

PLANNING REGULATORY BOARD

**Date:- Thursday, 29 March 2018 Venue:- Town Hall, Moorgate Street,
Rotherham. S60 2TH**
Time:- 9.00 a.m.

Meetings of the Planning Board can all be viewed by live webcast by following this link:-

<https://rotherham.public-i.tv/core/portal/home>

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 8th March, 2018 (Pages 2 - 4)
6. Deferments/Site Visits (information attached) (Pages 5 - 6)
7. Development Proposals (Pages 7 - 46)
8. Updates
9. Date of next meeting - Thursday, 19th April, 2018

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
Thursday, 8th March, 2018

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

An apology was received from Councillor John Turner.

The webcast of the Council Meeting can be viewed at:-

<https://rotherham.public-i.tv/core/portal/home>

67. DECLARATIONS OF INTEREST

Councillor Walsh declared a personal interest in application RB20171577 on the grounds of being a member of the Energy Institute.

68. MINUTES OF THE PREVIOUS MEETING

Resolved:- That the minutes of the previous meeting of the Planning Regulatory Board held on Thursday, 15th February, 2018, be approved as a correct record for signature by the Chairman.

69. DEFERMENTS/SITE VISITS

There were no deferments or site visits recommended.

70. 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 applications:-

- Construction of a well site and creation of a new access track, mobilisation of drilling, ancillary equipment and contractor welfare facilities to drill and pressure transient test a vertical hydrocarbon exploratory core well and mobilisation of workover rig, listening well operations, and retention of the site and wellhead assembly gear for a temporary period of 5 years at land adjacent Dinnington Road Woodsetts for INEOS Upstream Limited (RB2017/1577)

Mr. Tom Pickering and Mr. Matthew Shepherd (Applicant)
Mr. Richard Scholey, Ms. Christine Burton, Mr. Barry Cartwright,
Ms. Kelly Jennings and Ms. Sue Gildersleve (Woodsetts Against Fracking Action Group)

Councillor Clive Jepson, Anston cum Aughton, Parish Council (Objector)
 Mr. Martin Ladbroke, Letwell Parish Council (Objector)
 Ms. Wendy Hamilton, Firbeck Parish Council (Objector)
 Ms. Monica Carroll, Woodsetts Parish Council (Objector)
 Mr. Andy Tickle, C.P.R.E. (Objector)
 Mr. Gary Pickering, Resident (Objector)
 Mr. Adrian Knight, Resident (Objector)
 Mr. Nigel Butler, Resident (Objector)
 Mr. Kenneth Goodall, Resident (Objector)
 Councillor Yasseen, Chair of the Parish Council Network (Objector)

(2) That application RB2017/1577 be refused for the reason contained within the submitted report along with a further reason for refusal relating to highway safety and the conflict with other road users. The Assistant Director, Planning, Regeneration and Transport, in consultation with the Chair and Vice-Chair of the Planning Board, to be authorised to determine the wording for the additional reason for refusal.

(3) That application RB2017/1840 be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the submitted report, but with an additional condition/reason below relating to the list of approved plans:-

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)

Revised Site Plan (received 1 March 2018)
 PL001 House Type 1 (Received 7 March 2018)
 PL001 House Type 2 (Received 7 March 2018)
 PL001 House Type 3 (Received 7 March 2018)
 PL001 House Type 4 (Received 7 March 2018)
 PL001 Flat Block A (Received 7 March 2018)
 PL001 Flat Block B (Received 7 March 2018)
 PL002 Flat Block A (Received 7 March 2018)
 PL002 Flat Block B (Received 7 March 2018)

Surface Treatment Plan (Received 19 December 2017)
 Boundary Treatment Plan (Received 19 December 2017)
 Boundary Treatment Detail (Received 19 December 2017)

Reason - To define the permission and for the avoidance of doubt.

71. **UPDATES**

There was no update information to report.

PLANNING BOARD - 08/03/18

72. DATE OF NEXT MEETING

Resolved:- That the next meeting of the Planning Board take place on Thursday, 29th March, 2018 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 THURSDAY 29th MARCH 2018**

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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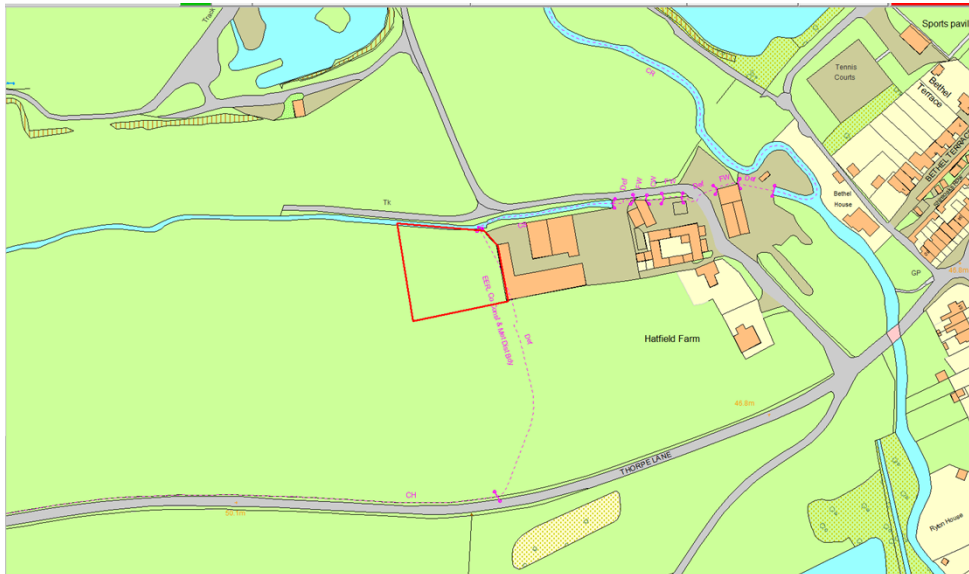
ROTHERHAM METROPOLITAN BOROUGH COUNCIL

PLANNING REGULATORY
BOARD

PLANNING AND REGENERATION SERVICE

REPORT TO BOARD
29th March 2018

Application Number	RB2017/0143
Proposal and Location	Erection of new grain store and new internal access road to site at Hatfield Farm, Thorpe Lane, Shireoaks
Recommendation	Grant Conditionally



This application is being presented to Planning Board due to the scale of the proposal.

Site Description and Location

The application site is situated adjacent to existing farm buildings at Hatfield Farm, which is located off Thorpe Lane, Shireoaks. The site is immediately adjacent to the boundary with Bassetlaw District Council with Hatfield Farm house and all the existing farm buildings falling entirely within Bassetlaw District Council.

There are a number of heritage assets which are located close to this site, all of which are in Bassetlaw District Council, these are as follows:

- Shireoaks Conservation Area to the east.
- Church of St Luke the Evangelist Grade II Listed to the east.
- West and East Stables at Shireoaks Hall Grade II* Listed to the south.
- Shireoaks Hall Grade II* Listed to the south.
- Formal water gardens at Shireoaks Hall, a Scheduled Ancient Monument to the south.
- Shireoaks Hall Registered Park and Garden, Grade II* Listed.

The immediately surrounding area is open countryside designated as Green Belt and an Area of High Landscape Value. The nearest residential properties are located to the east of the site and relate to the Hatfield Farm site.

Background

There is no planning history for the site. However, the farm complex is located entirely outside of the Rotherham Borough and is in Bassetlaw District Council.

Proposal

The proposal is for the erection of a grain store and general purpose agricultural building on open agricultural land to the west of the farm complex. The site would be accessed via a new access road which would be extended from the existing access road that runs past the existing farm buildings, and would extend across a brook that lies to the north of the site.

The submitted Design and Access Statement states that: "Tinkerwood Farming (the applicant) farms 650 acres and depending on crop and cropping areas need between 2,000 to 2,400 tonnes of storage capacity. The current grain facilities are not large enough and cater for 1,100 to 1,200 tons of storage. Out of the 4 existing buildings that they have, only 2 meet the current long term storage requirements."

The proposed building would be constructed of profiled metal and cement sheeting and would measure 30 metres in width with a depth of 31.5 metres with a height of 13.5 metres to the ridge. Initially the plans were amended by including moving the proposed building 5m closer to the existing building and proposing a boundary hedge to the south and west of the building so as to soften the impact of the building on wider views. Following negotiations with the applicant the building has also been reduced in size by one bay with a reduction in size from a width of 40 metres to 30 metres. In addition, the applicant has indicated that the colour of the cladding would be green as opposed to goosewing grey which is used in the existing buildings adjacent, again to reduce the visual impact of the building.

The applicant has stated that the building needs to be in this location as an alternative location to the north of the site is uneconomic in shape and area and would have greater impacts on residents of Cinder Hill and the lower end of Shireoaks Village. They have also stated that the site would need to be raised as it floods.

The applicants have submitted a revised Heritage Statement which concludes that: "Overall the proposal will have no significant adverse effect on any historic asset in the vicinity of the site, and in accordance with paragraph 134 of the NPPF the benefits of ensuring viable, efficient agricultural production would outweigh the very limited harm caused."

Development Plan Allocation and Policy

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

The application site is located in the countryside and is washed over Green Belt and an Area of High Landscape Value. As noted above, there are a number of Heritage Assets close to the site (within Bassetlaw). For the purposes of determining this application the following policies are considered to be of relevance:

Core Strategy policy(s):

CS4 'Green Belt'

CS21 'Landscape'

CS23 'Valuing the Historic Environment'

CS28 '*Sustainable Design*'

Unitary Development Plan 'saved' policy(s):

ENV1.1 'Development in Areas of High Landscape Value'

ENV2.8 'Settings and Curtilages of Listed Buildings'

ENV2.12 'Development adjacent to Conservation Areas'

Other Material Considerations

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Interim Planning Guidance - 'Development in the Green Belt'. This has been subject to public consultation and adopted by the Council on 3rd March 2014.

