused this application.

2.2 This SoC addresses the noise related reasons for refusal, reason 1 on the decision notice is provided below:

*The noise, disruption and privacy impacts arising from the use of the rear garden and the comings and goings associated with the use of the residential property as a nursery will result in a harmful impact on neighbouring residential amenity. This is contrary to policy 10, 46, 52 and 54 of the Local Plan and paragraph 135 of the NPPF.*

2.2 The above is in despite of a Noise Impact Assessment, undertaken by E3P (51-673-R1-4) finding no adverse impact was expected from the development, despite worst-case assumptions.

2.3 As such, the appellant considers that the application was not properly determined and therefore appeals this decision.



### 3. REVIEW OF RELEVANT POLICY AND GUIDANCE

#### 3.1. NATIONAL PLANNING POLICY FRAMEWORK (NPPF) (2024)

- 3.1 Government planning policy in relation to noise is contained in the National Planning Policy Framework (NPPF). Paragraph 187, pertinent to noise, specifically part e, of the NPPF advises:

*Planning policies and decisions should ensure that developments:*

*a) 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;*

*b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; Planning policies and decisions should contribute to and enhance the natural and local environment by:*

*a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*

*b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;*

*c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;*

*d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs;*

*e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and*

*f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.*

- 3.2 Paragraph 191 and 191a) of the NPPF states that:

*Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:*

*a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life<sup>69</sup>*

- 3.3 E3P also note the inclusion of Paragraph 135 in the reason of refusal. However, it is unclear how this relates specifically to noise as Paragraph 187 directly addresses potential noise impact, perhaps more applicable to the privacy aspect:

*Planning policies and decisions should ensure that developments:*



- a) 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;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

- 3.4 The requirement to avoid significant impacts and to mitigate and reduce to a minimum other adverse effects was originally recommended in the Noise Policy Statement for England (NPSE).
- 3.5 The 2010 DEFRA publication 'Noise Policy Statement for England' (NPSE) sets out policy advice applicable to the assessment and management of noise, including environmental noise. The NPSE states three policy aims, which are:
- avoid significant adverse impacts on health and quality of life;
  - mitigate and minimise adverse impacts on health and quality of life; and
  - where possible, contribute to the improvement of health and quality of life.
- 3.6 All three of these aims are to be considered in the context of Government policy on sustainable development.
- 3.7 The first two aims require that no significant adverse impact should occur and, where noise falls between the lowest observable adverse effect level (LOAEL) and the significant observed adverse effect level (SOAEL), then according to the NPSE:
- ... all reasonable steps should be taken to mitigate and minimise adverse effects on health and quality of life whilst also taking into consideration the guiding principles of sustainable development. This does not mean that such effects cannot occur.*
- 3.8 The NPSE notes that,
- It is not possible to have a single objective noise-based measure that defines SOAEL that is applicable to all sources of noise in all situations. Consequently, the SOAEL is likely to be different for different noise sources, for different receptors and at different times.*
- 3.9 The NPSE describes the Government's "guiding principles of sustainable development", listing the following as underpinning their sustainable development strategy:
- ensuring a strong, healthy and just society;
  - using sound science responsibly; • living within environmental limits;
  - achieving a sustainable economy; and • promoting good governance.



- 3.10 Thus, noise should not be considered in isolation; the economic and social benefit of a proposed development should be considered alongside the potential adverse effects from noise.

### 3.2. PLANNING PRACTICE GUIDANCE ON NOISE (PPG: NOISE).

- 3.11 The Government first published their Planning Practice Guidance on noise (PPG) in March 2014, with the most recent version issued in July 2019. The PPG provides guidance on the interpretation and implementation of planning policy, as contained in the NPPF and the NPSE.
- 3.12 The use of the lowest observed adverse effect level (LOAEL) and significant observed adverse effect level (SOAEL) for the assessment of noise impacts is reinforced in the PPG, which seeks to define human perception at these effect levels.
- 3.13 The PPG describes the LOAEL as the level at which “noise can be heard and causes small changes in behaviour, attitude or other physiological response” and it is “present and intrusive”.
- 3.14 Below this level, the PPG describes the NOAEL, or No Observed Adverse Effect Level, which it notes “can be heard but does not cause any change in behaviour, attitude or other physiological response” as the noise is “present but not intrusive”.
- 3.15 The NOAEL is not included in the NPSE and is introduced in the PPG. Below the NOAEL, the PPG describes the NOEL, or No Observed Effect Level, where noise is “not present” and has “no effect”.
- 3.16 The PPG describes the LOAEL as the:

*... boundary above which the noise starts to cause small changes in behaviour and attitude, for example, having to turn up the volume on the television or needing to speak more loudly to be heard. The noise therefore starts to have an adverse effect and consideration needs to be given to mitigating and minimising those effects (taking account of the economic and social benefits being derived from the activity causing the noise).*

- 3.17 Significant observable adverse effects, i.e. those occurring at or above the SOAEL, are described as “present and disruptive” and the PPG states that above the SOAEL:

*... the noise causes a material change in behaviour such as keeping windows closed for most of the time or avoiding certain activities during periods when the noise is present. If the exposure is predicted to be above this level the planning process should be used to avoid this effect occurring, for example through the choice of sites at the plan-making stage, or by use of appropriate mitigation such as by altering the design and layout. While such decisions must be made taking account of the economic and social benefit of the activity causing or affected by the noise, it is undesirable for such exposure to be caused.*

### 3.3. CITY OF DONCASTER COUNCIL LOCAL PLAN – ADOPTED SEPTEMBER 2021

- 3.18 Policies 46 and 54 are relevant to the noise aspect. Policy 10 is in relation to new residential development, which this site is not. Policy 52 only states requirements for new educational developments and not their impacts on existing receptors.



### 3.3.1. POLICY 46 – DESIGN OF NON-RESIDENTIAL, COMMERCIAL AND EMPLOYMENT DEVELOPMENTS (STRATEGIC POLICY)

- 3.19 *All non-residential and commercial developments, including extensions and alterations to existing properties, must be designed to be high quality, attractive, and make a positive contribution to the area in which they are located by meeting the following requirements:*

*Proposals will be supported where they are designed to:*

- 1. be sympathetic to local character and/or the host property in terms of their layout, siting, height, massing, form, scale, detailing, materials, landscaping or, where appropriate, their heritage significance;*
- 2. have no unacceptable negative effects upon the amenity of neighbouring land uses or the environment;*
- 3. promote accessibility and way-finding for all travel modes through the layout of the movement network, landscape strategy and building design;*
- 4. meet functional requirements, whilst being architecturally appropriate, with interesting and visually attractive elevations which convey a sense of permanence;*
- 5. reduce the scale of bulky buildings and bland elevations by breaking down building mass and using better quality human scale materials and detailing for prominent and heavily used parts of the building;*
- 6. locating parking, servicing and storage areas unobtrusively and reducing their visual impact through landscaping and boundary treatments;*
- 7. ensure parking areas do not reduce building line continuity and/or create large gaps in street frontages to an unacceptable extent; and*
- 8. be well landscaped, include provision of amenity areas for occupiers, visitors or workers, and ensure good quality external works are coordinated across the site.*

