

PLANNING REGULATORY BOARD

Date:- Thursday,
14th September, 2017

Venue:- Town Hall,
Moorgate Street,
Rotherham. S60 2TH

Time:- 9.00 a.m.

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 (substitution)
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 24th August, 2017 (Pages 2 - 3)
6. Deferments/Site Visits (information attached) (Pages 4 - 5)
7. Development Proposals (Pages 6 - 56)
8. Report of the Assistant Director of Planning Regeneration and Transport (Pages 57 - 60)
9. Updates
10. Date of next meeting - Thursday, 5th October, 2017

Membership of the Planning Board 2017/18

Chairman – Councillor Atkin

Vice-Chairman – Councillor Tweed

Councillors Andrews, Bird, D. Cutts, M. S. Elliott, Fenwick-Green, Ireland,
Jarvis, Price, Taylor, R.A.J. Turner, Vjestica, Walsh and Whysall.



SHARON KEMP,
Chief Executive.

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
24th August, 2017

Present:- Councillor Atkin (in the Chair); Councillors Andrews, Bird, D. Cutts, M. Elliott, Fenwick-Green, Jarvis, Price, John Turner, Tweed, Vjestica, Walsh and Whysall.

Apologies for absence:- Apologies were received from Councillors Ireland and Taylor.

17. DECLARATIONS OF INTEREST

There were no Declarations of Interest to report.

18. MINUTES OF THE PREVIOUS MEETING HELD ON 13TH JULY, 2017

Resolved:- That the minutes of the previous meeting of the Planning Regulatory Board held on Thursday, 13th July, 2017, be approved as a correct record for signature by the Chairman.

19. DEFERMENTS/SITE VISITS

There were no site visits nor deferments recommended.

20. 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.

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

- Application to vary condition 16 (heavy goods vehicle operation hours) imposed by RB2005/1533 at T. K. Lynskey (Excavations) Ltd., Common Lane, Wath upon Dearne for T. K. Lynskey Ltd. (RB217/0796)

Mr. C. Ballam (Applicant)
Ms. C. Clark (Objector)

(2) That application RB2017/0609 be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the report.

(3) That application RB2017/0796 be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the report along with the inclusion of a further condition to read:-

“Within 1 month of the date of this permission, all vehicles designed for carrying skips shall have any chains sleeved in a material to be submitted to and approved in writing by the Local Planning Authority. Prior to any vehicle leaving the site, the chain sleeves shall be checked for wear and deterioration and shall be replaced if any part of the chain is exposed.

Reason

In the interests of the amenity of the occupiers of nearby residential properties and in accordance with the provisions of the NPPF.”

21. UPDATES

Members were reminded of the Shale Gas Exploratory Drilling information sharing seminar being held at 4.30 p.m. today.

22. DATE OF NEXT MEETING

Resolved:- That the next meeting of the Planning Regulatory Board take place on Thursday, 14th September, 2017 at 9.00 a.m.

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.

**REPORT TO THE PLANNING REGULATORY BOARD
TO BE HELD ON THE 14 SEPTEMBER 2017**

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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RB2017/1016 Construction of 1no. Industrial unit with two storey offices and associated carpark, surface water drainage and foul water septic tank at land adjacent Church Lane Dinnington for Technical Cranes Ltd	Page 7-27
RB2017/1060 Reserved matters application (details of landscaping, scale, access, external appearance and layout) for the erection of 130 dwellinghouses (reserved by outline RB2015/1460) at Waverley New Community Phase 11 High Field Spring Catcliffe for Taylor Wimpey Yorkshire	Page 28-56

**REPORT TO THE PLANNING REGULATORY BOARD
TO BE HELD ON THE 14 SEPTEMBER 2017**

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.

Application Number	RB2017/1016
Proposal and Location	Construction of 1no. industrial unit with two storey offices and associated car park, surface water drainage and foul water septic tank at land adjacent Church Lane, Dinnington, S25 2LY
Recommendation	Grant subject to conditions



This application is being presented to Planning Board as it does not fall within the Scheme of Delegation for major operations.

Site Description & Location

The application site is within an established industrial area on the site of the former Dinnington Colliery and is accessed off Church Lane, Dinnington. The site forms part of a wider industrial development which consists of one large occupied industrial unit to the east occupied by Technical Cranes with a further industrial unit currently under construction to the north, all of which are within the wider site ownership. There are residential properties to the north and west of the site fronting Church Lane and Monksbridge Road. There are a number of trees along the boundary of the site roughly following the boundary with residential properties.

Background

There is extensive planning history on this site relating to its former use as a colliery and to the site's redevelopment as an industrial estate. Outline permission on a larger area of land, including the current application site, was granted in 2004 for a mixed use development to include A2 (Financial and professional), A3 (Food and Drink), B1 (Business), B2 (general industrial), B8 (Storage and distribution), C1 (Hotel), D1 (Non - residential institution).

Proposal

The application seeks full planning permission for the erection of a building to be used for an open B1, B2 or B8 Use Class with two storey ancillary offices (B1) and associated service yard and car parking. The building is being constructed on a speculative basis with currently no occupier in place. A new septic tank is proposed as part of the development. The proposed development would consist of a workshop/production space of 1,090 square metres with a two storey office block of approximately 197 square metres.

The building is proposed to be approximately 37m long, 37m wide, 7.3m to the eaves and 11m to the ridge. The walls of the building are proposed to be constructed from brick plinths and composite steel panels coloured with a grey/silver finish and sections will be orientated in opposite directions in a contrasting blue colour. The shallow pitched roof would have grey plastisol coated steel cladding. The windows and doors would be powder coated aluminium frames with an area of vertical curtain walling as a feature to the staircase.

The site would be accessed via an existing access taken off Church Lane which is currently used by Technical Cranes.

The scheme provides for 28 car parking spaces, and cycle parking. The proposal is to operate Monday – Friday 08:00-18:00, Saturdays 08:00-13:00, and closed on Sundays and Bank Holidays.

The application was supported by the following information:

Design and Access Statement – Which states that “the proposal is for the remaining part of the site to construct another similar industrial unit on land to the west of Unit 1. The proposed unit will utilise the existing road entrance for access and additional car parking / vehicle circulation areas will be constructed. The existing soft landscaping will be extended around the site to supplement the existing tree belts screening the site.

Tree Survey – This makes recommendations to retain as many trees as possible on the site and to manage and incorporate them into the landscaping of the site.

Ecology Survey – This concludes that the proposed works are not deemed to have any impact on legally protected species, particularly great crested newt.

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) (noted in Appendix B of the Core Strategy). The Rotherham Local Plan 'Publication Sites and Policies' was published in September 2015.

The application site is allocated for 'Industrial and Business Use' purposes in the UDP. In addition, the Rotherham Local Plan Publication Sites and Policies document allocates the site as a new employment site for Industrial and Business Use on the Policies Map. For the purposes of determining this application the following policies are considered to be of relevance:

Core Strategy policy(s):

- CS9 'Transforming Rotherham's Economy'
- CS14 'Accessible Places and Managing Demand for Travel'
- CS20 'Biodiversity and Geodiversity'
- CS21 'Landscape'
- CS28 'Sustainable Design'
- CS33 'Presumption in Favour of Sustainable Development'

Unitary Development Plan 'saved' policy(s):

- EC1 'Existing Industrial and Business Areas'
- ENV2 'Conserving the Environment'
- ENV 3.4 'Trees, Woodlands and Hedgerows'
- ENV3.7 'Control of Pollution'
- ENV4.4 'Contaminated Land'

The Rotherham Local Plan Publication Sites and Policies - September 2015:

- SP16 'Land Identified for Industrial and Business Uses'

Other Material Considerations

National Planning Practice Guidance (NPPG) - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning practice guidance documents cancelled when this site was launched.

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/Rotherham Local Plan ‘Publication Sites and Policies - September 2015’ policies referred to above are consistent with the NPPF and have been given due weight in the determination of this application. The emerging policies within the Sites and Policies document (September 2015) have been drafted in accord with both the NPPF and the Core Strategy. The weight given to these policies is dependent on the comments received from the Inspector in relation to each specific Policy following the Examination in Public.

Publicity

The application has been advertised by way of site notices along with individual notification letters to adjacent residential properties. One representation has been received from a neighbouring resident objecting to the proposals. Dinnington Town Council have also raised concerns objecting to the application, until the objections from the neighbouring resident are satisfactorily addressed. The comments from the neighbouring resident are summarised below:

- The use of the premises should be restricted to light industrial use only and not be used for a general industrial use.
- There is currently noise and disturbance from the Technical Cranes site and complaints to Environmental Health have been made.
- The owners of this site have cleared the site to the north (which has been subject to a separate planning application) of trees and have not followed the approved plans.
- Concerns have been raised that when this building is being constructed the vibrations could damage neighbouring properties.

The objector has requested the right to speak at the Meeting.

Consultations

RMBC - Transportation and Highways Design: Raise no objections to the proposal.

RMBC - Environmental Health: Raise no objections to the proposals subject to conditions to prevent noise and light pollution for neighbouring residents.

RMBC - Ecologist: Raises no objections to the proposals in ecology terms and recommends biodiversity enhancement measures on the site including planting trees and shrubs and the use of bat and bird boxes.

RMBC - Land Contamination: Raise no objections to the application subject to suitable conditions relating to land decontamination.

RMBC - Drainage: No objections subject to recommended conditions

RMBC - Tree Service Manager: Raises no objections to the proposals subject to suitable conditions to ensure the retention of the trees on the site.

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 issues to take into consideration in the determination of the application are –

- The principle of the development.
- The appearance of the proposals.
- Impact on neighbouring properties.
- Transportation issues.
- Landscape, trees and ecology
- Contaminated land
- Drainage
- Other issues raised by objector

Principle of development

With regards to the principle of the development the application site is located within an established industrial and business area that is allocated for Industrial and Business Use purposes in the adopted UDP. UDP Policy EC1 'Existing Industrial and Business Areas' states that: "Land allocated on the Proposals Map for industrial and business uses will remain predominantly in industrial or business use." In addition, the site is identified as a new employment site for Industrial and Business Use within the Sites and Policies Publication. Sites and Policies SP16 states that within areas allocated for Industrial and Business Use on the Proposals Map, development proposals falling within use Classes B1b and B1c, B2 and B8 will be permitted.