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

Publicity

The application has been advertised by way of site notice, press notice, (Dinnington Guardian) and letters to neighbouring properties as affecting the setting of Shireoaks Conservation Area, Church of St Luke the Evangelist Grade II, West and East Stables at Shireoaks Hall Grade II*, Shireoaks Hall Grade II* and Shireoaks Hall Grade II*, Shireoaks Hall Registered Park and Garden Grade II*, Grade II* Listed and Scheduled Ancient Monument of Formal Water Gardens. As a result of this publicity the Council received two objections, one from a neighbouring resident and one from Thorpe Salvin Parish Council which raised the following objections:

- The building would be highly visible within the surrounding area.
- The proposed development would harm the setting of the surrounding designated Heritage Assets and the approach to Shireoaks Conservation Area.
- The applicant does not say why he needs such a large hardstanding area.

- The grain storage part of the proposed building could be built within the curtilage of Hatfield Farm, thereby reducing the impact on the RMBC Green Belt.
- The application does not demonstrate that the Green Belt and the Area of High Landscape Value should be built upon for this purpose and to this extent.
- The building would detract from the rural character of the surrounding landscape.
- The culvert may cause problems for the white-clawed crayfish

Further publicity took place in respect of the initial amendments to the proposals (moving the building 5m closer to the existing building on site) though Thorpe Salvin Parish Council resolved that this amendment did not overcome their concerns. The Parish Council were consulted on the further amended plans on 23/11/2017 (reducing the size from a width of 40 metres to 30 metres) though no further comments have been received in this respect.

Consultations

RMBC (Transportation and Highways Design) – No objections subject to conditions.

RMBC (Landscape Design) – No objections.

RMBC (Ecologist) – No objections.

RMBC (Drainage) – No objections subject to recommended conditions.

Environment Agency – No objections subject to the building being constructed in accordance with advice contained in DEFRA's good agricultural practice for farmers guidance.

Historic England – Notes that the application site and surrounding agricultural land provide a significant contribution to the setting of the important group of highly graded heritage assets and affords views over the extensive former parkland with clear intervisibility between Shireoaks Hall, stables and existing farm buildings. It considers that the proposed development will cause some harm to the setting and appreciation of this important group of highly graded heritage assets as well as views of the Church of Luke the Evangelist and the Shireoaks Conservation Area.

Historic England recognises the need for improved facilities to enable the requirements for capacity and crop assured standards to be met whilst growing the production of the farm. Nevertheless, it is concerned about the impact of this large agricultural building on the setting of the Conservation Area and the group of highly graded designated heritage assets to the south of Thorpe Lane and states that the applicant needs to provide justification for the harm to setting from the proposals.

The Gardens Trust – Have raised concerns about the lack of information submitted with the application and have stated that the Heritage Statement is inadequate to assess the impact on the Designated Heritage Assets, with the application requiring careful justification.

The Georgian Group – Have raised concerns about the original and the revised proposals. They have raised concerns about the siting of the proposed building and the impact on the setting of the Grade II* Registered Park and Gardens, the Water Gardens

and the Stables and Shireoaks Hall itself. They also consider that the applicant has failed to provide justification for the harm to the setting of these Designated Heritage Assets.

Bassetlaw District Council: Consider the proposed building to be harmful to the setting of the Heritage Assets by virtue of its siting, scale and appearance but we appreciate that this harm would be less than substantial and should be determined in accordance with section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and policies contained in the NPPF. With regard to NPPF policy a clear and convincing justification for the proposal should be provided and the public benefits of the scheme may be considered in determining the application.

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 and impact on the openness of the Green Belt.
- Impact on the setting of designated heritage assets and design issues.
- Impact on an Area of High Landscape Value and landscape generally.
- Ecology issues.
- Transportation issues.
- General amenity issues.

Principle of the development in the Green Belt, including impact on openness.

Policy CS4 Green Belt states that: “Land within the Rotherham Green Belt will be protected from inappropriate development as set out in national planning policy”. This policy advice is further re-iterated in the National Planning Policy Framework (NPPF) which states at paragraph 89 that: “A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this (amongst others) include:

- Buildings for agriculture and forestry.”

The Council’s Interim Planning Guidance on ‘Development in the Green Belt,’ further notes: “Any new agricultural or forestry building or structure must be needed, designed and constructed only for agricultural or forestry purposes. This prevents the building of property which is intended to be converted (for example, into a home). In accordance with Part 6 the General Permitted Development Order, any new building not used for agriculture within 10 years shall be removed.”

The applicant has indicated that the building would be used as a grain store and for general agricultural storage. Hatfield Farm, as part of Tinkerwood Farms, is a large working farm which covers approximately 650 acres within the locality. It is considered that the building is reasonably required to serve this large holding and the proposed use of the building in association with agriculture does not represent inappropriate development in the Green Belt.

In terms of assessing the impact on the openness of the Green Belt it is noted that the building is very large and would inevitably have an impact on the openness of the Green Belt. However, the building is not inappropriate development and the applicant has a clear functional requirement for this building on this large agricultural holding.

It is considered that the impact on the openness of the Green Belt is mitigated by the fact that the building is located immediately adjacent to the existing complex of farm buildings with the village of Shireoaks slightly further to the east.

Impact on the setting of designated heritage assets and design issues

The site is within open countryside and is located adjacent to a number of heritage assets including Shireoaks Conservation Area, Grade II Listed Church of St Luke the Evangelist, Grade II* West and East Stables at Shireoaks Hall, Grade II* Shireoaks Hall, a Scheduled Ancient Monument of the Formal water gardens at Shireoaks Hall and Grade II* Shireoaks Hall Registered Park and Garden.

In terms of assessing the impact on the setting of these designated heritage assets, Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, states: "In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses." Section 72 of the Act requires that in respect of development in or that would affect the setting of a Conservation Area "special attention shall be paid to the desirability of preserving or enhancing the character and appearance of that area."

Core Strategy Policy CS23 'Valuing the Historic Environment' states that: "Rotherham's historic environment will be conserved, enhanced and managed, in accordance with the principles set out below (which includes amongst other things that): d. Proposals will be supported which protect the heritage significance and setting of locally identified heritage assets such as buildings of local architectural or historic interest, locally important archaeological sites and parks and gardens of local interest."

In addition, UDP Policy ENV2.8 'Settings and Curtilages of Listed Buildings' states "The Council will resist development proposals which detrimentally affect the setting of a listed building or are harmful to its curtilage structures in order to preserve its setting and historical context."

UDP Policy ENV2.12 'Development adjacent to Conservation Areas' states that: "In considering proposals for developments adjacent to Conservation Areas, special regard will be had to their effect on the Conservation Areas and, if necessary, modifications to ameliorate the effect will be required before approval is given."

In this respect the National Planning Policy Framework (NPPF) states at paragraph 128 that local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. Paragraph 132 adds: "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification."

Paragraph 134 of the NPPF states that "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use." In terms of assessing the impact of the design of the property 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."

The landscape character surrounding these designated heritage assets is attractive and undeveloped and rural in nature. This attractive landscape character contributes positively to the setting of these designated heritage assets and reinforces the small scale nature of the village as a rural and agricultural settlement. The network of fields surrounding these designated Heritage Assets and the village provides an attractive agricultural context which links in to the past of this rural settlement.

It is noted that the proposed building could be located directly to the north of the farm buildings on land belonging to the applicant. It is considered that the overall harm to the higher grade heritage assets surrounding Shireoaks Hall and the Scheduled Monument of the formal water gardens of Shireoaks Hall would be minimal, by locating the building in this alternative location, but that it would have a greater impact on the Shireoaks Conservation Area and the Grade II Listed Church of St Luke the Evangelist.

However, the applicant is unwilling to do this and has stated that the building needs to be in the proposed location as an alternative location to the north of the site is uneconomic in shape and area and would have greater impact on residents of Cinder Hill and the lower end of Shireoaks Village. The applicant has also stated that the site to the north would need to be raised as the site floods. In addition the applicant argues that the location is necessary for security issues and to utilise existing power sources and other services.

Further to negotiations with the applicant, they have agreed to reduce the size of the building from a total width of 40 metres to 30 metres and to use green cladding as opposed to the goosewing grey in the existing farm buildings.

In terms of impact on the Designated Heritage Assets they can be placed into two distinct groups: Group 1 - Shireoaks Conservation Area and the Grade II Listed Church of St Luke the Evangelist, to the west of the site. Group 2 - The Grade II* East and West

Stables at Shireoaks Hall, Grade II* Shireoaks Hall, a Scheduled Ancient Monument of the Formal water gardens at Shireoaks Hall and Grade II* Shireoaks Hall Registered Park and Garden, all to the south of the site.

It is noted that Historic England have considered that; “the proposed development will cause some harm to the setting and appreciation of this important group of highly graded heritage assets as well as views of the Church of Luke the Evangelist and the Shireoaks Conservation Area.”

It is also noted that The Gardens Trust and the Georgian Group have raised concerns about the setting of Heritage Assets, namely the highly graded Group 2 and the lack of analysis that the applicant has provided to the impact on these Assets.

Thorpe Salvin Parish Council have also raised concerns about the design and appearance of the buildings and the level of hard standing proposed and the visual harm to the surrounding area.

The impact on the setting of these two groupings of heritage assets will be considered separately.

Group 1

The agricultural building would be viewed on the approach to the village of Shireoaks and its corresponding Conservation Area and the church of St Luke the Evangelist by Thorpe Lane. The building would extend the existing farm complex by 40 metres to the west with a landscaping buffer being planted around the proposed building.