### 3.3.2. POLICY 54 - POLLUTION

- 3.20 *Development proposals that are likely to cause pollution, or be exposed to pollution, will only be permitted where it can be demonstrated that pollution can be avoided, or where mitigation measures (such as those incorporated into the design and layout of development) will minimise significantly harmful impacts to acceptable levels that protect health, environmental quality and amenity. When determining planning applications, the agent of change principle will be applied, and particular consideration will be given to:*

*(...)*

***B)** the presence of noise generating uses close to the site, and the potential noise likely to be generated by the proposed development. A Noise Assessment will be required to enable clear decision-making on any relevant planning application. Proposals will need to have regard to the standards identified in Appendix 11 to establish if the proposal is acceptable in noise impact terms.*

*(...)*



## 4. NOISE FROM THE APPLICATION SITE

- 4.1 Reason for refusal on the planning application was based on a subjective analysis and decision by the Environmental Health Department despite a Noise Impact Assessment having been submitted using worst-case assumptions.
- 4.2 This section looks to review the outcomes of the E3P NIA and provide additional commentary on the assessments in relation to comments received from Mr Harry Dowker, Chartered Environmental Health Practitioner at the City of Doncaster Council, noted on email dated 1st December 2025.
- 4.3 E3P undertook a full 24-hour weekday background and ambient sound survey at the application site in a position considered representative of the residential dwellings in the immediate vicinity of the site. Specifically, a sound level meter was located in the rear garden of 38 Whiphill Lane, adjacent to rear gardens of neighbouring dwellings.
- 4.4 The results of which were used to inform noise calculations based on library source data and worst-case assumptions. Indeed, a source noise level for a primary school playground, involving much older children and in unregulated conditions, was used to inform a worst-case scenario to ensure adequate assessment and thus protection for existing residents.
- 4.5 The predicted specific noise level, from this worst-case source, was compared with the criterion stipulated in BS 8233 for relaxation conditions in rear gardens, as well as combining with existing ambient noise levels to determine any adverse change in noise levels.
- 4.6 No fixed plant items are proposed at the site and so the only sound sources are external noise from children playing.
- 4.7 The assessment found that the predicted specific noise levels at the closest gardens would be no more than 37 dB, well below the lower 50 dB criterion. Furthermore, changes in noise levels are expected to be 0.5 dB, below the 2.9 dB audibility. Car park usage noise was also found to be acceptable.
- 4.8 Accordingly, mitigation measures were not required and the assessment has shown that no adverse impact is predicted at existing receptors.
- 4.9 Despite this outcome with worst-case assumptions, Mr Dowker had provided the following comments which had lead to the reason for refusal. The below provides commentary on each comment:

*The noise assessment submitted by the applicant details that a 24hr background and ambient noise survey was completed and no mitigation measures are required as the predicted noise levels at the closest gardens are no more than 37dB and there is only a change of 0.5dB which is below the 2.9 dB audibility threshold.*

*The report details that average ambient sound level is LAeq 45.4dB, whilst the average background sound level is significantly lower at LA90 34.0dB.*



*When assessing the change in noise level, it appears that it has been assumed that the noise will be generated from the middle of the garden as they have identified that there is a distance of 7m to the receptor. However, given that it is to be expected the children will have access to all of the garden it is likely that the noise will be generated significantly closer than 7m and therefore the predicted sound level at the receptor of 36.6dB would be inaccurate. Given this, I believe that the change in noise level would be significantly above the 2.9dB audibility threshold.*

- 4.10 An assessment based on a movable, changing source at the centre of the area is considered acceptable and robust. We do not consider a scenario where all the children would congregate in the same spot for every play period. Furthermore, were the children all on the boundary with the receptor for the entire period, the barrier attenuation provided by the close boarded fence would be greater than considered here. Would the children be located on the far side of the garden, thus reducing barrier effect, distance attenuation would be greater. As such, a sensible and robust approach is to consider the source in the centre of the play area to inform a robust and typical assessment.
- 4.11 As noted, children will likely spread out given the different areas in the garden and the availability of the play spaces.
- 4.12 It is also important to note that moving this source around the area would not result in noise levels of more than 50 dB in neighbouring gardens, nor is this likely to increase noise levels from 0.5 dB to above 2.9 dB. The variance would be less than 1 dB.

*Additionally, on Page 7 of the Noise Assessment, it details that the subjective nature of noise means it is not a simple relationship between noise levels and impact. It states that for non-continuous noise sources, the number of noise events and frequency and pattern of occurrence of the noise can be important. Therefore, further investigation would need to be carried out to identify the likely LAmax levels due to the nature of noise generated by children playing. There is no reference within the report as to the likely maximum noise levels associated with children playing and this would be necessary to suitably assess the impact to neighbouring properties. This is because, using a single figure noise level, (effectively an average), smooths out the peak noise levels and fails to give an accurate representation.*

- 4.13 Indeed, the noise is not continuous and the above considerations should be allowed for. However, given that noise levels are expected to be 37 dB, even falling below an acceptable internal noise level for dining rooms, and that the increase in noise levels is imperceptible to the human ear, the type of noise source, which is important to note is nursery age children playing, does not change the lack of adverse impact nor the outcome of the assessment.
- 4.14 BS 8233 does allow for assessment of noise with perceptible characteristics and suggests that the usual noise criteria be tightened by 5 dB to cover this potential perceptibility of character. As such, a more robust criterion of 45 dB may be applicable and would be considered robust and worst-case. As noted above, the expected noise levels fall below even this strict criterion.
- 4.15 The suggestion of an  $L_{Amax,fast}$  assessment is considered unnecessary. Indeed, this assessment aims to consider instantaneous loud noises, such as the passing of loud vehicles on the road, passing of trains on railway tracks or the banging and crashing associated with industrial and commercial activity. The application of this type of assessment for a nursery playground is considered excessive and disproportionate. Indeed, all guidance states that the  $L_{Amax}$  is mostly applicable to night-time situations due to the disruption to sleep due to instant loud noises.



- 4.16 The only potential maximum noise events will be from screaming/crying children but it is noted that the client would manage this and not allow this type or level of noise to go unmanaged with children taken inside if this did occur. However, a single event of a child crying/screaming would be proportionate to that expected in a residential rear garden of a family, which would not be supported by a NIA.

*In terms of the parking, the noise calculation which has been done assume assumes a distance from the noise source of 13m as they have taken this as being the centre of the parking area. Given that a significant portion of the noise will arise closer to the nearest residential properties, it is not possible to be sure of the potential impact from noise.*

- 4.17 Again, the above is considered robust given that some spaces are closer and some further away. It is highly unlikely that the noise source would be located in the closest space for the entire assessment period.

- 4.18 Although more cars are expected than would be considered applicable to a residential dwelling, the character and type of noise is identical to that of a family entering and leaving the property via personal vehicle.

- 4.19 However, the additional vehicles above this are assessed in the NIA with the following outcome:

*With a distance of 13 m from the centre of the car park to the façade of the receptor, this results in an expected noise level of 34 dB  $L_{Aeq,1hr}$ .*

*When considering open windows, this results in an internal noise level of 24 dB, 11 dB below the 35 dB criterion.*

*As such, no adverse impact is predicted.*

- 4.20 As noted previously, even if we consider the stricter criterion of -5 dB, i.e. 30 dB, the expected noise level still falls comfortably below this.

