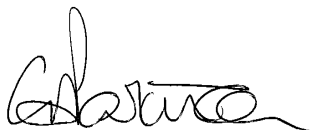


**You are hereby summoned to a meeting of the Planning Board
to be held on:-**

Date:- Thursday, 17 September 2015 **Venue:- Town Hall, Moorgate Street,
Rotherham. S60 2TH**
Time:- 10.15 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 27th August, 2015 (Pages 2 - 7)
6. Deferments/Site Visits (information attached) (Pages 8 - 9)
7. Visit of Inspection - Erection of a church, formation of 144 car parking spaces and means of access, formation of earth bund and boundary fencing, balancing pond and landscaping at land off Common Road, North Anston for Elsworth Acres Ltd. (RB2015/0174) (Pages 10 - 38)
8. Development Proposals (Pages 39 - 59)
9. Report of the Director of Planning, Regeneration and Culture (Pages 60 - 69)
10. Updates
11. Date of next meeting - Thursday 8th October 2015



**Catherine A. Parkinson,
Interim Director of Legal and Democratic Services.**

ROTHERHAM METROPOLITAN BOROUGH COUNCIL

PLANNING 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, 27th August, 2015

Present:- Councillor Atkin (in the Chair); Councillors Astbury, Cutts, Lelliott, Pickering, Roche, Rosling, Sims, Smith, R.A.J. Turner, Tweed and Whysall, with Councillor Beaumont (as substitute for Councillor Godfrey).

Apologies for absence were received from Councillors Godfrey, Middleton and Yasseen.

28. DECLARATIONS OF INTEREST

There were no Declarations of Interest made at this meeting.

29. MINUTES OF THE PREVIOUS MEETING HELD ON 6TH AUGUST 2015

Resolved:- That the minutes of the previous meeting of the Planning Regulatory Board held on Thursday 6th August, 2015, be approved as a correct record for signature by the Chairman.

30. DEFERMENTS/SITE VISITS

Resolved:- That consideration of application RB2015/0174 be deferred pending a visit of inspection, as agreed by the Planning Board, to enable Members to consider the merits of this proposed development on land which was formerly used as a scrap-metal enterprise and is land within the Green Belt; in addition, Members wish to consider the impact of the proposed development upon the surrounding highway network; with the Chairman and Vice-Chairman approving arrangements for the visit.

31. VISIT OF INSPECTION - CHANGE OF USE TO HAND CAR WASH/VALETING (USE CLASS SUI GENERIS) AT THE FORMER WATH SWIMMING BATHS, BISCAY WAY, WATH UPON DEARNE FOR MR. S. UYANIK (RB2015/0445)

Before the formal meeting of the Planning Board, Members of the Board made a visit of inspection to the above site (Ward representatives Councillors Elliot and Gosling were 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 Change of use to hand car wash/valeting (use class Sui Generis) at the former Wath Swimming Baths, Biscay Way, Wath upon Dearne for Mr. S. Uyanik (RB2015/0445).

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

Councillor J. Elliot (objector, on behalf of local residents)

Resolved:- (1) That application RB2015/0445 be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the submitted report and including the following amended conditions and reasons:-

04

Prior to the commencement of development, details of how the surface water will be channelled and passed through a petrol interceptor before being discharged on site to a soakaway shall be submitted to and approved by the Local Planning Authority.

Reason

In the interests of highway safety, flood risk and amenity of the surroundings.

07

The hand car wash use hereby permitted shall only be open to customers or for deliveries between the hours of 0800 – 1800 Mondays to Saturdays and 0900 – 1600 on Sundays.

Reason

In the interests of the amenities of the occupiers of nearby dwellings and in accordance with UDP Policy ENV3.7 'Control of Pollution'.

09

Notwithstanding the submitted plans and prior to the commencement of development, a plan indicating the position, design, materials and type of boundary treatment to be erected (including drawings of the brick wall and railings alongside Moor Road) shall have been submitted to and approved by the Local Planning Authority. This shall also include details of the proposed landscaping along the southern boundary facing Biscay Way. The boundary treatment and landscaping shall be completed before the development is brought into use.

Reason

In the interests of the visual amenity of the area and in accordance with Core Strategy CS CS28 'Sustainable Design'.

(2) That the informative in respect of this application, as detailed in the submitted report, shall be deleted.

32. VISIT OF INSPECTION - APPLICATION TO FELL VARIOUS TREES PROTECTED BY RMBC TREE PRESERVATION ORDER NO. 18 1975, MORPHY RICHARDS LTD., TALBOT ROAD, SWINTON FOR MORPHY RICHARDS LTD. (RB2015/0795)

Before the formal meeting of the Planning Board, Members of the Board made a visit of inspection to the above site (Ward representatives Councillors Rose and Wyatt were also in attendance, with Councillor

Sansome having given his apologies).

Consideration was given to the report of the Director of Planning and Regeneration Service concerning the application to fell various trees protected by RMBC Tree Preservation Order No. 18 1975, Morphy Richards Ltd., Talbot Road, Swinton for Morphy Richards Ltd. (RB2015/0795).

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

Councillor E. Rose (on behalf of local residents)

Resolved:- (1) That application RB2015/0795 be granted in part and the removal of the 27 trees, as detailed below, be approved for the reasons adopted by Members at the meeting and subject to the following conditions:-

01

All tree works shall be carried out in accordance with B.S.3998: 2010 and shall not exceed the removal of the 27 Poplar trees recommended for removal within the submitted tree survey report by the agent, unless otherwise agreed in writing with the Local Planning Authority. In addition no tree work shall commence until the applicant or his contractor has given at least seven days' notice of the intended starting date to the Local Planning Authority. The authorised works should be completed within two years of the decision notice otherwise a new application for consent to carry out any tree work will be required.

Reason

To ensure the tree works are carried out in a manner which will maintain the health and appearance of the trees in the interests of the visual amenities of the area and in accordance with UDP Policies ENV3 'Borough Landscape', ENV3.2 'Minimising the Impact of Development' and ENV3.4 'Trees, Woodlands and Hedgerows'.

02

Replacement planting condition

13 x Silver Birch (*Betula pendula*) and 14 x Upright Norway Maple (*Acer platanoides* Olmstead) shall be planted in the first planting season (early November to late March) following the removal of the 27 existing Poplar trees. Their size at the time of planting shall be 'Selected' Standard 10 to 12 centimetres stem circumference measured at 1 metre above ground level, with a minimum height of 3 to 3.5 metres and container grown within a minimum 25 litre container positioned approximately as indicated on the attached site location diagram or such other size, species, location or period as may be agreed in writing with the LPA.

Reason

To ensure the tree works are carried out in a manner which will maintain

the health and appearance of the trees in the interests of the visual amenities of the area and in accordance with UDP Policies ENV3 'Borough Landscape', ENV3.2 'Minimising the Impact of Development' and ENV3.4 'Trees, Woodlands and Hedgerows'.

03

If, within a period of five years from the date of planting, the new trees (or any other new trees planted as replacements for them) are removed, uprooted or destroyed or die, another tree of the same size and species shall be planted at the same place, or in accordance with any variation for which the local planning authority give their written consent.

Reason

To ensure the tree works are carried out in a manner which will maintain the health and appearance of the trees in the interests of the visual amenities of the area and in accordance with UDP Policies ENV3 'Borough Landscape', ENV3.2 'Minimising the Impact of Development' and ENV3.4 'Trees, Woodlands and Hedgerows'.

04

Stump grinding condition

Following the felling of the 27 Poplar trees concerned their stumps will be removed by the use of a suitable stump grinding machine in accordance with

BS 3998:2010 Tree Work - Recommendations. The minimum depth for stump grinding should be to extend through the base of the stump leaving the major roots disconnected. The arisings should be removed from the site to help reduce the potential for the spread of honey fungus that may be detrimental to the future prospects of any new trees.

Reason

To ensure the tree works are carried out in a manner which will maintain the health and appearance of the trees in the interests of the visual amenities of the area and in accordance with UDP Policies ENV3 'Borough Landscape', ENV3.2 'Minimising the Impact of Development' and ENV3.4 'Trees, Woodlands and Hedgerows'.

(2) That the removal of the 46 remaining trees, the subject of application RB2015/0795 and as detailed in the submitted report, be refused for the following reason:-

The Council considers that the removal of the remaining 46 trees (not included within the 27 trees referred to at resolution (1) above) will result in a significant adverse impact on local amenity as well as any associated wildlife and biodiversity benefits and insufficient justification for their loss has been provided. The Council considers that the loss of the trees is likely to increase other difficulties of light and noise pollution from the site which would further exacerbate future disturbance to adjacent local residents. Accordingly this element of the application conflicts with UDP Policies ENV3 'Borough Landscape', ENV3.2 'Minimising the Impact of

Development' and ENV3.4 'Trees, Woodlands and Hedgerows'.

33. DEVELOPMENT PROPOSALS

Resolved:- (1) That, on the development proposals now considered the requisite notices be issued and be made available on the Council's website and that the time limits specified in Sections 91 and 92 of the Town and Country Planning Act 1990 apply.

(2)(a) That, with regard to application RB2014/1461, the Council shall enter into an Agreement under Section 106 of the Town and Country Planning Act 1990 for the purposes of securing the following:-

:: 15% on site affordable housing provision (comprising 13 affordable units);

:: £177,992 towards the provision of primary school places in Catcliffe (£2,342 per dwelling minus affordable units), 50% of the money payable upon 50% occupation, with the remaining 50% payable upon 80% occupation;

:: £59,995 towards the upgrade of the Catcliffe Parish Recreation Ground 50% of the money payable upon 50% occupation with the remaining 50% payable upon 80% occupation;

:: £46,657 towards Sustainable Travel Measures;

(b) That, subject to the signing of the Section 106 Legal Agreement, planning permission be granted for the proposed development subject to the conditions set out in the submitted report and including the following amended conditions and reasons:-

04

The development shall not be commenced until details of the proposed alterations to the Sheffield Lane/western access road/Poplar Way junction, indicated in draft form on plan reference PL-03 Revision G, have been submitted to and approved by the Local Planning Authority and the approved details shall be implemented before the first occupation of any dwelling. The submitted details shall include a Stage One Safety Audit and retention of adequate land adjacent plot 26 to enable carriageway widening should the restoration of two way traffic flows along this part of Sheffield Lane be required.

Reason

In the interests of road safety.

07

The construction of the proposed access road fronting plot 7 shall have regard to the site levels of the potential development site to the north and shall be constructed to the boundary of the site to facilitate linking to a

future development road in terms of vertical and horizontal alignment.

Reason

In order to promote sustainable travel choices.

(3) That consideration of application RB2015/0174 be deferred pending a visit of inspection, as agreed by the Planning Board, to enable Members to consider the merits of this proposed development on land which was formerly used as a scrap-metal enterprise and is land within the Green Belt; in addition, Members wish to consider the impact of the proposed development upon the surrounding highway network; with the Chairman and Vice-Chairman approving arrangements for the visit.

34. PROPOSED TREE PRESERVATION ORDER NO. 1 2015 AT CHURCH VIEW, 19 HIGH STREET, WHISTON

Further to Minute No. 5 of the meeting of the Planning Board held on 4th June, 2015, consideration was given to a report of the Director of Planning, Regeneration and Culture concerning the proposed making of a new Tree Preservation Order in respect of various trees at Church View, 19 High Street, Whiston, within the Whiston Conservation Area.

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

Mr. C. Witham (objector to the making of the Order)

Mr. W. L. Anderson (objector to the making of the Order)

Resolved:- (1) That the report be received and its contents noted.

(2) That the Planning Board confirms the serving of Tree Preservation Order No. 1 (2015) with regard to various Norway Maple, Sycamore, Whitebeam and London Plane trees, as described in the submitted report, situated within the curtilage of Church View, 19 High Street, Whiston, under Sections 198 and 201 of the Town and Country Planning Act 1990, subject to the amended site plan.

35. UPDATES

(1) Members would receive an informal presentation from Harworth Estates, at the conclusion of the formal meeting, about the proposals for the local community and retail centre within the Waverley development.

(2) Discussion took place on the arrangements for the Planning Board's visits of inspection of completed developments, which will be held on Tuesday, 29th September, 2015.

ROTHERHAM METROPOLITAN BOROUGH COUNCIL**PLANNING 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 Regeneration and Culture 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 Regeneration and Culture.
- 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 three 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, 17TH SEPTEMBER, 2015

1. **RB2015/0174** – Erection of a church, formation of 144 car parking spaces and means of access, formation of earth bund and boundary fencing, balancing pond and landscaping at Land off Common Road, North Anston for Elsworth Acres Ltd.

Requested by:- Members of the Planning Board

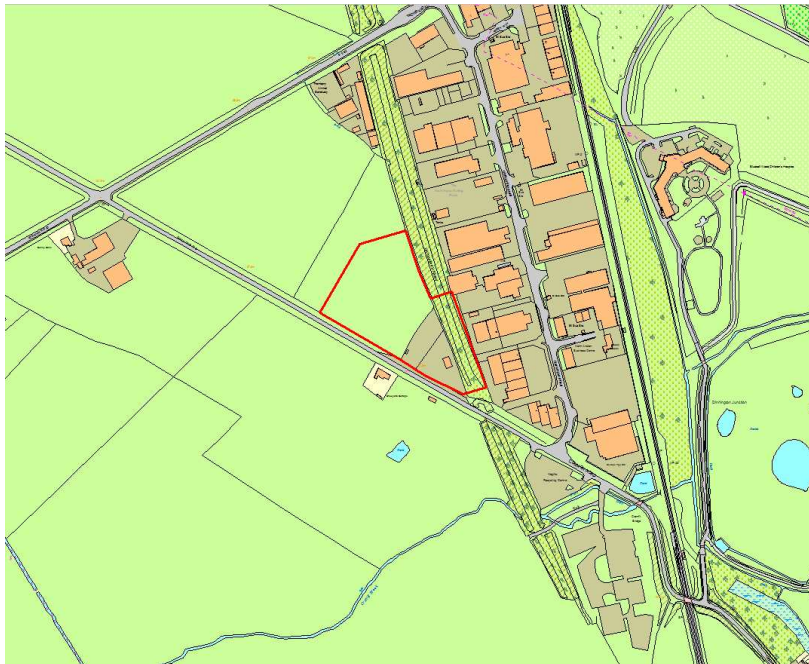
Reason:- To enable Members to consider the merits of this proposed development on land which was formerly used as a scrap-metal enterprise and is land within the Green Belt; in addition, Members wish to consider the impact of the proposed development upon the surrounding highway network.

<u>No.</u>	<u>Application</u>	<u>Area</u>	<u>Arrival</u>	<u>Departure</u>
1.	RB2015/0174	North Anston	9.25 a.m.	9.45 a.m.

Return to the Town Hall for approximately 10.15 a.m.

SITE VISIT NO. 1 (Approximate time on site - 9.25 a.m.)

Application Number	RB2015/0174
Proposal and Location	Erection of a church, formation of 144 car parking spaces and means of access, formation of earth bund and boundary fencing, balancing pond, and landscaping at land off Common Road, North Anston, S25 4UJ for Elsworth Acres Ltd
Recommendation	Refuse

**Site Description & Location**

The application site is located to the north of Common Road in North Anston. Common Road is a long rural road that goes to North Anston village in the east and Brampton-en-le-Morthen to the west. Between the two settlements there are a number of agricultural fields with very few dwellings. To the north of the site is a dense strip of mature trees; beyond is North Anston Trading Estate. Directly opposite the site is a single dwelling – ‘Brickhouse Cottage’. The rest of the site is surrounded by open fields.

