

PLANNING REGULATORY BOARD

Date:- Thursday, 5 November 2020 **Venue:- Virtual Meeting**
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 24th September, 2020 (Pages 2 - 4)
6. Deferments/Site Visits (information attached) (Pages 5 - 6)
7. Development Proposals (Pages 7 - 82)
8. Updates
9. Date of next meeting -
Thursday, 26th November, 2020. Commencing at 9.00 a.m.

Membership of the Planning Board 2020/21

Chair – Councillor Sheppard
Vice-Chair – Councillor Williams
Councillors Atkin, Bird, D. Cutts, M. S. Elliott, McNeely, Sansome, Short, Steele, John Turner, Tweed, Walsh and Whysall.

Planning Regulatory Board 'Public Right To Speak'

REGISTERING TO SPEAK

The Council has a "Right to Speak" policy, under which you may speak in the Planning Board meeting about an application. If you wish to do this, it is important that you complete a tear-off slip and return it with any written comments, within 21 days of the date of the notification letter back to the Planning Department.

Your comments will be made known to the Planning Board when it considers the application and you will be written to advising of the date and time of the Planning Board meeting to exercise your right to speak

WHEN YOU ARRIVE

If you wish to speak in the meeting, please try to arrive at the venue ten minutes before the meeting starts. The reception staff will direct you to the Council Chamber.

In the Council Chamber, please give your name to the Board Clerk (who will have a checklist of names derived from the agenda). The Clerk will direct you to the seating reserved for people who wish to speak.

The agenda is available on line at least five days prior to the meeting, and a few copies will be made available at the meeting, so you can read the reported relating to the application which concerns you and see where it comes in the agenda.

The Council Chamber is equipped with microphones and a hearing loop

The meeting is being filmed for live or subsequent broadcast via the Council's website and can be found at:-

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

If anyone present or members of the public in the public galleries do not wish to have their image captured they should make themselves known to Democratic Services before the start of the meeting.

This may require seating in a different area of the Chamber or in an alternative viewing room (if available).

Take time to familiarise yourself with the layout of the Chamber and the procedure.

YOUR RIGHT TO SPEAK

The 'right to speak' applies equally to the applicant and to the general public.

It is not intended that professional agents representing either the applicant or objectors, should be allowed to speak, but this is at the Chairman's discretion.

You will be invited to speak by the Chairman at the correct interval.

Switch the microphone on to allow everybody in the Chamber to hear your comments.

Each speaker will be allowed three minutes to state his/her case. The applicant does not have a "right to reply" to the objector(s) comments.

Only planning related comments can be taken into consideration during the decision process.

CONDUCT OF COMMITTEE MEETINGS

Speakers should not be allowed to engage in discussion with members of the Committee during public speaking or the Committee deliberations, to avoid any risk of accusation of bias or personal interest.

All attendees are reminded of the importance to remain calm, courteous and respectful during the meeting. Please refrain from shouting out and allow people to speak. Any person causing a disruption will be asked to leave the Council Chamber.

MEMBERS' DECLARATION OF INTEREST

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

1

11

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 Governance Adviser prior to the meeting.

Signed:-

(When you have completed this form, please hand it to the Governance Adviser.)

PLANNING BOARD
Thursday, 24th September, 2020

Present:- Councillor Sheppard (in the Chair); Councillors Atkin, Bird, D. Cutts, M. Elliott, McNeely, Sansome, Short, Steele, John Turner, Walsh, Whysall and Williams.

The webcast of the Planning Meeting can be viewed at:-
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112. EXCLUSION OF THE PRESS AND PUBLIC

There were no items on the agenda to warrant exclusion of the press and public.

113. MATTERS OF URGENCY

There were no matters of urgency to be considered.

114. DECLARATIONS OF INTEREST

Councillor M. Elliott declared a personal interest in application RB2019/0582 (demolition of various buildings and removal of containers, erection of new food store (Use Class A1) with associated access, parking and landscaping, new changing room facilities and creation of playing area, and formation of new parking area at Christ Church Rotherham Road Swallownest for Lidl UK GmbH) on the grounds of having been contacted by a number of the objectors. He spoke on the application and then left the meeting during the discussion and the vote.

Councillor Walsh declared a personal interest in application RB2019/0582 (demolition of various buildings and removal of containers, erection of new food store (Use Class A1) with associated access, parking and landscaping, new changing room facilities and creation of playing area, and formation of new parking area at Christ Church Rotherham Road Swallownest for Lidl UK GmbH) on the grounds of giving advice to constituents on how to present their concerns. He left the meeting prior to the application being considered so did not observe the debate or the vote.

115. MINUTES OF THE PREVIOUS MEETINGS HELD ON 13TH AUGUST AND 3RD SEPTEMBER, 2020

Resolved:- That the minutes of the previous meetings of the Planning Regulatory Board held on Thursday, 13th August and 3rd September, 2020, be approved as a correct records of the meetings.

116. DEFERMENTS/SITE VISITS

There were no site visits nor deferments recommended.

117. 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, a number of people attended the meeting and spoke about the following application:-

- Demolition of various buildings and removal of containers, erection of new food store (Use Class A1) with associated access, parking and landscaping, new changing room facilities and creation of playing area, and formation of new parking area at Christ Church Rotherham Road Swallownest for Lidl UK GmbH (RB2019/0582)

Councillor M. Elliott (Objector) – then left the meeting

Ms. M. Davies (Applicant)

Ms. C. A. Jones (Objector)

Mr. F. Eizens (Objector)

Mr. M. Stringer (Objector)

Mr. C. Beebe (Objector)

Mr. M. Parker (Objector)

Councillor R. Taylor (Objector)

Statements were also read out by the Planning Manager on behalf of:-

Mr. S. Madey

Mr. M. Firth

Mr. J. Stevenson

Mr. G. Watts

(2) That, with regards to application RB2019/0582 the Planning Board declared that it was not favourably disposed towards this application, on the grounds of the impact of the development on the designated district town centre of Swallownest and the Assistant Director of Planning, Regeneration and Transport, in consultation with the Chairman and Vice-Chairman of the Planning Board, be authorised to determine the reasons for refusal for this application.

(3) That application RB2019/1483 be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the submitted report and subject to an additional condition relating to the Supplementary Planning Guidance on Sustainability for the provision of electric charging points within the development to read:-

Prior to the occupation of any dwelling, details of the infrastructure to allow every future homeowner on the site to fit their own specific Electric Vehicle Charging connection plate, shall be submitted to and approved by the Local Planning Authority. Each dwelling shall not be occupied until the approved infrastructure has been provided, and they shall thereafter be retained.

Reason - In the interests of sustainable development and air quality.

118. UPDATES

There were no updates to share with Planning Board other than to clarify the process of attendance and attendees at Public Inquiries.

119. DATE OF NEXT MEETING

Resolved:- That the next meeting of the Planning Board take place on Thursday, 15th October, 2020 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 Assistant Director of the 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 Assistant Director of Planning, Regeneration and Transport 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 Assistant Director of Planning, Regeneration and Transport.
- 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 Chair and Vice-Chair 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 Chair should explain the next steps. The applicant and representees should be informed that the decision on the application will normally be made later that day at the Board meeting subject to the normal procedure and that they will be welcome to attend and exercise their "Right to Speak" as appropriate.

**REPORT TO THE PLANNING REGULATORY BOARD
TO BE HELD ON THE 5th NOVEMBER 2020**

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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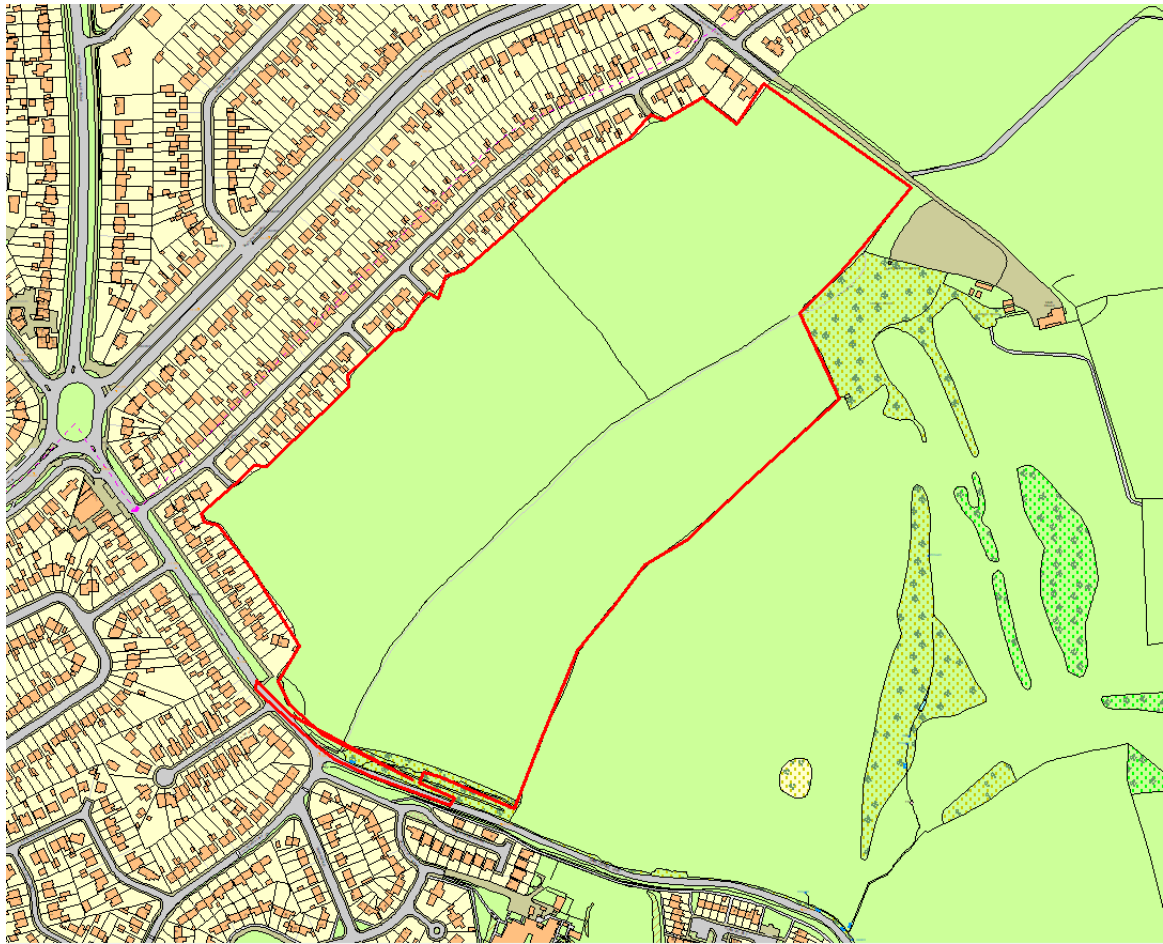
RB2019/0552 Outline application for the erection of up to 450 No. dwellinghouses including details of access at land to the North West of Worry Goose Lane Whiston for AE Waddington, R Parkes & V Foers	Pages 8-82
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**REPORT TO THE PLANNING BOARD
TO BE HELD ON THE 5th NOVEMBER 2020**

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

Application Number	RB2019/0552 https://rotherham.planportal.co.uk/?id=RB2019/0552
Proposal and Location	Outline application for the erection of up to 450 No. dwellinghouses including details of access at to the north west of Worry Goose Lane, Whiston
Recommendation	<p>A That the Council enter into an Agreement under Section 106 of the Town and Country Planning Act 1990 for the purposes of securing the following:</p> <ul style="list-style-type: none"> • 25% on site affordable housing provision in accordance with the Council's adopted Policy. • Commuted sum of £500 per dwelling towards sustainable transport measures to support the Travel Plan. • Financial contribution commensurate with the cost of the highway improvement scheme as required by condition 8 towards wider works on Worrygoose in the event that works are instructed by the Council. • Financial contribution towards the enhancement of local bus services - £100k per annum for a period of 3 years • Improvements to 2 bus shelters on Worry Goose Lane amounting to £63,700 • Education Contributions in accordance with the Council's adopted Policy. • Formation of a Local Area of Play within Phase 1 of development • Formation of a Neighbourhood Equipped Area of Play within Phase 2 of development • Erection of a Multi Use Games Area within Phase 3 of development • Establishment of a Management Company to manage and maintain the areas of Greenspace, including the proposed LAP, NEAP and MUGA. <p>B Consequently upon the satisfactory signing of such an agreement the Council grants permission for the proposed development subject to the conditions set out in this report.</p>

This application is being presented to Planning Board due to the number of objections received.



Site Description & Location

The site comprises some 19.7ha of land that lies to the south of Lathe Road and to the east of Worry Goose Lane. It encompasses two large fields that are divided by an existing hedgerow. Public Footpath No 1 (Whiston) runs along the south side of the hedgerow, from Worry Goose Lane in the west to Shrogswood and then eastwards towards Bawtry Road. In the past, the site has been actively farmed for arable crops under modern farming methods.

To the south-east of the site lies Sitwell Golf Club. The Golf Club House is located off Shrogswood Road via a private road that runs along the north-eastern boundary of the site. Existing residential development adjoins the site to the north, where the dwellings off Lathe Road back onto the site. Residential properties also back onto the site from Worry Goose Lane, and housing areas to the west of Worry Goose Lane form part of a wider area of housing, together with the Whiston Worrygoose Primary School off Worry Goose Lane.

Background

The site has no planning history relevant to this application.

Community Infrastructure Levy

The development is Community Infrastructure Levy (CIL) liable. CIL is generally payable on the commencement of development though there are certain exemptions, such as for self-build developments. The payment of CIL is not material to the determination of the planning application. Accordingly, this information is presented simply for information.

Environmental Impact Assessment

The proposed development falls within the description contained at Paragraph 10 (b) of Schedule 2 of the Town and Country Planning (Environment Impact Assessment) (England and Wales) Regulations 2017 and meets the criteria set out in column 2 of the table in Schedule 2 i.e. the development includes more than 150 dwellings and exceeds 5 hectares. However, the Borough Council as the relevant Local Planning Authority has taken into account the criteria set out in Schedule 3 to the Regulations and it is considered that the development would not be likely to have a significant effect on the environment by virtue of factors such as its nature, size and location. Accordingly, it is the Local Planning Authority's opinion, that the proposed development is not 'EIA development' within the meaning of the 2017 Regulations.

Proposal

The application seeks outline permission for the erection of up to 450 homes including the means of access, which for the purposes of this application includes the first 20m into the site. All other matters are reserved for future consideration.

A masterplan document has been submitted in support of the application which provides an illustration of how the site could be developed. This plan shows 2 means of access along the south western edge of the site onto Worry Goose Lane, (the first 20m of which is being considered in detail at the outline stage), along with estate roads feeding the built development and open spaces, which for the purposes of this application are purely indicative.

It is important to note that this masterplan has been submitted for illustrative purposes only, however it does indicate that the new dwellings will range from two storey up to two and half storey dwellings. There will also be some three storey buildings at appropriate locations. These higher buildings would be located as landmark or statement buildings designed to provide a visual focus at locations within the development.

To supplement the masterplan, an indicative accommodation schedule based on the available developable area has been prepared, which suggests that the site could accommodate 1 and 2 bed apartments, 3 and 4 bed townhouses or semi detached dwellings, and 3, 4 and 5 bed detached houses.

The indicative masterplan also provides on-site open spaces and landscaping and shows the provision of the linear open spaces that run along the length of the site. The southern linear open space provides a visual break between development and the open countryside to the south. The central linear open space follows the line of public footpath No 1 and the hedgerow division of the site. In addition to these linear areas, other areas of open space are proposed to break up the development and allow green areas to permeate the new development towards the north and Lathe Road.

Finally, the masterplan provides an indication of road hierarchy, which has been designed to follow the principles set out in the South Yorkshire Design Guide and includes primary and secondary roads and private shared drives.

A Phasing Plan also supports the application, which indicates that the development can be split into 3 distinct phases, which is influenced primarily due to the access roads onto Worrygoose Lane.

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

- Design and Access Statement – states that the overall vision for the site is to create an attractive and sustainable development, to provide a new living environment which will provide a mix of new homes, open spaces and attractive recreational areas in keeping with the edge of settlement location.
- Masterplan Document – supports the applications and sets out the site constraints and considerations in respect to the indicative layout.
- Statement of Community Involvement - sets out the consultation strategy carried out by the Agents. This included consultation during the course of the preparation of the Development Plan and following its adoption, in consultation with Whiston Parish Council, a public exhibition was held at Broom Methodist Church. The exhibition was advertised in the Rotherham Record Classifieds and in the Rotherham Advertiser Public Notices. The event was attended by approximately 300 people.
- Accommodation Schedule – provides indicative percentage splits and house types to support the masterplan
- Transport Assessment - has been prepared in accordance with the National Planning Policy Framework and seeks to demonstrate that: the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for

major transport infrastructure, safe and suitable access to the site can be achieved for all people; and improvements can be undertaken within the transport network that cost-effectively limit significant impacts of the development.