The Council's Core Strategy Policy CS9 'Transforming Rotherham's Economy' states (amongst other things) the following:

"Rotherham's economic performance and transformation will be supported by:

1. Allocating sufficient land in the Sites and Policies document to meet Rotherham's employment land requirement of 230 hectares of land for business and industrial development and 5 hectares of land for office floorspace for the Plan period in accordance with the Spatial Strategy set out in Policy CS1 Delivering Rotherham's Spatial Strategy. These allocations will support employment growth in sustainable locations and meet modern economic requirements.
2. Protecting viable employment sites and supporting the regeneration and intensification of previously developed land, including proposals which safeguard the viability of established industrial and business areas through improvements to buildings, infrastructure and the environment.
3. Safeguarding our manufacturing base and targeting the following priority sectors:
 - a. Creative and Digital Industries
 - b. Advanced Manufacturing and Materials
 - c. Environmental and Energy Technologies
 - d. Construction Industries
 - e. Business, Professional and Financial Services; and
 - f. Low Carbon Industries"

Policy CS33 'Presumption in Favour of Sustainable Development' states that "When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will work with applicants to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area."

The NPPF at Paragraph 18 states: "The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future." Paragraph 19 adds: "The Government is committed to ensuring the planning system does everything is

can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.”

It is considered that the proposal would allow for the economic development of the Borough and secure more jobs locally which is to be welcomed and is fully supported by the aforementioned policies. As such, it is considered that the principle of the development is fully in accordance with UDP Policy EC1 ‘Existing Industrial and Business Areas’ as well as Core Strategy Policies CS9 ‘Transforming Rotherham’s Economy’ and CS33 ‘Presumption in Favour of Sustainable Development’ and Policy SP16 ‘Land Identified for Industrial and Business Uses’ of the Sites and Policies Local Plan and the guidance set out in the NPPF.

The appearance of the proposals

In assessing the design of the proposed building in relation to the existing site and the wider surrounding area, Core Strategy Policy CS28 – Sustainable Design states that: “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 within 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 NPPF notes at paragraph 56 that: “The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.” 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.”

The National Planning Policy Guidance (March 2014), notes that: “Development proposals should reflect the requirement for good design set out in national and local policy. Local planning authorities will assess the design quality of planning proposals against their Local Plan policies, national policies and other material considerations.”

The NPPG further goes on to advise that: “Local planning authorities are required to take design into consideration and should refuse permission for development of poor design.”

It is considered that the design of the building is utilitarian and functional in appearance and commensurate with the proposed use and is located within an established industrial area with buildings of similar design and appearance. Furthermore, it is noted that the site is largely concealed from public view being set behind a significant landscape buffer consisting of a number of trees and being set within the wider industrial site. Overall it is considered that the design of the proposals is acceptable and would not harm the character and appearance of the surrounding area.

Taking account of this, the proposals are therefore considered to be in accordance with Policy CS28 – Sustainable Design of the Core Strategy and the guidance set out within the NPPF.

Impact on neighbouring properties:

With regard to neighbour amenity, UDP Policy ENV3.7 ‘Control of Pollution,’ states: “The Council, in consultation with other appropriate agencies, will seek to minimise the adverse effects of nuisance, disturbance and pollution associated with development and transport. Planning permission will not be granted for new development which...is likely to give rise, either immediately or in the foreseeable future, to noise, light pollution, pollution of the atmosphere, soil or surface water and ground water, or to other nuisances, where such impacts would be beyond acceptable standards, Government Guidance, or incapable of being avoided by incorporating preventative or mitigating measures at the time the development takes place.”

The NPPF, at paragraph 17 states that: “within the 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. “Amongst these 12 principles, it further goes on to state that: “...planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.”

The NPPF further notes at paragraph 123 that: “Planning policies and 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;
- Mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;
- Recognise that development will often create some noise and existing businesses wanting to development in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established; and
- Identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.”

The Council's Environmental Health Service note that they have received complaints about the neighbouring industrial unit on Church Lane, so there is potential for noise nuisance owing to the proximity of the site to residential properties.

It is noted that the proposed use of the building could fall within Use Classes B1 Light Industry, B2 General Industry or B8 storage use. However, as the development is speculative a true assessment of the noise impact on neighbouring residential properties cannot be known. To avoid noise nuisance from the site it is recommended that, before any potential occupier can start to operate at the premises, a suitable noise report is submitted. This is to ensure that any future occupant would not cause problems for neighbouring residents in terms of noise nuisance. Further to consultation with the applicant they have agreed that this can be controlled by way of condition attached to any planning permission granted in this respect.

It is noted that a neighbouring resident has stated that the proposed use of the building should be restricted to light industry. Whilst this is noted, it is considered that provided that the future occupier can comply with the condition recommended by Environmental Health regarding noise, then no significant harm to the amenity of neighbouring residents would occur from uses falling outside of light industry.

Furthermore, the Council's Environmental Health Service request a further condition relating to external lighting so that it is positioned such that it would not significantly harm the amenity of neighbouring residents in terms of light pollution. It is considered reasonable to append this condition to any planning permission granted in this respect.

Transportation issues

Policy CS14 'Accessible Places and Managing Demand for Travel' states that "The Council will work with partners and stakeholders to focus transport investment on making places more accessible and on changing travel behaviour. Accessibility will be promoted through the proximity of people to employment, leisure, retail, health and public services by: (amongst other things)

- a. Locating new development in highly accessible locations such as town and district centres or on key bus corridors which are well served by a variety of modes of travel (but principally by public transport) and through supporting high density development near to public transport interchanges or near to relevant frequent public transport links.
- b. Enabling walking and cycling to be used for shorter trips and for links to public transport interchanges.
- c. Set thresholds where existing and future employers and institutions will need to adopt Travel Plans or Area Travel Plans as part of a programme of sustainable transport promotion.
- d. The use of maximum parking standards for non-residential developments aimed at reducing the number of car trips to and from them.

- e. Adopting car parking policies for vehicles and bicycles in accordance to national guidelines that support and complement public transport and the introduction of sustainable travel modes.
- f. The use of Transport Assessments for appropriate sized developments, taking into account current national guidance on the thresholds for the type of development(s) proposed.”

The Council’s Transportation Unit raise no objections to the proposal in highway terms subject to conditions relating to the provision of suitable hardstanding areas, the car parking layout being provided and the submission of a Travel Plan to be agreed to promote sustainable transport choices, and these matters can be controlled by way of conditions.

It is considered that the proposed development would not have an adverse impact on highway safety or the capacity of the local road network. Therefore it is considered that the development is acceptable in highway terms subject to the recommended conditions.

Landscape, tree and ecological issues

The Core Strategy Policy CS20 ‘Biodiversity and Geodiversity’ states that “The Council will conserve and enhance Rotherham’s natural environment. Biodiversity and geodiversity resources will be protected and measures will be taken to enhance these resources in terms of nationally and locally prioritised sites, habitats and features and protected and priority species. Priority will be given to: (amongst other things)

Ensuring that development decisions will safeguard the natural environment and will incorporate best practice including biodiversity gain, green construction, sustainable drainage and contribution to green infrastructure.”

UDP Policy ENV2 ‘Conserving the Environment’ states that “In considering any development, the Council will ensure that the effects on the wildlife, historic and geological resources of the Borough are fully taken into account. The Council will only permit development where it can be shown that: (amongst other things)

- (i) Development will not adversely affect any key environmental resources.”

The NPPF at paragraph 109 states that “The planning system should contribute to and enhance the natural and local environment by:

- protecting and enhancing valued landscapes, geological conservation interests and soils;
- recognising the wider benefits of ecosystem services;
- minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability;
- remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.”

In respect of the impact of the proposed development on the local landscape, Core Strategy Policy CS21 ‘Landscapes’ requires that new development will safeguard and enhance the quality, character, distinctiveness and amenity value of the borough’s landscapes. UDP Policy ENV3.4 ‘Trees, Woodlands and Hedgerows’ states that: “The Council will seek to promote and enhance tree, woodland and hedgerow coverage throughout the Borough.”

In addition paragraph 118 of the NPPF states that: “When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

... planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss.”

The application includes a Proposed Site Plan which shows the retention of a large number of the existing trees as a landscape buffer for the wider site. These include a belt of existing trees which are located adjacent to neighbouring residential properties.

A neighbouring resident has raised concerns about trees having been cleared around the site and on a neighbouring site and concerns have been raised that the remaining trees on the site could be removed by the owner of the site. Whilst this is noted, the applicant has stated that they intend to retain the trees on the site as part of the landscaping scheme. A site visit has shown that these trees are still in situ on this site, though other trees have been removed on an adjacent site, which is not subject to this application.

The Council's Tree Service Manager has raised no objections to the proposal subject to the retention of the existing trees and suitable conditions to ensure that the trees are suitably protected. The Council's Ecologist has also raised no objections to the proposal subject to a suitable biodiversity enhancement condition which could enhance biodiversity across the site.

As such, it is considered that the scheme is acceptable subject to the recommended conditions and the submission and approval of a detailed landscaping scheme. Therefore the proposals, subject to the recommended conditions, are in accordance with UDP Policy ENV3.4 'Trees, Woodlands and Hedgerows' and Core Strategy Policy CS21 'Landscapes' and guidance contained in the NPPF.

Contaminated land

UDP Policy ENV4.4 'Contaminated Land' states "Where land that may be contaminated as a result of previous uses, is proposed for development the Council will need to be satisfied that the applicant has:

- (i) undertaken investigations to establish the nature and extent of the contamination and its potential effects on the proposed development and/or the occupants thereof, and
- (ii) provided details of the measures proposed for the removal and/or treatment of the contamination which will not cause or increase pollution in the environment, particularly to watercourses and ground-water resources. Where permission is granted, such measures will be imposed as planning conditions to be implemented prior to commencement of development or within a timescale agreed with the Council."

Paragraph 120 of the NPPF states that "To prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner."

The site was remediated and reclaimed during the period 2000 – 2005 as part of the reclamation of Dinnington Colliery. However, these remediation works are now considered dated and may not meet the standards in accordance with the current guidance and legislation. As such, it is considered that suitable remediation works are necessary to be undertaken at the site. The Council's Contaminated Land officer has recommended that suitable conditions be attached to any planning permission granted in this respect.

As such, it is considered that the development is acceptable in contaminated land terms subject to the recommended conditions.

Drainage

Discussions have been undertaken between the Council's Drainage Engineer and the agent, and as a result the Council's Drainage Engineer has considered the scheme to be acceptable in drainage terms and has recommended suitable conditions be appended to any planning permission granted in this respect.

Other issues raised by objector

It is noted that the objector has raised concerns about noise nuisance from the neighbouring site, Technical Cranes. Whilst this is noted it is considered that this is a separate site with a separate operator. It is considered that subject to the recommended conditions the proposed unit would not harm the residential amenity of neighbouring residents.

The objector raised concerns about the possible effects of vibrations from the building phase affecting their property. Whilst this is noted it is not a material planning consideration and if damage were to occur to neighbouring properties during the construction phase then this would be a civil matter.