The site itself is a relatively flat triangular piece of land and is approximately 2.0ha in size. The majority of the site (approximately 1.3ha) is formed by part of an uncultivated field, with a smaller part (approximately 0.3 ha) being the woodland strip to its northern boundary. There is an area to the south eastern corner which has up until recently been used for industrial and business purposes as a scrap yard site. This area is approximately 0.4ha and is hardstanding with a palisade fence around its perimeter (the scrap yard activities no longer take place from the site).

Background

There has been a number of planning applications submitted relating to this site:

KP1960/1084 – Car dismantling premises – Granted conditionally

RB2000/1137 - Change of use from scrap yard to building supplies yard and erection of office/reception and store buildings – Refused (Allowed on appeal)

RB2004/2282 – Erection of building for depolluting end of life vehicles and erection of security fencing – Granted conditionally

A recent application by the same applicant was recently determined on land to the west of the application site which is also within the applicant's ownership:

RB2012/1623 - Erection of 2 No. buildings to form independent school, convention centre and gospel hall including associated car parking, landscaping and surface water retention pond – Refused at Planning Board on 31 January 2013 for the following reason:

01

The proposed development represents inappropriate development in the Green Belt and no very special circumstances have been demonstrated to overcome the harm caused by the inappropriate development, and other harm caused, and consequently the proposal is in conflict with Policy ENV1 'Green Belt' of the Unitary Development

Plan and the NPPF.

02

It is considered that by way of its size and location the proposed development would have a materially adverse effect on the openness and visual amenity of the Green Belt and would thereby be in conflict with Policy ENV1 'Green Belts' of the Unitary Development Plan and the NPPF.

The school is no longer part of this current proposal.

There is also an existing Gospel Hall located at Carter Knowle Road in Sheffield. This has the capacity to hold a 500 person congregation. Information provided with the application states that "the existing hall is located in a built up residential area with narrow streets and is difficult to access. The existing hall requires refurbishment and its grounds are too small to safely provide for the number of cars and coaches currently attending larger events".

Screening Opinion

The proposed development falls within the description contained at paragraph 10(b) 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 the Local Planning Authority has adopted the opinion that the development referred to above for which planning permission is sought is not EIA development as defined in the 2011 Regulations.

Proposal

The application is seeking permission for the erection of a Church Hall with associated car parking, replacement and enhanced landscaping, formation of new boundary hedgerows, boundary fence, balancing pond and means of access.

The proposed Hall would provide the following facilities:

- Main Hall
- Socialising area and family gathering point
- Toilet facilities
- External meeting / communal areas

The single storey building would have the following dimensions:

- Length of building 57.4m
- Width of building 34.4m
- Height of building 8m

The building would be single-storey with a low pitched roof profile, and is to be constructed in a mix of cladding and block work to emulate an agricultural type building in a rural setting. The building would be sited adjacent to the site's eastern boundary in the southern corner of the site with its rear elevation close to the North Anston Trading Estate.

The building is orientated to face south and the plaza in front of the main entrance is to ensure there are no conflicts between pedestrians and vehicles.

An acoustic earth bund and acoustic fence 4 metres overall in height are proposed along the boundary of the site with Common Road. In addition, 3m high security fencing is proposed around the perimeter of the site.

The proposal will include 144 car parking spaces. This has been altered from 125 spaces and 5 coach parking spaces as originally submitted as the Plymouth Brethren congregation do not travel in coaches to services.

The applicant states that the balancing pond proposed is to allow for the suitable and sustainable drainage facilities at the site and ensure increased surface water is appropriately addressed. It is proposed to install the pond to the north-west of the site.

This will allow surface water to be collected and stored at times of higher rainfall and subsequently released at an agreed rate into the adjoining Cramfit Brook. The balancing pond is also intended to offer some enhanced ecological benefit by providing an enhanced wildlife habitat.

The use of the proposed Church would be between the following hours:

Sunday 5.30am - 7.00pm, Monday - Friday 7.00am - 9.30pm, Saturday 7.00am - 6.00pm.

All subject to the fact that the Transport Assessment says persons may arrive up to one hour before the meeting time.

The early opening on a Sunday is for the celebration of the Lord's Supper (Holy Communion) which is central to the function of the faith of the Plymouth Brethren. The celebration of the Holy Communion occurs universally at the same time in each time zone across the world for the Plymouth Brethren. It is therefore sacrosanct to their gatherings and the time of this church activity is somewhat "fixed".

The applicant confirms that the early morning Holy Communion is very small scale. The meeting commences at 6.00 am with a caretaker arriving at approximately 5.30am to allow the building to be opened up:

- A maximum of 15 cars in total will be entering the site before 7:30am on a Sunday morning
- The cars will park at the extreme south eastern corner of the site furthest away from Brickyard Cottage.
- Car speed will be restricted to 10mph within the car park.
- Main car park lighting will not be switched on before 7:30am on a Sunday

The number of persons allowed in attendance at any one time to be as follows:

- Sunday prior to 8.00 am - 50 people.
- With the exception of "special gatherings" and/or public holidays services for more than 500 not to commence before 10.00 am on weekdays.
- On only five special gathering days per year up to full capacity (500).

It is envisaged that the site would be open for use not more than 20 hours in any one week, except in weeks when special gatherings up to capacity occur. On those weeks it would operate up to 30 hours. It would remain closed at all other times.

The existing access to the field is to be improved and used as the main access / egress to the car park. Two existing accesses further south-east along Common Road are to be removed, while the most south-eastern access at present is to be retained for emergency access.

The following documents have been submitted in support of the application:

Design and Access Statement:

The statement provides information on the layout and scale of proposal; appearance of the proposal; access issues and sustainability of the site.

Planning Statement:

The statement sets out details about the proposed development site and locality; details of the development proposal; the existing Gospel Hall facility; the planning history of the site; details of relevant planning policy and sets out a case for development of the site.

The statement summarises the following as very special circumstances to allow the inappropriate development of land within the Green Belt:

- The existing Gospel Hall in Sheffield is at capacity and there is no opportunity to extend the premises and car park due to physical and policy constraints in the area;
- The site at Carter Knowle Road represents a more suitable location in which to accommodate residential development.
- Many members of the Brethren congregation are locating closer to the Anston area, primarily as a result of the location of the existing school site at Hellaby. The application proposal is also proposing to develop over 55% of the overall proposed built form within an employment land allocation.
- The applicant is also proposing to locate the remaining new build forms within the Green belt, albeit on the site of a former scrapyard which previously occupied the site and represents a significantly harmful visual and environmental intrusion into the countryside.
- Utilising brownfield land is clearly supported by national planning policy which is again a significant material benefit of the project overall.
- The siting of the proposed built form and characteristic of the application site suggest that purposes of the Green Belt are not compromised to any harmful extent. The only new development on Greenfield land is the car park and balancing pond, which in themselves are not visually intrusive, nor do they adversely impact upon the openness of the land.
- It has been demonstrated that the land is considered to be visually inert with very little visual relief. The applicant's proposal will offer the opportunity to enhance the overall visual appearance of the site through the delivery of an architecturally attractive built form and introducing considerable amounts of new landscaping both within the site and along the site frontage with Common Road where the hedgerow have been destroyed by previous land uses. This is again considered to be a significant visual enhancement of the overall site on one which should be welcomed.
- It is also evident that the site is ecologically barren and the application can again offer the opportunity to enhance this value through the introduction of a range of feature, including the balancing pond, additional tree planting, hedgerows to Common Road and green corridors through the site. This again represents a significant lift to the ecological value of the site and weight should be afforded to such an enhancement.
- The applicant is also alert to the presence of contamination on the site and will undertake all appropriate measures to mitigate this factor as part of the development package. Removing and treating known contaminants is significant material benefit for this particular site and one which will further positively contribute to the overall environmental enhancement of the locality.
- In order to assist in demonstrating that very special circumstances exist, the applicant has also commissioned a further assessment of potential alternative

sites throughout the identified area of search which encapsulates the applicant's area of need and appropriate accessibility. It is clear following an extensive investigation, that no suitable alternative locations which meet need and comply with client objectives are available. Equally, sites which may have appeared appropriate are either constrained by wider policy requirements, economic objectives or are unviable for the nature of use as proposed. Despite there being a perception that a range of sites and land exists, research reveals otherwise and therefore assists in supporting the case for the application site to be supported given the significant benefits the project can deliver.

- It is therefore anticipated that support for the application is justified as a range of environmental enhancements, sustainability advantages, wider planning policy objectives and lack of significant and demonstrable harm is evident. In the absence of such harm, the application should be approved.

Sequential Site Assessment

The site assessment covers a wide area of South Yorkshire and North Derbyshire and considered the existing location of Gospel Halls and how the local congregation attend their nearest local facility.

It states 167 sites were identified, 11 were ranked as amber and 10 ranked as green. The 10 green sites offered the potential to adequately accommodate the Church and car parking. All the sites were discounted on the basis of one or more of the following reasons:

- Sites too small
- Inappropriate land use
- Existing land values too high
- Alternative development plan objectives being promoted
- Land has been sold or sold subject to contract
- LPA will not support a non-employment use

Transport Assessment:

The Assessment looks to investigate and report upon the anticipated transport issues associated with the proposed development of a Gospel Hall.

The Assessment states that while the crossroads of Common Road / Todwick Road have historically been subject to a number of accidents, safety improvements implemented by the Council at this junction have significantly reduced the risk of accidents and the proposal will not add traffic to the crossroads during the identified highway peak hours and is therefore unlikely to have a material impact on highway safety.

In addition, the Assessment further states that the proposed development will have a negligible effect on the operation of the highway network.

Landscape Visual Impact Assessment:

This report concludes that the topography and well screened nature of the site lends itself favourably toward the siting of the church. Its open character and absence of internal significant landscape features will mean that little will be lost. However, due to

the flatness and openness of the local landscape it is appropriate that the proposed building consists of a single-storey.

Views into the site are partially screened along all boundaries by vegetation. The boundary to the north will benefit from significant landscape intervention.

It further states that the appraisal has demonstrated that the development site is well screened from key viewpoints located around the site. Therefore, the proposal is likely to cause minimal impact on the overall character landscape.

Preliminary Ecological Appraisal:

The appraisal states that the site is dominated by improved grassland with areas of scrub, scattered trees, hedgerows, a watercourse and hard-standing. It provides a number of recommendations in respect of various species and when the best time is before or during the construction to carry out the recommendations.

Biodiversity Management Plan:

The report outlines the recommended habitat management procedures of ecological features that are to be retained, along with newly provided features which will be enhanced and created for the site.

Tree Survey:

The survey assessed 3 individual trees, 5 tree groups and 3 sections of hedgerows with a total of 1 individual tree and 1 tree group attaining a Category 'B' assessment value. Category B trees are those of moderate quality and value: those in such a condition as to make a significant contribution (a minimum of 20 years is suggested).

It notes that the proposed layout does not require the removal of any Category 'B' trees, whilst 2 category 'C' trees, 3 category 'C' groups, and a small section of a hedgerow will require removal in order to directly implement the proposals. Category C trees are those of low quality and value: currently in adequate condition to remain until new planting could be established (a minimum of 10 years is suggested), or young trees with a stem diameter below 150mm.

It further states that tree removals along with necessary facilitation tree works are considered to provide a design layout that provides for future tree growth and maintenance, whilst also lessening the likelihood of future pruning pressures.

It concludes that the loss of trees is not considered to be significant due to their limited species range and diversity, and that the overall tree loss can be mitigated by adopting a considered landscaping scheme.

Geo-environmental site assessment:

The assessment carried out recommends that a ground investigation and a programme of gas and groundwater monitoring is carried out, in order to establish the presence and extent of contamination, risk posed by ground gasses and shallow unrecorded coal mining.

Noise Impact Assessment:

The assessment carried out predicts that sound level received at the first floor windows of the nearest dwelling to the Church (being Brickyard Cottage across Common Road to the south), caused by sound sources associated with the 6am service on Sundays, will be 27dB. The existing background sound level at this time is 33dB. After adding a correction of 6dB for the impulsive nature of the sound from the church car park it is rated equal to the background. It concludes that there will be a "low impact" at the dwelling.

It further states that the predicted indoor sound levels inside the dwelling with windows open for ventilation are predicted well below the thresholds of sleep disturbance. In addition the sound levels at other proposed service times are also predicted to have a low impact at the dwelling.

The above predictions and conclusions include the sound reducing effect of an earth bund with an acoustic fence along its ridge. The proposed overall height of the bund and fence is 4m above ground level.

Drainage and Flood Risk:

The report outlines where the nearest drainage system is located in proximity to the site and that the car park would be permeable and that the building would be drained to a surface attenuation pond on site.

In respect of flooding it states the building will be safe from flooding and that the site is not currently prone to flooding from neighbouring developments. Notwithstanding the above it recommends that the road side ditches are regraded and maintained to ensure proper management.

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 split in terms of its allocation. The majority of the site (approximately 1.8ha of the overall site area of 2.1ha) is allocated for Green Belt purposes in the UDP and the remainder of the site, being an elongated strip to the east (0.3ha), is allocated for Industrial and Business purposes in the UDP. For the purposes of determining this application the following policies are considered to be of relevance:

Core Strategy policy(s):

- CS4 'Green Belt'
- CS20 'Biodiversity and Geodiversity'
- CS21 'Landscapes'
- CS28 'Sustainable Design'
- CS33 'Presumption in Favour of Sustainable Development'

Unitary Development Plan 'saved' policy(s):

EC3.1 'Land Identified for Industrial and Business Use'
EC3.3 'Other Development within Industrial and Business Areas'
ENV3.4 'Trees, Woodlands and Hedgerows'
ENV3.7 'Control of Pollution'

Other Material Considerations

Supplementary Planning Guidance – The Council's Car Parking Standards (adopted June 2011).

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 Core Strategy/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 press, and site notice along with individual neighbour notification letters to adjacent properties. 16 letters of representation have been received.

10 letters were received in objection to the proposal and the issues raised are summarised below:

- The application does not comply with the UDP, as it is in the Green Belt.
- The surrounding roads will not support the additional traffic generated.
- This church is of no use to the local community.
- Common Road is in poor condition and most vehicles given the chance drive down the centre to avoid the potholes and disintegrating areas at the edges of the road surface.
- Issues during construction work as any large vehicles will only be able to access the site via Common Road as there is a 7.5 ton weight limit on the road bridges at Mill Lane and Cramfit Road.
- We have air pollution from the industrial estate and this proposal with additional traffic will add to this.
- The crossroad at Common Road / Monksbridge Road is already a black spot.
- The traffic using Cramfit Road is already far more than any other road in Anston due to the Dumpsite, Trading Estate, Post office collection, visitors to Bluebell Wood Hospice.

- With a little more forethought most of the above could have been accessed via the main road leaving residents on this road with less traffic passing our front door.
- The existing road network serving the site area is extremely narrow, in poor condition and unable to accommodate increased traffic.
- The site boundary edged in red on page 5 of the application document – Item 2.0 Development Site and Locality is misleading as it gives an incorrect impression of the area of the site making it look smaller when in actual fact the site boundary is further to the west along Common Road and further into the Green Belt.
- If granted it will lead to further ones for the remainder of the site which is all in the applicant's ownership.
- The development is totally isolated from the nearest community and will bring no benefit to it or be part of it.
- The search for alternative sites read much as the previous application.
- According to the application the existing gospel hall in Sheffield holds 500 people and the car park can accommodate 115 vehicles. This is the same number of attendees proposed at the new one and only some ten cars less. Why is there an urgent need to relocate the existing facility on to Rotherham's green belt?
- The proposed development will dramatically alter the existing landscape / ground levels by proposing to build earth mounds around the site to enclose it and also opening up the adjacent industrial estate by the removal of the existing railway embankment.
- The application states that most attendees live locally but then goes on to say that there will be many that travel from a 30 mile radius.
- The development will affect the wildlife in the area.
- The proposed building has no architectural merit and is drab and industrial in appearance.
- The application fails to prove the very special circumstances required in relation to building on the Green Belt.
- There are vacant brownfield sites in the Borough and local area that would serve the needs of the developers.
- The increased traffic and associated noise would impinge on our amenity living opposite the site.
- Anston is not a principal settlement as stated in the application.
- In the House of Commons on 5th March 2015, Minister Brandon Lewis said "The Government attach the highest importance to the protection of the green belt...So green belt should be redesignated only in exceptional circumstances and as a last resort. Furthermore, the NPPF notes Green Belt as one of the environmental constraints on development in the framework and local planning process."