- Travel Plan - forms the framework within which the final Travel Plan for the site will be developed, outlining a range of measures considered appropriate to the type and scale of development proposed.
- Flood Risk and Run Off Assessment – concludes that the development is suitable for this location and can be safely developed to manage and control all identified long term residual flood risks in this area. The provision of a positive drainage system on the site may also contribute to a reduction in flood risk locally.
- Air Quality Assessment – confirms that the magnitude of the effects of changes in traffic flow as a result of the proposed development, with respect to NO₂, PM₁₀ and PM_{2.5} exposures for all modelled existing sensitive receptors, is determined to be 'negligible'.
- Archaeology and Cultural Heritage Statement – concludes that there are no high importance heritage assets within the proposed development area nor in its vicinity. There are several medium importance heritage assets in its vicinity, although there are no Listed Buildings in the immediate vicinity, nor likely impact on any other heritage assets in the vicinity of the proposed development area.
- Archaeological Desktop Assessment – confirms that the Historic Environment Record suggests that there is potential for the discovery of late-prehistoric or Roman-period archaeology within the Subject Area and in the surrounding area. No features of archaeological significance were noted, except traces of damaged ridge-and-furrow earthworks at the northeastern end of the Subject Area.
- Preliminary Ecological Appraisal – confirms that the site was not found to contain any rare or notable plant species or habitats. The habitats for foraging bats are limited within the site, predominantly the hedgerows. The site was also found to contain suitable habitat for badgers, large mammal tracks indicating the possibility of this species utilising the site.
- Full Badger Survey - confirms that No active badger setts were identified within 30m of the proposed development.
- Transact Activity Survey for Bats - indicates low levels of bat foraging and commuting activity; through the site, it is understood that current plans for the site would retain these features, but that additional lighting of some areas would be required. A lighting design around the new development should be considered at an early stage.

- Pre-development Tree Survey – provides a survey of all trees on site. The supplied tree protection plan shows that no trees or hedges are proposed for removal and that the scheme can be achieved without any impacts on tree protection areas or for any need to carry out large scale reductions of the retained trees.
- Geotechnical and Geo-Environmental Desk Study – recommends that a Ground Investigation and Contamination report is submitted prior to commencement of development due to the presence of coal seams and heightened risk of ground gas issues in the wider area.
- Phase 2 Geotechnical and Geo-Environmental Site Investigation – confirms that the Shafton Coal seam outcrops in the southern third of the site, and the Highgate Coal seam outcrops in the northern third. Both trend north west to south east across the site. Shallow mine workings were encountered within both the Shafton and Highgate coal seams, and as a result, around 80% of the site is likely to require drilling and grouting prior to development. Mine shafts will need treating and capping prior to development, and it is likely additional mine shafts will be exposed during a site strip.
- Geophysical Survey - revealed an extensive agricultural landscape of probable Romano-British date. The results of this survey and any subsequent archaeological works will, therefore, add to the archaeological record for the Coal Measures region of South Yorkshire. The geophysical survey has also revealed evidence of Medieval or post-Medieval agricultural activity and probable post-medieval industrial activity relating to coal exploitation, in addition to a number of anomalies of possible archaeological origin, which could indicate that archaeological remains survive from other periods.
- Utilities Report - summarises the position with regard to an investigation of the utilities in the development of a site. There are gas, electricity, water and BT supplies close to the site and initial enquiries have been made regarding the provision of new gas, electricity and water supplies for the development.
- Landscape and Visual Appraisal – confirms that major adverse effects have been identified on residential receptors situated immediately adjacent to the site due to the close and direct nature of the view and the large scale of change in the view likely to be provided by the proposed development. Moderate adverse effects are identified on residential receptors situated to the north of the site within the southern extent of Sheep Cote Road where the development is likely to provide an intermediate change within the close view from this location. Elsewhere minor adverse effects are expected on residential receptors situated between 0.5km and 1.0km from the site, on the higher ground to the north at Beech Avenue and Sledgate Lane, and at Royds Moor Farm to the south east from where the development is likely to provide a small change in the wide view from these locations.

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 the Sites and Policies Document which was adopted by the Council on the 27th June 2018.

The application site was allocated for Green Belt purposes in the former Unitary Development Plan (UDP), however, since the submission of the application in 2017 the adopted Sites and Policies Document removed the site from the Green Belt and allocates it for Residential Use (allocated site H34). For the purposes of determining this application the following policies are considered to be of relevance:

Core Strategy policy(s):

- CS1 Delivering Rotherham's Spatial Strategy
- CS3 Location of New Development
- CS6 Meeting the Housing Requirement
- CS7 Housing mix and affordability
- CS14 Accessible Places and Managing Demand for Travel
- CS19 Green Infrastructure
- CS20 Biodiversity and Geodiversity
- CS21 Landscape
- CS22 Green Space
- CS23 Valuing the Historic Environment
- CS24 Conserving and Enhancing the Water Environment
- CS25 Dealing with Flood Risk
- CS27 Community Health and Safety
- CS28 Sustainable Design
- CS32 Infrastructure Delivery and Developer Contributions
- CS33 Presumption in favour of sustainable development

The Sites and Policies Document – June 2018:

- SP1 Sites Allocated for Development
- SP11 Development in Residential Areas
- SP26 Sustainable Transport for Development
- SP32 Green Infrastructure and Landscape
- SP33 Conserving and Enhancing the Natural Environment
- SP34 Sites Protected for Nature Conservation
- SP35 Protected and Priority Species
- SP36 Soil Resources
- SP37 New and Improvements to Existing Green Space
- SP39 Design and Location of Green Space, Sport and Recreation
- SP42 Archaeology and Scheduled Ancient Monuments
- SP43 Conserving and Recording the Historic Environment
- SP47 Understanding and Managing Flood Risk drainage
- SP49 Safeguarding Mineral Infrastructure
- SP52 Pollution Control
- SP54 Contaminated and Unstable Land

SP55 Design Principles
SP56 Car Parking Layout
SP57 Sustainable Construction
SP64 Access to Community Facilities

Other Material Considerations

The specific Site Development Guidelines for this allocated site (H34).

South Yorkshire Residential Design Guide

Manual for Streets

Council's Car Parking Standards

Supplementary Planning Document No. 2 - Air Quality and Emissions

Supplementary Planning Document No. 5 - Equal and Healthy Communities

National Planning Practice Guidance (NPPG) (as revised)

National Planning Policy Framework: The revised NPPF came into effect in February 2019. It sets out the Government's planning policies for England and how these should be applied. It sits within the plan-led system, stating at paragraph 2 that "Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise" and that it is "a material consideration in planning decisions".

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

Publicity

The application has been advertised by way of press, and site notice along with individual neighbour notification letters to adjacent properties. A total of 320 letters of representation have been received, which include 3 formal letters from the Whiston Residents Action Group (WRAG), one letter from Whiston Parish Council and one letter from Alexander Stafford MP.

The objections are summarised below:

Landscape/Ecology

- The area will lose beautiful natural surroundings.
- Loss of Greenspace
- These fields should be retained as a green space firstly as farming land is required for crops, there should be no removal of green space as this reduces the amount of carbon being absorbed from the atmosphere.

- The local wildlife which includes occasional visiting deer, bats , badgers, stoats, hawks, owls, and foxes, Along with a multitude of birds which nest in the area, some on the ground have not been taken into account and would be harmed by the building.
- The loss of prime agricultural land
- This development will remove some of the green spaces our village has. Places where people can exercise. Places where people can socialise without the hustle and bustle of busy M1-M18 link road traffic. Places where wildlife thrives.
- Invasion of Green Belt
- Welcome the addition of green space within the development, however, feel that design of the plan potentially opens the possibility for some of these to removed at a future date and upgraded to provide additional vehicular access to the new estate via Lathe Road.
- Troubled by plans to widen the approach to Herringthorpe Valley Road as we do not want to lose any of the beautiful trees or verges that line our road and keep our properties private.

Transport/Traffic

- Sheepcote Road will become a rat run for traffic taking short cuts. These are very narrow roads and will not be able to handle the increase in traffic, thus causing danger and problems for residents. The road infrastructure in this area will most definitely struggle to cope.
- There are the local roads - full of potholes due to lack of care, these small roads are not designed to accept the amount of traffic that uses them already, let alone a large number of construction vehicles and then at least 450 extra cars. Without infrastructure to support such a large build, how can this be a good thing for our community?
- The increase in amount of traffic cannot be handled by Worry Goose Lane, the road would need to be widened and require taking away grass verges but that would only allow more traffic which would come down the hill from Thurcroft, and at peak times and particularly in bad weather this would allow massive queues to occur towards Moorhouse resulting in accidents, as the road is downhill and winding.
- This road suffers when traffic builds up trying to get around delays on the motorway and cannot handle the volume already. The result of increased traffic in the area would be increased pollution to houses particularly on Worry Goose Lane, but also to the Greystones estate which is already quite congested and low-lying, hence pollution tends to hang around there.
- There is no employment in the immediate area for large numbers of residents and therefore the volume of traffic and the need for further public transport which has not been considered would need to be taken into account and provided

- On normal weekdays, from around 8am until 9.15am, traffic is stationary from Worry Goose island all the way to the first speed limit sign back towards Thurcroft. It is considerably quicker to walk than drive to Worry Goose island and the pollution, both physical and noise, is horrendous. With hundreds more vehicles trying to enter this road from the two ridiculously small and close together access roads on the application site, the pollution levels will be unbearable.
- Public transport is limited and SYPTE have already said that no buses will be able to access the site. People will therefore have to use their cars to access services, surely this goes against national and local planning policies. It is established in national and local planning policies that development will only be allowed where adequate provision is made for vehicular access, service and servicing arrangements.
- The proposed means of vehicular access and egress of Worrygoose Lane would not provide for a safe and suitable form of vehicular access for dwellings. This is contrary to local and national planning policies. And of course road accidents are bound to increase, but emergency vehicles will be slowed down with all the traffic. Other housing developments close by (Pitches and Sheep Cote Road) will add to the traffic.
- The senior highways development control officer has now submitted his report and admits that creating this housing development will cause serious traffic problems, his own words are a 300% increase in traffic at Worrygoose roundabout including the fact that Broom Lane / Broom Road T-junction already operates at a maximum and above capacity, as does the Brecks roundabout at peak periods. The article states that there are no needs for changes at Stag roundabout other than to the crossings to make the signal controlled. This in itself is nonsense as there is constant queueing on Wickersley Road which is quite substantial in length and in both directions onto the roundabout .
- The queues from Herringthorpe Valley Road and Broom Lane onto the Worry Goose Island are already ridiculously long The queues at peak periods will become even longer when diversions occur due to motorway closures restrictions due to roadworks and accidents which are frequent .
- A requirement for £500 per household towards sustainable travel is nonsense and no details are given to explain what this is trying to achieve.
- The volume of traffic coming up Worrygoose Lane, East Bawtry Road onto the roundabout is already at the maximum that can be achieved and you simply cannot add more traffic into this location. Indeed when motorways are closed or diversions exist when bad weather occurs then the volume of traffic increases such that it is standing or trying to use the side roads such as Lathe Road as rat runs.
- As regards road safety there have been no serious accident, maybe they haven't been serious accidents, but they have been near misses minor accidents and there is an absolute lack of consideration for pedestrian safety.

- There is no consideration whatsoever for pedestrian safety in trying to cross Worry Goose Lane, which is an important road for children to cross to the shops and their school.
- Not convinced that any changes to the layout of Worry Gosse Island will make a significant difference to traffic flow.
- The £500 towards sustainable travel is a panic measure as no clear plan has been put into place as to how the money will be spent
- I read in the 'Whiston Villager' that a report has been done by the developers, which states that traffic volumes around Worrygoose Roundabout at morning and evening peak times was 9 vehicles. This is absolute rubbish. I used to go to work that way from Whiston village and on many occasions I could not get onto Worrygoose Lane from Cowrakes Lane because the traffic queue was way past the junction. The mitigation measures suggested are ridiculous.
- Removal of on street parking would make the already chaotic access to the shops even worse than it already is. Indeed, after the development more on street parking would be required due to the additional shoppers from the new estate. In addition, the situation is already dangerous when deliveries are made to the co-op and this will be made worse. The report conclusion that by the year 2028 the maximum queue length will be 78 is a joke. In all probability it would be half way back to Thurcroft, resulting in traffic diverting through the village thus causing chaos at the junction with Pleasely Road.
- Simply putting traffic lights on East Bawtry Road will not solve the current problems with access to Worry Goose Lane. Whilst I recognise this may have some effect, it is a dangerous, and frankly simplistic idea to which does not look at the issues affecting Worry Goose Lane.
- During peak times, it is impossible to turn right from Lathe Road to Worry Goose Lane. Adding two more junctions will not solve this problem, but add to an already difficult problem. Similarly increasing the number of lanes of Worry Goose will make access to the shops more dangerous, particularly for pedestrians crossing Worry Goose Lane.
- The outline road designs are entirely out of keeping with the locality.
- I cannot conceive how RMBC traffic section can think that these minute alterations would alleviate the queuing problems on the approach to Worry Goose Island. By your own admission you have quoted that in eight years, without the development in place, you would envisage queues, on Worrygoose Lane, of 150+ vehicles at peak periods yet the applicant claims that with the improvements proposed this queue will drop to 15 vehicles including the vehicles from the new development. This is rubbish.
- This proposal is heading for a highways disaster and this is without the added vehicles from the proposed new developments of Dinnington, Brecks and Ravenfield.
- If a bus lane is put on East Bawtry road this will cause additional traffic as this will mean further traffic queues as drivers will be forced to join one lane I presume as it is only a 2 lane dual carriage way.

- The average household is 4 people. So this could be an additional 950 cars as most households have 2 cars. However when all members of one household can drive this would be 1,800 additional cars in such a small compacted area.
- The local shops such as Co-op and Tesco petrol station are already overcrowded and this causes queues at Tesco petrol station which often block the dual carriage way which causes a lot of frustration to many local residents. I think this has not been taken into consideration and I feel traffic and air pollution will be a huge issue

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Air Quality/Noise

- Pollution drifts across from the motorway at peak periods into the lower parts of the fields
- My wife has Asthma and over the 20 years we have lived here it has worsened due to the ever increasing amount of pollution from vehicles on Worry Goose Lane.
- Several legal claims against the Council for dangerous air pollution levels will be made if this scheme goes ahead
- The application has provided insufficient evidence to show that development will not have a detrimental impact on air quality.
- It is not safe to have so many additional cars added to such a small, already congested area and this needs further review.
- This increase in cars from the proposal will cause additional health problems to residents in the area such as lung cancer and COPD

Local Facilities

- The local schools are already oversubscribed
- The schools already in existence do not have capacity or space to expand further and previous promises of expansion have not been forthcoming.
- There is a major lack of dentist facilities for further residence and also the doctors surgeries are at capacity.
- The hospital and A&E is at capacity and cannot cope with more patients from the local area.
- The hospital is already over run and beds are limited which is a major cause for concern particularly now that Covid -19 is a global health issue. Where would the potential 1,800 additional people in the area be expected to go if they became unwell?

Drainage/Flood Risk

- The sewage and drainage needs to be taken into account because the land is heavily undulating and drains towards Worrygoose roundabout pumping station where it can overflow into Whiston Brook, which is not pleasant for residents who live nearby and have suffered flooding in the past. The outflow from this area goes to Aldwarke Lane water treatment works, the treatment works is already very outdated

producing disgusting smells into the local area and cannot cope with further capacity without renewal and expansion.

- The overflow from the drainage system is a principle issue for me and it is very noticeable when the foul drainage system upstream cannot cope. This is frequently the case and the smell is obvious. The added strain on the system upstream will have a direct impact on me. There is already a question as to the capacity of the Brook and any further pressure will directly impact me.
- A major concern is the risk of flooding, the area already suffers from poor drainage and indeed the area has suffered. Whiston Brook (now River) is intermittently affected by sewage for the pumping station located at Worrygoose Island. The Geotechnical Report submitted with the outline planning application states that, owing to the history of coal mining in the area, 80% of the site may require drilling and grouting. This would effectively create a concrete 'table' over much of the site which will add to the existing drainage problem. The suggested details and measures are not adequate or feasible to prevent localised flooding and drainage issues or safeguard the living conditions of future occupiers and surrounding properties.
- Given the events of yesterday and today (08 Nov) and the horrendous flooding that has occurred in Whiston, notwithstanding the 'river' that flowed down Lathe Road, maybe someone will now take seriously, the need to keep open spaces, with fields instead of money making concrete jungles to make money without any concern for the environment, the poor people living down stream (and it is only a stream) and it will only get worse.
- The sewerage system of the area surrounding the new development is already overloaded particularly at times of heavy rain. The sewerage pumping station at Worrygoose Roundabout frequently discharges storm water into the Whiston Brook. This discharge often includes untreated Sewage. The discharge also causes flooding of residential properties in Whiston Village. The new development if allowed with increase the waste water load on the above mentioned system and greatly increase the incidence of flooding and environmental pollution.
- Whilst I welcome the steps taken by the developers to take into consideration the known flood risk to this site, I feel these are insufficient to take into account the amount of development that will take place on the land. I have always felt it was an incredibly short-sighted decision to remove this land from the green belt.
- Run-off causing flooding down at Moorhouse Lane area.
- Land soaks up heavy rainfall.

Other matters

- Ancient Roman road thought to run through the green field
- Subsidence from previous mining below
- I believe this development will negatively affect the value of my property.
- There will be an enormous amount of council rate reduction applications.

