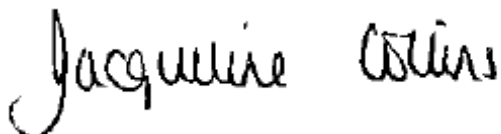


**You are hereby summoned to a meeting of the Planning Board
to be held on:-**

**Date:- Thursday, 14 May 2015 Venue:- Town Hall, Moorgate Street,
Rotherham. S60 2TH**
Time:- 9.45 a.m.

PLANNING BOARD AGENDA

1. To consider whether the press and public should be excluded from the meeting during consideration of any part of the agenda.
2. To determine any items which the Chairman is of the opinion should be considered as a matter of urgency.
3. Apologies for absence
4. Declarations of Interest (Page 1)
(A form is attached and spares will be available at the meeting)
5. Minutes of the previous meeting held on 23rd April, 2015 (Pages 2 - 3)
6. Deferments/Site Visits (information attached) (Pages 4 - 5)
7. Visit of Inspection - Two storey side and rear and first floor rear extension at 34 Queensway, Moorgate, Rotherham for Mr. M. Younis (RB2015/0049) (Pages 6 - 14)
8. Development Proposals (Pages 15 - 23)
9. Report of the Director of Planning and Regeneration Service (Pages 24 - 26)
10. Updates
11. Date of next meeting - Thursday 4th June, 2015



**Jacqueline Collins,
Director of Legal and Democratic Services.**

**ROTHERHAM METROPOLITAN BOROUGH COUNCIL
 PLANNING REGULATORY BOARD
 MEMBERS' DECLARATION OF INTEREST**

Your Name (Please PRINT):-

Meeting at which declaration made:-

Item/Application in which you have an interest:-

Date of Meeting:-

Time Meeting Started:-

Please tick (✓) which type of interest you have in the appropriate box below:-

1. Disclosable Pecuniary

2. Personal

Please give your reason(s) for you Declaring an Interest:-

(Please continue overleaf if necessary)

N.B. It is up to a Member to determine whether to make a Declaration. However, if you should require any assistance, please consult the Legal Adviser or Democratic Services Officer prior to the meeting.

Signed:-

(When you have completed this form, please hand it to the Democratic Services Officer.)

PLANNING BOARD
Thursday, 23rd April, 2015

Present:- Councillor Atkin (in the Chair); Councillors Godfrey, Kaye, Middleton, Turner, M. Vines and Wallis, with Councillor Sansome (as substitute for Councillor Roche).

Apologies for absence were received from Councillors Astbury, N. Hamilton, Pitchley, Roche, Tweed and Whysall.

T88. DECLARATIONS OF INTEREST

There were no Declarations of Interest to report.

T89. MINUTES OF THE PREVIOUS MEETING HELD ON 2ND APRIL, 2015

Resolved:- That the minutes of the previous meeting of the Planning Regulatory Board held on Thursday 2nd April, 2015, be approved as a correct record for signature by the Chairman.

T90. DEFERMENTS/SITE VISITS

The Planning Board agreed to undertake a site inspection, prior to the next meeting, in respect of the application for planning permission for a two storey side and rear and first floor rear extension at 34 Queensway, Moorgate, Rotherham (RB2015/0049), as determined by the Board, in order to familiarise Members with the overall layout of the site, the likely impact of the proposed development upon neighbouring properties and the space available for the on-street parking of vehicles.

T91. VISITS OF INSPECTION - ERECTION OF A BUILDING FOR USE AS SOFT PLAY AREA (USE CLASS D2) AND ANCILLARY CAFÉ AND TOILETS AT ASTON SPRINGS FARM, ASTON FOR MR SWAIN (RB2015/0237)

Further to Minute No. T84 of the meeting of the Planning Board held on 2nd April, 2015, before the formal meeting of the Planning Board, Members of the Board made a visit of inspection to the above site (Ward representative Councillor Smith was also in attendance).

Consideration was given to the report of the Director of Planning and Regeneration Service concerning the application for planning permission for the erection of a building for use as soft play area (use class D2) and ancillary café and toilets at Aston Springs Farm, Aston for Mr. K. Swain (RB2015/0237).

In accordance with the right to speak procedure, the following people attended the meeting and spoke about this application:-

Mrs. L. Trollope (agent, on behalf of the applicant)
Mr. K. Swain (applicant)

Resolved:- That application RB2015/0237 be refused for the reasons set out in the submitted report.

T92. DEVELOPMENT PROPOSALS

In accordance with the right to speak procedure, the following people attended the meeting and spoke about the application listed below:-

Two storey side and rear and first floor rear extension at 34 Queensway, Moorgate, Rotherham for Mr. M. Younis (RB2015/0049)

Mrs. S. Sarvar (on behalf of the applicant)
Mr. G. Horsfield (objector)
Mr. G. H. Sowden (objector)

Resolved:- That consideration of application RB2015/0049 be deferred and, prior to the next meeting, the Planning Board shall undertake a site inspection in order to familiarise Members with the overall layout of the site, the likely impact of the proposed development upon neighbouring properties and the space available for the on-street parking of vehicles.

T93. UPDATES

There were no items to report.