It is considered that the building would increase the overall scale and massing of the farm complex, though would sit alongside the existing buildings. This is considered to mitigate the overall harm to the setting of these designated heritage assets and it is considered that this harm would be minor, as there would remain a large rural landscape buffer to the north and south of the farm complex that helps to preserve the setting of these Heritage Assets, particularly when viewed from the west with the farm complex in the foreground and the Heritage Assets to the rear.

Group 2

This grouping is by far the more significant owing to the higher grade of these designated Heritage Assets.

It is considered that the cumulative impact of the proposed agricultural building and its overtly modern appearance alongside the existing farm buildings will have a detrimental appearance on the contribution that the low lying agricultural land makes to the significance of the group of highly graded designated Heritage Assets. As such, it is considered that the proposed development would lead to less than substantial harm to the setting of all these Heritage Assets by increasing built form within the otherwise open rural surroundings with a functional and utilitarian agricultural building.

The NPPF sets out in paragraph 129 that all possible steps should be taken to minimise any harm to heritage assets. It is noted that the applicant has considered and discounted for functional and economic reasons an alternative site to the north of the farm complex, which would represent a more discreet location for the proposed grain store within the site. It is also argued that the building is required for the functioning of the farm and for the purposes of agricultural production.

It is considered that, on balance, the less than substantial harm to the higher grade Heritage Assets in Group 2 and the minor harm to the setting of the Heritage Assets in Group 1 is justified by the impracticalities of this alternative more discreet location to the north. Furthermore, the need for agricultural production is a public benefit which also provides justification for this less than substantial and minor harm to these designated Heritage Assets.

Furthermore, it is noted that a landscaping scheme is proposed around the buildings which would also help to mitigate the appearance of the building within the wider landscape.

In terms of general design issues Policy CS28 'Sustainable Design' of the Core Strategy states: The design process shall take into account: (Amongst other things)

- a. the topography, landforms, Green Infrastructure assets, river and canal corridors, important habitats, waterways, woodlands, other natural features and open spaces that provide opportunities for an accessible choice of shade and shelter, recognise opportunities for flood storage, wildlife and people provided by multi-functional greenspaces.
- b. views and vistas to landmarks and skylines into and out of Rotherham Town Centre and across Rotherham to the surrounding countryside
- c. heritage, townscape and landscape character including the height, scale, massing, density, layout, building styles and materials of the built form particularly (but not exclusively) in and around:
 - i. Rotherham Town Centre
 - ii. within and adjacent to Conservation Areas

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 agricultural building is functional in appearance and reflects the design of other agricultural buildings in the locality and is considered acceptable in this respect.

Impact on an Area of High Landscape Value and landscape generally

The site lies within an Area of High Landscape Value and within the Ryton Farmlands landscape character area which was assessed in 2010 as being of moderate strength of character in moderate condition. The existing grain store, whilst large, sits within the context of the existing farm complex on the edge of the village.

The Council's Interim Planning Guidance 'Development in the Green Belt' states that: "...all applications for new agricultural or forestry buildings or structures must be needed and designed only for agricultural or forestry purposes. This prevents the building of property which is intended to be converted (for example, into a home)." 'Saved' UDP Policy ENV1.2 'Development in Areas of High Landscape Value' states that: "In areas of High Landscape Value, development other than for agriculture will only be allowed where it will not result in a significant, and permanent adverse impact on the landscape. New agricultural buildings and ancillary development requiring planning permission will

normally be allowed, provided they are not detrimental to the local environment, as will agricultural dwellings where there is a genuine agricultural need for them is demonstrated. Strict control will be exercised over the development that does take place to ensure that the visual character of these areas is not affected.”

Core Strategy Policy CS21- ‘Landscape’ – states that: “Within Areas of High Landscape Value, development will only be permitted where it will not detract from the landscape or visual character of the area and where appropriate standards of design and landscape architecture are achieved.”

The Council’s Landscape Architect notes that views of the site and the proposed grain store and adjacent existing farm complex are likely to be limited to a radius of approximately 1km which is considered to be of no more than local importance, with limited views available from the village itself to the east and with more open views to the south.

The Landscape Architect considers that the predicted change in view and landscape character resulting from the new grain store extension is not likely to be significantly adverse. The colour and materials of the store is shown as to match existing building though darker colours are preferable for the building’s cladding as they tend to recede into the landscape, and the applicant has amended the colour to a dark green to address this.

Furthermore, as the building is seen against the backdrop of Hatfield Farm and the village of Shireoaks it would have less landscape impact than if it was in an exposed location.

Impact on ecology

The NPPF notes at paragraph 109 that the “planning system should contribute to and enhance the natural and local environment by: (amongst other things) protecting and enhancing valued landscapes, geological conservation interests and soils.” The NPPF states at paragraph 118 states that “When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles: (amongst other things) • opportunities to incorporate biodiversity in and around developments should be encouraged.”

With regards to ecology issues it is noted that a neighbouring resident has raised concerns about the impact of white clawed cray-fish. Whilst these comments are noted it is considered that the culvert would be small and it is noted that the Council’s Ecologist has raised no objections to the proposals in ecology terms. However, it is considered reasonable to append a condition which requires details of the brook crossing which would include the culvert. This condition would allow the ecological impact of this part of the scheme to be adequately assessed by the Council’s Ecologist.

Transportation issues

The Council’s Transportation Unit were notified of the application and raised no objections to the proposals from a highway safety perspective.

General amenity issues

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 should (amongst others):

- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.”

It is noted that the proposed agricultural building would be set at a significant distance from neighbouring residential properties at Cinder Hill and Shireoaks village with the nearest residential properties forming part of Hatfield Farm. It is considered that at the considerable distance from any residential properties the proposed agricultural building would not harm the residential amenity of neighbours in terms of noise and disturbance or any other amenity issues.

As such, taking account of the above, it is considered that the proposed development would be in accordance with the advice contained in paragraph 17 of the NPPF and would not significantly harm the amenity of neighbouring occupants.

Conclusion

In conclusion, the proposal represents appropriate development in the Green Belt and it is considered that, on balance, the less than substantial harm to the higher grade Heritage Assets in Group 2 and the minor harm to the setting of the Heritage Assets in Group 1 is justified by the impracticalities of the alternative more discreet location to the north. Furthermore, the need for agricultural production is a public benefit which also provides justification for this less than substantial and minor harm to these designated Heritage Assets.

Furthermore, it is considered to be acceptable in drainage, ecology and highway terms subject to the recommended conditions.

As such, Members are requested to grant planning permission in line with the recommendations in this report.

Conditions

01

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

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

02

The permission hereby granted shall relate to the area shown outlined in red on the approved site plan and the development shall only take place in accordance with the submitted details and specifications as shown on the approved plans (as set out below) (Drawing number Location Plan/7475)(received 26/01/2017)(Drawing Number 7616 Rev E)(Received 08/12/2017)

Reason

To define the permission and for the avoidance of doubt.

03

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

Reason

To ensure that appropriate materials are used in the construction of the development in the interests of visual amenity and to protect the setting of adjacent designated Heritage Assets in accordance with Core Strategy Policies CS23 'Valuing the Historic Environment and CS28 'Sustainable Design.'

04

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

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

The area shall thereafter be maintained in a working condition.

Reason

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

05

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'.

06

Prior to the commencement of development, details of the brook crossing shall be submitted to and approved in writing by the Local Planning Authority and the approved details shall be implemented before the development is brought into use.

Reason

In the interests of drainage and ecology and in accordance with guidance set out in the NPPF.

07

Prior to the commencement of development a surface water drainage scheme for the site shall be submitted to and approved in writing by the Local Planning Authority, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development. 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.

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.

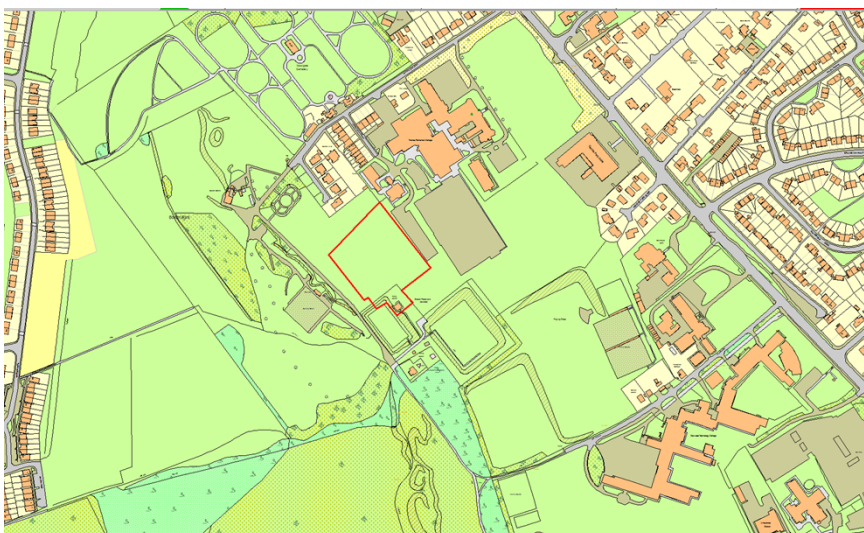
The Development Management Procedure Order 2015 requires that planning authorities provide written reasons in the decision notice for imposing planning conditions that require particular matters to be approved before development can start. Conditions numbered 06 & 07 of this permission require matters 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 06 & 07 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.'