- This would negatively impact my mental and physical health as we use our view to relax
- Brexit means we need to protect our farmed agricultural land
- It will not benefit 'the many' or the people trying to buy their first home.
- Obesity in Rotherham means these spaces should be preserved.
- Litter will increase.
- Would set a precedent for future development on land at the back on Sheepcote Road
- There are other brown field sites available
- Reduced water supply in the area.
- I feel that you should be held accountable for the decline of peoples Health and Well-Being which will be affected by the impact of this development and does not compliment RMBC's five ways to well-being campaign. One of which includes taking notice of your surroundings.
- The consultation period has been extended twice ending in August last year and it seems to me that the developer and council are working together to ensure this development can be pushed through?
- The outline planning application has not been reviewed on its own merit and RMBC seem to be allowing a number of revisions to be made to support the plan following comments, feedback and objections from the community, council employees (traffic and draining), Highways England etc. Do you just keep going until they have ticked every box then arrange the planning meeting?
- Am I wrong in thinking the council should be acting impartially? Numerous times it seems that important notes and documents have not been added to the planning portal and it all feels very underhand.
- It is clear to everyone that if this outline planning application had been judged on its own merit at a planning meeting without the chance to chop, change and revise it would have been thrown out and declined a long time ago.
- The layout does appear to be presenting some overdevelopment. I am concerned about the number of buildings being proposed, particularly in relation to the junction on the opposite side of the road to my house.
- no allowance for affordable housing, e.g. shared ownership, has been provisioned for on this site. I believe this will make it very difficult for young local residents to purchase a property on this site.
- This is supposed to be a safe residential area with several schools not a motorway or building site.
- This is a profit driven argument and nothing else, no joined up thinking in sight.
- I object to the loss of green space and the recreational benefit this currently provides to the community (both local and wider). We have seen an increase in use of this space recently.
- the illustrative plan takes no account of compromising the design with current residents with regards to green space between our current boundaries and proposed buildings. The plan shows two large houses extremely close to our boundary, which would affect our privacy, natural light, and actually our quality of life.

Summary of Comments from WRAG

- The independent Technical Notes which we have submitted to both RMBC Planning Department and to members of the RMBC Planning Board raise a number of serious issues in relation to Traffic and Drainage in the area of the proposed development site.
- Similarly, we would draw attention to the fact that a number of Consultee Reports requested by Rotherham Borough Council in relation to this proposed development also raise objections and issues which should be taken into account when the outline planning application is considered.
- Local residents can confirm that there are already major traffic congestion problems at peak times in this area, leading to delays. Cars from 450 additional dwellings will add greatly to this problem, and the proposed building of additional dwellings at Dinnington will further increase the traffic travelling down Royds Moor and along Worrygoose Lane. The result will be that drivers will be tempted to 'rat-run' through Whiston Village as a shortcut to avoid the congestion at peak times.
- As there is no employment in the immediate area, the number of car journeys to/from the site would add to an already unacceptable level of traffic on the surrounding road network, particularly Worrygoose Lane and Worrygoose Island, where it is "anticipated that CIL of £2m would be secured from the proposed development" for improvements to mitigate the problem. However, no solution has been put forward as to how this improvement might be achieved or if the contribution would cover RMBC's costs for the Works.
- SYPTE has reported that bus services would be unable to access the site and that certain properties would be beyond the 400m maximum walking distance to a bus stop. They have also confirmed that the educational transport to the local Secondary School, Brinsworth Academy, is close to capacity and that the cost of provision of further educational transport would not be met by SYPTE.
- The Air Pollution Report submitted with the outline planning application gives results from 'Key Receptors', R11- R15, at named locations on Worrygoose Lane, including Whiston Worrygoose Primary School. However, despite enquiries made by Whiston Residents Action Group, no current or historical trace of these Receptors has been found.
- It is well known locally that there are drainage problems in the area, with Whiston Village the worst affected, having a history of flooding. The Pumping Station at Worrygoose Island cannot, at times, cope with the existing capacity, and sewage is diverted into Whiston Brook River. 450 additional dwellings could add to this problem, which is both unacceptable and unsustainable. The results of discharging sewage into Whiston Brook River can be seen from the photographs included with the independent Drainage Note.
- The Coal Authority Consultee Report confirms that "the application site falls within the defined Development High Risk Area. Additionally, both Geotechnical and Geo-Environmental Reports submitted in support of the outline planning application refer to the fact that, because of a history of coal mining under the site, approximately 80% of the

proposed site would require drilling and grouting. This would result in the majority of the site being supported on a concrete 'bed' to support future building. The reports are silent on the effects on the groundwater in the area even though 'issues' commonly called springs, are shown adjacent to Worrygoose Lane.

- We do not believe that the (Traffic) mitigation proposals in WYG's report deliver a satisfactory solution to either the current or future traffic issues on the road network around Worrygoose Roundabout in terms of both capacity and congestion, and could lead, potentially, to a road safety issue for pedestrians in relation to the proposed siting of the new pelican crossing on the A631 East Bawtry Road (East).

- **Widening of approach on the B6410 Worrygoose Lane, including retention of existing on street parking bays.**

We believe that this 'improvement' will achieve very little as traffic will still struggle to exit on to Worrygoose Roundabout because of the constant traffic flow coming from a westerly direction. In addition, it will do nothing to alleviate the queue of traffic in both lanes on the B6410 Worrygoose Lane, particularly at morning peak time.

- **Provision of approximately 500m length of bus only lane on the A631 (W) approach to the roundabout.**

A dedicated bus lane may reduce journey time slightly, but, by definition, only for buses and bus passengers; it will have no effect on the journey time for people travelling by car, who will still be held up in lengthy traffic queues which, at evening peak time, can stretch beyond the West Bawtry Road Roundabout at its junction with the Rotherway.

No explanation has been given in the report to show how the resultant traffic issues, caused by this bus lane at its junction with Worrygoose Roundabout, would be mitigated. As there is no capacity to extend the bus lane on to the Roundabout itself, it would be necessary for the three lanes of traffic on the A631 (W) to converge into two lanes, so any possible journey time benefits of the bus lane would be lost. Also, WRAG do not believe that the addition of 500m of bus lane along a short section of the route would encourage more people to travel by bus

- **Localised widening on the A6123 and B6410 Broom Lane approaches**

This may result in a slight improvement in vehicular egress from both roads, but it is WRAG's view that this mitigation proposal will not improve matters significantly enough to make a difference at morning and evening peak times.

- **Provision of a signal controlled pedestrian crossing on the A631 (E) arm to the east of the roundabout.**

The re-siting of the pelican crossing on to the A631 (E) arm to the east of Worrygoose Roundabout will have little or no effect on existing or future traffic issues in this area at peak times. Traffic travelling from the Brecks/Wickersley areas will be halted for a short time only if a pedestrian activates the crossing;

however, cars queuing on the B6410 Worrygoose Lane will still be unable to exit as traffic will continue to flow from an easterly direction around Worrygoose Roundabout having exited the A6123 Herringthorpe Valley Road and B6410 Broom Lane access roads.

Local knowledge shows that the majority of pedestrians want to be on the west side of Worrygoose Lane in order to access shops, schools and the majority of housing. To do so, anyone using the new crossing would then have to attempt to cross Worrygoose Lane, without the benefit of a further pedestrian crossing, and with the potential of traffic approaching from five directions (from Worrygoose Roundabout, along Worrygoose Lane, from Lathe Road, from the Service Road and vehicles re-joining traffic from the on street parking bays and from the shop-front parking area). Potentially, having observed the speed at which vehicles travel in this area, this is an 'accident waiting to happen'.

- **Existing footway to be widened to 3m shared footway/cycleway**

This can be achieved only by removal of all/part of the existing grass verge, bringing traffic and air pollution closer to pedestrians, cyclists and housing. WRAG would also question the wisdom of retaining a combined footway and cycleway, particularly at a time when more people are being encouraged to cycle.

Further comments are made regarding the traffic data used by the traffic consultant which are brought into question:

- They are only based on one-day observation
- The report states that without mitigation and taking account trips associated with the development, Worrygoose Lane at am peak hour would increase to 196 vehicles – an increase of 1,681% (almost an 18 fold increase), however with mitigation measures in place, this would have the effect of reducing the queue length of 196 vehicles on B6410 Worrygoose Lane to only 15 vehicles during am peak hour.
- Whiston Residents Action Group have studied this report in depth and object to the mitigation proposals detailed in the WYG report in relation to planning application RB2019/0552. The limited mitigation measures proposed do not offer a satisfactory solution to the traffic issues already experienced in the area of Worrygoose Roundabout during am and pm peak times.
- We would like to register our objection, therefore, on the grounds that the proposed mitigation measures do not fulfil the requirements of the National Planning Policy Framework (NPPF) and fail to ensure that “any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

Summary of Comments from Whiston Parish Council

- We do not consider that the drainage and flood risk issues have been adequately considered and therefore there is a real risk that the development will increase flood risk downstream, which is where the village of Whiston is situated. Whiston has a long history of flooding of residential properties. including an evacuation of the village in 2007 In addition, the flood risk assessment submitted does not consider the latest site proposals and there is no current drainage strategy in place. Moreover, Whiston Brook is already polluted and this application will exacerbate these problems further.
- The Parish Council also considers that the application does not sufficiently deal with the cumulative traffic impact from the development, particularly the volume of traffic that will be created and likely routing. The increased traffic cannot currently be managed by the existing road network, with Worry Goose roundabout and surrounding roads already struggling to deal with capacity.

Summary of Comments from Alexander Stafford MP

- There is genuine annoyance in the community that this piece of land was re-designated from protected green belt to a site earmarked for development by Rotherham Metropolitan Borough Council. Many residents do not feel like they were consulted on the loss of this green space and that their views and concerns are being continually ignored.
- Residents of Whiston are all too aware of the devastating impact of flooding to households around Moorhouse Lane and Whiston Brook. There is genuine concern that the large proposed development will worsen the situation in the area by increasing surface water flooding issues.
- RMBC have failed to address the concerns related to transport issues. The traffic in the area, especially the roads leading to Worrygoose roundabout, is already considerable and worsening. Transport issues need to be considered at the earliest stage of plan-making and development proposals, taking into account the impact on transport networks and the environmental impact.
- Residents have also told me their worries about how the current use of the undeveloped land is not been taken into consideration...there are other functions of the land for wildlife and well-being of the community.
- Families are worried that RMBC is not taking into account the school provision in the area, but also the capacity of primary health care facilities to cope with such a large development.

6 requests to speak at Planning Board have been received including one from Councillor Cowles.

Consultations

RMBC - Transportation and Infrastructure Unit have assessed the submitted information within the Transport Assessment and Travel Plan and raise no objections to the proposed development subject to conditions, which amongst other things require physical mitigation measures to be put in place.

RMBC - Drainage acknowledge that the application is in outline form and as such raise no objections to the principle of development subject to a number of conditions requiring the submission of detailed information prior to the submission of the first application for the approval of Reserved Matters.

RMBC - Landscape acknowledge that the development will result in some adverse visual amenity for existing residents, however the proposals if developed in line with the Masterplan are not considered to result in any significant adverse effect on the borough's landscape character. The Masterplan proposals include an appropriate level of Green Infrastructure and green space and will ultimately have a beneficial effect on the local landscape fabric and features.

RMBC - Tree Service raise no objections to the proposed development as it is likely to lead to an improved level of tree cover and related benefits.

RMBC - Ecology note the points raised in the Preliminary Ecological Assessment and Bat and Badger Surveys and concur with the findings. Accordingly, no objections are raised subject to conditions relating to further survey work prior to the commencement of development on site.

RMBC - Green Spaces note that sufficient green spaces are provided on site to align with the requirements of the Local Plan. It is also acknowledged that play areas are proposed and subject to these being secured via a S106 or condition, no objections are raised.

RMBC - Education note that the catchment area is Whiston Worrygoose Junior and Infant school, which in recent years has been oversubscribed. Therefore, a Primary Education contribution would be requested for this development, as per our S106 policy.

RMBC - Affordable Housing Officer raises no objections subject to the provision of 25% affordable housing on site.

RMBC - Environmental Health (Noise) acknowledge there is the potential for occupiers of neighbouring properties to be affected by noise and dust from the construction phases of the development and as such recommend conditions relating to hours of construction.

RMBC - Environmental Health (Air Quality) note the findings in the Air Quality Assessment and raise no objections subject to a condition requiring the provision of electric vehicle charging points at each property.

RMBC - Environmental Health (Land Contamination) raise no objections to the proposed development subject to conditions.

RMBC – Public Rights of Way – note that a public right of way runs through the site and every effort should be made at detailed design stage to retain this along the same or similar alignment.

Highways England - have assessed the proposals in respect of its impact on Junctions 33 and 34 of the M1 and Junction 1 of the M18. They have concluded that the level of trip generation at these junctions is low and not at a level that requires detailed junction assessment. Accordingly, and subject to a condition requiring the submission and approval of a Travel Plan, no objections are raised.

South Yorkshire Passenger Transport Executive raise no objections subject to the enhancement of bus shelters within the immediate vicinity and the enhancement of bus services which serve the immediate area.

Environment Agency do not wish to comment on the proposals.

Yorkshire Water raise no objections to the proposed development subject to conditions requiring further information at detailed design stage.

Sheffield Area Geology Trust raises no objections to the proposed development.

South Yorkshire Police recommend that the development is designed to secure by design standards.

Rotherham NHS raise no objections to the proposed development.

Sport England commented on the application in a non-statutory role as the proposal would generate demand for sporting provision. A financial contribution has been requested towards indoor provision, however, this was assessed and sufficient capacity is available to cater for the demands of future residents.

South Yorkshire Archaeology Service accept the findings of the Geophysical Survey and on that basis raise no objections subject to a condition requiring further investigations prior to commencement of development.

Sheffield & Rotherham and Wildlife Trust note the findings in the submitted reports and recommend conditions which align with the recommendations made by the Council's Ecologist.

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.

Paragraph 11 of the NPPF states, in part, that: *"Plans and decisions should apply a presumption in favour of sustainable development."* It goes on to state that *"For decision-taking this means:*

- c) approving development proposals that accord with an up-to-date development plan without delay; or*
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole".(footnotes omitted)*

The main considerations in the determination of the application are:

- The principle of the development
- Design, layout and scale
- Provision of open space on the site
- Highways issues
- Drainage and flood risk issues
- Ecology and biodiversity
- Landscape and tree matters
- General amenity issues – contaminated land, noise and air quality
- Impact on existing/proposed residents.
- Heritage issues
- Impact on Education/GPs
- Other issues raised by objectors
- Timescales for Submission of Future Reserved Matters and Implementation
- Planning Obligations

The principle of the development

The application was allocated as Green Belt within the former UDP, however the Local Plan Sites and Policies Document, which was adopted on 27th June 2018, removed the site from the Green Belt and re-allocates it for Residential use. It forms Housing Site H34 (total area of 20 hectares) and the Sites and Policies Document indicates that the total site has a capacity of approximately 450 dwellings.

Policy CS1 'Delivering Rotherham's Spatial Strategy' states, in part, that: *"Most new development will take place within Rotherham's urban area and at principal Settlements for Growth"*. Bramley, Wickersley and Ravenfield Common are identified as one of the Principal settlements for growth which is to provide 800 dwellings as part of the Local Plan.

Policy CS3 'Location of New Development' states, in part, that: *"In allocating a site for development the Council will have regard to relevant sustainability criteria, including its (amongst other things): proximity as prospective housing land to services, facilities and employment opportunities, access to public transport routes and the frequency of services, quality of design and its respect for heritage assets and the open countryside."*

Policy SP1 'Sites Allocated for Development' identifies sites that are allocated for development and contribute to meeting requirements set out in the Core Strategy. SP1 allocates the site as H34 for a total of 450 dwellings.

With the above policies in mind, the site has now been allocated for Residential use as part of the adopted Local Plan and as such the principle of residential development is acceptable.

Through the Local Plan process the site was identified as a result of extensive consultation and a site appraisals process, including a Sustainability Appraisal, and assessed in terms of a range of social, economic and environmental factors. The Sites and Policies Document identifies that the site is sustainable in principle for residential use.

Policy SP64 'Access to Community Facilities' states: *"Residential development should have good access to a range of shops and services. On larger scale residential developments of 10 or more dwellings the majority of homes (minimum of 80%) should be within 800 metres reasonable walking distance (measured from the centre of the site, taking into account barriers such as main roads, rivers and railway lines) via safe pedestrian access of a local convenience shop and a reasonable range of other services or community facilities. This may require the provision of local services or facilities by developers where these requirements would not otherwise be met or where new development would place an unacceptable burden upon existing facilities, unless it can be demonstrated that such provision would not be viable or would threaten the viability of the overall scheme."*

Having regard to this, the site is located within close proximity to a number of local facilities on Worrygoose Lane, including a convenience store, sandwich shop and florist. Furthermore, there are 2 Primary / Junior Schools available in close proximity to the site at Sitwell Primary School and Whiston Junior and Infant and bus stops are located on Worrygoose Lane and East Bawtry Road, ensuring the site is well connected to surrounding towns and villages.

In conclusion it is considered that the proposed residential development is acceptable in principle on this allocated site. The development is therefore considered to accord with Local Plan Policies CS1, CS3, SP1, SP11 and SP64, and the provisions of the NPPF.

Design, Layout and Scale

Policy CS28 'Sustainable Design' states, in part, that: *"Proposals for development should respect and enhance the distinctive features of Rotherham. They should develop a strong sense of place with a high quality of public realm and well-designed buildings within a clear framework of routes and spaces. Development proposals should be responsive to their context and be visually attractive as a result of good architecture and appropriate landscaping..... Design should take all opportunities to improve the character and quality of an area and the way it functions."* This seeks to ensure that all developments make a positive contribution to the environment by achieving an appropriate standard of design.

Policy SP55 'Design Principles', states, in part, that: *"All forms of development are required to be of high quality, incorporate inclusive design principles and positively contribute to the local character and distinctiveness of an area and the way it functions. This policy applies to all development proposals including alterations and extensions to existing buildings"*.