7 letters were received in support of the proposal and the comments are summarised below:

- The new tree planting, hedges and pond will benefit the wildlife in the area and will compensate for the encroachment into the green belt.
- The proposal will remove the eyesore of the old builder's yard as you enter the village from Common Road.

- The proposal would be beneficial to redevelop the brownfield site by landscaping and up grading considerably the appearance, as well as pre-empting previous similar uses such as car dismantler, waste and surplus building supplier having total disregard for neighbours and local appearances.
- A positive influence for Advanced Alloy Services would be an elimination of criminal elements trying to gain access to our property via the current application site.
- Will result in a large improvement to the landscape of the area by planting of trees, hedges and shrubs on the site.
- Having the church community as neighbours, with the increase in people to the local area will help us engage more people in our work, which will in turn help us reach and help more children and families, as well as help us maintain and increase the support and funding needed to keep the hospice open.
- The proposal will be more sympathetic to the surrounding countryside than the previous use of the land and indeed more in-keeping with the countryside environment than the previous use.
- The new facility will be a useful addition to the social fabric of the area.

Those making representation have been informed of the amendments to the scheme (alterations to parking provisions) and 10 further letters have been received objecting to the scheme at the time of writing this report. The comments raised are summarised below:

- The amended plans indicate extra car parking spaces but no provision for coach parking. Therefore the Brethren has not shown where coaches will park.
- Furthermore I posit that this should have been a fresh planning application and not just an amendment to be put before the Planning Committee. I believe there is a case for citing Procedural Impropriety by the Planning Committee if a decision is made on the basis of the amendments.
- The applicants have not put forward any convincing facts nor arguments why they should be allowed to build on greenbelt land nor have they explained how and why the existing road can cope with the extra traffic that will be generated if this application succeeds.
- They have not demonstrated 'Special Circumstances'.
- The Transport Plan included in the application is I believe flawed and does not address the main issues of congestion and amount of vehicular traffic at all times. The Todwick Road / Common Lane crossroads is well known locally as a major traffic hazard and traffic is often backed up on both roads for up to five minutes during daylight hours as drivers wait for other vehicles to turn or exit both roads.
- Common Road is unsuitable for any increase in vehicular traffic particularly coaches and people carriers which the applicant admits will form a percentage of the vehicles travelling to the site.
- Anston is being urbanised by stealth and our open spaces are community assets which must be preserved.
- Traffic volumes already an issue in the area.
- Increased traffic at an accident blackspot at the crossroads on Todwick Road and Common Road.
- The amended plan makes no effort to address the issue of the majority of the site being in green belt land.

- It is not in accordance with the councils adopted Core Strategy nor the proposed Local Development Plan/Sites and Policies Document.
- 3. The number of car parking spaces has now increased from 125 vehicles to 144 with no parking provision on the site for coaches as originally indicated.
- The number of vehicles that use the Magilla recycling centre on weekly basis (excluding Tuesday when is closed) has been counted in April of this year. This indicates that there are 3.172 visits which equates to 6, 344 round trips. This number of users will increase year on year as further planned house building takes place in the centres catchment area. The existing road network is not capable of accepting the additional volume of traffic that the development would bring.
- There is an existing footpath from Dinnington through to the A57 at Todwick but there is no pedestrian route proposed along Common Road to link in with that nor for any street lighting which would be required as the building would be in use at night time. This would be crucial in winter months given the amount of vehicles that will be entering and leaving site during the hours of darkness.
- The amended proposals will further alter the existing landscape with the addition of an acoustic fence along the Common Road boundary. The additional changes to the existing ground levels which will create a 'bunker' like appearance to the site and buildings and the existing green corridor along Common Road will be irrevocably harmed.
- The existing road network is no capable of accommodating the site traffic that would be generated should the application be granted and this would have a serious impact on the existing environment
- This is now the third application by the same applicant with regard to this site and they have been given every opportunity to prove their case. The proposed amendments to the scheme have yet again failed to demonstrate the very special circumstances that are required for the proposal to be approved and as such they would cause significant harm to the openness of the Green Belt.
- The Applicant has made no "Special circumstances" case for development in the Green Belt. This is a legal requirement before an application can be passed for approval. The amended car spaces increases the development inside the green belt zone and increases the number of movements on and off the site. The increase in movements increases air pollution around the area. The issue of movements by coach has not been addressed, nor has the issue of the number of "events" been sufficiently explained.
- The amendment to the proposal makes no attempt to improve the access or minimise the inevitable increase in traffic volume on an already busy B road and dangerous crossroad.
- Encroaching onto the green belt to this extent should be avoided wherever possible as there are many brownfield sites available locally which could more suitable.
- The application now indicates an increase in car parking spaces from 125 to 144 which will only exacerbate existing traffic problems on Todwick Road. There is also no provision for coach parking, which was included in the original scheme.
- The roads around the site are struggling to cope with the amount of traffic that uses them at present. The proposal is for a 144 space car park for users of this Church. The applicant obviously doesn't think that this will be enough as there is also space allocated for an "overspill" car park. Maybe this is where they will park the coaches that were in the previous application? The roads

around the site were not built for, and are not capable, of taking the amount of traffic increase that this would incur.

- The planning document states that reduced pollution would occur on the local sections of the M1 and M18 motorways due to Churchgoers travelling to and from Anston (despite the same document stating that a large amount of worshippers have moved to the Anston area, yet it also goes on to say that worshippers travel from a 30 mile radius). They seem to want it all ways.
- If this goes ahead there is a real probability of local traffic gridlock on a regular basis, possibly daily.
- The law on building on greenbelt land is clear. There must be shown "very special circumstances". So, do the Plymouth Brethrens relocation needs come under this umbrella? I think not. South Yorkshire is awash with derelict buildings and land. The remains of lost industry. There must be numerous other sites for them to re-locate to. To pass these plans to build on Anstons (and Rotherhams) greenbelt, causing massive and permanent disruption would not only be unlawful but would be a health and safety risk to the people of Rotherham who live or work in the Anston/Dinnington area.
- Why is such a large car park required for the church unless they want to build a school as in the original proposals.

4 right to speak requests has been received.

Consultations

Streetpride (Transportation Unit): Have no objections subject to conditions.

Streetpride (Drainage): - Have stated that the principle of surface water drainage is satisfactory but there are more details required which can form conditions.

Streetpride (Trees and Woodlands): - Have stated that not all of their previous concerns regarding the full impact of this development on local amenity have been overcome.

Streetpride (Landscape): Have no objections on landscape grounds.

Neighbourhoods (Environmental Health): The development will introduce new sound sources so there is potential for noise disamenity especially if the earth bund and the acoustic fence are not provided on site as all the predictions in the noise assessment include the sound attenuation that the barrier will provide. The site will also have floodlights in the car park so there is also potential for light disamenity. In light of the above, they have recommended that if planning permission is granted in relation to this application suggested conditions should be incorporated.

Streetpride (Ecologist): Have stated that the ecological information submitted raises a number of issues. A condition has been recommended to support the detailed delivery of the necessary biodiversity mitigation and the recommended biodiversity gain.

Neighbourhoods (Land contamination): Have indicated that there may be some potential for contamination to exist within the surface soils at the site. It is considered there may be a risk to human health and controlled water receptors from contamination at the site. For this reason site intrusive investigation works should be undertaken to assess for the presence and extent of contamination along with the risks posed by

ground gases. Remediation works may be required to bring the site to a suitable condition to be protective of human health for its proposed end use.

South Yorkshire Archaeology Service: There is potential for important remains relating to the prehistoric period to exist on this site and groundworks associated with the development could destroy finds and features of potential archaeological importance. As such, a scheme of archaeological work is required to ensure any remains present on this site are recorded, as mitigation.

Severn Trent: Have no objections.

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:

- The principle of development and the impact on the visual amenity and openness of the Green Belt
- Design of the proposals
- Landscaping of the site
- Impact on residential amenity
- Highways Issues
- Other Considerations

The principle of development and the impact on the visual amenity and openness of the Green Belt

Although part of the site (approximately 14%) is located within an Industrial and Business use allocation in the UDP the majority (approximately 86%) of the site is in the Green Belt.

It is of note that in respect of developing the land allocated for Industrial and Business use the requirements of UDP Policies EC3.1 'Land Identified for Industrial and Business Use' and EC3.3 'Other Development within Industrial and Business Areas' are relevant.

EC3.1 states: "Within areas allocated on the Proposals Map for industrial and business use, development proposals falling within Classes B1, B2 and B8 of the Town and Country Planning (Use Classes) Order, 1987 (as amended) will be acceptable, subject to no adverse effect on the character of the area or on residential amenity, adequate arrangements for the parking and manoeuvring of vehicles associated with the

proposed development and compatibility with adjacent existing and proposed land uses.”

The current proposal is seeking to develop the site for a Gospel Hall whose use falls outside of B1, B2 and B8 use classes. However, policy EC3.3 states: “Within the sites allocated for industrial and business use on the Proposals Map, other development will be accepted, subject to no adverse effect on the character of the area or on residential amenity, adequate arrangements for the parking and manoeuvring of vehicles associated with the proposed development and compatibility with adjacent existing and proposed land uses, where such development can be shown to be ancillary to the primary use of the area, or would provide significant employment and it can be shown that:

- (i) there are no suitable alternative locations available for the proposed development,
- (ii) no land-use conflicts are likely to arise from the proposed development, and
- (iii) the proposal significantly increases the range and quality of employment opportunities in the area.”

In this instance it is considered that the development of the land allocated for Industrial and Business use would be in direct conflict with the requirements detailed above. This is due to the fact that the development of the land allocated for Industrial and Business would not provide adequate arrangements for the parking and manoeuvring of vehicles associated with the development of the Industrial and Business allocated land. Furthermore, the development of the Industrial and Business allocated land would have an adverse effect on the character of the area and would not be compatible with adjacent existing and proposed land uses. Additionally, the proposed development of the Industrial and Business allocated land would not provide significant employment opportunities within the area. As such the proposal is considered to be in conflict with ‘saved’ UDP Policy EC3.3.

It is further noted that the land to the east of the application site is identified as part of the Local Green Infrastructure Corridor (9 – Anston Brook/Sandbeck) in the Core Strategy. Despite not being located specifically within this Corridor, the former railway line which has naturally regenerated does perform a Green Infrastructure Corridor function and Core Strategy Policy CS19 ‘Green Infrastructure’ states that Green Infrastructure assets can include, amongst other things, disused railway lines. It is, therefore, considered that to develop part of the former railway line for the Gospel Hall will impact on the Green Infrastructure asset, and the adjoining Local Green Infrastructure Corridor. It will also remove a buffer that currently acts as a strong Green Belt boundary / buffer to the adjacent North Anston Trading Estate, thus enabling views of the Trading Estate to be seen from Common Road within the Green Belt. The loss of this strong buffer / boundary to the adjacent Green Belt is not supported. Such development would be in conflict with Policy CS19 ‘Green Infrastructure’ of Rotherham’s Core Strategy.

Notwithstanding the above, and as noted previously, the majority of the site is within the Green Belt. Therefore the remainder of this section will assess the development’s appropriateness within the Green Belt, any harm likely to arise from the development, and whether the applicant demonstrates very special circumstances that will enable officers to support a grant of planning permission for this a scheme that lies predominantly within the Green Belt.

Core Strategy Policy CS4 'Green Belt' states Land within the Rotherham Green Belt will be protected from inappropriate development as set out in national planning policy.

Paragraph 79 of the NPPF sets out the Government's approach to the Green Belt and states: "The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, the essential characteristics of Green Belts are their openness and their permanence."

Paragraph 89 states "A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are (amongst other things):

limited infilling or the partial or complete redevelopment or previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development."

It is noted that part of the application is on the site of a former scrap yard and builder's storage yard within the Green Belt. Detailed consideration has been given in the assessment of the application as to whether this land should be classed as previously developed land.

The Glossary in the NPPF states: "Previously developed land: Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure This excludes land that ...was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time."

Whilst there is a concrete hard standing associated with the former scrap yard uses on part of the application site, this hard standing is not "associated fixed surface infrastructure" i.e. it is not associated to any buildings, and there have been no 'permanent' buildings located on this part of the overall site. As such, there is doubt as to whether it should be classified as previously developed land given its location within the Green Belt and the lack of any buildings within the curtilage of the hard standing.

A detailed search of the previously developed land issue has provided one Appeal Decision: APP/K3415/A/13/2195724: Olde Corner House Hotel, Walsall Road, Muckley Corner, Lichfield, WS14 0BG. This appeal decision relates to a proposal for development within the Green Belt and is of importance to the consideration of the current application. Paragraph 5 of the decision states: The appeal site forms part of a much larger car parking area which previously served the adjacent hotel/restaurant...in this instance the Inspector considered that the site was indeed previously developed land, presumably as it was associated with the permanent building, being the hotel/restaurant.

Notwithstanding the view that the former scrap yard site is not previously developed land, in order to assess whether or not it is inappropriate development, it is necessary to assess its impact on the openness of the Green Belt and the purpose of including land within it compared to the existing development. In paragraph 6 the Inspector in the Lichfield decision considered paragraph 79 of the NPPF and one of the essential

characteristics of the Green Belt is its openness. This is a matter of physical presence rather than its visual qualities. The site does not contain any buildings. Even if it were used for longer term parking in the future, the land would have a more open character than if there was a building on it. The Inspector stated that whilst the purpose of including land within the Green Belt would not be harmed the proposed dwelling would inevitably reduce and harm the openness of the Green Belt to a modest degree by reason of its additional bulk and its siting on land which is free from buildings. In paragraph 9 the Inspector concluded that the proposed development would result in a modest harm to the openness of the Green Belt than the existing development. It follows then that it would be inappropriate development within the Green Belt and would conflict with national guidance. The resultant harm is given substantial weight in determining the appeal.

It is considered that this appeal provides clear guidance in considering the application for a Gospel Hall and associated car parking (144 spaces) predominantly within the Green Belt.

The applicant asserts that the majority of the Gospel Hall will be on previously developed land that is within an Industrial and Business allocation on the adopted Unitary Development Plan. Whilst part of the building is on land allocated for Industry and Business use on the UDP, a significant part of it (approximately 45%) would be in the Green Belt. It would be located on that part of the site that was formerly used for commercial purposes, though is currently vacant and contains no buildings.

A review of the former scrap yard reveals that it was originally granted planning permission (KP1960/1084) in 1960 prior to the current detailed boundary of the Rotherham Green Belt being adopted in 1990. The adoption of the Green Belt followed extensive consultation and Examination by an independently appointed Planning Inspector and in full awareness of this extant planning permission and active use on site, the Council determined that the former scrap yard site should be included within the Green Belt. No buildings were developed within the scrap yard at that time, however following the grant of planning permission (on Appeal), for a builders' yard including sales to the public, on part of the site (RB2000/1137), temporary portacabin type structures are visible from the aerial photographs and Google Earth photographs associated with the use of the land at that time. These structures are no longer on site.

In determining this Appeal, the Inspector at paragraph 10 states "...the other works proposed to the site boundary would significantly improve its appearance, and provide an opportunity to reduce the impact of the appeal site on the visual amenities of the Green Belt." Further in paragraph 13 the Inspector states: "However the Council accepts that little can be done about the permitted use as a scrap yard. Since this use could be resumed, I do not consider that the appeal would perpetuate inappropriate development on this Green Belt site...but this does not amount to a positive factor in favour of the proposal. It has been explained that it is considered that the builders' supplies yard has no greater impact on the openness of the Green Belt than the previous use: this though indicates an absence of actual harm rather than benefit."