ROTHERHAM METROPOLITAN BOROUGH COUNCIL
PLANNING REGULATORY BOARD

DEFERMENTS

- Planning applications which have been reported on the Planning Board Agenda should not be deferred on request without justification.
- Justification for deferring a decision can arise from a number of matters:-
 - (a) Members may require further information which has not previously been obtained.
 - (b) Members may require further discussions between the applicant and officers over a specific issue.
 - (c) Members may require a visit to the site.
 - (d) Members may delegate to the Director of Service the detailed wording of a reason for refusal or a planning condition.
 - (e) Members may wish to ensure that an applicant or objector is not denied the opportunity to exercise the “Right to Speak”.
- Any requests for deferments from Members must be justified in Planning terms and approved by the Board. The reason for deferring must be clearly set out by the Proposing Member and be recorded in the minutes.
- The Director of Planning and Transportation Service or the applicant may also request the deferment of an application, which must be justified in planning terms and approved by the Board.

SITE VISITS

- Requests for the Planning Board to visit a site come from a variety of sources:- the applicant, objectors, the Parish Council, local Ward Councillors, Board Members or sometimes from the Director of Planning and Transportation Service.
- Site visits should only be considered necessary if the impact of the proposed development is difficult to assess from the application plans and supporting information provided with the officer's written report; if the application is particularly contentious or the application has an element that cannot be adequately expressed in writing by the applicant or objector. Site visits can cause delay and additional cost to a project or development and should only be used where fully justified.
- The reasons why a site visit is called should be specified by the Board and recorded.
- Normally the visit will be programmed by Democratic Services to precede the next Board meeting (i.e. within two weeks) to minimise any delay.
- The visit will normally comprise of the Members of the Planning Board and appropriate officers. Ward Members are notified of visits within their Ward.
- All applicants and representees are notified of the date and approximate time of the visit. As far as possible Members should keep to the schedule of visits set out by Committee Services on the Board meeting agenda.
- Normally the visit will be accessed by coach. Members and officers are required to observe the site directly when making the visit, although the item will be occasioned by a short presentation by officers as an introduction on the coach before alighting. Ward Members present will be invited on the coach for this introduction.
- On site the Chairman and Vice-Chairman will be made known to the applicant and representees and will lead the visit allowing questions, views and discussions. The applicant and representees are free to make points on the nature and impact of the development proposal as well as factual matters in relation to the site, however, the purpose of the visit is not to promote a full debate of all the issues involved with the application. Members must conduct the visit as a group in a manner which is open, impartial and equitable and should endeavour to ensure that they hear all points made by the applicant and representees.
- At the conclusion of the visit the Chairman should explain the next steps. The applicant and representees should be informed that the decision on the application will normally be made later that day at the Board meeting subject to the normal procedure and that they will be welcome to attend and exercise their "Right to Speak" as appropriate.

**ROTHERHAM METROPOLITAN BOROUGH COUNCIL
PLANNING REGULATORY BOARD**

VISIT OF INSPECTION – THURSDAY, 14TH MAY, 2015

1. **RB2015/0049 - Two storey side & rear and first floor rear extension at 34 Queensway, Moorgate.**

Requested By:- The Planning Board

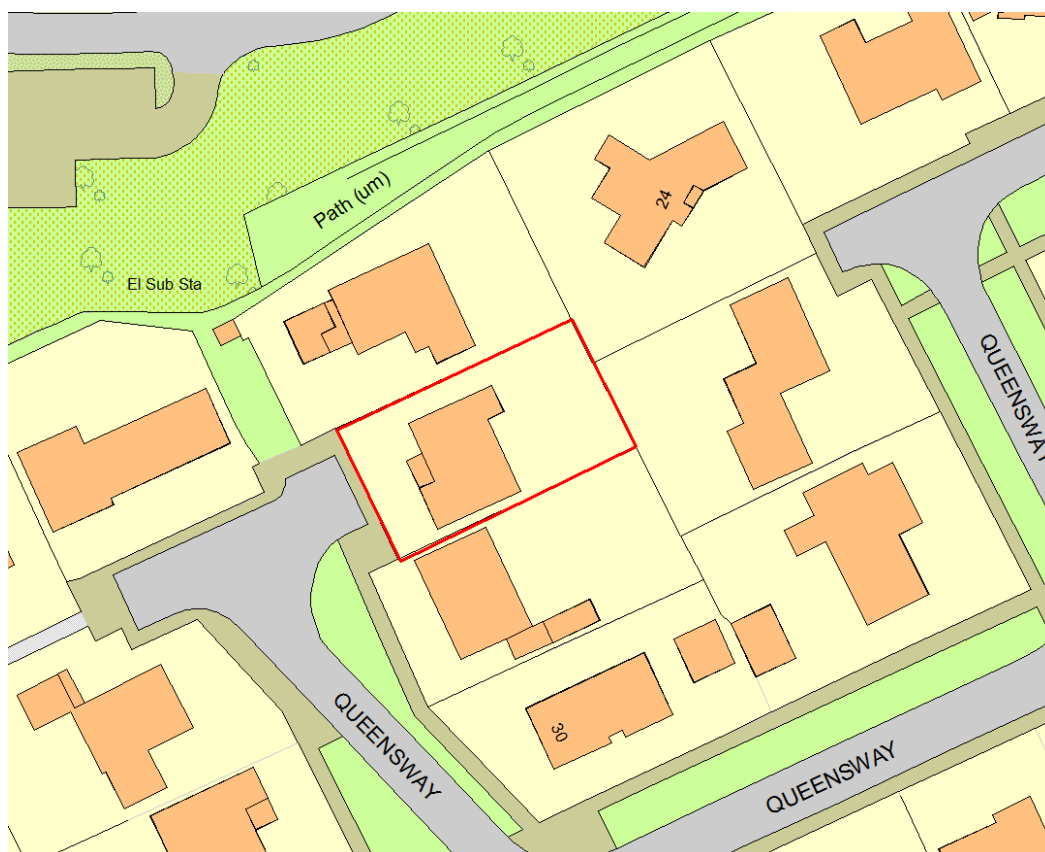
Reason:- To allow Members to familiarise themselves with the overall layout of the site, the likely impact of the proposed development upon neighbouring properties and the space available for the on-street parking of vehicles

<u>No.</u>	<u>Application</u>	<u>Area</u>	<u>Arrival</u>	<u>Departure</u>
1.	RB2015/0049	Moorgate	9.10 a.m.	9.30 a.m.