Policy CS6 'Meeting the Housing Requirement' further states, in part, that: *"Housing development will be expected to make efficient use of land while protecting and enhancing the character of the local area."*

The NPPF at paragraph 124 states, in part, that: *"Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."* Paragraph 130 adds, in part, 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, taking into account any local design standards or style guides in plans or supplementary planning documents."*

The National Planning Practice Guidance, notes that: *"Development proposals should reflect the requirement for good design set out in national and local policy. Local planning authorities will assess the design quality of planning proposals against their Local Plan policies, national policies and other material considerations."*

The Site Development Guidelines, contained within the Sites and Policies Document also includes the following:

7. *The preparation of a detailed masterplan incorporating suitable design measures and addressing the issues highlighted in these development guidelines, will be essential. Refer to Appendix 2 for guidance on the preparation of an appropriate masterplan.*

Whilst taking the above into account, it is important to note that the application is in outline form only and the layout, scale and external appearance of the proposed development is reserved for future consideration. Nevertheless, it is incumbent on the applicant to submit an indicative Masterplan to establish, how the site could be developed with up to 450 dwellings whilst considering other requirements such as infrastructure and the provision of open space.

In this regard, the submitted masterplan document provides details of the influences in terms of the site layout, such as the site topography, existing vegetation and need to provide on-site green spaces and drainage features.

In considering these matters, the masterplan shows the provision of linear open spaces that run along the centre of the site and along the southern boundary, together with secondary amenity spaces and green pedestrian routes through the site. Areas for the provision of sustainable urban drainage systems (SUDS) have also been identified within the masterplan which could take the form of a pond-based system, however the detail of these are reserved for future consideration.

The built development has been designed around these areas as well as the need to provide a southern landscaped edge to what will become the new urban/countryside interface. The arrangement of development blocks as shown on the masterplan illustrates how the development could be subdivided by the open spaces and internal road layout. There are essentially three large development areas two on the north and one to the south. These are further sub divided by the road system, which enables these larger blocks to function as smaller areas served from lower order roads.

The accompanying accommodation schedule also indicates that the developable area extends to 11.47ha and could accommodate the following mix:

- 1 and 2 bed apartments 42no. (9%)
- 2 and 3 bed townhouses/semis 265no. (59%) and
- 3, 4 and 5 bed detached houses 143no. (32%)

The dwellings could range from 2 storey except for some apartment blocks which may be 2 ½ or 3 storey to reduce the building footprint. It is anticipated that the heights will range from 9m for two storey dwellings to about 12 metres to ridge for three storey dwellings.

In order to build on the parameters, set out in the masterplan document, it is considered appropriate for the implementation of future design codes, which will relate to each geographical area. The purpose of these is to assist in fulfilling the objectives of the NPPF, in helping to deliver high quality inclusive design. They will therefore focus on instructing matters in relation to scale, density, massing, height, landscape, layout, access and materials and be secured via an appropriately worded condition that requires future developers to submit the Code to the LPA prior to applications for Reserved Matters on that particular phase of development. By taking this approach, it secures the timely provision of Green Infrastructure whilst ensuring a high quality of design and place making.

Having taken the above into account, it is considered that 450 dwellings can be adequately accommodated on site, alongside essential infrastructure and open spaces. Sufficient regard has been given to the provision of green infrastructure and areas along the southern boundary have been set aside for the provision of an adequate landscape buffer. Accordingly, the indicative masterplan offers an acceptable balance between achieving an efficient use of the land available whilst safeguarding sufficient land for the enhancement of the Green Infrastructure. Furthermore, it is considered to accord with the above Local Plan Policies, as well as the general principles and goals set out in the NPPF.

Provision of open space on the site

Policy CS22 'Green Space' states that: *"The Council will seek to protect and improve the quality and accessibility of green spaces available to the local community and will provide clear and focused guidance to developers on the contributions expected. Rotherham's green spaces will be protected, managed, enhanced and created by:*

- a. *Requiring development proposals to provide new or upgrade existing provision of accessible green space where it is necessary to do so as a direct result of the new development*
- b. *Having regard to the detailed policies in the Sites and Policies document that will establish a standard for green space provision where new green space is required*
- c. *Protecting and enhancing green space that contributes to the amenities of the surrounding area, or could serve areas allocated for future residential development*
- d. *Considering the potential of currently inaccessible green space to meet an identified need.*
- e. *Putting in place provision for long term management of green space provided by development*
- f. *Requiring all new green space to respect and enhance the character and distinctiveness of the relevant National Character Areas and the Local Landscape Character Areas identified for Rotherham.*
- g. *Links between green spaces will be preserved, improved and extended by:*

- i. *Retaining and enhancing green spaces that are easily accessible from strategically important routes as identified in the Public Rights of Way Improvement Plan, and those that adjoin one or more neighbouring green spaces to form a linear feature*
- ii. *Creating or extending green links where feasible as part of green space provision in new developments.”*

Policy SP37 ‘New and Improvements to Existing Green Space’ states, in part, that: *“Residential development schemes of 36 dwellings or more shall provide 55 square metres of green space per dwelling on site to ensure that all new homes are:*

- (i) within 280 metres of a Green Space*
- (ii) Ideally within 840m of a Neighbourhood Green Space (as identified in the Rotherham Green Space Strategy 2010); and*
- (iii) Within 400m of an equipped play area.*

The exception to this will be where the characteristics of the site and the nature of the proposals are likely to impact on the delivery of the Green Space or the overall development scheme. In these circumstances, then evidence shall be provided with the planning application to justify any lower level of Green Space provision on site or off site contributions. This shall take into account the nature of the proposed development, and the particular characteristics of the site and the wider local area.”

The application seeks permission for up to 450 new homes and as such the requirement for on site open space extends to 2.47 hectares. Taking into account the areas of open space identified within the masterplan, these areas extend to 4.95 hectares and whilst it is acknowledged that some of the land has been identified for drainage purposes, the areas of green space are still in region of 4ha, which exceeds the required amount, and is therefore in line with this policy.

In addition to the areas of open space, the proposed development also includes the provision of a Local Area of Play (LAP), a Neighbourhood Equipped Area of Play (NEAP) and a Multi Use Games Area (MUGA). Policy SP39 ‘Design and Location of Green Space, Sport and Recreation’ outlines the principles to be followed when new play spaces are designed, and whilst the design and location of these will be reserved for future consideration, it is considered that this type of play is proportionate to the development proposed. However, it should be noted that all the areas of public open space, including the LAP, NEAP and MUGA, are proposed to be maintained by a management company which would be secured by a Section 106 legal agreement.

Comments on the application have been received by Sport England as a non-statutory consultee. They have calculated that the population of the proposed development in this area will generate a demand for a total of £341,253 which is in relation to Sports Halls and Swimming Pools. However, they have stated that this demand may be able to be accommodated within existing facilities or by improving existing facilities.

The Council's Culture, Sports and Tourism Partnership Manager has provided comments in relation to the request from Sport England and considers that the demand outlined can be met by existing provision. He notes that Maltby Leisure Centre and central venues are close by. Also as the contributions mentioned for swimming and indoor bowls are small it is considered that any demand could be accommodated within the existing local provision. Taking this into account along with the proposed on-site greenspace provision it is not considered that the contribution requested by Sport England can be justified as part of this planning application.

Taking the above into consideration, it is considered that the scheme provides an appropriate amount of open space as well as play equipment on the application site and accords with the above Local Plan Policies.

Highways issues

In assessing highway related matters, Policy CS14 'Accessible Places and Managing Demand for Travel,' notes in part, *"that accessibility will be promoted through the proximity of people to employment, leisure, retail, health and public services by (amongst other):"*

- a. *Locating new development in highly accessible locations such as town and district centres or on key bus corridors which are well served by a variety of modes of travel (but principally by public transport) and through supporting high density development near to public transport interchanges or near to relevant frequent public transport links.*
- g. *The use of Transport Assessments for appropriate sized developments, taking into account current national guidance on the thresholds for the type of development(s) proposed."*

Policy SP26 'Sustainable Transport for development' states, in part, that *"Development proposals will be supported where it can be demonstrated that:*

- a) *as a priority, the proposals make adequate arrangements for sustainable transport infrastructure; promoting sustainable and inclusive access to the proposed development by public transport, walking and cycling, including the provision of secure cycle parking, and other non-car transport and promoting the use of green infrastructure networks where appropriate;*
- b) *local traffic circulation, existing parking and servicing arrangements are not adversely affected;*
- c) *the highway network is, or can be made, suitable to cope with the traffic generated in terms of the number, type and size of vehicles involved, during construction and after occupation;*

- d) *schemes take into account good practice guidance published by the Council including transport assessment, travel plans and compliance with local Residential and Commercial Parking Standards to ensure there is a balance struck between access for motor vehicles and the promotion of sustainable access.*"

The NPPF further notes at paragraph 108: *"In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:*

- a) appropriate opportunities to promote sustainable transport modes can be –*
- or have been – taken up, given the type of development and its location;*
- b) safe and suitable access to the site can be achieved for all users;*
- and*
- c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree."*

Paragraph 109 states: *"Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*

Paragraph 111 goes on to note that: *"All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed."*

The site development guidelines for H34 as set out in the adopted Sites and Policies Document states: *"A Transport Assessment is essential to determine the most suitable accesses into the site and to creating links through the site and to housing site allocation H35 to the north-east, where possible. Capacity issues at Worrygoose Roundabout will require further investigation and a scheme prepared to mitigate the impact of increased development arising from delivery of this site."*

The application is accompanied by a Transport Assessment (TA) which assesses the impact of the trips associated with the development on the local highway network. Subsequent to this, further discussions were held with the Applicant's advisors and Highways England in respect of the impact of the development on Junctions 33 and 34 of the M1 and Junction 1 of the M18. Accordingly, additional information was submitted to address the concerns raised.

In relation to the local highway network, the Council's Transportation Unit have considered all the submitted information and have provided the following assessment:

Trip Generation

An assessment year of 2028 has been adopted for the purposes of the TA and growth factors have been applied to the observed traffic flows to produce 2028 background traffic flows and inform the modelling of the junctions. The baseline capacity results for 2018 show that there are significant problems at the Worrygoose roundabout in both the am and pm peak hours, as well as at the Brecks roundabout in the pm peak.

The background capacity assessments have been modelled for 2028 and these results show problems will emerge at several junctions with considerable queues emerging over the 10 year period.

The TA uses TRICS database (Trip Rate Information Computer System) to estimate the likely trip generation from the development and these figures are considered to be realistic and representative of the likely vehicle generation from the proposed development. The trips have been distributed onto the local highway network using local census journey to work data.

Traffic Impact

Capacity assessments were undertaken at the study area junctions to establish weekday peak hour operation of the network. Assessment of additional junctions was requested where the anticipated increase in traffic is in excess of 30 No. two way trips in any hour. The submitted assessments were repeated to include traffic generated by the proposed development and when compared with the figures for 2028 without development gave an indication of the impact of the development on traffic conditions. Further assessment of these junctions was requested. Wider development trip distribution/assignment information based on local census journey to work data was submitted and considered to be reasonable. However, the impact of the development on Worrygoose Roundabout was still considered to be severe (the TA listed the anticipated maximum queue (am peak) in 2028 as 78, increasing to 239 with development).

Further information was also requested to demonstrate that the mitigation intended at A6021 Broom Road/B6410 Broom Lane T-junction would not have an adverse effect on the capacity and bus priority of the A6021 which is a key bus route. Mitigation at Brecks Roundabout was not considered to be justified bearing in mind that the impact at this junction would be minimal (an increase in maximum queue lengths of 3 vehicles during the pm peak). Further details of the

site accesses to Worrygoose Lane were requested, also a Stage One Road Safety Audit.

In response to these comments, the agents (WYG) submitted a further report which proposed a signal controlled pedestrian crossing on the A631 to the north east of Worrygoose Roundabout and minor alterations to the Broom Lane, Herringthorpe Valley Road and Worrygoose Lane approaches to the roundabout. Capacity assessments associated with these improvements indicated that the scheme would mitigate the impact of the development traffic during the morning peak hour. The submitted assessment indicated also that in the weekday evening peak hour, the proposed scheme would mitigate the impact at the junction on three of the four approaches, with only the A631 (west) approach to the junction not predicted to improve.

This view was not accepted by the Council's Transport Infrastructure Service. Validation of the traffic modelling was requested since the baseline assessment submitted with the report was not considered to be representative of the current situation. The agents report was based on a "queue length survey" undertaken in June 2017 which indicated an average queue length of 8 No. vehicles on Worrygoose Lane in the morning peak. However, this did not accord with a more recent survey commissioned by the Council and undertaken in July 2019 which revealed a significantly longer queue at the approaches to the roundabout. Accordingly, the validity of the model was again questioned and reassessment requested.

A further report "Land North of Worrygoose Lane, Rotherham, Worrygoose Roundabout Improvement", revision date June 2020 was submitted with revised base modelling using the Council's traffic survey. This report indicates that the junction is currently operating at capacity during the weekday peak hours with queues and delays. The capacity assessment has been repeated for the year 2028 for scenarios without and with the proposed development. Large queues are predicted in the future without development which highlights the need for capacity improvements even if the proposed residential development is not implemented. The report acknowledges that the impact of the development traffic at Worrygoose Roundabout requires mitigation.

The following mitigation measures are proposed in the report:

1. Widening of the B6410 Worrygoose Lane approach to the roundabout.
2. Provision of a bus lane on the A631 (W) approach to the roundabout.

3. Localised widening of the A6123 Herringthorpe Valley Road and B6410 Broom Lane approaches to the roundabout.
4. Provision of a signal controlled pedestrian crossing on the A631 (E) arm to the east of the roundabout.

The report concludes that these improvements would mitigate the impact of development traffic at the junction during the weekday morning peak hour with queue lengths on Worrygoose Lane approach being similar to those currently experienced. In the weekday evening peak hour, the improvements would mitigate the impact of the development on three of the four approaches to the junction that were predicted to be at/above capacity, with only the A631 (West) approach to the junction not predicted to improve. However, the proposed bus lane on this approach is expected to improve journey times for buses, thereby encouraging increased use of services along this route and mitigating the severe impact of increased delay on the operation of public transport services.

The report goes on to state that the significant impacts from the development on the Worrygoose Roundabout in terms of capacity and congestion can be cost effectively mitigated to an acceptable degree. The report acknowledges that the proposal does not mitigate for background growth, (although the NPPF does not allow this to be imposed as a condition on the developer). It is acknowledged also that the proposal does not entirely mitigate increased queuing on Bawtry Road in the pm peak but as mitigation protects public transport, and is not forecast to create major operational issues (ie “gridlock” events or the blocking of upstream junctions) the residual impact is not considered to meet the threshold of “severe” required by the NPPF for refusal (paragraph 109).

The conclusions in the report, and the intended mitigation measures (with some modification) are considered to be acceptable in that they accord with Government Policy outlined in the Paragraphs 108-111 of the National Planning Policy Framework (NPPF).

Car and cycle parking

Car and cycle parking is proposed in line with Council standards.

Pedestrian Accessibility

A 2km walking catchment from the site includes several schools, shops, cafes and public houses. Additional pedestrian facilities are intended to aid pedestrian movement between the site and access to the nearby Whiston Worrygoose Junior and Infant School including uncontrolled pedestrian crossings with tactile paving.

Public Transport

The TA's claim that the site is accessible by public transport is accepted with hourly services to Rotherham as well as Meadowhall and Sheffield. A bus lane along East Bawtry Road on the western approach to Worrygoose Roundabout is proposed with a view to improving journey times and thereby encourage increased use of the services.

Furthermore, a financial contribution towards the enhancement of local bus services for a period of 3 years and improvements to 2 bus shelters on Worry Goose Lane have also been agreed and will be secured via a Section 106 Agreement.

Cycling Accessibility

Cycling links are to be provided to the site from Lathe Road which is an advisory cycle route. Cyclists can then use the signal controlled crossing on the A631 to access the on carriageway cycle lanes on the B6410 Broom Lane or use the traffic free cycle routes on the A631 and A618 Moorgate Road providing access to the town centre. Widening of the footway on the western side of Worrygoose Lane to create a shared footway/cycleway is intended.

Road Safety

Accident records show that there are no major road safety issues in the vicinity of the site. While accident risk may increase with changes to the traffic flow characteristics or volumes, the potential increase in the vehicle trips generated by the development is not likely to materially affect the road safety record on the local highway network as a proportion of the total number of trips.

Travel Planning

A Travel Plan has been submitted with a view to promoting sustainable forms of travel. These measures will be to the value of £500 per dwelling and secured by a Section 106 Agreement, the Heads of Terms to be agreed at a later date.

Layout

Whilst the submitted layout is for illustrative purposes only, future applications for the approval of Reserved Matters will include vehicular links between the two access roads serving the northern and southern parts of the site. Furthermore, the road layout should include for the construction of a prospectively adoptable road up to the north-eastern site boundary to allow for potential links through to Housing Allocation Site H35. The layout should be designed and constructed in

accordance with the South Yorkshire Residential Design Guide. An Agreement under S38 Highways Act 1980 would be required.

Public Right of Way

Public footpath No.1 in Whiston runs through the site and has been incorporated on its current line in the submitted illustrative masterplan. The path is recorded on the definitive map for Whiston and therefore any change to the route shown on the definitive map would require a legal order

The Council would wish to see this protected within the site on its current route and would welcome the opportunity to contribute to future discussions once detailed layouts are being designed.