POSITIVE AND PROACTIVE STATEMENT

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

Application Number	RB2017/0892
Proposal and Location	Demolition of existing reservoir and construction of new 12,000m ³ service reservoir with associated valve house structure, dosing house structure, below ground pipework, earth embankments and perimeter security and construction of new water pumping station with associated underground pipework with new access road, car parking and associated earth works by Yorkshire Water Services Ltd, Boston Park, Boston Castle Grove, Moorgate.
Recommendation	A) That the developer provides a satisfactory unilateral undertaking made under Section 106 of the Town and Country Planning Act 1990 for the purposes of securing the following: <i>Financial contribution of £30 000 in order for the Council to undertake and implement a full Playing Pitch Strategy in accordance with Sport England's recommended guidance. This contribution will cover the Playing Pitch Strategy only. Any further improvement works or land-transfer sale agreed by the applicant and the Council will be subject to a separate agreement and does not form part of the planning application.</i> B) Consequent upon securing such an agreement, the Council resolves to grant planning permission for the proposed development subject to the reasons for grant and conditions.



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

Site Description and Location

The application site relates to the north-eastern section of Boston Park in Moorgate. Boston Park lies to the west of Boston Castle Grove and is a Listed Grade 2 Historic Park and Garden. The majority of the site is publically accessible with the exception of the southern section of the site which is currently closed off by two existing Yorkshire Water reservoirs. A palisade security fence and gate prevents public access into the existing reservoirs. This site also has a vehicular access for maintenance of the reservoir by Yorkshire Water.

The site of the proposed new reservoir (no. 3) lies in the north east of the park with two existing reservoirs no. 1 (non-operational) and no. 2 (currently operational) in the south east of the site. There is also a telecommunications mast which was constructed in the late 1990s. Reservoir no. 1 has been in place for over 100 years, no. 2 has been in place since 1955.

The sites comprises of an irregularly shaped 1.3 Ha area of level grassed open field located within the boundary and garden of Boston Park. This part of the park has not been previously been used for formal recreation provision.

Background

The specific site area related to this application in the south-eastern section of Boston Park has not had any recent planning applications. As indicated above the site has a long established history for use by the water authority.

Directly to the east of the site, Thomas Rotherham College have had 2 all weather football pitches approved in 2013.

Proposal

This is a full planning application for the erection of a new 12,000m³ service water reservoir with associated valve house structure, dosing house structure, below ground pipework, earth embankments and perimeter security fencing. This involves the construction of a new water pumping station with underground pipework. There is also a new access road proposed with car parking (mainly during the construction phase) and associated earth works. On completion of the new reservoir, it is proposed to demolish the existing reservoirs and re-grade the land, remove the security fencing and return this area back to public amenity parkland.

Two valve house structures will be constructed adjacent to the new service reservoir, on the north (inlet valve) and south (outlet valve). An access track and carpark will be laid out to the south of the proposed development and the entire proposed new compound will be bounded by a mesh security fence. During construction work there will be a temporary construction compound situated to the north and west of the proposed development.

The schedule of works can be summarised as follows:

- Limited tree trimming on Boston Castle Grove and along the Boston Park access route to facilitate access for high sided construction vehicles and plant;
- Establishment of a temporary site compound area to the North of the Boston Park field, installation of temporary stone access roads within the site compound;
- Installation of temporary fencing and gates to secure the perimeter of the site compound;
- Disconnection and diversion of existing Low Voltage (LV) Electrical cables, diversion of existing BT Copper and Fibre Optic Cables, diversion of existing potable water pipework;
- Removal of a section of the existing reservoir compound steel palisade fence line and installation of a section of temporary 2.4m high V-Mesh security fence line within the extents of the existing compound;
- Demolition of existing reservoir No.1;
- Earthworks to establish the required foundation level for the new 12,000m³ reservoir;
- Installation of temporary crawler crane working platforms;
- Construction of the new 12,000m³ reservoir with associated valve house structure, dosing house structure, below ground pipework, earth embankments and perimeter security;
- Construction of the new WPS with associated underground pipework;
- Commissioning the new 12,000m³ reservoir and WPS into operation;
- Decommissioning and demolition of existing reservoir No.2;
- Decommissioning of the existing WPS. Structure to remain to house standby generator;
- Construction of permanent access road and parking to the South of the new reservoir structure;
- Final landscaping of the demolished sites;
- Removal of the previous perimeter fence;
- Final landscaping to the new site; and,
- Removal of all temporary measures, e.g. site compound, and temporary access routes etc.

The site of the proposed reservoir would occupy an area of existing public amenity space. A number of additional supporting documents in support of the application have been submitted and these can be summarised as follows:

Design and Access Statement, including the Opinions Report

- *(1) Requirement for a New Service Reservoir*

Service reservoirs provide strategic holding facilities for the storage of treated water prior to distribution to public supply. The Boston Park water storage service reservoir SRE complex is strategically located to maintain drinking water supplies to the local area.

Reservoir No.1 (3,550m³) is currently non-operational and was taken out of service in 1980 due to increasing structural instabilities on the roof. Reservoir No.2 is a twin compartment structure built in 1955. No.2 (9600m³) is currently operational but has reached the end of its serviceable life.

No.2 cannot be taken out of service to repair the roof structure without negatively affecting the public water supply, which requires a minimum of 4,700m³ from Boston Park per day to meet current demands.

A new reservoir No.3 must be therefore be constructed first before the existing No.2 is taken out of service, to maintain adequate supplies with a design life of 80 years. A capacity of 12000m³ is required when considering population growth and the associated increase in demand.

Water Pumping Stations (WPS) provide the facility to pump water under pressure to provide adequate supply pressure to customers located at a distance or higher elevation from the WPS site.

- (2) *The reason for choosing this location*

Six different options have been assessed in a separate Options Report:

Option No.1 – the current application

Option No.2 – Boston Park Temporary storage service reservoir (SRE). Rebuild new SRE on site of SRE No. 2 with temporary water storage tank on Boston Park during construction.

Option No.3 – Oakwood High School. Construction of a new 12,000m³ SRE on Oakwood High School sports pitches, south of existing site.

Option No.4 – Thomas Rotherham College. New 4,000 m³ SRE on Thomas Rotherham College land to the North East of the existing SRE site and replacement of the existing 8,000m³ SRE.

Option No.5 – Alternative site location. Construction of a new SRE at an alternative site to increase capacity to feed Boston Park distribution network and pumping station.

Option No.6 – Boston Park Existing Site (rebuilding new reservoirs)

In terms of any other options, local residents along with Friends of Boston Park queried whether a replacement reservoir could be sited within woodland along the western/southwestern area of Boston Park in order to minimise its visual prominence and retain the existing field. This, along with the assessment of the above options is discussed in more detail in the appraisal section below.

Other issues

- Construction access should mitigate impact on the local area and to minimise traffic disruption within Rotherham.
- The working hours on site shall be 07:00-18:00hrs and it is expected that at the peak of construction up to 30 persons shall be working on site.
- Therefore, approximately 24 vehicle movements per day arriving and leaving site at the start and end of the working day are to be expected, with occasional visits by other personnel throughout the working day.
- Delivery of plant and materials to site is to be conducted between 09:30-14:30 hours, thereby avoiding peak commuting hours as well as avoiding the start and finish times of the surrounding schools/colleges.

- Delivery of plant and materials will be managed to ensure required deliveries are spread evenly during the working day to minimise traffic volumes on Boston Castle Grove.
- Total vehicular movements anticipated to be 8264 over a 72 week period. Of these 5716 will be small vehicles and 2548 large vehicles.
- Drainage - The new SRE gravel roof will be provided with a perimeter French drain system and the WPS roof will have edge guttering to a rain water fall pipe.
- The proposed new SRE compound will be covered with compacted aggregate haul roads and working surfaces, therefore all surfaces will be semi permeable to minimise rain water runoff.

Heritage Impact Assessment

This assessment concludes that the proposed development would result in less than substantial harm to the significance of the heritage assets in the vicinity, with the majority of Boston Park not affected by the proposal, and with the functional open parkland character of the area retained as a result of the land of the existing SRE's being returned to public parkland.

The assessment indicates that there will be no impact to the setting of Boston Castle, a Grade II listed building, and therefore no effect on its heritage significance.

The potential for archaeological remains before truncation of the site has been assessed as follows:

Prehistoric

The potential for prehistoric remains, especially from the Mesolithic period, to be found within the proposed development is thought to be moderate.

Saxon

There is no evidence of Saxon remains within the proposed development area. There is low potential for Saxon remains within the proposed development area.

Medieval

There is evidence of medieval pottery manufacture within 260m southwest of the proposed development. The potential for further medieval remains to be found within the proposed development is thought to be low-moderate.

Post-medieval

Evidence of post-medieval activity within the area of the proposed development prior to the laying out of Boston Park in the mid- to late 18th century is limited. The potential for post-medieval remains to be found within the proposed development is thought to be low-moderate.

Ecology Statement

The Preliminary Ecological Appraisal (PEA) submitted in support of the application can be summarised as follows:

- To map the habitats on site, assess the ecological value of features within the zones of influence of the works, identify any potential ecological constraints of the proposed works, and make recommendations where relevant for further survey and/or mitigation.

There are no statutory sites within 2km of Boston Park but there is one non-statutory designated site; the Centenary Riverside Local Nature Reserve (LNR) is located approximately 1.2km from the site in a north-westerly direction.

No effects on this site are anticipated as a result of the proposed development. The work area consists of three habitats; improved grassland, plantation woodland and scattered broadleaved trees. None of the habitats on Site fit the description of any habitats found in the Rotherham Local Biodiversity Action Plan.

Cotoneaster, an invasive plant species, was recorded on the site. It is growing around the edges of the site, particularly along the northern walls. This area will most likely be disturbed by the works and it is recommended that a management plan is put in place to eradicate it and prevent its spread. There is potential for nesting birds in the plantation woodland and scattered trees. It is recommended that any removal of trees and scrub is undertaken between September and February which is outside the breeding season for birds.

Tree Survey

There were 26 individual trees and 1 group surveyed in association with this Scheme. The following tree retention categories were assigned:

- Category A i.e. trees of high quality, 0 trees;
- Category B i.e. trees of moderate quality, 9 individual trees and 1 tree group;
- Category C i.e. trees of low quality, 11 individual trees;
- Category U i.e. trees to be removed for arboricultural reasons: 6 individual trees.