- 4.21 Ultimately, Mr Dowker determined that the scale of development could be considered to have a significant adverse impact (SOAEL) due to noise. However, in essence the assessment and representations since submission have always stated, with support from the NIA, that eight nursery aged children playing at once in an outdoor area would not be adverse, let alone significant. Indeed, I would not expect the noise from a nursery play area to cause residents to keep windows closed through the day or avoiding being in the gardens. Indeed, it is extremely important to note that this source is intermittent, not constant, and only takes place Monday to Friday, thus avoiding the most sensitive evening and weekend periods.

- 4.22 It is unclear on how the NIA is considered to not address the potential noise impact given the standard approach and assessment in accordance with standard guidance and procedure. A source of primary aged children in a school playground has been used, despite it being considered louder than a nursery play area to inform a worst-case assessment and the NIA clearly shows no adverse impact but the LPAs interpretation appears subjective and is not supported by the evidence.



## 5. SUMMARY AND CONCLUSIONS

- 5.1 Based on my assessment, set out in the E3P NIA, I conclude that noise levels from activities on site are found to be acceptable and would be considered the NOAEL with noise audible but no perceived change in behaviour expected. Indeed, a sound source of nursery aged children is unlikely to result in a significant adverse impact at receptors with residents having to change behaviours. It is worth noting that people would not change behaviours were they living next door to a large family with multiple children. Nor would this be grounds for complaint considering the source of noise.
- 5.2 DC determined that the scale of development could be considered to have a significant adverse impact (SOAEL) due to noise. However, in essence the assessment and representations since submission have always stated, with support from the NIA, that eight nursery aged children playing at once in an outdoor area would not be adverse, let alone significant.
- 5.3 The findings of the NIA are in accordance with NPPF, NPPG and the guidance given in the applicable guidance and standards used for acceptable noise levels. All assessments found that noise would be considered the NOAEL level with no change in behaviour due to the proposed noise source, nursery aged children playing.
- 5.4 The intended use is daytime only, of short duration and low intensity with noise levels considered sufficiently low.
- 5.5 Furthermore, the outcomes of the assessments are supportive of the Local Plans Policies. Policy 46 requires that all non-residential, commercial and employment developments have no unacceptable negative effects upon the amenity of neighbouring land uses or the environment. Indeed, the assessment found noise levels to be low with dining room acceptable internal noise levels achieved outside in gardens.
- 5.6 Policy 54 states that development proposals that are likely to cause pollution, or be exposed to pollution, will only be permitted where it can be demonstrated that pollution can be avoided, or where mitigation measures (such as those incorporated into the design and layout of development) will minimise significantly harmful impacts to acceptable levels that protect health, environmental quality and amenity. When determining planning applications, the agent of change principle will be applied, and particular consideration will be given to the presence of noise generating uses close to the site, and the potential noise likely to be generated by the proposed development.
- 5.7 As noted within the SoC, a worst-case NIA was produced to show that the noise generating uses would not adversely affect the existing receptors in the vicinity of the site. Thus, according with the agent of change principle.

**APPENDIX I  
E3P SUBMITTED NOISE  
ASSESSMENT 51-673-R1-  
4**

# Appendix 2 – Statement of Case on Highways

Document Control	
Document Type	Statement of Case – Highways Rev A
Site Location	38 Whiphill Lane, Armthorpe
Proposed Development	Proposed Day Nursery
Client	Mrs Robinson
Planning Reference	25/02013/FUL
Status	Planning Appeal
Date	12/01/26
Written By	CS
Checked By	JA

## **Introduction**

1. This Statement of Case (SoC) has been prepared by Mr C Smith BSc (Hons) Director of Exigo Project Solutions Ltd (Exigo) on behalf of Mrs Robinson (applicant).
2. Chris Smith is a Director of Exigo, a Transport Planning and Design Practice established in 2014, serving clients including Morrisons Supermarkets, Safestore, LondonMetric Properties PLC, Evolve, Maritime and many more. Chris has a degree in Transport Studies and is a member of the Chartered Institute of Logistics and Transport (MILT). Chris has provided expert transport advice for over 23 years, obtaining planning consents and delivering development across the UK.
3. Doncaster Council (DC) reviewed planning application reference; 25/02013/FUL ('the application') which sought consent for the conversion of a dwelling (use class C3) to a Day Nursery (use class E), DC refused this application.
4. This SoC addresses the highway related reason for refusal, reason 2 on the decision notice is provided below;

*"02. The application proposes off-site parking for staff on land outside of the applicant's ownership. This arrangement would be an unreasonable walking distance from the site and could not be secured through the lifetime of the development as it relies on an informal agreement. There is insufficient parking available on the site to accommodate both staff parking and parking related to pick ups and drop offs. The width of the access is also unsuitable for two cars to pass, would result in poor lane discipline and would mean vehicles turning out of the site exceed the highway boundary. This would result in an unacceptable parking arrangement and a parking layout that is poorly designed for the commercial use of the site. As such, the proposal is not in accordance with policy 13, 46 and 52 of the Local Plan and paragraph 115 and 116 of the NPPF."*

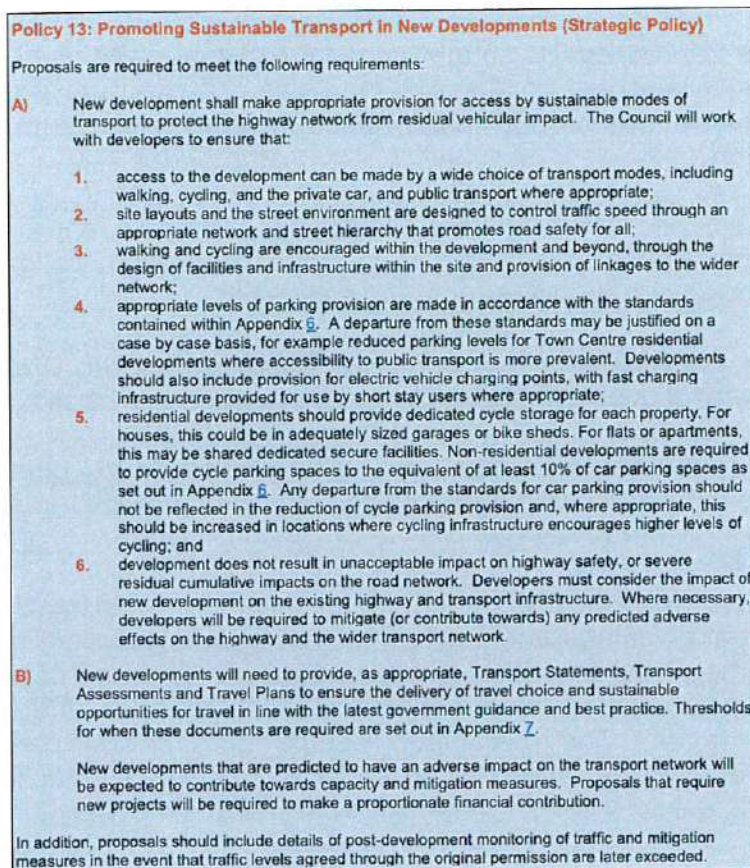
5. An application for the same change of use was submitted in 2025 under reference 25/00669/FUL, this was also refused by DC. Application reference 25/02013/FUL took on board comments from the previous application, which included a revised parking arrangement (reducing the provision) and reduced the number of children proposed to be cared for by 7 no. with 1 no. fewer staff members.
6. The appellant considers that the application was not properly determined and therefore appeals this decision.