Conclusion

It is considered that the proposed building and use of the site for Use Classes B1, B2 or B8 is acceptable in principle in this commercial location, subject to the recommended conditions. The building is acceptable in terms of its appearance and impact on the surrounding area, and would not have an adverse impact on neighbouring residential properties or industrial units or on the surrounding highway network. Furthermore, the development would not have an adverse impact on trees, ecology or pose any risks to human health, in terms of ground contamination, subject to the recommended conditions.

It is therefore recommended that the application be granted subject to the imposition of the suggested conditions as set out below.

Conditions

General

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 11 Rev K/ 25/ 16 Rev C / 19 Rev A) (Received 28/06/17)
(Drawing Part Site Plan) (Received 06/07/2017)(Drawing Numbers 15 REV E)(Received 25/08/2017)

Reason

To define the permission and for the avoidance of doubt.

03

Prior to the above ground construction of the building details of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted or samples of the materials shall be left on site, and 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.'

Highways

04

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

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

The area shall thereafter be maintained in a working condition.

Reason

To ensure that surface water can adequately be drained and 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.

05

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

Reason

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

06

Before the proposed development is brought into use, a Travel Plan shall have been submitted to and approved by the Local Planning Authority. The plan shall include clear and unambiguous objectives, modal split targets together with a time bound programme of implementation, monitoring and regular review and improvement. The Local Planning Authority shall be informed of and give prior approval in writing to any subsequent improvements or modifications to the Travel Plan following submission of progress performance reports as time tabled in the programme of implementation.

Reason

In order to promote sustainable transport choices.

Biodiversity

07

Prior to the occupation of the building hereby approved details of biodiversity enhancement measures, including measures such as planting suitable trees and shrubs, pond creation and / or the use of bat boxes and wildlife friendly lighting, shall be submitted to and approved in writing by the Local Planning Authority and the approved details shall be completed prior to the occupation of the building hereby approved.

Reason

To promote biodiversity in accordance with Core Strategy Policy CS20 Biodiversity and Geodiversity and guidance contained within the NPPF.

Contaminated Land

08

Prior to development commencing limited intrusive investigation shall be undertaken to determine the potential presence and extent of contamination across the site. The Site Investigation and subsequent risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

The above should be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

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.

09

Subject to the findings of Condition 8 and prior to development commencing, a Remediation Method Statement shall be provided and approved by this Local Authority prior to any remediation works commencing on site. 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. The approved Remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

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.

10

Following completion of any remedial works a Validation Report should be forwarded to the Local Planning Authority for review and comment. The Validation report shall include details of the remediation works (gas membranes and soil cover systems installed) 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 validation 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 Planning 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.

Landscaping and Trees

11

Prior to occupation of the building hereby approved, a detailed landscape scheme shall be submitted to, and approved in writing by, the Local Planning Authority. The landscape scheme shall be prepared to a minimum scale of 1:200 and shall clearly identify through supplementary drawings where necessary:

- The extent of existing planting, including those trees or areas of vegetation that are to be retained, and those that it is proposed to remove.
- The extent of any changes to existing ground levels, where these are proposed.
- Any constraints in the form of existing or proposed site services, or visibility requirements.
- Areas of structural and ornamental planting that are to be carried out.
- The positions, design, materials and type of any boundary treatment to be erected.
- A planting plan and schedule detailing the proposed species, siting, quality and size specification, and planting distances.
- A written specification for ground preparation and soft landscape works.
- The programme for implementation.
- Written details of the responsibility for maintenance and a schedule of operations, including replacement planting, that will be carried out for a period of 5 years after completion of the planting scheme.

The scheme shall thereafter be implemented in accordance with the approved landscape scheme within a timescale agreed, in writing, by the Local Planning Authority.

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 UDP Policies ENV3 'Borough Landscape', ENV3.2 'Minimising the Impact of Development' and ENV3.4 'Trees, Woodlands and Hedgerows'.

12

Within 5 years of the commencement of the works no tree shall be cut down, uprooted or destroyed nor shall any tree be pruned other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any pruning works approved shall be carried out in accordance with British Standard 3998 (Tree Work). If any tree is removed, uprooted or destroyed or dies, within this 5 year period, another tree shall be planted in the immediate area and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

Reason

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'.

13

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 details to be submitted to and approved by the Local Planning Authority. 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 UDP Policies ENV3 'Borough Landscape', ENV3.2 'Minimising the Impact of Development' and ENV3.4 'Trees, Woodlands and Hedgerows'.

14

All tree works shall be carried out in accordance with B.S.3998: 2010 Tree work - Recommendations. The schedule of all tree works shall be approved by the Local Planning Authority before any work commences and 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 2 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'.

Drainage

15

Development shall not begin until a foul and 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, has 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 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
- A maintenance plan including responsibility for the future maintenance of drainage features and how this is to be guaranteed for the lifetime of the development.

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.

16

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'.

Environmental Health

17

Details of any mitigation measures required to meet the following noise levels shall be submitted to and approved by the Local Planning Authority prior to the occupation of the premises hereby approved, and prior to any subsequent occupation by different operator, and the approved measures shall be retained thereafter whilst the relevant operator is occupying the building:

- During the hours of 0700 to 2300 hours, the BS BS4142 rating level, measured over 1 hour, should be 0 dB above the background (LA90) at the nearest noise sensitive properties.
- During the hours of 2300 to 0700 hours the BS BS4142 rating level, measured over 5 minutes should be 0 dB above the background (LA90) at the nearest noise sensitive properties.

Reason

To prevent harm to neighbouring residents in terms of noise nuisance in accordance with UDP Policy ENV3.7 'Control of Pollution.'

18

Prior to occupation of the premises, details of any external lighting to the development shall be submitted to and approved in writing by the Local Planning Authority. The details shall show how the lighting meets the guidance provided by the Institute of Lighting Engineers in their document "Guidance Notes for the Reduction of Light Pollution". The approved lighting details shall be implemented unless otherwise approved in writing by the Local Planning Authority.

Reason

To prevent harm to neighbouring residents in terms of light pollution in accordance with UDP Policy ENV3.7 'Control of Pollution.'

The Development Management Procedure Order 2015 requires that planning authorities provide written reasons in the decision notice for imposing planning conditions that require particular matters to be approved before development can start. Conditions numbered **8,9,13 & 15** of this permission require matters to be approved before development works begin; however, in this instance the conditions are justified because:

i. In the interests of the expedient determination of the application it was considered to be appropriate to reserve certain matters of detail for approval by planning condition rather than unnecessarily extending the application determination process to allow these matters of detail to be addressed pre-determination.

ii. The details required under condition numbers **8,9,13 & 15** are fundamental to the acceptability of the development and the nature of the further information required to satisfy these conditions is such that it would be inappropriate to allow the development to proceed until the necessary approvals have been secured.'

Informatives

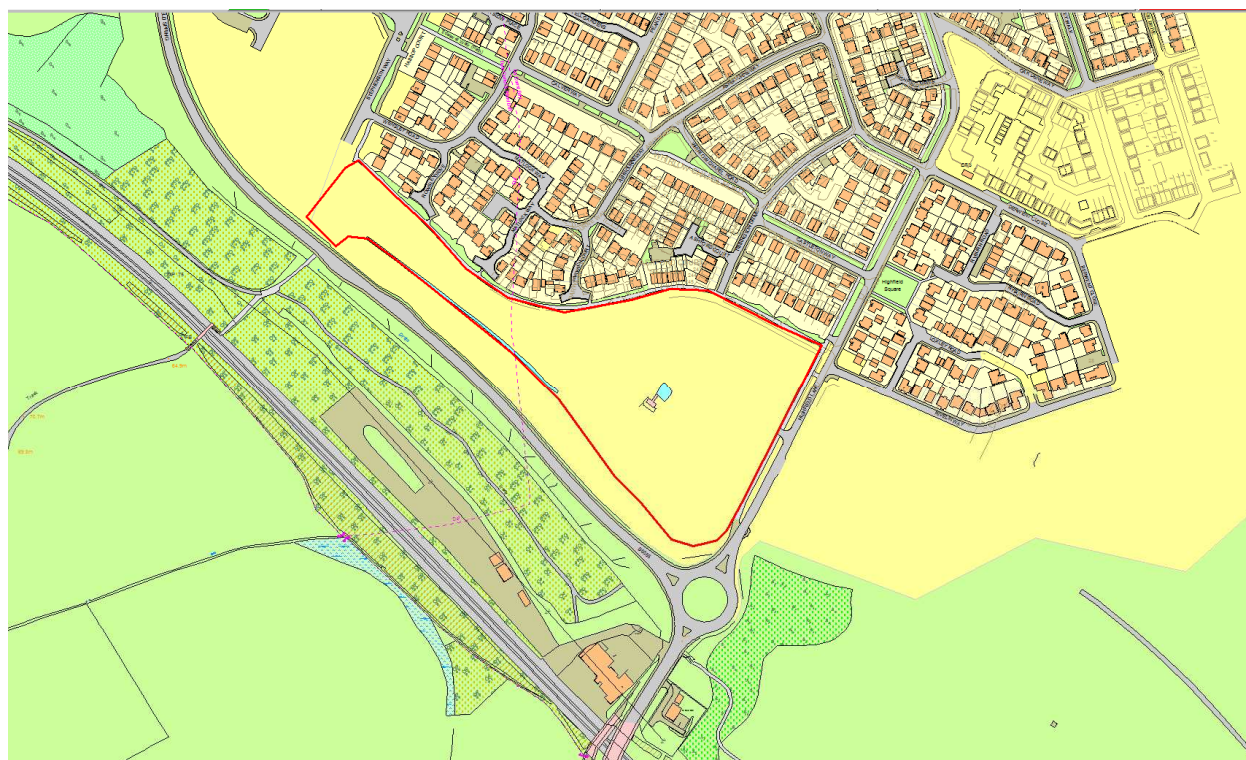
Control of working practices during construction phase

You should note that the Council's Neighbourhood Enforcement have a legal duty to investigate any complaints about noise or dust which may arise during the construction phase. 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 reducing general disturbance by restricting the hours that operations and deliveries take place, minimising dust and preventing mud, dust and other materials being deposited on the highway.

POSITIVE AND PROACTIVE STATEMENT

During the determination of the application, the Local Planning Authority worked with the applicant to consider what additional information was necessary to make the scheme acceptable. The applicant agreed to provide the additional information and the scheme is in accordance with the principles of the National Planning Policy Framework.

Application Number	RB2017/1060
Proposal and Location	Reserved matters application (details of landscaping, scale, access, external appearance and layout) for the erection of 130 dwellinghouses (reserved by outline RB2015/1460) at Waverley New Community, Phase 1I, Highfield Spring, Waverley for Taylor Wimpey Homes.
Recommendation	Grant subject to conditions



This application is being presented to Planning Board as it does not fall within the Scheme of Delegation for minor operations.