Response to Representations

The Technical Note submitted by Whiston Residents Action Group (WRAG) has been reviewed and matters raised have been addressed as part of further discussions with the applicant's agents, notably the need for mitigation at Worrygoose Roundabout, consideration of the traffic impact at additional junctions with the A631, a Stage One Road Safety Audit, and a travel plan.

With regard to the further individual representations that have been received, these have also been considered. Whilst the development will result in additional vehicular traffic in the local highways, "rat running" is not considered to be a significant issue. Whilst there are no proposals at this time to introduce any traffic calming measures along residential roads in the vicinity of the site, the Transport Infrastructure Service will continue to monitor the situation and should circumstances change further investigation will be carried out.

Many objections refer to the increase in traffic in Worrygoose Lane and at several junctions in the area, issues which are dealt with in the preceding paragraphs. With regard to the issue of pollution, it is noted that the provision of electric vehicle charging points at new dwellings is a recommended condition. Measures to promote public transport use, and other travel plan measures to be safeguarded by a S106 Agreement, also seek to reduce the need to travel by car with benefits in terms of congestion, road safety and air quality. A Stage One Road Safety audit has been submitted regarding the intended access arrangement, including the proposed pedestrian crossing points with tactile paving and it is considered that safe and suitable access for all users would be available. The need for better public transport has been raised. In this respect the proposed bus lane in East Bawtry Road should improve journey times and encourage increased use, as could other travel plan measures to be safeguarded in a S106 Agreement.

Most recently, a further objection from the Whiston Residents Action Group has been received with regard to the WYG report dated June 2020 and referred to above. The objection casts doubt on the validity of the traffic modelling in the report but provides little evidence to support this view. Furthermore, there appears to be some misunderstanding of what model outputs represent, in particular average queue lengths rather than maximum queues. The objection appears to be based on an unrealistic expectation of all parts of the highway network operating without congestion at all times and the view that any peak hour congestion constitutes “severe impact”. The diagrams submitted by WYG, and referred to in the objection, are in draft form only and would be subject to detailed design as part of an Agreement under S278 Highways Act, 1980. Reference is made to the... “resiting of the pelican crossing..” whereas it is intended to provide an additional signalised crossing in the A631(E) arm. The widening of A631 East Bawtry Road to create the bus lane will retain the existing shared use path.

Reference has previously been made to the timing of the traffic survey submitted by the applicant’s agents in the TA. This was undertaken in June 2017 which is considered to be a neutral month and therefore acceptable. A Traffic Regulation Order would not be required in respect of extending the 30 mph zone at Worrygoose Lane as part of the development proposal.

Impact on Strategic Road Network

Extensive discussions have taken place between the Council, Agent and Highways England to understand how the trips associated with the proposed development will impact on Junctions 33 and 34 of the M1 and Junction 1 of the M18 and in this respect, Highways England have reviewed all of the submitted information and in conclusion, consider the level of trip generation at these junctions to be low and not at a level that requires detailed junction assessment.

Overall, they have concluded that the impact on the on and off slips to the M1 can be accommodated. However, this impact should be secured and further protected through a robust Travel Plan, which is a recommended condition of any future planning approval.

Conclusions

Government policy regarding the consideration of development proposals is contained in the National Planning Policy Framework (NPPF) February 2019. Sections 108-111 are relevant in highway/transportation terms. Section 108 states that in assessing applications for development, it should be ensured that appropriate opportunities to promote sustainable transport modes can be, or have been, taken up, given the type of development and its location. The proposal is considered to accord with this requirement in view of the intended measures to improve bus journey times, the provision of

improved cycle facilities and other travel plan measures to be safeguarded in the S106 Agreement. Safe and suitable access to the site for all users can be achieved. The significant impact of the development traffic in terms of capacity and congestion is to be mitigated to an acceptable degree by the proposed highway improvements and the Stage One Road Safety audit has not raised any significant issues.

Section 109 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe. The accident record for the area does not indicate any significant issues and none have been revealed in the Stage One Road Safety audit. The proposed junctions with Worrygoose Lane have been designed to current highway standards in terms of geometry, visibility etc. and it is intended to reduce vehicle speeds in this location by extending the 30mph limit.

In these circumstances, it is considered that there are no justifiable reasons to refuse planning permission on highway/transportation grounds subject to appropriately worded conditions.

Drainage and flood risk issues

Policy CS24' Conserving and Enhancing the Water Environment' states:

"Proposals will be supported which:

- a. *do not result in the deterioration of water courses and which conserve and enhance:*
 - i. *the natural geomorphology of watercourses,*
 - ii. *water quality; and*
 - iii. *the ecological value of the water environment, including watercourse corridors;*
- b. *contribute towards achieving 'good status' under the Water Framework Directive in the borough's surface and groundwater bodies*
- c. *manage water demand and improve water efficiency through appropriate water conservation techniques including rainwater harvesting and grey-water recycling;*
- d. *improve water quality through the incorporation of appropriately constructed and maintained Sustainable Urban Drainage Systems or sustainable drainage techniques as set out in Policy CS25 Dealing with Flood Risk,*
- e. *dispose of surface water appropriately according to the following networks in order of preference:*
 - i. *to an infiltration based system wherever possible (such as soakaways)*
 - ii. *discharge into a watercourse with the prior approval of the landowner and navigation authority (to comply with part a. this must be following*

- treatment where necessary or where no treatment is required to prevent pollution of the receiving watercourse.)*
- iii. *discharge to a public sewer.”*

Policy CS25 “Dealing with Flood Risk” states, in part, that: *“Proposals will be supported which ensure that new development is not subject to unacceptable levels of flood risk, does not result in increased flood risk elsewhere and, where possible, achieves reductions in flood risk overall.”*

Policy SP47” Understanding and Managing Flood Risk and Drainage” states, in part, that: *“The Council will expect proposals to:*

- a) demonstrate an understanding of the flood route of surface water flows through the proposed development in an extreme event where the design flows for the drainage systems may be exceeded, and incorporate appropriate mitigation measures;*
- b) control surface water run-off as near to its source as possible through a sustainable drainage approach to surface water management (SuDS). The Council will expect applicants to consider the use of natural flood storage / prevention solutions (such as tree planting) in appropriate locations, and the use of other flood mitigation measures such as raised finished floor levels and compensatory storage; and*
- c) consider the possibility of providing flood resilience works and products for properties to minimise the risk of internal flooding to properties.”*

Paragraph 163 of the NPPF notes in part that: *“When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment.”*

The Site Development Guidelines also states:

A water course is present on the southern boundary, on-site flood risk from this watercourse and overland flows shall be assessed in preparing development proposals. The areas downstream of this site are known to be at very high risk from surface water flooding and a Flood Risk Assessment will be required for any development on site; additional restrictions may be imposed on discharge rates.

In response to this, the application is accompanied by a Flood Risk Assessment, which assesses the surface water and fluvial flood risk and the risk posed locally by the development itself and the runoff it may generate. It is however important to note, that as this application is only in outline form, the detail of future drainage systems and how they will be developed on site will be considered prior to the submission of the first application for Reserved Matters.

Nevertheless, consideration at this stage needs to be given to whether the site can be safely developed to manage and control any identified long term flood risks in the area.

The topography of the site has a gradient of up to approximately 1 in 10, with the high point along Shrogswood Road at a level of approximately 103mAOD and the low-point of the site in the southern corner at approximately 67.5mAOD along Worry Goose Lane. The site is undeveloped and has no existing formal drainage in place. Another minor watercourse runs alongside Worrygoose Lane, then it meets a watercourse through the golf course, before running through a residential area until it joins Whiston Brook.

With reference to the Environment Agency's indicative flood maps, the site is shown to be located wholly within Flood Zone 1, which comprises land having less than a 1 in 1000 annual probability of river or sea flooding. In this respect, the site is therefore not at risk of flooding from local rivers. Nevertheless, there is a severe flooding problem down stream and as such the LLFA must ensure that down stream flooding is not increased. There is a small amount of surface water flooding indicated on site, however this can be easily managed through the future development layout.

Having regard to development drainage, the provision of suitable attenuation on site to mitigate flood risk resulting from the development of the site will be a key factor in the evolution of the site development layout.

In assessing this, the amended FRA states:

The provision of relatively large volumes of attenuation will be necessary in this case and can be achieved by a number of methods; however, not all systems can be assessed in direct comparison.

“One of the aims of PPG is to provide not only flood risk mitigation but also maximise additional gains such as improvements in runoff quality and provision of amenity and bio-diversity. Systems incorporating these features are often termed Sustainable Drainage Systems (SuDS) and it is a requirement of PPG that these are considered as the primary means of collection, control and disposal for storm water as close to source as possible.

The volume of attenuation required for the development may be estimated using design software. The estimate assumes 50 % of the site area is impermeable and may be used to evaluate the runoff response of the site during varying rainfall events.

For the purpose of this assessment a tank/pond with a flow control device has been used. At this stage the viability of infiltration has not been determined. The software uses the ICP SuDS3 characteristics as the site is less than 50ha. A soil coefficient of 0.4 is used.

Table 3 – Summary of Anticipated Attenuation Volumes

Proposed Impermeable Area	Anticipated Unrestricted Run-Off	Flow Restriction	Estimated Attenuation (1 in 100 +30%)
Ha	ls ⁻¹	ls ⁻¹	m ³
Area A – 12.8	1780	31.1 (Q _{bar})	12600
Area B – 6.5	903	16.8(Q _{bar})	5310

The total site would therefore require attenuation storage of approximately 17910m³

- ❖ Please note that this current application relates only to site A in the table referenced above and as such the estimated attenuation for the site is calculated to be 12,600m³.

If infiltration does prove to be viable on this site then it should be possible to utilise some plot soakaways as part of a private drainage system which would reduce, in part, the overall attenuation requirement. However, as this will be limited to a small part of the overall site it is unlikely to have a significant impact on the overall attenuation volume area required.

The most appropriate attenuation system should satisfy three main characteristics, firstly, provide the required volume of storage, secondly, provide water quality improvements and where possible, provide local amenity.”

Having regard to this application, whilst no detail has been provided as this will be reserved for future consideration, the natural topography of the site is such that the implementation of dry basins is likely to be a viable option and areas within the site have been identified on the indicative layout as being potentially suitable locations, however, in order to minimise earthworks the attenuation in these locations may be supplemented with in-pipe storage.

The Applicant’s Drainage Engineer considers that this type of hybrid-system would not only provide the required attenuation for the site but would also provide features to be integrated with the existing natural habitat and also provide water quality improvements to the flow prior to discharge to the watercourse.

The FRA further goes on to state that the “*development should also consider the use of permeable bases under proposed driveways as a means of controlling runoff on a plot-by-plot basis. This would comprise a sub-base to the driveway that would collect runoff from the roof and the hardstanding’s of the property and discharge this to the plot drainage system via an orifice. This would reduce instantaneous runoff from each plot and extend the time of concentration.*

This system would also contribute to improvements in runoff quality.”

In order to give some idea of the size of attenuation that may be required, the FRA has provided provisional sizing of typical dry basin features at this stage based on the assumptions made. This is detailed in the FRA as follows:

“Given the size of the site it may be more efficient to attenuate various areas separately rather than try to convey large volumes of water to a single feature. As the working example, the site may be attenuated using a series of basins linked by an under-drained swale with additional attenuation provided by oversized pipework under the adopted roads or geocellular storage under the basin itself.

An initial assessment of the topography of the site identifies four potential locations for basins in areas of shallower topography. Two of the largest basins, are located in the more central part of the site whilst another is located to the south and the smallest basin, is situated in the north of the site.

The system would provide attenuation at each basin separately using a vortex flow control device with the discharges linked by a new open watercourse or under-drained swale running through the central landscaped area and along the south-eastern boundary.

The larger basin will utilise a smaller flow restriction to optimise the use of the volume in these locations with the smaller basin having a larger discharge to minimise their attenuation volume. In total, the four flow controls will operate at a rate of less than the estimated 31.1l/s greenfield run off rate.

Basins have been developed with a working depth of 1.0m and side slopes of 1v:3h. Where sufficient volume isn't mobilised in the basin itself additional storage will be provided using upstream oversized pipework or geo-cellular storage.

The exact impermeable areas draining to each basin is not known at this stage, however, an estimate of the flow direction has been made using the indicative topography and by assuming that the residential area will effectively be 65% developed an indicative impermeable area can be estimated.

Based on these assumptions the following indicative attenuation features may be utilised.”

Table 4: Area A - Estimated Drained Areas and Attenuation Volumes

Basin Ref	Site Area (Ha)	Effective Imp. Area (Ha)	Flow Restriction (l/s)	Volume Required (m ³)	Basin Volume (m ³)	Additional Volume (m ³)
1	5.6	3.64	4.0	4272	3690	582 230m of 1.8 ϕ
2	6.2	4.03	13.0	3620	3417	203 80m of 1.8 ϕ
3	4.8	3.12	4.0	3545	2460	1085 1150m ² of 1m deep geocell
4	3.0	11.95	10.0	1536	470	1066 1122m ² of 1m deep geocell

Turning to foul drainage, the FRA recognises that foul drainage from the site should be discharged in compliance with Yorkshire Water's (YW) requirements. YW has advised that a connection for as much of the site as possible should drain by gravity to either one of the two 375mm diameter foul / combined sewers that discharge to the pumping station located on East Bawtry Road.

Yorkshire Water have noted in their response to the Applicant that development of the site should take place with separate systems for foul and surface water drainage. The separate system should extend to the public sewer. The existing network does not have adequate capacity available to accommodate the anticipated foul water discharge from this proposal site. Accordingly, a feasibility study will be required to determine suitable foul connection points. Any available capacity in the public sewer network, together with any likely costs and timescales for any potential upgrading works required would be at the developer's expense and dealt with under section 98 of the Water Industry Act 1991.

In assessing the submitted FRA, the Local Lead Flood Authority (LLFA), Yorkshire Water and the Environment Agency have all been furnished with the necessary information.

The LLFA have assessed the submitted information contained within the amended FRA, whilst recognising the application is in outline and details of drainage and flood routing are reserved for future consideration. Nevertheless, it has confirmed that the approximate attenuation volume has been determined, but the exact requirement will be dependent on the actual development proposals submitted with future reserved matters applications. The applicant has demonstrated that with significant changes to ground profiles, surface water runoff can be adequately attenuated and downstream flood risk will not be increased.

A requirement to produce a drainage solution which works throughout a phased development of the whole site will be required as opposed to a piecemeal approach, determined with each reserved matters application. As the Council is asking for a solution that will work for the whole of the allocation, the overall strategy needs to be approved with the first reserved

matters application. It is therefore recommended that a condition be attached to any permission requiring the submission of a drainage strategy and masterplan for the whole site. Accordingly, and only on that basis, it is considered that the application can be supported from a flood risk and drainage perspective.

In addition to the LLFA, YW and the Environment Agency have both provided comments on the application, neither raise any objections in principle to the proposed development, subject to conditions requiring the submission of further information relating to drainage solutions.

Having regard to the above and taking into account, the application is in outline, subject to the recommended conditions, it is considered that the proposals accord with the above Local Plan Policies and the advice within the NPPF.

Ecology and biodiversity

In assessing these issues, Policy CS20 'Biodiversity and Geodiversity,' notes in part, that: *"The Council will conserve and enhance Rotherham's natural environment and that resources will be protected with priority being given to (amongst others) conserving and enhancing populations of protected and identified priority species by protecting them from harm and disturbance and by promoting recovery of such species populations to meet national and local targets."*

Policy SP33 'Conserving and Enhancing the Natural Environment' states, in part, that: *"Development should conserve and enhance existing and create new features of biodiversity and geodiversity value,"* and adds that: *"Development will be expected to enhance biodiversity and geodiversity onsite with the aim of contributing to wider biodiversity and geodiversity delivery including, where appropriate, direct contribution to Ecological Networks, the Green Infrastructure network, Biodiversity Opportunity Areas, Nature Improvement Areas and Living Landscapes."*

Policy SP35 'Protected and Priority Species' states that *"Planning permission for development likely to have a direct or indirect adverse impact on the following will only be granted if they can demonstrate that there are no alternative sites with less or no harmful impacts that could be developed and that mitigation and / or compensation measures can be put in place that enable the status of the species to be conserved or enhanced:*

- a) Protected species;*
- b) Species of principal importance for the conservation of biodiversity;*
- c) Species prioritised for action within the Rotherham Biodiversity Action Plan;*
- d) Populations of species associated with statutorily protected sites. Measures to mitigate and, or compensate for, any impact must be agreed prior to development commencing and should be in place by the time development is brought into use".*

The NPPF further advises in part of paragraph 170 that: *“Planning policies and decisions should contribute to and enhance the natural and local environment by (amongst other things):*

d) minimising impacts on and providing net gains for biodiversity, including by

establishing coherent ecological networks that are more resilient to current and future pressures;”

The application is supported by a Preliminary Ecological Appraisal, Bat Survey and a Full Badger Survey. The Ecological Appraisal concludes that *“the site was not found to contain any rare or notable plant species or habitats. The habitats for foraging bats are limited within the site, predominantly the hedgerows. If the hedgerows are to be severed or removed, or likely to be affected by an increase in light spill, then up to three activity transects should be undertaken within the peak activity season (May to August).*

The site was found to contain suitable habitat for badgers, large mammal tracks indicating the possibility of this species utilising the site. It is recommended that a full badger survey is undertaken prior to any planning application. Badger surveys can be undertaken at any time of year.