Return to the Town Hall for approximately 9.45 a.m.

SITE VISIT NO. 1 (Approximate time on site - 9.10 a.m.)

Application Number	RB2015/0049
Proposal and Location	Two storey side & rear and first floor rear extension at 34 Queensway, Moorgate
Recommendation	Grant subject to conditions

**Site Description & Location**

The application site comprises of a detached dormer bungalow located at the end of a cul de sac on Queensway in the Moorgate area.

Properties on Queensway and the wider Moorgate area are of various architectural styles and scale. The adjacent property No.32, is to the south of the site and projects forward from the application property by approximately 3.8m. The other neighbouring property, No.36 is to the north of the site and at a slightly higher land level

The application property itself is a large bungalow with a flat roof dormer window on the front elevation and a two storey gable feature projecting forward from the house. There is a small single storey flat roof extension that projects 2.2m from the rear of the property and an integrated garage with hard standing providing 2 parking spaces to the front of the property. There is no boundary treatment to the front of the site whilst the rest of the site is enclosed with timber fencing.

Background

RB1975/1085 – House with integral double garage – Granted

Proposal

The applicant is seeking planning permission for the erection of a two storey side and rear extension and a first floor extension over the existing single storey rear extension.

The proposed two storey extension projects 2.25m from the side elevation and it is set back from the building line by approximately 3.1m. The pitched roof of the extension follows the roofline of the property and extends 2.25m beyond the rear of the house to match the existing single storey extension.

The proposed additional first floor extension is located over the existing single storey extension and an external disabled access ramp access with a 1m high handrail is also proposed to the .

Development Plan Allocation and Policy

The Core Strategy was adopted by the Council on the 10th September 2014 and forms part of Rotherham's Local Plan together with 'saved' policies from the Unitary Development Plan (UDP).

The application site is allocated for residential purposes in the UDP. For the purposes of determining this application the following policies are considered to be of relevance:

Core Strategy

CS28 '*Sustainable Design*'

Other Material Considerations

Interim Planning Guidance (IPG) - 'Householder Design Guide'. This has been subject to public consultation and adopted by the Council on 3rd March 2014 and replaces the adopted Supplementary Planning Guidance 'Housing Guidance 1 – Householder development' of the UDP.

National Planning Policy Framework: The NPPF came into effect on March 27th 2012 and replaced all previous Government Planning Policy Guidance (PPGs) and most of the Planning Policy Statements (PPSs) that existed. It states that "Development that is sustainable should go ahead, without delay – a presumption in favour of sustainable development that is the basis for every plan, and every decision.

The NPPF states that "due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)."

The Unitary Development Plan and Core Strategy policies referred to above are consistent with the NPPF and have been given due weight in the determination of this application.

Publicity

Neighbouring properties were notified in writing.

7 representations have been received and are summarised as following:

- Additional bedroom would result in more people living in and visiting the property and subsequently increase the parking demand.
- There have been parking issues in the cul de sac as a result of the applicant and there are a large number of cars parked on the kerb particularly at weekends and in the evenings. Vehicles often double park, parking on kerbs and obstructing driveways.
- The applicant previously objected to the resident parking scheme and stated in the objection letter that they are a large family with high parking demand
- The existing garage is not used for parking purposes
- The frequent movement of vehicles results in general disturbance throughout the night
- All the vehicles are parking on Queensway outside the resident parking scheme hours
- The proposed alteration would greatly enlarge the property and have a detrimental effect on the character of the house which currently is well proportioned and consistent with the plot size.
- The height and close proximity of the two storey extension would be overbearing and restrict the daylight to No.36 and its rear garden
- permission was previously refused for having a consulting rooms in the house on the grounds that it would be a breach of the restrictive covenants and would cause additional vehicles on Queensway
- breach of the deeds where the resident of the application property has caused nuisance to the estate

Consultations

Streetpride (Transportation and Highways): No objection subject to a recommended condition

Streetpride (Ecology): No objection subject to a recommended condition

Appraisal

Where an application is made to a local planning authority for planning permission.....In dealing with such an application the authority shall have regard to -

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations. - S. 70 (2) TCPA '90.

If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise - S.38 (6) PCPA 2004.

The main considerations in the determination of this application are:

- Principle of development
- Design and Visual Amenity
- Residential Amenity
- Highways Issues
- Other Considerations

Principle of development

The application site is within a residential area and as such the principle of extending the property is acceptable subject to compliance with relevant policies and a number of criteria contained within the Householder Design Guide.

In essence, any extension or alteration should be in keeping with the character and appearance of the host property and should not have a detrimental impact on the amenity of neighbouring occupiers. In assessing the proposal, consideration has been given to the requirements of the relevant sections of the NPPF, Core Strategy CS28 'Sustainable Design' and the relevant guidance contained IPG 'Householder Design Guide'.