A subsequent planning permission RB2004/2282 was granted for a building for depolluting end of life vehicles and for the erection of security fencing around the scrap yard. This permission was not implemented and the building not constructed, however the permission was associated with the long term established use relating to end of life motor vehicles/ scrap yard activity. This search of historical planning permissions and

in-depth review of the aerial photographs confirms that there have been limited built structures on this site and that even though one building was granted permission to support the extant scrap yard activity on site, this permission was not implemented and the openness of the Green Belt has been maintained.

It is considered that the building as a whole (which whilst not wholly within the Green Belt would still have an impact on its openness) would have a greater impact on the openness of the Green Belt in this location than the former commercial use (currently vacant). As such, in accordance with paragraph 89 of the NPPF, the proposal represents inappropriate development in the Green Belt.

In respect of the remainder of the site, the current planning application proposes to provide the majority of its car parking (tarmac and block paving), on Green Belt land - currently in agricultural use. Paragraph 90 of the NPPF notes that certain other forms of development are not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt, and include engineering operations (such as the formation of the car parking / access road areas). It is considered that the provision of such a large parking area (total 144 spaces) would indeed have an adverse impact on openness, particularly when fully parked up. In addition, such development would result in an urban feel to this currently open site, thereby conflicting with two of the purposes of the Green Belt as set out in paragraph 80 of the NPPF, being the checking of the unrestricted sprawl of large built up areas and assisting in safeguarding the countryside from encroachment.

With regards to the bund, fence and security fence it is noted that the bund would constitute engineering operations and the fence and security fence would constitute a building operation. It is considered that the bund together with the fence, given its height at four metres would indeed have an adverse impact on the openness, in particular the fence which would have an urban appearance, thereby conflicting with the same two purposes of the Green Belt as detailed in the previous paragraph. It is further considered that the security fence at almost 3 metres in height along the front boundary of the site would also impact on the openness of the Green Belt.

With regards to the balancing pond this would constitute an engineering operation. However, it is considered it would not have an adverse impact on the openness of the Green Belt and would not conflict with any of the purposes for including land within the Green Belt.

It is therefore considered that this planning application would, by virtue of the scale and massing/ bulk of the proposed building, level of parking provision and the bund and fencing would lead to significant harm to the openness of the Green Belt when considered against the policy framework provided in the National Planning Policy Framework.

It is also of note that the site is not proposed to be released from the Green Belt in the emerging Sites and Policies Document. The Council is proposing to undertake Pre-Submission consultation commencing late July 2015.

As it is concluded that the proposal represents inappropriate development in the Green Belt, the applicant should provide the very special circumstances to justify the harm caused by this inappropriate development, and any other harm including the impact it

has on the openness of the Green Belt and the impact on the Green Infrastructure corridor in this location. Paragraph 87 states “As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.” Paragraph 88 of the NPPF states: “When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.”

Reference by the consultants is made to NPPF paragraph 28 that supports economic growth in rural areas and the retention and development of local services and facilities including places of worship. The Springvale Gospel Hall is however a sub-regional Church with no direct cultural links to the local communities of Dinnington and North Anston, which are not rural in nature. In their Planning Statement the applicants reference paragraph 37 of the NPPF re: the balance of land uses and minimising journey lengths, the Planning Statement also makes clear that the Brethren have moved out to South Rotherham to be nearer to a school that they have located within the Hellaby Industrial Estate.

The land at Common Road has been purchased by the Brethren and they have submitted previous applications to develop on this land within the Rotherham Green Belt despite the Council’s repeated opposition to such proposals, and the refusal of a previous application. In order to demonstrate very special circumstances, the planning application purports to consider the need for this type of development, and to demonstrate that this use could not be accommodated elsewhere.

In terms of the need for this type of development, it appears that the Brethren are anxious to sell their current Gospel Hall site at Carter Knowle Road in Sheffield. They consider the site to be isolated and it is no longer deemed sustainable in terms of the travel distances undertaken by the Brethren, a number of whom have (as already noted above) moved to be nearer to the Brethren school at Hellaby Industrial Estate. The numbers of the congregation who have moved is not noted. The Planning Statement also notes that a number of the Brethren undertake relatively challenging journeys to access the current Gospel Hall through congested urban areas and residential roads. It is considered that these issues do not demonstrate very special circumstances. Whilst the applicant on behalf of the Brethren claims that the development of a Gospel Hall in South Rotherham is of wider strategic value, it is considered that the benefits to the wider Rotherham economy do not demonstrate the very special circumstances for building on the Green Belt in Rotherham.

It is accepted that the applicants are proposing to deal with any contamination arising from previous activities of the former scrap yard but this too is not considered to be of sufficient substance to grant planning permission for the Gospel Hall and substantial car parking partially within the Green Belt given the significant harm to the openness of the Green Belt.

The applicant has provided details of a number of sites that have been explored, including details of why they were discounted. Asset Management Teams within each Local Authority within the catchment area have been consulted and a sequential assessment of sites has been submitted to support this planning application. The applicants conclude that there are no suitable alternative sites within the specified area of search. Given that the applicants have been seeking permission to develop on this

Green Belt land at Common Road for a number of years, the Council are aware of how committed they are to developing this particular site and there are concerns that within the wider catchment area the applicants have been unable to demonstrate a single suitable alternative location or sites within which to locate a new Gospel Hall. The previous proposal for a Gospel Hall on land adjacent the site to the west also included a new school, and the provision of the Gospel Hall on its own would require less land take up, hopefully increasing the potential number of sites to be assessed.

It is not appropriate to question the thoroughness of the evidence submitted but the application site is relatively small and it is concerning that no alternative site is available that is outside of the Green Belt. The applicants present comprehensive reasons for there being no suitable alternative sites but, given the importance of National Green Belt policy, the Council has to weigh all matters carefully before reaching a final decision.

As already noted it is unclear as to the reasons why the site at Carter Knowle Road is no longer suitable as a sub-regional meeting hall. No information is provided on the growth in the congregation. Whilst the applicant claims that the Carter Knowle Road site is needed to meet Sheffield City Council social and economic objectives (the site has been proposed for residential development by the Brethren in the emerging SCC Local Plan) this is not an issue for Rotherham Council.

The applicants also claim that the Council need to review their recently adopted Core Strategy to accommodate a further 3,000 homes, though at this time this is not the case and is highly unlikely to be so. The applicants claim that there are sustainability advantages for developing a new Gospel Hall in the south Rotherham Green Belt that are outweighed by the lack of sustainability credentials of the current location of the Gospel Hall at Carter Knowle Road, Sheffield, are not supported.

The applicants are promoting the development of a significant building in terms of scale and massing/bulk that is within and immediately adjacent to the Rotherham Green Belt with security fencing around the Gospel Hall and significant agricultural land take to provide a tarmacked and block paved parking area.

It is considered that the proposals presented do not restore the land to an open use but exacerbate the impact of inappropriate development within the Green Belt. Paragraph 7.13 of the Planning Statement states: that this application is justified as a range of environmental enhancements, sustainability advantages, wider planning policy objectives and lack of significant and demonstrable harm is evident. In the absence of such harm, the application should be approved. Having regard to the above it is considered that this is clearly not the case for the following reasons:

- i) The proposals will cause significant harm to the openness of the Green Belt by virtue of their scale and additional bulk and their siting on land which is free from buildings.
- ii) It follows then that the development of the Gospel Hall and associated car parking is inappropriate development within the Green Belt and would conflict with national guidance.
- iii) That very special circumstances have not been demonstrated to the satisfaction of the Local Planning Authority to the extent that they clearly outweigh the significant harm to the openness of the Green Belt arising from bulk and scale of the proposals and the conflict with the Framework.

Therefore it is concluded that having regard to the above no very special circumstances have been demonstrated to overcome the harm caused by the inappropriate development, and other harm caused, and by way of its size and location the proposed development would have a materially adverse effect on the openness and visual amenity of the Green Belt and would thereby be in conflict with Policy CS4 'Green Belt' of Rotherham's adopted Core Strategy and the guidance contained within the National Planning Policy Framework.

Design of the proposals

The NPPF at paragraph 17 details 12 core planning principles, one of which states planning should always seek to secure a high quality of design. Paragraph 56 further states: "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." Paragraph 64 adds that: "Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions."

Core Strategy policy CS28 'Sustainable Design' states: "Proposals for development should respect and enhance the distinctive features of Rotherham. They should develop a strong sense of place with a high quality of public realm and well designed buildings with a clear framework of routes and spaces. 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."

The applicant in their supporting documents state that the Gospel Hall is a relatively simple building constructed in a mixture of metal cladding and brickwork, and the design of the building is of an agricultural barn like appearance. The applicant intends to site the building to the south-east corner of the site a generous distance from Common Road, with a good amount of screening and planting to try and minimise the visual appearance of the building and provide biodiversity gain. However, it is considered that its design and size ensures it looks more like a commercial building. Such a design is considered to be detrimental to the character and appearance of this rural location and is considered to be out of keeping with the open nature of the area. If it was accepted that a building of this nature could be sited in this location, it is considered that it should be more architecturally striking in terms of design and materials, as was proposed on the previous scheme on the land to the west. That application was not refused on design grounds.

As such the design of the building is considered to be in conflict with the guidance contained within the NPPF and policy CS28 of the Council's adopted Core Strategy.

Landscaping of the site

The applicant has provided a landscape and visual appraisal as well as detailed landscaping scheme. The landscape scheme is based on a developed Landscape Strategy that evolved from Design Cues and Coding generated at the early stages of the design development. In particular, due attention was paid to boundary planting, hard surfaces and earth mounding.

The design of the landscape proposals have developed based on the concept of seamlessly integrating the scheme into the landscape character of the broader area of Central Rotherham Coalfield Farmland. A planting palette is suggested that introduces new native planting of trees to replace the ageing structure of the existing tree cover and makes reference to the historic field patterns. Hawthorn hedges will be introduced on newly formed boundaries and will be used to thicken up intermittent existing hedges. A palette of small to medium sized ornamental trees has been selected to provide colour and relief to the hard edges and surfaces within the development. Low hedges are used sparingly within the development to soften edges of the car park and access road. These will be maintained to a maximum height of 1.0m to enable natural surveillance.

There are a number of small shrub beds throughout the car park and adjacent to certain buildings. These will be planted with low growing ground cover shrubs

The main carriageway into the site will be of bitmac. The main car park will also be in light grey bitmac with permeable block paving bays and footpaths leading to the main building. The footpaths will be surfaced with a variety of block paving and every endeavour will be made to incorporate SUDS where practicable.

There is an opportunity to re-grade the ground immediately adjacent to Common Road and the northern boundary. The sculpted bund will assist in providing noise attenuation as well as climatic and visual screening to the site. The earth mound can incorporate native whip planting and relate to the overall nature of the adjacent disused railway embankment.

The Landscape Design department of the Council have confirmed they have considered the landscape and ecological enhancements, which are offered as mitigation for the loss of the former railway embankment vegetation. The scheme is considered to result in minimal narrowing of the former embankment and a reduction in the loss of some vegetation. In regard to the above and the submitted landscape and visual information, the Council's Landscape Design department are generally supportive of the scheme, and would not object to any formal consent on Landscape grounds as the scheme would comply with the requirements outlined within Core Strategy policy CS21 'Landscapes'.

In addition to the above the Council's Trees and Woodlands Service have stated that the amended detail result in a reduction to the loss of some of the existing vegetation towards the former railway embankment and includes further landscape and ecological enhancements, offered as mitigation and, in principle this is welcomed. However, the retention and enhancement of the existing vegetation remains desirable, if possible in order to retain a strong green belt boundary and green infrastructure corridor between the site and the North Anston Trading Estate to the north. Therefore, not all of their previous concerns regarding the full impact of this development on local amenity have been overcome.

Impact on residential amenity

In respect of residential amenity, the NPPF at paragraph 17 states development should achieve a good standard of amenity for all existing and future occupants of land and buildings. Further to this 'saved' UDP policy ENV3.7 'Control of Pollution' states the Council will seek to minimise the adverse effects of nuisance, disturbance and pollution

associated with development and that planning permission will not be granted for new development which is likely to give rise to noise, light pollution, pollution of the atmosphere, soil or surface water and ground water.

The area surrounding the site is commercial / industrial and agricultural fields in nature however there is a residential property approximately 35m away from the proposed site known as Brickyard Cottage. The proposals may therefore have an impact on the nearby residential property and a noise impact assessment was requested and submitted to assess the different types of noise sources from the site which could potentially affect the nearby residential dwelling.

The World Health Organisation: 2000 noise criteria for sleep disturbance inside bedrooms has been used to assess the impact the early morning service on a Sunday will have on the occupiers of Brickyard cottage.

The Church will have outdoor chillers / condensers for air conditioning as the building will have no windows. There will be noise from arrival and departure of cars and voices. The site has 144 car park spaces however it is anticipated that on a Sunday there will be no more than 14 private cars arriving for the 06:00 hours service.

Singing will take place inside the church as part of the service but it will not be accompanied by any musical instruments. There will be no voice amplification or outdoor singing taking place on site and the church will not be used for any purpose other than the services and meetings of the Christian Community and it will not be used by any other organisation or hired as a function venue.

Noise data for vehicles arriving and departing from a site were taken from a busy McDonald's outlet in Leeds as a worst case scenario. Attempts were made to get this noise data from a similar church site in Rotherham but the results obtained measured as being 'too low' to measure against the background due to sound from other road traffic on adjacent roads.

The sound generated by the outdoor air conditioning units is quoted by their supplier as being a sound pressure level of 76 dBA at 1m.

There was no audible or measurable sound outdoors at 1 metre from the outer wall of the Rotherham church caused by voices inside the building. The inaudibility of voices is to be expected when the sound insulation of the building is taken into account. The Rotherham building has double leaf masonry outer walls and a pitched tiles roof with an independent ceiling as is proposed at Common Road, North Anston.

It is predicted that the outdoor sound level at 1 metre from the walls of the building caused by singing inside the building, will not exceed 33dBA at any time.

The applicant is proposing landscape earth mounding along the boundary of the car park with Common road i.e. between the sound sources and the dwelling with a fence to an acoustical standard along its ridge. The overall height of the earth bund and fence is proposed at 4.0 above ground level which will give an overall sound reduction of 10dBA. This barrier reduction has been taken into consideration when calculating the noise levels at the nearest noise sensitive property and so will need to be erected for the assessment to be accurate and valid.

Early morning noise from vehicles has been calculated as 27dB LA_{eq}(5min) and the outdoor maximum sound level at the first floor of the dwelling has been predicted at 44-47dBLA_{max}.

The overall plant sound at the dwelling has been calculated as 16 dBA and sounds from church interior to the dwelling has been calculated as 9dB LA_{eq}(5min). Sounds from within the church will be entirely inaudible at the dwelling against the background sound at any time of day or night.

The BS4142 assessment calculates the rating level as 33 dB i.e. 27dBLA_{eq}(5min) plus 6dB correction for the impulses which will be perceptible at the dwelling and the background noise level at 06.00 hours was measured as being 33dB. The BS4142 assessment concludes that the impact of sound from sources at the church during the service at 06.00 hours on Sundays is predicted equal to the background sound level so there will be "low impact" at the dwelling.

The assessment for sleep disturbance predicts the noise levels inside the bedroom of the dwelling with windows open as 15 dB LA_{eq} and 32-35 dB LA_{max}. The predicted indoors noise levels are well below the thresholds at which sleep is disturbed so the occupiers of the dwelling will not be affected by the proposals.