The hedgerow habitats within the site are likely to be the most valuable to nesting birds, and should be retained as far as possible. Nesting birds may be present in the trees and hedgerows during the bird breeding season (March to August inclusive). If vegetation removal is planned during these months, a prior check for nesting birds should be undertaken by an ecologist. Any active nests that are found must not be moved until fledglings have dispersed.

Enhancing existing hedgerows or planting new hedgerows and shrubs within any new development can benefit birds, bats, mammals and other species, if a wide range of native species are used. This would be of conservation benefit and should be considered where ever viable.”

Having regard to the above, the Council’s Ecologist has assessed the content of the report and concurs with the findings and recommendations. As such no objections are raised subject to conditions being imposed that require future development to be carried out in accordance with the recommendations in the report.

In considering the Bat Survey, this expands on the findings in the Ecological Assessment and provides the following summary:

“Due to the presence of moderate suitability habitat for bats on site, single transect survey visit per month was conducted (May to October) the surveys was conducted, in appropriate weather conditions for bats. The aim of the transect survey is to obtain information on bat species using the habitats along this route and identify commuting routes and foraging areas used by these species along the proposed development. This route incorporated

potential foraging and commuting routes such as hedgerows and field margins. Such features are known to be important habitats for bats.

The surveys indicate low levels of bat foraging and commuting activity; through the site, it is understood that current plans for the site would retain these features, but that additional lighting of some areas would be required. A lighting design around the new development should be considered at an early stage.

Removal of scrub, hedgerows and trees may cause loss of bat foraging habitat. Loss or severance of hedgerows and/or tree-lines may affect bat commuting routes. The hedgerow boundaries should be retained where possible, as these types of habitats can be of importance to much of the wildlife within the local area. Where existing hedgerows are gappy, these should be maintained and augmented by planting native species.

It is not anticipated that a mitigation licence will be required with regards to bat foraging/ commuting habitat. No further surveys are recommended at this time, although should works not commence within 2 years of publication of this report, then these surveys should be repeated."

Again, the Council's Ecologist concurs with these findings and recommends further conditions relating to the submission of further bat surveys prior to the commencement of development.

Finally, the submitted badger survey was prepared in relation to the identification and location of badgers in and around the site. Camera traps were installed, checked and moved over a period of a month. In addition, on each of the weekly survey visits, field-sign (tracks, digging, latrines, hairs etc.) were also surveyed for. No active badger setts were identified within 30m of the proposed development; therefore, the development will have no negative impact on badgers

The Council's Ecologist, whilst accepting the finding of this report, acknowledged that Badger activity patterns can change within a short period of time. Given the presence of a previously active badger sett on site, an update walkover survey for badger presence should be conducted shortly before works commence on site. Accordingly, subject to a condition requiring this further survey work to be undertaken and submitted to the LPA for review, no objections are raised to the development of the site from an ecological perspective.

Further to the above, comments have been received from Sheffield and Rotherham Wildlife Trust, which generally echo the comments made by the Council's Ecologist. The Trust go on to recommend a raft of conditions, which are reflective of those suggested by the Council's Ecologist and others that are subject to discussion at detailed design stage.

Having regard to this, it is considered that, subject to the imposition of appropriately worded conditions, the proposals at this outline stage are considered to be acceptable and comply with the relevant policies contained within the adopted local plan and guidance contained within the NPPF.

Turning to the subject of soil resources, Policy SP36 'Soil Resources' states, in part, that *"Development will be required to demonstrate the sustainable use of soils during construction and operation stages, where appropriate and to be determined in discussion with the Local Planning Authority..... Built development should be designed and sited with an appreciation of the relative functional capacity of soil resources and threats to soils with the aim of preserving or enhancing identified soil functions. Measures to incorporate green space and sustainable drainage elements that retain permeable surfaces, allow water infiltration, reduce soil erosion and maintain natural soil functions will be supported. Measures that waste soil resource, reduce soil quality, compact or pollute soils or that create a predominantly impermeable surface should be avoided."*

The proposal does include areas of green open space and sustainable drainage methods are to be used. For this reason it is considered appropriate that the submission of details of the quality of soils on site and their movement and temporary storage during construction is conditioned to ensure that the character of the soil to be conserved is done so as part of a Construction Management Plan.

With this in mind it is considered that the proposals accord with relevant Local Plan Policies as well as guidance within the NPPF.

Landscape and Tree matters

Policy CS19 "Green Infrastructure" states, in part, that: *"Rotherham's network of Green Infrastructure assets, including the Strategic Green Infrastructure Corridors, will be conserved, extended, enhanced, managed and maintained throughout the borough. Green Infrastructure will permeate from the core of the built environment out into the rural areas...Proposals will be supported which make an overall contribution to the Green Infrastructure network based upon the principles set out below –*

- d) Improving connectivity between new developments and the Strategic Green Infrastructure network and providing buffering to protect sensitive sites."*

Policy CS21 'Landscapes,' states, in part, that: *"New development will be required to safeguard and enhance the quality, character, distinctiveness and amenity value of the borough's landscapes by ensuring that landscape works are appropriate to the scale of the development, and that developers will be required to put in place effective landscape management mechanisms including long term landscape maintenance for the lifetime of the development."*

Policy SP32 'Green Infrastructure and Landscape' goes on to state in part that:
"The Council will require proposals for all new development to support the protection, enhancement, creation and management of multi-functional green infrastructure assets and networks including landscape, proportionate to the scale and impact of the development and to meeting needs of future occupants and users."

The site is located on the urban edge of Rotherham with open countryside to the south-east and comprises two arable fields separated by a hedgerow and Whiston footpath no.1, both of which pass through the site in a south-west to north-east direction. During assessment work carried out in September 2013 by the Landscape Design Team the site was described as undulating, extensive and simple with poor hedgerows and few trees. It was considered as being open to public view and very open to private views from adjacent properties along Lathe Road (northern boundary of the site). It was felt there was moderate scope to mitigate any impact possible development may have over the medium term.

The site has been allocated within the Local Plan (ref:H34) for residential use and considered to have capacity for 450 dwellings over a site area of approximately 20ha.

The eastern boundary of the site is defined by Green Belt which is occupied by Sitwell Park Golf Club. The site entirely falls within the Thrybergh Green Infrastructure Corridor and within the Coal Fields Tributary Valleys Landscape Character area.

There are existing residential developments along the western and northern boundary of the site; therefore any development would not compromise separation of settlements and will form some moderate associations with the existing urban fabric. It was however felt that the site had medium-high sensitivity with medium capacity.

The site development guidelines, contained within the adopted Sites and Policies Document, for this site states that:

- A Landscape Assessment will be needed to assess and manage the impact of potential new development on the landscape character of the area and on natural landscape features such as trees and hedgerows which should be retained and enhanced, unless agreed in writing with the Local Planning Authority.
- The impact of this proposal on local landscape character shall be minimised. The use of light coloured materials, that are more visually prominent, shall be restricted along the boundary with the Green Belt; and the height of buildings restricted on higher ground to minimise visual impact. A no build zone of 15 metres shall be promoted along the edge of the Green Belt boundary. No build zones are measured from building elevation to Green Belt boundary. Other forms of infrastructure such as roads, drainage, footways, Public Rights of Way, landscape buffers and appropriate boundary treatments are acceptable

within this zone. Consideration shall be given to the re-routing of Public Rights of Way (PROW) along this edge. Small scale informal groupings of properties overlooking the Green Belt edge should be considered in preference to a single uniform building line.

- The creation of a strong structural landscape framework within which this development will sit, will be essential. The appropriate long term management and maintenance of any existing or newly created Green Infrastructure assets within the development will need to be explored and funded.

In response, a landscape and visual appraisal has been submitted and provides an assessment of the effects of the proposed development on the landscape of the site and its context. The design of the proposed development and the identification of mitigation measures incorporated within the design to minimise adverse effects is informed by the findings of the appraisal.

For the purposes of assessing the landscape and visual effects of this proposal, study areas are defined in the Appraisal, and are listed below:

- The site
- A radius of approximately 3km from the site boundary; and
- The visual study area extends to a radius of 3km from the site boundary. For this appraisal, viewpoints within 1 km of the site boundary are considered to represent views from within the local area.

The Council's Landscape Architect has reviewed the submitted Appraisal alongside the indicative masterplan and concurs with the findings of the Landscape Assessment, which identifies moderate adverse and minor adverse landscape effects on the landscape receptors during the construction stage of the development, at day 1 of operation and year 15.

Turning to the visual assessment, major adverse effects have been identified on residential receptors situated immediately adjacent to the site due to the close and direct nature of the view and the large scale of change in the view likely to be provided by the proposed development. Moderate adverse effects are identified on residential receptors situated to the north of the site within the southern extent of Sheep Cote Road where the development is likely to provide an intermediate change within the close view from this location. Elsewhere minor adverse effects are expected on residential receptors situated between 0.5km and 1.0km from the site, on the higher ground to the north at Beech Avenue and Sledgate Lane, and at Royds Moor Farm to the south east from where the development is likely to provide a small change in the wide view from these locations.

Having regard to the proposed masterplan, it is acknowledged that this is for illustration purposes only, however it is noted that it sets out a strategic framework approach for key design principles such as place making, movement, greenspace, landscape and ecology, and street hierarchy and movement.

Additionally, the illustrative layout is very encouraging and supports many of the guiding principles which embrace relevant policy. The 'cellular' arrangement of properties with varied orientation will give the development an organic feel. Together with the generous provision of open space and in particular the central green corridor and buffer zone along the Green Belt boundary it should be possible to mitigate the visual impact of such a development on this highly visible site.

A no build zone of 15m has been incorporated along the Green Belt boundary which is fully supported, although whilst it is noted in the Site Development Guidelines that the zone will be measured from the building elevation, consideration should be given when designing future layouts to maintaining the 15m buffer zone outside of the garden areas and incorporating a footpath link.

It is acknowledged that the site will almost certainly be developed in a phased approach, identifying a need to ensure a continuity of approach to the landscape infrastructure and open space provision. The central green corridor, buffer zone to the southern boundary and large 'secondary amenity spaces' offer the potential to provide significant and important green spaces not only for the benefit of the residents but also the surrounding existing community, biodiversity gain and visual integration of the development into the existing landscape. As such appropriately worded conditions are recommended to ensure this is designed as a comprehensive scheme and delivered in a timely manner in order to create a substantial landscape framework. This approach will accord with the requirements of the Local Plan Site Development Guidelines, which states a strong structural landscape framework within which the development will sit will be essential.

Having taken the above into account, whilst the development will result in some adverse visual amenity, the proposals if developed in line with the Masterplan, are not considered to result in any significant adverse effect on the borough's landscape character. The Masterplan proposals include an appropriate level of green infrastructure and green space and will ultimately have a beneficial effect on the local landscape fabric and features. The development of this site is therefore considered to be compliant with the relevant policies contained within the adopted local plan.

Turning to the impact of the proposed development on existing tree coverage on site, numerous trees and hedgerows surround the site, most of which are identified as being good quality. It is however noted in the submitted Tree Survey that no trees are proposed for removal as part of the future re-development of the site. Furthermore, the indicative plans show significant areas of green space with a large number of trees to be planted in them,

along with further planting in residential gardens. Given the site's current use as a farmer's field there is potential to significantly improve the level of tree cover in this area as a result of future development. As such, no objections are raised to the proposed development from the Council's Tree Service as the proposals comply with the relevant policies contained within the adopted local plan.

General amenity issues – contaminated land, noise and air quality

Policy CS27 'Community Health and Safety' states, in part, that: *"Development will be supported which protects, promotes or contributes to securing a healthy and safe environment and minimises health inequalities. Development should seek to contribute towards reducing pollution and not result in pollution or hazards which may prejudice the health and safety of communities or their environments. Appropriate mitigation measures may be required to enable development. When the opportunity arises remedial measures will be taken to address existing problems of land contamination, land stability or air quality."*

Policy SP52 'Pollution Control' states that: *"Development proposals that are likely to cause pollution, or be exposed to pollution, will only be permitted where it can be demonstrated that mitigation measures will minimise potential impacts to levels that protect health, environmental quality and amenity. When determining planning applications, particular consideration will be given to:*

- a) the detrimental impact on the amenity of the local area, including an assessment of the risks to public health.*
- b) the presence of noise generating uses close to the site, and the potential noise likely to be generated by the proposed development. A Noise Assessment will be required to enable clear decision-making on any planning application.*
- c) the impact on national air quality objectives and an assessment of the impacts on local air quality; including locally determined Air Quality Management Areas and meeting the aims and objectives of the Air Quality Action Plan.*
- d) any adverse effects on the quantity, quality and ecology features of water bodies and groundwater resources.*
- e) The impact of artificial lighting. Artificial lighting has the potential to cause unacceptable light pollution in the form of sky-glow, glare or intrusion onto other property and land. Development proposals should ensure that adequate and reasonable controls to protect dwellings and other sensitive property, the rural night-sky, observatories, road-users, and designated sites for conservation of biodiversity or protected species are included within the proposals."*

Policy SP54 'Contaminated and Unstable Land' states that: *"Where land is known to be or suspected of being contaminated, or development may result in the release of contaminants from adjoining land, or there are adverse ground conditions caused by unstable land, development proposals should:*

- a) demonstrate there is no significant harm, or risk of significant harm, to human health or the environment or of pollution of any water course or ground water;*
- b) ensure necessary remedial action is undertaken to safeguard users or occupiers of the site or neighbouring land and protect the environment and any buildings or services from contamination during development and in the future;*
- c) demonstrate that adverse ground conditions have been properly identified and safely treated;*
- d) clearly demonstrate to the satisfaction of the Local Planning Authority, that the land is suitable for its current or proposed use."*

In respect to the above, supporting information was submitted with the application in relation to land contamination issues. The Council's Environmental Health section have assessed the information and have commented that the site has an area of approximately 19.4 hectares and comprises a large arable field in the north western two thirds of the site and a smaller arable field within the south eastern third of the site.

The site has been undeveloped since at least 1892, but has been in use as farmland throughout this time. Sitwell Park Opencast Site was previously located to the east and southeast of the site.

Intrusive site investigation works have been undertaken during September 2018 and comprised of 38 trial pits, 12 soakaways, 47 rotary boreholes and the installation of six ground gas monitoring boreholes.

The site investigation works revealed that ground conditions were found to be variable across the site. Localised made ground was encountered at five locations and coal was recorded close to the surface within numerous trial pits.

Chemical analysis of samples of topsoil's, made ground and natural ground obtained from the site revealed that contamination levels were found to be below the governmental guidelines for a residential end use. However, the only exception to this was an elevated arsenic concentration from a sample potentially obtained from within a mineshaft. This therefore will not present any risk to human health as all mineshafts will need to be grouted and capped.

Shallow mine workings were encountered within both the identified Shafton and Highgate coal seams and as a result the majority of the site (at least 80 %) will require drilling and grouting prior to development. Mineshafts will also need treating and capping prior to development and it is likely that additional mineshafts will be exposed when a site strip of topsoil materials is undertaken. Potential mineshafts were identified at trial pits TP15, TP20 and TP37 and these will require further investigation to determine the depth these features extend to

Six rounds of ground gas monitoring were undertaken to determine the ground gas regime and the results revealed that gas protection measures will not be required for each new build.

It is concluded that further ground intrusive site investigations are required to fully identify and determine the depths of the three potential mineshafts and prior to development the majority of the site will require remedial treatment in the form of drilling and grouting works to ensure the site is geotechnically suitable for its proposed residential end use and these can be secured via suitably worded conditions.

In general amenity terms the Environmental Health Section note that the site is adjacent to residential properties. There are concerns that noise from road traffic using the East Bawtry Road, Whiston may potentially cause disamenity to the future occupiers of the proposed residential dwellings. There are also concerns that noise and dust generated during the construction phase may potentially cause nuisance to the occupiers of surrounding residential and commercial premises.

In this regard, it is recommended that prior to the construction of any development on site a Noise Assessment shall be submitted to establish the baseline conditions and whether any mitigation measures are necessary. Accordingly, it is recommended that a planning condition be attached requiring all future reserved matters applications to be accompanied by a full Noise Assessment.

In relation to Air Quality issues, the application is supported by an Air Quality Assessment which concludes that there is potential to cause air quality impacts as a result of emissions during the construction phase, however they are not predicted to be significant. The results indicated that the impact as a result of traffic generated by the development was predicted to be negligible.

The site is not within an Air Quality Management Area and the Council's Air Quality Officer notes that the updated Air Quality Assessment assumed that the development will be operational in the year 2028. The assessment undertaken predicts some increases in the National Air Quality Strategy pollutant nitrogen dioxide annual mean, however the impact on air quality has not been predicted to be significant. Mitigation measures have been proposed for the development including the installation of Electric Vehicle (EV) charging points, one charging unit per dwelling (dwelling with dedicated parking) and one point per parking space for apartments; the use of green infrastructure (e.g. woodland and/or planting) and associated management of green infrastructure to ensure long-term improvements in air quality. Furthermore, the submitted Travel Plan includes measures including improving public transport, promotion of walking and cycling.