### **Background and Context**

7. Application reference 25/00669/FUL sought consent to change the use of no. 38 Whiphill Lane from C3 land use to Class E land use. The revised application 25/02013/FUL sought to address the points raised in relation to the previously determined application.
8. The applicant operates The Secret Garden in Dunsville, DN7 4BX, approximately 3.3 miles north of the Appeal site. This accommodates 30 no. children with limited off-street parking served by a single dropped kerb.
9. Paskals Day Nursery operates from no. 6 Farnley Road, Doncaster, DN4 8TS, a residential dwelling with a double private drive, using a dropped kerb.
10. Little Rascals Day Nursery operates from no. 5 St Nicholas Court, Edenthorpe, DN3 2QD, a residential dwelling with a double private drive, using 2 no. dropped kerbs.
11. Day nurseries are typically located in a similar location to schools, within proximity to residential dwellings and convenient for people to collect and drop children as part of an existing journey. Limited parking is required due to their being no fixed pick up or drop off time. People collecting children tend to arrive at times set by other factors. The operational requirements for staff parking are minimal as demonstrated above, most day nurseries do not have significant levels of dedicated parking.

### **Planning Policy**

12. The reason for refusal stated the following policy requirements were not met: 13, 46 and 52 of the DC Local Plan (Adopted 23/9/21) and paragraphs 115 and 116 of the NPPF. Policy 13 is set out in Figure 1, the rest of this section sets out the policy requirement and how I consider that the policy requirements are met.



**Figure 1 – Policy 13 of SC Local Plan (2021) Wording**

13. The submitted Transport Statement (TS) sets out the accessibility of the site in relation to non-car modes; DC did not raise an objection in relation to the accessible nature of the site.
14. Cycle storage was included to meet DC policy requirements, to encourage sustainable travel to the site.
15. Data issued in relation to other day nurseries in the area, and operated by the applicant, confirmed that staff travel sustainably to work, and parents/guardians who drive would do this mostly as part of an existing trip, these sites do not benefit from as much parking as proposed at this location. DC did not offer any response to this data.
16. The site is laid out in a safe and efficient manner, with sufficient parking to accommodate travel related to the day nursery on-site. The applicant offered a Car Park Management Strategy to manage overspill parking, if the site operated more generally, rather than that experienced by this operator locally.
17. Whiphill Lane is a cul-de-sac beyond no. 38, serving few properties. Whiphill Lane is sufficiently wide for a vehicle to pass a parked vehicle, and the forward visibility

is sufficient for this to be carried out safely.

18. In the unlikely event that a vehicle or 2 no. are parked (maximum predicted parking demand 6 on-site 2 offsite) on Whiphill Lane (a private road with no parking restrictions and sufficient width for vehicles to pass either moving or with one parked) there would not be an unacceptable impact on highway safety or a severe residual cumulative impact on the existing highway and transport infrastructure.
19. The application material sets out that the site is accessible by all modes, and the effect of the additional trip generation would not require any mitigation. DC have not raised any issues in relation to network capacity. In the consultation response, DC confirmed that the number of trips predicted to be generated would be acceptable for this road.
20. In relation to parking, the proposed spaces were laid out on the plan to maximise the number of vehicles that could park on-site with unrestricted access (non-tandem spaces), to address comments from DC made in relation to the previous application.
21. To mitigate the effect, the applicant proactively agreed to locate and secure offsite parking. A Car Park Management Strategy was produced to ensure that a lawful compliance condition could be attached to the planning decision. The presented mitigation strategy would have ensured that there was no risk that a severe effect could occur from parking that may not be contained on the site and if that agreement failed, then a suitable mechanism to secure another option was in place.

<b>Policy 46: Design of Non-Residential, Commercial and Employment Developments (Strategic Policy)</b>	
All non-residential and commercial developments, including extensions and alterations to existing properties, must be designed to be high quality, attractive, and make a positive contribution to the area in which they are located by meeting the following requirements:	
<b>A)</b>	Proposals will be supported where they are designed to: <ol style="list-style-type: none"> <li>1. be sympathetic to local character and/or the host property in terms of their layout, siting, height, massing, form, scale, detailing, materials, landscaping or, where appropriate, their heritage significance;</li> <li>2. have no unacceptable negative effects upon the amenity of neighbouring land uses or the environment;</li> <li>3. promote accessibility and way-finding for all travel modes through the layout of the movement network, landscape strategy and building design;</li> <li>4. meet functional requirements, whilst being architecturally appropriate, with interesting and visually attractive elevations which convey a sense of permanence;</li> <li>5. reduce the scale of bulky buildings and bland elevations by breaking down building mass and using better quality human scale materials and detailing for prominent and heavily used parts of the building;</li> <li>6. locating parking, servicing and storage areas unobtrusively and reducing their visual impact through landscaping and boundary treatments;</li> <li>7. ensure parking areas do not reduce building line continuity and/or create large gaps in street frontages to an unacceptable extent; and</li> <li>8. be well landscaped, include provision of amenity areas for occupiers, visitors or workers, and ensure good quality external works are coordinated across the site.</li> </ol>
Retail, commercial and mixed use proposals will be supported where they also: <ol style="list-style-type: none"> <li>9. respect, and where appropriate enhance, the character and setting of existing street frontages in terms of active frontage, plot widths, established building lines, shop-front proportion and rhythm;</li> <li>10. consider advertisements, signage, and security measures so they are not overly prominent or dominant and contribute to the visual character and vitality of the street-scene;</li> <li>11. ensure shop-fronts relate well to the building in which they are located in terms of proportion, elevation design, relationship to upper storeys, fascia height and width, mullion treatment, materials, and colour; and</li> <li>12. ensure that historic shop-fronts are retained unless their loss can be justified.</li> </ol>	
<b>B)</b>	New major non-domestic applications (1000m <sup>2</sup> floorspace or more, or a site of 1 hectare or above) must meet the BREEAM rating of at least 'Very Good', or any agreed equivalent standard, and secure at least 10% of their regulated energy from renewable sources (or equivalent carbon emission reductions). Large footprint buildings should ensure roofs are designed to accommodate the potential for solar panel arrays. This should be demonstrated through the submission of preliminary assessments at planning application stage.

**Figure 2 – Policy 46 of SC Local Plan (2021) Wording**

22. No. 38 Whiphill Lane benefits from a long driveway and access on to a private road (Whiphill Lane), there is space for a vehicle to enter and exit the dwelling in a forward gear, if a vehicle was leaving and another arriving a vehicle would have to wait on Whiphill Lane.
23. The proposed change of use maintained the same access width and the existing visibility from Whiphill Lane. The vegetation boundary could remain, the layout inside the plot would alter in terms of surface only. The area of hardstanding would increase; however, the topography and vertical features would remain largely unchanged, only the surface would alter.
24. The arrival and departure profile was estimated and presented to DC in the submitted TS, the probability of two vehicles arriving and leaving in the same small period is minimal. The site was designed to enable people arriving to have priority and people leaving to give way. In relation to vehicles this operation ensures that Whiphill Lane is not adversely affected by the development proposal.
25. The 'day nursery' operates on weekdays only, when most residents would be at work. At weekends, neighbours would not raise neighbourly issue, as the site would not be operating as a Day Nursery or Residential Dwelling.