Site Description & Location

The site forms part of the wider Waverley New Community and comprises of a parcel of land known as Phase 1I. It is located between the southern boundary of recently constructed residential properties and Highfield Spring. The site has an irregular shape and extends to approximately 4.4ha in size. Existing road infrastructure exists to the north west and south east in the form of Stephenson Way and Highfield Lane.

Development immediately to the north comprises of two and two and a half storey dwellings, all of which are now occupied. A Greenway and planted grass verges exist along the northern boundary of the site which provides a pedestrian and cycle route between Highfield Lane and Stephenson Way. Along the southern boundary is a deep ditch which must be retained for drainage purposes. There are two existing gated accesses into this site within the eastern and south-western boundaries.

A number of residential estates surround the wider site including Orgreave, Catcliffe, Treeton and Handsworth and the Advanced Manufacturing Park (AMP) lies to the north-west of the site, beyond Highfield Spring. Other nearby development along Highfield Spring includes a public house and Sheffield University's training centre.

Background

The site has an extensive history of coal mining and associated industrial activity dating back over 200 years. In conjunction with coal mining taking place, a coke works and bio product plant was built in 1919 and operated until its closure in 1990. Since then a number of planning applications have been submitted for the reclamation and remediation of the site.

Following completion of the remediation works, a number of applications were submitted relating to a new community, the relevant ones are listed below:

- RB2008/1372: Outline application with all matters reserved except for the means of access for a new community comprising residential (3890 units) commercial development (including office, live/work, retail, financial and professional services, restaurants, snack bars and cafes, drinking establishments, hot food takeaways, entertainment and leisure uses and a hotel) and open space (including parkland and public realm, sport and recreation facilities), together with 2 no. 2 form entry primary schools, health, cultural and community facilities, public transport routes, footpaths, cycleways and bridleways, landscaping, waste facilities and all related infrastructure (including roads, car and cycle parking, gas or biofuel combined heat and power generation plant and equipment, gas facilities, water supply, electricity, district heating, telecommunications, foul and surface water drainage systems and lighting). - GRANTED CONDITIONALLY on 16/03/2011
- RB2011/1296: Application under S73 with variation to Conditions 5, 6, 17, 18, 29 (imposed by RB2008/1372) - GRANTED CONDITIONALLY on 30/11/2011
- RB2012/1428: Application under S73 with variation to Condition 26 of RB2011/1296 to increase the trigger point for the implementation of improvements to the A630 Parkway/B6533 Poplar Way/Europa Way junction including details of the works to be undertaken. - GRANTED CONDITIONALLY ON 26/04/2013

- RB2013/0584: Non-material amendment to application RB2012/1428 to include amendments to Conditions 03, 04, 26 and 48 - GRANTED CONDITIONALLY on 26/09/2013
- RB2013/1496: Non-material amendment to RB2012/1428 to change wording of Condition 48 to allow Masterplan Parameters to be updated – GRANTED CONDITIONALLY on 27/11/20139
- RB2014/0775: Application under Section 73 for a minor material amendment to vary conditions 01-06, 08, 12-15, 18, 19, 25, 33, 35, 43, 44, 47 and 48 imposed by RB2012/1428 (Outline application for Waverley New Community) including alterations to the Design & Access Statement & Parameter Plans, the Surface Water Strategy, and with an increase in the trigger points for the submission of an alternative transport scheme to the Bus Rapid Transit and for improvements to the B6066 High Field Spring/Brunel Way – GRANTED CONDITIONALLY on 29/09/2014
- RB2015/1460 - Application to vary Condition 19 (details of improvement to B6066 Highfield Spring/Brunel Way (AMP North) imposed by RB2014/0775 – GRANTED CONDITIONALLY ON 17/12/2015

In addition to the above, a number of Reserved Matters applications have been submitted and subsequently approved amounting to 761 dwellings. This includes the following application which was recently approved on this particular site:

- RB2016/0696 - Reserved matters application (details of landscaping, scale, access, external appearance and layout) for the erection of 105 No. dwellinghouses (including drainage infrastructure) (reserved by outline planning permission RB2015/1460) – GRANTED CONDITIONALLY ON 31/082016

Proposal

The application is for the approval of reserved matters for part of the scheme approved under outline permission RB2015/1460, for Phase 1I of the wider Waverley development. The design of this phase of development is subject to the design code approved for the Highfield Spring (South) Character Area. All matters were reserved at the outline stage and this application seeks approval for details relating to access, appearance, landscaping, layout and scale.

The application seeks permission for 130 residential units consisting of a mixture of 2, 3 and 4 bedroom dwellings which are 2, 2.5 and 3 storeys in height. In accordance with the outline permission, 10% affordable housing is provided which equates to 13 no. units, comprising of 10no. 2 bed dwellings and 3 no. 3 bed dwellings. Vehicular access will be provided from Stephenson Way and Highfield Lane. A number of secondary and tertiary roads will feed off Highfield Lane and Stephenson Way into the development itself.

The layout can be summarised as follows:

- 10 no. 2 bed dwellings, 71 no. 3 bedroom dwellings and 49 no. 4 bedroom dwellings;
- Mixture of terraced, semi-detached and detached dwellings extending to 2, 2.5 and 3 storeys in height;
- Strong built form fronting Highfield Spring and Highfield Lane;
- Boundary treatment consists of a mixture of brick walls where boundaries abut a highway, open space and the Greenway and timber fences in between properties;
- Maintains and respects the existing Greenway along the northern boundary;
- The inclusion of an area of open space within the centre of the development accessed via a linked green area off Highfield Lane;
- Materials include red and buff brick with white render;
- Car parking will be provided in the form of integral and detached garages or on plot provision.

In support of the application, the following documents have been submitted:

Design and Access Statement provides information relating to the design evolution and rationale behind the development and how it complies with the Highfield Spring (south) Design Code taking account of the relevant national and local planning guidance and policy.

Ecological Checklist confirms that disturbance/displacement of ground nesting birds, reptiles and brown hare are the main biodiversity implications however an ecological clerk of works will be appointed to undertake checking surveys prior to commencement and during peak breeding/dispersal periods.

Flood Risk Assessment Report has been prepared in relation to the original FRA dated April 2016. It concludes by stating *'the development of the site should not be precluded on flood risk grounds as the development will not be at risk from existing sources and will not result in an increase in flooding downstream.'*

Noise Assessment concludes by stating *'In considering the NPPF test in section 123, points A & B. The proposed development is not expected to have an 'adverse impact' on health or quality of life. Similarly, with regard to NPPF (123) point B, it is considered that all 'adverse impacts on health and quality of life' (relating to noise) are mitigated by the use of the following measures.*

Mitigation comprises a glazing and ventilation strategy for proposed residential dwellings'.

Geo-environmental Appraisal confirms ground conditions and satisfies outstanding planning requirements according to condition 11 of the outline planning permission.

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) (noted in Appendix B of the Core Strategy). The Rotherham Local Plan 'Publication Sites and Policies' was published in September 2015.

The application site is unallocated in the UDP. In addition, the Rotherham Local Plan 'Publication Sites and Policies' document allocates the site for 'Residential' purposes on the Policies Map. For the purposes of determining this application the following policies are considered to be of relevance:

Core Strategy policy(s):

CS21 'Landscape'
CS28 'Sustainable Design'

Unitary Development Plan 'saved' policy(s):

HG5 'The Residential Environment'
T8 'Access'

The Rotherham Local Plan 'Publication Sites and Policies - September 2015':

SP1 'Sites Allocated for Development'
Reference H54 Waverley New Community

Other Material Considerations

National Planning Practice Guidance (NPPG) - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning practice guidance documents cancelled when this site was launched.

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/Rotherham Local Plan ‘Publication Sites and Policies - September 2015’ policies referred to above are consistent with the NPPF and have been given due weight in the determination of this application. The emerging policies within the Sites and Policies document (September 2015) have been drafted in accordance with both the NPPF and the Core Strategy but await testing during Examination in Public. As such the weight given to these policies is limited in scope depending on the number and nature of objections that have been received.

The application has also been assessed against the requirements of the:

South Yorkshire Residential Design Guide.

Rotherham’s Interim Planning Statement on Affordable Housing.

The Council’s Parking Standards (approved in June 2011).

Publicity

The application was advertised in the press and by individual letters to neighbours. Site notices were also erected on site. No representations have been received.

Consultations

Streetpride (Transportation and Highways) have liaised closely with the applicant during the application process and following the submission of amended plans consider the development to be acceptable from a transportation perspective.

Streetpride (Landscape) have liaised closely with the applicant during the application process and following the submission of amended plans consider the development to be appropriate for this phase of the wider development

Streetpride (Drainage) raise no objections to the proposed development subject to the imposition of a condition requiring the submission of detailed drainage information prior to the commencement of development.

Neighbourhoods (Affordable Housing Officer) accepts that the Affordable Housing requirement will either be met by the delivery of 10 units (10%) on site, or a commuted sum equivalent to 40% of the open market value if the S106 are not purchased by a social housing provider. This 40% of open market value represents the average level of Developer discount offered in this locality. It may be necessary to negotiate a commuted sum in lieu of all of some of the affordable housing units at the time of completion.

Neighbourhoods (Urban Design) made comments on the initial layout relating to the relationship of dwellings with the Greenway and Open Space, together with the location of the apartment block and pedestrian access into the existing development to the north. Following the submission of an amended layout and landscape plan, earlier comments are now addressed and the development is now considered to be appropriate for this site.

Environmental Health (Land Contamination) agrees with the conclusions of the submitted Geo-environmental Appraisal and on that basis raises no objections subject to conditions.

Environment Agency No comments received

Yorkshire Water No Comments received.

Highways Agency offer no objections to the proposed development.

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 site has planning permission for residential development as part of a wider mixed use outline planning permission that was originally approved in March 2011 under outline application RB2008/1372 and has been renewed in April 2013 under application RB2012/1428, again in September 2014 under RB2014/0775 and again in December 2015 under RB2015/1460. The principle of residential development has therefore been established and is considered to be acceptable.

The main issues in the determination of the current application therefore are the following –

- Design and layout
- Impact on neighbouring amenity
- Compliance with the Design Code
- Highway Safety and Transportation Issues
- Flood Risk and drainage
- Landscaping, Green Infrastructure Provision and Ecology
- Geotechnical & land Contamination Issues
- Affordable Housing
- Planning Obligations

Design and Layout

Policy HG5 of the adopted UDP encourages the use of best practice in housing layout and design in order to provide high quality developments. This approach is also echoed in National Planning Policy in the NPPF.