Design and visual amenity

The National Planning Policy Guidance (March 2014), notes that "Development proposals should reflect the requirement for good design set out in national and local policy. Local planning authorities will assess the design quality of planning proposals against their Local Plan policies, national policies and other material considerations. The NPPG further goes on to advise that: "Local planning authorities are required to take design into consideration and should refuse permission for development of poor design."

The NPPF at paragraphs 17, 56 and 64 details the great importance to the design of the built environment and good design is a key aspect of sustainable development which should contribute to making places better for people.

Core Strategy policy CS28 'Sustainable Design' states 'Development proposals should be responsive to their context and be visually attractive as a result of good architecture and appropriate landscaping. Design should take all opportunities to improve the character and quality of an area and the way it functions' which seeks to ensure that all development make a positive contribution to the environment by achieving an appropriate standard of design.

The Council's IPG 'Householder Design Guide' also states that 'Two storey side extensions should generally be set back by a minimum of 0.5m at first floor level on the front elevation, with the roof set down and back from the main body of the house.

This is in order to create a subservient extension...In addition the roof style of the extension should match that of the host property.

Whilst the roof of the extension is not set down from the roof of the host property, the extension is set back 3.1m from the front of the house and is only 2.25m in width compared to the 13m width of the existing house. As such, it is considered that the proposed extension would result in a subservient addition to the existing property and is not considered to result in the property being disproportionate to the plot size.

Given the existing house already has a 2 storey forward projecting gable feature to the front, it is considered that the extension would not be visually prominent in the street-scene and is proposed to be in materials to match the existing house so would not result in any adverse impact on the character and appearance of the property itself.

When adding a two storey rear extension the Council's IPG 'Householder Design Guide' also states that 'the extension should not be a disproportionate addition to the host property and in general should not exceed 3m if close to a shared boundary or 4m elsewhere. It should also include a similar roof design.'

The proposed rear extension only projects 2.25m to the rear and is not disproportionate to the host property. It also has a roof design similar to the original house and as such, it is considered that the proposal is of an acceptable design which ensures the development will comply with the requirements of the NPPF, NPPG, Core Strategy policy CS28 'Sustainable Development' and the guidance stated in the IPG 'Householder Design Guide'.

Impact on amenity of neighbouring residents

With regard to the impact on neighbouring amenity, the Council's Interim Planning Guidance 'Householder Design Guide' for 'adding a two storey rear extension states 'Two storey rear extensions should be designed so as not to come within a 45° angle of any neighbouring habitable room window (measured from the centre of the window)... For the purposes of privacy and avoiding an 'overbearing' relationship, a minimum distance of 21m between facing habitable room windows should be maintained. A two storey extension should also not come within 12m of a ground floor habitable room window of a neighbouring property.'

Given the siting and projection of the extension, it is considered that the proposal would not have any impact on No 32 by way of overbearing, overshadowing or overlooking as the side extension is on the opposite side.

In addition, the rear elevation of the extension is approximately 12m away from the rear boundary of Nos.24 and 26 Queensway and as such would not result in any overlooking or overdominance to these properties. There are also high trees to the rear boundary adjacent to No.26 Queensway and the distance between the rear elevations of the proposed extension and No.26 is more than 21m.

The proposed extension is however adjacent to No.36 Queensway. Whilst there is a habitable room window at No.36 Queensway facing towards the application site, the

proposed extension is not directly in front of this window and as such will not cause any additional overshadowing than what may already be experienced. No.36 has no window on its gable side elevation and the proposed extension does not project beyond the building line to the rear of this property. It is therefore considered that the proposed extension would not result in a detrimental impact on the residential amenity of the neighbouring property by way of overbearing, overshadowing or overlooking.

As such, it is considered that the proposed extension would not result in a detrimental impact on residential amenity in the locality and is in accordance with paragraph 17 of the NPPF and the requirements of the Council's adopted IPG.

Highway issues

The proposal results in an extra bedroom being provide at the site and would make this a 6 bedroomed house. 6 no. bedrooms, is not covered specifically by the Council's Parking Standards. However, it is considered that 3 no. car parking spaces would be the appropriate level of provision within the site.

The existing block paved area to the front of the property is currently able to accommodate 2 vehicles. It is therefore recommended that this area should be extended to provide an additional car parking space which is coved by a recommended condition.

As such, and subject to a condition requiring this to be undertaken before the extension is brought into use, it is considered that the impact of creating an additional bedroom to the property would not warrant a reason for refusal of planning permission on highway grounds.

Other considerations

The application site is identified as being within a bat zone and a bat report has been submitted with the application. The survey extent and methods are appropriate and the results of the survey work are accepted. No evidence of roosting bat species was found although one element of the building was found to have low potential for bat presence. A method statement and recommendations for mitigation and biodiversity gain are provided, it is considered that the proposed methods for working and the mitigation recommendations are appropriate and a condition is therefore recommended to ensure such works are incorporated with the development.

Response to representations

Whilst the representations have made reference to the proposed development having the potential to result in more vehicles being parked on Queensway, there are clearly occasions where cars parked on Queensway are not related to the applicant and these parking issues should not prejudice the opportunity for extending the application property as proposed. There is a resident parking scheme that allows for up to 2 no. permits per dwelling (9am to 4pm, Mondays to Fridays) for residents / visitor's vehicles to be parked within Queensway, the area is also patrolled by Enforcement Officers and offenders can be ticketed. Furthermore, the cul de sac including the turning area, is capable of accommodating some on-street parking

without prejudicing road safety or obstructing other accesses during the time that falls outside the restricted hours.