26. In highway terms the site includes for pedestrian, cycle and vehicle movements in a safe manner, with travel for vehicles in a forward gear, apart from reversing if they want to exit a bay and a car is entering the site.

<b>Policy 52: New Education facilities</b>	
It is important that the ever diversifying needs and requirements of education provision can be met.	
<b>A)</b>	A new or improved education facility will be supported where: <ol style="list-style-type: none"> <li>1. the scale, range, quality and accessibility of education facilities are improved;</li> <li>2. it meets a recognised need in the area it is expected to serve in line with the Council's legal responsibility to provide sufficient school places;</li> <li>3. the proposed development is of a scale and design appropriate to the location;</li> <li>4. an area of open space and playing fields sufficient to meet the needs of pupils is incorporated;</li> <li>5. the development is capable of a joint or dual use for community benefit, in agreement with the school/academy and this has been incorporated into the design;</li> <li>6. proposals that involve the relocation of existing education facilities outside settlement boundaries (and redevelopment of the original site for alternative use) will only be supported where the new site would demonstrably better meet the identified education needs and is acceptable in terms of its impacts on the countryside;</li> <li>7. the proposal is readily accessible by the community or served well with public transport and by means other than the car; and</li> </ol>
	8. sufficient car parking, drop off zones, pedestrian crossings and the provision of safe and secure cycle parking are provided.
<b>B)</b>	Where housing proposals of 20 or more family dwellings <sup>28</sup> 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.

**Figure 3 - Policy 52 of SC Local Plan (2021) Wording**

27. The scale of this Day Nursery is like other local Day Nurseries, resulting in a local improvement to the availability of childcare places.
28. The site is accessible by all modes of travel; this matter is not disputed by DC in their highway consultation response.
29. The layout is designed to maximise on-site parking provision, using demarcated spaces as required by DC. There is no local or national policy against parking spaces being operated using a management strategy, where a vehicle may need to be moved on-site to allow another vehicle to leave, when all drivers are known and on site. This scenario would have no effect on the operation of the highway and would enable additional vehicles to be accommodated within the site boundary.
30. A suggested condition and Car Park Management Strategy was submitted as part of the application process, to ensure that sufficient car parking was provided as part of this application, either on or off-site.

115. In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) sustainable transport modes are prioritised taking account of the vision for the site, 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<sup>48</sup>; 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 through a vision-led approach.

**Figure 4 - Paragraph 115 of NPPF**

31. The site can be accessed by all modes of travel, it is in a sustainable location and is close to a well trafficked route that connects Armthorpe to the local area, this would be an ideal location for parents/guardians to drop and collect children as part of an existing trip passing the junction with Whiphill Lane.
32. Access to the highway network for all modes is safe, based on historical Personal Injury Accident (PIA) data collected by South Yorkshire Police, with the PIA rate very low. Access to the site is as existing, the driveway could be widened further without any additional consents, given that the access operates, the swept path analysis confirms it would continue to work and the existing street scene could be protected, resulted in the layout being specifically designed where vehicles leaving Whiphill Lane have priority and there is sufficient space for vehicles to wait within the site.
33. Based on empirical data there is no negative impact as a result of allowing the proposed development, it is considered that parking could be managed on-site to address demand. DC were not content with the proposal, the applicant arranged for off-site parking, a Car Park Management Strategy was offered to DC which could form a condition, where the responsibility to ensure negative effects related to overspill parking could be addressed by the applicant through a vision-led approach.

116. 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, following mitigation, would be severe, taking into account all reasonable future scenarios.

**Figure 5 - Paragraph 116 of NPPF**

34. The closest adopted highway is The Lings (77.5m), second closest Nutwell Lane (288m). The site is not car dependant; it is accessible by all modes of travel. The bar for refusal on highway grounds is high, indeed the recent consultation on the NPPF (Dec 2025) suggests that the bar may be raised by replacing 'would' with 'will' in relation to an effect being severe.
35. The trip generation and accessibility related to the proposed change of use was never raised by DC as an issue and was not included as a reason for refusal.

36. The TRICS data included in the TS considers parking demand over a 60-minute period in relation to this land use. The submitted information shows that there may be 1 no. vehicle parked outside of an identified parking space (on-site or off-site) from 8AM or 9AM (it covers sometime in that hour) to 10AM then there is potential for a further vehicle parking outside of an identified parking space (on-site or off-site). The site is occupied by one operator and all people associated with the site would be known and vehicles would not be left while people leave site. A vehicle parked on-site that blocked another, would not be an issue and could easily be managed, as all parties would be on-site
37. If one or both potential vehicles parked on Whiphill Lane, this would not affect the adopted highway network. Whiphill Lane only serves a limited number of dwellings beyond the site, on street parking is not restricted and there is sufficient space for any vehicle to pass a parked car. The effect on highway safety or the residual cumulative impacts on the road would not be unacceptable.
38. The applicant has been proactive and agreed to arrange offsite parking to accommodate any potential overspill parking, as it was raised by DC. To make this a lawful condition, a Car Park Management Strategy was prepared, making it the applicant's responsibility to find alternative space or alternative mitigation in relation to parking demand related to their operation. This takes account all future scenarios.
39. Most day nurseries do not have off-site parking, especially not to this degree, most day nurseries have a direct effect/access on the adopted highway, whereas 38 Whiphill Lane has separation between the site and the adopted highway.

### **Application Consideration**

40. DC acting as the Local Highway Authority provided a consultation response to the application, concluding that there would be a severe highway safety issue because of insufficient parking supply. The data based on the TRICS arrival and departure profile provided within the TS sets out a maximum parking occupancy of 8 no. vehicles between 10AM and 1PM, it was predicted that there would be 7 no. occupied spaces between 8AM and 10PM.
41. The proposed site layout shows 6 no. demarcated spaces. As part of the first application, the highway authority claimed that tandem parking spaces (a space where a vehicle may park behind, like the drive associated with no. 38 Whiphill Lane) at commercial developments is not allowed. This is a unique operation and all members of staff remain on-site and are available to move cars quite easily, the site is also large enough to move cars internally without entering Whiphill Lane. I could not find any evidence that tandem parking or parking outside of marked spaces on a commercial site would be against policy and I cannot see why with suitable management, that this arrangement could conflict with policy, it would not affect the highway in any way.
42. The TS sets out that most pick-up and drop-offs would only be parked for minutes rather than the full hour, providing enhanced space utilisation, i.e. each space

could be used multiple times an hour. This is not a factor that the survey data would pick up as it records arrivals and departures each hour, it does not consider the periods within the hour. This was not accepted by DC and additional mitigation was necessary. The applicant took the proactive approach to provide mitigation to fully address this issue. This involved securing offsite parking, should it be required.