Accordingly, it is considered that the proposed development is acceptable in terms of the impact on air quality and in accordance with the provisions of the Supplementary Planning Guidance Note 2 'Air Quality and Emissions'

Policy SP 49 Safeguarding Mineral Infrastructure states that *“Permission for non-minerals development involving, or within 250 metres of existing, planned or potential safeguarded mineral infrastructure sites will be granted where it can be demonstrated that:*

- a) the infrastructure is no longer required or no longer meets the needs of the mineral or construction industry; or*
- b) development will not prejudice the mineral infrastructure's operation or current or future use; or*
- c) an alternative, appropriate, site provides capacity for delivery of the mineral infrastructure; or*
- d) the need for the proposed development outweighs the need to safeguard the site for mineral infrastructure.*

The policy will also apply to sites in use for concrete batching, the manufacture of coated materials, other concrete products and the handling, processing and distribution of substitute, recycled and secondary aggregate material not identified on the Policies Map”

Whilst a Mineral Safeguarding Assessment has not been submitted in support of this application, given the application is in outline, it is considered that the level of detail required would not be known at this time. Accordingly, it is recommended that a condition be imposed requiring all future applications for Reserved Matters to be accompanied by a full assessment for the entire site or the phase to which the application relates.

With the above in mind it is considered that the proposal accords with the above Local Plan policies.

Impact on existing/proposed residents

SP55 ‘Design Principles’ states, in part that: *“the design and layout of buildings to enable sufficient sunlight and daylight to penetrate into and between buildings, and ensure that adjoining land or properties are protected from overshadowing.”*

Further to the above the NPPF at paragraph 127 states, in part, that planning decisions should ensure that developments *“create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.”*

It is noted that residential properties exist immediately to the north of the site on Lathe Road and along part of the western elevation on Worrygoose Lane . Representations have been received claiming that the proposed development will overlook the properties to the north.

As previously stated, the application is in outline form, with only the means of access submitted for consideration. Accordingly, the proposed layout is provided for illustrative purposes only. Nevertheless, any future layout will have to adhere to relevant guidance in terms of appropriate separation distances between existing and proposed properties and have regard to any level changes that may occur as part of any re-profiling works. These

distances generally relate to 21m between 2 habitable room windows and 12m between a habitable room window and a blank elevation. Further guidance exists which relates to the 25 and 45 degree rules to prevent future development from having an over dominant impact on existing properties.

Objections have also been received stating that the proposed development will affect the views of residents from their existing properties. Whilst this point is noted, it is not a material planning consideration and as such will not influence the decision-making process.

With the above in mind, it is considered that the indicative masterplan adequately addresses how the development could be brought forward without significantly affecting the amenity of existing residents. The proposal is therefore considered acceptable in accordance with relevant guidance.

Archaeology and Cultural Heritage issues

Policy CS23 'Valuing the Historic Environment' states, in part, that *Rotherham's historic environment will be conserved, enhanced and managed in accordance with principles set out*"

Policy SP43 'Conserving and Recording the Historic Environment' states, in part that: *"Development proposals that affect known or potential heritage assets will need to provide supporting information in sufficient detail that the impact of the proposed scheme on those heritage assets can be established....., Heritage Statements should consider the impact of the specific development proposed with regard to: the setting of heritage assets on or in the vicinity of the site; detailed archaeological assessment; and the results of field evaluation."*

It is noted that the site is not located within or adjacent to a Conservation Area, nor are there any Listed Buildings within the immediate vicinity. Accordingly, it is not considered that the development will have any impact on Cultural Heritage assets in the area.

SP42 'Archaeology and Scheduled Ancient Monuments' stated, in part that *"Development proposals that may impact upon archaeology, whether designated as a Scheduled Ancient Monument or undesignated, will be considered against the following principles:*

- a) development that would result in harm to the significance of a Scheduled Monument or other nationally important archaeological site will not be permitted;*
- b) the preservation of other archaeological sites will be an important consideration. When development affecting such sites is acceptable in principle, the Council will seek preservation of remains in situ, as a preferred solution. When in situ preservation is not justified, the developer will be required to make adequate provision for archaeological recording to ensure an understanding of the remains is*

gained before they are lost or damaged, in accordance with Policy SP 43 'Conserving and Recording the Historic Environment'.

The Site Development Guidelines require the proposal to be supported by a Heritage Statement for Archaeology, which was submitted. South Yorkshire Archaeology Service has assessed the report and submissions and have confirmed that there are archaeological features consistent with a late prehistoric and Romano-British landscape. To be able to understand the nature, extent and degree of preservation, a scheme of archaeological trial trenching is required. This should test the features identified in the survey, as well as blank areas. As this information is required to assess the potential impact of development on the archaeological features, the trenching should be undertaken prior to any development on site, and the report submitted as a supporting document. Accordingly, an appropriately worded condition is recommended requiring further archaeological works to be undertaken prior to the commencement of any development on site.

On this basis, it is considered that the proposal is in accordance with the above Local Plan policies, subject to the relevant condition.

Impact on infrastructure, including Education and local GPs

With regards to GP Surgeries, the NHS have the following comments “Thank you for the information relating to the proposed new development which helps us plan for future need and impact on local health services. Based on our primary care estates strategy, services in this area are already pressured. However, to deal with increased pressure on services, the practices are now operating on a Primary Care Network approach to enable more ‘at scale’ working and have adopted new ways of working e.g. telephone and video consultation which should support patient management. Primary Care Networks also have access to an extended workforce to support practices. It is also considered that new developments cause population movement around the Borough e.g. young adults moving out of family homes and not significantly new population and therefore it would be expected that the patients would already be registered with local practices within the Primary Care Network and so can be accommodated.”

It should be recognised that the process to allocate this site has taken place over a number of years with many rounds of public consultation, and infrastructure providers were involved in the process in order that they could align their service and delivery plans to the provision of residential development to be generated by the site.

With regards to the impact on schools, the Education Service notes that Whiston Worrygoose Junior and Infant School is oversubscribed in all year groups. As there is insufficient capacity in local schools for new children moving into this new housing development the developer will be required to pay a financial contribution for educational purposes via a S106 Legal Agreement. In accordance with the Education Service policy the contribution

towards Education would be calculated at Reserved Matters stage when the house types are known.

Other issues raised by objectors

Numerous objections have been raised by residents, many of which have been considered in the preceding paragraphs and may be addressed by way of recommended planning conditions, and others, such as loss of views and devaluation of properties, are not material considerations to be taken into account in the determination of this application.

Having regard to other matters, one objection states that the development will lead to an increase in crime in the area. There is no evidence to support this claim and South Yorkshire Police have been consulted on the application. They have made recommendations that the proposals should be constructed to Designing out Crime standards but have not made any observations relating to an existing problem with crime in the area.

Other matters relating to the planning process and the length of time taken to make a recommendation on this application are also noted. Ongoing discussions with Applicants and/or Agents on major planning applications following validation are not uncommon and where solutions to concerns can be provided, either via the submission of additional information or the provision of mitigation measures, these will be explored, as is the case in this instance. The Government sets 13 week targets for major applications, however these are only targets and where a Local Planning Authority and Applicant/Agent mutually agree an extension of time, this approach is encouraged.

Finally, an objection raises concerns that no allowance for affordable housing has been considered. This is not the case, any future development of the site will provide 25% affordable housing, in line with the relevant policy in the adopted Local Plan. This will be secured via a Section 106 Agreement.

Timescale for submission of future applications and implementation of Permission

The application seeks to extend the usual timescale for submission of future reserved matters applications from 3 years to 5 years and a start on site from 5 years from the date of this permission to 7 years.

The Agents have confirmed that this small increase in timescale is primarily due to the scale and phasing requirements of the site. They have gone on to state: "As the site is not yet controlled by a developer and is identified as a large site with phasing requirements, due to current market uncertainty resulting from Covid 19, it is proposed to seek the longer time for the submission of the Reserved Matters to enable both marketing and any subsequent phase sales to other developers to be carried out."

In light of this, it is agreed that the proposed increase in timescales for the submission of future reserved matters applications and subsequent start on site is proportionate to the scale of the site and phasing requirements. Accordingly, it is recommended that these timescales be agreed.

Planning Obligations

The Community Infrastructure Regulations 2010 introduced a new legal framework for the consideration of planning obligations and, in particular, Regulation 122 (2) of the CIL Regs states:

"(2) Subject to paragraph (2A), A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is-

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development;
- (c) fairly and reasonably related in scale and kind to the development."

All of the tests must be complied with and the planning application must be reasonable in all other respects. This is echoed in Paragraph 56 of the NPPF.

With the above circumstances in mind the following S106 Obligations are recommended should Planning Permission be approved.

- 25% on site affordable housing provision in accordance with the Council's adopted Policy.
- Commuted sum of £500 per dwelling towards sustainable transport measures.
- Financial contribution commensurate with the cost of the highway improvement scheme as required by condition 8 towards wider works on Worrygoose in the event that works are instructed by the Council.
- Financial contribution towards the enhancement of local bus services - £100k per annum for a period of 3 years
- Improvements to 2 bus shelters on Worry Goose Lane amounting to £63,700
- Education Contributions in accordance with the Council's adopted Policy.
- Formation of a Local Area of Play (LAP) within Phase 1 of development
- Formation of a Neighbourhood Equipped Area of Play (NEAP) within Phase 2 of development
- Erection of a Multi Use Games Area (MUGA) within Phase 3 of development
- Establishment of a Management Company to manage and maintain the areas of Greenspace, including the proposed LAP, NEAP and MUGA

Having regard to the above it is considered that the above obligations meet the criteria set out in a Paragraph 56 of the NPPF and the Community Infrastructure Regulations and are therefore considered to be acceptable.

Conclusion

The site was previously allocated for Green Belt purposes in the former Unitary Development Plan (UDP) but that Plan has been replaced with the adopted Local Plan, which includes the Sites and Policies Document that was adopted on 27 June 2018. The Sites and Policies Document removed the site from the Green Belt and allocated it for 'Residential' purposes. It forms allocated Housing Site H34 and is located within a suitable distance from local facilities. As such, the proposal is acceptable in principle.

The scheme is acceptable in terms of highway safety, and the indicative plans and details submitted indicate that it is acceptable in terms of provision of open space, drainage, ecology and landscaping as well as other general amenity issues identified above. The scheme is considered to be sustainable and has notable benefits in terms of market and affordable housing provision and associated social and economic benefits arising from such provision. Development in this location will support the ongoing delivery of services and facilities within the local area and provide much needed market housing to meet Local Plan targets for housing development within the Plan period to 2028.

Overall the scheme is considered to be in accordance with the Development Plan and with the policies in the NPPF. As such, the proposal is recommended for approval, subject to the signing of a S106 legal agreement as set out above and to the following conditions.

Conditions

The Development Management Procedure Order 2015 requires that planning authorities provide written reasons in the decision notice for imposing planning conditions that require particular matters to be approved before development can start. Conditions numbered 2, 5, 10, 16, 17, 18, 20, 24, 28, 30, 33, 34, 35, 36, 37 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 2, 5, 10, 16, 17, 18, 20, 24, 28, 30, 33, 34, 35, 36, 37 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.'

GENERAL

01

- a. Application for approval of reserved matters must be made within five years of the date of this permission.
- b. The development hereby approved must be begun not later than whichever is the later of the following dates:
 - I. The expiration of seven years from the date of this permission; OR
 - II. The expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason

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

02

Before the commencement of the development within each geographical phase, details of the layout, scale, appearance and landscaping, as well as access within the site (beyond the first 20m of access road from Worrygoose Lane) shall be submitted to and approved by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

Reason

No details of the matters referred to having been submitted, they are reserved for the subsequent approval of the Local Planning Authority.

03

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)

- Location Plan dated March 2019
- Indicative Layout Plan dated March 2019
- Phasing Plan
- Proposed Site Access Junctions – Dwg No. A103937-35-18-002 Revision B
- Worrygoose Lane Improvements – Dwg No. A103937-35-18-006

Reason

To define the permission and for the avoidance of doubt

04

No above ground development shall take place until details of the materials to be used in the construction of the external surfaces of each phase 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

05

No development, shall take place in any of the geographical phases identified in the approved Phasing Plan until there has been submitted to and approved in writing by the Local Planning Authority a Design Code (including a supporting plan) for the geographical phase in question. The Design Code shall be approved before the submission of applications for the approval of reserved matters within that geographical phase and be in accordance with the principles described and illustrated in the submitted Masterplan document, unless otherwise agreed in writing by the Local Planning Authority.

The Design Codes and shall include codes for all matters listed below:

- Sustainable Design and Construction Principles
- Character Areas
- Block types
- Building Heights
- Density
- Relationship between proposed Landscape and Built Form
- Means of enclosure/boundary treatments
- Street Types and Street Materials
- Street Tree Planting
- Feature Spaces (including squares, parks and play areas) – if relevant to that phase
- Hard and Soft Landscape Treatments
- Advanced Structure Planting and phasing of landscape/Green Infrastructure implementation
- Planting character and establishment considerations
- Planting stock sizes including use of semi-mature tree planting
- Affordable Housing

Reason

To ensure high standards of urban design and comprehensively planned development are designed and phased to ensure maximum practical integration between different land uses to accord with policies CS28 'Sustainable Design' and SP55 'Design Principles'.

06

Applications for the approval of Reserved Matters shall be in accordance with the requirements of the approved Design Code for that geographical phase of development unless material considerations indicate otherwise.

Reason

To ensure high standards of urban design and comprehensively planned development are designed and phased to ensure maximum practical integration between different land uses to accord with policies CS28 'Sustainable Design' and SP55 'Design Principles'.

07

The proposed site layout shall be designed and constructed in accordance with the South Yorkshire Residential Design Guide, or a subsequent document that replaces it, including separation distances, private amenity space and internal spacing standards.

Reason

In the interests of ensuring a high-quality living environment for existing and future residents.

HIGHWAYS

08

Prior to any above ground development, a scheme for improvements to Worrygoose Roundabout and East Bawtry Road based on WYG Plans ref. A103937-35-12-101 Revision PO1 and A103937-35-12-102 Revision PO1, but with revised alignment so as to maintain the existing shared use path or an alternative scheme as agreed with the LPA, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall maintain the existing shared use path along the western edge of East Bawtry Road and provide a dedicated bus lane. The approved scheme shall thereafter be implemented as follows:

- a) The proposed signal controlled pedestrian crossing in A631 East Bawtry Road shall be provided prior to the first occupation of the development.
- b) All other highway works shall be implemented before the occupation of the 111th dwelling.

Reason

In the interests of ensuring the safe and efficient operation of the Local Road Network.

09

Prior to any above ground development, a scheme for the provision/ widening of the existing footway at Worrygoose Lane to a shared footway/cycleway, based on WYG Plans ref. A103937-35-18-002 Revision B and A103937-35-18-006, shall be submitted to and approved by the LPA. The approved scheme shall thereafter be implemented prior to the first occupation of the development.

Reason

In the interest of pedestrian and road safety.

10

Prior to the submission of the first Reserved Matters application, an amended Travel Plan shall have been submitted to and approved in writing by the Local Planning Authority and Highways England. The plan shall include clear and unambiguous objectives, modal split and peak hour vehicle targets (defined by the Transport Assessment) together with a programme of implementation, monitoring, validation and regular review and improvement but also include details of the method(s) of mitigation to be used if the agreed targets are not met. The Local Planning Authority shall thereafter be informed of and give prior approval in writing to any subsequent improvements or modifications to the Travel Plan following submission of progress performance reports as time tabled in the monitoring programme. Once the Travel Plan has been agreed in writing it shall be implemented in full for the lifetime of the development.

Reason

In order to promote sustainable transport choices.

11

The proposed on site layout shall be designed and constructed in accordance with the South Yorkshire Residential Design Guide (or any subsequent document that replaces it) and include the provision of a prospectively adoptable road up to the north eastern boundary of the site and prospectively adoptable footpaths/cycle links between the site and Lathe Road.

Reason

In the interests of road safety, sustainable travel and to ensure a comprehensive development can be provided

12

Prior to the occupation of any dwelling, details of vehicle charging points (a minimum of one point per dwelling) and one point per parking space for apartments shall have been submitted to and approved by the local planning authority. Each dwelling shall not be occupied until the charging point has been provided, and they shall thereafter be retained.

Reason

In the interests of sustainable development and air quality.

13

Car parking shall be provided within the curtilage of each dwelling unit in accordance with the Council's minimum car parking standards for new residential development.

Reason

In the interests of road safety

LANDSCAPE AND ECOLOGY

14

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

Reason

In the interests of the visual amenities of the area and in accordance with the adopted Local Plan.

15

A Green Infrastructure Delivery Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the first dwelling. The Delivery Plan shall be produced for the whole application site for a period of 5 years from completion of the final dwelling. The Plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the Local Planning Authority.

The Delivery Plan shall demonstrate how public realm and green infrastructure management will be delivered to a high standard of safety and quality across the site. Within this plan site management objectives will be identified (these will include but not be limited to landscape, ecology, visitor and recreational management), potential conflicts arising from site management and their resolution and the management, and maintenance regimes required to achieve the objectives given. The delivery plan shall set standards, and schedule work in order to ensure the safe and managed use of the site, the protection of wildlife and supporting habitat, and to promote the continuity of effective management throughout development phases.

Reason

To ensure that the future management maintenance repair and upkeep of the development is delivered to an appropriately high standard of safety and quality across the whole development.

16

Prior to the commencement of any development, details of a phased scheme of advanced structure planting to provide screen planting to the southern boundary and structure planting along access roads shall be submitted to and approved in writing by the Local Planning Authority. The said planting shall thereafter be implemented in accordance with the approved details.

Reason

To ensure an appropriate standard of visual amenity in the local area.