To facilitate construction, the following tree works are required:

- Removal of 1 Category B tree, 3 Category C trees, 6 Category U trees and a section of self-set trees (no category);
- Pruning of 23 trees (201 to 223) along Boston Castle Grove) and 1 tree (239) within Boston Park

During the determination of the application an additional summary document was submitted by the applicant. Additional drainage details and clarifications were also submitted along with an Alternative Sport Fields & Recreational Facilities Statement.

Development Plan Allocation and Policy

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

The application site is allocated for Green Belt purposes in the UDP and Boston Park is also a Grade 2 Historic Park and Garden. For the purposes of determining this application the following policies are considered to be of relevance:

Core Strategy policy(s):
CS4 Green Belt

CS19 'Green Infrastructure'
CS21 'Landscape'
CS22 'Greenspace'
CS23 'Valuing the Historic Environment'
CS25 'Dealing with Flood Risk'
CS28 'Sustainable Design'

Unitary Development Plan 'saved' policy(s):
ENV3.2 'Minimising the Impact of Development'
ENV3.7 'Control of Pollution'

Sites and Policies
SP 35 'Green Infrastructure & Landscape'
SP 41 'Protecting Green Space'
SP 47 'Historic Parks, Gardens and Landscapes'

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 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.

Publicity

The application has been advertised by way of sites notices being displayed within the park and on Boston Castle Grove (29 June 2017), press notice (30 June 2017, Rotherham Advertiser) and letters to neighbouring properties (20 June 2017 and 03 July 2017). All residential properties along Boston Castle Grove/Boston Castle Terrace were individually notified.

A total of 30 representations have been received. Where multiple objections have been received from the same address, these have been considered as a single objection. In

addition some objectors have written in multiple times. The main areas of the objections can be summarised as follows:

General

- The proposed construction of a new reservoir on Boston Park's top field will change the wider character of the park.
- The reservoir will dominate the open greenspace section of the park restricting its use for ball games.
- The top field has been used for recent community and public events and festivals which may now not be held.
- The proposed land swap will not be as useful or convenient as it is hidden in a less visible and less well used area of the park. This may also be subject to future anti-social behaviour.
- The unsightly telecommunication masts would become more visible if the existing 2 reservoirs are removed.
- Various legal issues, not material to the planning application including the issue of covenants.
- Yorkshire Water have not fully explained their chosen option in earlier meetings with residents/Friends of Boston Park.

Traffic

- Having all construction traffic directed along Boston Castle Grove is a health and safety hazard with the combination of other traffic (local residents, users of the park and Thomas Rotherham College) that use the road.
- Increased noise and disturbance from up to 8000 vehicle movements through the construction process.
- The narrow width of Boston Castle Grove will create further difficulties and disruption.
- Increased mud and debris on Boston Castle Grove during construction works.

Queries on the options available

- Could a (now disused?) playing field at Oakwood School be used instead of the option chosen with access from Lawton Lane be constructed.
- Yorkshire Water have picked the cheapest option for the site.
- Concerns raised that not all of the alternative sites have been fully investigated.
- Could the woodland area to the west/southwest of the site be used which would be less visible and assist with safeguarding the existing field.

Visual

- The proposed 2.4m security fence will look an eyesore.
- A Full Environmental Impact Assessment should be carried out before the application is determined.
- The length of the construction works (potentially 72 weeks/18 months) is considered excessively long.
- The reservoir will have an ugly appearance within the Grade 2 Listed Boston Park.
- The YW plans for a new reservoir are unimaginative.

Noise/disruption

- Reservoir no 1 has been decommissioned since 1980 and YW have had a long time to resolve this issue at an earlier date.

- The length of the works (potentially 72 weeks/18 months) is considered excessively long.

Following the submission of the objections Yorkshire Water submitted a further document to summarise and clarify their choice of options available.

A number of additional objections were raised following the receipt of additional information from the applicant and these can be summarised as follows:

- Oakwood School does not allow student access along Lawton Lane and would be a better option than Boston Castle Grove.
- Boston Castle Grove is particularly busy between the period of 8-9am with the road blocked from traffic and large volume s of students using the road and footpaths.
- YW have ignored that there are more students at Thomas Rotherham College than Oakwood School

The applicant has further responded to indicate the following:

- Submission of a network map to indicate the catchment area that the existing reservoir serves
- Access via Lawton Lane is only possible via three routes, the first through the Oakwood High School (OHS) playing fields, the second through Canklow Woods to the south the existing YWS SRE site and the third via Boston Castle Grove.
 - The first option was discounted on the grounds of disruption to OHS's use of the playing pitches, blocking the OHS overflow carpark and safety risks posed to OHS students and staff when accessing playing pitches via Lawton Lane.
 - The second option was discounted on the grounds of ecology and environmental impacts.
- Water stored at Boston Park derives from Hoover service reservoir and it essential to maintain the existing hydraulic profile i.e. a new reservoir must be at the same level as the existing. To do this at OHS would necessitate excavating 80,000 tonnes of spoil, resulting in approx. 7000 additional vehicle movements offsite, temporary closure of the adjacent in use OHS playing fields.
- Oakwood High School stated they would not grant permission for YWS to construct a new SRE asset on their land.
- Thomas Rotherham College was not formally approached as the land there is wholly unsuitable for both hydraulic reasons and the amount of land required.
- The roof of the existing operational SRE is becoming structurally unstable and cannot be repaired or replaced whilst the SRE is operational. This poses a risk to the public water supply.
- The current project cost is forecast to be in excess of £6 million. The money is sourced from a combination of YWS revenue and from funding provided by OFWAT which is allocated for the implementation and improvement of new and existing water supply infrastructure.

A total of 7 Rights to Speak at the Board meeting have been received including the applicant.

Consultations

External

Historic England – overall no objections. The planning department should be satisfied that all other options have been fully explored

Sport England – no objections subject to the provision of a Playing Pitch Strategy as part of the Unilateral Undertaking

South Yorkshire Archaeology – no objections subject to recommended two-part condition

RMBC

Streetpride (Transportation and Highways Design) – no objections subject to conditions

Conservation Officer – overall no objections. The siting of the reservoir is considered to be located in the least historic section of the park and will have limited impact on the heritage asset and listed Boston Castle building.

Neighbourhoods (Environmental Health) – no objections

Streetpride (Drainage) – no objections to revised proposals

Ecologist – no objections

Streetpride (Landscape, Green Spaces, Tree Service Manager) – combined response. Overall the need for the facility is accepted. The planning department should be satisfied that all other options have been fully explored. If satisfied, the chosen location is accepted. Recommend conditions be imposed and mitigation in order to minimise disruption to the public and users of the park.

Appraisal

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

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

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

The main considerations in the determination of the application are:

- Principle of development including the need for the facility, all other sites considered and any very special circumstances for this development within the Green Belt
- Heritage Impact on the surroundings including Boston Park
- Archaeological Issues
- Green Space issues
- Sport England comments and loss of playing pitch

- Trees and Ecological Issues
- Highway Safety including construction traffic and parking capacity
- Design, Scale and Appearance
- Landscaping
- Drainage and Flood Risk Issues
- Land contamination and pollution control Issues
- Representations received
- Other issues

Principle

The site lies within the Green Belt and under paragraph 90 of the NPPF engineering operations are not by themselves considered inappropriate development providing that they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. This location is also within a Grade 2 Listed Historic Park and Garden and it is considered that the applicant must demonstrate sufficient need for the new facility as well as evidence that other sites have been considered and discounted before the principle of the development could be considered to be acceptable in this location. The site is also subject to significant public interest and objectors have raised queries with the proposed options.

a) Engineering works within the Green Belt

The proposed new reservoir is required to replace the two existing reservoirs that are currently located within the Park. Reservoir No 1 was decommissioned in 1980 and reservoir No 2 is coming to the end of its serviceable life and does not have the storage capacity to cater for the increased growth within the area.

The replacement reservoir will be located adjacent to the existing sites and will be a twin compartment reservoir of reinforced concrete construction, with a layer of gravel on the roof and grassed earth embankments around each side at a slope of 1:2. The reservoir roof gravel will be 40mm single-sized, river-washed gravel, to a minimum depth of 200mm above reservoir roof level.

The existing reservoirs will be re-profiled following the decommissioning and demolition of the existing SRE's. The proposed ground profile will reflect the current Boston Park field which slopes down towards the Northeast (Thomas Rotherham College site boundary). The existing 1:2 grassed batters which surround SRE No.2 will be reduced to provide a more amenable gradient, with the surrounding area re-profiled to remove high points and provide a gentle sloping gradient from the access track towards the Northeast boundary of the site.

An additional water pumping station is required which will be of a similar size and appearance to the existing building on site which is to be retained to house the existing standby generator which is required to provide emergency back up power to the new water pumping station structure and the site will be secured by a 2.4m high mesh security fence which will be powder coated in Green.

The applicant indicates that this is effectively a replacement facility that will result in the existing reservoir areas being put back into public use and that the reservoir itself will have grassed banks, it is considered that the proposed works will preserve the openness

of the Green Belt and do not conflict with the purposes of including land within it. It is therefore considered that the proposed works do not constitute inappropriate development within the Green Belt.

b) Need for a new facility

Service reservoirs provide strategic holding facilities for the storage of treated water prior to distribution to public supply. In addition, they provide stored reserves in the event of a distribution main burst or during periods of high demand. Due to restrictions in the existing systems, the existing pumps are unable to operate effectively when the internal SRE level water drops below 40% capacity. This results in a reduction in available pressure and loss of water supply.