The NPPF at paragraph 17 requires development to always seek a high quality of design, while paragraph 56 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 for making places better for people.” In addition paragraph 57 states: “It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.”

In addition, CS policy 21 ‘Landscapes’ states new development will be required to safeguard and enhance the quality, character, distinctiveness and amenity value of the borough’s landscapes. Furthermore, CS policy 28 ‘Sustainable Design’ indicates that 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 within 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. Moreover it states design should take all opportunities to improve the character and quality of an area and the way it functions.

The South Yorkshire Residential Design Guide aims to provide a robust urban and highway design guidance. It promotes high quality design and development which is sensitive to the context in which it is located.

The application site forms Phase 1I of the wider Waverley development and is located immediately to the south of previously consented sites which are now complete. The layout comprises a mix terraced, semi-detached and detached dwellings. The properties are proposed to be 2, 2.5 and 3 storeys in height.

The layout of this phase of development follows the general principles set out in the masterplan in that it incorporates a key frontage along Highfield Spring and respects the existing Greenway along the northern boundary. The Highfield Spring frontage provides a key interface between Highfield Spring and the built development and incorporates a number of 2.5 and 2 storey detached and semi-detached dwellings. The siting of these dwellings have ensured consistent spacing which have assisted in creating a natural rhythm to the streetscene, which will stand in contrast to more varied streets internally. All car parking is located on plot in either integral or detached garages, accessed off a proposed new estate road which will run parallel with Highfield Spring.

Having regard to the Greenway frontage, this forms the northern edge of the site and is the interface with the existing built development. This area is considered to be a key route and any development abutting it should maintain safe and secure green links through the provision of improved surveillance. The site, towards the Stephenson Way boundary, narrows considerably and has resulted in significant challenges when planning the layout of this phase of development. The regulating plan acknowledges that Highfield Spring is the primary frontage where the built form should result in a strong built form, however given the width of the site at this point this has resulted in rear boundaries abutting the Greenway. This arrangement is not ideal, however the rear boundaries have been set in from the Greenway and an adequate landscape buffer has been provided which, together with the orientation and set back of existing properties on the existing built development, will ensure that the Greenway will maintain an open feel and natural surveillance will be maintained from existing properties in this location. Elsewhere along the Greenway, properties have been designed to front on to this important link and pedestrian access along its entire length has been incorporated into the proposed layout for ease of movement.

Two blocks of 2 and 2.5 storey terraced properties are shown on the junction of Stephenson Way and Highfield Spring; which will front on to a block of apartments on the adjoining parcel of land, on the opposite side to Stephenson Way and will act as an entrance into the site from this access point. It is proposed to use a mix of red brick and white render on both the Highfield Spring and Stephenson Way elevations which reflect the materials proposed elsewhere on this parcel of development. The siting and orientation of these blocks are considered to be a suitable solution to this future access into the site and reflects the aspirations set out in the Design Code.

The remainder of the development i.e. 'The Internal Streets' are less formal than the Highfield Spring and Greenway streets and comprise of a mix of building types at 2 storey's in height. A variety of materials including red and buff brickwork alongside white render similar to that previously approved in the Waverley Central and Highfield Spring Character Areas are proposed, alongside soft landscaped front gardens without any formal means of enclosure. Rear gardens onto internal streets which result from outward facing development benefit from robust boundary treatments comprising 1800mm brick walls.

In addition to the above an area of open space is proposed within the centre of the site. The location of this area is dictated by the existence of the underground Handsworth Beck which renders this area of land undevelopable. Despite this, its location provides an opportunity to extend and contribute to a series of linked spaces that provide legibility and interest between the junction of Highfield Spring to the south and the Waverley Walk/School intersection to the north.

Having regard to all of the above, it is considered that the layout and design of the proposed development offers an acceptable balance between achieving an efficient use of the land available whilst safeguarding a satisfactory provision of individual private amenity space for each dwelling. Furthermore, it is considered to accord with the general principles and goals set out in the NPPF and the applicants, through the submission of amended plans, have demonstrated a concerted effort to achieve a well-designed scheme that respects the existing built form.

Impact on neighbouring amenity

The NPPF notes at paragraph 17 that: "Within the 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."

The SYRDG further advocates that a common minimum rear garden or amenity space distance of about 10 metres in depth.

The proposed residential units on this phase of development comprise of a mixture of 2, 3 and 4 bedroom dwellings which are 2, 2.5 and 3 storeys in height. The site is located immediately to the south of properties along the existing Greenway, which consist of 2 and 2.5 storey dwellings. Separation distances between the existing and proposed built form vary along the length of the greenway, however the vast majority maintain the minimum separation distances of 12m between habitable room windows and blank elevations and 21m between habitable room windows. These distances, together with the comparable scale of the proposed units is considered to be acceptable and will not have an unacceptable impact on the living conditions of existing residents. It is however acknowledged that in an attempt to provide an active frontage to the Greenway, additional windows have been placed in the side elevations of some of the proposed dwellings, most notably Plots 1, 13, 14, 52, 53, 55 and 86, however these windows are either small secondary windows or serve non habitable rooms. This together with the separation distances being achieved (ranging from 12m – 22m) are considered to be acceptable in this instance and would not have an unacceptable impact on the amenity of existing residents.

With regard to the impact of the proposal on the amenity of future residents of the development, it is noted that the South Yorkshire Residential Design Guide (SYRDG) provides minimum standards for internal spaces which includes 62sqm for 2 bed properties, 77sqm for 3 bed properties and 93sqm for 4 bed properties. All of the house types proposed have been designed to adhere to these space standards and each dwelling will have private rear gardens and be within easy reach of the wider open space adjacent the lakes. Adequate space about dwelling distances have also been achieved in line with the guidance in order to ensure that amenity value is high for residents with no potential for overshadowing or loss of privacy.

Having regard to all of the above and on balance, it is considered that the amended layout and proposed dwellings would conform with the advice guidance set out in the SYRDG and paragraph 17 of the NPPF.

Compliance with the Master Plan Development Framework and Principles Document and Design Code

The Master Plan Development Framework and Principles Document was submitted and subsequently approved to replace the previously approved Design and Access Statement under ref: RB2014/0775. This document clarifies the changes proposed to the next phase of development and explains how it ties in with the wider new community scheme. Included within this document is a chapter providing details of land use, which states that *'the development will provide a mix of dwellings in terms of size and tenure to meet local needs. The overall indicative mix for private market dwellings will include 1 and 2 bed apartments through to 4 and 5 bed family houses. The mix responds to local market conditions as well as achieving a development appropriate and responsive to the immediate context'*. The proposed development at Phase 1I includes a mix of house types in accordance with this requirement, including 2, 3 and 4 bed dwellings.

Other chapters include details on 'Massing' and 'Character Areas'. This Phase of development falls within the Highfield Spring (South) character area which identifies the density of this area to be between 30 to 35 dwellings per hectare and confirms that *'The existing density of 30-35dph and predominately 2 storey, detached and semi-detached properties will be continued across Highfield Spring.'*

The development proposes a total of 130 residential units on a net developable area of 3.3ha, which equates to 39.4 dwellings per hectare, marginally higher than the agreed density range established in the Masterplan Development Framework. The density achieved (based on the Net developable area) exceeds this aspiration for the site whilst also providing high quality public open space. Many areas of the site are considered undevelopable however the utilisation of smaller family accommodation together with the larger detached types allows for a greater than anticipated density to be achieved. Having regard to this and on balance it is considered that that the density is considered acceptable in this instance.

The height of the proposed units range from 2 to 3 storeys in height, with a number of 2.5 storey semi-detached dwellings located around the Highfield Spring/Highfield Lane intersection. The use of these units assist in the provision of this primary frontage as required by the Masterplan Framework document and as such creates a strong perimeter structure.

The design code for this phase of development was submitted in response to the requirement of Condition 3 of the outline approval (RB2015/1460). This document provides a set of parameters which any detailed design proposal within these phases must adhere to. It sets out essential elements that must be delivered to implement the masterplan and are intended to be a mechanism to coordinate the implementation of different elements within the development and provide a framework for the entire site.

The applicants have prepared a design and access statement which amongst other things sets out how the development accords with the rules and parameters set out in the Design Code. As previously stated the proposed layout incorporates a primary frontage and respects the character of the Greenway. The layout also responds to the requirements in the code with respect to building lines, scale, architectural style, materials, boundary treatment and street widths.

Additionally, the layout identifies different street types including the use of landscaping features and pedestrian links as identified in the Design Code. The street scenes and separation distances between residential dwellings accord with the parameters of the approved Design Code and use of strong frontages along the Highfield Spring/Lane ensure that the proposed development is in full compliance with the rules and parameters of the approved Design Code for this Phase of development and the overriding Master Plan Development Framework and Principles Document.

Highway Safety and Transportation Issues

A Transport Assessment (TA) was submitted in support of the original outline application which analysed traffic movements associated with the proposed new community on the local and strategic network and set out trigger points for improvements to various junctions around the site. The TA demonstrated that all existing and proposed junctions will operate safely whilst there is sufficient capacity within the network to accommodate any traffic generated by the proposals and these findings are accepted. It is therefore considered that the proposals would not result in harm to highway safety, subject to conditions.

A Travel Plan was submitted and subsequently approved as part of the outline planning application. This includes a range of measures to be incorporated into the overall design to encourage the use of sustainable modes of transport. It seeks to:

- Employment of a Travel Plan Coordinator
- Provision of Real Time Information Systems in apartment blocks and strategic locations across the site.
- Provision of Car Club facilities (min 2 cars) within the site and free membership for all occupants for the first year of their occupation.
- Prior to the completion of 600 dwellings provision of a scheme enabling residents to book use of free bicycles. A minimum of 20 bicycles will be provided in the first instance.
- Travel Packs shall be issued to residents on the purchase of homes at the site.
- Subsidised Bus Fares - On first occupation each household to receive free an annual SYPTD Developers Travel Mastercard

It is considered that these proposals are acceptable, and should be subject to monitoring and review, in order to ensure their effectiveness and identify any further action/measures.

Turning to the issue of car parking provision, all properties have in curtilage provision in the form of driveways and integral or detached garages consistent with the Council's minimum standards for 2, 3 and 4 bedroom units.

In general, the site has good access to public transport and local facilities, having bus stops located directly to the south west of the site on Highfield Spring and whilst not forming part of this application, the landowner, Harworth Estates have indicated that a pedestrian access could be formed from the site, over the drainage channel to Highfield Spring for ease of access. Additionally, residents have the benefit of taking advantage from measures within the Waverley Travel Plan which seeks to promote more sustainable travel.