It is noted that the development will introduce new sound sources so there is potential for noise disamenity especially if the earth bund and the acoustic fence are not provided on site as all the predictions in the noise assessment include the sound attenuation that the barrier will provide.

The site will also have floodlights in the car park so there is also potential for light disamenity.

In light of the above, the Council's Environmental Health department have recommend that if planning permission is granted in relation to this application, conditions should be incorporated in order to ensure;

- the proposed earth bund and fence be provided before the use commences;
- the acoustic fence is constructed to an acceptable standard and maintained for the life of the development; the condensers are installed as stipulated;
- the building is not available for hiring out; no amplified music or singing outdoors;
- the hours of use limited to between 07.00-22.00 hours Monday to Friday, 07.00 - 18.00 hours on a Saturday and 05.30- 19.00hrs on a Sunday; and
- the floodlighting system shall only be in operation / switched on when the church is in use and no direct light from the floodlighting system shall be visible from the highway directly and there shall be no visual light intrusion to neighbouring residential property.

In light of the above it is considered that the proposed use would have no adverse effect on the amenity of the neighbouring property in terms of noise disturbance at unsocial hours or light pollution from cars visiting the site.

In respect of the of the impact of the proposed built form of the church on the amenity of the neighbouring residential property, it is considered that it is of a size, scale, form,

massing and distance from the residential property, that together with the proposed boundary treatment and landscaping would have little impact on the outlook from the property or give rise to any overlooking / privacy issues.

It is therefore considered that the proposed built form and proposed use of the church would be in compliance with the requirements detailed within the NPPF at paragraph 17 and 'saved' UDP policy ENV3.7.

Highway issues

The Council's Transportation Unit have appraised the Transport Assessment submitted in support of the application and they are content that the existing highway network is capable of absorbing the anticipated trips likely to be associated with the development.

They did however query the anticipated number of families attending (138) and the amount of car parking provided (125 spaces). The applicant clarified this mismatch by stating that the figure comes from a questionnaire survey and represents the actual number of families within the catchment of the existing facility. They further state that the design figure of 125 comes from the client and represents the typical maximum level of attendance for the proposed facility. The Transportation Unit also queried the purpose of the coach parking.

The applicant has submitted a revised site layout plan showing the coach parking omitted and the car parking increased to 144 spaces. The Transportation Unit are content with the level of parking on the basis of the revised layout.

The Transportation Unit also stated that the Todwick Road – Common Lane junction does not facilitate large vehicles when turning out of Common Lane towards the A57 or into Common Lane from Dinnington without encroachment into oncoming traffic. Indeed the previous application included measures to improve the junction radius which does not appear to be included in the current application.

The applicant has stated in regard to the above that the junction was considered in some detail in respect of the previous application which included a school as well as the Hall. This application is only for a Hall and it is stated that larger vehicles have not been seen at the existing Hall for over 7 years and thus the applicant considers it to be inappropriate to request any amendments to the junction on this application.

With regard to the submitted supporting information and amended site layout plan the Council's Transportation Unit, subject to conditions are satisfied that the proposal would not have a significantly detrimental impact on the surrounding highway network or the safety of its users.

Other considerations

It is noted that in respect of potential land contamination of the site, the site was predominantly agricultural land comprising of 3 fields until approximately 1928. During 1928 a railway embankment and line was constructed within the north eastern perimeter of the site. By 1958 the railway line is no longer showing on the historical maps and it is assumed to have been dismantled. Historical surrounding land uses have included a brick works with excavations to the south and agricultural land uses to the west.

It is considered there may be some potential for contamination to exist within the surface soils at the site associated with the following sources:

- Presence of naturally occurring metals in the soil.
- Presence of organic substances in the soil associated with the sites agricultural use.
- Presence of total petroleum hydrocarbons (TPHs) and polycyclic aromatic hydrocarbons(PAHs) and asbestos associated with the dismantled railway line.
- The site is also located in an area of moderate susceptibility to methane and carbon dioxide gas from underlying coal measure rocks and a former nearby landfill site.
- Reference has been made to the site having past planning permission for a vehicle dismantling yard. It is not known whether such works were undertaken at the site or not. If so a number of contaminants are likely to be present.

It is also considered there may be a risk to human health and controlled water receptors from contamination at the site. For this reason site intrusive investigation works should be undertaken to assess for the presence and extent of contamination along with the risks posed by ground gases. Remediation works may be required to bring the site to a suitable condition to be protective of human health for its proposed end use.

Further to the above SYAS have acknowledged that there is evidence of the prehistoric agricultural landscape is known from cropmark evidence - features visible under particular crop conditions and recorded in aerial photographs.

A recent project reviewed and plotted all archaeological aerial photographic data from that part of South Yorkshire lying within or adjacent to the Magnesian Limestone area. This study has demonstrated that the application area sits within a wider prehistoric and Roman landscape. In the surrounding fields, a significant number of prehistoric cropmark are known, although the details of the contemporary landscape are not well understood. There is, therefore, potential for important remains relating to the prehistoric period to exist on this site and groundworks associated with the development could destroy finds and features of potential archaeological importance. As such, a scheme of archaeological work is required to ensure any remains present on this site are recorded, as mitigation. SYAS recommends that the necessary archaeological investigation can be secured by attaching a recommended condition.

In respect of ecological issues, the site is known to have a number of habitats of species. The Council's Ecologist has stated that the ecological information submitted raises a number of issues. However, a condition has been recommended to support the detailed delivery of the necessary biodiversity mitigation and the recommended biodiversity gain. Therefore, subject to the condition being satisfied the scheme would comply with the NPPF and Core Strategy policy CS20 'Biodiversity and Geodiversity'. It is also of note that the applicant's during discussions are keen to ensure that the scheme does provide biodiversity enhancements and gains.

In terms of the site drainage, the Council's Drainage Engineer has indicated that the principle for the surface water drainage is satisfactory. There have stated that they also require more details from the applicant, which is listed below:

- All discharges into the adjacent watercourse shall be restricted to a maximum of 5 litres/sec/Ha. Permission to discharge to the watercourse must be obtained from the Drainage Section, Streetpride.
- Details of where the foul drainage will discharge is required.
- Latest Drainage Layout is required.
- Petrol Interceptors required for car park area.
- Some flooding from the watercourse to the north of the development occurs. The applicant should demonstrate how the site will not be affected e.g. will the attenuation pond be adequate, flood route drawings etc.

Some of the above could be informatives while other requirements could form conditions should the application be approved.

Conclusion

In conclusion it is considered that the proposed erection of a Gospel Hall and associated car parking and bund/fencing would constitute inappropriate development within the Green Belt which would have an adverse impact on the openness of the Green Belt in this location. Additionally it is considered that the development of the land allocated for Industrial and Business use would be in conflict with the requirements of the relevant 'saved' UDP policy and will result in the loss of a Green Infrastructure asset in the form of the naturally regenerated former railway line and impact on the adjacent Local Green Infrastructure Corridor (9 – Anston Brook/Sandbeck). In addition, the development would remove a buffer that currently acts as a strong Green Belt boundary / buffer to the adjacent North Anston Trading Estate, thus enabling views of the Trading Estate to be seen from Common Road within the Green Belt. Finally, due to its size and plain design the building looks more like a commercial building that is out of keeping with the character and appearance of the area.

As has been assessed at length above, it is considered that the applicant has not demonstrated that very special circumstances do exist which would outweigh the harm caused to the Green Belt, and the other harm caused as set out above, and as such it is recommended that the application be refused on these grounds.

Reasons for Refusal

01

The proposed development represents inappropriate development in the Green Belt and no very special circumstances have been demonstrated to overcome the harm caused by the inappropriate development, and other harm caused, and consequently the proposal is in conflict with the guidance contained within the National Planning Policy Framework and policy CS4 'Green Belt' of Rotherham's adopted Core Strategy.

02

It is considered that by way of its size and location the proposed development would have a materially adverse effect on the openness and visual amenity of the Green Belt and would thereby be in conflict with the guidance contained within the National Planning Policy Framework and Policy CS4 'Green Belt' of Rotherham's adopted Core Strategy.

03

The development of the land allocated for Industrial and Business use would not provide adequate arrangements for the parking and manoeuvring of vehicles associated with it, would have an adverse effect on the character of the area and would not be compatible with adjacent existing and proposed land uses. Additionally, the proposal would not provide significant employment opportunities within the area. As such the development of the land allocated for Industrial and Business use would be in direct conflict with 'saved' UDP Policy EC3.3 'Other Development within Industrial and Business Areas'.

04

The development of the Gospel Hall on part of the former railway line, which has naturally regenerated and constitutes a Green Infrastructure asset, would have an adverse impact on such asset and would also impact on the adjacent Local Green Infrastructure Corridor (9 – Anston Brook/Sandbeck). In addition, the development would remove a buffer that currently acts as a strong Green Belt boundary / buffer to the adjacent North Anston Trading Estate, thus enabling views of the Trading Estate to be seen from Common Road within the Green Belt. Such development would be in conflict with Policy CS19 'Green Infrastructure' of Rotherham's Core Strategy.

05

It is considered that the design and size of the proposed Gospel Hall would be visually harmful to the rural character and appearance of the site and the surrounding area. As such the design of the building is considered to be in conflict with the guidance contained within policy CS28 of the Council's adopted Core Strategy and the NPPF.

POSITIVE AND PROACTIVE STATEMENT

Whilst the applicant entered into pre application discussions with the Local Planning Authority, these identified that it is not possible to support a scheme of this nature nor would any amendments make it acceptable, due to the issue of inappropriate development in the Green Belt. The application was submitted on the basis of these discussions and it was not considered to be in accordance with the principles of the National Planning Policy Framework resulting in this refusal.

**REPORT TO THE PLANNING REGULATORY BOARD
TO BE HELD ON THURSDAY 17th SEPTEMBER 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.

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RB2015/0876 Demolition of existing units and construction of new food store with car parking, landscaping & associated works at land north of Bawtry Road Bramley for Aldi Stores Ltd	Page 40
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Application Number	RB2015/0876
Proposal and Location	Demolition of existing units and construction of new food store with car parking, landscaping & associated works at land north of Bawtry Road Bramley S66 2TW for Aldi Stores Ltd
Recommendation	Grant subject to conditions



Site Description & Location

The application site relates to a parcel of land approximately 0.65 hectares in area which until recently contained the existing Lighting Building and Conservatory Centre premises to the north of Bawtry Road (this building has now been demolished). The rear of the site adjoins Main Street; the eastern boundary adjoins a residential property and a builder's yard, and the western boundary adjoins a public house and other commercial businesses. There are residential properties across Main Street.

The land level at the site drops from west to east across the Bawtry Road frontage, and there is a fall in a north/south direction. There are differing types of screening around the site in the forms of walls and vegetation.

Background

The site has been the subject of numerous applications relating both to existing uses and construction of buildings on the site. The most recent and relevant area –

RB1994/0954 – Use of part of a building as office/showroom and use of land as conservatory display area – Granted conditionally

RB1994/1289 – Change of Use of part of the warehouse to a retail use.

Trees adjacent to the south east corner of the site (but within the front garden to No.97 Bawtry Road) were protected under Tree Preservation Order No.3, 1977, however an application to fell one was approved in 2000.

RB2014/0230 - Demolition of existing units and construction of new food store with car parking, landscaping & associated works. – Granted conditionally.

RB2014/1145 - Application to vary condition 23 (opening times) imposed by RB2014/0230 (Demolition of existing units and construction of new food store with car parking, landscaping & associated works) – Granted conditionally.

The previous applications were screened under paragraph 10(b) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. However since the last application the EIA Regulations have been amended to increase the size of the threshold to relate to sites that are over 5 hectares in size. As the site is below this, there is no requirement to screen the current application under the 2011 Regulations (as amended).

Proposal

The applicant once again is Aldi Stores Ltd who have purchased additional buildings adjacent to the site so that the overall site area can be increased in size. These buildings lie to the east of the Bramley Social Club and have been historically known as 'Barnes Industrial Estate'. They would be demolished, along with the existing dwelling fronting onto Main Street. The proposed new retail foodstore would comprise of 1104sqm net sales area with additional storage, staff and office facilities, totalling 1,743 sqm gross internal area (1,803 sqm gross external area). This is an increase over and above that previously approved of approximately 104sqm (net sales area) and 213 sqm (gross external area). The scheme proposes two new vehicular access points, one is indicated off Bawtry Road to the front of the site which includes a new pedestrian refuge (and is in a similar position to that approved under the previous scheme), with a further access indicated via Main Street to the rear. The access onto Main Street would be moved slightly to the west from that approved under the previous scheme.

A total on site parking provision for 84 spaces is indicated which includes 8 disabled and 5 parent and child spaces. This compares to a total of 81 spaces under the previous scheme. In addition, 2 motorcycle spaces and 5 cycle hoops would also be provided. Servicing for the building would be provided at the rear of the building with a turning area indicated within the proposed parking area.

The building is indicated to be of single storey flat roof construction, with a variety of materials including red brickwork, white render and grey aluminium roof flashing, along with overhanging front canopy, windows and entrance door. The height of the building is indicated to range between 6.5m – 7.7m when measured from the lowest adjacent land level.

In order to facilitate the development some changes in land level are proposed, primarily where the new access points are proposed off Bawtry Road and Main Street. The applicant has clarified that the majority of the building is to be constructed utilising the current existing site levels, although it is acknowledged that following the demolition of the existing residential property on site, and area to the north east corner of the site will be required to be raised and retaining walls created to enable the formation of the loading bay/plant area at the rear of the proposed store.

The applicants have indicated that they are seeking delivery hours of 07:00-23:00 Monday to Saturday and 09:00-22:00 on Sunday, with proposed store opening hours of 08:00-22:00 Monday to Saturday and between the hours of 10:00-17:00 on Sunday. The applicants note that it is operators common practice to operate standard Monday hours on Bank Holidays and would not wish to be restricted in this respect.

The following supporting documents have been submitted with the application:

Planning and Retail Statement

This notes that the site lies within the heart of Bramley Local Centre. The site's excellent location benefits from good links to public transport and wider transport network and relates well to the surrounding retail units along Bawtry Road, Cross Street and Main Street. As a result, the development proposal represents an excellent opportunity to strengthen the existing retail provision of Bramley Local Centre through the regeneration and significant investment of a prominent site. In addition the development would create the equivalent of 40 full time jobs.

The Design and Access Statement

The proposal comprises of a 1,803 sqm (gross external) Aldi foodstore utilising a contemporary design with materials that complement the surrounding area and character of Bramley. The overall massing and design is consistent with many local buildings. A strong building frontage, glazing and detailing have been proposed to ensure a high quality development that integrates successfully with the existing urban grain.

Transport Assessment

Concludes that the proposal would provide a food retail destination within walking distance of many properties and within an urban area close to Bramley village centre (2 minutes' walk). The site is accessible by all modes of travel, it has access to many bus services, providing access to the local residential areas.

The increase parking spaces near Bramley centre will increase the likelihood of linked trips.

Ecological Report

The application site supports a small range of common species-poor habitats of low ecological value; their loss to development is unlikely to have any significant impact on local fauna.

Two of the buildings were assessed as presenting limited to moderate bat roost potential. Emergence surveys were therefore recommended during the next active season to determine presence or likely absence. The emergence surveys were carried out in May and June 2014 when it was concluded that the buildings are very unlikely to support roosting bats and that further survey effort is not required. The additional building which is now included within the application site has also been assessed and it has been concluded that it has very limited roost potential. The proposed works can proceed with minimal risk of impacting on bats.

The general recommendations are made in regards to the enhancement of the site for wildlife as part of the new development.

Tree Survey

Concludes that the site currently contains limited tree and hedge coverage. One Lombard Poplar is identified for retention owing to its moderate quality and amenity value along with the fact that it is positioned upon adjacent land, and as the report advises that the development should be designed in order to avoid the Root Protection Areas of trees to be retained this recommends that the protective fencing is installed in accordance with the relevant British Standards and retained during demolition/construction works.