17

Prior to the construction of development in any of the geographical Phases as outlined in the approved Phasing Plan, a badger survey shall be submitted to and approved in writing by the Local Planning Authority. Works on site shall thereafter be carried out in accordance with the approved details

Reason

To ensure the development is carried out in an appropriate manner and to protect local nature conservation in accordance with Policy CS20 'Biodiversity and Geodiversity' and relevant guidance contained within the NPPF

18

Prior to the construction of development in any of the geographical Phases as outlined in the approved Phasing Plan, a bat survey shall be submitted to and approved in writing by the Local Planning Authority. Works on site shall thereafter be carried out in accordance with the approved details

Reason

To ensure the development is carried out in an appropriate manner and to protect local nature conservation in accordance with Policy CS20 'Biodiversity and Geodiversity' and relevant guidance contained within the NPPF

19

All subsequent applications for the approval of reserved matters shall be accompanied by details of a sensitive lighting scheme. The approved details shall thereafter be implemented and retained for the lifetime of the development.

Reason

To ensure the development is carried out in an appropriate manner and to protect local nature conservation in accordance with Policy CS20 'Biodiversity and Geodiversity' and relevant guidance contained within the NPPF

20

Prior to the construction of development in any of the geographical Phases as outlined in the approved Phasing Plan, a Phase1 Habitat Survey shall be submitted to and approved in writing by the Local Planning Authority. Works on site shall thereafter be carried out in accordance with the approved details

Reason

To ensure the development is carried out in an appropriate manner and to protect local nature conservation in accordance with Policy CS20 'Biodiversity and Geodiversity' and relevant guidance contained within the NPPF

21

No vegetation clearance, commensurate with habitats suitable for nesting and foraging birds shall be carried out during the bird breeding season (March to August inclusive) unless a survey of the site by a qualified Ecologist has been carried out and report has been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure the development is carried out in an appropriate manner and to protect local nature conservation in accordance with Policy CS20 'Biodiversity and Geodiversity' and relevant guidance contained within the NPPF

GENERAL AMENITY

22

All subsequent applications for the approval of reserved matters shall be accompanied by a Construction Management Plan, The Plan shall include:

- details of vehicular routing
- traffic management measures during the construction work;
- measures to deal with dust;
- measures to deal with mud in the highway;
- details of any storage on site
- details of loading/unloading of materials/plant;
- details of car parking facilities for the construction staff;
- details of proposed hours of construction on/deliveries to the site;
- details of any lighting;
- details of the quality of soil and its movement and temporary storage during construction
- and such further matters as the Local Planning Authority may consider necessary.

The approved measures shall be implemented throughout the construction period.

Reason

In the interests of highway safety and residential amenity

23

All subsequent applications for the approval of reserved matters shall be accompanied by a noise assessment to evaluate the impact of noise from road traffic using the East Bawtry Road, Whiston on the proposed new dwelling houses. The report shall be scoped out with the Local Planning Authority prior to its submission and also include any mitigation measures deemed necessary to protect the amenity of future occupiers. This is to be carried out by a suitably qualified noise consultant and have regard to the

National Planning Policy Framework and the World Health Organisation Guidelines.

Reason

In the interests of residential amenity

LAND CONTAMINATION & GROUND CONDITIONS

24

Prior to the commencement of development, a Remediation Method Statement for drilling and grouting works will be submitted to and approved in writing by the Local Planning Authority prior to any remediation works commencing on site. The approved Remediation works shall be carried out in accordance with the findings identified within the Phase II Intrusive Investigation Report and under a full quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. The Local Planning Authority must be given two weeks written notification of commencement of the remediation works.

Reason

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

25

Foundations shall be undertaken in accordance with sections 7.3 – 7.7 of the above report entitled 'Phase II Geotechnical and Geo-Environmental Site Investigation – Shrogswood South, Whiston, Rotherham – Prepared by Eastwood's and Partners Ltd, dated 11 January 2019, reference 41582-002, Final'.

Reason

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

26

If subsoils/topsoils are required to be imported to site for use in garden/landscaped areas then these soils will need to be tested at a rate and frequency to be agreed with the Local Planning Authority to ensure they are free from contamination. A testing regime shall be submitted to and approved in writing by the LPA prior to import of soils to site.

Reason

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

27

In the event that during development works unexpected significant contamination (including asbestos containing materials) is encountered at any stage of the process, the local planning authority shall be notified in writing immediately. Any requirements for remedial works shall be submitted to and approved in writing by the Local Planning Authority.

Reason

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

28

Prior to the commencement of development within any of the geographical phases as identified on the approved phasing plan, a design sulphate classification for all sub surface concrete shall be undertaken in accordance with section 8.6.4 (sulphates), p34 and section 9.4 (construction materials) p37 of the above report entitled 'Phase II Geotechnical and Geo-Environmental Site Investigation – Shrogswood South, Whiston, Rotherham – Prepared by Eastwood's and Partners Ltd, dated 11 January 2019, reference 41582-002, Final'. This is due to the elevated soluble sulphate content within the made ground across the site.

Reason

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

29

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

Reason

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

30

Prior to the submission of the first Reserved Matters application, a scheme of intrusive site investigations for the mine entries and intrusive site investigations for the shallow coal workings shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following:

- the submission of a report of findings arising from both of the intrusive site investigations;
- the submission of a layout plan which identifies appropriate zones of influence for the mine entries on site, and the definition of suitable 'no-build' zones;
- a scheme of treatment for the mine entries on site for approval;
- a scheme of remedial works for the shallow coal workings for approval;

The implementation of the remedial works as identified and approved, shall be carried out prior to the commencement of development within each of the geographical phases identified in the approved phasing plan.

Reason

To ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 178 and 179 of the National Planning Policy Framework

LEVELS

31

Details of existing and proposed finished floor levels of the proposed dwellings shall be submitted with each subsequent application for Reserved Matters.

Reason

In the interests of the amenity of the existing residents adjoining the site in accordance with the Local Plan

WASTE MANAGEMENT

32

Each subsequent application for Reserved Matters shall be accompanied by a Waste Management Strategy. This Strategy shall include:

1. information on the amount and type of waste that will be generated from the site
2. measures to reduce, re-use and recycle waste within the development, including the provision of on-site separation and treatment facilities (using fixed or mobile plants where appropriate);
3. design and layouts that allow effective sorting and storing of recyclables and recycling and composting of waste and facilitate waste collection operations during the lifetime of the development;
4. measures to minimise the use of raw materials and minimise pollution of any waste;
5. details on how residual waste will be disposed in an environmentally responsible manner and transported during the construction process and beyond;
6. construction and design measures that minimise the use of raw materials and encourage the re-use of recycled or secondary resources (particularly building materials) and also ensure maximum waste recovery once the development is completed; and
7. details on how the development will be monitored following its completion.

Reason

To determine the amount and type of waste that will be produced on site, and how it will be re-used during construction when waste is removed from site. In accordance with the provision of WCS7 of the Barnsley, Doncaster and Rotherham Joint Waste Plan.

ARCHAEOLOGY

33

Prior to the submission of any reserved matters application, an archaeological evaluation of the application area will be undertaken in accordance with a written scheme of investigation that has been submitted to and approved in writing by the local planning authority. Drawing upon the results of this field evaluation stage, a mitigation strategy for any further archaeological works and/or preservation in situ shall be submitted to and approved in writing by the local planning authority and then implemented.'

Reason

To ensure that the site is archaeologically evaluated in accordance with an approved scheme and that sufficient information on any archaeological remains exists to help determine any reserved matters.

DRAINAGE AND FLOOD RISK

34

Notwithstanding the submitted drawings, prior to the submission of the first reserved matters, a drainage strategy and masterplan for the whole of the allocation, and a foul and surface water drainage scheme for the geographical phase in question, shall be submitted to and approved in writing by the Local Planning Authority. Construction of roads or dwellings shall not begin until such approval has been received. The strategy shall be 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 within that geographical phase is brought into use. Until the approved scheme has been fully implemented, temporary arrangements shall be put in place to limit foul and surface water run-off to the approved discharge rates, based on the area of site currently developed and the foul agreed by Yorkshire Water respectively. The scheme to be submitted shall demonstrate:

- The utilisation of holding sustainable drainage techniques (e.g. soakaways);
- 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 allowance for climate change, based upon the submission of drainage calculations; and
- A maintenance plan including responsibility for the future maintenance of drainage features and how this is to be guaranteed for the lifetime of the development.

Reason

To ensure that the development can be properly drained and facilitates a comprehensive drainage scheme for the whole housing allocation in accordance with the Local plan and the NPPF.

35

Notwithstanding the submitted documents, prior to the submission of the first reserved matters application, an updated Flood Risk Assessment based on existing flood risk, proposals to mitigate flood risk and sustainable drainage principles for the development, shall be submitted to and approved in writing by the Local Planning Authority. Construction of roads or dwellings shall not begin until such approval has been received.

Reason

To ensure that the development can be properly drained and will be safe from flooding in accordance with the Local plan and the NPPF.

36

Notwithstanding the submitted documents, prior to the submission of the first reserved matters application, a flood route drawing shall be submitted to and approved in writing by the Local Planning Authority. The drawing shall show how exceptional flows generated within or from outside the site will be managed, including overland flow routes, internal and external levels and design of buildings to prevent entry of water. The development shall not be brought into use until such approved details are implemented.

Reason

To ensure that the development can be properly drained and will be safe from flooding in accordance with the Local plan and the NPPF.

37

Notwithstanding the submitted documents, at reserved matters stage an updated topographical survey and site plan shall be submitted to and approved in writing by the Local Planning Authority. Construction of roads or dwellings shall not begin until such approval has been received. The survey shall extend to the full width of the watercourse on the site boundary and the site plan shall show the precise location of any proposed structure within 5m of the top of the near bank.

Reason

To ensure that the development can be properly drained in accordance with the Local plan and the NPPF.

38

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

Reason

In the interest of satisfactory and sustainable drainage.

39

No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority .

Reason

To ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the foul sewer network

40

There shall be no occupation of any phase of the development until details of on-site and off-site foul water drainage have been submitted to and approved in writing with Local Planning Authority. The approved details shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the development and the number of properties to be constructed within that phase, or within any other period or number of properties as may subsequently be agreed in writing by the Local Planning Authority .

Reason

To ensure the site can be properly drained without risk of flooding /pollution to the local aquatic environment, public health and public amenity.

Informatives

01

Yorkshire Water

The developer should note that works to the existing local public sewerage network will be required, it is recommended that prior to submission of Reserved Matters the developer contacts our new Development team to discuss:

Developer Services Team : telephone 0345 120 84 82 (option 1) or email technical.sewerage@yorkshirewater.co.uk

Water Supply

The developer should contact YW's New Supplies team with respect to a water supply. They should note that a water main from the north eastern side of the site (Shrogs Wood Road) to serve the upper area of the site will be required so a final site layout would need to accommodate the new water main being laid within the site and provide sufficient access to operate, inspect and maintain the pipe in the future.

02

Sheffield Area Geology Trust

If consent for this proposal is granted, SAGT would appreciate being contacted by the developer when groundworks have begun and invited to view the geology and to take photographs to add to Rotherham's geodiversity records. Adding an informative to this effect to the decision notice is recommended.

03

The planning permission is subject to a Legal Agreement (Obligation) under Section 106 of the Town and Country Planning Act 1990. The S106 Agreement is legally binding and is registered as a Local Land Charge. It is normally enforceable against the people entering into the agreement and any subsequent owner of the site.

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.

RB2019/0552 - Outline application for the erection of up to 450 No. dwellinghouses including details of access at to the north west of Worry Goose Lane, Whiston

Frequently Asked Questions

Highways

1. Have the agents correctly modelled the impact on Worry Goose Roundabout using accurate traffic data?

Yes, the roundabout has been modelled using traffic survey data provided by RMBC highways and using industry standard modelling software.

2. How is a traffic queue defined since the numbers quoted are much less than the numbers seen in reality?

The modelling software used for junction assessments provides outputs indicating queues/delays over 15-minute periods over the time period analysed and so tends to show a mean maximum queue over this period. There may well be 'spikes' in queueing 'on the ground' that may not be reflected owing to the nature of the model used. These have been observed to occur for short periods in the peak periods, and are not considered to meet the test of 'severe impact' given by NPPF (see FAQ 12).

3. What mitigation is intended on the approaches to the Roundabout and how will these changes improve traffic flows and reduce queuing?

The improvements include for localised widening on 3 of the approaches to the roundabout to improve throughput and allow greater stacking space at the roundabout. A new signal controlled pedestrian crossing of the A631 to the NE of the roundabout is also proposed intended to provide additional gaps in traffic flow for vehicles on Worry Goose Lane.

4. Will the proposed bus lane impact of the existing shared footway/cycleway?

Appropriate foot/cycle facilities on East Bawtry Road will be retained as part of the improvement.

5. What will be the benefit of the bus lane in terms of improving capacity at the roundabout?

There will be no improvement to capacity for general traffic on East Bawtry Road as a result of the proposed bus lane - this is proposed to provide bus priority along the A631 corridor at the junction, to mitigate for peak hour queuing is forecast to remain an issue.

6. Why does the development only mitigate the impact of the traffic to be generated by the development?

The NPPF and relevant transport policies requires developments to mitigate their own traffic impact, not to resolve existing issues on the highway network.

7. How has the trigger point of 111 No. dwellings been arrived at?

This is based on the level of traffic impact predicted at the Worry Goose roundabout as a result of this scale of development.

8. How will congestion and delay created by existing traffic, and future growth, be addressed?

The improvements proposed will benefit all highway users, not just additional traffic generated by the proposed development. The capacity assessments undertaken include for existing traffic, plus an allowance for background traffic growth.

9. Will the proposed road layout at the site accesses be safe, particularly for children crossing Worry Goose Lane to get to/from the school?

The site access junctions have been designed in accordance with relevant design guidance and the designs have been subject to an appropriate Stage 1 Road Safety Audit. The accesses will be subject to further detailed design and further safety audits at the appropriate stages in the design process.

10. What measures are proposed to promote non car modes of travel?

New bus lane as part of Worry Goose roundabout improvements, financial contribution towards enhanced bus services, improvements to local bus stops and provision of a new shared foot/cycle route on the west side of Worry Goose Lane between the development and Worry Goose roundabout.

11. Why is there a condition requiring the estate road be built up to the boundary with Shrogswood Road?

Constructing a prospectively adoptable road up to the boundary with Shrogswood Road would safeguard the potential for the road to be extended at a later date to access the additional allocated site on the opposite side of Shrogswood Road, again in the interests of permeability. The access point would be determined when the detailed layout was being considered

12. On what traffic/road safety grounds could planning permission be refused

This is governed by the National Planning Policy Framework, which states –

“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

Drainage

1. What is the purpose of an outline design?

The outline design is required to illustrate the how runoff from the outline planned development can be safely collected and attenuated on the site and to establish the design criteria that any future development will need to comply with to be granted approval by Rotherham Metropolitan Borough Council (RMBC) after detailed design and as part of a submission for Planning Condition Discharge.

The outline design along with the issued flood risk assessment (ref 387391_R01_C) establish how the allowable discharge should be calculated and what options are available for a future developer to design a Sustainable Drainage System (SuDS).

The outline design may not be the design that will be delivered in the future by a developer, this will be subject to a detailed design based on the proposed layout of housing, roads and landscaping. This affords the developer multiple opportunities to provide other means of SuDS collection, conveyance and attenuation. All of which will be assessed by RMBC when the developer presents his design as part of the applications for Reserved Matters.

2. Will the development generate runoff that will cause flooding in Whiston?

In its present condition the undeveloped site will generate runoff during heavy rainfall this is known as greenfield runoff. This rate of runoff can be estimated using various methods and for various return periods. For the development site this has been estimated using the ICoP Suds method.

The runoff anticipated from the undeveloped site in any year is known as Q_{bar} , for a 1 in 30 year event this is noted as Q_{30} and so on.

The proposed development site has a Q_{bar} rate = 31.1 l/s. This is set as the flow control for all rainfall events on the site for events up to a return period of 100 years plus climate change. For comparison, the runoff from the site if it were not to be developed, noted as Q_{100} = 79.8l/s and this excludes the potential impacts of climate change.

For any event with a return period greater than 1 in 2 years, the post-development site will discharge at a lower rate than if the site were to remain undeveloped.

3. How has the attenuation volume been established?

The volumes of attenuation and the sizes of basins shown on the indicative outline drainage plan have been calculated using the design software that models rainfall events for different return periods and durations. The volume of attenuation is the difference between the volume of rainfall falling on the site

and the volume which is allowed to discharge during the rainfall. Think of a bath with a running tap as the input and the plug hole as the discharge. Where inflow exceeds outflow attenuation is required.

On normal impermeable surfaces such as tarmac and concrete, when rain falls on it not all of that rainfall is converted to runoff, there is a wetting of the surface and small depressions that get filled, there are also natural processes like evaporation that reduce this further.

The detailed design will be refined to a plot level where the roof and drive drainage will be individually modelled, separately to the road drainage. Each one of these features will tend to slow the flow down as it flows from the point it lands to the outfall of the site. This is known as the Time of Concentration and will be increased in the detailed design by using SuDS features like permeable driveways, filter trenches and swales.

4. Will the development generate runoff that may be polluted?

Any proposed future surface water management system will need to ensure that the runoff from the site is properly treated before being discharged offsite. This is typically done by designing systems in accordance with the CIRIA SuDS manual (C753) which uses a simplified index approach and provides guidance on how suitable water quality improvements can be made as part of the drainage systems. These include the use of SuDS features such as swales, basins and ponds.

At the detailed design stage the developer will be required to demonstrate that the treatment trains within the drainage system provide the required level of pollution control. This would be submitted as part of the reserved matters application for approval by RMBC.