The applicant has provided a network supply map which indicates the coverage that the existing reservoir has and any replacement reservoir should be located within Yorkshire Water's existing network area. Yorkshire Water have also indicated the importance of elevation for service reservoirs. In this case the existing water storage at Boston Park derives from Hooper service reservoir and it essential to maintain the existing hydraulic profile i.e. a new reservoir must be at the same level as the existing. It is also noted that the surrounding underground pipe infrastructure has been in place for a long time.

Accordingly, it is considered that the number of potentially suitable sites will be limited, and this will constrain any site to be within close proximity to the existing reservoir.

The supporting information from the applicant indicates that the Boston Park site is operational and the service reservoirs provide strategic holding facilities for the storage of treated water prior to distribution to public supply in the immediate surroundings. The applicant has provided details of the existing and historic capacity of the reservoir complex. Yorkshire Water indicate that if works to provide a new SRE at the site were unduly delayed or prevented from occurring, the wider repercussions and implications from the continued structural weakening of the existing SRE No.2 roof would result in disruption to the supply of water due to an increased risk of contamination. This could result in emergency measures being enforced on the supply of water to local residents and Moorgate Hospital.

Reservoir No.1 (3,550m³) was taken out of service in 1980 due to structural instabilities on the roof and Reservoir No.2 is a twin compartment structure built in 1955. No.2 (9600m³) is currently operational but has reached the end of its serviceable life.

It is understood that the public water supply requires a minimum of 4,700-5,000m³ from Boston Park per day to meet current demands. Accordingly there is insufficient capacity within the system to take no. 2 temporarily out of service and rely solely on reservoir no. 1 whilst no. 2 is upgraded.

One option that has been considered was the construction of three temporary SRE's, with a capacity of 5,000 m³ and 4,000 m³ to replace SRE No.1 and 8,000 m³ to replace SRE No.2. However, temporary infrastructure requirements to meet the water quality and security requirements are equivalent to a permanent solution. Once the permanent reservoirs are finished significant demolition works would be required to remove the temporary storage facility and return Boston Park to a public amenity.

Water Pumping Stations (WPS) provide the facility to pump water under pressure to provide adequate supply pressure to customers located at a distance or higher elevation from the WPS site. The current site meets both of these requirements.

Overall, it is therefore considered that the applicant has satisfactorily demonstrated that there is a requirement for a new reservoir within this area. The reservoir will need to be completed and operational before the existing No.2 is taken out of service, to maintain adequate supplies with a design life of 80 years. A capacity of 12000m³ is required when considering population growth and the associated increase in demand.

c) All other sites have been considered

The assessment will need to justify that this is this only feasible location and that there are no alternative locations that have not been assessed, or have been prematurely discounted.

As indicated above, the applicant indicates that the location of reservoir sites for the local storage capacity is dependent on distances from end users and on higher elevations to reduce the need for additional pumping stations. Sites at a much greater distance, or sited at lower ground levels (for example in Canklow or other areas of Moorgate for example) would not be suitable, as well as requiring substantial alterations to the underground pipe infrastructure.

As indicated previously, the applicant has submitted an options report indicating that 6 options have been considered. These can be summarised as follows:

Option No.1 – Boston Park (current application proposal)

Benefits

- Suitable area for the new reservoir, including adequate working zone and compound.
- Cut and Fill balance can be achieved to maintain and reuse all excavated spoil on site, with only minimal requirements for imported fill material, thereby minimising vehicle movements site and disposal requirements.
- Hydraulic profile meets the system constraints.
- Minimal risks to stability of the operational SRE No.2 as limited requirement for close excavations. Ease of connections to existing inlet and outlet pipe network.
- New SRE and site allows demolition of the two existing SRE's and transference of the land for incorporation into the public park.
- Yorkshire Water providing funds to the council, ring fenced for local development

Disadvantages

- Site is a grade II registered park and garden. The heritage impact of the new development is to be mitigated by orientating the main valve house structures away from the key features of Boston Park and undertaking appropriate landscaping and planting.
- Service diversions of Electrical Cables, Fibre Optic Cables and Water mains required.
- Principal construction access via Boston Castle Grove and Boston Castle Car Park. Site traffic and access to be carefully managed to minimise disturbance.

Option No.2 – Boston Park Temporary SRE. Rebuild new SRE on site of SRE No. 2 with temporary water storage tank on Boston Park during construction.

Benefits

- Existing site area retained.
- Boston Park maintained in the long term.

Disadvantages

- Temporary water storage with a requirement of 5000m³.
- Above ground temporary storage is not feasible for this option due to existing hydraulic constraints and size requirements, approx. required size of 60x45m and 3m high.
- Temporary partially buried storage solution would be required to fit the new tank in the ground of Boston Park and to suit hydraulic constraints.
- Temporary infrastructure requirements to meet the water quality and security requirements are equivalent to a permanent solution.
- Construction of three SRE's, 5,000m³ temporary, 4,000m³ to replace SRE No.1 and 8,000m³ to replace SRE No.2.
- Once the permanent reservoirs are finished significant demolition works required to remove the temporary storage facility and return Boston Park to a public amenity.
- High volume of spoil removed from site due to lack of storage space. Spoil returned to site to back fill the new SRE and reinstate the temporary site. A significant increase in traffic volume on Boston Castle Grove in comparison to other options.
- Service diversions of Electrical Cables, Fibre Optic Cables and Water mains required.
- Principal construction access via Boston Castle Grove and Boston Castle Car Park. Site traffic and access to be carefully managed to minimise disturbance.
- Lifting operations in close proximity to the Arquiva telecoms masts poses the risk of adversely affecting emergency services communication and service providers.

Option No.3 – Oakwood High School. Construction of a new 12,000m³ SRE on Oakwood High School sports pitches, south of existing site.

Benefits

- Finished scheme land area similar to existing.
- Boston Park maintained in the long term

Disadvantages

- System hydraulic constraints require deep excavations at this site.
- Top water level cannot be raised due to hydraulic constraints of the existing water supply system.
- Significant spoil would need to be removed from site to landfill resulting in increased vehicle movements and extended contract programme. Excavations estimated to generate approximately 62,000m³ (80,000tonnes) equivalent to 7200 vehicle movements.
- The overall permanent required plan area for the new SRE would require all of one sports field and around half of the adjacent sports field. With an overall loss of two sports fields.
- Temporary site works would require the closure of three sports fields for the working zone, contractor's compound and temporary spoil storage.

- Sport England would require the provision of additional sports land for both the temporary and permanent case and are likely to submit a statutory objection to the proposals.
- Limited sites in local area for replacement sports fields, one option would be Boston Park but this would remove it as a public amenity and would likely be enclosed.
- Connection into existing SRE pipework requires excavation alongside the existing SRE No.2 for both inlet and outlet mains. These excavations exacerbate the stability risks of the existing structure.
- It is also understood that OHS have also refused to enter into discussions with Yorkshire Water regarding any future land sale of the playing fields.

Overall, due to a combination of an additional 80,000 tonnes of spoil required for excavation (with subsequent 7000 additional vehicle movements), closure of the adjacent Oakwood High School playing fields (and subsequent objection from Sport England) it is not considered that this site would be suitable.

Option No.4 – Thomas Rotherham College. New 4,000 m³ SRE on Thomas Rotherham College land to the North East of the existing SRE site and replacement of the existing 8,000m³ SRE.

- A 4,000m³ single compartment SRE would require a plan area of approx. 45x55m. This area is larger than the current available area. Thus permanent SRE structure and temporary working zone and access to construct a 4,000m³ SRE would encroach on the Thomas Rotherham College overflow carpark, the all-weather sports pitch to the North West and the grassed sports pitch to the North East.
- Provision of the full 12,000m³ at this location will encroach on the all-weather sports pitch and a new pitch will need to be created. There are limited locations for new sports fields and the obvious location would be the grounds of Boston Castle Park, removing this from public amenity.
- A new 4,000m³ SRE volume is unsatisfactory providing reduced security of public water supply for the construction duration of the new 8,000 m³ reservoir.
- The proposed site currently contains a substantial spoil heap of unknown composition. The contents are not known and may present additional health, safety and or waste issues.
- Required access will still be from Boston Castle Grove.
- Connection into existing SRE pipework requires excavation alongside the existing SRE No.2 for both inlet and outlet mains. These excavations exacerbate the stability risks of the existing structure.

Option not taken forward due to lack of available area and increased risk to public water supply.

Option No.5 – Alternative site location. Construction of a new SRE at an alternative site to increase capacity to feed Boston Park distribution network and pumping station.

- A key function of the service reservoir is to provide local strategic storage to meet statutory water supply obligations. Service reservoirs secure the water supply to customers against unplanned interruptions to the supply due to failure of the inlet main.
- A service reservoir within the vicinity of Boston Castle is required to provide the required strategic storage in the event of interruptions to supply.

- Alternative locations at a distance away from the site reduces this capability and would increase the likelihood of supply interruptions.
- The water supply assessment for Boston Park has not only identified that the storage is essential but that an increase in site storage volume to 12,000 m³ is required.
- Having a single source of potable water remote to the local area imposes an increased risk to local public supply in the event of a burst water main.

Option not taken forward due to existing strategic plan and increased risk to supply.

Option No.6 – Boston Park Existing Site (rebuilding new reservoirs)

Benefits

- Existing site area retained.
- Boston Park maintained in the long term

Disadvantages

- SRE No.1 Plan area is only suitable for a new 4,000m³ SRE this volume provides unsatisfactory reduced security of public water supply for the construction duration of the new 8,000m³ reservoir.
- Connection into existing SRE pipework requires excavation alongside the existing SRE No.2 for both inlet and outlet mains. These excavations would exacerbate the stability risks of the existing structure.
- Lifting operations in close proximity to the Arquiva telecoms masts poses the risk of adversely affecting emergency services communication and service providers.
- Spoil removed from site due to lack of storage space. Spoil returned to site to back fill the new SRE and reinstate the temporary site. A significant increase in traffic volume on Boston Castle Grove in comparison to other options.
- Principal construction access via Boston Castle Grove and Boston Castle Car Park. Site traffic and access to be carefully managed to minimise disturbance. Option not taken forward due to restrictions on required supply volume and increased risk to public water supply.