Geo-Environment Report

Notes the primary commercial use of the site has taken place since the 1970's. It concludes that a ground investigation should be designed and carried out, to address issues raised.

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 *Retail (Town Centre)* purposes in the UDP. For the purposes of determining this application the following policies are considered to be of relevance:

Core Strategy policy(s):

CS12 Managing Change in Rotherham's Retail and Service Centres

CS14 Accessible Places and Managing Demand for Travel

CS20 Biodiversity and Geodiversity

CS21 Landscape

CS25 Dealing with Flood Risk

CS28 Sustainable Design

CS27 Community Health and Safety

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

Publicity

The application was advertised in the press, site notices were erected and 58 neighbouring properties were notified by letter. 3 letters of representation have been received, one from the nearby St Francis Church one from Bramley Parish Council and one from a local resident at 90 Main Street..

St Francis Church have stated that they do not object however raise the following issues –

- Confirmation there will be no more double yellow lines on Main Street
- They would prefer it if there was no vehicular access off Main Street, and it would be useful if there was a pedestrian crossing near the Main Street entrance to facilitate safe crossing, that could be funded by Aldi.
- Confirmation that there will be no speed bumps on Main Street.

Bramley Parish Council state that the communities concerns should be taken into account, which include –

- Operational noise from plant and refrigeration machinery will create a noise and previous reassurance from the applicant is required to ensure that no sounds will emanate from any ventilation grills.
- There will be noise from reversing vehicles servicing the unit that will be close to residential properties.
- The stone boundary walls on Bawtry Road and Main Street should be conditioned to be retained.
- The monolithic expanse of brickwork on the elevation facing Main Street would impact greatly on the amenity of residents on Church Street on the opposite side of the road. This should be solved.
- The southern elevation is considerably further forward than the previous scheme and would greatly impact on the occupiers of 97 Bawtry Road.
- The layout plan shows that delivery vehicles access the delivery bay by using 3 car parking spaces – what would happen if the spaces were full at the time of delivery? How would delivery vehicles egress the site?
- There is a history of traffic management imposed on the local community. The exacerbation of current circumstances must be given fair and objective appraisal.
- Visitors visiting the church may also park on Main Street, and so parking restrictions should not be provided to allow the continuation of on-street parking.
- The village centre has suffered from the one-way system, and this would result in residents perception of yet a further corrosion of their collective amenity.
- Signage is omitted from the application, the applicant should be asked to clarify their position in this regard.
- Landscaping should be provided to provide an immediate impact.
- There appears to be a plot of land in the northern corner with no details of its redevelopment.

The final letter is from a nearby resident who objects to the proposal on the following grounds –

- The foodstore is too large with little aesthetic merit
- Moving of the entrance towards the church is unacceptable.
- No details of the signs are included.

Consultations

Streetpride (Highways and Transportation Unit) – Note that the site was the subject of a previous planning permission. With regard to the current application it is noted that the scheme now differs in that;

- 1) The proposed Gross Internal Area has been increased from 1537 sq.m. to 1743 sq.m.
- 2) The proposed car parking facilities have been increased by 3 No spaces.
- 3) The proposed vehicle / pedestrian access to Main Street will be relocated to the west. This is as a result of the site boundary being amended and will improve visibility. The revised scheme is acceptable in highway/transportation terms subject to conditions.

Streetpride (Landscape Design) – No objections.

Environmental Health – Note that site intrusive investigations have confirmed there is low risk to human health and the environment from contamination at the site. Some minor remedial works are required at the site to ensure the site is suitable for its proposed end use which can be secured by condition. In this respect there are no objections. In respect of hours of opening and delivery times they note that these are unchanged from the previously approved scheme.

Streetpride (Drainage) – No objections.

Severn Trent Water – No objections subject to conditions.

Streetpride (Tree Service Manager) - No objections in principle to the proposed development including the removal of a Sycamore and a Hawthorn Hedge, subject to any other constraints and suitable replacement planting as part of a detailed landscape scheme. On site investigations have confirmed there are no roots from Lombardy Poplars on the adjacent site extending into the application site . Future prospects of the remaining trees including those on adjacent land will need to be safeguarded throughout any development and this may be achieved in accordance with the recommendations within the submitted Arboricultural Report, Arboricultural Impact Assessment and Method Statement by Urban Green dated, May 2015 via condition.

SYPTTE No comment received.

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 the development.
- Layout and design of the development.
- Ecology/Biodiversity issues.
- Impact on neighbouring amenity.
- Contaminated land issues.
- Highways safety issues.
- Drainage issues.
- Other considerations.

Principle of development

The site is allocated for Retail Use (Town Centre) purpose within the adopted Rotherham Unitary Development Plan. Core Strategy Policy CS12 Managing Change in Rotherham's Retail and Service Centres' notes that in Local Centres (such as Bramley) the Council will encourage developments which improve convenience and comparison goods and service facilities provision and reduce vacancies.

Policies within the NPPF aim to promote such retail development within existing allocated retail centres to support their viability and vitality, and promote sustainable development.

Additionally there is an extant planning permission for a similar foodstore on the site, the difference being that this proposal is approximately 210 sqm larger in gross external floor area than the approved scheme, and a further small area of land to the north western corner has been included within the application site.

With this in mind it is considered that the location of this retail food store on this allocated town centre site is acceptable in principle, and complies with Core Strategy Policy CS12 and policies contained within the NPPF.

The layout and design of the development

Core Strategy Policy CS28 Sustainable Design states that proposals for development should respect and enhance the distinctive features of Rotherham, and design should take all opportunities to improve the character and quality of an area and the way it functions.

Policies within the NPPF state that good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people.

With regards to layout considerations, the proposed site layout is informed by the design of the store and the relationship with existing buildings adjacent to the site. The proposed building is at a higher level than the buildings to the east which include a dwelling house at 97 Bawtry Road. There is a 1.8m high retaining wall separating the sites and a detached garage is located between the proposed store and the house. The impact on this property is discussed in more detail below.

The front elevation of the store faces Bawtry Road, which also has the main vehicular access/egress point. The service/plant area for the store is located to the north of the

store closer to Main Street. The western section of the site is mainly laid out for car parking.

With regards to the scale and massing of the building, the surrounding area comprises a mix of commercial and residential properties incorporating a range of building heights. The submitted plans indicate that the overall scale of the proposed building with its flat roof element has been designed to be in keeping with the scale of the surrounding buildings, also taking into account the difference in land levels across the site. However it is noted that at the north of the site the building is approximately 1m higher than the previously approved building, as the ground level is 0.5m higher than previously and the building is also 0.5m higher.

In terms of design, the building is very similar to that originally approved under RB2014/0230, being a modern design with a mixture of material including brickwork, white render and glazing. The visual appearance of the elevations reflect the design previously approved, when amendments were sought through the application process to improve the appearance of the building in line with representations at that time from Bramley Parish Council. These issues have again been raised, however it is considered that the proposed design is appropriate in visual terms.

The proposal includes the provision of low stone walls along the boundaries to Bawtry Road and Main Street, with a mixture of retaining walls and fencing along the western and eastern boundaries.

The application is supported by a Landscaping Scheme to ensure that the development is suitably landscaped to enhance the visual appearance of the site. A Tree Survey was submitted which concluded that the development would result in the loss of 1 Sycamore tree within the site and an area of Hawthorne hedgerow, which were of low amenity value. It also recommends that a further area of hedgerow on the western boundary and a group of trees just outside the site should be afforded protection measures throughout the development.

The submitted landscape scheme is considered to be acceptable, as are the proposals to remove a tree and some hedgerow which are considered to be in accordance with Core Strategy Policy CS21 Landscapes which states that new development will be required to safeguard and enhance the quality, character, distinctiveness and amenity value of the boroughs landscapes, and that landscape works will be appropriate to the scale of the development.

In general it is considered that the overall design of the building is acceptable and will visually improve the appearance of the site, and the locality as a whole. It is therefore considered that the proposal is in accordance with relevant Core Strategy Policies and policies set out in the NPPF.

Ecology and Biodiversity

The NPPF aims to minimise the impacts of development on biodiversity. Core Strategy Policy CS20 Biodiversity and Geodiversity states that the Council will conserve and enhance Rotherhams natural environment. An Ecology Report was submitted with the application and notes that the application site supports a small range of common species-poor habitats of low ecological value; their loss to development is unlikely to have any significant impact on local fauna.

Two of the buildings were assessed as presenting limited to moderate bat roost potential and emergence surveys were carried out. It was concluded that the buildings are very unlikely to support roosting bats and that further survey effort is not required, and that the proposed works can proceed with minimal risk of impacting on bats.

The site is predominantly hard-surfacing or buildings with limited areas of low quality habitat, and therefore it is considered that the submission of a Biodiversity Enhancement Statement should be conditioned if planning permission is granted. In this regard the proposal is considered to comply with Core Strategy Policy CS20 and the policies within the NPPF.

Impact on neighbouring amenity

The NPPF states that “within overarching roles that the planning system ought to play, a set of core land use planning principles should underpin both plan-making and decision-taking. These 12 principles are that planning (amongst others) should:

- Always seek... a good standard of amenity for all existing and future occupants of land and buildings.”

In respect of the design of the development and its impact upon neighbouring amenity, taking into account the location/orientation of the proposed store, the property most affected by the scheme is 97 Bawtry Road by virtue of the fact that it is at a lower level than the application site, has its only private amenity area to the front of the dwelling, and has a shared common boundary with a high wall providing some screening. This proposal includes a bigger store than previously approved, and as a result of this and the amended design the south eastern corner of the store is approximately 8m further forward towards Bawtry Road. Bramley Parish Council have stated that the building being set further forward would have a greater impact on 97 Bawtry Road. The amended store also shows two windows in the eastern elevation approximately 5m from the boundary with 97 Bawtry Road, although the windows are shown to be obscure glazed to ensure that there is no overlooking towards the adjacent dwelling. Therefore, due to the proposed location, layout of the store and the provision of obscure glazed windows, it is not considered that any overlooking or loss of privacy would occur to 97 Bawtry Road. It is also noted that the occupiers of 97 Bawtry Road have not raised any objection to the proposal.

The proposed building is on a higher level than the property, and the store would be located closer to the dwelling than the Conservatory sales building was located. However, the dwelling has a driveway, a garage and a conservatory between the dwelling and the proposed store, and for this reason the proposal is not considered to overdominate the property or have any adverse impact on residential amenity. It would not have a significantly greater impact on this property than the building previously approved on the site.

In relation to the properties on Main Street the closest property to the site is No.66 which would be approximately 28m away from the proposed new building. The building is shown to be approximately 1m higher than the approved building, however due to the distance from the property it is still not considered that the scale and mass of the proposal would be harmful in terms of over dominance, loss of light or reduction in privacy.

Turning to matters of loss of amenity through other associated issues ie. noise and lighting matters, Core Strategy Policy CS27 Community Health and Safety states

development will be supported which protects, promotes or contributes to securing a healthy and safe environment and minimises health inequalities.

The NPPF notes at Paragraph 123 notes that planning decisions should aim to avoid noise from giving rise to “significant adverse impacts on health and quality of life as a result of new development.”

With respect to noise related matters, and taking on board the comments raised by Bramley Parish Council, the applicants have clarified that the plant and refrigeration equipment to be installed will be to the latest specification in order to ensure low noise emissions and minimise disruption to adjoining residents.

The deliveries will take place to the rear of the building, and the hours for deliveries sought are the same as those previously approved under RB2014/1145.

Taking the above into account and the extant permissions RB2014/0230 and RB2014/1145, and the fact that the Councils Environmental Health Unit have not raised any objections to the proposal subject to suitable conditions, it is considered that the proposed development would not unduly affect the residential amenities of the adjacent properties to an unacceptable degree. As such the proposal is considered to be in accordance with Core Strategy Policy CS27 Community Health and Safety and the advice contained within the NPPF.

Land contamination issues

Core Strategy Policy CS27 Community Health and Safety states that new developments should take into consideration the impact of existing sources of pollution and the potential for remedial measures to address problems of contamination.

The Environmental Health Unit have assessed the supporting documents and have concluded that due to the history of the site ground investigation should be carried out to address the issues raised in the reports which can be secured by the imposition of relevant conditions. Taking this into account it is considered that the proposal complies with Core Strategy Policy CS27 Community Health and Safety as well as policies set out in the NPPF.

Impact on highway safety

Core Strategy Policy CS14 Accessible Places and Managing Demand for Travel aims to make places more accessible by promoting accessible locations such as town centres.

There have been queries from Bramley Parish Council and the nearby Church regarding potential impacts on highway safety, congestion and on street parking around the site. The agent has responded to the points and has clarified that there are no proposals for additional double yellow lines or speed humps on Main Street, and parking restrictions will stay as existing. Aldi have confirmed that they are happy for Church users to park in the car park which would actually help ease on street car parking at busy times. The proposal does not include a crossing on Main Street however pedestrian dropped kerbs with tactile paving are to be provided as part of the development on both sides of the site access onto Main Street, which is considered appropriate from a highway safety aspect in this location.

Bramley Parish Council have raised the issue that 3 car parking spaces are required to allow deliveries vehicles to access the building and cars parked in the spaces would cause delivery problems. The agent has confirmed that prior to any delivery vehicle arriving at the site, staff would be notified and would ensure that spaces are cleared, or traffic cones used to prevent customers parking in the 3 spaces.

The proposal is very similar to that previously approved under RB2015/0230, however this application site has increased in size to include an extra piece of land to the north west of the site. The vehicular access onto Main Street has therefore been relocated slightly to the west, which will actually improve visibility.

The application site is located within Bramley Town Centre, and is therefore accessible by all modes of travel. The Councils Transportation Unit have no objections to the proposal, subject to recommendations. As such the proposal is considered to constitute sustainable development with no detrimental impact upon highway safety, and is in accordance with Core Strategy Policy CS14 Accessible Placed and Managing Demand for Travel, and policies within the NPPF.

Drainage issues

Core Strategy Policy CS25 Dealing with Flood Risk aims to reduce the extent and impact of flooding by requiring developments on brownfield sites to reduce surface water run-off by at least 30% and requiring the use of appropriately constructed SUDS where practical and feasible.

The Council's Drainage Section, and Severn Trent Water, have no objection to the proposal subject to the submission of full drainage details. They also note that in accordance with the EA Flood Maps the northern boundary of the site is at risk of flooding from surface water overland flows. The applicant should take, and allow for, all preventative measures to mitigate against any surface water overland flooding in an extreme event. It is therefore considered that the site can be drained appropriately and that the proposal is in compliance with Core Strategy Policy CS25 Dealing with Flood Risk.

Other matters raised.

Bramley Parish Council has queried the proposed use of the additional piece of land in the north western corner of the site, adjacent to the proposed access from Main Street. The applicant has confirmed that this area is an existing compound next to the retail units, there will be no public access to this area which will be behind a timber fence.

Bramley Parish Council also raised the issue of signage at the site, stating that it should be included within the application, and making reference to a recent refusal and appeal regarding signage close by. Signage at the site would be considered separately under an application for Advertisement Consent and cannot be considered within a planning application. The applicant has stated that it is their approach to secure the required planning permission before applying for Advert Consent.

Conclusion

The proposed erection of a foodstore in this Retail (Town Centre) allocated site is acceptable in principle and makes use of a town centre brownfield site which will result in the creation of 40 full and part time jobs as well as providing a better and more

sustainable service for the local community. Whilst the store is approximately 210 sqm larger than the previously approved store (which has an extant planning permission at the site), the overall site area has also been increased by the incorporation of additional land in the north western corner.