43. Offsite parking was located 10 minutes from the site, which accords with the 800m national distance for walkable neighbourhoods and the lack of parking on-site may motivate staff to travel in a more sustainable manner.
44. Exigo provided a Car Park Management Strategy that set out how parking could be managed and the potential for offsite facilities to be used. The onus would be on the applicant to ensure that they could operate with this condition in place or they would be in breach of their planning consent, in the same way as any other compliance condition attached to many planning applications. The use of the CPMS would mean that flexibility was introduced and other off-site parking or management techniques could be applied should there be any issues and the responsibility would lie with the applicant to ensure that the requirements were met.
45. The DC Highway Authority Consultation response specifically states that the "*width of the access*" is unsuitable for two cars to pass, which would result in poor lane discipline and would mean vehicles turning out of the site exceed the highway boundary.
46. Whiphill Lane is a private road, it is not a highway. Swept path analysis using Autodesk's AutoTrack software for a large car was provided in the submitted TS. This confirms that the wheels remain on the pavement and the body would only oversail the private verge.
47. The driveway width was maintained, as the layout was specifically designed for vehicles to be able to enter with ease and wait, whilst not affecting 3<sup>rd</sup> party users of Whiphill Lane. When leaving they may have to give way, again not affecting 3<sup>rd</sup> parties. This helps minimise the effect on the streetscape.
48. Activity related to the access would only be experienced on weekdays as a result of the proposal and not at weekends like a typical land use class C3.
49. The consultation response suggests that DC considers that the effect of parked cars during the day when most residents are at work would have a greater effect on residents compared to parked cars, caravans, motorhomes, work vans, etc parked when most residents are at home.
50. The design of the drop off and collection area was created to positively address the requirement of the day nursery, a vehicle arrives in a forward gear, parks, a child is collected or dropped off, following a minimal reverse, the vehicle then leaves in a forward gear. The duration of stay on-site for vehicles collecting children is around 5 minutes, the area is clear and vehicles largely travel in a

direction with the best visibility (forwards). The parking layout is well designed for the intended use.

51. The parking area could be sympathetically marked out and would not be seen due to the existing vegetation, which could be retained using the proposed arrangement. The parking layout would go largely unnoticed by people passing on Whiphill Lane (See Figure 6 below).



**Figure 6 – View from Whiphill Lane at Typical Persons Height (not Google Streetview) (Source; Exigo 2024)**

52. There are no vertical features above the height of the grass, which could be natural or manmade, or could be converted to loose material, etc under permitted development.
53. The effect of the proposal on the frontage would only alter the surface type and colour and would not be seen by most people.

### **Conclusion**

54. Number 38 Whiphill Lane is a residential dwelling set back from the road, taking access from a wide single drive.
55. The proposed change to a Day Nursery would have a limited effect on the streetscape because of the specific design, retaining the access width. The layout has been designed for vehicles to enter and exit the site in a forward gear.
56. Maintaining the existing vegetation and access width, reduces visibility into the private area, which would remain relatively flat, with only the surface altering because of the change in use.
57. A day nursery is only active Monday to Friday; children are dropped off in the morning and collected at lunchtime or in the evening. At weekends when

neighbours are likely to be home, no. 38 Whiphill Lane would be vacant.

58. Parking has been estimated using empirical data, however the applicant operates day nurseries at present locally with no off-street parking. The empirical data suggests that parking demand would peak at 8 no. trips, this is based on arrivals and departures recorded hourly. However, the duration of stay is likely to be lower for non-staff trips. Regardless, the site offers 6 marked spaces, the circulation space could easily accommodate 2 no. additional vehicles on-site. If the 2 no. estimated additional vehicles parked on Whiphill Lane, they could do so safely, reducing the capacity on Whiphill Lane very slightly. Whiphill Lane is a cul-de sac and serves few properties, this would not be an issue, let alone severe. Additional parked vehicles on Whiphill Lane would not cause a highway safety issue, whilst it is not an adopted highway, it is a route used by local residents only and benefits from excellent forward visibility to make a decision to pass a stationary vehicle.
59. This evidence confirms that all highway related policy requirements are fully met, which can be summarised as:
- Local Plan Policy 13;
  - Local Plan Policy 46;
  - Local Plan Policy 52;
  - NPPF Paragraph 115;
  - NPPF Paragraph 116.
60. The applicant is willing to go further and has secured off-site parking to ensure that staff who must drive can park and then walk a short distance to the site. Relying on one solution may not pass the necessary legal tests for a planning condition, however a Car Park Management Strategy has been prepared, placing the onus on the applicant/operator of the planning consent to ensure that there would not be overspill parking when operating the Day Nursery.
61. Paragraph 116 of the NPPF is clear 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 taking into account all reasonable future scenarios. The bar for the refusal of planning permission on highways grounds is set high.
62. The evidence provided by the appellant from the point of validation to determination, confirms that the risk to highway safety or capacity as a direct result of the application being approved is not severe, indeed it is very unlikely to have any effect, given that the adopted highway does not meet the site directly.
63. Considering all the above, it is concluded that the development proposals are acceptable and should be supported from a transport perspective.
64. This statement alongside all the material issued as part of the application reference 25/02013/FUL provides sufficient evidence that DC have withheld consent without reasonable cause.

# Appendix 3 – The Secret Garden Day Nursery, Dunsville

P Southcott  
9 Plantation Road  
Thorne  
DONCASTER  
DN8 5EA

13/01828/COU

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

## PLANNING PERMISSION GRANTED

*Application* 13/01828/COU

*Proposal* Change of use of residential dwelling (Class C3) to day nursery (Class D1)

*Location* 82 High Street Dunsville Doncaster DN7 4BX

*Dated* 23rd October 2013

**Doncaster Metropolitan Borough Council** acting as the Local Planning Authority, has considered your application described above and has decided to **GRANT PERMISSION** subject to the following **CONDITIONS/DIRECTIVES** as set out below. Your further attention is drawn to any informatives attached thereafter.

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

Additional clarification as to the location of existing public car park

Additional information in relation to the pick up and drop off times of children in order that a full assessment could take place from Highways Development Control.

An amended plan showing acoustic fencing in order to safeguard the amenities of neighbouring properties.

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.



**Scott Cardwell**  
**Assistant Director of Development**

THE DEVELOPMENT HEREBY GRANTED SHALL BE CARRIED OUT IN ACCORDANCE WITH THESE CONDITIONS AND THE DETAILS SHOWN ON THE APPROVED PLANS. YOU ARE REMINDED THAT THE COUNCIL HAS THE STATUTORY AUTHORITY TO TAKE ANY NECESSARY ACTIONS TO ENSURE COMPLIANCE WITH THE TERMS OF THIS DECISION. PLEASE VISIT THE FOLLOWING WEBPAGE "POST DECISION GUIDANCE NOTES" AT [www.doncaster.gov.uk](http://www.doncaster.gov.uk) TO VIEW GUIDANCE NOTES TO SUPPORT THE DECISION NOTICE.

**Development Management** Civic Office, Waterdale, Doncaster, DN1 3BU

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:  
Existing and Proposed Plan stamped amended 16.10.2013  
REASON  
To ensure that the development is carried out in accordance with the application as approved.
03. The number of children attending the day nursery hereby permitted shall not exceed 30 children at any one time.  
REASON  
To restrict the maximum number of children to that considered appropriate to the building and the neighbourhood.
04. The hours of opening shall be limited to: Mondays to Fridays 07:00 - 18:00hrs and not at all on Saturday and Sundays.  
REASON  
To ensure that the development does not prejudice the local amenity.
05. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, Article 3(1) as amended by the Use Classes (Amendment) Order 2005 the use hereby permitted shall not be changed without the prior written approval of the Local Planning Authority.  
REASON  
To ensure that any proposed change of use is subject to consideration by the Local Planning Authority.



**Scott Cardwell**  
**Assistant Director of Development**

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**Development Management** Civic Office, Waterdale, Doncaster, DN1 3BU



To see all the details that are visible on the screen, use the "Print" link next to the map.