Taking all of the above into consideration, it is considered that this proposed reserved matters application has had regard to the principles approved as part of the outline permission and the proposed layout has been designed in accordance with the guidance set out in the South Yorkshire Residential Design Guide. For these reasons it is considered that the proposed development will not have a detrimental impact upon highway safety and the proposal complies with UDP Policy T6 and policies with the NPPF.

Flood Risk and Drainage

An Outline Surface Water Strategy Report was submitted as part of the outline application for the entire Waverley site and a Flood Risk Assessment Report has been submitted in support of this Reserved Matters application.

This Report has been prepared to address a condition of the outline permission which requires the development to be carried out in accordance with the approved Outline Surface Water Strategy. The report confirms that the site falls within land assessed as having less than a 1 in 1000 annual probability of river or sea flooding in any year (less than 0.1%), therefore all uses of the land are appropriate within this zone but an assessment of the effect of surface water run-off will need to be incorporated in any Flood Risk Assessment.

It is noted that a field drain is located within the development parcel adjacent to Highfield Spring, which forms the southern boundary. This field drain flows in a south easterly direction towards Highfield Lane roundabout and is open channel for its entire reach through the development parcel. The channel and banks of the field drain are predominately V-shaped, creating a storage capacity.

Taking the above into account, it is considered that the risks of flooding to the site have not changed from those identified within the original FRA and it is therefore considered that the reserved matters proposal satisfactorily conforms with the detail set out in the original Outline Surface Water Strategy and its later addendums as well as advice contained within the NPPF.

Landscaping, Green Infrastructure Provision and Ecology

The NPPF advises at paragraph 117 that: *“To minimise impacts on biodiversity and geodiversity, planning policies (amongst others) should:*

- *promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to national and local targets, and identify suitable indicators for monitoring biodiversity in the plan.”*

Core Strategy Policy CS20 ‘Biodiversity and Geodiversity’ states: *“The Council will conserve and enhance Rotherham’s natural environment. Biodiversity and geodiversity resources will be protected and measures will be taken to enhance these resources in terms of nationally and locally prioritised sites, habitats and features and protected and priority species. Priority will be given to: (amongst other things)*

c. Conserving and enhancing populations of protected and identified priority species by protecting them from harm and disturbance and by promoting recovery of such species populations to meet national and local targets;

l. Ensuring that development decisions will safeguard the natural environment and will incorporate best practice including biodiversity gain, green construction, sustainable drainage and contribution to green infrastructure.”

The landscape proposal for the development has been designed in accordance with the content of the Design Code which states *“High quality surface materials should be used to enhance public realm and encourage pedestrian activities. Hard and soft landscaping treatment and tree planting should be used where appropriate.”*

In this regard a series of landscaping plans support the application which shows an area of open space adjacent to Highfield Lane and extending to a central area within the site. This area is undevelopable due to various ground conditions and the Handsworth Beck easement and therefore provides an opportunity to incorporate an area of open space. It is proposed to have a central activity space which will form a focus to the development and an important recreational space for this part of the wider Waverley development. Earth mounding and groups of trees will enclose the space and act as a buffer to the surrounding streets, creating a comfortable space for informal play. Feature shrub and tree planting on the street corners are also proposed in addition to groups of pine trees with shrub under planting. Running through the space are a number of footpaths and seating areas which are designed to reflect the contemporary appearance of the development.

A pedestrian green corridor links from Highfield Lane to the open space and further west. Shrub and tree planting will punctuate the entrance to the corridor and 2 No. sculpture features are proposed, these are to form pedestrian scale waymarking features at each end of the pedestrian route through the site. The sculptures are to be produced in metal work by a local artist to an agreed theme and their delivery be secured by the imposition of a condition.

The open space will be overlooked by a number of proposed properties ensuring that natural surveillance will be achieved.

The layout of the scheme also respects the existing Greenway which is located directly to the north of the site; this currently acts as a well-used pedestrian and cycle way linking Highfield Lane with Stephenson Way. Many of the proposed properties have been orientated to front on to this important link; however where this has not been possible due to the narrow width of the site a landscaping buffer has been proposed which will comprise of extra heavy standard trees and ornamental shrub planting which will give a feeling of openness when travelling along the Greenway. Footpath links from the proposed development onto the Greenway have also been included into the scheme to allow ease of access between the existing and proposed built form whilst also allowing access onto the Greenway itself.

It is noted that no landscaping is proposed along the Highfield Spring frontage, other than the planting within front gardens, however the site is set back from the highway due to the location of an open drainage channel which runs parallel with Highfield Spring. This consists of a grassed ditch which is screened from view by a semi mature laurel hedge located at the back edge of the footpath. It is therefore considered that sufficient landscaping exists outside of the red line boundary to provide a well thought out landscape scheme which enhances the built development when viewed from this public vantage point.

The Council's landscape architect has assessed the proposals in line with the requirements of the Design Code and is happy that the proposal is in accordance with the document. It is therefore considered that the proposal is acceptable in terms of landscaping.

Turning to the issue of management and maintenance, there is a requirement under the outline S106 agreement to establish a management company to maintain all areas of open space within Waverley New Community. This has been established by Harworth Estates as the main landowner and will fund a maintenance regime for the landscaping features spaces within Phase 11.

Having regard to the above, it is considered that sufficient landscaping and green infrastructure has been proposed within this phase of the development to contribute to the appearance of the proposed development and its appearance within the Waverley development as a whole.

Turning now to the ecological impact of the proposed development, the original outline application was accompanied by an Environmental Statement and a full Environmental Impact Assessment was carried out. The report considered the key environmental impacts including the impact of development on ecology and biodiversity. In addition to the Ecology Assessment, the applicant also submitted a Biodiversity Action Plan and an Ecological Management Strategy. The Ecological Assessment described those habitats and species present on and adjacent to site and assessed the impacts on those habitats to be created through the restoration proposals. The baseline conditions relating to habitats and species were identified through desktop surveys of national and local databases and from field surveys.

The checklist accompanying the reserved matters application is a validation requirement and has been completed by the same consultant who prepared the ecological information for the outline application. This checklist confirms that breeding bird survey is underway and will supplement the other surveys that have been carried out on an annual basis since 2012. Further monitoring surveys for breeding birds, bats, brown hare and wintering birds are also currently underway. In addition, an ecological clerk of works will be appointed to undertake checking surveys prior to commencement and during peak breeding/dispersal periods.

Having regard to the above, it is considered that adequate safeguards are to be put in place and sufficient information is available in the form of annual surveys which review species and habitat and as such the development is not considered to have an unacceptable impact on ecology in accordance with guidance contained within the NPPF.

Geotechnical & land Contamination Issues

The NPPF notes at paragraph 120 that: *“Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.”*

The NPPF further advises at paragraph 121 that; *“Planning policies and decisions should also ensure that:*

- *the site is suitable for its new use taking account of ground conditions and land instability, including from natural hazards or former activities such as mining, pollution arising from previous uses and any proposals for mitigation including land remediation or impacts on the natural environment arising from that remediation;*
- *after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and*
- *adequate site investigation information, prepared by a competent person, is presented.”*

The application is accompanied by a Geo-environmental Appraisal, this report details the site's history of open cast mining and later compaction work and settlement data. It then goes on to consider contamination in the context of future development.

Having regard to the ground conditions, the aforementioned report states that *“Foundation options have been previously considered by RSK across the site, with the findings submitted to the NHBC. Reinforced spread foundations are considered suitable across the site. Foundation excavations may encounter boulders, excavations will require overdeepening where boulders are removed. It is recommended that foundation excavations are inspected to confirm the absence of boulders, this approach has been undertaken on other development phases at Waverley. From consideration of results for brownfield a Design Sulphate Class of DS-4, has been adopted for the site in accordance with BRE guidance. From consideration of the characteristic pH value, an Aggressive Chemical Environment for Concrete classification of AC-4s should be assumed for design purposes. The preliminary recommended sub-grade soil CBR value for road pavement design is 2% based on the ground conditions encountered. The sub-grade soils are regarded as frost susceptible and therefore sub-base of no less than 450mm is required.”*

The Council's Land Contamination Officer has been consulted on the application and raises no objections to the proposed development subject to the imposition of conditions.

Affordable Housing

The application includes the provision of 10% affordable housing, which is consistent with the outline consent for this phase of development (up to 915 dwellings) and equates to 13 units comprising of 10 x two bedroom and 3 x three bedroom dwellings. The size, siting and tenure of the housing is acceptable and is considered to be in accordance with the Councils Affordable Housing IPS.

Planning Obligations

Paragraph 204 of the NPPF notes that: “Planning obligations should only be sought where they meet all of the following tests:

- necessary to make the development acceptable in planning terms
- directly related to the development and
- fairly and reasonably related in scale and kind to the development.

In this instance the planning obligations and their associated trigger points for their delivery were set as part of the approved outline permission (ref: RB2008/1372). These included the affordable housing provision, financial contributions towards education provision, delivery of green infrastructure and play areas, public transport and sustainable methods of travel.

The trigger points for many of the obligations are not met by the delivery of Phase 11 of this development (bringing the total number of dwellings with detailed planning consent to 893) and in accordance with clause 7.11 of the original agreement, the legal agreement attached is to proportion as appropriate the obligations, covenants and rights equitably between the Land and the area disposed of and requires the provision of the following:

- 10% affordable housing provision (Phase 1 of the development),
- provision of a Travel Card for each household
- payment of £5.04m towards construction of School 1 upon occupation of 750 dwellings (expected to be triggered in May 2018 based on current occupation rates)

These obligations are in full compliance with the original S106 which were considered acceptable when the application was presented to Members of the Planning Board in January 2011.

Having regard to the above it is considered that the above obligations meet the criteria set out in a Paragraph 204 of the NPPF and are therefore considered to be acceptable and in full compliance with the requirements of the original S106 Agreement.

Conclusion

The principle of residential development on this site has been established under outline permission RB2008/1372, and renewed under RB2014/0775 and RB2015/1460 and is considered to be acceptable.

The overall layout of the site offers an acceptable balance between achieving an efficient use of the land available as recommended in the NPPF whilst safeguarding a satisfactory provision of individual private amenity space for each dwelling. The design of the proposed scheme as a whole is considered to have regard to the approved Masterplan Framework and Principles Document and the Highfield Spring (South) Design Code whilst taking account of later phases of development.

A variety of house types and sizes have been provided with an appropriate level of affordable housing provision. The applicants have also specifically designed certain areas to create a varied street scene and utilised the use of effective boundary planting where appropriate.

There are no objections to the proposals from the Council's Transportation Unit. Internal layout geometries have been set out in accordance with the South Yorkshire Residential Design Guide and Manual for Streets. The provision of Travel Master Passes and the implementation of a Travel Plan will ensure varied means of non-car mode travel is available to future residents.