The layout and design of the scheme is considered acceptable and is in keeping with the environment in the site's immediate locality without unduly impacting on the amenities of adjacent residential and commercial premises. A robust landscaping scheme is proposed to soften the built environment. Overall the scheme is considered to be in accordance with relevant Core Strategy policies and those within the NPPF, and it is recommended that planning permission is granted.

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 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:

0491-50 Rev A Location Plan dated 01/14

C15A34-P003 Rev A Proposed Site Plan dated 11.06.2015

0491-111 Proposed GA dated 04/15

0491-115 Roof Plan dated 04/15

0491-112 Proposed elevations dated 04/15

0491-113 Proposed Sections dated 04/15

Reason

To define the permission and for the avoidance of doubt.

03

No development shall take place until details of the proposed means of disposal of foul and surface water drainage, including details of any balancing works, discharge points and off-site works, have been submitted to and approved by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason

To ensure that the development can be properly drained in accordance with Core Strategy Policy CS25 'Dealing with Flood Risk'

04

Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, have been submitted to and approved in writing

by the Local Planning Authority. The scheme shall include the construction details and shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall demonstrate:

- The utilisation of holding sustainable drainage techniques (e.g. soakaways etc.);
- The limitation of surface water run-off to equivalent greenfield rates (i.e. maximum of 5 litres/second/Ha);
- The limitation of surface water run-off to equivalent brownfield rates (i.e. minimum of 30% reduction in flows based on existing flows and a 1 in 1 year return period);
- The ability to accommodate surface water run-off on-site up to the critical 1 in 100 year event plus an appropriate allowance for climate change, based upon the submission of drainage calculations; and
- Responsibility for the future maintenance of drainage features.

Reason

To ensure that the development can be properly drained in accordance with UDP Policies ENV3.2 'Minimising the Impact of Development', ENV3.7 'Control of Pollution' and the South Yorkshire Interim Local Guidance for Sustainable Drainage Systems for Major Applications.

05

Surface water from areas likely to receive petrol/oil contamination (e.g. vehicle parking areas) shall be passed through effective oil/grit interceptors prior to discharge to any sewer or watercourse.

Reason

To prevent pollution of any watercourse in accordance with UDP policies ENV3.2 'Minimising the Impact of Development' and ENV3.7 'Control of Pollution'.

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

To prevent pollution of any watercourse in accordance with UDP policy ENV3.7 'Control of Pollution'.

07

Prior to the commencement of development, details of the proposed vehicle accesses, including closure of the existing vehicle access on the site frontage with Bawtry Road as shown in draft form on Drg No C15A34-P003 Rev A shall be submitted to and approved by the Local Planning Authority. The approved details shall be implemented before the development is brought into use.

Reason

In the interests of highway safety.

08

Prior to the commencement of development, details of a prospectively adoptable footway (Minimum width 2.0m and including 2 No tactile pedestrian crossings) on the site frontage to Main Street, shall be submitted to and approved by the Local Planning

Authority. The approved details shall be implemented before the development is brought into use.

Reason

In the interests of highway safety.

09

Prior to the development being brought into use, a Car Parking Management Strategy shall be submitted to and approved by the Local Planning Authority and the approved plan shall be implemented throughout the life of the store. The strategy shall include details of the availability of 2 hours free car parking for customers and non-customers of the store.

Reason

In order to promote sustainable transport choices and encourage linked trips to other facilities in Bramley Town Centre.

10

Prior to the development being brought into use, an HGV routing strategy for delivery vehicles shall be submitted to and approved by the Local Planning Authority. The approved plan shall be based on delivery vehicles utilising the Bawtry Road access only and shall be implemented throughout the life of the store.

Reason

In the interests of highway safety.

11

The proposed landscaped area on the western side of the proposed access from Bawtry Road to the first car parking bay shall be maintained at a maximum height of 900mm above the nearside road channel.

Reason

In the interests of highway safety.

12

The vehicular access drive from Bawtry Road shall not exceed a gradient of 5% for a distance of 10 metres measured from the highway boundary and 10% thereafter.

Reason

In the interests of highway safety.

13

Before the development is brought into use, that part of the site to be used by vehicles shall be properly 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.

14

Before the development is brought into use the car parking area shown on Drg No C15A34-P003 Rev A shall be provided, marked out and thereafter maintained for car parking.

Reason

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

15

No development shall commence until a protocol for implementing, monitoring and reviewing the submitted Travel Plan, in conjunction with the Local Planning Authority, and a timetable for the implementation of the protocol and the travel plan, have been submitted to and approved in writing by the Local Planning Authority. The travel plan shall be implemented in full in accordance with the approved timetable and protocol unless otherwise agreed in writing by the Local Planning Authority.

Reason

In order to promote sustainable transport choices.

16

No development shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted or samples of the materials have been left on site, and the details/samples have been approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details/samples.

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 'Sustainable Design.'

17

Landscaping of the site as shown on the approved plan (Vector drawing no. V0491 L01C) 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 'Sustainable Design,' and UDP Policies , ENV3.2 'Minimising the Impact of Development' and ENV3.4 'Trees, Woodlands and Hedgerows'.

18

No work or storage on the site shall commence until all the trees/shrubs to be retained have been protected by the erection of a strong durable 2 metre high barrier fence in accordance with BS 5837: Trees in Relation to Design, Demolition and Construction and positioned in accordance with the details submitted in the Arboricultural Report, Arboricultural Impact Assessment and Method Statement by Urban Green dated, May 2015. The protective fencing shall be properly maintained and shall not be removed without the written approval of the Local Planning Authority until the development is completed. There shall be no alterations in ground levels, fires, use of plant, storage, mixing or stockpiling of materials within the fenced areas.

Reason

To ensure the trees/shrubs are protected during the construction of the development in the interests of amenity and in accordance with Core Strategy Policy CS28 'Sustainable Design,' and UDP Policies , ENV3.2 'Minimising the Impact of Development' and ENV3.4 'Trees, Woodlands and Hedgerows'.

19

The approved development shall be implemented in accordance with the advice and recommendations within the submitted Arboricultural Report, Arboricultural Impact Assessment and Method Statement by Urban Green dated, May 2015 and in particular the recommended tree protection measures required throughout the development.

Reason

To ensure the trees/shrubs are protected during the construction of the development in the interests of amenity and in accordance with Core Strategy Policy CS28 'Sustainable Design,' and UDP Policies , ENV3.2 'Minimising the Impact of Development' and ENV3.4 'Trees, Woodlands and Hedgerows'.

20

All deliveries to, or collections from the store shall be carried out between the hours of 07.00 - 23.00 Monday to Saturday and 09.00 - 22.00 on Sundays.

Reason

In the interests of the amenities of the locality and occupiers of the adjacent properties in accordance with UDP Policy ENV3.7 'Control of Pollution'.

21

The store hereby permitted shall be open to the general public between the hours of 08.00 – 22.00 Monday to Saturday and between the hours of 10.00 - 17.00 on Sundays.

Reason

In the interests of the amenities of the locality and occupiers of the adjacent properties in accordance with UDP Policy ENV3.7' Control of Pollution.'

22

Notwithstanding the submitted details with regard to externally mounted plant / equipment for heating, cooling or ventilation purposes (inc grilles, ducts, vents for similar internal equipment), no development shall take place until a detailed noise mitigation strategy has been submitted to and agreed in writing with the Local Planning Authority to demonstrate that noise levels at the nearest noise sensitive property

boundaries from the aforementioned equipment shall not exceed existing background noise readings by 5dB(A) during the day and 3dB(A) at night. The approved details shall be installed as approved prior to the use commencing and shall thereafter be retained and maintained and should not be altered / replaced without the prior written approval of the Local Planning Authority.

Reason

In the interests of the amenities of the locality and occupiers of the adjacent properties in accordance with UDP Policy ENV3.7 'Control of Pollution.'

23

No development shall take place until details for the external illumination of the proposed store and car parking areas have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason

In the interests of neighbour and visual amenity and in accordance with Core Strategy Policy CS28 'Sustainable Design,' and UDP Policy ENV3.7 'Control of Pollution.'

24

Prior to the commencement of development a biodiversity enhancement statement, including a schedule for implementation, shall be submitted to and approved by the Local Planning Authority. The scheme shall thereafter be implemented in accordance with the agreed statement before the development is brought into use.

Reason

In the interest of biodiversity in accordance with CS20 Biodiversity and Geodiversity

25

The site has been characterised as a Gas Characteristic Situation 2. Prior to the commencement of the development on site details of gas protection measures will need to be submitted and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to construction works commencing on site.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

26

Remediation works (i.e. removal of underground tanks and grossly impacted soils; and soil capping works) shall be carried out in accordance with sections 4.1 – 4.15 (Remediation Method Statement) of the document entitled 'Proposed Aldi Store, Bawtry Road, Wickersley, Rotherham – Site Remediation Method Statement' - prepared by 3e Consulting Engineers Limited, ref 12693/RS Rev 2, dated May 2015. The works shall be of such a nature as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters, the site must not qualify as contaminated land under Part 2A of the Environment Protection Act 1990 in relation to the intended use of the land after remediation.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

27

Prior to development if subsoil/topsoils are required to be imported to site for remedial works they shall be tested at a rate and frequency specified within sections 4.16 - 4.18 (Validation Testing and Reporting Requirements) of the document entitled 'Proposed Aldi Store, Bawtry Road, Wickersley, Rotherham – Site Remediation Method Statement' prepared by 3e Consulting Engineers Limited, ref 12693/RS Rev 2, dated May 2015. The results of testing will be presented in a Validation Report.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

28

In the event that during development works unexpected significant contamination is encountered at any stage of the process, the Local Planning Authority shall be notified in writing immediately. Any requirements for remedial works shall be submitted to and approved in writing by the Local Authority. Works thereafter shall be carried out in accordance with an approved Method Statement.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

29

Following completion of the required remedial works a Verification Report should be forwarded to the Local Authority for review and comment. The verification report shall include details of the remediation works and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the verification report together with the necessary documentation detailing what waste materials have been removed from the site. The site shall not be brought into use until such time as all verification data has been approved by the Local Authority.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

30

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority drawings including elevations/ details indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed prior to the store opening.

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 'Sustainable Design.'

31

The window(s) on the elevation of the eastern facing elevation shall be obscurely glazed and fitted with glass to a minimum industry standard of Level 3 obscured glazing and be non-openable, unless the part(s) of the window(s) which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. The window(s) shall be permanently retained in that condition thereafter.

Reason

In the interests of the amenities of the occupiers of adjoining properties.

Informatives

01

INF 11A Control of working practices during construction phase (Close to residential)
It is recommended that the following advice is followed to prevent a nuisance/ loss of amenity to local residential areas. Please note that the Council's Neighbourhood Enforcement have a legal duty to investigate any complaints about noise or dust. If a statutory nuisance is found to exist they must serve an Abatement Notice under the Environmental Protection Act 1990. Failure to comply with the requirements of an Abatement Notice may result in a fine of up to £20,000 upon conviction in Rotherham Magistrates' Court. It is therefore recommended that you give serious consideration to the below recommendations and to the steps that may be required to prevent a noise nuisance from being created.

(i) Except in case of emergency, operations should not take place on site other than between the hours of 08:00 – 18:00 Monday to Friday and between 09:00 – 13:00 on Saturdays. There should be no working on Sundays or Public Holidays. At times when operations are not permitted work shall be limited to maintenance and servicing of plant or other work of an essential or emergency nature. The Local Planning Authority should be notified at the earliest opportunity of the occurrence of any such emergency and a schedule of essential work shall be provided.

(ii) Heavy goods vehicles should only enter or leave the site between the hours of 08:00 – 18:00 on weekdays and 09:00 – 13:00 Saturdays and no such movements should take place on or off the site on Sundays or Public Holidays (this excludes the movement of private vehicles for personal transport).

(iii) Best practicable means shall be employed to minimise dust. Such measures may include water bowsers, sprayers whether mobile or fixed, or similar equipment. At such times when due to site conditions the prevention of dust nuisance by these means is considered by the Local Planning Authority in consultations with the site operator to be impracticable, then movements of soils and overburden shall be temporarily curtailed until such times as the site/weather conditions improve such as to permit a resumption.

(iv) Effective steps should be taken by the operator to prevent the deposition of mud,

dust and other materials on the adjoining public highway caused by vehicles visiting and leaving the site. Any accidental deposition of dust, slurry, mud or any other material from the site, on the public highway shall be removed immediately by the developer.

02

South Yorkshire Police Recommendations:

- The parking areas should offer a uniform light with no dark areas to BS 5489. The safer parking scheme 'Park Mark' should be considered. www.saferparking.com
- All doors and windows should be to the standards required by Secured by Design. www.securedbydesign.com.
- The bin store should be secured at all times

03

Drainage:

The applicant is made aware that in accordance with the EA Flood Maps the northern boundary of the site is at risk of flooding from surface water overland flows. The applicant should take and allow for all preventative measures to mitigate against any surface water overland flooding in an extreme event.

POSITIVE AND PROACTIVE STATEMENT

Whilst the applicant did not enter into any pre application discussions with the Local Planning Authority, the proposals were in accordance with the principles of the National Planning Policy Framework and did not require any alterations or modification.

ROTHERHAM METROPOLITAN BOROUGH COUNCIL PLANNING REGULATORY
BOARD

PLANNING, REGENERATION AND CULTURE

REPORT TO BOARD
17th September 2015

ITEM NO. SUBJECT

1 RB2015/0474

Erection of Advanced Manufacturing and Research Centre Campus (AMRC2) including demolition of hangars, to include up to 80,000sqm B1(b)+B1(c) floorspace, 43,500sqm C1 / C2 floorspace and 1,500sqm D2 use at land Between Europa Link And Europa Court, Europa Link, Sheffield, S9 1XE

Application Number	RB2015/0474
Proposal and Location	<p>Courtesy Consultation in respect of the Development of Advanced Manufacturing and Research Centre Campus (AMRC2) including demolition of hangars., (Development to include up to 66,983sqm of B1(b) and B1(c) Advance manufacturing and research floorspace, up to 37,551sqm of C2 residential training centre and conferencing floorspace, up to 450sqm of D2 outdoor and indoor recreation floor space) at Land Between Europa Link And Europa Court, Europa Link, Sheffield for the University of Sheffield</p>
Recommendation	<p>That Sheffield City Council be informed that Rotherham Borough Council raises no objections to the proposed development subject to Sheffield City Council attaching conditions and/or securing the delivery through S106 of the following:</p> <ul style="list-style-type: none"> • The implementation of a robust Travel Plan, various transportation improvements and the development of trip rate restrictions; and • The implementation of robust mitigation measures to reduce the emissions of air pollutants from the proposed development as outlined in the submitted Air Quality Assessment.



Background

Rotherham MBC has been consulted on the above planning application submitted to Sheffield City Council (SCC). This is a 'courtesy' consultation as required by the DMPO due to the close proximity of Rotherham Borough to the application site which is across the boundary in Sheffield. RMBC are invited to provide SCC with comments on the application and the impact of the proposal on Rotherham.

Site Description & Location

The site lies within the administrative area of Sheffield City Council, however it is situated close to the boundary with Rotherham which is to the east, defined by the Europa Link.

The site comprises part of the land that was previously used as the runway for the former Sheffield Airport, which has been closed to commercial flights since 2008 and has been subject to redevelopment for business use in the form of the Sheffield Business Park (SBP).

SBP Phase II is located to the west of the site and extends to some 20ha of land. Outline planning permission was granted in July 2007 (ref:05/04338/OUT) for a mixed use development comprising B1a Offices, B2 Research and Development, B8 Storage and Distribution and ancillary uses.

To the north of the site are large scale industrial and business units; whilst to the east is the former airport area comprising of a variety of built forms which have been converted into office space. The west of the site is the remainder of the runway area and to the south is land previously associated with the airport which is generally open in nature and extends further southwards to the junction between the Europa Link and the Sheffield Parkway where it meets Tinsley golf course.