It is acknowledged that the applicant has a large family with a dependant relative living in the property. Whilst there is a taxi vehicle belonging to the resident of the application property, it is not considered that there is a change of use of the site and it is not uncommon for single taxis to be parked at private residential properties.

Other matters raised in the representations do not form part of the material planning considerations in determining a planning application.

Conclusion

Having regard to the above it is concluded that the proposal would not harm the living conditions of neighbouring properties and has been designed to reflect the character and appearance of the existing property. It is therefore considered to be in compliance with the relevant paragraphs of the NPPF, policies of the UDP and Core Strategy and the guidance detailed within the adopted IPG. For the reasons detailed in this report the application is therefore recommended for approval with conditions.

Conditions

01

The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason

In order to comply with the requirements of the Town and Country Planning Act 1990.

02

The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Reason

In order to ensure a satisfactory appearance in the interests of visual amenity and in accordance with Core Strategy CS28 'Sustainable Design'.

03

Before the extension is brought into use, a plan shall be submitted to and approved by the LPA which shows an additional car parking space provided to the front of the site and this shall be constructed before the development is brought into use and thereafter retained.

Reason

To ensure the provision of satisfactory garage/parking space and avoid the necessity for the parking of vehicles on the highway in the interests of road safety.

04

Before the development is brought into use, that part of the site to be used by vehicles shall be constructed with either;

a/ a permeable surface and associated water retention/collection drainage, or;

b/ an impermeable surface with water collected and taken to a separately constructed water retention/discharge system within the site.

The area shall thereafter be maintained in a working condition.

Reason

To ensure that surface water can adequately be drained and that mud and other extraneous material is not deposited on the public highway and that each dwelling can be reached conveniently from the footway in the interests of the adequate drainage of the site, road safety and residential amenity and in accordance with UDP Policy HG5 'The Residential Environment'.

05

Prior to the commencement of development, a bat protection strategy, including a schedule for implementation, shall be submitted to and approved by the Local Planning Authority. The strategy should include all detailed listed in Section E of the 'Preliminary Roost Assessment Report' (Access Ecology, March 2015) and shall thereafter be implemented in accordance with the approved statement before the development is brought into use.

Reason

In the interests of the ecology of the area and in accordance with UDP3.2 'Minimising the Impact of Development.'

POSITIVE AND PROACTIVE STATEMENT

During the determination of the application, the Local Planning Authority worked with the applicant to consider what amendments were necessary to make the scheme acceptable. The applicant agreed to amend the scheme so that it was in accordance with the principles of the National Planning Policy Framework.

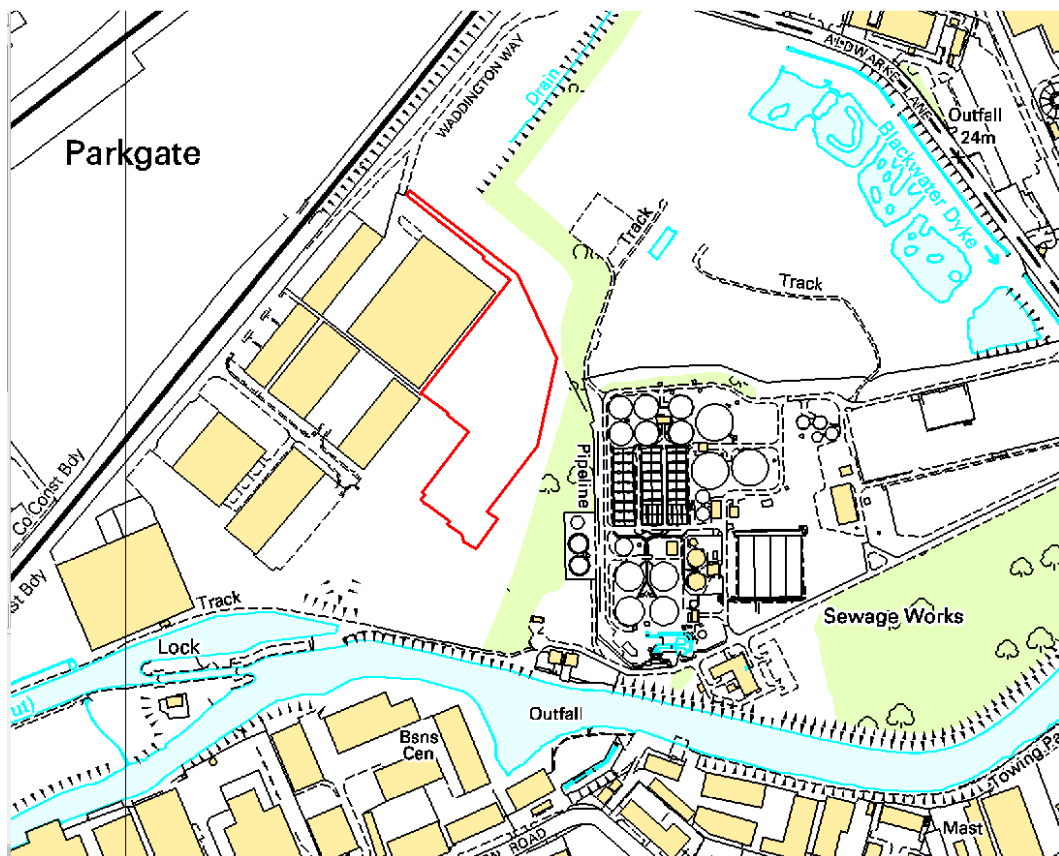
**REPORT TO THE PLANNING REGULATORY BOARD
TO BE HELD ON THURSDAY 14 MAY 2015**

The following applications are submitted for your consideration. It is recommended that decisions under the Town and Country Planning Act 1990 be recorded as indicated.