The application site is not located within a Flood Zone. A comprehensive Flood Risk Assessment and Surface Water Drainage Strategy were submitted and approved as part of the outline approval and an addendum was submitted in support of this current application. A number of conditions regarding the submission of further details of foul and surface water drainage are to be attached to any permission.

In terms of the landscaping within the site, the applicants have submitted a landscaping proposal to accompany the application. There are no objections to the proposed planting schemes.

The applicants have indicated that they intend to provide 10% affordable housing units (13 in total) across this phase of the development and have indicated that these will be in the form of 2 and 3 bed units. This is in line with the approved percentage for the first phase of the wider development.

Conditions

The Development Management Procedure Order 2015 requires that planning authorities provide written reasons in the decision notice for imposing planning conditions that require particular matters to be approved before development can start. Conditions numbered 6, 8, 10, 11, 14 & 20 of this permission require matters to be approved before development works begin; however, in this instance the conditions are justified because:

- i. In the interests of the expedient determination of the application it was considered to be appropriate to reserve certain matters of detail for approval by planning condition rather than unnecessarily extending the application determination process to allow these matters of detail to be addressed pre-determination.
- ii. The details required under condition numbers 6, 8, 10, 11, 14 & 20 are fundamental to the acceptability of the development and the nature of the further information required to satisfy these conditions is such that it would be inappropriate to allow the development to proceed until the necessary approvals have been secured.'

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) except as shall be otherwise agreed in writing by the Local Planning Authority.

Location/Site Layout

- 02 / Location Plan - Dwg No. P16:5041:02
- 03 / proposed site sections - Dwg No. P16:5041:03 – A
- Proposed Site Layout – Dwg No. P16:5041:01 - G
- Proposed Site Layout – Materials Plan – Dwg No. P16:5041:MP - B
- Proposed Streetscenes - Dwg No. P16:5041:04 - E

Sections

- Longitudinal Sections Sheet 1 of 4 – Dwg No. 40-02-01 Rev P1
- Longitudinal Sections Sheet 2 of 4 – Dwg No. 40-02-02 Rev P1
- Longitudinal Sections Sheet 3 of 4 – Dwg No. 40-02-03 Rev P1
- Longitudinal Sections Sheet 4 of 4 – Dwg No. 40-02-04 Rev P1
- Adoptable Drainage Layout 40-01 Rev P1

House Types

- 32 / PB35/YC41 – Elevations – Dwg No. P16:5041:32 – C
- 68 / PA34 – Elevations – Dwg No. P16:5041:68
- 75 / PB41 – Plans – Dwg No. P16:5041:75
- 74 / PB41 – Elevations – Dwg No. P16:5041:74
- 69 / PA34 – Plans – Dwg No. P16:5041:69
- 73 / PB35 – Plans – Dwg No. P16:5041:73
- 72 / PB35 – Elevations – Dwg No. P16:5041:72
- 70 / PB35 – Elevations – Dwg No. P16:5041:70
- 71 / PB35 – Plans – Dwg No. P16:5041:71
- 14 / PA25 – Elevations – Dwg No. P16:5041:14 – A
- 13 / PA25 – Plans – Dwg No. P16:5041:13 – A
- 12 / PA25 – Elevations – Dwg No. P16:5041:12 - A
- 40 / PB41 – Elevations – Dwg No P16:5041:40 – A
- 17 / PT310/PA25/PA25/PA30 – Plans – Dwg No. P16:5041:17 – B
- 16 / PT310/PA25/PA25/PA30 Elevations – Dwg No. P16:5041:16 – B
- 11 / PA30/PA25 – Plans – Dwg No. P16:5041:11 – A
- 10 / PA30/PA25 – Elevations – Dwg No. P16:501:10 – A
- 64 / PD411 – Elevations – Dwg No. P16:5041:64 – A
- 62 / PD411 – Elevations – Dwg No. P16:5041:62 – A
- 60 / PD411 – Elevations - Dwg No. P16:5041:60 – A
- 58 / PD411 – Elevations - Dwg No. P16:504158 – A
- 56 / PA48 – Elevations - Dwg No. P16:5041:56 – A
- 54 / PA48 – Elevations - Dwg No. P16:5041:54 – A
- 52 / PA48 – Elevations - Dwg No. P16:5041:52 – A
- 50 / PA48 – Elevations - Dwg No. P16:5041:50 – A
- 48 / PD410 – Elevations - Dwg No. P16:5041:48 – A
- 46 / PD410 – Elevations - Dwg No. P16:5041:46 – A
- 44 / PD410 – Elevations – Dwg No. P16:5041:44 – A
- 42 / PD410 – Elevations - Dwg No. P16:5041:42 – A

- 66 / PD49 – Elevations - Dwg No. P16:5041:66
- 36 / PD49 – Elevations - Dwg No. P16:5041:36 – A
- 34 / PD49 – Elevations - Dwg No. P16:5041:34 – A
- 38 / PB41 – Elevations - Dwg No. P16:5041:38 – A
- 30 / PB35 – Elevations - Dwg No. P16:5041:30 – A
- 28 / PB35 – Elevations - Dwg No. P16:5041:28 – A
- 65 / PD411 – Plans - Dwg No. P16:5041:65
- 63 / PD411 – Plans - Dwg No. P16:5041:63
- 59 – PD411 – Plans - Dwg No. P16:5041:59
- 57 / PA48 – Plans - Dwg No. P16:5041:57
- 58 / PA48 – Plans - Dwg No. P16:5041:55
- 53 / PA48 – Plans - Dwg No. P16:5041:53
- 51 / PA48 – Plans - Dwg No. P16:5041:51
- 49 / PD410 – Plans - Dwg No. P16:5041:49
- 47 / PD410 – Plans - Dwg No. P16:5041:47
- 45 / PD410 – Plans - Dwg No. P16:5041:45
- 43 / PD410 – Plans - Dwg No. P16:5041:43
- 41 / PB41 – Plans - Dwg No. P16:5041:41
- 39 / PB41 – Plans - Dwg No. P16:5041:39
- 37 / PD49 – Plans - Dwg No. P16:5041:37
- 35 / PD49 – Plans - Dwg No. P16:5041:35
- 33 / PB35/YC51 – Plans - Dwg No. P16:5041:33
- 31 / PB35 – Plans - Dwg No. P16:5041:31
- 29 / PB35 – Plans - Dwg No. P16:5041:29
- 27 / PA34 – Plans - Dwg No. P16:5041:27
- 25 / PA34 – Plans - Dwg No. P16:5041:25
- 23 / PA34 – Plans – Dwg No. P16:5041:23
- 21 / PA34/PT310 – Plans - Dwg No. P16:5041:21
- 19 / PT310/PA34 – Plans - Dwg No. P16:5041:19
- 15 / PA25 – Plans - Dwg No. P16:5041:15
- 26 / PA34 – Elevations - Dwg No. P16:5041:26
- 24 / PA34 – Elevations - Dwg No. P16:5041:24
- 22 / PA34 – Elevations - Dwg No. P16:5041:22
- 20 / PA34/PT310 – Elevations - Dwg No. P16:5041:20
- 18 / PT310/PA34 – Elevations - Dwg No. P16:5041:18
- P16-5041-03 - Site Sections (REV A) - 14.06.17
- P16-5041-13 - PA25 (AS-AS-OP) - Rev A - 14.06.17
- P16-5041-67 - PA49 (OP) (Aw) - Rev 0 - 30.05.17
- P16-5041-61 - PD411 (OP) - Rev 0 - 30.05.17

Landscape

- 101 / Landscape Proposals Sheet 1 of 3 – Dwg No. P16 5041 101 Rev B
- 102 / Landscape Proposals Sheet 2 of 3 – Dwg No. P16 5041 102 Rev B
- 103 / Landscape Proposals Sheet 3 of 3 – Dwg No. P16 5041 103 Rev B

Garage & Boundary Treatments

- 05 / Garage Details - Dwg No. P16:5041:05
- 06 / Brickwall - Dwg No. P16:5041:06 – A
- 09 / Knee High Rail - Dwg No. P16:5041:09
- 08 / Metal Railings - Dwg No. P16:5041:08
- 07 / Timber fence - Dwg No. P16:5041:07

Reason

To define the permission and for the avoidance of doubt.

03

No above ground development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The details shall include the construction of a sample panel on site to include the correct colour mortar and window frames. The development shall be carried out in accordance with the approved details.

Reason

To ensure that appropriate materials are used in the construction of the development in the interests of visual amenity and in accordance with Policy CS28 'Sustainable Design'

TRANSPORTATION

04

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

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

The area shall thereafter be maintained in a working condition.

Reason

To ensure that surface water can adequately be drained 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.

05

Before the development is brought into use the car parking areas shown on the s Proposed Site Layout – Dwg No. P16:5041:01 – G shall be provided, marked out and thereafter maintained for car parking.

Reason

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

06

Before the development is commenced road sections, constructional and drainage details shall be submitted to and approved by the Local Planning Authority, and the approved details shall be implemented before the development is completed.

Reason

No details having been submitted they are reserved for approval.

07

All garages hereby permitted shall be kept available for the parking of motor vehicles at all times.

Reason:

In order to ensure that adequate parking provision is available and to minimise on-street parking, in the interests of visual amenity and highway safety.

DRAINAGE

08

Development shall not begin until a foul and 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, has 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 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
- A maintenance plan including responsibility for the future maintenance of drainage features and how this is to be guaranteed for the lifetime of the development.

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.

09

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'.

10

A flood route drawing showing how exceptional flows generated within or from outside the site will be managed including overland flow routes and design of buildings to prevent entry of water, shall be submitted to and approved by the Local Planning Authority and the development shall not be brought into use until such approved details are implemented.

Reason

To ensure that the development can be properly drained in accordance with UDP policies ENV3.2 'Minimising the Impact of Development' and ENV3.7 'Control of Pollution'.

GROUNDWATER / CONTAMINATION AND GROUND CONDITION

11

Prior to the commencement of development, details of gas protection measures comprising:

- a) a cast in situ floor slab with a lapped and taped minimum 1200g membrane (reinforced); or
- b) a beam and block or pre cast floor slab with a lapped and taped minimum 2000g membrane; and
- c) under floor venting in combination with either of (a) or (b) above
- d) All joints and penetrations should be sealed

Shall be submitted to and approved in writing by the local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason

To ensure that risks from land contamination to the future users of the land and neighboring 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. In accordance with UDP Policy ENV3.7 'Control of Pollution'.

12

Installation of the gas protection measures approved as a requirement of condition 11, shall be verified by an independent third party and a validation report is to be forwarded to this Local Authority for review and comment.

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. In accordance with UDP Policy ENV3.7 'Control of Pollution'.