In terms of any other options, local residents along with Friends of Boston Park queried whether a replacement reservoir could be sited within woodland along the western/southwestern area of Boston Park in order to minimise its visual prominence and retain the existing field. However, this option would also be within the Green Belt with no planning policy advantage to this location. Canklow Woods are also protected by a 1989 Tree Preservation Order, and there would be serious concerns regarding any felling of long-established woodland as well as the potential for ecological disturbance likely to be generated. This location may also be potentially unviable from an engineering perspective would be sited at lower land levels, giving problems of gradient and gravity highlighted in other options. The benefits of minimising the future visual prominence and retention of the field is therefore considered to be outweighed by tree loss, ecological disturbance and disruption to the more historic section of the park.

Overall it is considered that Yorkshire Water have satisfactorily assessed all available sites and options. The Council concludes that from the information supplied, Option 1 within Boston Park is the only viable option for the replacement water storage facility. The applicant has satisfactorily demonstrated that there are no alternative sites available that are deliverable. Consequently the principle of development for replacement infrastructure within the Historic Park and Green Belt is considered acceptable and is in

accordance with Core Strategy Policy CS4 'Green Belt', CS23 'Valuing the Historic Environment' and paragraph 90 of the NPPF.

Heritage Impact on the surroundings

In terms of the likely future impact on the nearby listed buildings, it is considered that due to a combination of distance, topography and screening, combined with the low rise nature of the proposed development, that there will be a minimal impact on the recently renovated Boston Castle, the listed doorway and Thomas Rotherham College building.

Historic England (HE) have indicated that if the planning authority considers there are no alternative sites for the proposed service reservoir, the harm the proposals would cause should be weighed against the public benefits of the proposals in accordance with paragraph 134 of the NPPF. Subject to the Council being satisfied that no alternative options are available, HE have not raised any specific objections to the proposals.

In terms of the impact on the adjacent Moorgate Conservation Area, the proposed new reservoir site lies to the immediate south west of this which was designated in 1977. It is characterised by large Victorian villas set in often expansive gardens. The part of the CA abutting the proposed reservoir site is dominated by the ancillary buildings of Thomas Rotherham College which are a mixture of the modern and the converted Victorian. In terms of impact on the setting of the conservation area, the proposed reservoir will be clearly visible from public footpath no.3 which runs along the western boundary of the site. However, due to the low rise nature of the reservoir, combined with proposed landscaping there is considered to have no impact on the Conservation Area.

In terms of the impact on Boston Park Registered Park and Garden (Grade II), the proposed reservoir development will occupy the eastern portion of the site. This part of Boston Park is a grassed over field and the Conservation Officer has indicated that it potentially could have been omitted from the original inclusions within the boundary of the Historic Park and Garden as historically and aesthetically it adds little to the parks character.

The register of Historic Parks and Gardens was drawn up by English Heritage (now Historic England). The local authority had no input into the shape and extent of the boundary. The significance and character of Boston Park is considered to derive predominantly from the area around its principle building, Boston Castle, and the gardens and pleasure grounds to the west. RMBC's Conservation Officer goes onto indicate that it is not considered that any important features, including planting and structures will be lost as a result of the proposal.

In summary, it is considered that the impact on nearby listed buildings is minimal and the impact on the Moorgate Conservation Area and on the Green Belt is limited by the low lying nature of the proposal. Overall it is considered that there is a clear need for Yorkshire Water to meet their obligations on water supply for the western part of the Rotherham area. The applicant has indicated that a failure to deliver a new service reservoir would likely impact on the ability to provide continuous potable water. Having regard to paragraph 134 of the NPPF, the siting in the least historic section of the park and the public necessity for this reservoir infrastructure, these factors are considered to outweigh heritage concerns and the proposal is considered to satisfy policy criteria CS19 'Green Infrastructure', CS21 'Landscape', CS22 'Greenspace', Sites and Policies SP 35 Green Infrastructure & Landscape.

Archaeological Issues

The South Yorkshire Archaeology Service. has indicated that although the results suggest some possible archaeological features are present, the general level of archaeological potential is low. For this reason, SYAS do not consider that any further work is required at this stage and further investigation can be secured by a suitable condition.

The additional details provided within the subsequently submitted Written Scheme of Investigation (WSI) which sets out a strategy for archaeological investigation, has been accepted by SYAS. Consequently the first part of the recommended condition is can be considered to have been satisfactorily carried out.

Green Space issues

The Council's Green Spaces department have indicated that they have assumed that the applicant is able to demonstrate the need for this development, and can adequately evidence that it can only practically be sited in this location, as a result of their options appraisal.

The existing site is a relatively level piece of open space that lies within the Green Belt and within a Green Infrastructure Corridor. The park has some existing connectivity to the wider GI corridor but there is scope for this to be improved.

The proposal is to site a new replacement covered reservoir adjacent to two existing covered reservoirs and includes the re-contouring of the existing reservoir areas and restoration to parkland. The appearance of the facility is considered to be of similar banked grass elevation as the existing, although it will be closer to existing housing and the castle building.

A number of features have been incorporated into the design of the scheme in order to minimise the visual effects including the grass banking to conceal the walled construction in line with the existing facility. The footprint of the reservoir has been rotated so that the larger valve house is located on the south elevation so as not to face the nearby housing or castle itself directly. The smaller dosing house will instead sit on the North elevation. Overall it is considered that the design of the proposals minimise the visual and operational impact on the Urban Greenspace within the park.

Sport England comments and Unilateral Undertaking Offer

In terms of the impact on formal recreational space, Sport England initially objected to the application on the grounds that the proposal will result in the loss of a potential

playing field and that the Council does not have an up to date Playing Pitch Strategy. Consequently, it is not known what the current and future sporting demand is within the Rotherham borough. However, Sport England have acknowledged that the site is not recognised as having been a formal playing pitch in the past and this did not represent a statutory objection.

Yorkshire Water have subsequently offered a signed Unilateral Undertaking to the Council for £30 000 for a new Playing Pitch Strategy to be commissioned. Sport England have subsequently confirmed that this would be acceptable to address their initial concerns.

It is also understood that there would be a land swap with the existing site along with a financial contribution towards future landscaping and investment in the proposed replacement land area. This does not form part of this planning application and this element is not being assessed.

The land housing the existing reservoirs lies behind (to the south) of the existing field, between 200-350m away from Boston Castle and is not publically accessible. A number of the objections raised concerns that the replacement land given back for public use would be of an inferior quality than exists at present. Whilst it is acknowledged that this land would be less visible and not as well overlooked as the existing field, it is considered that the proposed replacement park provision would assist in providing an alternative amenity area. Over time it is hoped that the replacement public area would become a well-used and valued amenity area.

Overall therefore the principle of the application is considered to be acceptable in its own right without relying on the offer of a Unilateral Undertaking for a new Playing Pitch Strategy. However, this contribution is welcomed and is considered to provide benefit to the park and its users.

Trees and Ecological Issues

The Council's Tree Service Manager has not raised any objections to the extent of pruning to trees along the access route on Boston Castle Road for access to the site. The extent of pruning appears no more than is normally required to maintain adequate height clearance above ground level over the highway i.e. 2.4m over the footway and 5.2m and carriage way respectively.

The Council's Ecologist has indicated that the Preliminary Ecological Appraisal does not mention nearby Local Wildlife Sites (such as the adjoining Canklow Woods) or ancient woodlands (such as the southern corner of Canklow Woods). Adjoining local wildlife sites have the potential to be affected by the proposed works. However, it is considered that these might be temporary and take the form of disturbance due to construction and demolition.

The Ecologist recommends a biodiversity enhancement plan should be submitted as a condition. However, overall there are no objections to the proposals.

Highway Safety issues

The application indicates that the Design and Access Statement submitted in support of the application outlines that there will be anticipated 8264 vehicle movements over the duration of the programme at approximately 72 weeks. This equates to an average of 23

vehicles per day with a maximum of 48 movements per day. The total number of large vehicle movements during this time will be in the order of 2,548.

Boston Castle Grove provides vehicular and pedestrian access to residential properties, Thomas Rotherham College, Moorgate Cemetery and recreational facilities at Boston Castle. The introduction of a significant number of HGV's along Boston Castle Grove will require traffic management measures to maintain the safe and convenient operation of the public highway.

A Travel and Traffic Management Plan has been submitted which includes routing HGV's such that right turns into Boston Castle Grove from Moorgate Road and right turns out only are undertaken. Deliveries will be timed to avoid peak commuting hours and banksmen will manage vehicle movements at the junction. Prior to commencing work, a dilapidation survey of the public highway will be undertaken and any degradation or damage to the public highway will be reported to RMBC.

A Memorandum of Understanding will be required which states that liability for repairing any damage caused to the highway would rest with the developer/contractor. The developers are also to liaise with the Council's Parking Enforcement section prior to commencing works in order for active enforcement of the existing waiting restrictions in Boston Castle Grove.

With regard to the above circumstances, the Transportation Unit have raised no objections to the proposal from a highway aspect subject to the measures outlined in the Traffic Management Plan being implemented throughout the duration of the works.