INDEX PAGE

RB2015/0320	Page 16
Application to vary condition 02 (approved plans) imposed by RB2013/1488 (Erection of 2 No. industrial buildings for use within classes B1(b), B1(C) B2 and B8) at 16 & 17 Waddington Way Aldwarke for E V Waddington Ltd	

Application Number	RB2015/0320
Proposal and Location	Application to vary Condition 2 (approved plans) imposed by RB2013/1488 (Erection of 2no. industrial buildings for use within classes B1 (b), B1 (c), B2 and B8 at 16 and 17 Waddington Way, Aldwarke, S65 3SH
Recommendation	Grant subject to conditions



Site Description & Location

The application site consists of a vacant plot to the south of the existing industrial estate on Waddington Way. The land surrounding the application site comprises of large scale modern industrial warehouse buildings. The River Don/Sheffield and South Yorkshire Navigation Canal lies directly to the south of the site and a waste water treatment facility lies to the east. The main Rotherham railway line lies to the west. The site is accessed via Waddington Way, a road which serves the surrounding modern industrial development and starts at Aldwarke Lane.

The site covers approximately 2.5ha.

Background

RB2013/1488 - Erection of 2 No. industrial buildings for use within classes B1(b), B1(c), B2 and B8 at land at Waddington Way, Aldwarke for EV Waddington Ltd – Granted Conditionally

Environmental Impact Assessment

The proposed development falls within the description contained at paragraph 10a of Schedule 2 to the 2011 Regulations and meets the criteria set out in column 2 of the table in that Schedule. However the Local Planning Authority, having taken into account the criteria set out in Schedule 3 to the 2011 Regulations, is of the opinion that the development would not be likely to have significant effects on the environment by virtue of factors such as its nature, size or location.

Accordingly it is considered that the development is not EIA development as defined in the 2011 Regulations.

Proposal

This application seeks to vary the approved plans listed in Condition No. 2 to allow for the car parking area adjacent to Unit 17 to be relocated from the rear of the building to the side. The reason stated by the applicant for the amendment is that the request has been made by the future tenant of the unit as the new position of the car park would be closer to the access door and would improve pedestrian safety.

Development Plan Allocation and Policy

The Core Strategy was adopted by the Council on the 10th September 2014 and forms part of Rotherham's Local Plan together with 'saved' policies from the Unitary Development Plan (UDP).

The application site is allocated for industrial and business use in the UDP. For the purposes of determining this application the following policies are considered to be of relevance:

Core Strategy policy(s):

CS28 'Sustainable Design'

Unitary Development Plan 'saved' policy(s):

EC3.1 'Land Identified for Industrial and Business Use'

Other Material Considerations

National Planning Policy Framework: The NPPF came into effect on March 27th 2012 and replaced all previous Government Planning Policy Guidance (PPGs) and most of the Planning Policy Statements (PPSs) that existed. It states that "Development that is sustainable should go ahead, without delay – a presumption in favour of sustainable development that is the basis for every plan, and every decision.

The NPPF states that “due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).”

The Unitary Development Plan policies referred to above are consistent with the NPPF and have been given due weight in the determination of this application.

Publicity

The application has been advertised by way of a site notice, press notice and individual letters to neighbouring properties. No comments have been received.

Consultations

Environment Agency – no objection;
SYMAS – no objection;
Streetpride (Landscape Team) – no objection;
Streetpride (Transportation Unit) – no objection;
Coal Authority – no objection.

Appraisal

Where an application is made to a local planning authority for planning permission.....In dealing with such an application the authority shall have regard to

-

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations. - S. 70 (2) TCPA '90.

If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise - S.38 (6) PCPA 2004.

The main considerations in the determination of this application are:

Principle
Impact on Visual Amenity
Highway Safety
Landscape Considerations

Principle

The principle of this development is established by the extant planning permission for this site. This application seeks to amend conditions to allow for a minor amendment to the site levels and to regularise a discrepancy with the approved drainage layout.

Impact on Visual Amenity

Paragraphs 56 and 57 of the NPPF state that:

“The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people... It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.’

In addition, Policy CS28 of the Core Strategy aims to ensure to ensure that design always takes the opportunity to improve the character and quality of an area and the way it functions.

The only amendment which would have any visual impact proposed by this application is the change of the position of the car park. However, the amended position remains close to the building and indeed the hard surfaced area will be seen against the backdrop of the large scale industrial building. The amendment will result in less landscaping to the side of the building but the area previously identified as car parking will now be landscaped and this will allow a continuous belt of landscaping along the rear elevation of the building.

Overall, the proposed amendments are considered to be acceptable and in accordance with the above mentioned policies.

Highway Safety

In terms of highway safety the proposed application seeks to amend the position of the car parking area relevant to Unit 17, however, the number of spaces to be provided remains as approved and it is considered that the location is also appropriate. The reason for relocating the car parking area closer to the staff access door is accepted and overall it is considered that the proposed amendment is acceptable in highway safety terms.

Landscape Considerations

The proposed amended position of the car park will lie on an area previously identified for landscaping to the side of the building. Whilst this area will now be hard surfaced, the area that was previously identified for car parking will now be landscaped along the rear of the building meaning that overall the level of landscaping on the site will be preserved.