13

If subsoil and topsoil is imported to site for remediation/land raising works and garden areas, then these soils shall be tested at a rate and frequency to be agreed with the Local Planning Authority to ensure they are free from contamination. If materials are imported to the site then the results shall thereafter be presented to the Local Planning Authority 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. In accordance with UDP Policy ENV3.7 'Control of Pollution'.

14

If during development, contamination not previously identified is found to be present at the site, then no further development shall be carried out in the vicinity of the impact until the development has submitted and obtained written approval from the Local Planning Authority for a strategy detailing how this unsuspected contamination shall be dealt with.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. In accordance with UDP Policy ENV3.7 'Control of Pollution'.

15

Following completion of any remedial/ground preparation works a Validation Report shall be submitted to and approved in writing by the Local Planning Authority. The validation 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 validation report together with the necessary documentation detailing what waste materials have been removed from the site. Evidence of the concrete specification used and water supply pipes installed will also need to be provided. The site shall not be brought into use until such time as all validation data has been approved by the Local Planning 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

ENVIRONMENTAL

16

Throughout the construction phases of development and except in cases of emergency, no operation that is likely to give rise to noise nuisance or loss of amenity shall take place on site other than between the hours of 0730 to 1800 Monday to Friday and between 0800 to 1300 on Saturdays.

Operations which give rise to noise nuisance shall not be carried out on Sundays, Public Holidays or outside normal weekday working hours. 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 shall be notified at the earliest opportunity of the occurrence of any such emergency and a schedule of essential work shall be provided.

Reason

In the interests of the amenity of the locality and in accordance with UDP Policy ENV3.7 'Control of Pollution'.

17

Throughout the construction phases of development all machinery and vehicles employed on the site shall be fitted with effective silencers of a type appropriate to their specification and at all times the best practicable means shall be employed to prevent or counteract the effects of noise emitted by vehicles, plant, machinery or otherwise arising from on-site activities.

Reason

In the interests of the amenity of the locality and in accordance with UDP Policy ENV3.7 'Control of Pollution'.

LANDSCAPE & ECOLOGY

18

Prior to the commencement of development a biodiversity mitigation statement, including a schedule for implementation, shall be submitted to and approved by the Local Planning Authority. The statement should include details of all measures given in the Waverley Ecological Checklist – Pre Work Assessment for Housing Development Phase 1I (03.07.2017) and shall thereafter be implemented in accordance with the agreed statement before the development is brought into use.

Reason

In the interest of biodiversity at the site in accordance with Policies in the NPPF.

19

Landscaping of the site as shown on the approved plans (Landscape Proposals Sheet 1 of 3 Ref: P16 5041 101, Landscape Proposals Sheet 2 of 3 Ref: P16 5041 102, Landscape Proposals Sheet 3 of 3 Ref: P16 5041 103) 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 CS 21 'Landscapes' and UDP Policies ENV3 'Borough Landscape', ENV3.2 'Minimising the Impact of Development' and ENV3.4 'Trees, Woodlands and Hedgerows'

20

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. 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 CS 21 'Landscapes' and UDP Policies ENV3 'Borough Landscape', ENV3.2 'Minimising the Impact of Development' and ENV3.4 'Trees, Woodlands and Hedgerows'

21

Prior to the occupation of the 65th dwelling, details of the proposed artwork/sculptures as shown on the approved Landscape Proposals Sheet 1 of 3, Ref: P16 5041 101 shall be submitted to and approved in writing by the Local Planning Authority. The artwork/sculptures shall thereafter be implemented in accordance with the approved details within a timescale agreed, in writing, by the Local Planning Authority.

Reason

To ensure that there is a well laid out landscape scheme in the interests of amenity and in accordance with Core Strategy Policy CS 21 'Landscapes' and UDP Policies ENV3 'Borough Landscape'.

Informative(s)

N/A

POSITIVE AND PROACTIVE STATEMENT

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

To the Chairman and Members of the
PLANNING REGULATORY BOARD

Date 14th September 2017

Report of the Director of Planning and Regeneration Service

ITEM NO. 1

<p>File Ref: RB2017/1160</p> <p>Courtesy Consultation in respect of proposed residential development of 150 no. dwellings with associated access, car parking, landscaping, public open space and infrastructure at land east of Lundhill Road, Wombwell, Barnsley for Persimmon Homes</p>	<p>Pages 58-60</p>
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ROTHERHAM METROPOLITAN BOROUGH COUNCIL PLANNING REGULATORY BOARD

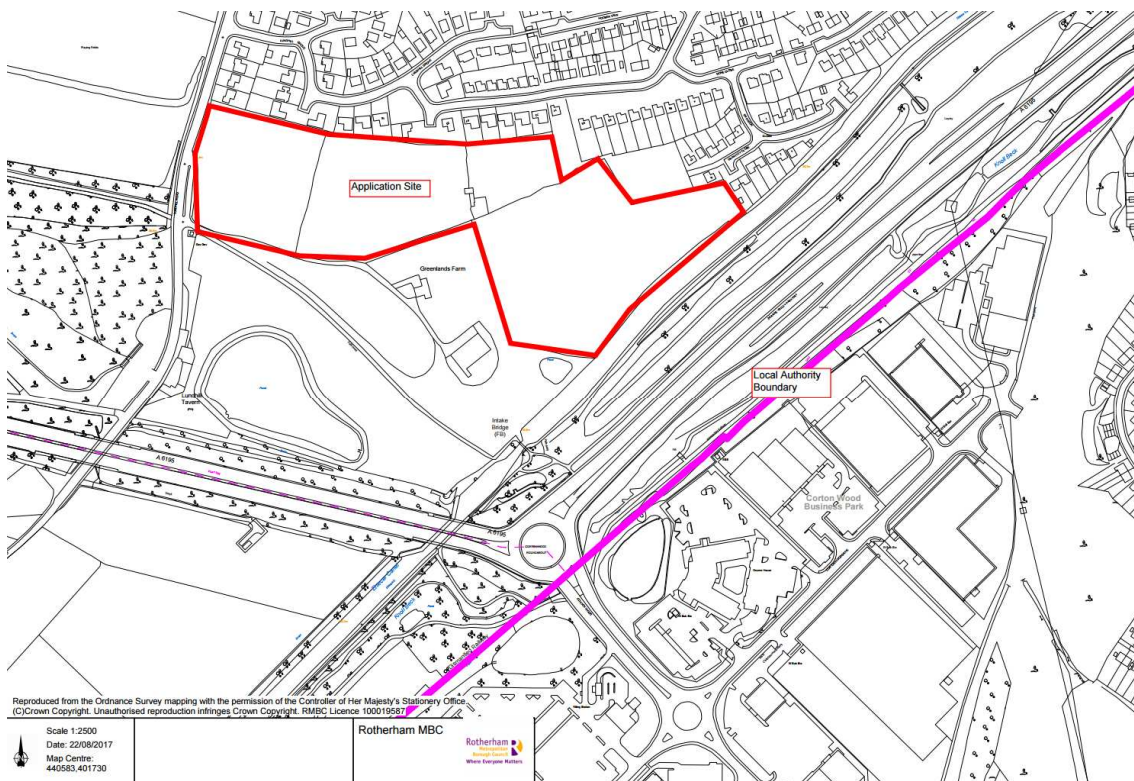
PLANNING AND REGENERATION SERVICE

REPORT TO COMMITTEE
DATE 14/09/17

ITEM NO. 1

File Ref: RB2017/1160

Courtesy Consultation in respect of proposed residential development of 150 no. dwellings with associated access, car parking, landscaping, public open space and infrastructure at land east of Lundhill Road, Wombwell, Barnsley for Persimmon Homes



Recommendation:

That Barnsley Council be informed that the Council raise no objections to the proposal.

Background

This is a 'courtesy' consultation as required due to the close proximity of Rotherham Borough to the application site. RMBC are invited to provide Barnsley Council with comments on the application and the impact of the proposal on Rotherham in terms of such planning related issues as the environment, flooding, traffic etc.

Site Description & Location

The application site is approximately 5 hectares in area and is currently two distinct fields, which are used for grazing and stabling of horses.

The site is situated approximately 1km to the south of the centre of Wombwell.

The eastern boundary of the site with Elsecar Canal is approximately 130 metres from the administrative boundary of Rotherham Metropolitan Borough Council at Cortonwood Retail Park.

The nearest residential properties in Rotherham to the site are located on Springhill Avenue, Brampton Bierlow approximately 300 metres to the north-east of the site, which are on the opposite side of Dearne Valley Parkway and beyond the Cortonwood Retail Park.

Proposal

The application submitted to Barnsley Council is seeking planning permission for the erection of 150 dwellings, car parking, landscaping, public open space and infrastructure.

Consultations

RMBC - Transportation and Highways Design: Have no objections to the proposed scheme from a highway perspective.

RMBC - Landscape Design: No objections.

RMBC – Ecology: No objections.

Appraisal

The main issues with the proposal affecting Rotherham would include the impact on traffic levels within the Borough and the impact on the general environment of the Borough's residents.

In terms of impact on the Borough's highway network it is considered that the proposal would have no significant impact on the highway network in the Borough.

The nearest residential properties are approximately 300 metres to the north-east of the site in Brampton Bierlow. Between the site and the nearest residential properties in Rotherham would be the Elsecar Canal, Dearne Valley Parkway and dense mature tree embankments on both sides of the Dearne Valley Parkway. It is considered that given the distance, the properties on the opposite side of the road, boundary treatments and land levels will ensure that the properties within Rotherham and their occupants would not be adversely affected by the proposed development.

There are several ancient woodlands and Local Wildlife Sites in the adjacent Rotherham Borough including Rainborough Park (AW & LWS) which is 1514m due south, Gorse Wood (AW) 1413m due south whilst Giles Wood (AW) is 2170m due south. Simon Wood (LWS) to the south-west and Flatts Valley (LWS) to the south-east are slightly beyond 2km from the application site. Manvers Way candidate (LWS) is 1448m to the north-east. None of these are structurally connected to the application site and will not be directly affected by the proposed works. However, 150 new homes will result in approximately 300 more vehicles on the road and approximately 600 new inhabitants which may create pressure on surrounding green spaces such as Old Moor and increase car emissions which could affect the sensitive road verge vegetation on Manvers Way.

Having regard to the information provided the Council's Ecologist has no objections to the proposal in regard to impact on ancient woodlands and Local Wildlife Sites in Rotherham. They have advised that outstanding survey work and biodiversity enhancement measures include appropriate mitigation to protect the Elsecar Canal from the negative impacts of development and consider how protected and Barnsley BAP species (such as the barn owl) might be sympathetically addressed.

Conclusion

Having regard to the above it is concluded that the impact of the development on Rotherham will be minimal, as such it is considered that RMBC should raise no objections to the proposal.