**Scott Cardwell**  
**Assistant Director of Development**

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**Development Management** Civic Office, Waterdale, Doncaster, DN1 3BU

# Appendix 4 – Small World Day Nursery, Hatfield

Graham Raynor  
38 Little Haynooking Lane  
MALTBY  
S66 8AR

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[tsi@doncaster.gov.uk](mailto:tsi@doncaster.gov.uk)*

14/00778/COU



**Scott Cardwell**  
Assistant Director of Development

THE DEVELOPMENT HEREBY GRANTED SHALL BE CARRIED OUT IN ACCORDANCE WITH THESE CONDITIONS AND THE DETAILS SHOWN ON THE APPROVED PLANS. YOU ARE REMINDED THAT THE COUNCIL HAS THE STATUTORY AUTHORITY TO TAKE ANY NECESSARY ACTIONS TO ENSURE COMPLIANCE WITH THE TERMS OF THIS DECISION. PLEASE VISIT THE FOLLOWING WEBPAGE "POST DECISION GUIDANCE NOTES" AT [www.doncaster.gov.uk](http://www.doncaster.gov.uk) TO VIEW GUIDANCE NOTES TO SUPPORT THE DECISION NOTICE.

**Development Management** Civic Office, Waterdale, Doncaster, DN1 3BU

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

## PLANNING PERMISSION GRANTED

*Application* 14/00778/COU

*Proposal* Change of use of part of outbuilding as extension to existing children's nursery to increase number of children to 90

*Location* 70 High Street Hatfield Doncaster DN7 6RY

*Dated* 14th November 2014

**Doncaster Metropolitan Borough Council** acting as the Local Planning Authority, has considered your application described above and has decided to **GRANT PERMISSION** subject to the following **CONDITIONS/DIRECTIVES** as set out below. Your further attention is drawn to any informatives attached thereafter.

### STATEMENT OF COMPLIANCE WITH ARTICLE 31 OF THE TOWN AND COUNTRY DEVELOPMENT MANAGEMENT PROCEDURE ORDER 2012 as amended

It has not been necessary to make contact with the applicant to request amendments to the proposal during the consideration of the application, as it was deemed acceptable.

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 number of children attending the day nursery hereby permitted shall not exceed 90 at any one time.



**Scott Cardwell**  
Assistant Director of Development

THE DEVELOPMENT HEREBY GRANTED SHALL BE CARRIED OUT IN ACCORDANCE WITH THESE CONDITIONS AND THE DETAILS SHOWN ON THE APPROVED PLANS. YOU ARE REMINDED THAT THE COUNCIL HAS THE STATUTORY AUTHORITY TO TAKE ANY NECESSARY ACTIONS TO ENSURE COMPLIANCE WITH THE TERMS OF THIS DECISION. PLEASE VISIT THE FOLLOWING WEBPAGE "POST DECISION GUIDANCE NOTES" AT [www.doncaster.gov.uk](http://www.doncaster.gov.uk) TO VIEW GUIDANCE NOTES TO SUPPORT THE DECISION NOTICE.

Development Management Civic Office, Waterdale, Doncaster, DN1 3BU

REASON

To restrict the maximum number of children to that considered appropriate to the building and the neighbourhood.

03. The use 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, specifications and additional information.

REASON

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

04. Prior to the commencement of the development or use hereby granted, soundproofing for all walls and ceilings between this property and adjacent properties shall be installed in accordance with a scheme submitted to and approved in writing by the local planning authority.

REASON

To ensure that the occupants of adjacent properties are not unduly affected by noise generated within the development.



**Scott Cardwell**  
Assistant Director of Development

THE DEVELOPMENT HEREBY GRANTED SHALL BE CARRIED OUT IN ACCORDANCE WITH THESE CONDITIONS AND THE DETAILS SHOWN ON THE APPROVED PLANS. YOU ARE REMINDED THAT THE COUNCIL HAS THE STATUTORY AUTHORITY TO TAKE ANY NECESSARY ACTIONS TO ENSURE COMPLIANCE WITH THE TERMS OF THIS DECISION. PLEASE VISIT THE FOLLOWING WEBPAGE "POST DECISION GUIDANCE NOTES" AT [www.doncaster.gov.uk](http://www.doncaster.gov.uk) TO VIEW GUIDANCE NOTES TO SUPPORT THE DECISION NOTICE.

Small World Nursery, Back Field Lane



Small World Nursery, Back Field Lane



# Appendix 5 – Little Rascals, Edenthorpe

Building Link Design  
15 Thorne Road  
Doncaster  
DN1 2HG

*The Council has signed up to a Government backed initiative, this being the Planning Quality Framework. This framework requires the Local Planning Authority to make a commitment to ensure we are delivering a quality, value for money service and ensuring that we are delivering what our customers want. The Council will contact our Planning customers asking your opinion about our service. To find out more information and how to opt out of future surveys please log on to <https://www.doncaster.gov.uk/services/planning/planning-performance-and-customer-feedback>*

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***Applicants are requested to remove any site notices related to this application from outside the property to which the application relates.***

25/01692/FUL

**THE DEVELOPMENT HEREBY GRANTED SHALL BE CARRIED OUT IN ACCORDANCE WITH THESE CONDITIONS AND THE DETAILS SHOWN ON THE APPROVED PLANS. THIS PERMISSION MAY INCLUDE CONDITIONS WHICH ARE REQUIRED TO BE DISCHARGED PRIOR TO THE COMMENCEMENT OF DEVELOPMENT. YOU ARE REMINDED THAT THE COUNCIL HAS THE STATUTORY AUTHORITY TO TAKE ANY NECESSARY ACTIONS TO ENSURE COMPLIANCE WITH THE TERMS OF THIS DECISION. PLEASE VISIT THE FOLLOWING WEBPAGE "POST DECISION GUIDANCE NOTES" AT [Post decision guidance notes - City of Doncaster Council](#) TO VIEW GUIDANCE NOTES TO SUPPORT THE DECISION NOTICE. YOU WILL NEED TO CONTACT BUILDING CONTROL TO DISCUSS THIS PROJECT – PLEASE TELEPHONE 01302 734848**



City of  
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TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

## PLANNING PERMISSION GRANTED

*Application* 25/01692/FUL

*Proposal* Application to vary condition 1 of 07/02164/WCC granted on 06/09/2007  
(to increase child places from 55 to 70)

*Location* 5 St Nicholas Close Edenthorpe Doncaster DN3 2QD

*Dated* 30th October 2025

City of Doncaster Council acting as the Local Planning Authority, has considered your application described above and has decided to **GRANT PERMISSION** subject to the following **CONDITIONS/DIRECTIVES** as set out below. Your further attention is drawn to any informatives attached thereafter.

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

It has not been necessary to make contact with the applicant to request amendments to the proposal during the consideration of the application, as it was deemed acceptable.

### CONDITIONS

01. The total number of child places shall be limited to 70 in the building at any one time.

#### REASON

In the interests of amenity and to ensure that the Local Planning Authority retain control over the use of the site.

**Scott Cardwell**  
Service Director for Development & Traded Services

City of Doncaster Council, Civic Office, Waterdale, Doncaster, DN1 3BU



City of  
Doncaster  
Council

02. The hours of opening shall be limited to: Mondays to Fridays inclusive 0700 hrs to 1900 hrs and not at all Saturdays and Sundays.  
REASON To ensure that the development does not prejudice the local amenity.
03. The car parking area shown on Drawing Number 3994-20 shall be retained and maintained for the parking of vehicles for use by staff and visitors at all times.  
REASON: To secure adequate parking space within the site to ensure that vehicles do not need to park on the public highway.