The closest residential properties are located approximately 370m away on Olivers Way in Brinsworth and the AMP is located on the opposite side of the Sheffield Parkway, to the south, approximately 600m away.

The site itself is generally flat, reflecting its former use as an airport and encompasses the airport control tower, runway and car parking area. Access will be provided from the north and will require the relocation of the existing car parking areas to serve the offices located within the former terminal building to the east.

Proposal

The application seeks outline permission for an extension to the existing Sheffield Business Park comprising predominantly of advanced manufacturing and teaching space as well as support amenities.

Specifically, the applicant is seeking permission for an upper range of 104,984sq.m of buildings on a site extending to 18.6ha comprising:

- 66,983sq.m of B1(b) and (c) of advanced manufacturing and research;
- 37,551sq.m of C2 Residential Training and conferencing;
- 450sqm of D2 outdoor and indoor recreation

Building heights across the site are proposed to have an upper limit of 50m and a lower limit of 7m.

The proposal will form Phase III and comprise mainly of advanced manufacturing uses and teaching space as well as support amenities. These amenities may include office space and elements of retail however these are proposed to be of a scale to support the overall function of the campus and be ancillary in nature.

Supporting documents submitted by the applicant include the following:

- Planning Statement
- Environmental Statement containing:
 - Air Quality
 - Transport
 - Surface Water and Drainage
 - Ecology and Bio-diversity
- Design and Access Statement
- Transport and Highways Assessment
- Flood Risk Assessment
- Economic Impact Assessment
- Woodland Assessment
- Breeding Bird Survey
- Reptile Survey
- Great Crested Newt Survey
- Badger Survey
- Air Quality Assessment
- Geoenvironmental Desk Survey
- Energy Infrastructure Feasibility Study
- Statement of Community Involvement

Publicity

It is incumbent upon Sheffield City Council to carry out appropriate publicity in the processing of this application to ensure any affected residents (including those in the Rotherham Borough) are aware of the proposals.

Consultations

Streetpride (Transportation and Highways Unit): raise no objections to the proposed development subject to the approval of an enforceable Travel Plan which places emphasis on mitigation by means of vehicle trip reduction.

Streetpride (Landscape Design): raise no objections in principle to the proposed development however raised concerns regarding the loss of species rich grassland and habitat mitigation and have raised the question whether green roofs could be incorporated into the scheme.

Streetpride (Drainage): have held detailed discussions with officers at SCC to agree the discharge rate from SBP which then enters SCC surface water sewer located along Poplar Way, Catcliffe. This rate has been agreed at 450 litres/sec and on that basis no objections are raised from a drainage/flood risk perspective.

Streetpride (Public Rights of Way) confirm that the proposal falls outside of RMBC's rights of way network, however suggests that there are opportunities to improve non-vehicular transportation links between this site and the existing AMP at Waverley and as such RMBC's public rights of way officer has discussed this matter with his counterpart at SCC and requested that measures are incorporated into the scheme to ensure this links are upgraded.

Neighbourhoods (Environmental Health - Noise): raise no objections to the proposed development based on the recommendations outlined in the submitted supporting information.

Neighbourhoods (Environmental Health – Air Quality): confirm that RMBC were consulted on the methodology of the Air Quality Assessment raise no objections to the proposal subject to the proposed mitigation measures being implemented.

Appraisal

The main considerations relating to Rotherham are:

- Principle of Development.
- The impact on the Local Highway Network
- The impact on the residential amenities of sensitive properties within the Borough.

Principle of Development

Prior to assessing whether the principle of development is acceptable it is necessary to document the legislative background to Sheffield City Council's up to date Development Plan.

The site lies predominately within areas designated as the 'Airport' and 'Green Belt', although the access road from the north connects to a 'Designated area of General Industry with Special Industries' in the SCC Unitary Development Plan which has a plan period and contains policies to 2011. In 2009, Sheffield City Council adopted their Core Strategy which contains strategic policies to 2026. The key diagram in this document identified that land at the end of the runway should be removed from the Green Belt although no clear boundaries were agreed.

In 2013, a plan was produced as part of the City Sites and Policies document that would allocate the application area for development and remove it from the Green Belt. However, this document was withdrawn at the end of 2013 after it was found unsound as it did not identify a 5 year housing land supply and was therefore never adopted.

As such, the proposed development when considered in the context of local and national planning policy is considered to be inappropriate development in the Green Belt and as such very special circumstances for the development must be demonstrated. The NPPF states that *'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations'*. There is no definition within national or local policy of what would constitute very special circumstances as each proposal must be judged on its individual merits.

SCC have previously reported that untenable anomalies are defined in the explanatory text of SCC Policy CS71 as circumstances where it is no longer possible to trace the Green Belt boundary on the ground, as required by national policy. The explanatory text to this policy goes on to specifically state that the only non-minor change to the Green Belt boundary will be at the airport runway which will be resolved with a land swap, excluding the runway from the Green Belt and adding a larger area (Tinsley Park) back into the Green Belt, which also satisfies the purposes of the Green Belt.

The Green Belt boundary as drawn on SCC's UDP proposal map follows the alignment of a public footpath in Tinsley Park. The public footpath from Tinsley Park does not continue through the former airport or application site - it diverts around the former airport alongside Europa Link. However, the Green Belt boundary continues to cut across the former airport runway, through the application site, without any reference to established built form or a feature on the ground. This is because the Green Belt designation pre-dates the runway and used to follow the footpath and a fence line before it was diverted. As such it is accepted that the Green Belt boundary as shown on the UDP proposals map does not follow any established built form on the ground as required by national policy and is therefore an untenable Green Belt anomaly.

In light of this, RMBC acknowledged that the principle of a change to the Green Belt Boundary at the airport is established and whilst no precise boundary is established, the plan does indicate the site is removed from the Green Belt and as such indicates SCC's direction of travel in this respect.

Having regard to the impact of this release of Green Belt land on Rotherham, it is noted that the existing Green Belt within Sheffield, and partly within Rotherham (outside the application boundary), lies to the north-west of the Parkway and the settlement of Catcliffe. It is not anticipated that the release of Green belt land in this location will raise any significant concerns for Rotherham. Indeed RMBC has previously consulted on proposals to remove land from the Green Belt through its Local Plan to the east of Europa Link and north of the Parkway. Together these proposed changes could make a positive contribution to the development of the Advanced Manufacturing Innovation District (AMID) to which both RMBC and SCC are supportive of.

Consequently, it is accepted that the proposals will be beneficial to the wider city region and nationally and the proposed development will contribute to the delivery of the aforementioned AMID proposals and as such the economic benefits of the development can be afforded some weight as clearly the construction and operational phases of the scheme will contribute to the economic development of the City Region and nationally. However, it is accepted that the economic benefits on their own are not considered to justify very special circumstances for developing in the Green Belt.

Finally and having regard to the discounting of alternative sites outside of land allocated for Green Belt purposes, the applicant's, in their supporting statement, state *'The physical and operational ties to the AMP are important to retain in this expansion process and this significantly narrows the area of search appropriate for the development'*.

Amongst other sites, a review of potential expansion areas within the AMP was also undertaken. The report concludes that there is only one further area which is available. All other plots have been taken up. Highfield Commercial land extends to approximately 7ha while the University has also taken up the additional 2ha to accommodate an expansion of their existing facilities. However, the landowner Harworth Estates have expressed their desire to develop this land for the local centre and as such, the land is unavailable.

The AMP expansion area within the south western corner, adjacent to Sheffield Parkway extends only to 7ha which is insufficient to facilitate the expansion and centralised campus that this application seeks to generate. It was also considered by

the University not to be in a prominent enough location to accommodate the development proposed.

Having regard to this, it is clear that both sites within RMBC do not have capacity to accommodate the proposed development and RMBC are not aware of any evidence which would contradict the arguments put forward by the applicant regarding the AMP site.

Notwithstanding the above, SCC have previously approved a much smaller development within the Green Belt (Factory 2050) which could have been accommodated on the AMP and to which RMBC raised no objections to. The reason given for discounting sites on the AMP was that the applicant required the building to be co-located with the proposed development to create a campus style development and as such RMBC accept the applicant's argument that the proposed development cannot be disaggregated and requires the land proposed as part of this application.

Taking all of the above into account, RMBC acknowledge SCC's intention to remove the application site out of the Green Belt through the local plan process. This together with the potential economic benefits the proposed development will bring to the wider City Region are considered to outweigh any minor impact the release of this Green Belt site will have on Rotherham and on that basis raise no objections to the development in principle.

Impact on the Local Highway Network

The application is accompanied by a Transport Assessment which concludes:

"Trip generation methodology and rates have been agreed with Sheffield City Council. Committed developments in the vicinity of the proposed site have been agreed by Sheffield City Council to be included within the SATURN model which also provides Sheffield City Council's requested method of trip distribution. The operational assessments show that the network will continue to operate within capacity during all scenarios modelled with the addition of the development traffic. Mitigation measures have been implemented at the A630 Sheffield Parkway Interchange and Southern Site Access junction as follows:

- Signalised priority junction at the Southern Site Access on Europa Link;*
- New segregated left turn slip road in separating northbound A630 exit arm traffic heading towards Europa Link northern arm at the A630 Sheffield Parkway/ Europa Link Interchange roundabout; and*
- Northern area of internal circulatory carriageway to be stopped up at A630 Parkway / Poplar Way roundabout to deter u-turn manoeuvres*

These mitigation measures enable the junctions to operate within capacity or to a similar / no worse capacity when compared to the base plus committed development scenario with no mitigation measures in place. Considering the above, it is considered that the traffic impact (in terms of capacity) of the proposals are minimal, that the site accords with Local and National Policy and has been proven to be well related to major settlements. Thus, there are no substantive highway reasons why the development proposals should not be granted consent.'

The site will be accessed via Europa Link. The northwest of the site, including plots 1, 2, 3, 5 and 6 will be accessed via the Europa Court / Europa Link roundabout. A new access road will be constructed through the existing car park which will be moved to

the east to accommodate the proposed carriageway. A main arterial route will be constructed through the site from Europa View to Europa Link to the south of the Britannia Way roundabout. Plots 7, 8, 9 and 10 will potentially be accessed via this route from the junction with Europa Link.

Bus stops are located on both sides of Europa Link, well within the recommended 400m walk distance from the site. These stops provide access to a number of bus services providing regular services linking Sheffield Interchange with Rotherham Interchange. It is noted that a Bus Rapid Transit (BRT) scheme is proposed between Sheffield City Centre and Rotherham Town Centre along two routes. This scheme could provide frequent bus services to the development site in future years. It can clearly be seen that the site is well served in terms of accessibility to bus services.

The Council's Transportation Unit have been consulted on the application and have been involved in detailed discussions with Officers at Sheffield City Council and the applicant's transportation advisors regarding the impact the proposed development may have on the local highway network within Rotherham.

Initial concerns were raised regarding the development's impact on the operation of the junction with the A630 at the dumbbell roundabouts at Catcliffe and as a consequence of this a robust interrogation of the TRICS database was undertaken by the applicant's advisors to provide trip rates for each phase of the proposed development. These trip rates were used to calculate an estimated person trip generation for each of the plots. The search criteria included sites that are of B1 Business Park land use, have a GFA between 10,000 sqm and 118,448 sqm, are located within England (excluding London) and are found within Edge of Town Centre, Suburban Area and Edge of Town zones. The conclusions of this work suggest that 65% of people travel to work by car or van which equates to 964 AM arrivals, 310 AM departures, 218 AM arrivals and 756 PM departures.

Initial discussions to mitigate against these additional trips considered the restriction of vehicular access at the northern area of the internal circulatory of the southern roundabout (dumbbells) in terms of a physical 'stopping up' such that the northern access from Europa Link is free flowing to the roundabout. However, due to the current dualling scheme of Poplar Way, which restricts vehicles travelling from the South along Poplar Way from turning right into 'Sandersons' traffic would then need to travel up to the dumb-bell roundabouts in order to access Sandersons from a left turn.

By providing a physical barrier at the southern roundabout traffic would then need to travel to the northern roundabout to undertake a manoeuvre to return to Poplar Way. It has then been considered that a better option would be to provide a 'give way' at the northern area of the internal gyratory of the southern roundabout which would enable northbound traffic on Poplar Way who do wish to turn right into Sandersons to travel round just the southern roundabout then turn left in from the southbound Poplar Way.

An assessment of this proposed mitigation by Officers at RMBC and SCC concluded that the proposed works does not demonstrate the need for the circulatory give way as the volume of u-turning traffic is almost zero in real terms. The TRANSYT modelling should have included a "do nothing" scenario to demonstrate whether the mitigation was effective or not. There is an underlying assumption that free-flow from Europa Way is actually desirable, which was considered not to be the case as undue priority

would be given to Europa Link traffic turning westbound onto the A630 at the expense of straight ahead and right turning traffic from Poplar Way.

Consequently and since the model showed that there might be some benefits to this mitigation, it was considered that should problems become apparent in the future, funding for further analysis and a trial of this mitigation should be secured as part of the travel plan for the site. The number of trips allowed to be generated should be capped and once that level had been reached, further development would be paused until such time as a further scheme of acceptable mitigation had been implemented.

Having regard to the above, RMBC raise no objections to the proposed development from a transportation perspective subject to the approval of a Travel Plan which places a greater emphasis to be put on mitigation by means of vehicle trip reduction (University Travel Plan). This Travel Plan should be site specific to the AMP/Sheffield Business Park and be implemented by the University.

Impact on Residential Amenity

As previously mentioned, the site is located adjacent to the established Sheffield Business Park. The closest residential properties are located to the east on Olivers Way, Brinsworth, some 370m away. The Council's Environmental Health department have assessed the proposals in terms of potential noise nuisance and have concluded that the proposals will not result in any significant loss of amenity by virtue of noise or land pollution, therefore the impact of the proposals to Rotherham residents are considered to be minimal.

The site does however lie within an Air Quality Management Area (AQMA). The applicants acknowledge this in their supporting Air Quality Assessment which concludes:

Operational Phase

'The assessment concluded that the proposed development would not result in significant impacts. However, the University of Sheffield operate a Travel Planning section and will be producing a Travel Plan to demonstrate their commitment to controlling impacts due to transport arising from University sites and activities. This was not completed at the time of writing.'

The following measures will be considered to be incorporated into the proposed scheme in accordance with the SCC Air Quality Action Plan (SCC, 2014).

- Electric Vehicle (EV) Charging Provisions
- Provision of EV Cars
- Managing EV Car Charging (removed once charged to allow availability)
- Low emission Car Parking (Priority)
- Low emission deliveries
- Car Sharing
- Reviewing the plan every 2 years.

The Council's Air Quality Officer has confirmed that RMBC were consulted on the methodology of the Air Quality Assessment and provided air quality monitoring data to be used in the assessment process.

The Air Quality Assessment presents the predicted impact on air quality, including that predicted to occur at sensitive receptors in Waverley, Catcliffe and Brinsworth in Rotherham. It is concluded that there will not be a significant adverse impact on ambient air quality in terms of the National Air Quality Strategy pollutants annual mean nitrogen dioxide and annual mean PM₁₀ (fine particulate matter). However, the development will result in increased emissions of air pollutants. Sheffield City Council has requested robust mitigation measures to reduce the emissions of air pollutants from this proposed development as outlined above and on the basis that these mitigation measures are put in place no objections are raised to the proposed development as they will minimise the impact in terms of air quality.

Conclusions:

Having regard to the above it is concluded that the impact of the development on Rotherham will be acceptable subject to the implementation of a robust Travel Plan, various transportation improvements and the development of trip rate restrictions. Additionally, the implementation of robust mitigation measures to reduce the emissions of air pollutants from the proposed development as outlined in the submitted Air Quality Assessment is also considered necessary to reduce the developments impact on Rotherham.