Conclusion

In conclusion it is considered that the proposed amendment to the siting of the car park to Unit 17 would not have a significant impact on the appearance of the site and will also retain an appropriate level of car parking in an acceptable position. Furthermore, the amended landscape details are considered to be acceptable with no loss in terms of the amount of landscaped area on the site.

Conditions

01

The development hereby permitted shall be commenced before 06 June 2017.

Reason

In order to comply with the requirements of the Town and Country Planning Act 1990.

02

The permission hereby granted shall relate to the area shown outlined in red on the approved site plan and the development shall only take place in accordance with the submitted details and specifications as shown on the approved plans (as set out below)

(Drawing numbers 36026/014 Rev A, 013 Rev A, 016 Rev C, 012 Rev H, 015 Rev C, 017 Rev B and ALD 19 Rev C)(received 6 November 2013, 14 February 2014, 26 March 2014, 10 April 2014 and 20 March 2015)

Reason

To define the permission and for the avoidance of doubt.

03

Unless otherwise agreed in writing by the local planning authority, no building or other obstruction shall be located over or within 5.0 (five) metres either side of the centre line of the sewers, which cross the site.

Reason

In order to allow sufficient access for maintenance and repair work at all times.

04

Unless otherwise approved in writing by the local planning authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

Reason

To ensure that no foul or surface water discharges take place until proper provision has been made for their disposal

05

The site shall be developed with separate systems of drainage for foul and surface water on and off site.

Reason

In the interest of satisfactory and sustainable drainage

06

Surface water from vehicle parking and hardstanding areas shall be passed through an interceptor of adequate capacity prior to discharge. Roof drainage should not be passed through any interceptor.

Reason

In the interest of satisfactory drainage.

07

Any liquid storage tanks should be located within a bund with a capacity of not less than 110% of the largest tank or largest combined volume of connected tanks.

Reason

To ensure that there are no discharges to the public sewerage system which may injure the sewer, interfere with free flow or prejudicially affect the treatment and disposal of its contents

08

Landscaping of the site as shown on the approved plan (drawing no. ALD19 Rev C) shall be carried out during the first available planting season after commencement of the development. Any plants or trees which within a period of 5 years from completion of planting die, are removed or damaged, or that fail to thrive shall be replaced within the next planting season. Assessment of requirements for replacement planting shall be carried out on an annual basis in September of each year and any defective work or materials discovered shall be rectified before 31st December of that year.

Reason

To ensure that there is a well laid out scheme of healthy trees and shrubs in the interests of amenity and in accordance with Core Strategy Policy CS28 and UDP Policies ENV3.2 'Minimising the Impact of Development' and ENV3.4 'Trees, Woodlands and Hedgerows'.

09

The development shall be carried out in accordance with the materials schedule submitted on 6 February 2015 under application to discharge conditions reference RB2015/0143.

Reason

To ensure that appropriate materials are used in the construction of the development in the interests of visual amenity and in accordance with Core Strategy Policy CS28.

10

The proposed footpath / cycleway linking the site and the canal towpath shall be a minimum 2.5 metres in width and shall be made available at all times.

Reason

In the interest of pedestrian safety.

11

Before the development is brought into use, that part of the site to be used by vehicles shall be constructed with either;

- a/ a permeable surface and associated water retention/collection drainage, or;
- b/ an impermeable surface with water collected and taken to a separately constructed water retention/discharge system within the site.

The area shall thereafter be maintained in a working condition.

Reason

To ensure that surface water can adequately be drained and to encourage drivers to make use of the parking spaces and to ensure that the use of the land for this purpose will not give rise to the deposit of mud and other extraneous material on the public highway in the interests of the adequate drainage of the site and road safety.

12

Before the development is brought into use the car parking area shown on the submitted plan shall be provided, marked out and thereafter maintained for car parking.

Reason

To ensure the provision of satisfactory garage/parking space and avoid the necessity for the parking of vehicles on the highway in the interests of road safety.

13

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) April 2014, reference GMS/MW/36026 Revision B by Eastwood & Partners and the following mitigation measures detailed within the FRA:

1. Limiting the surface water run-off generated by the development so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site. This is to be achieved by draining to the existing pond on site.
2. Provision of compensatory flood storage as detailed on drawing no. 36026/010 Revision C.
3. Flood resilience measures are incorporated into the development as detailed on page 6 of the FRA.
4. Finished floor levels are set no lower than 24.05m above Ordnance Datum (AOD) for building no.16 and 24.60m AOD for building no.17.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason

To prevent (a) flooding by ensuring the satisfactory storage of/disposal of surface water from the site, (b) flooding elsewhere by ensuring that compensatory storage of flood water is provided (c) to reduce the impact of flooding to the proposed development and future occupants and (d) to reduce the risk of flooding to the proposed development and future occupants.

14

Surface water draining from areas of hardstanding shall be passed through an oil interceptor or series of oil interceptors, prior to being discharged into any watercourse, soakaway or surface water sewer. The interceptor(s) shall be designed and constructed to have a capacity compatible with the area being drained, shall be installed prior to the occupation of the development and shall thereafter be retained and maintained throughout the lifetime of the development. Clean roof water shall not pass through the interceptor(s).

Reason

To reduce the risk of pollution to the water environment.

15

All downpipes carrying rain water from areas of roof shall be sealed at ground-level prior to the occupation of the development. The sealed construction shall thereafter be retained throughout the lifetime of the development.

Reason

To prevent the contamination of clean surface water run-off.