Turning to the objections, approximately two thirds of objections received refer to highway issues during construction. A number of objectors suggest that the use of Lawton Lane would be preferable to Boston Castle Grove. Whilst this route may be less heavily trafficked, Lawton Lane is not adopted and the Transportation Unit have indicated a preference for the Boston Castle Grove option during construction. Access along Lawton Lane would also require vehicles to pass through Oakwood High School playing fields, with a subsequent increase in disruption to the use of the playing pitches, blocking the OHS overflow carpark and safety risks posed to OHS students and staff when accessing playing pitches. Alternatively, a route through Canklow Woods would detrimentally impact on ecology and the environment due to a significant number of well-established trees (that are subject to a TPO) as well as the route's proximity to a scheduled ancient monument. Neither option is considered preferable to the use of Boston Castle Grove.

Overall it is acknowledged that there is likely to be some degree of disruption during the construction phase. However, it is not considered that this will be of sufficiently great scale to justify refusal on these grounds. In any event, the other options suggested are likely to generate similar levels of temporary construction traffic.

Design, Scale and Appearance

Core Strategy CS28 'Sustainable Design' requires development to make a positive contribution to the environment by achieving an acceptable standard of design. In addition, paragraph 56 of the NPPF states that: "Good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people."

The scale and height of the proposed reservoir building and its associated equipment is considered to have been designed in order to minimise its overall impact on the park and surroundings. It is considered that the proposed development is a necessity and is of an appropriate scale for the site and sufficient regard has been made to blend the buildings into the character of the area and the landscaping is considered to soften the appearance for both park users and residents.

Landscaping

There is an area of landscaping proposed around the perimeter of the buildings and also on the front western elevation. The landscaping will assist in softening the appearance of the reservoir construction both in terms of views of the development from within and around the site.

The area currently occupied by the existing reservoirs is proposed to be re-contoured and restored and given to the Council in exchange for the land to be taken for the new reservoir. Yorkshire Water are intending to provide a financial contribution of approximately £160,000 as part of a land exchange deal. This would enable the Council to undertake a package of improvement works within the new area and elsewhere in the park. The land exchange deal lies beyond the scope of this planning application, but a condition for new landscaping is recommended.

The creation of some additional park area on the site of the existing and former reservoirs nos. 1 and 2 giving an overall net increase in the size of the park is welcomed. It is considered that with appropriate landscaping this would assist in providing compensatory provision due to the loss of the existing site.

Overall it is considered that the proposed development is of an appropriate scale and design and which will comply with the general advice within the NPPF and Core Strategy CS28 'Sustainable Design.'

Drainage and Flood Risk Issues

The site does not lie within an identified Flood Zone or a recognised Surface Water Flood Risk area. The applicant has confirmed that the proposed new SRE compound will require 3428sqm of roof drainage to the existing combining sewer, 725sqm of onsite drainage to a soakaway with the remaining 6042sqm of grass surface which will drain naturally.

In comparison to the existing SRE site, the proposed new SRE site indicates that there will be an overall reduction on the local drainage network during rainfall events due to a smaller drained roof area. In summary, no additional surface water drainage is anticipated in comparison to the existing arrangement.

In terms of flood risk issues, the Drainage Officer has indicated that he is now satisfied with the drainage principles for this application, subject to a further detailed drainage plan.

Overall, it is considered that the development of this site for the purposes detailed above are acceptable in flood risk terms, subject to condition.

Noise and pollution control Issues

The council's Environmental Health department have not raised any specific issues relating to noise and land contamination issues. Any noise impact will occur during construction phase, particularly with traffic and construction works. The final development is not considered to be materially more significant than at present. It is therefore considered that the application is acceptable when considered against policy ENV3.7 Control of Pollution'.

Representations received

The Council notes that a high number of objections have been received to this application with over 30 individual representations received. It is considered that the principle objections revolve mainly around highway congestion during the construction period by the large number of vehicle movements, the potentially permanent loss of amenity in this park and the generally negative impact on the heritage of the area.

Overall therefore, and whilst it is acknowledged that there is significant public interest in this application, the objections raised are not considered to outweigh the wider need for the infrastructure improvements that this application will provide. It is acknowledged that there will be some disruption to nearby residents during the construction period. However, it is considered that these will be reduced by the implementation of the measures outlined in the traffic management plan. As indicated in the paragraphs above, any proposed option is likely to result in a significant volume of construction traffic.

Other Issues

The issue of covenants and legal deeds has been raised from objectors with regard to whether the development of the land would conflict with a long standing covenant. From a planning perspective these issues are not material in the determination of a planning application. Whilst it is acknowledged that in this case the Council also has an interest in the land as a landowner, this is considered to be a separate issue that should be determined independently of the planning application, as would be the case with all planning applications. Accordingly the applicant will need to overcome this legal issue with the Council's Estates department. However, this is not considered to be an issue that can be further assessed within this planning application.

Conclusion

The site is allocated for Green Belt purposes in the Unitary Development Plan and lies within a grade ii historic park and garden. It is considered that the applicant has provided sufficient justification to demonstrate that there is a need for this infrastructure development in this location.

The applicant has listed a number of available options that have been considered by Yorkshire Water with the advantages and disadvantages of each. Overall the Council considers that the option selection process has been robust and that this as the is the only feasible site available. During the determination of the application no additional sites were considered suitable. The Green Spaces Team and Conservation Officer have indicated that the proposal will be located in the least historic section of Boston Park. The principle of development within a historic park and within this green belt location is considered to be acceptable.

The Transportation Unit have indicated that they consider the use of Boston Castle Grove to be the most appropriate point of access and they have no overall concerns with the proposal, subject to condition of Traffic Management Plan during the construction phase.

The site is not considered to have any higher level of future flood risk than the surroundings and the Council's Drainage Officer has not raised any flooding or drainage concerns subject to conditions.

The proposed design, whilst functional in appearance, is considered to have been softened with additional landscaping and use of appropriate external materials to minimise visual impact on the surroundings. Overall the reservoir is considered to be a necessary public infrastructure improvement that is of an appropriate scale for the surroundings. The proposal will be sited within the least historic section of Boston Park and is sited a sufficient distance to minimise any visual impact on the setting of the listed Boston Castle building.

The application is recommended for approval, subject to conditions.

Conditions

01

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

Reason

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

02

The 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)

Area and site location plan Q0282_QR04-MMB-000-ZZ-DR-C-110

Proposed SRE Layout Plan Q0282_QR04-MMB-000-ZZ-DR-C-0111

Sections and Elevations Q0282_QR04-MMB-000-ZZ-DR-C-0112 Proposed SRE

Existing SRE Sections Q0282_QR04-MMB-000-ZZ-DR-C-0113

Demolition Works Q0282_QR04-MMB-000-ZZ-DR-C-0114

Temporary Compound Plan Q0282_QR04-MMB-000-ZZ-DR-C-0115

Ground re-profiling Q0282_QR04-03-MMB-000-ZZ-DR-C-1021 Rev C1, 112 P2

Design and Access Statement

received 20.06.17

Reason

To define the permission and for the avoidance of doubt.

03

The development shall not be brought into use until details 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 development shall thereafter 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 Core Strategy Policy CS28 Sustainable Design.

04

Prior to the development being brought into use, the developer shall submit final details to clad exposed concrete walls of the dosing house on the north side of the new reservoir (closest to the Castle) in a natural stone to match stone used in other walls in and around the park. These details shall be submitted to the Local Planning Authority and agreed in writing.

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.

05

The development shall be carried out in accordance with the measures outlined in the Traffic Management Plan (ref Planning Application Design Access Statement September 2017) throughout the duration of the construction works.

Reason

In the interests of road safety and in order to minimise congestion and disruption to the surroundings, in particular to nearby residential properties.

06

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 Special Parkland restoration condition: Within the first planting season following completion of the development the area currently occupied by the existing reservoirs is to be restored to approved restoration contours and soiled and seeded to grassland, all to an agreed specification.

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'.

07

Prior to completion of the new reservoir facility, 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 and in accordance with the appropriate standards and codes of practice 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'.

08

Details of the proposed means of disposal of foul and surface water, including details of any off-site work and on site attenuation of surface water flows, 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'.

09

Prior to completion of the new reservoir facility, a Biodiversity Improvement Scheme shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall indicate how ecological enhancement and biodiversity gain will be delivered. The development shall then be carried out in accordance with the approved details.

Reason

In order to enhance the level of biodiversity and ecological gain.

10

Part A (pre-commencement)

The development shall take any demolition and groundworks, shall only take place in accordance with the approved Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation and this has been approved in writing by the Local Planning Authority. The WSI included:

- The programme and method of site investigation and recording.
- The requirement to seek preservation *in situ* of identified features of importance.
- The programme for post-investigation assessment.
- The provision to be made for analysis and reporting.

- The provision to be made for publication and dissemination of the results.
- The provision to be made for deposition of the archive created.
- Nomination of a competent person/persons or organisation to undertake the works.
- The timetable for completion of all site investigation and post-investigation works.

Part B (pre-occupation/use)

Thereafter the development shall only take place in accordance with the approved WSI and the development shall not be brought into use until the Local Planning Authority has confirmed in writing that the requirements of the WSI have been fulfilled or alternative timescales agreed.”

Reason

To ensure that any archaeological remains present, whether buried or part of a standing building, are investigated and a proper understanding of their nature, date, extent and significance gained, before those remains are damaged or destroyed and that knowledge gained is then disseminated.

Informatives

- a) The applicant is requested to contact Andrew Rowley in Highways (andrew.rowley@rotherham.gov.uk 01709-822962) prior to the commencement of works with regard to the preparation of the Memorandum of Understanding.
- b) At all times before and during the construction phase, Yorkshire Water's contractors shall advise the Council's Urban Green Spaces Manager (Phil Gill) of their proposed operations and measures to minimise their impact on park users, and to work constructively with him to accommodate any requests or requirements he may have.
- c) Yorkshire Water are requested to provide and maintain one or more information board on site for park users, with details of the work, why it is being undertaken, programme, expected completion date, and contact details (name, phone number and e-mail address) for enquiries etc.

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.