**Statutory Biodiversity Gain Condition**

*The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition ("the biodiversity gain condition") that development may not begin unless:*

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and*
- (b) the planning authority has approved the plan.*

*The applicant should note there are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These can be found here: [Mandatory Biodiversity Net Gain](#). When baseline biodiversity net gain information was agreed as part of a planning application the subsequent permission is considered to be one which will require the submission to and approval of a biodiversity gain plan by City of Doncaster Council before development commences.*

Cadent Gas own and operate the gas infrastructure within the area of your development. Contact the Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to. Email [plantprotection@cadentgas.com](mailto:plantprotection@cadentgas.com). Alternatively you can register on [www.beforeyoudig.cadentgas.com](http://www.beforeyoudig.cadentgas.com) This service is free of charge.

**Scott Cardwell**  
Service Director for Development & Traded Services

# Appendix 6 – Paskals Day Nursery, Balby



# Doncaster Council

Chris Beckett - HPDS Ltd  
Woburn House  
Pine Tree Close  
Wroot  
DONCASTER  
DN9 2BT

*The Council has signed up to a Government backed initiative, this being the Planning Quality Framework. This framework requires the Local Planning Authority to make a commitment to ensure we are delivering a quality, value for money service and ensuring that we are delivering what our customers want.*

*The Council will contact our Planning customers asking your opinion about our service. To find out more information and how to opt out of future surveys please log on to <http://www.doncaster.gov.uk/services/planning/pqf-planning-quality-framework>*

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18/02831/FUL

**Scott Cardwell**  
**Assistant Director of Development**

THE DEVELOPMENT HEREBY GRANTED SHALL BE CARRIED OUT IN ACCORDANCE WITH THESE CONDITIONS AND THE DETAILS SHOWN ON THE APPROVED PLANS. YOU ARE REMINDED THAT THE COUNCIL HAS THE STATUTORY AUTHORITY TO TAKE ANY NECESSARY ACTIONS TO ENSURE COMPLIANCE WITH THE TERMS OF THIS DECISION. PLEASE VISIT THE FOLLOWING WEBPAGE "POST DECISION GUIDANCE NOTES" AT [www.doncaster.gov.uk](http://www.doncaster.gov.uk) TO VIEW GUIDANCE NOTES TO SUPPORT THE DECISION NOTICE. YOU WILL NEED TO CONTACT BUILDING CONTROL TO DISCUSS THIS PROJECT - PLEASE TELEPHONE 01302 734848

Doncaster Metropolitan Borough Council, Civic Office, Waterdale, Doncaster, DN1 3BU



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TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

## PLANNING PERMISSION GRANTED

*Application* 18/02831/FUL

*Proposal* Increase number of children at the nursery from 24 to 25 and extend to the rear of the nursery with a ground floor extension.

*Location* 6 Farnley Road Balby Doncaster DN4 8TS

*Dated* 7th January 2019

**Doncaster Metropolitan Borough Council** acting as the Local Planning Authority, has considered your application described above and has decided to **GRANT PERMISSION** subject to the following **CONDITIONS/DIRECTIVES** as set out below. Your further attention is drawn to any informatives attached thereafter.

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

In dealing with the application, the Local Planning Authority has worked with the applicant to find solutions to the following issues that arose whilst dealing with the planning application: to overcome concerns raised by the neighbouring residents and case officer with regards to the balcony and number of children being applied for.

**Scott Cardwell**  
Assistant Director of Development

THE DEVELOPMENT HEREBY GRANTED SHALL BE CARRIED OUT IN ACCORDANCE WITH THESE CONDITIONS AND THE DETAILS SHOWN ON THE APPROVED PLANS. YOU ARE REMINDED THAT THE COUNCIL HAS THE STATUTORY AUTHORITY TO TAKE ANY NECESSARY ACTIONS TO ENSURE COMPLIANCE WITH THE TERMS OF THIS DECISION. PLEASE VISIT THE FOLLOWING WEBPAGE "POST DECISION GUIDANCE NOTES" AT [www.doncaster.gov.uk](http://www.doncaster.gov.uk) TO VIEW GUIDANCE NOTES TO SUPPORT THE DECISION NOTICE. YOU WILL NEED TO CONTACT BUILDING CONTROL TO DISCUSS THIS PROJECT - PLEASE TELEPHONE 01302 734848

Doncaster Metropolitan Borough Council, Civic Office, Waterdale, Doncaster, DN1 3BU



# Doncaster Council

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 shall be carried out in complete accordance with the details shown on the amended plans referenced and dated as follows; site plan received 29.11.18 and proposed plan received 29.11.18.

**REASON**

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

03. The hours of opening shall be limited to Mondays to Fridays inclusive 0700 hours to 1800 hours and not at all on Saturdays or Sundays.

**REASON**

To ensure that the development does not prejudice the local amenity; in accordance with Saved Policy PH12.

04. The use hereby approved shall be for a maximum of 25 children at any one time.

**REASON**

To protect highway safety and neighbouring amenity; in accordance with Saved Policy PH12.

**Scott Cardwell**  
**Assistant Director of Development**

THE DEVELOPMENT HEREBY GRANTED SHALL BE CARRIED OUT IN ACCORDANCE WITH THESE CONDITIONS AND THE DETAILS SHOWN ON THE APPROVED PLANS. YOU ARE REMINDED THAT THE COUNCIL HAS THE STATUTORY AUTHORITY TO TAKE ANY NECESSARY ACTIONS TO ENSURE COMPLIANCE WITH THE TERMS OF THIS DECISION. PLEASE VISIT THE FOLLOWING WEBPAGE "POST DECISION GUIDANCE NOTES" AT [www.doncaster.gov.uk](http://www.doncaster.gov.uk) TO VIEW GUIDANCE NOTES TO SUPPORT THE DECISION NOTICE. YOU WILL NEED TO CONTACT BUILDING CONTROL TO DISCUSS THIS PROJECT - PLEASE TELEPHONE 01302 734848

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**Scott Cardwell**  
Assistant Director of Development

THE DEVELOPMENT HEREBY GRANTED SHALL BE CARRIED OUT IN ACCORDANCE WITH THESE CONDITIONS AND THE DETAILS SHOWN ON THE APPROVED PLANS. YOU ARE REMINDED THAT THE COUNCIL HAS THE STATUTORY AUTHORITY TO TAKE ANY NECESSARY ACTIONS TO ENSURE COMPLIANCE WITH THE TERMS OF THIS DECISION. PLEASE VISIT THE FOLLOWING WEBPAGE "POST DECISION GUIDANCE NOTES" AT [www.doncaster.gov.uk](http://www.doncaster.gov.uk) TO VIEW GUIDANCE NOTES TO SUPPORT THE DECISION NOTICE. YOU WILL NEED TO CONTACT BUILDING CONTROL TO DISCUSS THIS PROJECT – PLEASE TELEPHONE 01302 734848

Doncaster Metropolitan Borough Council, Civic Office, Waterdale, Doncaster, DN1 3BU

Paskals Day Nursery, Doncaster