POSITIVE AND PROACTIVE STATEMENT

The applicant and the Local Planning Authority engaged in pre application discussions to consider the development before the submission of the planning application. The application was submitted on the basis of these discussions, or was amended to accord with them. It was considered to be in accordance with the principles of the National Planning Policy Framework.

To the Chairman and Members of the
PLANNING REGULATORY BOARD

Date 14th May 2015

Report of the Director of Planning and Regeneration Service

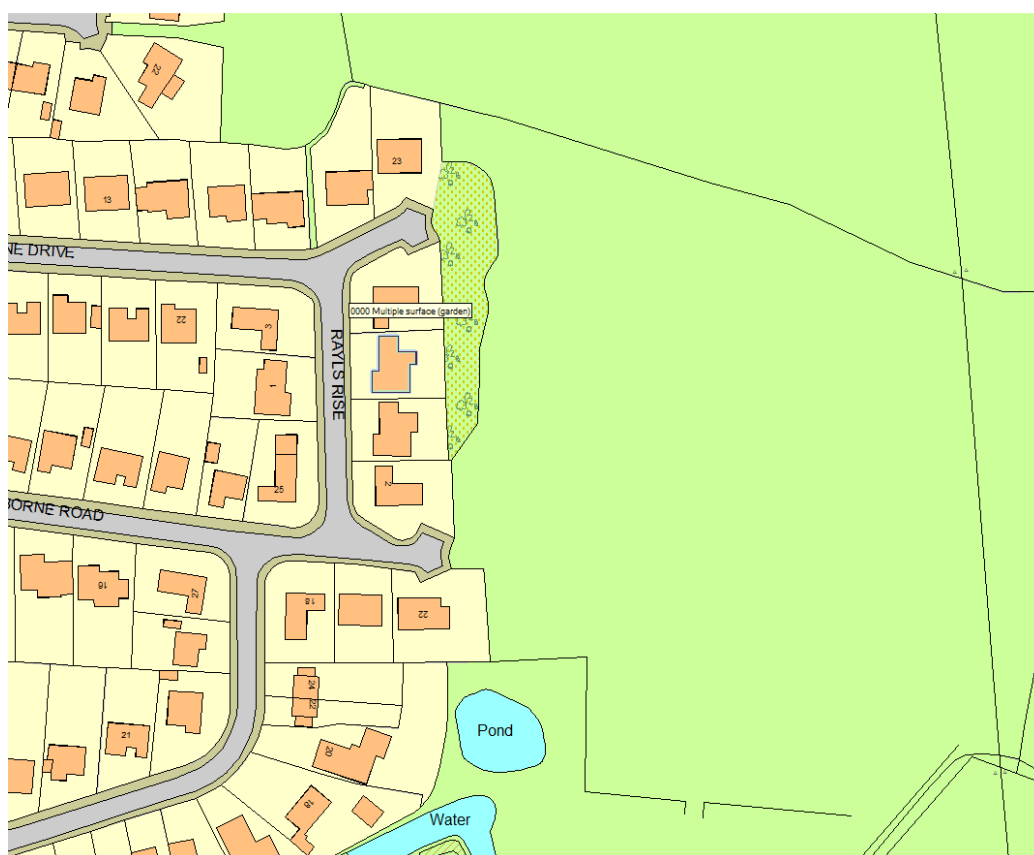
ITEM NO. SUBJECT

- | | |
|---|---|
| 1 | Proposed Tree Preservation Order No 4 2014 – land adjacent to Rayls Rise/Manor Way, Todwick, Rotherham S26 1HY. |
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ROTHERHAM METROPOLITAN BOROUGH COUNCIL

PLANNING REGULATORY
BOARD

PLANNING AND REGENERATION SERVICE

REPORT TO COMMITTEE
14 MAY 2015**Item 1****Proposed Tree Preservation Order No 4 2014 – land adjacent to Rayls Rise/Manor Way, Todwick, Rotherham S26 1HY.****RECOMMENDATION:**

That Members confirm the serving of Tree Preservation Order No. 4 (2014) with regard to 7 Oak trees and a Weeping Willow subject of this report, situated on land adjacent to Rayls Rise/Manor Way under Section 198 and 201 of the Town and Country Planning Act 1990.

Background

An Order was made on 13 November 2014 (TPO No. 3 2014) following concerns from local residents that existing mature Oak trees on the land were at risk of removal. The Order was made using the 'Area' designation as a holding measure until a more detailed site inspection could be made. Following notification from the landowner's agent to the Council's Planning Service, 10 mature Oak trees were uprooted before the Order was served leaving only 1 Weeping Willow on the

landowner (Mr Smith's) land. The original Order was revoked and a second Order served on 17 November 2014 including the Weeping Willow and a smaller 'Area' designation to protect 7 remaining Oak trees. The boundary of the revised 'Area' still overlapped Mr Smith's land where trees were no longer present.

An objection was raised by Mr Smith regarding the use of the 'Area' designation which covers a significant part of one of the owner's land where there are no trees present. The agent indicated that if the Order is modified before it is confirmed to represent the actual positions of the trees outside Mr Smith's land there will be no further objection to the Order. In response, the positions of the 8 remaining trees within the original designated area have been surveyed and plotted as individual trees as indicated on the attached site location diagram (along with the Weeping Willow). Therefore, if the Order is confirmed with modification in accordance with amended site location plan and schedule of trees the objection to the Order will be overcome.

Conclusions

The objection to the Order has been carefully considered and the Order has been made in accordance with Government guidelines. In this instance, it is recommended the Order is confirmed with modification as indicated above which would address the objection raised.